Expires 02.09.09.

Development Control – Delegated Officer Report

Application Number: ADC/0261/09 Recommendation - Permit

Site: **14 - 16 North Road Lancing West Sussex BN15 9AE**

Proposal: **Single-storey rear extension (food store) (amendment of ADC/0055/09)**

The Application

The application is an amendment to a previously approved application for a rear extension to the restaurant (ADC/0055/09), which would be used as a food store.

The details of the amendment are a change in size to 9.1m in width, by 7m in depth, by 2.3m in height. The amended extension as proposed would attach to the existing kitchen by a door in the east elevation of the building, and directly to the south of the existing pair of exterior wc/store room. The extension would be served by two doors on the north elevation, the most westerly an emergency exit and to the east a staff/delivery entrance.

Attached to the south side of the premises is a Video Game store fronting North Road, with retail and storage at first floor level. To the east is No.4 Meadow lane a bungalow with south facing rear garden. Above the premises permission has been granted for conversion to two 2-bedroom flats (ADC/0395/08).

The previous application ADC/0055/09 was approved subject to a materials to match condition, and a condition requiring that: '*..the extension should solely be used for the purposes of storing food incidental to the attached restaurant and for no other purposes including any incidental use for cooking, food preparation or staff quarters'.*

Consultations and Representations

Adur District Council: The Environmental Health Officer has no objections to the proposals.

Lancing Parish Council: No objection.

Third Parties: There have been no third party objections to the proposals.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AS1.

PPS 1 'Delivering Sustainable Development' (ODPM 2005)
PPS6 'Planning for Town Centres' (ODPM 2005)
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies
Local Plan Policy AS1 states that extensions to existing premises subject to this policy and falling within Use classes A1 and A3 will be permitted subject to there not being a loss of residential accommodation; no loss of amenity to nearby residents; on site parking being adequate and any development being of a scale and design appropriate to the locality.

Visual amenity
The proposed amended design differs little in terms of its appearance from the originally approved plans (ADC/0055/09), the only addition being a secondary door to the north side elevation. The proposals are now inset 1m from the boundary with No.4 Meadow Lane, effectively reducing the visual impact from the rear of their property. The proposed design is still considered to be utilitarian, but it does match in materials and colour the main restaurant building. The proposal is well set back from Meadow Lane and would not be visible from North Road.

Residential amenity
The extension has been increased in its depth by 1.5m to 3.5 in total, however as stated above it has been inset from the boundary with No.4 Meadow Lane by 1m. It is maintained that there would be no overbearing impact on the residential property to the south.

As stated the extension has already been erected and at the time of the site visit was in use as a storage facility with a series of shelving units and a large fridge and freezer. It is considered that to protect the amenity of the neighbouring properties, particularly above and to No.4 to the east, that any permission be subject to a condition preventing the use of the extension for anything other than incidental food storage.

Other issues
The amended design results in the extension being connected to the main kitchen, via a door way (open). If the exterior doors were to be left open this could result in the generation of excessive noise within the service yard to the rear, which could lead to disturbance to surrounding properties, particularly above and to the rear. Objections were raised to the previous application on the basis that the lack of interconnectivity would result in banging of doors when access to the food store was required. It is considered that due to the store being directly accessible to the restaurant there would effectively be a reduction in the amount of times the rear door of the restaurant would be used.

The restaurant is subject to an earlier planning condition from the original change of use permission granted at appeal (L/144/99/TP), which restricts the operational hours to 23:00hrs with all activity to cease by 23:30hrs. It is considered that if the use of the extension is to be restricted to use for food storage only, then any additional condition such as restricting the use of the exterior doors would be unreasonable given that such a restriction does not currently exist. The restriction on opening hours is considered to be sufficient to protect the residential amenity of the surrounding dwellings.

Recommendation

APPROVE for reason that :-

1PPi amended

The proposed development does not detract from the local environment and has taken place.... It consequently does not conflict with the policies of the ADLP (AG1, AS1)

1. The extension hereby approved shall be used solely for the purposes of storing food incidental to the attached restaurant and for no other purposes including any incidental use for cooking, food preparation or staff quarters.
   Reason: *In the interests of amenity and to comply with policy AS1 of the ADLP.*
2. C14A3 – ...revised site location plan NR/2008/39/03 and the plan NR2008/39/01 both dated 11.08.09
   Reason: *For the avoidance of doubt.*

Case Officer: [redacted]
Date: 14·08·09

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