

Development Management - Delegated Officer Report

Application Number: AWDM/0333/26

Recommendation – REFUSE

Site: 177 Brighton Road, Lancing, BN15 8JB

Proposal: Vehicular access and hardstanding.

Date of site visit: Assessment has been assisted using the Applicants plans; Earthlight mapping; and Google Maps, plus prior knowledge of the area

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The application property is a detached, hipped roof, two storey dwelling situated on the north side of Brighton Road, Lancing. The property has a dormer to its side (east) roofslope, and has a rear conservatory. There is also an outbuilding in the rear garden. An access road off Penhill Road to the north of no. 175 leads to a double garage and the access road provides a parking space to the rear of the application site.

The immediate neighbouring properties are detached bungalows, but slightly further to the east there are two storey properties and then more bungalows.

To the front of the application site and its neighbouring group of dwellings is a wide grassed area between the properties and the pavement.

The Brighton Road to the front is the main A259 east-west route between Brighton and Worthing. Double yellow lines exist on both sides of the Brighton Road. A bus stop with shelter is positioned to the east of the application site, along with its associated bus layby. Finally on the corner of the road with Brighton Road and Penhill Road, there is a further grassed area and a pavement around the grassed section, all forming a 'bulge' in the pavement run.

Proposal:

The application seeks permission to provide:-

- A dropped kerb to the road;
- The provision of GrassPark permeable paving grid between the dropped kerb and the property frontage; and
- The front amenity area of the property to be hardsurfaced with permeable block pavers.

Originally the access was proposed to be created with tarmac. Amended plans have been submitted showing the above.

Relevant History: None

Representations:

Lancing Parish Council: The application was reviewed and discussed the LPC, and it was resolved to support the application.

1 letter of Support: 179 Brighton Road

I have no objection to the application as the access road at the back of the property is very tight and most of the time the view is obscured when exiting.
The grass verges are only used as a toilet for dogs.

1 letter of Objection: No address given

- The road is a main road and a nightmare for 7 days a week;
- There have been several car crashes in the bus lane;
- The bus lane is used by broken down cars and lorries to allow the A259 to continue moving;
- Children walk to school daily along the grass area;
- Elderly people walk on the grass verge daily to access bus stop;
- Application should not be considered;
- The construction of the works would cause chaos;
- The area floods and the grass helps to soak up the rainwater;
- Cars will make pedestrians accessing bus stop difficult.

Consultations:

West Sussex Highways: The property is located on the northern side of Brighton Road, the A259, where the speed limit at this point is 30mph. Existing vehicular access to the property appears to be from a private access/service road to the rear. The proposal seeks to create a driveway directly from Brighton Road, through an existing layby and across a wide verge. There are eight properties fronting Brighton Road between Penhill Road to the west and Kings Road to the east where No. 177 resides, four of which have driveways which appear to have been created some time ago. Looking at the current proposals, although vehicles using the driveway would need to either reverse from the public highway, or reverse to it, given that no on-site turning is shown provided, visibility available to users either way along Brighton Road is good given the relatively straight alignment of the road. And, any vehicle seeking to park on the frontage of No. 177 should be able to do so without overhanging the public highway. The new parking would be in addition to any found to the rear. Therefore, based on that submitted, the Highway Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal in planning terms. As such, the Highway Authority recommends that the following condition be attached to any planning consent:

Access and parking

The parking area should not be constructed and/or used until such time as the vehicle crossover and driveway have been constructed in accordance with details to be submitted to, and approved by, the Highway Authority.

Reason: In the interests of road safety.

Informative.

Works within the Highway – Area Office Team The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-orcrossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-orcrossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-constructionapplication-form/>

The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Further important information. Notwithstanding the above comments, the Highway Authority does need to make both the LPA and the applicant aware of the following information, given that post any planning consent, a vehicle crossover licence (VCO) would be required from the County Council's Area Highway office to construct the crossover onto Brighton Road and the access driveway across the verge.

Current County Council policy regarding creation of accesses across laybys and over verges is as follows:

7. Laybys

WSCC do not permit the construction of vehicle accesses in parking laybys. This is to ensure that existing designated residents and visitor parking is maintained for all on a first come, first serve basis. An exception to this may be when there are already parking restrictions in a layby that would prevent parking from taking place. It may also be possible to have an access over the taper of the layby, however, no part of the dropped kerb must be in the full width of the layby. In these cases, please make contact so that you can discuss individual circumstances with the Highway Team.

We no longer allow VCOs in laybys that have been constructed to take vehicles off the live carriageway (see below)



We do allow VCOs through the tapers of Laybys (see below)



8

9. Grass and other amenity areas

There are many grassed expanses in local housing areas within the county that have been designed to enhance the local amenity of the area. WSCC may consider any grassed area an amenity area, however we are more likely to consider the length of verge / grass from the kerb to the private residence of 3.0m of grassed area to be an amenity area.

Requests to cross and/or sever large expanses of grass amenity areas will most likely be refused. This is due to the negative impact on the street scene, the impact on highway drainage and the potential to introduce an unsafe environment for children that may use the area for recreation. Further to this there have been many instances where residents use this space as additional private parking areas that can affect the visibility and hence safety of other road users.

Vehicles should not be parked on the cross over (see below).



