

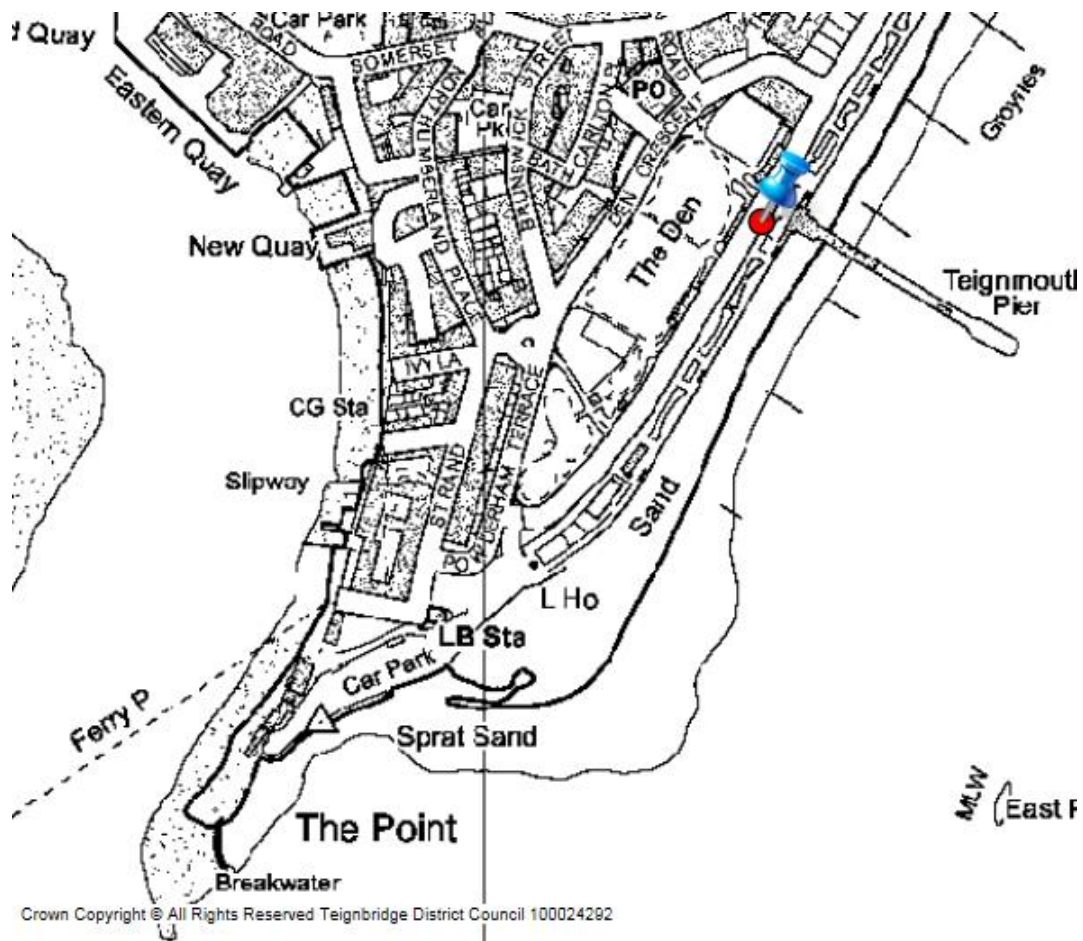
PLANNING COMMITTEE REPORT

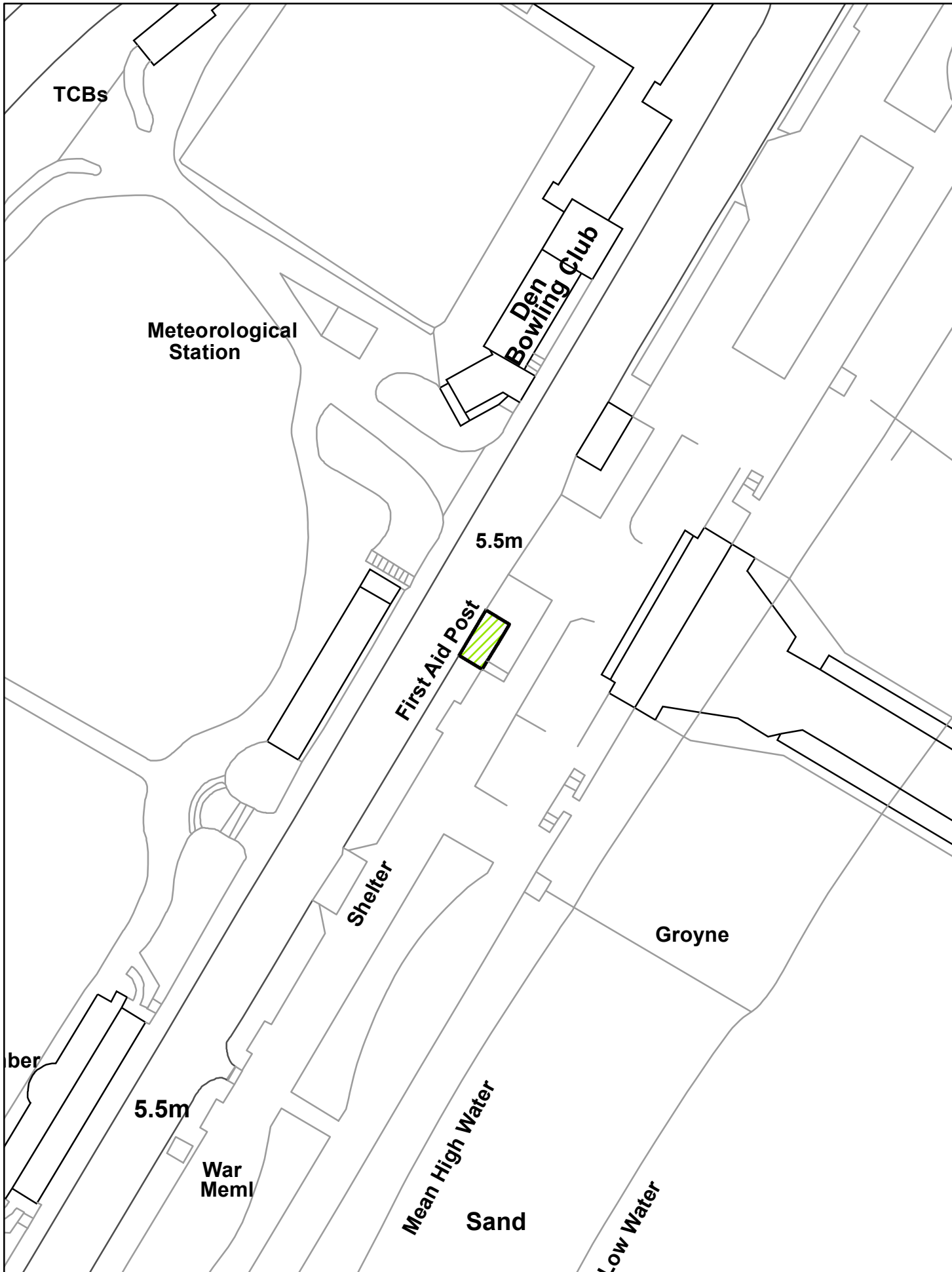
31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	TEIGNMOUTH - 18/00916/FUL - First Aid Hut, Promenade - Change of use to Use Classes A3 (cafe/restaurants) and A5 (hot food takeaway), replacement window and external seating	
APPLICANT:	Mr & Mrs McHugh	
CASE OFFICER	Estelle Smith	
WARD MEMBERS:	Councillor Mrs Russell Councillor Fusco	Teignmouth East
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/00916/FUL&MN	





1. REASON FOR REPORT

Teignbridge District Council is the landowner

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with the approved plans
3. Should any extract vent flue be required, precise details to be submitted to and agreed in writing by the Local Planning Authority.
4. Hours of operation 09:00 – 18:00 daily

INFORMATIVE - Advertisements may need a separate advertisement application the applicant is advised to contact the Local Planning Authority for guidance

