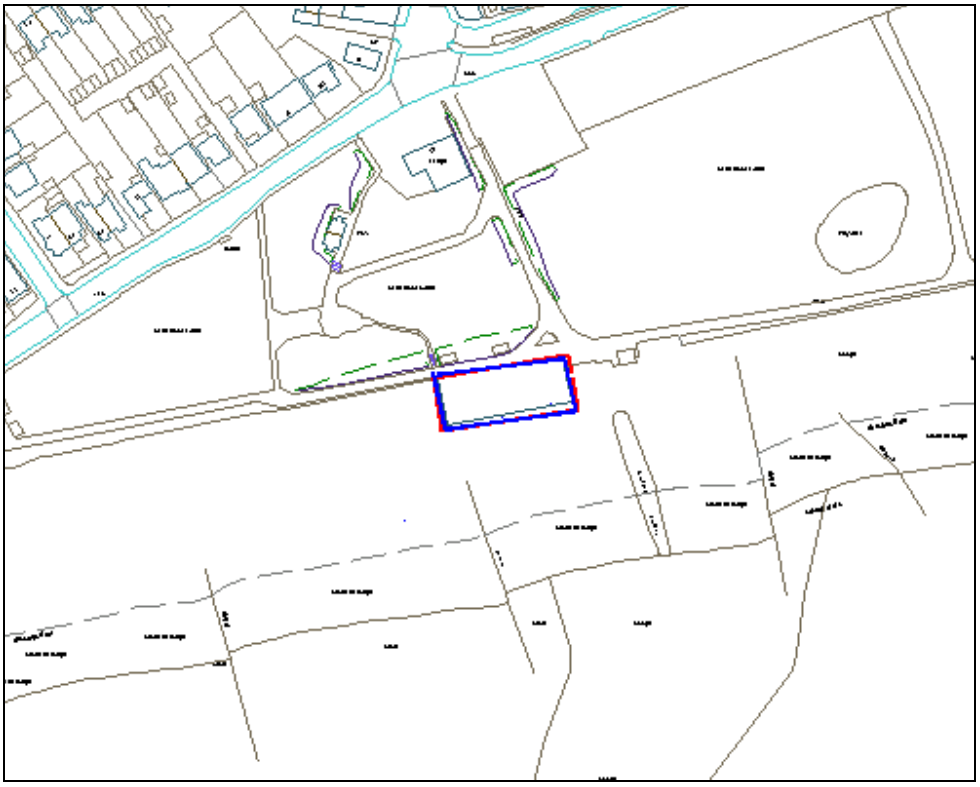
Application Number: AWDM/1515/12 **Recommendation – APPROVE**

Site: **28A Brighton Road, Lancing, West Sussex**

Proposal: **Change of use and alterations to partially-built building from permitted use as two restaurants with manager's flat above to ground floor cafe and water sports centre with 8-bed hostel and 3 flats above (2x 2 bed and 1x 3 bed)**

Applicant: Mr Alex Hole Ward: Churchill
Case Officer: Peter Barnett



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The Application

The application relates to the incomplete building being erected initially under permission L/235/04 for use as a restaurant/bar with function rooms and a first-floor flat and AWDM/0108/09 for the subsequent change of use to two restaurants on the ground floor and first floor with a 1-bed manager's flat on first floor. The building is currently an unfinished shell which occupies the site of the former Murphy's Bar and attached amusement arcade (previously called the Mermaid cafe and amusements).

The building occupies the full extent of the plot and the proposal includes the provision of a 2m wide walkway around the building on a narrow strip of the shingle beach to be leased from the Parish Council (as previously approved).

The proposal seeks to amend the design of the building from that approved in order to improve and upgrade its appearance and its visual impact. The application also proposes a change to the use of the building to provide the following mix of uses:

Ground Floor – Café and watersports centre
First Floor – 8 bed hostel and 3 flats, comprising 2 x 2 bed apartments and 1 x 3 bed apartment

The apartments are intended to be carbon neutral with their entire energy demand offset by photovoltaic panels integrated within the curved roof. These panels will also offset a significant amount of energy consumed by other uses of the building.

