Adur District Council

Development Management

Mrs Monika Ryan
Building Plan Design
12 Barrier Reef Way
Eastbourne
East Sussex
BN23 5PE

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0737/15

Details of Development
APPLICATION TO VARY CONDITION 3 OF ADC/0426/09 TO EXTEND HOURS OF OPENING UNTIL 23:00 EVERY DAY

Location of Development
2 TARMOUNT LANE SHOREHAM-BY-SEA WEST SUSSEX BN43 6DA

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 5th June 2015.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

GPeck

Planning Services Manager
16/07/2015

PTO

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The approved means of ventilation for the extraction, filtration and disposal of cooking odours (including necessary sound attenuation measures) from the premises shall be retained in effective working order, and upgraded relevant to the type of food being cooked if deemed necessary by the Local Planning Authority, and operated at all times when cooking is taking place.

    Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

02. The Class A3 premises within No.2 Tarmount Lane shall not be open for trade or business other than between the hours of 7.30 am and 11.00 pm daily with all activity ceasing at the premises by 11:30 pm daily (other than on New Years Eve when the premises may be open until 12.30am with all activity ceasing at the premises by 1am). Use of Units 2B, 2C, 2D, 4B & 4C, and the rear courtyard for the sale of goods and for outdoor eating shall cease by 7pm every day.

    Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

03. There shall not be any use of any unit within the premises primarily as a hot food takeaway (Class A5) and any use for the sale of hot food for consumption off the premises shall not exceed a level that is incidental to the Class A3 cafe use.

    Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

04. The premises shall be used for the following purposes only: No.2 Tarmount Lane - Use Class A3 Restaurant; Units 2B, 2C, 2D, 4C and Ground Floor of No.8 Tarmount Lane - Class A1 Retail; Units 2G, 2F, 2H, 4E and the first floor of No.8 Tarmount Lane Class B1 Business; and Unit 4B Sui Generis beauty and reflexology/massage therapy. The references to Use Classes shall be as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in an Statutory Instrument revoking and re-enacting that Order with or without modification.

    Reason: *For the avoidance of doubt to comply with policy AG1 of the Adur District Local Plan.*

05. No articles for sale, floor mounted signage, raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed anywhere outside the front of No.2 Tarmount Lane, including the pedestrian entranceway, and No.8 Tarmount Lane, unless otherwise approved in writing by the Local Planning Authority.

    Reason: *In the interests of visual amenity and to retain adequate off-street parking space and to comply with policies AB3 and AB4 of the Adur District Local Plan.*

PTO

06. The garages to the rear of No.8 Tarmount Lane shall be used as ancillary storage space for the occupiers of No.8 and for no other purposes.

Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

07. Secure and covered bicycle storage, and refuse and recycling bin storage shall be provided in accordance with previously approved details and such provision shall thereafter be used only for access and parking of cycles and storage of bins.

Reason: *To encourage sustainable transport and in the interests of amenity.*

08. The development hereby permitted shall be carried out in accordance with the following approved plans:

37-09-01 Rev C; and 37-09-02 Rev B date stamped received 25.05.10, plus drawing 17-15 A received 5 June 2015

Reason: *For the avoidance of doubt and in the interests of proper planning.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.