Expiry Date - 25/09/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1064/23 **Recommendation – APPROVE**

Site: **Sea Lane Cafe Marine Crescent Worthing West Sussex**

Proposal: **Proposed aluminium glazed cafe extension to south elevation to replace existing canvas structure, timber framed kitchen extension to west elevation and natural fibre composite cladding to replace existing shiplap cladding**

Date of site visit: 15/08/23

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application site is located to the south of Marine Crescent on the seafront promenade with direct access to the beach. The Sea Lane Café occupies the split-level site forming a modern two-storey building with brick and black/brown horizontal cladding to the elevations. There is an enclosed awning to the south providing a covered seating area and paving surrounding this. The car park extends to the north and east of the site separated from the promenade by a grass bank.

The site is outside the Built Up Area Boundary and therefore designated as countryside and undeveloped coast and is adjacent to the Greensward, a registered Town and Village Green. The site is not within a conservation area, is not a listed building and there are no protected trees on site. The site falls within Flood Zone 3.

Proposal

Planning permission is sought for a glazed and aluminium extension to the south to replace the existing canvas awning and construction of a timber framed extension to the west side and replacement of the existing cladding with natural fibre composite cladding.

The contemporary extension of glazed and powder coated aluminium frame in anthracite would replace the existing canvas awning to the south of the building with a slightly larger footprint of 16.42m wide by 5.22m deep. The extension would have a monopitch roof aligning with the top of the building at its highest point and with an eaves height of approximately 3m. The polycarbonate roof of the extension would be fully retractable for use in summer. The solid panels at roof level on the east and west elevations would be powder coated aluminium to match the main structure. The two middle panes of the windows would be vertically sliding openers.

The use of the extension will remain the same, providing a covered seating area for customers and disabled access. The ground level of the covered seating area is approximately 1.1m below the ground level of the café which can only be accessed via stairs.

A timber frame extension will be added to the first floor west side elevation of the building above the existing ground floor projection with steps down to the south and finished in cladding with a powder coated roller shutter to the south elevation. This extension would measure approximately 1.4m wide by 8m deep continuing the flat roof form of the existing building. The extension would house a walk in fridge accessed via the existing kitchen.

The painted horizontal shiplap cladding to the elevations would be replaced with vertical natural finish fibre composite cladding in weathered teak or grey weathered cedar or similar.

Relevant Planning History:

AWDM/1310/14 - Covered seating area to south elevation – Approved

05/1315/FULL - Erection of a retractable awning and replacement windows to south elevation - Approved

00/00065/FULL - Extension to café to provide additional seating area, storage and roof lights together with new ramp for disabled access - Refused

Consultations:

WSCC Highways - The site is located on Marine Crescent, a C-classified road subject to a speed restriction of 30 mph. The proposed development will provide a marginally larger seating area, with a new walk-in fridge to serve the kitchen. These works are not anticipated to give rise to a material intensification of movements to or from the site. Existing access and parking arrangements will remain as existing.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Sussex Police - The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.

The level of crime and anti-social behaviour in Worthing district is above average when compared with the rest of Sussex, so additional measures to mitigate against any identified local crime trends and site-specific requirements should always be considered.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments.

This planning application is seeking permission for a powder coated framed extension immediately south of the existing building to replace the existing canvas awning.

As this proposal may increase customer seating - the applicant and their partners are strongly advised to consult directly with the licensing team at Sussex Police with regards to these proposed changes. The Sussex Police Licensing Team may have some of their own requirements to be implemented into the premises before they are satisfied it meets licensing objectives on the day-to-day operation of the premises which is why it is extremely important the applicant contacts them as soon as is practicable.

If not already in place – then consideration should be given to the fitting of a fit for purpose intruder alarm system to protect the premises out of hours. Should CCTV be a consideration the following documents will be of assistance to the applicant: CCTV guidance for police requirements: HO(publishing.service.gov.uk)
CCTV at Commercial Business https://www.gov.uk/can-i-use-cctv-at-my-commercial-premises
CCTV | Search | Information Commissioner's Office (ico.org.uk)

Finally, construction sites often suffer from theft, criminal damage, arson, and anti-social behaviour, all of which can have a major impact on completion dates and overall development costs. The SBD Construction Site Security Guide 2021 is designed to be risk commensurate and provides advice on how to secure the site from the moment the hoarding goes up until the moment the development is handed over to the client or end user. The advice is based on proven crime prevention principles that are known to reduce criminal opportunity by creating safer, more secure, and sustainable environments. It applies to all construction sites regardless of their size and is intended for all staff including security personnel.

It is also recommended that contact is sought by the developer with local Neighbourhood Police Team (NPT) to establish good relations whilst the development is in the construction phase.

Further advice on construction site security can be obtained from the Secured by Design Website:
www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf

The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

Environmental Health - The proposed walk in fridge to the western side of the building will require a compressor to operate. This will create noise so we need to know where the compressor is proposed to be located. We will also need to know the noise created by this, which the supplier should be able to provide. Once in receipt of this information we will be able to comment further.

Officer response – The requested information was supplied by the agent:
The new unit will be a Maxcold FSP/0170-ME-HZ PS Piston Condensing Unit. The noise rating is 44 DBA @10m in free field conditions. It will be mounted on the west elevation of the new side extension.
This information was forwarded to Environmental Health on 15/08/23. No further comments were received.