The existing building is solid with no openings at the rear or sides. As approved, openings were shown as being introduced at the rear but the current scheme is proposing more extensive glazing on the sides and rear plus on the whole of the southern (sea-facing) elevation. The ground floor is to be brought in at the front and rear which enables the roof to provide more of an overhang. A balcony is to be provided at first floor across the entire southern elevation to serve the proposed flats.

The ground floor enclosed volume will be reduced by 121sqm from 674sqm to 553sqm which results in greater emphasis of the profile of the curved roof. Parts of the first floor will also be brought in to provide shading and reduce overheating. The first floor area will be reduced from 509sqm to 457sqm.

Consultations and Representations

West Sussex County Council: The **Transport Planning Officer** states that the access to this site joins the A259 at the mini-roundabout junction at South Street. It is narrow but has adequate visibility. However, due to its narrow width, he would not wish to see an intensification of use.

On the basis of the floor spaces quoted above he would anticipate vehicular parking demand to be around 65 spaces. Clearly these are not available within the site. A parking provision for two vehicles has been demonstrated on the plan provided and it is indicated in the Design and Access Statement that one will be allocated to the watersports centre and the other will be allocated to the residential flats. A short walk from the site, there is a public car park which can accommodate approximately 200 spaces. He considers that customers would use this car park in practice. He questioned whether the car park is to be open during the proposed hours of opening for the site? If it is not, then there maybe a parking issue.

Secure and covered cycle parking for three cycles would be considered appropriate for the residential aspect of this application; these have been demonstrated on the plan provided. A cycle parking provision for the A3 floor space and watersports centre should also be provided. It is noted in the design and access statement that there is an existing cycle parking provision but it is unclear how many cycles this provides for?

It is important that there is space for deliveries to take place and for service vehicle to be able to turn. This however would have also been the case at the site with its previous use as the Mermaid Café.

The legal line of Public Footpath 2054 runs immediately north of the site parallel with the shore. The applicant must ensure that development does not extend into the path width and that public

access remains safely and conveniently available at all times across the entire path width during any works.

Beginning east of the site and running north to Brighton Road is Public Footpath 2056, along which it is presumed that construction and future delivery traffic will flow. The public highway right is solely for pedestrian access so the applicant must ensure that a private right exists before taking vehicles along this route – it would be an offence without the proper consent. Assuming that such consent is granted, the applicant must be aware that pedestrians have priority at all times; and that the applicant will be liable for any damage or deterioration to the existing path surface as a result of their vehicular use – any future remedial works will need the prior consent of WSCC PROW.

On the basis that vehicular access for customers will not be along the footpath and that customers will utilise the nearby car-parks no concern would be raised from the highways authority. The applicants should however clarify that they, and the occupiers of the site once completed, will have private access rights to the site as access to the public highway has not been edged red on the plans provided. Confirmation that the nearby car park is open during proposed opening hours of the site is also advised, along with confirmation of quantity of the existing cycle provision.

Subsequent Highway Comments: The applicant has supplied a title deed detailing a right of access from 28A Brighton Road to the main Lancing Road.

The applicant has confirmed that the public car park to the north east of the site can accommodate 200 vehicles and is open all day all year round, with charging operating between May and September. The parish council have commented that they could not guarantee this facility to operate in the future, however this is the same of any development that relies on the use of privately owned parking facilities.

The Highways Authority did previously have concerns that the proposed garage parking provision, which was originally proposed to serve one of the residential flats and the water sports centre, would be in direct conflict with pedestrian and cyclist movements along the adjacent cycle path. However, they would be satisfied with the retention of the garage for a maximum of one vehicle only as an appropriate level of pedestrian visibility can be achieved. They consider that this application would be difficult to resist on highways grounds.

With regard to service and deliver vehicles visiting the site; no overriding concerns were raised to this aspect of the proposal in the previously approved scheme. It would therefore be difficult to resist the latest proposal on this basis.

Concerns have been raised locally regarding the security of Beach Green. The applicant has proposed to install a rising bollard approximately 25 metres along F.P.2056 south of Brighton Road to ensure security. While no highway safety concerns would be raised to this aspect of the proposal the works on the public right of way would require the consent of WSCC Public Rights of Way. The applicant would be required to contact WSCC Public Rights of Way to obtain formal approval from the highway authority for the installation of a rising bollard onto F.P.2056.

