



Planning Committee
3 June 2015

Agenda Item 4

Ward: ALL

Key Decision: Yes / No

Report by the Director for the Economy

Planning Applications

1

Application Number: AWDM/0398/15 Recommendation – Approve

Site: Brooksteed Alehouse, 38 South Farm Road, Worthing, West Sussex

Proposal: Removal of Condition 5 of approved application AWDM/1169/13 'No vertical drinking'; variation of condition 4 opening times Sunday-Thursday 11:30-22.00 hours, Friday-Saturday 11:30-22:30 hours; variation of condition 9 to allow seating for 16 at the premises' front forecourt until 1900 hours only

2

Application Number: AWDM/0624/15 Recommendation – Approve

Site: Central Pavilion, Beach House Park, Lyndhurst Road, Worthing, West Sussex

Proposal: Change of use from clubhouse to restaurant/cafe (Use Class A3) on the ground floor with associated function space at first floor. New raised decking for use as external seating area to front.

3

Application Number: AWDM/1789/14 Recommendation – Refuse

Site: 1 – 3 Warwick Street, Worthing, West Sussex

Proposal: Installation of replacement external self-service machine for HSBC

Application Number: AWDM/0398/15

Recommendation – APPROVE

Site: Brooksteed Alehouse, 38 South Farm Road, Worthing

Proposal: Removal of Condition 5 of approved application AWDM/1169/13 'No vertical drinking'; variation of condition 4 opening times Sunday-Thursday 11:30- 22:00, Friday-Saturday 11:30-22:30; variation of condition 9 to allow seating for 16 at the premises' front forecourt until 1900 hours only

Applicant:	Mr Nicholas Little	Ward:	Gaisford
Case Officer:	Gary Peck		

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Proposal, Site and Surroundings

This application seeks the removal or variation of conditions imposed upon the permission granted under reference AWDM/1169/13 which allowed the change of use of the site to a 'micro pub'.

The conditions proposed to be varied are those relating to the hours of use of the premises and a restriction upon external seating and the condition to be removed is that which currently requires all customers to be served at a table. The wording of the conditions is detailed in the planning history section below.

The application site is located on the eastern side of South Farm Road and is the second northernmost in the parade of commercial premises. The parade forms part of the Core Zone of the designated South Farm Road Neighbourhood Shopping centre in the Core Strategy Policy which extends onto the opposite side of the road to the south and across the railway and level crossing (some 90 ms away). The parade is two storey and built in the inter war years. All the parade units benefit from a deep forecourt, and beyond this, a long parking bay. Most of the units use the forecourts for parking. A residential flat is above the unit as is the case with the others in the row.

Other than the parade, the surroundings are primarily residential, including opposite to the application site where semi-detached properties occupy some larger than average sized plots in the general area, while to the north the nearest residential property is next door but one to the application site with further residential uses beyond. To the rear of the site are residential properties in Westcourt Place, a cul-de-sac: the properties on its western side and therefore nearest to the application site, have short rear gardens.

To the south, beyond Westcourt Road are the level crossing gates and Worthing railway station is a short distance to the east and therefore easily accessible to the application site.

Relevant Planning History

Planning permission was granted in 2013 (AWDM/1169/13) for the change of use of a then hairdresser's to a 'micro pub'. The permission was subject to several conditions including:

The micro-pub hereby permitted shall only be open for trade and business between 11.30 to 14.00 hrs and 17.00 to 21.30 hours on Tuesday to Saturday (inclusive) and between 11.30 and 14.00 hrs on Sunday, Bank and Public Holidays.

No bar shall be installed and no vertical drinking shall take place on the premises. Beverages shall be served only to customers seated at a table.

There shall be no tables or chairs in connection with the approved use of the building on the front forecourt of the premises.

Consultations

West Sussex County Council:

The existing hours of opening are duly noted. The extended hours will evidently give rise to the site generating vehicular traffic over an extended period. However, the number of movements would not be anticipated to be particularly significant and would not be expected to exacerbate any existing issues, nor warrant an objection

on the basis of safety or capacity. Whilst the Planning Authority will no doubt wish to consider matters of amenity for local residents, no highway objection would be raised. Any additional tables and chairs will require a licence from WSSC's Legal Services department.

