Expires 27/11/07.

# Development Control – Delegated Officer Report

**Application Number: ADC/0599/07** **Recommendation – Permit Application**

**Site:** **The Merry Monk 1 North Road Lancing West Sussex**

**Proposal:** **Feature wall and railings/trellis (to form beer garden) on north side**

## The Application

The application site is The Merry Monk public house located on the corner of North Street and Sompting Road, Lancing, within an area specifically allocated for shopping and business within the Local Plan.
The proposal seeks permission to convert a disused corner of land approximately 36 square metres in size on the north side of the building into a beer garden. A new 2 metre high brick and flint feature wall is to be built on the open North Road side of the land with new railings above and on the existing north side boundary wall. The rear railings above the existing wall that separates the land from the rear car park are to be retained resulting in a beer garden totally enclosed from the outside. A new access doorway from the building will be installed on the northern side flank.

## Consultations and Representations

### Consultations/Comments

Chief Environmental Health Officer No Objection.

### Third Parties

Two residents of St. Bernards Court raise separate Objections on the grounds that the proposal will increase the amount of noise disturbance from the site.

Lancing Parish Council raise No Objection.

### Contributors

No representations have been received.

## Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): LOC1, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved until adoption of the new Adur Development Plan): AG1, AS1, AP7
PPG24 'Planning and Noise' (DoE 1994)

## Planning Assessment

***Policies***
Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Policy AS1 requires that development within the Local Plan specified for shopping, food and drinking purposes be granted subject to the appropriate design and use of materials and it not impacting detrimentally on local residential amenity. Policy AP7 requires LPA's to take into account the effect any pollution (including noise pollution) would have on the locality and refuse proposals that are likely to have unacceptable environmental effects.

***Visual Amenity***
The new walling will separate the garden from North Street with 2 metre high feature walling incorporating flint work panels. This will add an element of detailing and reflect the brick and flint finishing of the host building. Hanging planting and railings are proposed above that will provide an element of security and softening to the appearance of the wall.

***Residential Amenity***
The main concern is with regard to the possible impacts noise will have on residential units nearby. Two objections have been received from residents within St Bernards Court to the rear/west concerned by the noise that will be generated by patrons within the beer garden. The location of the beer garden on the north side is such that the nearest sections of St. Bernards Court are sited 37 metres to the west across the substantial pub car park and tall boundary walls and trees. It is not considered that the limited size of the beer garden will generate sufficient noise to unduly disturb the peace of these residents. It is noted that the pub also has outside drinking areas on the south and southwest sides that will dilute the number of patrons using the proposed garden for drinking and smoking purposes.
To the north the beer garden will bound directly onto units at No's 3 and 5 North Road. These units house office and retail space only so any noise generated will cause no issue. To the front it is noted that opposite the site, across North Road, residential units are sited above retail space. Again no undue disturbance will occur as the garden will be shielded by 2 metre high fencing across a busy main road.
It is noted that The Merry Monk has two flats above the main section of the building. These are sufficiently away from the proposed garden with no

overlooking principle windows that could be impacted. This proposal will thus not conflict with policies AS1 and AP7 of the Local Plan.

## Recommendation

APPROVE for reason that :-

1PPi: '...ADLP (AG1, AS1, AP7) and the WSSP (LOC1, DEV1)

Subject to:

1. C1Ci
2. C12Ai: '...materials and finishes to be used for the railings has been submitted...Reason:...policy AS1 of the ADLP and ...' R .. AS1 & ADLP .. DEV1
3. C12Ei The external facing of the wall hereby permitted shall be completed to match the existing building unless... R ... AS1 & ADLP .. DEV1

Case Officer:..... Date: 9/11/07

Planning Services Manager:..... Date: 9/11/07

Planning and Regulatory Committee Chairman: D. F. Mills Date: 19/11/07