From inspection of the latest plan a location to the east of the site on Beach Green has been identified for an additional 8 cycle parking spaces. This area falls outside the red edging on the location plan provided and would therefore require the consent of the land owner, believed to be the Parish Council. However no concern would be raised to this provision in principle and 8 spaces would be considered appropriate to serve the café, hostel and water sports aspect of the proposal.

The cycle parking provision should be secure and covered, the full details of which should be submitted to and approved by the LPA.

Adur District Council: The ***Environmental Health Officer*** has no objection but states that details of the kitchen extract and odour abatement for the café should be submitted as there are proposed residential properties above. Details of any other plant proposed that could cause noise such as air conditioning, should also be submitted.

Given the proximity of the proposed apartments to the café, it would be advisable to provide these residences with whole house ventilation systems. This will allow occupiers to close windows to keep the noise out from customers sitting outside the café below, particularly if the commercial unit has a licence for music and alcohol. Such a system will also help as the apartments are exposed to the wind directly from the sea and if you only have sliding doors for ventilation, what happens when it is too windy to have these doors open? Given the steel roof and the South facing aspect the properties will become very hot in the summer and such ventilation will help with thermal comfort in the summer and can be connected to the heating system for the winter.

Hours of use restrictions are recommended on the café, perhaps 7:00am to 11:00pm.
The ***Planning Policy Officer*** objects to the application. The proposed development lies outside of (but adjacent to) the defined built up area boundary of the District. Policy AG1 of the adopted Adur Local Plan applies, which distinguishes between the countryside and coastal beaches where there is a general presumption against development, and the built up area where the presumption is to permit development.

The proposal for leisure uses at ground floor level and the hostel accommodation at first floor level is considered acceptable in terms of the wider regeneration benefits for Lancing expressed in the Lancing Vision document. However, the introduction of additional residential accommodation at first floor level contravenes policy and would set an undesirable precedent for residential development outside of the built up area on the coastal beaches.

The applicant makes reference to para 55 of the National Planning Policy Framework and Local Plan policies AC1 and AR2(means AR7?) in the Design and Access Statement submitted as part of the application. The proposed development is not in a rural location or in the defined countryside; it is on a coastal beach outside of the defined built up area and therefore these policies are not applicable.

The ***Regeneration Officer*** objects and states that the proposal does not fit within the guidance set out in the Lancing Vision.

The ***Emergency Planning Officer*** has no objection subject to provision of appropriate flood resilience measures.

Environment Agency: No objection in principle to the proposal as submitted. However, given the highly vulnerable location, they do not consider the components of this proposal ideal and they recommend that the following points are considered carefully when coming to a decision:

- If sufficient resilience has been proposed to protect the development from wave over-topping and wind blown debris.

- There is no safe access/egress from the development. The only access would be via the beach or across the very low lying Beach Green. During storm conditions, neither option could be considered safe. In the absence of safe access/egress an emergency plan should be submitted

as part of the planning application. This enables an informed decision to be made as to whether future occupants will be safe.

They also mention that they will strongly resist any future proposals which encroach onto the shingle beach defence any further than existing.

Lancing Parish Council: Whilst it is understood that it was in everyone's interest to see the building developed after so many years of it standing dormant it was felt that it could not support the application in its present form. Whilst the introduction of a café and water sports centre was supported, the main contention was the residency issue and that if the Council conceded on this important matter then this could likely set precedents which would be contrary to the ambitions of the community as a whole in re-generating Lancing by prejudicing the adopted Lancing Vision.

After discussion Committee resolved by a majority of eight to one, with one abstention to **object** to the application on the following grounds:-

- The use of the building as a multi residency all year round
- Access issues across Beach Green and the legality of allowing access to the site and the use of a footway by vehicles
- Public safety if vehicles are allowed to use the footpath to gain access in greater numbers and frequencies
- Access/egress via the roundabout at the junction of the A259 & South Street would create a danger
- The security of the Beach Green would be jeopardised if many persons were allowed access.
- Car parking issues – the council own the car park and could not guarantee its continued existence in future.
- The overdevelopment of the site