Version 2.0 Valid from 23.02.24

9

Therefore, given that the site does propose both a crossover through a layby and across a large verge area, it is unlikely that the County Council in its capacity as Highway Authority would grant a VCO for the proposal for the reasons given above.

Amended Plans

WSCC Highways: This is the second WSCC Highways response to the above planning application seeking the creation of vehicle access and hardstanding at 177 Brighton Road, Lancing. This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals. Comments below respond specifically to revised plan showing permeable paving for driveway across

verge area and should be read alongside previous WSCC Highways comments dated 8 April 2026.

Response. As mentioned in previous WSCC Highways response dated 8 April 2026, the proposal seeks to create a driveway directly from Brighton Road, through an existing layby and across a wide verge. There are eight properties fronting Brighton Road between Penhill Road to the west and Kings Road to the east where No. 177 resides, four of which have driveways which appear to have been created some time ago. No. 177 has an existing access to the rear via a private driveway.

Looking at the latest plan, this appears to show a permeable material intended for installation across the large verge area in front of the property instead of hard paving/bituminous macadam etc. No other changes appear to be made.

From a highways planning viewpoint, this change does not alter the highways planning related comments made previously in the response dated 8 April 2026. However, the applicant should still be mindful of the WSCC Highways Area Highways Office comments and policy about formation of access across large verges and crossovers being formed across laybys, found below. They have stated that they would not grant a vehicle crossover licence even if planning permission were to be granted for the reasons given on pages 3 and 4 of this response. They may also wish to respond to the change in surfacing proposed to the verge and may not find this acceptable either.

Solely considering the planning application from a highways planning point of view and without prejudice to the WSCC Area Highways Office response to the granting of a vehicle crossover licence (VCO), the Highway Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal in planning terms. As such, the Highway Authority recommends that the following condition be attached to any planning consent:

Access and parking

The parking area should not be constructed and/or used until such time as the vehicle crossover and driveway have been constructed in accordance with details to be submitted to, and approved by, the Highway Authority.

Reason: In the interests of road safety and amenity.

Therefore, given that the site does propose both a crossover through a layby and across a large verge area, it is unlikely that the County Council in its capacity as Highway Authority would grant a VCO for the proposal for the reasons given above.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 1, 15, 28

Supplementary Planning Guidance comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'

Planning Assessment

Principle:

The proposal comprises the provision of a vehicular crossover to a residential property and the associated drive to the application property located within the built up area and can be supported in principle. The relevant issues are the highway safety, and visual effects on the amenities of neighbouring residential occupiers and the character and appearance of the surrounding area.

Visual & Residential Amenity:

The vehicle crossover (VCO) would be accessed on the tapering edge of the bus stop layby to the front of the property no. 177 Brighton Road, Lancing. Other than the bus, this layby cannot be parked in as there are double yellow lines at the edge of the road.

The WSCC Highways has responded that there are no highway safety problems with the creation of a VCO at this point, but they have also commented that the Highways Area Office will not normally grant a licence for the creation of a VCO accessed off of a layby situation or across a grass verge. Details are set out above.

There are other properties within this stretch of road, i.e. between Kings Road to the east of the application site and Penhill Road, to the west, that have gained a VCO through the bus stop layby, but they were constructed some time ago. They are also not as deep as that shown here. The run of 4 properties in this case have the grass verge in front and this is untouched and deep. It has value in terms of visual amenity. Even with the proposed grasspark material this will still appear as a different surface and the use of the access will change its appearance. A new crossover may result in vehicles being parked on the new driveway within the grass verge resulting in further adverse visual impact. This case is not considered to be the same as those to the east. This would be a stand alone addition which will be a prominent feature within the street scene.

There is a neighbour objection to the VCO claiming that it would be a safety issue if allowed. Conversely there has been a neighbour letter of support as the access road at the back of the property is very tight and most of the time the view is obscured when exiting.

With regard to planning, the application for the VCO will be assessed against Adur planning policy 15 in particular where development should respect and enhance the character of the site, and the prevailing character of the area. And amongst other things, goes on to say that it should make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open space.

Further, the policy states that there should be safe access to the highway network, and not result in harm to highway safety; it should have acceptable parking arrangements (in terms of amount and layout).

While there is no highway safety objection, it is considered that the proposed VCO and drive will harm the prevailing character of this stretch of road to the west of the bus stop layby. This will remain the case despite the amended plans showing that the stretch of grass lost to the drive will be covered with 'GrassPark' which is permeable paving grid and will allow grass to grow through the paving. The use of this land for the access and parking of vehicles will change the character and set a harmful precedent.

There is a concern that this could be further exacerbated by the use of the access for parking which will create further visual harm.

It is noted that there is a turn on site, which would prevent a car reversing in or out of the site.

Conclusion

There is no concern in terms of highway safety, however there is visual harm to the locality and street scene as a result of the loss of the grass verge and creation of the access across it. This would also lead to a harmful precedent which would further degrade the locality. West Sussex Highways has also advised that a license is unlikely to be granted in this case.

Recommendation:

REFUSE

The proposal would result in an access road across an existing wide grass verge which would be detrimental to the character and appearance of the street scene area and would give rise to visual harm, contrary to Policy 15 of the Adur Local Plan.

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Hannah Barker

Date: 28th July 2026

Authorised by: Peter Barnett

Date: 29 July 2026