The Planning Inspectorate

Appeal Decision

Site visit made on 22 March 2016

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 12 April 2016

Appeal Ref: APP/Y3805/W/15/3140010
38 Bushby Close, Lancing, West Sussex BN15 9JW

- 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 Mr Graham Lancaster against the decision of Adur District Council.
- The application Ref AWDM/1178/15, dated 25 July 2015, was refused by notice dated 29 September 2015.
- The development proposed is change of use of garden land for crossover and car parking area.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. As part of the appeal an amended plan showing the use of 'grasscrete' blocks was submitted. I am satisfied no party has been prejudiced by this change and have determined the appeal taking account of this change of materials.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the estate and on the use of the communal grass area.

Reasons

4. The appeal relates to a communal grass area at the end of a short spur road forming part of Bushby Close. Facing each other across the amenity space are a block of four flats and a row of terraced houses which include No 38.

5. The proposal is to create a curving drive across the grass area from the end of the spur road to access a parking area accommodating two cars in the front garden of No 38. The drive and parking area would be constructed of 'grasscrete' concrete blocks which allow some grass to grow through.

6. Bushby Close is a spacious residential cul-de-sac with a number of grass amenity areas between and amongst the houses, and this forms an attractive feature of the estate. The amenity area between No 38 and the flats opposite is one of these pleasant open spaces and it makes an important contribution to their setting. Although grasscrete is proposed for the driveway surface, as seen nearby in Pratton Avenue, this would fundamentally change the character of the existing grass sward into a hard surfaced area where concrete predominates and less grass grows. It would therefore be significantly less

attractive as a grass amenity area which would be detrimental to the overall character and appearance of this part of the Close.

7. The communal grass area affected is quite small and enclosed by nearby housing. Nearby properties have private gardens for leisure use and there are playing fields nearby but the area is suitable for low key informal play by young children close to home. Whether or not children currently play in this area the proposal would introduce hard surfacing and vehicle movements over the amenity area where at present there are none; this would reduce or eliminate the potential recreational use of the site.

8. There is a general shortage of parking spaces in the area and the proposal would create two new spaces. These private spaces would be convenient for the occupiers of No 38 and the local highway authority express their support in the light of a recent accident partly caused by on-street parking blocking visibility. However, one public on-street parking space in the spur road would be lost to allow access so overall there would be a net gain of only one space. Whilst it would be helpful to have one additional parking space in the Close, this benefit would not outweigh the loss of the attractive grass area involved.

9. There are a number of dropped curbs and footpath crossovers along Bushby Close, including nearby at Nos 34 and 32. These restrict on street spaces to allow access to private spaces in front gardens, but the houses involved have direct road frontage unlike No 38. These examples do not justify a further crossover or the use of a communal amenity area for private access purposes.

10. It is not clear from the current plans how the proposal would work in terms of manoeuvring[1]. Either cars would reverse out of the front garden and turn 90º back to the road or they would turn on the grasscrete area to enter the road in forward gear. The former would be an awkward manoeuvre whilst the latter would require a larger area of grasscrete, thus encroaching further into the amenity area.

11. For these reasons the proposal would cause significant harm to the character and appearance of the estate and to the potential recreational use of the communal grass area. This would be in conflict with saved Policies AG1 and AH7 of the Adur District Local Plan 1996 which resist development which detracts from the existing local urban environment and seek to ensure that the design and materials of any alterations are sympathetic to the area in general.

12. Regarding the other matters raised, any improved access for emergency vehicles resulting from the proposal would only be a marginal benefit. Should the proposal go ahead the lamp post could be relocated. No trees would be affected. Finally, the ownership of the amenity land is unclear but this would be a legal matter to be resolved prior to implementation.

13. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

[1] The plan shows the cars parked side onto the house rather than end on.