Development Management - Delegated Officer Report

Application Number: AWDM/0533/14 Recommendation – Approve

Site: 4 - 6 East Street, Shoreham-By-Sea
West Sussex, BN43 5ZE

Proposal: Change of use from A1 to mixed A1/A3 with outside seating

Date of site visit: 21 May 2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to an A1 premises at the south end of East Street, currently occupied by Real Patisserie as a bakery, pastry and coffee shop, with some internal seating (8 seats) located behind the windows at breakfast bars.

The proposal seeks to increase the number of seats by providing external seating around 4 tables. This will tip the use of the premises into a more mixed A1/A3 use and a change of use is also sought therefore.

Relevant site history

None relevant

Consultations

Adur District Council: The Environmental Health Officer has no objection. Appreciates the issue of lack of access for those with restricted mobility and the existing staff toilet is only accessible to customers by walking around to the back of the property, but this is an acceptable compromise. Restriction of number of seats to 16 will provide a safeguard for future use by other food businesses.

Conservation Advisory Group: Approve

Representations

1 letter of objection received:

- No customer toilet provided – customers regularly use toilet in adjoining premises
- Concerned at balance of retail versus eating establishments
- There is an increasing number of coffee shops and A3 uses and it is not sustainable to allow more

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AS1
Revised Draft Adur Local Plan 2013 policy 11
Assessment of Saved Policies (ADC 2013)
National Planning Policy Framework (CLG 2012)
Planning Practice Guidance (CLG 2014)

Planning Assessment

Principle

The site is identified for shopping and food and drink purposes in the current local plan. The site also falls within the primary frontage of block 4, as identified in draft policy 11, which allows for A1 and A3 uses at ground floor. Proposals for non A1 uses elsewhere in the town are subject to consideration depending on which frontage block they are located in. Concerns about the proliferation of A3 uses are noted but, for the reasons outlined above, it is not considered that the current proposal is contrary to the existing or draft policy.

Visual amenity

The provision of seating in East Street has been established by a number of other premises and it is not considered that the current proposal will cause visual harm or an obstruction to pedestrians.

Residential amenity

The proposal is not considered to cause harm to residential amenity.

Other issues

The property does not currently have a customer toilet and there is concern that a café use will increase existing problems of customers using toilets in neighbouring businesses. Following discussions with the applicants, it has been agreed to enable the staff toilet to be used by customers, albeit by walking around the outside of the building to the back of the premises. Such provision will not be suitable for wheelchair users regrettably but it is an acceptable compromise in the circumstances. It was hoped that wheelchair users could access the toilet via the kitchen, but this is not an ideal arrangement and, in any event, the opening is too narrow to enable this.

It is proposed to limit the number of seats at the premises to 16 to prevent problems in the future should the premises be occupied by a restaurant with greater customer demand for toilet facilities.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard 3 year time limit
2. Approved plans

3. No. of covers limited to 16
4. Existing staff toilet to be made available to customers

Is recommendation contrary to letter(s) of representation? Y

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 24 July 2014

Authorised by: Jo Morin Date: 24.07.2014