Application No.: ADC/0656/07 Recommendation – Refuse Application

Site: The Royal British Legion, Buckingham Road, Shoreham-by-Sea, West Sussex

Proposal: Free Standing Retractable Awning (With Canvas Windbreaks) At Front

The Application

The application site contains the Royal British Legion, a private club located within a double storey mid-terrace dwelling with white render walls and a clay tile 'up and over' roof, located on the western side of Buckingham Road within the built up area of Shoreham-by-Sea.

The use of the premises is long standing, including use of the front garden as an outdoor seating area. The need to use this area has recently escalated as a result of the changes to smoking laws which prohibit it from occurring within the building.

In response this application proposes the installation of a retractable awning that measures 5.2m x 5.6m (and will cover the majority of the seated space), when fully extended. The intent is to use the awning only when required, that being when it is required to protect patrons during poor weather, and as a shade device during hot periods in summer.

As a means of further improving patron comfort and formalising the extent of the licensed area, the proposal also involves the erection of canvass wind breaks that will increase the height of the front wall from 1m to 1.65m.

The relevant section of Buckingham Road contains a mix of commercial and residential landuse contained within a long block of terrace dwellings that are well setback from the highway. The front gardens of almost all of these premises have been removed, and replaced with open hardstand areas for vehicle parking.

Consultations and Representations

Director of Services: The Environmental Health branch of Council raise no objection to the proposal.

Third Parties: The Shoreham Society object to the proposal on the basis that the proposed structure is visually obtrusive and detrimental to the streetscene of the area.

The residents of No.'s 15, 15a & 17 Buckingham Road have also objected to the proposal, but rather than being concerned with the visual aspect of the structure, they are principally concerned with a potential intensification of noise nuisance created through increased use of the outdoor seating area.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plans 2001-2016 (WSCC 2005):

LOC1, CH1, DEV1

Adopted Adur District Local Plan 1993-2006 (ADC 1996):

AG1, AS1, AE16

PPS6 'Planning for Town Centres' (ODPM 2005)

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 (CH1 & DEV1).

Policy AE16 of the Local Plan states that Council will permit alterations and improvements of existing premises in residential areas which are required to improve the efficiency of the existing business, providing adequate access and on-site car parking arrangements are maintained, and there is no significant adverse effects on the amenity of nearby residents.

Visual Amenity, Character & Appearance

Whilst the proposed building materials are of a reasonable amenity standard, enclosure of the front garden with a 1.65m high wall, and the erection of a roof above is inconsistent with the established character of this portion of Buckingham Road which involves open gardens that allow clear view for pedestrians and road users along the entire length of the attached terrace buildings. The opinion of the Shoreham Society is therefore shared, that the proposal will have a detrimental impact on the streetscene of the area and should therefore be refused on this basis.

Residential Amenity

Notwithstanding that the proposed purpose of the shelter is to improve the comfort level of patrons (and is therefore likely to result in an increased use of the front garden during periods of inclement weather), its use by the club for this purpose is already approved and is therefore not the subject of this application. Hence a potential increase in noise level is not considered a valid ground by which to refuse the proposed improvements to the front garden.

The manner in which the club operates is subject to licensing requirements administered by the Environmental Health Branch. Should the club breach the terms of that license (eg. through increased noise levels), with or without the protection of the new shelter, the matter can be reviewed and resolved under the terms of that legislation.

Recommendation

Refusal for the following reasons:-

The proposal is unacceptable in that it is excessively prominent and does not relate . . . .

1. B2R (CH1, DEV1 of WSSP & AG1, AE16 of ADLP)

~~2 B10R (CH1, DEV1 of WSSP & AG1, AE16 of ADLP)~~

Case Officer: ..... Date: 22/11/07