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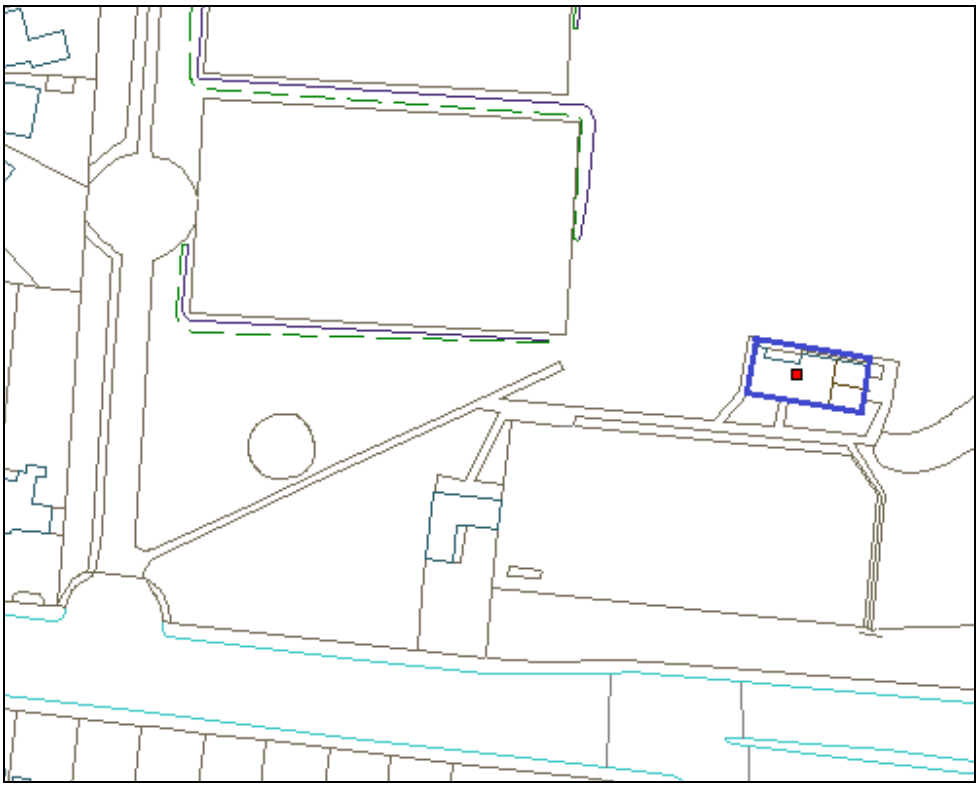
Application Number: AWDM/0474/14 Recommendation – APPROVE

Site: **Café, South Pavilion, Buckingham Park, Upper Shoreham Road, Shoreham**

Proposal: **Proposed infill extension to café to north, new decked area and canopy to south and new entrance doors, entrance ramp and windows to west**

Applicant: Miss Amelia Barden Ward: Buckingham

Case Officer: Rebecca Tier



Not to Scale

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Site and Surroundings

The application site is located within Buckingham Park and comprises a modest single storey building which is owned by Adur Council. The building is predominantly timber clad with some boarded panels. The building incorporates a small café in the westerly

part and the Rugby Club Changing Room and public W.Cs in the easterly part of the building.

The building is well connected to other facilities within Buckingham Park and is accessed by a paved pathway which is situated to the south of the café and leads to Upper Shoreham Road. To the north-west of the site there are tennis courts and netball/basketball courts, to the south there is a children's playground, to the south-west there is a children's nursery and to the north there are playing fields and football pitches.

