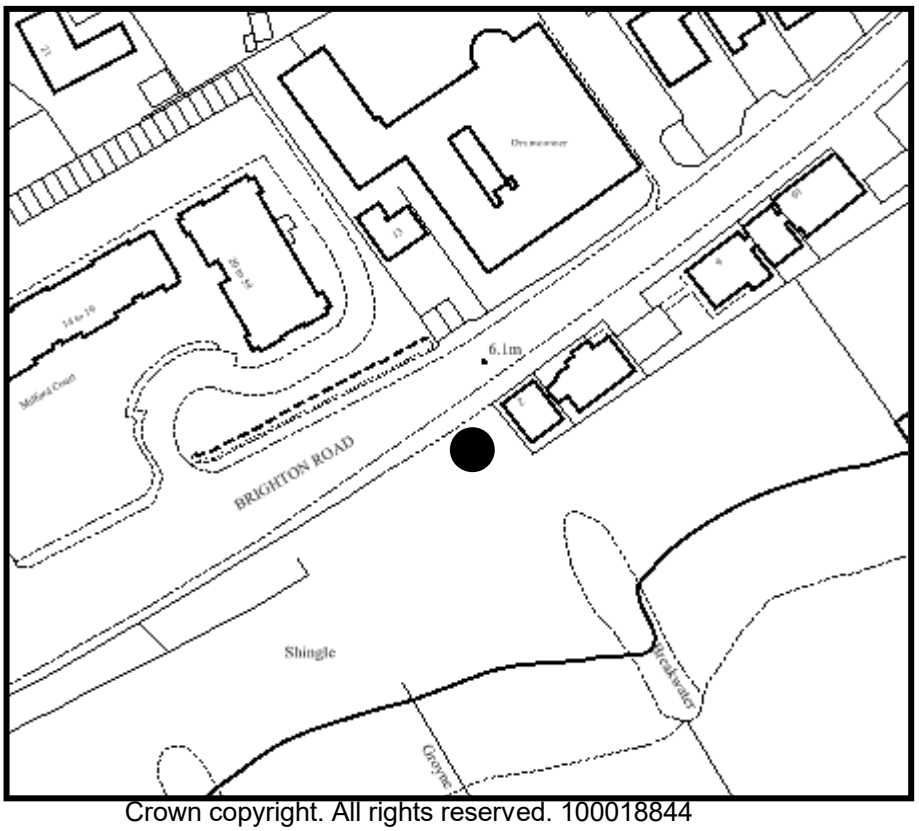
Application Number: ADC/0177/10 **Recommendation - Temporary Permission**

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

Proposal: **Retention of temporary staff parking area (renewal of ADC/0124/09)**



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The Application

The application is for renewal of the temporary permission granted in May 2009. The applicant sought permission for 3 years at that time but only one year was granted.

The 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 unauthorised surfacing in 2009 with tarmac-type material, 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 pending completion of the extensions and refurbishment at Drumconner Rest Home, a significant local business which is expanding and providing employment. A separate letter states that once completed, building work will start on the more recent permission ADC/0460/09 for first-floor extensions. It is stated that 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 having been withdrawn (L/40/04).

Consultations and Representations

West Sussex County Council: No objection, stating that they are not aware of any problems since the permission was granted. Previously sought 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.

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: Object, stating that it should not be continued and the beach reinstated.

Third Parties: 3 letters have been received from residents at Flats 6, 23 & 40 Milford Court, as follows:-

- The resident of flat 6 states this car park was only permitted temporarily during building work at the Drumconner Home; it is clearly not appropriate as a permanent car park as, apart from being an eyesore, it results in casual use by the public and hazards to pedestrians, cyclists and road users. Children have been seen waiting on the road to avoid cars leaving the site.
- The resident of flat 23 states enforcement action should be taken to secure the removal of the car park and restoration of the beach upon expiry of the present permission on 31 May, as building work appears to have finished at Drumconner. Fumes and noise are disturbing to beach users and screeching tyres have been heard from traffic. The requirements of the business should not over-ride public interests in this residential area.
- The resident of flat 40 questions how much longer the site will be used as a car park, commenting that perhaps the applicant is hoping to make it permanent. Although preferable to a building being erected on the site, it could remain for the 3 years the applicant originally sought.

[NB. the resident of flat 23 Milford Court requests to speak at the Committee meeting]

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)
PPS25 'Development and Flood Risk' (ODPM 2006) and PPS25 Supplement 'Development and Coastal Change' (DCLG 2010)

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 required only for a temporary period, during the use of part of the existing car park at the nearby Drumconner Home (in the same ownership) by builders, for storage of materials, etc connected with the enlargement and improvement of the home. There is concern about the length of time over which the building work is continuing, especially as it is now argued that the more recent permission ADC/0460/09 for first-floor extensions will be commenced upon completion of the present work. In this context, it is considered that a further temporary permission would be difficult to oppose. Nevertheless, the 3 year period sought by the applicant appears excessive and a shorter period is again considered justified.

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 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.

The condition previously imposed included a requirement at the recommendation of WSCC to replace the existing dropped kerb with a raised kerb and footway. The applicant states, however, that this crossover has existed for over 30 years, having been used by the previous occupier of the dwelling to the east to gain vehicular access to the site. He requests that any further permission has no such condition as it appears unenforceable.

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 during the carrying out of building work at the nearby Drumconner Home.

Subject to:-

1. C1Di (Temporary permission expiring 31 December 2011 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)
4. C9F (Provision of pedestrian/cyclist visibility splays) (amended)

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