Development Control – Delegated Officer Report

Application expiry: 10.05.07.

Application Number: ADC/0146/07 Recommendation - Refuse

Site: **Waterside Inn Lower Beach Road Shoreham-by-Sea West Sussex**

Proposal: **External decked platform on south side (east end) with roof over and enclosing screens**

The Application

The public house is located on the north side of Riverside Road, to the east of its junction with Lower Beach Road, and backs onto the river.

The proposal is for an external decked platform on the south side (east end) with roof and enclosing screens, to be used as a smoking refuge by customers.

The east wing of the public house (sports bar) was built as an extension to the bar with w/c facilities in 1976. There are existing seating areas on the south-west and east side of the public house, as well as a two level decked area across the whole of the rear of the pub permitted under ADC/0078/06.

Consultations and Representations

Consultations/Comments

EHO – I have concerns regarding the potential for increased noise disturbance to domestic premises. The provision of areas that encourage persons to remain 'outdoors' to smoke will lead to larger number of persons to congregate near to houses. Doors are more likely to be left open and so shouting/voices will also transmit from indoors.

I would argue that there are already sufficient outdoor areas where drinkers can nip out for a quick smoke which have less potential to cause problems. I would therefore object to the proposal.

If the committee are minded to approve the application then I would request limiting hours to no later than 2300 hours.

Highways – The proposed platform is not located on the public highway. It is noted that a single car parking space is to be lost as part of these proposals, which is acceptable considering that on-street parking is available in this area.

No highway objection would be raised.

Third Parties

There have been no third party representations on this application.

Contributors

Shoreham Beach Residents' Association – The owners claim that the smoking ban will limit their trade, this is not apparent in other countries. However if they want to provide al-fresco facilities, facing into the prevailing wind is not the right place, it would be much more sensible to use the riverside where there is more space. The proposal will reduce the area for car parking. It will project forward of the rest of the building. Being connected to the sports bar will inevitably generate noise and remembering the nuisance caused to properties across the road by noise from the sports bar this application should be refused.

Relevant Planning Policies and Guidance

Policies
Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AP7
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS6 'Planning for Town Centres' (DTLR 2005)
PPG24 'Planning and Noise' (Dept of the Environment 1994)

Planning Assessment

Assessment
The main planning concerns are the effect the proposal will have on the amenity of the surrounding residential properties and on the visual amenity of the locality.

Structure Plan Policy DEV1 requires that development be of high quality with regards to construction, layout, scale and appearance, taking into account amongst other things, the need to integrate with adjoining land uses and minimise potential conflicts between uses and activities. Also, to consider the townscape, streetscape, skyline and views into and out of the site. DEV4 states development should not be permitted unless the travel needs it generates are met.

Policy AS1 of the Local Plan states that extensions to existing food and drink premises will be permitted provided there will be no loss of residential accommodation at upper floor level, no loss of amenity to nearby residences and the development is of a scale and design appropriate to the locality. Policy AP7 is concerned with minimising different forms of pollution including noise, and it is stated that proposals that are likely to have an unacceptable environmental effect should be refused.

At present outdoor facilities encourage drinking on the south-west and west of the pub grounds adjacent to Lower Beach Road and Beach Road, as well as a recently improved part-sunken, part-raised decked garden area to the north. All of the outside areas are on the western half of the site away from most of the surrounding residential properties. The proposed new covered platform would be 8.0m from the windows of the closest flats in Doveleys Court to the east, 21.5m to the east facing balconies of flats above No's 1A – 7B Ferry Road and, 27m to the front of the nearest property on the south side of Riverside Road.

The proposed structure would be 8.0m wide by, 4.8m in height by, 2.9m in depth and would be accessed by a door currently used as an emergency door from the sports bar. The sports bar currently has various pub games such as: two pool tables; darts board; arcade quiz games and a juke box.

The partially enclosed decked area would be heated and would allow for it to be used all year round and late into the evenings rather than just on days when the weather was fine. The proposed space would encourage its use as a means of continuing activity whilst still smoking, i.e., in between shots in a pool game, on looking from the open door. On balance it is considered that the proposed smoker's shelter would cause more harm by way of noise disturbance to residential amenity than already exists from outside drinking elsewhere on the premises.

The proposed structure would step in front of the natural building line of the pub and due to its excessive size would appear too dominant a structure for the front of the pub. In turn the addition of another outside drinking area would have a detrimental effect on the visual amenity of the locality.

Recommendation

REFUSE on ground that :-

1. The proposed covered decked area would result in a greater intensity of use later into the evening and throughout the year ~~compared to what exists~~, and would give rise to added disturbance and detriment to the residential amenities of ~~the residents of~~ Doveleys Court and other residential accommodation situated in close proximity, particularly at unsocial hours. The proposal would therefore conflict with policies AG1 and AP7 of the Adur District Local Plan and LOC1 and DEV1 of the West Sussex Structure Plan.

2. B5AR – amended.

   The proposal would form an obtrusive feature ~~that~~, due to its size, would be visually out of keeping with existing development and detrimental to the environment, thereby conflicting with the policies

of the West Sussex Structure Plan (LOC1, DEV1) and the Adur District Local Plan (AG1).

Case Officer: [signature]
Date: 26.04.07

[signature] 26/4