The ***Environmental Health Officer*** commented:

The micro pub currently has permission to be open between 11:30 - 14:00 hours and 17:00 - 21:30 hours Tuesday to Saturday and 11:30 - 14:00 hours on Sundays/bank/public holidays. This application seeks to extend these opening times to Sunday to Thursday 11:30 to 21:30 (with drinking finishing by 22:00) and Friday/Saturday 11:30 to 23:00 (with drinking finishing by 23.30). I assume the application therefore seeks opening until 22:00 Sunday to Thursday and 23:30 Friday/Saturday.

When planning permission was originally granted the hours of operation were restricted in order to fit the business model for a micro pub and to protect residential amenity. It was also felt reasonable to restrict the use of the premises to a micro pub to keep it distinct from other types of drinking establishments within the broader A4 Use Class. These longer opening hours in my view change the character of the business from a micro pub to a more traditional pub. Of particular concern is the use into the late evening and any associated noise, mainly from people arriving and departing and from smokers (who currently use the rear of the premises to smoke). This is a relatively quiet mixed residential and commercial area, meaning noise is likely to be noticeable to residents. Therefore I cannot support the hours applied for.

I am particularly concerned at the proposal for external seating for up to 32 customers. The original planning permission specifically prevented external tables and chairs to ensure noise from customers did not affect residential amenity (Condition 9). The potential noise from up to 32 customers will in my view adversely affect residential amenity, particularly during the evening and adds to the perception that this is a traditional pub rather than a micro pub.

Should you be minded to grant planning permission then I recommend the following be attached to any permission granted in order to protect nearby residential amenity.

The hours of opening be restricted to 11:30 to 22:00 hours Sunday to Thursday and 11:30 to 22:30 Friday/Saturday;

External seating is restricted to cater for up to 16 customers only;

The hours of use of any external seating is restricted to 11:30 to 19:00 hours, after which time the seating shall be rendered inaccessible by customers.

Representations

9 letters of support for the application have been received on the following grounds:

- the use does not cause any detriment to the character of the area
- the proposed changes will be line with other businesses
- support should be given to a successful business

- the current conditions restrict capacity at the premises
- the applicant has shown respect to neighbours in the operation of the business

4 letters of objection have been received on the following grounds:

- this is the wrong location for a micro pub
- increased noise and disturbance caused by the outside seating
- loss of privacy
- the original conditions were imposed to safeguard amenity
- with the proposed changes, the premises would no longer be a micro pub
- if the original conditions were not acceptable, the applicant should have contested them at the time

Relevant Planning Policies and Guidance

Saved Local Plan policies (WBC 2003): RES7,
 Worthing Core Strategy (WBC 2011): Policies 6 & 16
 National Planning Policy Framework (CLG 2012)

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The key issue in the determination of this application is the effect of the proposals upon the character and amenities of the surrounding area and neighbouring properties having regard to the requirements of a now established and seemingly successful business.

The previous committee report for the original change of use to a micro pub stated:

There is a recognised potential conflict between residential uses and drinking establishments (Class A4) which can give rise to noise and disturbance through late night activity as well as anti-social behaviour. In this case, while the application site is in a row of A-class uses, it is otherwise surrounded by residential properties including a flat above the unit itself. However, the proposed micro-pub concept is aimed at a specialist market and the nature of the use clearly differs from the pubs which typically dominate town centres...Given the proximity of residential properties, it is not considered that...later opening hours could be justified at this stage and that a condition should be imposed to restrict the opening hours...it would

be open to the applicant to apply to submit an application to vary the condition in due course. Supporting information indicates that micro pubs usually operate without nuisance but this would depend on various factors and your officers feel that this could only be properly assessed once the premises was open. A balance needs to be struck in order protect to the amenities of neighbours as well as supporting a new local business, the latter aim of which is supported in both local and national planning policy.... the supporting information raises the possibility of tables and chairs being provided on the front forecourt during the warmer summer months (subject to licensing approval). The Environmental Health Officer has raised concerns regarding this aspect and since the area in question provides parking for the premises, which is shown to be retained on the application form, it is considered at present that there should not be any tables or chairs placed on the front forecourt

As stated above, it is open to the applicant to apply to vary the conditions imposed upon a particular planning permission and as further stated above the contention that micro pubs usually operate without nuisance could be most realistically tested once the premises had opened.

The business appears to have been a success and part of the reason for the application is that customers are often been turned away because of lack of capacity at the premises due to the seating restrictions. National and local planning policies are supportive of business and therefore where possible a business such as this should be encouraged.

