Application Number: ADC/0265/08 Recommendation - APPROVE

Site: **Diamond Waters, 216-218 Brighton Road Lancing BN15 8LJ**

Proposal: **Variation of condition 2 of L/204/04/TP to enable cycle store to be used for general storage and cycle racks placed within car parking space**

The Application

The site is a former rest home that was converted to 15 flats as a result of several planning permissions between 1999 and 2004. The latest permission, L/204/04/TP, contained a condition which states:-
"The lower groundfloor of the building (except for the entrance hall and utility room) shall be kept at all times for the parking of cars and cycles as shown on the plan hereby approved.
Reason – To ensure adequate provision for parking clear of the highway and to comply with policy AH2 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan"

This application, from the landlord, seeks retrospective permission to vary that condition to enable a cycle store in the centre of the ground floor to be used as a private store for the landlord of the flats. Replacement cycle storage has been provided within the undercroft parking area adjacent to the store.

Consultations and Representations

West Sussex County Council: No objection as the car parking situation would remain unchanged. The store is to remain for private use and should not generate any significant vehicle movements. The placing of the cycle rack within the existing undercroft car parking will at least ensure that the existing cycle parking provision is replaced within a covered area and its location would not be detrimental to the existing car parking.

Lancing Parish Council: No objection.

Third Parties: 7 letters of objection received from the occupiers of The Penthouse, Garden Flat, 1, 5, 8, 10 and 11 Diamond Waters on the following grounds :- i) the condition has never been complied with, ii) there is no secure cycle store on site leading to criminal damage and theft of bicycles, iii) the cycle rack at the rear of the garage effectively takes up one parking space and makes it difficult to get a bicycle out without damaging a parked car; iv) the store is used by the landlord who does not live on the site rather than the leaseholders, v) the landlord intends subleasing the store for commercial use and using the parking spaces in front as a delivery area, vi) limited car and cycle parking on the site, vii) parking on the A259 is restricted by the recent safety improvement scheme.
[NB. the residents of The Penthouse wish to speak at the Committee meeting]

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (WSCC 2005) (saved policies): DEV4-5

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 & ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)

Planning Assessment

Policies

Structure Plan Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met. DEV5 states that "Development should not be permitted unless the level of parking is compatible with the need to avoid environmental or safety problems and the need is to encourage walking, cycling and the use of passenger transport where this is or can be a realistic alternative".

Access and parking

The site contains 15 flats and 10 parking spaces, plus the cycle rack for 5 bicycles. It is understood that the cycle store shown on the approved drawings has never been used for that purpose and has been used instead as a private general store by the landlord. It is not used for commercial purposes and the two parking spaces in front of the store are available for use by the residents of the flats. There is concern that the store will be leased out for commercial storage and the parking spaces lost in the future. Such activity would, however, fall under planning control and this should not be used as a reason to resist this current application.

The cycle rack that has been placed within the undercroft parking area is located alongside a side wall at the back of the parking area, in line with the refuse bin store in front. While part of the parking area is taken up by the rack and bins, the overall width of the parking area is 7.5m, enabling 4 x 2.4m wide tandem parking spaces to remain. It is considered that adequate space exists for both the cycle rack and parking area without compromising the use of either. The applicant has written to confirm that bicycles are also stored elsewhere on the site, such as within a shed in the rear communal garden.

The continued use of the store for general storage, which has occurred for 4 years or so, will not result in any change to the present situation on site. No parking spaces will be lost and adequate replacement cycle storage facilities have been provided. The site is located on a bus route and is within easy reach of Shoreham town centre. In view of its sustainable location, the amount of parking on site is considered to be adequate and complies with the County Council's maximum standards. There is no highway objection to the amount or type of cycle parking provision and the application is therefore considered to be acceptable.

Recommendation

APPROVE for the reason:-

The development does not reduce parking provision on site and does not detract from the local environment or from highway safety. It does not conflict with policies DEV4-5 of the West Sussex Structure Plan or AG1 or AH2 of the Adur District Local Plan.

No conditions