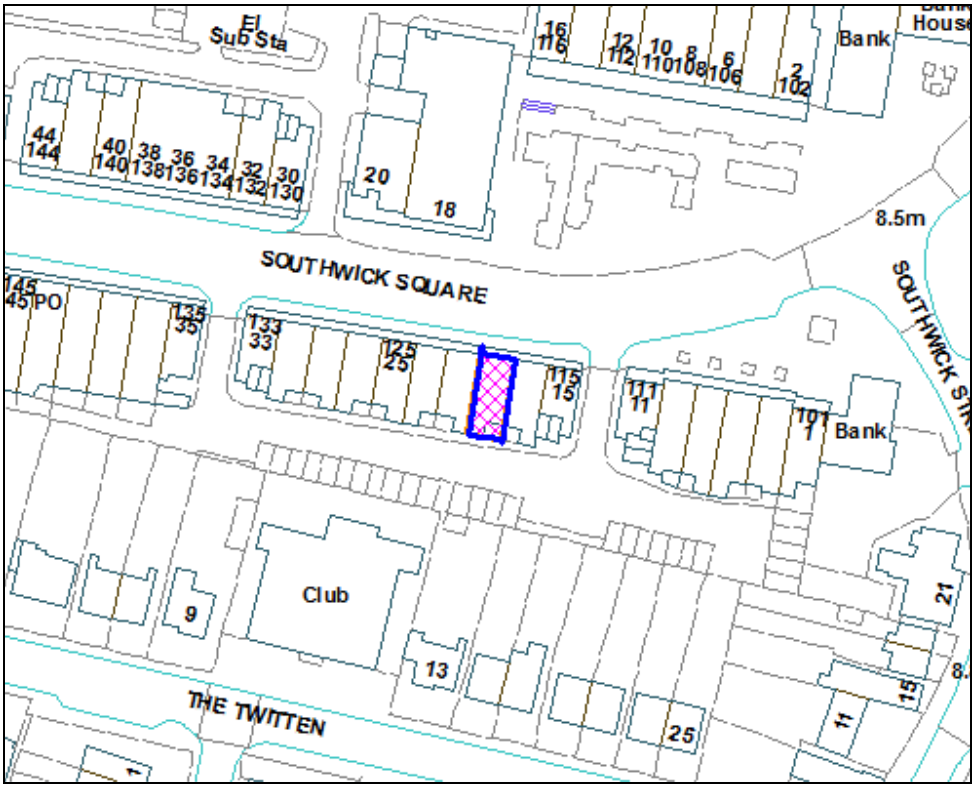
Application Number: AWDM/1469/18 **Recommendation – APPROVE**

Site: **19 Southwick Square, Southwick**

Proposal: **Change of use from mixed use A1/A3 to A3 (café/restaurant) including installation of vent to rear of property.**

Applicant: Mrs E Lewis Ward: Southwick Green
Case Officer: M. O'Keeffe



Not to Scale

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Proposal, Site and Surroundings

This application relates to a mid-terraced shop on the south side of Southwick Square in the heart of Southwick Town Centre. It has two floors of residential above, accessed from the rear. On one side it has a Newsagents and on the other a hairdressers. Southwick Square is owned and managed by Adur Council.

It is not in a conservation area and is not a listed building.

The site has a mixed A1/A3 use and a condition which prevents primary cooking on site. The current occupiers, Drury Tea and Coffee wish to cook hot food on the premises and thus are seeking a full A3 permission.

Relevant Planning History

NOTICE/0018/17 - Application for permitted development for prior approval for change of use from Shop (Class A1) to mixed A1/A3 Shop/Cafe/Restaurant . Approval required and granted 2.1.18

SW/14/02 – Replacement shopfront – Granted 22.7.02

SW/98/81- Regulation 4 application for new office front. Granted 24.11.81

81/62 – Change of use from shop to Local Authority cash office and Housing sub office. (Reg 4) Granted 14.7.81

Extract from Supporting Statement

'Proposed Development

This application seeks permission to convert the existing A1/A3 retail/café to a A3 café/restaurant use to enable the small scale cooking of hot food on the premises. The application also seeks permission to install a small vent on the rear of the premises to ventilate the kitchen. This will enable the use of a small oven and grill to prepare food onsite. The applicant does not wish to install any industrial equipment associated with large scale hot food preparation such as deep fat fryers. This would not include the sale of alcoholic beverage and Drury Coffee Ltd. is primarily a coffee shop serving a limited menu of lunch options and desserts (cakes etc.).

