Adur District Council

Development Management

Mr Alexander Hole
Strenson Investments Ltd
PO Box 5320
Hove
East Sussex
BN52 9TS

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0509/15

Details of Development
APPLICATION TO VARY CONDITIONS 3 AND 4 OF AWDM/0769/13 AMENDMENTS: TO ALLOW THE GYM TO OPEN FROM 5.30AM MONDAY TO FRIDAY, 7AM ON SATURDAY AND 9AM ON SUNDAY. TO ALLOW THE CAFE TO OPEN FROM 6AM MONDAY TO FRIDAY, 7AM ON SATURDAY AND 7AM ON SUNDAYS AND TO BE OPEN UNTIL 1AM ON A MAXIMUM OF 15 SEPARATE OCCASIONS IN CONNECTION WITH PRIVATE FUNCTIONS ONLY. TO ALLOW THE CAFE TO SELL FOOD, BEVERAGES AND REFRESHMENT TO BE CONSUMED OFF THE PREMISES

Location of Development
28A BRIGHTON ROAD LANCING WEST SUSSEX BN15 8RA

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 8th April 2015.

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

G Peck

Planning Services Manager
09/06/2015

PTO

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. This permission relates to the following approved plans submitted with application reference AWDM/0769/13:-

Drawing No 272/P/01 Title Site Location Plan Date received 17 December 2012
Drawing No 272/P/03 Rev A Title Site Access Plan Date received 19 February 2013
Drawing No 272/P/20 Rev C Title Proposed Floor Plans Date received 5 July 2013
Drawing No 272/P/21 Rev C Title Proposed Elevations Date received 5 July 2013
Drawing No 272/P/25 Title Sea Wall Drawing Date received 25 January 2013

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

02. The gym hereby approved shall not be open for trade or business other than between the hours of 5.30am and 11pm Monday to Friday, 7am and 11pm on Saturdays, and 9am and 10.30pm on Sundays and Public Holidays.

The café/restaurant hereby approved shall not be open for trade or business other than between the hours of 6am and 11pm Monday to Friday, 7am and 11pm on Saturdays, and 7am and 10.30pm on Sundays and Public Holidays.

The café may be open until 1am on a maximum of 15 separate days in any one calendar year and such occasions shall be limited to private functions only with no access by the general public.

The other ground floor business uses hereby approved shall not be open for trade or business other than between the hours of 7am and 11pm Monday to Saturday and 8am and 10.30pm on Sundays and Public Holidays.

Reason: *In the interests of amenity and to comply with saved policy AR12 of the Adur District Local Plan.*

03. The premises shall be used only for the purposes as shown on approved drawing 272/P/20 Rev C, specifically as a café/restaurant with hot food takeaway (Use Class A3/A5) and watersports centre/gym (Use Class D2) and community room (Use Class D1) with ancillary retail on the ground floor and as a hotel (Use Class C1) (which shall not be used as permanent residential accommodation at any time) and three flats (Use Class C3) at first floor.

Reason: *In the interests of amenity and in order to safeguard the use of the building for a mix of uses which will be appropriate to its seafront location having regard to Lancing Vision and saved policy AR12 of the Adur District Local Plan.*

04. There shall be no deliveries of food or drink from the premises and no phone/internet orders for food and drink shall be taken. The sale of food and drink for consumption off the premises shall cease at 8pm every day.

Reason: *In the interests of amenity and highway safety.*

PTO

05. The cafe use hereby permitted shall not be carried on unless and until full details of the means of extraction and disposal of cooking odours from the cafe (including details of extract fans, filters, internally located fan units and ducting together with a method of noise abatement, as well as details of grease traps and extraction hoods) and of any other external plant or equipment, have been submitted to and approved in writing by the Local Planning Authority. The equipment so approved shall be fully installed in accordance with the approved details before the cafe use hereby permitted begins and shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: *To safeguard the amenities of nearby properties having regard to saved policy AR12 of the Adur District Local Plan.*

06. Prior to its construction, details of the surfacing of the proposed walkway around the building shall be submitted to and approved in writing by the Local Planning Authority. The walkway shall be constructed in accordance with the approved details before the building is first used.

Reason: *In the interests of amenity having regard to saved policy AR12 of the Adur District Local Plan.*

07. The secure, covered cycle parking shown on the plans shall be provided prior to commencement of use of the flats hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport.*

08. Vehicular access to the building hereby permitted shall be limited to the resident of one flat only, plus deliveries and emergency vehicles only.

Reason: *To ensure that vehicular use of the access is limited in the interests of public and highway safety.*

09. Before the garage space shown on the approved plans is first used for the parking of a vehicle, details of the method to be used for improving visibility for drivers reversing out onto the cycleway shall have been submitted to and approved in writing by the Local Planning Authority and it shall thereafter be installed in accordance with the approved details and permanently retained and used.

Reason: *In the interests of highway safety.*

10. The building shall be completed in accordance with the approved schedule and samples of materials and finishes.

Reason: *In the interests of visual amenity and to comply with saved policy AR12 of the Adur District Local Plan.*

PTO

11. The flats hereby approved shall be constructed to meet "Zero Net CO2 Emissions" in accordance with energy category Ene 1 of the Code for Sustainable Homes, or equivalent, and no flat shall be occupied unless and until it has been inspected and certified as such by an independent and qualified expert and the Certificate has been submitted to the Local Planning Authority.

    Reason: *To ensure that the development is sustainable having regard to the National Planning Policy Framework.*

12. The building shall not be occupied until an Emergency Flood Warning and Evacuation Plan for the site has been submitted to and approved in writing by the Local Planning Authority. This shall include identification and provision of safe routes into and out of the site to an appropriate safe haven and details of responsibility for the maintenance and operation of the storm shutters and temporary surge barriers. The approved Plan shall be implemented and put into effect throughout the period that the building is occupied.

    Reason: *In the interests of the safety of the occupants having regard to the National Planning Policy Framework.*

13. There shall be no residential use on the ground floor at any time.

    Reason: *In order to retain an active frontage to the seafront in the interests of the regeneration of the area and to ensure that future occupants are not put at harm through exposure to possible flood risk having regard to save policy AR12 of the Adur District Local Plan and the National Planning Policy Framework.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.