Third Parties

6 letters/emails of objection received from the occupiers of 11 The Haven, Brighton Road, 93 Brighton Road, 3 Grand Avenue, 10 Shopsdam Road, Lancing and 25 Hazeldene Meads, Brighton plus an unspecified address:

- Overdevelopment in terms of residential use
- Providing vehicular access to the residents could make the green vulnerable to travellers
- Where would vehicular access be from? Existing access adjacent to SE Tyres is blocked, while access via Beach Green car park will result in cars driving along busy footpath/cycleway.
- Current car park is at full capacity and there is no alternative on-road parking available
- No lighting or pathways from car park to building
- Beach defences need reinforcing annually and it seems dangerous to make alternative use of an area of beach adjacent to the building
- Access from roundabout is a footpath and should not be blocked by parked cars
- Will set a precedent for other changes to residential use
- Sea Lane Café in Goring and Seaside Café in Littlehampton prove that non-residential proposals can be hugely profitable attractions
- Residential use will be isolated
- Building should be demolished rather than turned into exclusive beach-side residence
- It should provide services to the public only
- Vehicles should not be allowed access so close to the beach

- This is a commercial building and not residential
- Proposal has not been thought out
- Watersports facility must be properly managed and be open and inclusive
- Water sports are not allowed in the immediate vicinity of the building and are limited to an area 0.5 miles to the east
- Will impact on cycle lane users
- Management and zoning of water sports in Lancing as a whole needs reconsidering
- Kite surfing is a very dangerous sport
- There was a kite surfing fatality 2 years ago
- Inadequate space available for conflicting water sports participants

25 letters/emails of support received from the occupiers of 18b (2 emails), 128A & 249 Brighton Road, 1 Birch Close, 63 Beachcroft Place, 16 Third Avenue, 2 Cecil Road (2 letters), 1 The Herons, Old Salts Farm Road, 7 Monks Avenue, 42 Ingleside Crescent, 24 Elm Grove, 11 The Paddocks, 27 Wenceling Cottages, 61 Sompting Road, Lancing; 23 Osborne Close, Sompting; 89 Downside, Shoreham-by-Sea; 11 Cross Road & 55 Southwick Street, Southwick; 26 Longlands, Worthing; 3 Frederick Gardens, Brighton, High Beech, Steyning and Lancing Sailing Club:-

- This will be a great asset for Lancing
- Would make a very attractive venue and fantastic resource for locals and visitors
- Will help to reverse decline in Lancing and revitalise Beach Green
- Design looks great and well thought out
- Café and watersports centre would be a great addition to the beach front
- Will encourage healthier activities for Lancing residents and increase community spirit
- Existing building is unattractive and foreboding.
- Residential use will give it life throughout all hours and aid regeneration, plus add security
- Council should encourage new business, employment and leisure facilities
- Building cannot be allowed to remain an eyesore
- This needs to happen quickly and not be delayed further
- There is ample car parking nearby
- Have to be financially realistic and accept residential use
- There are already homes along the sea front not far from the site
- This venture has received almost unanimous support on Lancing Regeneration Community Facebook page
- Sailing Club looking to strengthen links with the planned businesses
- Cyclists should dismount by the building and this should be enforced.
- Traffic serving the building will be at a low level and should not cause safety problems

2 emails received neither objecting to nor supporting the application from the occupiers of 16 The Grovelands, Lancing and 25 Hazeldene Meads, Brighton:-

- Will there be restrictions on noise pollution? Would not want there to be parties on the balconies which could spread to the beach and green.
- Loud music from the residential accommodation would spoil tranquillity of the beach
- Should restrict all vehicles except for deliveries
- Vehicles close to building introduce hazard for walkers, cyclists
- Representation regarding extent of support on Facebook page is misleading
- Opinions are mixed regarding this application
- How will 3 flats aid the regeneration of Lancing?

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993–2006 (ADC 1996) (saved policies): AG1, AR2, AR12
South East Plan (GOSE 2009): CC1, CC2, CC3, CC4, CC6, BE1, TSR1, TSR5, SCT1, SCT2
Lancing Village Vision 2012
National Planning Policy Framework

Planning Assessment

Policies

The site is located just outside but adjacent to the built-up area boundary as defined in the Local Plan (which runs along the seafront path). In the Local Plan, the site is included within the Beach Green and beach area subject to policies AR2 and AR12. AR2 states that non-recreation uses of recreation areas will not be permitted and the Council will encourage their continued use for public open space purposes. AR12 states that improvements to facilities at Lancing Beach and Beach Green will normally be permitted subject to sea defence, local access and environmental considerations.