Case for Permission

The shop would retain a very similar usage to the previous occupier, serving hot/cold drink and consumables to customers during the day time. The application simply seeks to expand the use of the café to enable the occupier to prepare hot food on the premises to serve customers. This would be limited to baked goods and the cooking of meat products for sandwiches (or similar). Drury Tea and Coffee Ltd are an up market coffee shop and use of the café would not expand into an A3 (restaurant) use with a low number of covers expected. The approved use of the site restricts primary cooking on site under the existing A1/A3 use class. However, we consider there are no planning or environmental reasons why this use should not be expanded, subject to adequate controls via planning condition.

Design & Access Considerations

The only external alterations to the unit would be the installation of a small (160x160mm) manual vent on the rear of the premises. This discreet vent would assist with the air conditioning of the kitchen. External alterations to the shop front have already been completed.

This proposal also seeks retrospective permission for three tables and six chairs on the public highway outside the shop.

Conclusion

This proposal would vitalise this area of Southwick Square and would not harm the character of the shopping area. This proposal would result in no adverse harm to any nearby residential occupiers and is considered to be an appropriate use for this area.

The discreet vent to be installed on the rear of the shop would provide efficient air conditioning to the kitchen of the shop. The scale of the cooking undertaken in the kitchen is only very small. This would not require the installation of more substantial mechanical ventilation as required in an industrial kitchen or a hot food takeaway use.

In conclusion, the proposal would comply with the relevant paragraphs of the NPPF and the adopted Adur Local Plan.'

Consultations

Environmental Health: No objection.

Representations

None received.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 1, 2, 12, 15, 27
National Planning Policy Framework (CLG 2018)
Planning Practice Guidance (CLG 2014)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The main considerations with this application are the acceptability of an A3 use in this location in terms of vitality and viability of the centre and impacts for neighbours above.

The site lies within Southwick Town Centre within the primary retail frontage.

Adopted Adur Local Plan policy 12 states:

Within the primary frontage of Southwick town centre (as shown on the Policies Map), A1 (shop) uses will be supported. A2 (financial and professional services), A3 (food and drink), A4 (drinking establishments), A5 (hot food takeaways) and appropriate D1 (non-residential institutions) uses will also be permitted where they would not have an adverse impact on the vitality and viability of the town centre.

The existing unit has a mixed A1/A3 use achieved through the Prior Approval route in January 2017. The then occupier did not wish to carry out any primary cooking on site or to install equipment which required external ventilation. 'Cooking' was limited to the use of a microwave to reheat pre-cooked delivered foods, bacon etc. Hours of use were limited with 7.30am the earliest start and 5pm the latest finish. 18 indoor seats and 6 external seats were agreed. The applicant, at the time, maintained her business was still largely a coffee shop with take away sandwiches/coffees as her main business.

The lease changed hands recently. The new occupier is also a coffee shop but would like to install a small oven and grill to enable small scale cooking on site. No industrial cooking equipment is required or proposed and thus the only ventilation equipment proposed is a vent, 160mm x 160mm, to be added to the existing kitchen window at the rear. Hours of use are again day time only.

Given the low level of cooking and the proposed hours of use it is not considered that this A3 use will be harmful to neighbour amenity. Restricting the hours of use to daytime only will minimize intrusion to neighbours above. Environmental Health is satisfied with the ventilation proposed for the level of cooking. More intensive cooking will require further extraction equipment which will require planning permission and is reserved by condition.

Southwick Square is thriving and has a very good provision of retail uses including Co-op food store, WH Smith, chemist, butchers, greengrocers, hairdressers, chocolate shop, hardware, Chinese food store and other supporting uses such as betting office, optometrist, charity shops etc. The proposed A3 use will not undermine the sustainability of the Southwick Square shopping offer.

Recommendation

To GRANT permission

1. Approved plans
2. 3 years.
3. This permission is for an A3 use with only low scale primary cooking. No industrial ovens and/or ventilation/extraction equipment shall be installed without the prior written agreement of the Local Planning Authority obtained through the submission of a planning application.

4. No working, trade or business whatsoever (including arrival, reception or dispatch of deliveries) shall take place on the premises except between the hours of:-
7.00 am and 4.30 pm on Mondays to Fridays inclusive
8.30 am and 3.30 pm on Saturdays and
9.00 am to 4.00 pm on Sundays and Public Holiday

3rd December 2018