The Planning Inspectorate

Appeal Decision

Site visit made 10 July 2012

by M A Champion BSc CEng FICE FIStructE FCIHT FHKIE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 August 2012

Appeal Ref: APP/Y3805/A/12/2171317
Land adjacent to 2 Brighton Road, Lancing, BN15 8RH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Drumconner Homes Ltd against the decision of Adur District Council.
- The application ref: AWDM/0066/12, dated 12 January 2012, was refused by notice dated 9 February 2012.
- The development proposed is a temporary staff parking area for a period of two years.

Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this appeal are: first, the effect of the proposed development on the character and appearance of the beach as a public recreation area; and secondly, whether the proposed development would restrict access to the beach for emergencies and maintenance of the sea defences.

Reasons

3. The appeal site lies in a predominantly residential area where Policies AG1 and AR2 of the Adur District Local Plan 1996 (LP) deal with the location of development and public open space. Policy T4 of the South East Plan 2009 addresses parking.

4. Other policies in PPS 25 and PPG 13, cited in the notice, have been superseded by the National Planning Policy Framework (NPPF), which carries forward the general thrust of the former policies.

5. The site comprises a small area of beach, some 13 metres deep, adjacent to the highway boundary and to the west of 2 Brighton Road. This is the end property in a line of development spreading eastwards along the south side of the road and backing on to the beach. To the west of the site is a line of beach huts. On the opposite side of the road residential development extends in both directions, including Drumconner Residential Care Home to the north-east of the site.

6. The current proposal seeks the retrospective renewal of the earlier grant of temporary planning permission (May 2009, ref: ADC/0124/09, renewed in June 2010, ref: ADC/0177/10) for a period of two years, for use of the site as a staff car parking area for Drumconner.

7. Although the Council recognised that the development was detrimental to the environmental quality of the beach and did not accord with the objectives of the LP policies cited, it granted temporary permission to facilitate the carrying out of building work at Drumconner. This permission expired on 30 June 2011. At the time of my site visit there was no evidence of any such work being carried out at Drumconner which appeared to have an extensive car parking area within its boundary; rather the site was in use by contractors working on an extension to No 2.

8. The majority of the site lies within the built up area, the boundary of which is 12 metres from the road; the remainder is part of the coastal beach which is an open space accessible to the public for recreational purposes and subject to LP Policy AR2. The Council states, and the appellant does not dispute, that undeveloped beach frontage is a scarce resource which it is desirable to retain

9. Within the built-up area LP Policy AG1 normally permits development subject to other policies and which does not detract from the existing local urban environment.

10. Development as a temporary car park significantly impacts on the appearance of the area, both in respect of its construction and of the parked vehicles. It is an incongruous intrusion into the open beach area and out of keeping with its character. Renewal of the earlier temporary permissions would result in the loss of a valuable asset for an extended period of time that would, in the absence of an overriding necessity, be unacceptable.

11. The appellant wishes to retain the parking area for use in connection with further building work, which is anticipated to commence during 2012. However, there can be no guarantee that this will be so, nor has any evidence been submitted to demonstrate that such parking as is required during the works cannot be accommodated within the Drumconner site.

12. Furthermore Policy T4 and NPPF support sustainable development and discourage the use of cars for travelling to work where alternative means are available. The Council states that the site is on a bus route with a frequent service and within walking distance of a railway station. Although I have not been provided with details of the staff travel plan or the various service timetables, the availability of public transport indicates a possible reduction in the need for a staff car park.

13. The Environment Agency (EA) objects to retention of the temporary car park as it restricts access to the beach area for both emergencies and essential maintenance of the shingle sea defences, thus increasing the risk of flooding and erosion. While I acknowledge that the beach extends for a significant distance in both directions and other access points may be available, access is by no means continuous owing to built development along much of the highway boundary.

14. The EA describes the site as an essential access point and it would appear to have a long established use with a pavement crossover and a gap in the boundary wall to facilitate vehicular access. It is now some three years since the first temporary permission was granted and, in view of the serious consequences of flooding and erosion, it would be unreasonable, in my view, to allow this essential access to be restricted for a longer period.

15. I conclude that the proposed development would adversely affect the character and appearance of the beach as a public recreation area, and would restrict access to the beach for emergencies and essential maintenance of the sea defences, increasing the risk of flooding and erosion, all contrary to the policies and guidance cited above.

M A Champion

INSPECTOR