AWDM/0556/13

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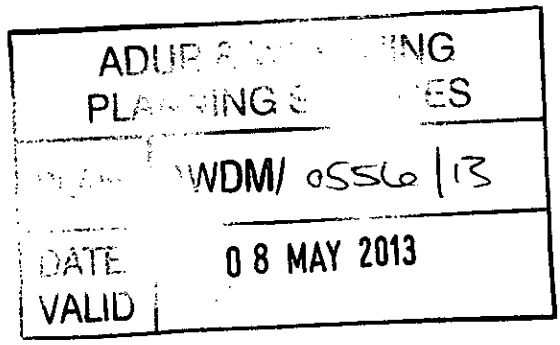


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Date 03 May 2013
Our ref 13275/DL/CB/4702388v3
Your ref

Dear Ms Barker

**Adur District Council: Royal Coach PublicHouse Brighton Road, Shoreham-by-Sea, West Sussex, BN43 5LD– S96a Application for Non Material Amendment to Planning Permission LPA ref: AWDM/1532/12**

On behalf of our client, Carter Lauren, please find enclosed an application for Non Material Amendments (NMA) to planning permission LPA ref: AWDM/1532/12 for the refurbishment of the Royal Coach Public House including external plant equipment area with a 1.1 metre screen/balustrade; children's play area, external terrace, external lighting and changes to landscaping and car parking arrangements.

The proposed amendments are the result of the detailed design process underway prior to Marston's occupation of the Public House.

This letter identifies the application documents, provides an overview of the proposed amendments to the approved scheme and provides an assessment of the materiality of these amendments.

## Application Documents

The application comprises one copy of the following drawings and documents. As agreed with Lucy Grant in your Planning Admin team, an electronic copy of the drawings will be sent via email to yourself:

1 The application form for non-material amendments;

2 A copy of the notice served on owners of the site; and

3 Application drawings:
   i Proposed Site Plan ref: 3299/P103 rev H (superseding approved drawing 3299/P103 Rev F);

ii Proposed & Existing Elevations ref: 3299/P107rev F (superseding approved drawing ref 3299/P107rev E );

iii Yard Layout & Fencing Details ref: 3299/P110 rev D (superseding approved drawing ref 3299/P110b);

iv Landscaping Plan ref: SPP1767 P 002 rev A (superseding approved drawing reference SPP1767 P 001).

The other approved plans identified in the decision notice are unchanged.

Also enclosed is a cheque for £195 made payable to "Adur District Council" to cover the application fee.

## Proposed Amendments

Following the recent grant of planning permission for the refurbishment of the Royal Coach Public House (LPA ref: AWDM/1532/12) the following revisions to the site boundaries, parking landscaping and lighting are proposed. All of the proposed revisions are set out below for completeness although, as expanded upon subsequently, we do not consider that all of these revisions fall within the scope of planning control.

### Site Boundaries

The following changes to the treatment of the site boundaries are illustrated principally on drawing ref: 3299/P110 rev D:

- Removal of the existing concrete posts and steel rail surrounding the car park.
- Demolition of low level rendered brickwork walls on the north-east side of the car park.
- Amendment to the height of the fence on the northwest garden boundary from 2,100mm to 1,100mm.

### Parking

- As a result of the removal of the low level wall on the north-east side of the car park noted above, three additional car parking spaces are proposed within the site (illustrated on drawing ref: 3299/P103 rev H).

### Landscaping

- Minor alterations to the bedding arrangements and layout of landscaping scheme, as illustrated on the revised Landscaping Plan (drawing ref: SPP 1767/P 002 rev A).
- The seating arrangements in the garden have been amended to reduce the number of seats and introduce woven willow screens (drawing ref: 3299/P107 rev E).

### Lighting

- Low level ground spike lights are proposed within the landscaping area (drawing ref.3299/P103 rev H).

- On the Royal Coach property, amendments to the feature wall lights are proposed at ground floor level and small floodlights at first floor level to illuminate the horizontal boarding (drawing ref: 3299/P107 E)

The development will remain unchanged in all other areas.

**Assessment of the Proposed Amendments**

The amendments to the approved scheme are the result of the detailed design process being undertaken before Marston's occupation of the Public House. There is no statutory definition of a 'non material' amendment in planning terms and the materiality of proposed revisions is a matter of fact and degree. In this case, when the amendments are considered against the approved development as a whole, the changes are very minor in nature and indeed immaterial. They will result in modest improvements to the appearance and functionality of the building.

In terms of the proposed amendments to the site boundaries, we do not consider that removal of the boundary treatment around the car park falls within the scope of planning control, nevertheless it is included within this application for completeness. In any event, the removal of these features will not materially alter the appearance of the public house and is considered acceptable.

The change to the height of the fence around the garden will improve the security of the pedestrian passageway to the east of the site. It was previously proposed that the fence should be of a height of 2.1m to protect the residential amenity of residents living adjacent to the site within Fishermans Walk. However, it was agreed during the determination of the planning application that the playground should be positioned closer to the public house (therefore a wall of this height is no longer necessary). The reversion to a 1.1m high fence along this boundary is considered to be acceptable, as it will improve the pedestrian environment along the footpath and within the garden.

The three additional car parking spaces proposed will bring the total number of spaces within the scheme to 54. This level of provision is still within the Council's maximum car parking standards (as set out in the Revised County Parking Standards 2003) and is below the 73 spaces which were previously found on the site (prior to the refurbishment proposals). In this context the additional spaces are considered acceptable.

The proposed amendments to landscaping relate to enhancements to the planting bed, principally around the garden area. The revised plan (ref: SPP1767 P001 rev A) is now in accordance with the proposed layout for this area of the pub. Overall, these landscaping amendments are extremely minor in nature.

Whilst external seating does not fall within the scope of planning control condition 4 controls the location and maximum number of tables and the location. Under these proposals a reduction in the number of seats within the garden is proposed. The revised seating is illustrated on drawing 3299/P103. It is proposed that most of the seating will be located within natural willow woven structures. This is considered to represent an improvement to the approved seating arrangement as it will enhance the visual appearance of the garden and reduce the intensity of use of the external area.

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Lastly, with regard to lighting, minor amendments are proposed to the approved lighting arrangements. These comprise minor amendments to the number of wall lights at ground level and additional up-lighters at first floor level to illuminate the horizontal timber boarding. These will help emphasise the building when viewed from the main road.

Overall, it is concluded that the proposed changes to the approved development listed above constitute non material amendments and as such it is appropriate to deal with by way of an NMA procedure. Whilst modest they will result in improvements to the approved Royal Coach scheme.

We trust that the drawings enclosed provide sufficient information for the application to be validated and determined within the statutory 28 day period. In the meantime, if you have any queries regarding this application, please do not hesitate to contact me or my colleague Daniel Lampard.

Yours sincerely

[redacted]

**Clare Benson**
Planner

Copy Neil Carter – Carter Lauren
Paul Archer – Axiom Architects