This does not, however, negate the need to protect the amenities of neighbouring properties or the character of the surrounding area and while the business seems to be operating without undue detriment at present, this must partly be due to the restrictive planning conditions imposed with the very intention of protecting such amenity.

As previously, there remains a necessity to take a balanced approach in the determination of the application.

Dealing firstly with the requirement to serve customers at a table and that they must be seated, it is apparent that this does restrict the capacity of the business and therefore it would seem that potential customers are turned away because of this restriction. This is perhaps exacerbated by what are, compared to other comparable businesses, restricted opening hours. The lack of operational hours for the premises coupled with a restriction on capacity, therefore, would seem to inhibit the overall potential of the business

The current opening hours of the micro pub are permitted to be between 11.30 to 14.00 hrs and 17.00 to 21.30 hours on Tuesday to Saturday (inclusive) and between 11.30 and 14.00 hrs on Sunday, Bank and Public Holidays. The proposal is to remain open during the afternoon on each day, extend the hours of use, including drinking up time, to 22.00 hours on Sunday to Thursday and 23.30 hours on Friday and Saturdays.

The comments of the Environmental Health Officer are noted as he raises concern as to the extent of the revised opening hours. He has suggested that the hours of

opening be restricted to 11:30 to 22:00 hours Sunday to Thursday and 11:30 to 22:30 Friday/Saturday (this would include any drinking up time). Your officers have considered this suggestion, against the hours of use applied for by the applicant and consider it to be a reasonable balance, given that there will be a gain in the hours of opening each day, primarily through the ability to open on Mondays, in the afternoons, throughout the day on Sundays and a later closing time each day. At present, it is felt that in that context to allow the premises to remain open until 23.30 hours would be excessive.

In respect of the outside seating, again the comments of the Environmental Health Officer can be considered of relevance. There is currently the ability to sit outside of the adjoining premises to the south (Spice Thai Kitchen) with permission being granted at that premises in 2014 for the installation of 4 No. fixed bench tables on private forecourt (8 seats per table) and removable barriers also on forecourt. In visual terms people occupying table and chairs outside of a commercial premises is more attractive than the car parking which takes place outside of the other units. Again, the previous restriction imposed on the micro pub was in part to assess the impact of the operation upon the surrounding area once opened.

However, again, to go from a situation of outside seating being restricted by condition to 32 being sat outside is excessive and has the potential to impact adversely upon the amenities of the surrounding area. While there is an argument that the micro pub should be subject to the same restrictions as Spice Thai Kitchen (thus allowing 32 customers to be sat outside) as stated in the report for the Spice Thai kitchen application '*the amenity impact of outdoor drinking is usually very different to that of alfresco dining.*' The Environmental Health Officer has suggested that the numbers be reduced to 16 and that the external seating only be used up until 1900 hours. This again appears to be a reasonable compromise.

Both the suggested revisions have been discussed with the applicant who is prepared to accept the changes to the submitted application and has expressed a wish to continue to work with neighbours to ensure that the business does not adversely affect the surrounding area.

Returning the request to remove the condition preventing vertical drinking, your officers have observed the impact of this condition and consider that there is justification for it to be removed. The size of the premises is limited and therefore the requirement for all customers to be seated is a limiting impact upon the business which would seem at times to result in potential customers being turned away. Equally, because of the limited size of the premises, the number of additional customers within the building that could be accommodated within the building would also be relatively limited and therefore is not considered likely to result in material harm to the amenities of the neighbouring properties. If outside seating is allowed, then it is important that vertical drinking is still prevented in that area.

In conclusion, it is apparent that the applicant has made a successful start to the business and there is some scope to alter the conditions originally proposed to enable this success to continue. However, as stated in the Environmental Health Officer's comments, there remains a requirement to ensure that the micro pub

concept is not lost to the detriment of surrounding neighbours and accordingly it is felt necessary to amend some parts of the application as outlined above.

Recommendation

To GRANT permission

Subject to Conditions:-

- 01 The micro-pub hereby permitted shall only be open for trade and business between Sunday-Thursday 11:30-22:00 & Friday-Saturday 11:30-22:30 to include any 'drinking up' time.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy RES7 of the Worthing Local Plan.*

- 02 No vertical drinking shall take place on the outside seating area. Beverages shall be served only to customers seated at a table at the outside seating area.