Private Sector Housing – No comment

Environment Agency – No comments received

Representations:

Goring and Ilex Conservation Group - On behalf of the Goring and Ilex Conservation Group, we would like to submit our comments and observations. We note that the existing marquee was erected under the Covid relaxations which were later amended to allow such structures under permitted development. We also note a similar approved application (AWDM/1310/14) and although the current application structure is larger, it appears more suitable with the retractable roof panels. Our concerns, as in 2014, are that a glass structure so close to a pebble beach may encourage vandalism and that the enclosure may promote overspill of tables and chairs onto the beach. We are pleased that the cladding is proposed for replacement but would request that final colours be sympathetic to the existing structure and area and be agreed with the planners.

Two neighbour representations received:

- *Since the addition of the cycle parking bay which is next to the Blue Badge parking bays it seems that the mobility access is being forgotten. Some work could be done to improve access to the cafe instead of having to walk all the way around the property.*

- *The proposed extension is 99m2, the original building is 131m2. This represents a 76% increase in floor area from original. The proposed development extends beyond the existing shop front. The development*

involves the creation of a new shop front. The proposed materials are aluminium and glass. The new proposed cladding is cement fibre. All of these are in contravention to Part 7 (Non-domestic extensions, alterations, etc.) Class A (Now Class E) of SCHEDULE 2 of the Town and Country Planning (General Permitted Development (England) Order 2015

Officer response – Permission is sought as a planning application and not under permitted development.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, SS4, DM5, DM6, DM7, DM12, DM13
National Planning Policy Framework (HCLG 2021)
National Planning Practice Guidance

Planning Assessment

Principle

The application seeks to upgrade the existing business premises by replacing an existing canvas awning with a permanent structure to provide covered customer seating suitable for all weathers. Such investment in the town's tourist/leisure industry in a seafront location is supported, in principle, by Worthing Local Plan policies DM6, DM7 and DM12.

The enlargement of the café at this existing business would not undermine the retail hierarchy of the town, district and local centres, so accords with the borough's retail strategy set out in Policy DM13.

Visual Amenity

The seafront promenade is distinctive to Goring, and is enjoyed by visitors and residents. The immediate area around Sea Lane Café makes for a pleasant seaside environment. The current covered seating area added in 2020 to comply with Covid restrictions, is a popular addition providing indoor/outdoor space for customers. However, the temporary nature of the current structure and the exposed location of the café prevents the use of this seating area during particularly inclement weather, such as high winds or heavy rain. It should also be noted that the covered seating area provides the only access for wheelchair users due to the higher level of the main café building which is only accessed via steps.

The addition of a permanent glazed and aluminium frame structure in the same position as the current canvas structure would not only improve the aesthetics of the premises but would provide an all-weather structure essential to the ongoing vitality of this popular seaside café. The contemporary appearance of the proposed extension would echo similar developments along the coastline with the large expanses of glazing providing uninterrupted views of the sea and

enhancing enjoyment of the local area and the special qualities of the coastline. Accordingly, the orientation, layout and siting of the extension has been designed to have regard to existing sea views, and would be appropriate in relation to the adjacent open space and outlook to the sea.

The exterior of the current building is tired and dated and the replacement of the shiplap cladding with natural finished fibre composite cladding would significantly enhance the appearance of the building and its wider setting. The distinctive character of the adjacent Greensward would not be harmed by this proposal.

The proposed extension would be subservient to the existing building and its lightweight construction would not dominate or detract from the open setting of the building. The scale, height, and massing of the proposed extension would be similar to that occupied by both the current canvas structure and the glazed/aluminium extension approved under application AWDM/1310/14 and is considered to respect the seafront environment.

The small extension to the west side of the building would occupy space above the existing ground floor projection and would not detract from the character of the building or locality. Further details of the exact location of the compressor unit are required by condition to ensure this unit is sensitively located.

The proposal is considered to enhance the appearance of the current building and its wider coastal setting without causing harm to the special qualities of the Greensward and seafront location. Upgrading of the existing facilities would attract visitors to the café, supporting tourism and the visitor economy.

There would be no significant harm to the visual amenities of the locality as a result of this development.

Residential Amenity

The extension would result in a marginally larger seating area than the existing structure provides, however, these works are not anticipated to give rise to a material intensification of use or increase in movements to or from the site.

The building is positioned well away from neighbouring properties and would not appear overbearing or result in any increase in overshadowing, loss of privacy, or noise and disturbance from customers and would not result in harm to the living conditions of nearby residents.

Accessibility and parking

The majority of customers arrive to the café by foot or bike, having used the promenade or beach. The café benefits from an adjacent car park and there is ample opportunity for on-street parking in surrounding streets, if required. There are no highways implications for the proposed development.

The covered seating area provides the only access for wheelchair users due to the higher floor level of the main café building which is only accessed via steps. A permanent structure suitable for use in all weathers will improve facilities for those with limited mobility.

Trees

There is a tree located to the west side of the building close to where the side extension is proposed. The extension is to the first floor only positioned above the ground floor projection and should not therefore require any ground works that could damage tree roots. It is noted that this tree may need to be trimmed or cut back to accommodate the extension and therefore details of any works to this tree are required by condition.

Flood Risk

The site falls within Flood Zone 3, the highest tidal flood risk category.

There are flood defence measures in place protecting this area to a 1 in 50 year standard.

The existing café building has an elevated finished floor level.

The finished floor level of the proposed extension is level with the current outside ground level to allow for disabled access to the facilities. If the area were inundated, the flood water could be swept away as is the current arrangement with the paved area.

Whilst this arrangement is not ideal it is no worse than the current arrangements. The proposal would put human health at no worse risk than at present, and there would be no material exacerbation of flood risk as a consequence of this development.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Further details/samples of cladding to be approved prior to commencement
4. Location of externally located plant required
5. Details of tree works required

Informative

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.

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

Case Officer: Amanda Haslett Date: 22/09/23

Authorised by: Jo Morin Date: 25.09.2023