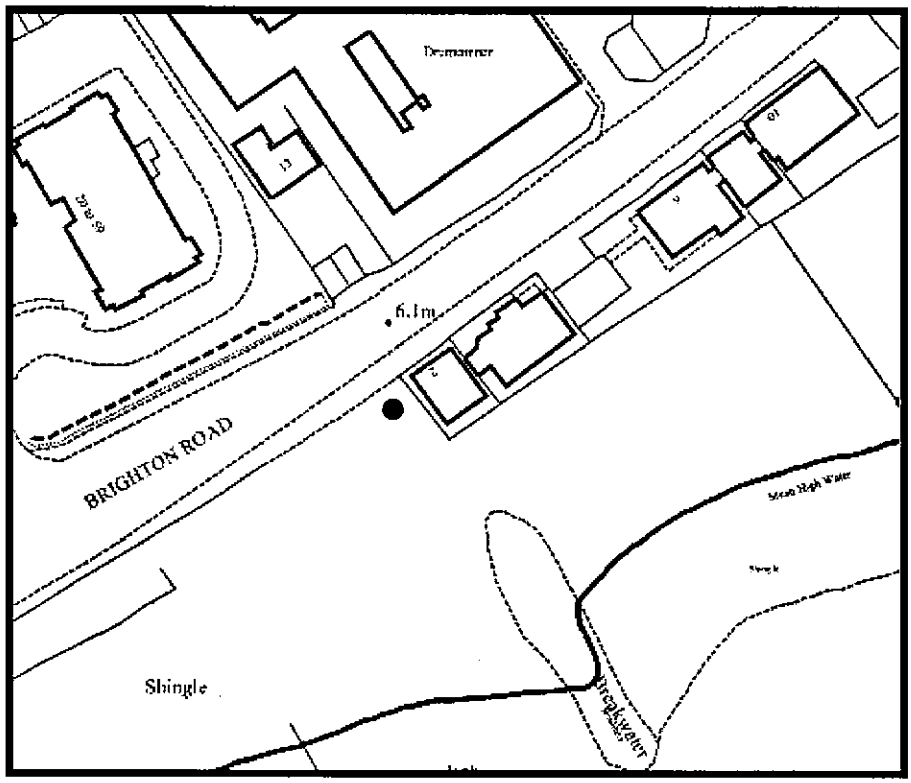
Application Number: ADC/0124/09 **Recommendation – Temporary permission**

Site: **West of 2 Brighton Road, Lancing BN15 8RH**

Proposal: **Temporary staff parking area for 3 years (retrospective)**



The Application

The application site (21m wide by 13m deep) is contiguous with the beach and is directly to the west of the last dwelling on the south side of the A259, the bungalow at No.2 Brighton Road which is only about 1m away from the boundary. The front part of the site was, until the recent unauthorised surfacing with tarmac-type material, partly rough grassed with the rear part shingle merging with the beach. The east part had been used informally by the neighbouring resident for some years for parking. The site is stated to accommodate 10 cars. There is a 0.75m high close-boarded fence (with pedestrian gate) on the frontage to the east of the access (which is about 3m wide with a dropped kerb) and a rough 0.8m hedge (with mounding of similar height behind) on the west part of the frontage. However, the east and south sides are entirely open to the beach.

To the west of the site is a short undeveloped stretch of beach, with a row of beach huts 25m further to the west. To the north, on the opposite side of Brighton Road, there is a 10-storey block of 40 flats (Milford Court) with the large Drumconner Rest Home on its east side.

The Design & Access Statement with the application states that the car park will be used for a temporary period as staff parking for up to 10 cars whilst major extensions and

refurbishment are taking place at Drumconner Rest Home, a significant local business which is expanding and providing employment. It states the site shingle will be reinstated at the end of the period and all imported/compacted aggregates will be removed.

A previous application to build a three-storey house on the site was refused in May 2007 (ADC/0177/07), an earlier application being withdrawn (L/40/04).

Consultations and Representations

West Sussex County Council: No objection subject to conditions requiring the provision of pedestrian visibility splays either side of the access and requiring the access to be closed immediately upon completion of the extensions and refurbishments of Drumconner Rest Home.

Environment Agency: No objection to the grant of planning permission subject to the applicant ensuring no contaminants run onto the beach. Comment that the development should have had Byelaw consent as it is part of the sea defences and they reserve the right to remove the construction if access is required for beach maintenance. Also, the surfacing material may have required their authorisation depending on its origin.

Lancing Parish Council: Considers a 3 year period of use excessive; a one year temporary permission would be more appropriate.

Third Parties: 4 letters have been received from residents at Flats 6, 23, 24 & 49 Milford Court, one of whom owns the 3 beach huts nearest the site.