Proposal

The proposal seeks planning permission for a proposed infill extension to the north of the building, a new decked area and canopy to the south of the building and the installation of new doors and windows to the westerly elevation of the building. The proposed extension would infill a small recessed area measuring 10.08 cubic metres under the existing flat roofed entrance on the northerly side of the café. As part of the proposals the entrance to the café would move to the westerly side of the building with new entrance doors, an entrance ramp and windows to the western side of the building. The proposed entrance ramp would be situated both sides of the entrance doors measuring 5.7 metres in length and 0.15 metres in height. To the south, a proposed decked area measuring 7.7 metres in length and 3 metres in depth from the rear of the building would be constructed around the base of one existing Mature Sycamore tree and a flat roofed wooden canopy structure measuring 2.8 metres in height would be installed over the decking area.

Relevant Planning History

There are no recent planning applications relating to this site.

Consultations

West Sussex County Council: No concerns with this proposal from a highways safety perspective.

Adur & Worthing Councils

The ***Tree Officer*** considers that the only issue that would arise from the proposal is the high possibility of "future pressure" to remove the trees due to falling debris from the Mature Sycamore trees to the south. Sycamore trees produce various types of debris over the year, including spring blossom (as can be seen now) Aphid / Sugar drop during the Summer, and obviously leaf fall in the Winter. The Tree Officer has confirmed that he is satisfied by the information within the supporting Design & Access Statement which explains that the Applicant would move the tables and chairs inside at the end of each day allowing the decking to be swept and cleaned on a daily basis.

The ***Environmental Health Officer*** has confirmed that he has no adverse environmental health comments in relation to this proposal.

The ***Estates Officer*** has confirmed that the pavilion and its surrounding area are within the Council's freehold title and that the Applicant occupies the cafe with a simple Tenancy at Will. This type of agreement does not convey any right to the tenant to make alterations, so therefore landlord's consent would need to be granted before any works could be undertaken. Discussions have also taken place regarding the redevelopment of the pavilion including the café.

Representations

No letters of representation have been received in relation to this application.

Relevant Planning Policies and Guidance

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB22, AB25, AR1 & AR2.
Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)
Design Bulletin No.4 'Shopfront Security' (ADC 1996)
National Planning Policy Framework (2012)

The Committee should consider the planning application in accordance with Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

There is no objection in principle to the proposed decking area, infill extension and alterations to this Council owned building located within a public park. The main planning issues that require consideration are i) the loss of public amenity space ii) the impact on the visual amenities of the area iii) the impact to occupiers of neighbouring properties iv) the impact to trees within the vicinity of the site.

Loss of Public Amenity Space

The protection of public open space is subject to saved Local Plan policy AR1 which specifies that development of public open space would only be permitted where it is for recreational purposes and would not adversely affect the amenities of neighbouring properties. Within the Local Plan, it is explained that the retention of public open space

is not intended to preclude the enhancement by provision of additional or improved facilities which benefit the local community and respect the appearance of the open space. It is considered that the existing café provides a community facility within the public park as many people using the park also visit the café and this is very busy during peak times.

The proposed decking area would extend 7.7 metres in length and 3 metres in depth in strip of grassed land situated to the south of the pavilion building. This area of grass is approximately 4 metres in width and is located between the pavilion building and a paved pathway adjacent to the children's playground to the south. Whilst it is still public open space, its use is considered to be limited given its width and could not be used for recreational activities which require a larger space available within other grassed areas of the park. It is therefore considered that the proposed extensions and alterations to the existing café would provide an enhanced community facility located within the park which would not result in the significant loss to the public amenity space available within Buckingham Park.

Visual amenity

At present, the entrance to the café is orientated to the north and is recessed under a smaller flat roofed section of the building which is supported by piers. There are some temporary outdoor tables and chairs which are located within the grassed area to the north. The proposals would alter the entrance of the building to the westerly side installing new doors, windows and an entrance ramp to this side of the building. The proposed decked seating area and canopy would face the children's playground area to the south enabling customers to watch over their children using the playground facilities. It is considered that the proposed alterations to the westerly side of the building would improve its appearance; the installation of the glazing creates a light open side to the building in comparison to the existing solid timber paneling. The proposed entrance ramps would also be situated both sides of the central entrance doors which would enable better accessibility for all users of the café from both the northerly and southerly directions.