Reason: To accord with the micro-pub model and to safeguard the amenities of nearby residential occupiers.

- 03 There shall be no more than 16 customers seated in the external area and the hours of use of such seating area shall be restricted to 11:30 to 19:00 hours, after which time the seating shall be rendered inaccessible to customers.

Reason: *In the interest of amenity having regard to saved policies H18 and RES7 of the Worthing Local Plan.*

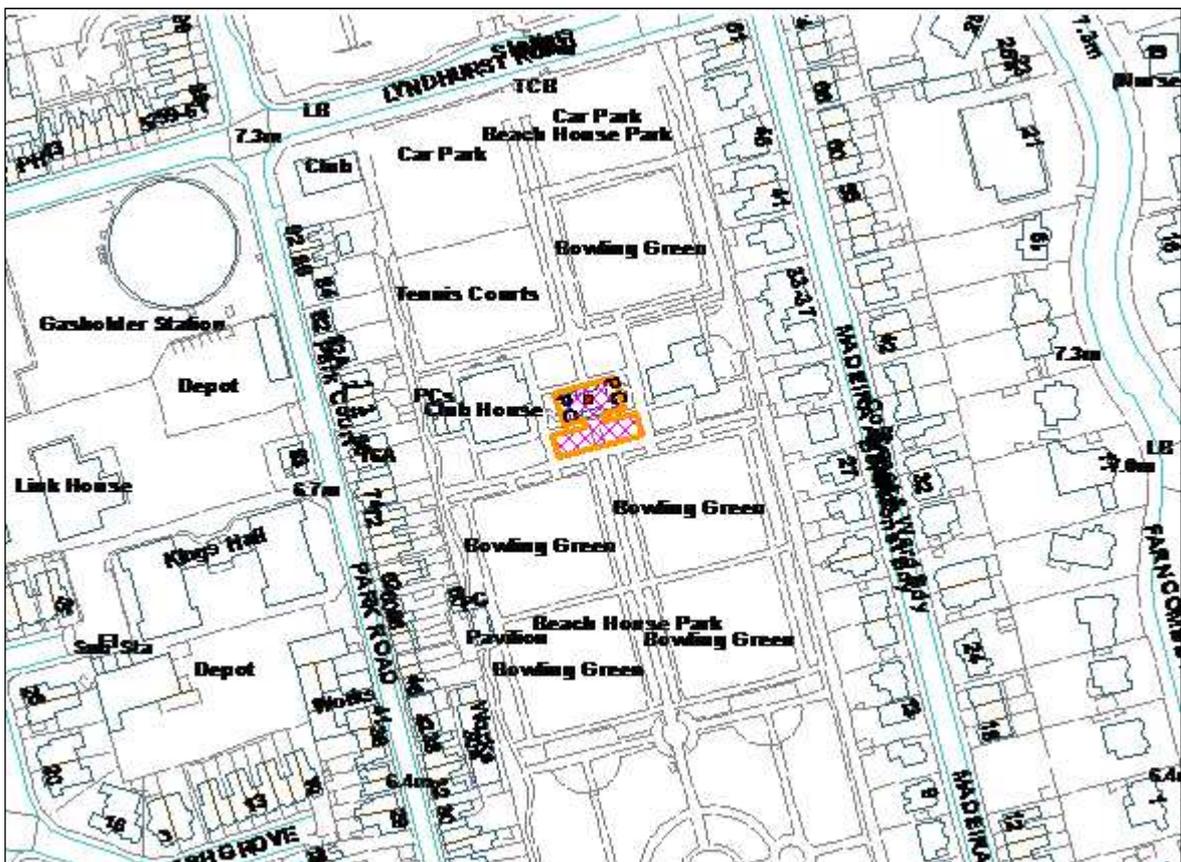
Application Number: AWDM/0624/15

Recommendation – APPROVE

Site: Central Pavilion, Beach House Park, Lyndhurst Road
Worthing, West Sussex

Proposal: Change of use from clubhouse to restaurant/cafe (Use Class A3) on the ground floor with associated function space at first floor. New raised decking for use as external seating area to front.

Applicant:	Mr Seamus Kirk	Ward:	Central
Case Officer:	Peter Barnett		



Not to Scale

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Proposal, Site and Surroundings

The application relates to the pavilion in Beach House Park which was originally constructed in 1925 as a clubhouse for the Bowling Club. The last use of the building was by the Council's Parks section as a base for the Park Attendant and as an occasional venue for meetings. It is now vacant. It is owned by Worthing Borough Council.

