ADUR
DISTRICT COUNCIL

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Development Control

PLANNING PERMISSION

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995**

**APPLICATION NUMBER:
ADC/0426/09**

Mr Graham Ross
Building Plan Design
12 Barrier Reef Way
Eastbourne
East Sussex
BN23 5PE

Details of Development
CHANGE OF USE TO MIXED USES WITHIN CLASSES A1 (SHOP), A3 (CAFE), B1 (OFFICES) AND SUI GENERIS (BEAUTY AND REFLEXOLOGY/MASSAGE THERAPY) (NO'S 2 AND 8 TARMOUNT LANE)

Location of Development
2 TARMOUNT LANE SHOREHAM-BY-SEA WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 2nd December 2009.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

James Appleton
Executive Head of Planning, Regeneration and Wellbeing

23/06/2010

SCHEDULE

Reasons for Granting Permission

01. The proposed development is in a highly sustainable location within the built-up area and would assist in providing additional employment provision and economic and environmental regeneration without detracting from the local environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB3, AB4, AB14) and A Strategy for Shoreham Renaissance.

Conditions

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

    Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

02. Within three months of the date of this decision, a satisfactory means of ventilation for the extraction, filtration and disposal of cooking odours (including necessary sound attenuation measures) from the Class A3 premises shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the system as approved shall thereafter be retained in effective working order, and upgraded relevant to the type of food being cooked if deemed necessary by the Local Planning Authority, and operated at all times when cooking is taking place.

    Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

03. The Class A3 premises within No.2 Tarmount Lane shall not be open for trade or business other than between the hours of 7.30 am and 8.00 pm with all activity ceasing at the premises by 8:30 pm daily. Use of Units 2B, 2C, 2D, 4B & 4C, and the rear courtyard for the sale of goods and for outdoor eating shall cease by 7pm.

    Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

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04. Notwithstanding the details contained in the application, there shall not be any use of any unit within the premises primarily as a hot food takeaway (Class A5) and any use for the sale of hot food for consumption off the premises shall not exceed a level that is incidental to the Class A3 cafe use. .

Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

05. The premises shall be used for the following purposes only No.2 Tarmount Lane - Use Class A3 Restaurant; Units 2B, 2C, 2D, 4C and Ground Floor of No.8 Tarmount Lane - Class A1 Retail; Units 2G, 2F, 2H, 4E and the first floor of No.8 Tarmount Lane Class B1 Business; and Unit 4B Sui Generis beauty and reflexology/massage therapy. The references to Use Classes shall be as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in an Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: *For the avoidance of doubt to comply with policy AG1 of the Adur District Local Plan.*

06. No articles for sale, floor mounted signage, raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed anywhere outside the front of No.2 Tarmount Lane, including the pedestrian entranceway, and No.8 Tarmount Lane, unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to retain adequate off-street parking space and to comply with policies AB3 and AB4 of the Adur District Local Plan.*

07. The garages to the rear of No.8 Tarmount Lane shall be used as ancillary storage space for the occupiers of No.8 and for no other purposes.

Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan.*

08. Within three months of the date of this permission, secure and covered bicycle storage, and refuse and recycling bin storage shall be provided in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for access and parking of cycles and storage of bins.

Reason: *To encourage sustainable transport and in the interests of amenity.*

PTO

09. The development hereby permitted shall be carried out in accordance with the following approved plans: 37-09-01 Rev C; and 37-09-02 Rev B date stamped received 25.05.10.

Reason: *For the avoidance of doubt and in the interests of proper planning.*