- the site has been covered with asphalt/tarmacadam and its use for car parking in direct proximity to the beach detracts from recreational use of the beach, with beachgoers suffering extra car noise and car fumes whilst relaxing there in the summer months
- although the beach huts are not directly adjacent, they are close by and the owner of the nearest ones states that his family, during the occasions they have used the huts so far this year, have already suffered the results of being close to a car park
- it amounts to being expansion of a commercial enterprise onto the beach
- the site is uncontrolled and will become a free-for-all; the access is ungated and without any height barrier, thereby allowing access by other people. It is already being used in the evenings by people bringing their dogs to the beach by car and could be occupied by travellers
- use of the access causes a hazard for pedestrians (including children), cyclists and wheelchair users using the footpath and cycleway; they have been observed having to go onto the heavily-trafficked road to avoid cars exiting the site without due care (probably driven by casual users rather than staff).
- cars entering the site from the west cause a particular hazard as they have to cross the central road markings, thereby impeding the flow of traffic, as well as having to cross the cycle lane.
- a permission for as long as 3 years is unjustified as the extensions to the Home appear nearly completed and it may well result in the temporary car park forming the subject of the present application becoming permanent, especially if Drumconner obtain permission in the meantime for further extensions thereby reducing parking space on that site
- if permitted, it should only be for a very short period (until 31 May 2009 is suggested) to allow completion of the extension to Drumconner and return the site

back to its original condition as beach pebbles and vegetation; and this must be enforced.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AR2, AR12
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG17 'Planning for Open Space, Sport and Recreation' (DTLR 2002)
PPS25 'Development and Flood Risk' (ODPM 2006)

Planning Assessment

Policies

In the Adur District Local Plan, the site (to a depth of approximately 12m) is located within the built-up area boundary. This definition of the built-up area stretches westwards to include the row of beach huts (as far as the Worthing boundary). Under policy AG1, in principle, development is normally permitted within the built-up area boundary "subject to other policies in this Local Plan and to it not detracting from the existing local urban environment".

The site is approximately 13m deep and therefore extends marginally beyond the defined built-up area boundary. This strip at the rear is shown in the Local Plan as part of the beach and is subject to policies AR2 and AR12. AR2 refers to recreational areas not owned by the Council and states that permission will not be granted for non-recreational uses of such areas and encouragement will be given to owners to make these areas available to the public to use as open space. The explanatory text states that these areas have for many years been accessible by the public and are an established resource in recreational terms and it is important that these areas are protected for such use. AR12 states improvements to public facilities will normally be permitted.

Visual Amenity and Character

It is acknowledged that the majority of the site is located within the built-up area as defined in the Local Plan. However, this short undeveloped stretch of land is considered to be a scarce resource within the District and, if permanent permission were granted, this would result in the loss of part of the undeveloped beach. Undeveloped beach frontage is a scarce asset and it is desirable that it is retained. It is a recreational area of benefit to a large number of people and is of significant public importance. The view is enjoyed by not only those who live opposite and adjacent to the site but also by motorists, cyclists and walkers.

The car park in question is, however, required only for a temporary period, during the enlargement and improvement of nearby Drumconner Rest Home which is in the same ownership. In this context, it is considered that the temporary need for the car park outweighs the planning objection and that a temporary permission is acceptable. However, the 3 year period sought seems excessive. It has been queried with the applicant's agent and his reply is awaited.

Effect on amenity of residents and beach hut users

There is a degree of adverse impact on the residential amenities of the occupiers of the neighbouring bungalow. It has its main livingroom window located on the western elevation very close to the boundary and facing across the site. However, there is no evidence of any significant detriment to the residents or to users of the beach huts (about 25m away) caused by vehicle fumes or noise.

Highway safety

The vehicular access to the site from the A259 is about 3m wide and has a dropped kerb. The Highway Authority have no objection subject to the provision of pedestrian visibility splays. These are normally required to have no obstructions over 0.6m high but it is evident that the existing front boundary fence/hedge/mounding is low enough not to obstruct visibility of pedestrians and cyclists. The pavement on this stretch is designated for the use of cyclists as well as pedestrians. Visibility is good in both directions.

The amount of traffic generated by the car park is not considered to be of such numbers as to give rise to significant detriment to highway safety.
With cars parked along the rear of the site, there is adequate space to enable cars to turn and re-enter the highway in forward gear. There is a sign stating that unauthorised users will have their vehicles clamped, which should discourage use by the wider public. It is not considered that there is sufficient reason to require a gate to be erected, particularly as it would need to be set back to enable a car to pull off the highway and would be impractical given the limited depth of the site.

Flood Risk

The Environment Agency have no objection subject to reserving the right under their own powers to remove the construction if access is required to maintain the beach as part of the sea defences.

Recommendation

APPROVE for the reason that:-

Although the car park is detrimental to the environmental quality of the beach as a public recreational area and does not accord with the objectives of policies AG1 and AR2 of the Adur District Local Plan, it is considered appropriate to grant a temporary permission having regard to the need to provide a temporary parking facility pending the completion of extensions and alterations to the nearby Drumconner Rest Home.

Subject to:-

1. C1Di (Temporary permission expiring 31 ~~December~~ May 2010 with requirement to cease the use as a car park, remove the construction works, block the access and restore the site to shingle beach) (amended)
2. The car park shall be used solely for parking incidental to Drumconner Rest Home.
3. C9Ci (Provision of on-site turning space)(amended)
4. C9F (Provision of pedestrian/cyclist visibility splays) (amended)

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