To the south the café section of the building is clad in panels which incorporate children's paintwork. The proposed decked area would extend onto an existing grassed area to the south of the building and would incorporate a flat roofed timber pergola structure which would support climbing plants. The proposed timber structure, decking and planting would remain in keeping with the timber cladding on the existing building and the green surroundings of the park and is therefore considered to enhance the visual appearance of the existing building within the park setting.

It is understood from the Applicant that there has been previous occurrences of littering and anti-social behavior within the recessed entrance on the northerly side of the building. The proposal would infill this existing area and install new timber cladding to match the existing building along with glazed and solid trespa panels on the northerly wall of the extension. The infill extension would remove the undercover shelter and this

could assist in reducing the instances of anti-social behavior and littering within the vicinity of the building.

Residential amenity

The pavilion building is well distanced to residential dwellings, with the closest properties in Upper Shoreham Road located in excess of 75 metres away to the south and 100 metres to the west. It is therefore considered that the proposals would not affect the amenities of residential dwellings within vicinity of the site.

The closest occupiers affected by the proposals are the Rugby Club who occupies part of the existing pavilion building and the children's nursery who occupies a building located approximately 46 metres to the south-west of the pavilion building. The café is an existing business which operates from the building predominantly through daylight hours mainly serving users of the public park. The additional amount of floor space created by the infill extension would be10.08 sqm and 23.1sqms would be created by the proposed decking area, therefore equating to a total volume increase of 33.18 sqm. However, given that the building is situated in a busy part of the public park close to the children's playground and other amenities, it is not anticipated that the usage of the additional floor space created by the proposed extensions would have any adverse impact on neighbouring occupiers.

Trees

To the south of the building there are three Mature Sycamore trees which are maintained by the Council due to their position within a public park. The proposed decking would be cut round the base of one of the Sycamore trees, yet part of the canopies of all three trees would overhang the proposed decking as the other two Sycamores would be located to the east and west of the decking. The Council's Tree Officer has been consulted on the application and has raised concerns regarding future pressure to remove these trees due to their position and the associated debris that would be dropped over the proposed decking and customer seating area. He has queried how the fallen tree debris would be dealt with by the Applicant. The Applicant has advised in a supporting statement that the table and chairs on the decking would be brought inside at the end of each day and the decking area swept and cleaned. This information has been relayed to the Tree Officer who considers that the trees are not worthy of a Tree Preservation Order. As the trees are maintained by the Council, further negotiation would also need to take place in relation to their removal and potential re-planting should this occur in the future.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard 3 year time limit
2. External materials to match existing
3. The development hereby permitted shall be carried out in accordance with the following approved plans:-

   Title: Location Plan Received on 22nd April 2014.
   Title: Proposed Site Plan, Drawing No. D.03 Rev B Received on 8th May 2014.
   Title: Existing Plan, Drawing No. D.01 Rev A Received on 8th May 2014.
   Title: Proposed Plan, Drawing No. D.02 Rev B Received on 8th May 2014.
   Title: Existing Elevations, Drawing No. D.04 Rev A Received on 8th May 2014.
   Title: Proposed Elevations, Drawing No. D.05 Rev C Received on 12th May 2014.
   Title: Design & Access Statement: Received on the 22nd April 2014.

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

4. In accordance with the supporting information within the Design & Access Statement received on the 22nd April 2014, the tables and chairs shall be stored inside the café overnight and the decking area shall be swept and cleaned of any tree debris at the end of each day.

   Reason: *In the interests of visual amenity and to comply with saved policies AG1 and AH7 of the Adopted Adur District Local Plan 1993-2006 (ADC 1996).*

INFORMATIVE

1. Prior to the implementation of the development, the Applicant must formally apply and obtain written consent from the Council's Estates department for the development as the proposal involves extensions and alterations to a Council owned building.