



# Appeal Decision

Site visit made on 6 August 2008

by **J M Trask** BSc (Hons) CEng MICE

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

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

Decision date:  
21 August 2008

## Appeal Ref: APP/Q1445/A/08/2071166

### Block J, Brighton Station Site

- 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 New England Square Ltd against the decision of Brighton & Hove City Council.
- The application Ref BH2008/00033, dated 21 December 2007, was refused by notice dated 18 February 2008.
- The development proposed is the temporary use of land as a car park (105 spaces) for 12 months.

### Decision

1. I dismiss the appeal.

### Main Issues

2. The main issues are the effect of the development on the modes of transport in the area, whether there would be adequate provision for people with limited mobility, pedestrians and cycle parking and the effect on the character and appearance of the area.

### Reasons

3. The area that is the subject of this appeal is already in use as a car park. I shall therefore determine this appeal on the basis that it is a retrospective application.
4. The site is a part of the Brighton Station development site that has not yet been developed. Although a temporary use, by its nature the development encourages car journeys. While no transport assessment has been submitted, and the appellant has advised that the car park is primarily used by contractors, I consider that the presence of the car park encourages journeys to be made by private car rather than more sustainable forms of transport. Accordingly the development conflicts with Policy TR1 of the Brighton and Hove Local Plan.
5. The site plan indicates provision for disabled parking bays but none are indicated on site and the development conflicts with the requirements of Policy TR18 of the Brighton and Hove Local Plan. However, this could be overcome by the imposition and implementation of a condition and therefore is not a reason to dismiss this appeal. There is an access point for pedestrians

onto Fleet Street in addition to the 2 main vehicle access points but little indication of how these align with main pedestrian routes outside the site and there is a conflict with Policy TR8 of the Brighton and Hove Local Plan. No cycle parking is provided and despite the proximity of cycle parking facilities at the station and elsewhere, this conflicts with Policy TR14 of the Brighton and Hove Local Plan. However, the appellant has suggested the imposition of condition requiring cycle parking and I am content that this would address my concerns in this respect.

6. The car park is visible from the nearby apartments. It is surfaced with hardcore, has a poorly constructed corrugated metal structure in the corner and at times is covered with parked cars. The scruffy appearance of the site is not commensurate with the recent development in the area and this is recognised in the condition attached to the outline planning permission which requires landscaping before construction works commence. I conclude the car park is of poor quality, does not respect character and appearance of the area and detracts from the outlook of the occupiers of the apartments. The development conflicts with Policy QD27 of the Brighton and Hove Local Plan.
7. The application is for the provision of a car park for a period of one year and I note that the car park has been in operation for some time. While the temporary nature of the development reduces its effect on transport, and the Council's objectives in relation to a modal shift, it does not reduce it to such an extent that it has no significant effect on transport. While I have noted the recent appeal decision for proposed development on the site, in particular the section dealing with transport related issues, it seems to me to be of limited relevance as it refers to the effects of a completely different scheme.
8. Despite my conclusions in respect of provision for people with limited mobility and cycle parking, I consider the effect on the modes of transport in the area, lack of provision for pedestrians and harm to the character and appearance of the area warrant dismissal of this appeal. For the reasons given above I conclude that the appeal should be dismissed.

*J M Trask*

INSPECTOR