The site is centrally positioned within the park between the bowling greens to the north and south. It is equidistant (at a distance of approximately 47m) between properties in Madeira Avenue to the east and Park Road to the west. To the west of the application site is the clubhouse while to the east is the now open site of the former park café which was destroyed by fire in 2009.

The building has two floors. On the ground floor there is a central space with rooms to either side. Public toilets are situated on the eastern and western ends of the building, but these have been closed for some time. At first floor there is a central space previously used for functions and meetings. It has an external terrace at first floor level on both the north and south sides. It is the focal point of the park and has a strong Arts and Crafts character. It has been formally identified as a building of Local Interest.

The application is proposing to change the use of the building to a café/restaurant (Use Class A3) on the ground floor with a meeting/function room at first floor. A large raised deck is proposed in front of the pavilion (south side) to accommodate external seating. The existing external toilet doorways are to be blocked up. New toilets are to be provided within the building as part of the conversion works, including a unisex wheelchair accessible WC.

The existing temporary ramp to the north entrance is to be removed and a new ramped access to the south entrance is to be provided within the new decked area. The deck will cover the lawn area in front of the pavilion, measuring 7.7m by 28m and raised by 0.3m with a 1.1m high timber balustrade around the outside. Existing trees are to be retained and accommodated within openings within the decking.

Opening hours being sought are stated as being 8am to 11pm every day. The building is shown as providing 35 covers inside, with a further 120 covers outside.

Consultations

Adur & Worthing Councils: The *Environmental Health* officer has commented that the applicant was recently granted a Premises Licence under the Licensing Act 2003. This contains a large number of operating conditions designed to reduce the impact of activities on the neighbours. He recommends that any permission granted restricts the use of the outside area from 8am to 10 or 11pm in order to reduce the impact on the amenity of nearby residential properties. He is not sure where the designated smoking area is and the suggested hours may impact on this.

A condition is attached to the Premises Licence regarding the volume of music. However music has recently been deregulated under the Licensing Act 2003, meaning music (live and recorded) are now exempt activities in premises licensed to sell alcohol for consumption on the premises. Therefore he recommends that a boundary noise condition is attached to any permission granted in order to protect residential amenity from music within the premises.

He also recommends there is a condition stating there will be no external music.

The *Parks and Foreshore Manager* is to be reported.

The ***Estates Manager*** is to be reported.

The ***Tree and Landscape*** Officer has no concerns following clarification by the applicant.

Representations

3 letters of objection received from the occupiers of 15 Madeira Avenue, 46 & 72 Park Road raising the following concerns:

- No objection to a daytime café for park users but the site is unsuitable as a night-time venue
- Will result in noise and nuisance for neighbouring residents, particularly as alcohol is to be sold
- Experienced noise from previous café in the park that burnt down
- Function rooms generate high volumes of noise, particularly in the summer when windows are open

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Strategic Objective 2 (Revitalise Worthing's Town Centre and Seafront), Strategic Objective 6 (Deliver High Quality Distinctive Places), Policy 3 (Providing for a Diverse and Sustainable Economy), Policy 5 (The Visitor Economy), Policy 11 (Protecting and Enhancing Recreation and Community Uses)

Worthing Local Plan (WBC 2003) (saved policies): H18

National Planning Policy Framework (March 2012)

Relevant Legislation

The Committee should consider the planning application in accordance with: Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

There was formerly a café in the park, to the east of the pavilion, but this was destroyed by fire in December 2009. Permission was granted for a replacement in 2010 but it was never implemented (WB/10/0415/WBR3). The proposed use would be similar to the previous use of the café and it is considered that the proposal is acceptable in principle.

Visual amenity

There would be no material change to the external appearance of the pavilion. The blocking up of the toilet doors on the west elevation and their replacement with a brick and render recessed infill to match the existing building would be a minor alteration only.

The main alteration is the formation of the large decked seating area to the south of the building. The proposed timber and balustrade will be stained dark brown to match the areas of exposed timber framework and existing first floor terrace on the building. While the decking will result in the loss of an area of formal lawn, it would have only a limited visual impact and will complement the building.

Residential amenity

The suggested opening times on the application form are 8am until 11pm every day. Objections from residents in Park Road and Madeira Avenue have been received to late night opening on the grounds of the potential for noise and disturbance causing a loss of amenity. They state that noise from the former café did cause disturbance in this otherwise quiet area.

