Development Control – Delegated Officer Report

Application Number: ADC/0257/09 **Recommendation - Application Permitted**

Site: **Gardeners Arms West Street Sompting Lancing**

Proposal: **External decking at rear and part of west side and replacement of rear window with door (Retrospective)**

The Application

The Application

The application site is a Public House within Sompting village, the area is designated in the Adur District Local Plan as countryside and strategic gap. There are residential dwellings to the north and east of the site and to the south and west is open countryside. The site comprises a two storey detached building which fronts directly onto West Street with a vehicular access to the west leading to a car park. There is a stationary railway carriage adjacent to the eastern boundary and a large Willow tree towards the southern boundary of the site where the ground level drops. There are rear and side single storey flat roof additions to the building.

Retrospective permission is sought for raised external decking to the rear of the public house and the replacement of an existing window to the rear with a door creating direct access from within the building to the decking. The decking is used for an external seating area for the customers of the Gardeners Arms. The decked area is enclosed by balustrade with steps and a ramp leading to the car park. The decked area is mainly open with the exception of a covered area to the eastern side.

The decked area is 12.5 metres wide and 5.1 metres deep, the height above the adjacent ground level of the car park including the balustrade is 1.95 metres.

Consultations and Representations

Adur District Council: - Environmental Health Officer – As the area to the rear of the building was previously used as a drinking area it is not considered that there can be an objection. The current license restricts the use of the outside drinking area until 23.20 Monday-Saturday and until 22.50 on a Sunday.

Adur District Conservation Advisory Group: - No comment

Sompting Parish Council: **-** No objection however the application should be retrospective.

Third Parties: **-** 1 letter has been received from the owner/occupier of no. 1 Edwards Terrace – This decking is not inline with the conservation area especially as the surrounding boundary has flint walls. Now that the decking has been laid and is being used as a beer garden the neighbourhood has become noisy at times.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AP7, AE16, AB4
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

Local Plan policy AE16 encourages alterations or improvements to existing businesses in residential areas providing they will cause no significant adverse effects on the amenity of nearby residents. This impact is reflected in policy AP7 that seeks to minimise the effects of, amongst others, noise pollution on residential areas. PPG24 'Planning and Noise' (para.10) states that Local Authorities 'must ensure that development does not cause an unacceptable degree of disturbance', particularly to residential areas.

Local plan policy AB4 require that development in Conservation Areas should not be permitted unless it serves to preserve or enhance the character or appearance of such areas.

Visual Amenity

The decking is to the rear of the building and is therefore not visible within the street scene and not a prominent feature within the Conservation Area. The decking relates to the scale of the existing building and the rear car parking space is not affected by the development.

The replacement of the window with a door has been carried out with materials to match existing in keeping with the character of the building.

Residential Amenity

Although the site is located within a residential area the main property to be affected is no. 6 Edward Terrace directly to the east of the site. As the decking is to the rear of the building the occupiers of the dwellings on the opposite side of West Street are unlikely to be affected. The decking is set in from the boundary with no. 6 Edward Terrace by 6 metres. Although it is likely that there will be some noise and disturbance as a result of the use of the decking by customers it is not considered that this impact would be such to warrant a

refusal in this case. Previously there was a patio area prior to the decking being built and this was also used as an outside drinking area. It is also stated above that the hours of use of the decking are controlled by the premises license. The Environmental Health Officer has no objection in this case.

The structure itself is not considered to have any impact with regards to loss of light or overbearing impact due to the distance from the boundary and the screening offered by vegetation and the flint boundary wall.

The insertion of the door creating access directly from the building to the decking will encourage the use of this space than was previously the case however the use of the decking is restricted, as set out above, and it is considered that in the light of these restrictions the development is acceptable and there is no justification to attach a planning condition to restrict the hours of use further.

Recommendation

APPROVE for [redacted] 1PPi - AG1, AB4, AP7, AE16

Case Officer.. [redacted] .....Date.....14/10/09.....

Planning Services Manager [redacted] ...Date....15/10/09....

Chair of Planning Commit [redacted] ...Date....19/10/09.

[redacted] /10/09