Lancing Vision is a document which sets out the regeneration aims for Lancing. It has been prepared by Lancing Parish Council in partnership with Adur District Council and has been subject to extensive public and stakeholder consultation. The Vision seeks to establish Lancing as a vibrant village, an exciting seaside visitor destination and a place that provides for the needs of the community. One of the core recommendations is to "establish a lively seaside destination on South Street and Beach Green, with places to eat, drink, relax, play and enjoy outdoor and watersports activities."

In respect of Beach Green, the aim is to provide a gateway building or buildings which draw people onto the green. The Vision states that there should be no residential uses outside the built up area as this is not a use that supports the objective for a leisure zone and it would set an undesirable precedent for future development on the green.

With regard specifically to the building subject of this application, the Vision identifies the removal of the existing building as the preferred option. However, the feedback from consultation was that the majority of respondents wanted to see the building retained and improved, including the provision of glazing to enable views through the building to the sea. If it is to stay, the building must be refurbished to the highest design and architectural quality.

Principle of development

Although outside the defined built-up area, the principle of what amounted in effect to a new building on this site was accepted, in 2005, and reinforced in 2009 with the subsequent permission, as a replacement of the previous derelict premises. It was seen as adding to the attraction and modernising the image of Lancing seafront and not conflicting with policies AR2 or AR12. However, the building has not been completed and has an unsightly appearance in a very prominent location on the seafront. The improvement to the external appearance of the building is therefore considered essential and in that respect the proposal is acceptable in principle.

The provision of a café is also appropriate for the beachfront location and reflects the previous use of the site. The watersports centre is also considered to be an appropriate leisure use, taking

advantage of the beachfront position and proximity to a popular kite surfing destination. The addition of this use would assist in meeting one of the core recommendations to establish watersports activities.

At first floor, the hostel use would be appropriate as it would link with the watersports centre and café and benefit the overall scheme by providing accommodation for visitors to the watersports centre who wish to go on a weekend or week long kite surfing course. It would accord with Lancing Vision in respect of establishing a lively seaside destination for eating, drinking, relaxing and watersports.

However, it is the private residential use which is controversial as it will result in three dwellings outside of the built up area boundary, contrary to policy AC1. The previous approval contained a manager's flat in what was only a relatively small corner of the first floor. The current proposal is for 3 flats across most of the first floor, with the 8 bed hostel in the north east corner. This is a significant increase and has generated objections from the Planning Policy and Regeneration sections as well as Lancing Parish Council and several local residents.

The applicants were asked to consider changing one or more of the flats to holiday accommodation in order to more closely reflect the aims of Lancing Vision. Such accommodation is considered to relate well to the proposed hostel and watersports centre and could be an attractive destination for holidaymakers. However, the applicant states that it is not viable to proceed with the redevelopment without the 3 flats. A business model has been submitted to support the applicant's claim, stating that the primary restricting factor is the maximum charge per week that a holiday flat could expect to receive in Lancing. This low weekly rental value reduces the potential for the site. The applicant further states that no financial institution would look to fund or finance the scheme based on the current revenue expectations.

From a tourism and leisure perspective the applicant states that they have included the hotel/hostel spaces to bring tourism to the local area. These Hotel rooms for short term visitors would be provided on a subsidised rate to allow this aspect to be included in the scheme and to fulfil this requirement.

Your officers would normally expect to seek an independent evaluation of the viability of the scheme from the District Valuer but the applicants declined to meet those costs. Consequently, an independent viability assessment has not been carried out. However, the business modelling that has been provided does appear to be fairly robust. A decision must therefore be reached on whether three private flats would be acceptable as an exception to Development Plan policies in order to finance the redevelopment of this building. The building is evidently in need of urgent attention to upgrade and enhance its appearance in this prominent beach front location. The café/watersports centre/hostel uses will be an asset to Lancing and the proposed design improvements would result in a much more attractive building which could provide a focal point for beach activities in Lancing, in line with Lancing Vision and the regeneration objectives for Beach Green. There is a danger that if this application is refused the building would sit in its unfinished and unsightly appearance for to the detriment of Beach Green and the Lancing seafront. On Balance, therefore, it is considered that in the interests of achieving the necessary enhancements to the building and securing the ground floor and hostel/hotel uses, permission should be granted for the scheme as submitted, including the residential element. This should not be seen as setting a precedent for future residential uses outside the built up area however the circumstances for this case are unique.