3. DESCRIPTION

- 3.1 The application site is the now disused first aid hut situated opposite the pier entrance on the promenade in Teignmouth. It is located just outside the Town Centre boundary
- 3.2 It is a small building, single storey, measuring 6.3 metres by 3.3 metres and its appearance is mainly rendered with some stone facing and with a hipped roof.
- 3.3 There are several steps leading down from the Promenade to a paved area, sited and abutting the south-east (front) and north-east (side) elevations. The rear elevation of the structure abuts the road.
- 3.4 The proposal seeks planning permission to change the use of this building to a Class A3 (cafe/restaurants) and A5 (hot food takeaway) with a small food preparation area at one end with a servery area/hatch formed by a replacement window in the north-eastern end, and another servery area and public area with seating and art display at the south-eastern end accessed through existing double doors. Some external seating is shown to be located on the paved area.
- 3.5 Re-rendering of the external surfaces are proposed and repainting in cream, replacement guttering, repairing and repainting the door and frames plus the window cills in duck egg blue including the new window and proposed shutters.
- 3.6 The site lies within the Teignmouth Conservation Area, and there are listed buildings in the vicinity (Den Crescent), however it is not considered that the proposal would affect the setting of those listed buildings. The Conservation Officer has raised no objections, however she did point out that, although the windows are currently UPVC, timber or metal would be preferable for the proposed replacement. She also pointed out that there are no details of any flue for the kitchen.
- 3.7 Upon requesting a timber/metal window, the applicant in response advised that "all the windows in the first aid building are PVC, including the patio doors, as we are only replacing the side window we feel, to keep the building uniform, that it would

be best to continue with PVC, however the shutter to protect this window would be a bespoke wooden shutter.”

- 3.8 The Conservation Officer has accepted that, in view of the other windows being UPVC, the Local Planning Authority would be unlikely to be successful at appeal, should the application be refused on these grounds.
- 3.9 No particular hours of opening are identified on planning application form. The applicant has subsequently advised that expected opening hours will be up to 7 days a week 10 a.m. to 5 p.m. However, she has added that, as hours and days are dependent on season and weather, flexibility would be greatly appreciated for less or a little more. It is therefore recommended that a condition be added restricting opening times to only be between the hours of 9 a.m. to 6 p.m.. Whilst there will be no requirement to be open for all of those hours on a daily basis, at slack times for example, there should be no opening before or after those hours on any given day.
- 3.10 The applicants advise us that they already run The Shellfish Pot on the Promenade and already hire deckchairs and this activity will continue from the building. They will also be selling local produce, food and gifts, and feel that this unit will provide a year-round facility serving takeaway food and drink plus seafood salads, sandwiches, cakes, hot takeaway seafood broths, pasta, hot and cold drinks and a Special Menu of the Day and theme days, as the current Shellfish Pot is on a seasonal license only. No alcohol will be served.
- 3.11 The applicants also advise that they have a contract with Devon Contract Waste and rubbish is removed each day.
- 3.12 An Informative is recommended about the possible need for Advertisement Consent for proposed signage mentioned in the submitted heritage statement but for which no visual details have been supplied.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013–2033

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

EN5 (Heritage Assets)

Teignmouth Conservation Area Character Appraisal

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Conservation Officer - I have no objections to the change of use and will accept the Case Officer's decision on the alterations.

The windows are currently UPVC – if there was any chance of changing to timber or metal it would be preferable but they are only replacing one window. There are no details of any flue for the kitchen.

Devon County Council (Highways) - Recommends that the Standing Advice issued to Teignbridge District Council is used to assess the highway impacts on the above application.

Environmental Health - Awaited

6. REPRESENTATIONS

One letter of objection has been received raising the following points:

1. The last thing Teignmouth needs on the seafront is another cafe/restaurant, we need something different, innovative, fresh and new.
2. There is already the Seafood Deli, the View Cafe (Pavilions) and the Pier offering food and drink.
3. The land outside is used by the public to walk on all the time.
4. It will not bring new people or tourism.
5. A prime building being used for just another cafe.

7. TOWN COUNCIL'S COMMENTS

No objections in principle, though Members raised concerns about the external seating detailed in the application, and that this would be another food business in an already oversubscribed seafront area. Members recommend that external seating be dealt with under licence rather than as part of a lease, and that Teignbridge District Council's Environmental Health ensure that adequate provision is made for ventilation and litter disposal at the site.

8. COMMUNITY INFRASTRUCTURE LEVY

The proposed gross internal area is 16.31 m². The existing gross internal area in lawful use for a continuous period of at least six months within the three years immediately preceding this grant of planning permission is 16.31 m². The CIL liability for this development is therefore NIL. This is based on NIL net m² at £150 per m² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

9. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

Business Manager – Strategic Place