Development Management - Delegated Officer Report

Application Number: AWDM/0316/14 Recommendation – Approve

Site: The Longshore, 153 Brighton Road
Shoreham-By-Sea, West Sussex
BN43 5LD

Proposal: Installation of new external garden grill kitchen pod

Date of site visit: 2 April 2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to The Longshore PH on the corner of Brighton Road and The Saltings at the entrance to Shoreham Beach. It is a large pub with a garden which is adjoined by flats to the south east and dwellings to the south west. The application is proposing to install a 'garden grill' to enable cooking to take place in the garden. The building measures 6m by 3.2m and 3.9m high. It is to be finished in shiplap boarding with a stretched fabric canopy to mimic a sail boat. There will be a serving hatch on the south east elevation. It is understood that alcohol will also be available from the grill building.

Ventilation/extract equipment will be installed on the roof, concealed by shiplap boarding. The details of the equipment show that it has been designed to minimise noise and odours. Following initial concerns, the location of the grill has been moved from the western boundary to a point closer to the main building, on the northern boundary of the garden with the pub car park.

Relevant site history

AWDM/1532/12 – Refurbishment of existing public house to include external plant equipment area with 1.1 metre screen/balustrade; children's play area, external terrace, external lighting and changes to landscaping and car parking arrangements - APPROVED

Consultations

Adur & Worthing Councils: The Environmental Health Officer has no objection to re-sited grill as odour controls and noise levels are fine

Representations

Amended Plans – 4 letters of objection received:

- Have little faith in the extraction system to successfully remove noise and odours judging by complete failure of the fans at the rear of the main building which emit both smells and visible emissions

- Cooking in the garden will only contribute to the considerable noise already experienced from the garden through shouted conversation and children

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE16
Assessment of Saved Policies (ADC 2013)
National Planning Policy Framework (CLG 2012)
Planning Practice Guidance (CLG 2014)

Planning Assessment

Principle

The proposal comprises upgrading the existing public house which is back in use after a period of vacancy. Policy AE16 allows alterations to business premises which are required to improve the efficiency of the existing business provided there are no significant adverse effects on the amenity of nearby residents.

Visual amenity

The proposed building is of a modest size and, with its re-sited position closer to the pub, will not appear unduly intrusive or harmful to the visual amenities of the locality.

Residential amenity

The main consideration is the impact of the proposal on the amenities of residents. The principal objections relate to increased noise and odours from the proposed grill. There are concerns at smells drifting over to the nearby flats at Marine Court, the boundary of which is 17m to the south east. There are also concerns at the facility encouraging greater use of the garden resulting in more noise.

The revised proposal has been discussed with the Council's Environmental Health Officer. He has advised that "the grease filters will remove the grease from the air flow, the electrostatic precipitators will take out the particles (smoke) and the UV will break down any odour molecules. It should eliminate the majority of the smoke and odour. As long as it is maintained it will mean that smoke and odour does not cause a nuisance to residents. The proposed system also complies with DEFRA's kitchen extract guidance."

On this basis, it is considered that it would be difficult to sustain an objection to the proposed grill on the basis of increased smells.

The other objection relates to noise from customers using the garden. The pub already has a garden which is capable of being used until 11pm every night. Customers can currently order food and drinks within the pub and can consume them in the garden. The proposed grill will not significantly change this arrangement and the number of tables is limited by Condition 4 of

AWDM/1532/12 to “9 tables within the garden area and 4 tables adjacent to the main entrance only. No other tables and chairs shall be used or sited outside the building and no area of the car park shall be used for customer seating for eating or drinking.”

It is not considered therefore that the proposal will significantly increase the number of customers using the garden or the noise experienced by residents. If noise levels are causing disturbance, the Environmental Health section can investigate whether it constitutes a statutory noise nuisance and take action if necessary.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard 3 year time limit
2. The extract and odour system shall be fully installed in accordance with the details as set out on approved drawing MJK:M 02/EO received 4 June 2014 before the garden grill hereby permitted is first used. It shall thereafter be operated and maintained in accordance with the manufacturer’s instructions.
3. Hours of use 11am – 9pm every day
4. Approved plans

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

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.

Case Officer: Peter Barnett Date: 24 June 2014

Authorised by: Gary Peck Date: 25 June 2014