The previous café was located much closer to the eastern boundary and therefore had greater potential to cause disturbance. The pavilion, by contrast, is centrally located and is around 47m from the nearest residential boundary. The approval for the replacement café in 2010 contained a condition restricting the opening hours to 7am to 10pm on Sundays to Thursdays and 7am to 11.30pm on Fridays and Saturdays. In addition, outdoor usage was limited to daylight hours between 8am and dusk each day. The replacement café was to have been in the same position as the previous, i.e. much closer to the eastern boundary than the current site.

An alcohol licence has already been granted for the premises up until 11pm every day. Live music and recorded music is also permitted to be played up until the same time. A number of conditions are attached to the licence in the interests of safeguarding amenity and these include a requirement that the level of music played within the premises shall not exceed a level of 55dB LAeq, measured at a height of 1.5m at any position on the boundary of the park. Further control prohibits vertical drinking with alcohol only supplied by waiter/waitress service to persons at a table as an ancillary to food.

The previous requirement to close the outside area at dusk would have meant closure no later than around 10pm in midsummer. The applied for hours would therefore mean a potentially significant increase in people sitting outside, although in reality this is more likely to occur during summer months. The pavilion is also further from the park boundaries than the previous café.

On balance, it is considered that the requested hours are appropriate but it is recommended there should be no use of the terrace before 8am or after 10pm on any day. The Environmental Health Officer has also recommended that a condition be added preventing any music to be played outside and to control the level of

noise from music played indoors. It is considered that with such conditions in place, appropriate control will exist to prevent a loss of residential amenity.

Trees

The proposed decking will be constructed around two trees (Beech and Laurel) located within the lawn area. The decking is to be cut out to a width of 2.5m around the base of the trees to ensure that the decking is kept clear of the raised root buttresses of the Beech and the low crown of the Laurel, and to enable rainwater to continue to reach them. Foundations will be kept to a minimum depth and dug by hand. The decking will be kept clear of leaf debris to prevent the boards from becoming slippery. On this basis, there is no objection to the proposal in terms of the impact on the trees.

Conclusion

The proposal will bring this attractive building back into use and will provide an enhanced focal point for park users. It will replace the former café building which had previously existed for many years but at a distance further from residential properties. The proposed control over opening hours and outside activity should protect the amenities of residents and on this basis it is considered that the application can be supported.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard 3 year time limit
2. Approved Plans
3. Materials and finishes to be agreed
4. Use as a café/restaurant (Use Class A3) with associated function room
5. Opening hours 8am to 11pm every day. No outside activities/use of terrace before 8am or after 10pm on any day.
6. Trees to be protected during construction and all foundations to be dug by hand

