Development Management – Delegated Officer Report

Application Number: AWDM/0764/22 Recommendation – Approve

Site: 20 East Street, Shoreham-by-sea

Proposal: Change of use from barbers to hot food takeaway with new canopy to match existing.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 12 September 2022

Site and Surroundings and Proposal

The application site is prominently located within the Shoreham Town Centre Conservation Area being situated in East Street.

Permission is sought to change the use of this small shop (formerly a barbers) to a hot food takeaway, connected to La Galleria restaurant next door. A retractable canopy is also proposed, to match those approved and installed on the restaurant (AWDM/0828/21).

The applicant's agent has explained that:

"the colours, sign writing etc will all be as the existing canopies as previously approved.

The previous application did not include this section of the building as it was at the time let out to a barber.

With regard to the extract system this will be linked to the existing extract system serving the main part of the restaurant."

The applicant is La Galleria restaurant and the plans show an internal hatch to link to the restaurant.

Relevant Planning History

AWDM/0604/19 - Single-storey rear extension and change of use of No. 20a to Use Class A3 to extend area of existing restaurant and provide larger kitchen for La Galleria in addition to external alterations including three double-height arched dark grey aluminium windows to north elevation to replace existing, widened south side dormer with three arched windows, (No. 20 to remain as barber shop) - approved

AWDM/0828/21 - Canopies to West elevations (22 East Street) - approved

Consultations

Adur &Worthing Councils: Public Health: I recommend that the hours of operation be restricted to 10:00 - 23:00 Monday to Sunday to protect nearby residential amenity.

ADCAG: Approve

Representations

None received

Relevant Planning Policies and Guidance Support

Adur Local Plan 2017 Policies 1, 2, 11, 15, 16, 17, 27
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
National Planning Policy Framework (July 2021)

Planning Assessment

Principle

The site is located within the primary shopping area within block 4.

Policy 11 of the Adur Local Plan states that “Within the primary frontage of block 4, the following uses will be acceptable at ground floor level, subject to compliance with other relevant policies:
 A1 (shops) and A3 (food and drink).
 Appropriate D1 (non-residential institutions) uses where there is a long term vacancy (normally a minimum of 1 year) and reasonable attempts have been made to sell or let the premises for A1 or A3 use.
Any other uses will be resisted”

The use as a takeaway (sui generis) is therefore contrary to policy. However, there are considered to be particular circumstances that are unique to this application which could justify allowing this use on this occasion only. This is that the takeaway would be clearly attached to and form an ancillary part of the main restaurant use next door. The restaurant has already expanded into the unit to the north (20A) and this is the last remaining unit between the restaurant and The Tap House to the south so it would read quite naturally with the remainder of the restaurant. Consequently, as the proposal will be linked to an existing business the use is considered to be justified on this occasion and is not likely to set a precedent elsewhere as it the particular circumstances are unlikely to be repeated.

Visual amenity and impact on character of conservation area

The canopy will match that at the adjoining restaurant and no harm to the character of the Conservation Area will arise.

Residential amenity

The takeaway will utilise the existing extract system at the restaurant and no concerns have been raised with this.

The EHO has recommended hours of opening which will be imposed by condition.

Recommendation

APPROVE subject to the following conditions:

1. Approved Plans
2. Time limit
3. 10:00 - 23:00 Monday to Sunday
4. Takeaway use to be used in connection with restaurant only and not to be used as a separate unit

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 any representations? No.

Case Officer signed: Peter Barnett Date: 26 October 2022

Authorised and signed by: Gary Peck Date: 26 October 2022