In this respect residential use is being permitted within a previously approved building (in fact the building has less floorspace than before).

The additional residential use would 'enable' the other uses and help ensure that the overall scheme is viable. However, any further reduction of the leisure/recreational uses would not be acceptable.

Visual amenity

In deciding to permit the new building in 2005, it was recognised that it would have a substantial visual impact on account of its scale, contemporary design with 'wave-shaped' roof, and elevated position above Beach Green. However, its lack of completion has resulted in an unsightly structure in a very prominent location which detracts from the beach front.

The changes now proposed would largely retain the scale of the approved building but would introduce a number of significant design changes to enhance its appearance by reducing the solid form and improving the intervisibility to the sea. On the north elevation facing Beach Green, the ground floor glazing would be increased in extent, providing full-height windows and doors. Glazing would be primarily towards the eastern and western ends of the building which, together with full glazing to the front and on the corners of the building, would provide views through the building. Timber weatherboarding would be introduced in the centre of the ground floor on the north elevation and on the curved soffit. The existing roof finish is to be retained but with roof lights added.

On the south elevation the building will be almost entirely glazed. PV panels will cover the south facing roof, in order to help with achieving Zero Carbon homes. It is hoped that the PV panels would be flush with the curved roof and additional details have been requested on this point. At first floor a glass balustrade will run along the entire front elevation and wrap around the sides in the SE and SW corners. The blockwork is to be finished in white render at the sides with narrow windows installed to break up the elevation.

Overall, the proposed alterations are considered to result in a substantial visual improvement compared to the previously approved scheme which will generally accord with the recommendations in Lancing Vision.

Access and parking

The existing permission is for the subdivision of the building into 2 restaurants, with manager's flat, which would have generated a certain amount of vehicular traffic, including deliveries to the building across Beach Green and the cycleway. The site is in a sustainable location in accessibility terms and also lies very close to the large public car park on Beach Green. There is concern that the increased residential elements (both private and hostel) will result in greater demand for parking and access closer to the building, with cars driving onto the cycleway/footpath or parking on the access road which runs from the A259 to the building between SE Tyres and the car sales plot.

Unlike the previous permission the proposal now includes 1 parking space within an integral garage (originally 2 spaces were shown but this has been reduced to minimise traffic movements across the cyclepath). This is to serve one of the flats in order to achieve 'Lifetime Homes' standard (a wheelchair platform stairlift is to provide access to the first floor for residents). The approved scheme had no on-site parking provision. However, a vehicle can reverse safely over the

cyclepath through use of mirrors or CCTV to improve visibility. It should also be noted that the footprint of the building is being reduced slightly and brought back off the cycleway, which will improve inter-visibility between cycleway users and drivers of any vehicle exiting the building. Furthermore, cyclists are supposed to dismount along the area of cycle path immediately behind the building. Limiting the amount of parking to just a single space will help to keep vehicular activity to a very low level which should not conflict with cyclepath users.

With regard to the issue of access from South Street and how that is managed without conflicting with other users of the public right of way or leaving Beach Green accessible to other vehicles, the applicants are proposing to install a rising bollard at the end of the access road to ensure access is by residents, deliveries and emergency vehicles only. They anticipate up to 4 deliveries a day. The applicant has referred to an easement signed by Lancing Parish Council which allows for deliveries to the building and to a right of way for the occupier of the former bungalow on the site and any successors in title.

WSCC has no objection to the access and delivery proposals as these reflect what was previously agreed. Parking for visitors is available in the Beach Green car park and cycle parking can be provided on the Green, as well as within the building for residents. WSCC has not raised any objection to the application and is satisfied with the provision of one garage space on site.

