Development Management - Delegated Officer Report

Application Number: AWDM/1822/17 Recommendation – Approve

Site: 28B Brighton Road, Lancing

Proposal: Alterations to existing kitchen store to provide new takeaway servery with new external insulated roller door to north elevation.

Date of site visit: 2 January 2018

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to the Perch café on Lancing seafront. It is proposed to convert a store into a takeaway servery on the north side of the building. A new roller shutter is also proposed.

Relevant site history

AWDM/1515/12 - Change of use and alterations to partially-built building from permitted use as two restaurants with manager's flat above to ground floor cafe and water sports centre with 8-bed hostel and 3 flats above (2x 2 bed and 1x 3 bed) - approved

AWDM/0769/13 - Application for a minor material amendment and variation of Conditions 2 and 4 following the grant of Planning Permission AWDM/1515/12 to enable changes to internal layout (including alterations to size and configuration of hotel and apartments at first floor and introduction of gym and community room on ground floor and subsequent reduction in size of watersports centre) and minor elevation changes - approved.

AWDM/0509/15 - Application to vary conditions 3 and 4 of AWDM/0769/13. Amendments: To allow the gym to open from 5.30am Monday to Friday, 7am on Saturday and 9am on Sunday. To allow the cafe to open from 6am Monday to Friday, 7am on Saturday and 7am on Sundays and to be open until 1am on a maximum of 15 separate occasions in connection with private functions only. To allow the cafe to sell food, beverages and refreshment to be consumed off the premises - approved

AWDM/1540/16 - Change of use from Use Class C1 (visitors' hostel) to Use Class C3 (dwelling) as 3-bedroom flat on first floor – approved

Consultations

West Sussex County Council: The **Highway** Officer has no objection. The Local Highway Authority does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that

there are no transport grounds to resist the proposal. Any obstruction of the footway would only result in pedestrians having to walk around other pedestrians which we could not substantiate as a ‘severe’ safety issue. Cyclists should dismount at this point and the footway is circa 3.5 metres in width which is appropriate for passing of opposing footway users.

Adur & Worthing Councils: The **Environmental Health** Officer has no objection.

Lancing Parish Council: Object on the grounds of highway safety issues. The proposed servery opens onto a highly used PROW and is part of a Cycle Network so is used by both pedestrians and cyclists, creating a bottle neck with associated risks.

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policies 9, 13, 15, 34
Lancing Vision
National Planning Policy Framework (March 2012)

Planning Assessment

Principle

The site is located just outside but adjacent to the built-up area boundary as defined in the Adur Local Plan (which runs along the seafront path). Policy 9 states that Lancing Vision will be a material consideration in guiding the future development of the village centre.

Lancing Vision is a document which sets out the regeneration aims for Lancing. It has been prepared by Lancing Parish Council in partnership with Adur District Council and has been subject to extensive public and stakeholder consultation. The Vision seeks to establish Lancing as a vibrant village, an exciting seaside visitor destination and a place that provides for the needs of the community. One of the core recommendations is to “establish a lively seaside destination on South Street and Beach Green, with places to eat, drink, relax, play and enjoy outdoor and watersports activities.”

The main considerations are with regard to the hours of use, the impact on residential amenity and on the amenities of Beach Green in general.

Visual amenity

The proposal does not involve any extension to the building but will introduce a roller shutter. Normally solid shutters are not supported as they can create a dead frontage and encourage graffiti. However, in this case the applicant has explained that they will not have a metallic appearance but will instead incorporate a wood grain effect and colour to match all the existing doors. A transparent mesh design would, in their opinion, look out of place as it would

not be in keeping with the design of the building as a whole which includes much timberwork.

It is considered that the applicant has a valid argument and, for the reasons set out, a solid timber effect shutter is acceptable. The submitted section drawing shows that the shutter housing would not protrude or be particularly noticeable. On balance, the overall visual impact is considered to be acceptable.

Residential amenity

The proposed servery will complement the existing café use and subject to appropriate opening hours, should not result in increased noise, disturbance or activity. The existing café permission includes a condition restricting opening hours to between the hours of 6am and 11pm Monday to Friday, 7am and 11pm on Saturdays, and 7am and 10.30pm on Sundays and Public Holidays. The sale of food and drink for consumption off the premises is required to cease at 8pm every day.

The proposed opening hours for the servery are stated as being 9am-4.30pm Sunday to Friday but with a later opening until 11pm on Saturdays. After discussion with the applicant, it has been agreed to reduce the hours to be consistent with the previous permission, i.e. no opening after 8pm, in order to safeguard residential amenities.

Impact on footpath/cycle path

The proposed servery will open onto the busy shared footpath and cycle path which runs past the north side of the building and concern has been expressed that queuing customers could cause an obstruction resulting in safety issues.

West Sussex Highways were asked to consider this issue and have responded by stating that:

"*Any obstruction of the footway would only result in pedestrians having to walk around other pedestrians which we could not substantiate as a 'severe' safety issue. Cyclists should dismount at this point and the footway is circa 3.5 metres in width which is appropriate for passing of opposing footway users*."

On this basis, there are not considered to be any sustainable highway safety grounds to object to the proposal.

Other considerations

The existing café already has permission for a takeaway service and this proposal will make it easier for passing customers to buy 'grab and go' food and drinks, such as coffee, without having to enter the café. While there may be some impact on the existing beach kiosk, which sits close to the site to the east, the issue of commercial competition is not a planning consideration. It is hoped that there is a demand for both buildings in this location as each will potentially cater for different needs.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. There shall be no deliveries of food or drink from the premises and no phone/internet orders for food and drink shall be taken. The sale of food and drink for consumption off the premises from the servery shall be limited to the hours of 9am until 8pm every day.
4. Shutter details to be approved

Is recommendation contrary to letter(s) of representation? Y

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 5 February 2018

Authorised by: Gary Peck Date: 5 February 2018