

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Anita Gardner
FROM:	WSCC - Highways Authority
DATE:	22 October 2019
LOCATION:	Cafe Oasis 10 Churchill Court Rustington BN16 3DA
SUBJECT:	R/238/19/CLE Application for Certificate of Lawfulness for an Existing Use - Use of an external dining area (Class A3) associated with the approved cafe (Class A3).
DATE OF SITE VISIT:	n/a
RECOMMENDATION:	Advice
S106 CONTRIBUTION TOTAL:	n/a

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Planning Services should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

Proposal Summary

The proposal is for the Certificate of Lawfulness (CLE) of the external dining area (A3) serving Café Oasis Rustington. The site is located on Churchill Court an established private access road which is accessed via Churchill Parade, an unclassified road subject to a 30 mph Speed limit, though due to the presence of parking bays and road layout it is not anticipated that cars will be travelling at the posted speed limit.

Vehicle Parking

Though the café does not benefit from its own parking arrangements, the Local Highways Authority (LHA) is minded that there is a public carpark located 25 metres to the west of the application site.

Other matters

As proposed the placement of the tables and chairs does not reduce the available footpath width to such a degree where vulnerable footway users would be required to enter the carriageway to pass and repass.

WSCC local mapping appears to indicate that the café has been using the private walkway in this location for a substantial period of time to date with no incidents. This

appears to be supported after an inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore there is no evidence to suggest that the existing practice at this site has been operating unsafely.

Conclusion

Given the footprint of proposal is within private land not considered public highway. The LHA does not have any highways safety or capacity concerns with the proposed. The Local Planning authority would be advised to consult with the land owner for this application.

Stephen Garrard
West Sussex County Council – Planning Services