Residential amenity

The building itself is well separated from residential premises, being 100m from the closest properties which are the Home at No's 85 & 87 Brighton Road which is considered adequate to avoid unacceptable disturbance. Opening hours are specified as being 0800-2330 Monday to Saturday and 0800-2230 on Sundays. The current suggested hours are slightly later than those recommended by the Council's Environmental Health Officer and there is the potential for noise disturbance to the occupiers of the flats caused by the ground floor A3 (café/restaurant) use. The previously approved closing hours for the restaurant are 12 midnight Sunday to Thursday and 1am Friday and Saturday but this would not have resulted in disturbance to residential amenity as the only resident would be the restaurant manager. While it is desirable to maximise the use of the café, particularly in the summer, the proposed opening hours are slightly later than would normally be expected to be reasonable so close to residential units and a closing time of 11pm Monday-Saturday is therefore recommended.

Flood Risk

The site lies within Flood Risk Zone 3a but the Environment Agency has no objection to the development in principle although they state that the components of the development are far from ideal. It requires assurance that sufficient resilience is included to protect the development from wave over-topping and wind blown debris. The submitted plans show the sea wall to the south of the building being extended westwards to protect all of the building, but being lowered in height to 0.55m high to enable café users to enjoy a view of the sea. Gaps are also to be provided within the wall to enable pedestrian access but these can be blocked with temporary boards to in the event of a storm surge. It is considered that further assurance is required though in the light of the Environment Agency's comments to ensure that the building is sufficiently protected from wave over-topping and wind blown debris. Further information is expected from the applicants and will be reported at the meeting.

The other principal concern of the EA relates to the fact that there is no safe access/egress from the development. The only access would be via the beach or across the very low lying Beach

Green. During storm conditions, neither option could be considered safe, making occupiers of the flats and hostel vulnerable. An emergency plan is required to be submitted and this can be secured by condition.

Sustainable Construction

The building's resource efficiency is to be improved with the proposed flats designed to be Zero Carbon Homes, with high levels of insulation and air tightness, mechanical ventilation with heat recovery, energy efficient lighting, reduced water use, an air source heat pump for hot water and heating and photovoltaic panels on the roof to provide enough renewable energy electricity to offset the annual electrical consumption. The café, watersports centre and hostel will also benefit from similar design principles and technology to ensure that the building is sustainable.

Whilst not meeting all the criteria necessary to achieve Code 6 for Sustainable Homes, the scheme will meet the requirements of Code 6 in relation to meeting the energy needs of the development from renewable energy sources and this is another positive aspect of the scheme.

Recommendation

Subject to receipt of further information to satisfy the Environment Agency, APPROVE for reason that:-

The proposed café/watersports centre/hostel uses and the proposed design improvements would result in a much more attractive building which would hopefully provide a focal point for beach activities in Lancing, in line with the Lancing Vision. The residential element of the scheme, while contrary to policy, would help to secure the deliverability of the scheme in the wider interests of achieving the necessary visual enhancements to the building to the benefit of Beach Green. The proposal would not result in unacceptable detriment to the amenities of neighbouring properties or detract from highway safety. It would consequently comply with the relevant policies of the Adur District Local Plan (AR12).

Subject to:-

1. Standard time limit
2. Approved plans
3. Business hours limited to 7am-11pm Mon- Sat and 8am-10.30pm on Sundays and Bank Holidays
4. Permission restricted to A3 café/restaurant use only and D2 watersports centre only with area designated as a Hostel to be used as such under Class C1 only and not to be used as permanent residential accommodation under Class C3.
5. No odour extract system to be installed without approval
6. Prior to its construction, details of the surfacing of the walkway around the building shall be submitted to and approved in writing by the LPA.
7. Provision of cycle parking
8. Vehicular access to building to be limited to resident of one flat and deliveries only
9. Details to be submitted showing method for improving visibility for drivers reversing out onto cycleway
10. Details of external materials, PV panels, balconies to be submitted and approved
11. Flats to meet "Zero Net CO2 Emissions" in accordance with energy category Ene 1 of the Code for Sustainable Homes and no dwelling 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.

12. Emergency Plan to be submitted and approved

Informatives:

1. Contact Public Rights of Way to obtain consent for installation of rising bollard

2. 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.

4th March 2013