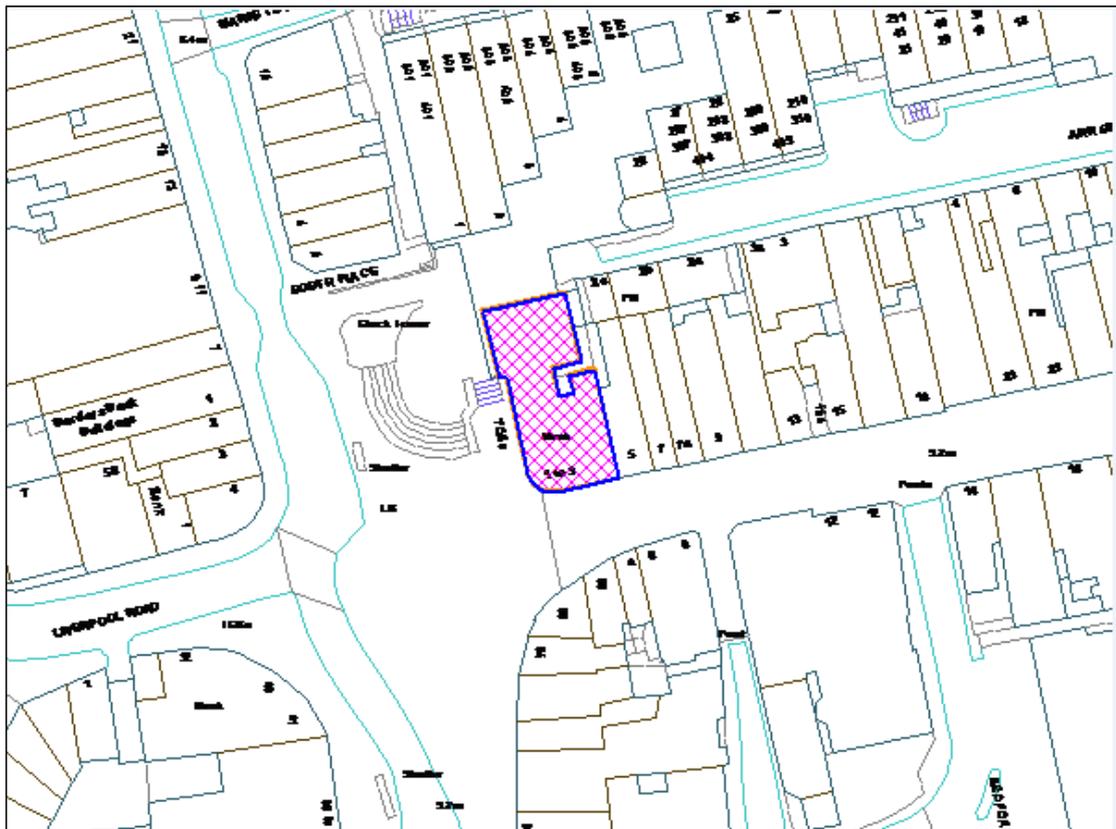
Application Number: AWDM/1789/14

Recommendation – REFUSE

Site: 1-3 Warwick Street, Worthing, West Sussex, BN11 3DE

Proposal: Installation of replacement external self-service machine for HSBC

Applicant:	ASBC Group	Ward:	Central
Case Officer:	Rebekah Smith		



Not to Scale

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Proposal, Site and Surroundings

The site relates to a prominent corner building at the junction of Warwick Street with South Place within the pedestrianised part of the town centre. The building is a Local Interest building with an exterior stone finish and occupied by HSBC. The site is within the South Street Conservation Area and is immediately adjacent to 5 Warwick Street, a Listed Building.

Permission is sought for the installation of a replacement ATM in the west elevation of the building. The existing machine is sited within the window openings and its external face is fractionally forward of the surrounding glazing, framed by the lower glazing framework. The proposed machine would require a similar opening in the

framework measuring approximately 0.67 metres in width by 0.61 metres in depth (slightly smaller than the existing machine) and with a curved profile to the top and bottom. The face of the proposed machine would be sited forward of the surrounding glazing by approximately 0.38 metres which the applicant has stated is to make the new ATM more accessible to wheelchair users.

Relevant Planning History

Planning application 10/0748/Full granted permission for the installation of the ATM to the lower section of the second full height window within the existing recess on 26 October 2010.

Consultations

Conservation Area Advisory Committee: Objection raised as the installation of a more prominent cash machine would not enhance the building or the Conservation Area. They comment that no reason is given as to why this new machine needs to project further from the building façade.

Representations

None received.

Relevant Planning Policies and Guidance

Worthing Core Strategy 2006-2026 (WBC 2011): Policy 16
Worthing Local Plan (WBC 2003) (saved policies): RES7, H18
National Planning Policy Framework (March 2012)

Planning Assessment

The determining issues relate to the impact of the proposed self-service machine on the character of the building and the Conservation Area and on the setting of the adjacent Listed Building. Given the scale and nature of the proposals there would be no significant impact on the amenities of neighbouring occupiers.

The application site is an attractive locally listed stone building within the South Street Conservation Area and provides an attractive backdrop to the clearly defined public space known as South Place at the Warwick Street, South Street and Chapel Road junctions and is a prominent building within the streetscene. No.5 to the east is a three storey Grade II listed building with a modern shopfront. Adjoining the site on the north side is the side wall of the Guildbourne Centre.

There is an existing ATM set within the glass, framed within the window framework and set back from the stone columns and cills. Unlike the other windows the stone base and cills have been recessed providing access to the ATM. The proposed replacement machine would be positioned with its front face and surround forward of the window by approximately 0.39 metres. The machine would sit prominently between the columns and appear to cantilever out from the glazing effectively floating 0.15 metres above the stone cill. This positioning would appear awkward in its relationship with the recipient building and would represent an incongruous

addition to the building. Whilst it is important to make facilities such as ATMs accessible to all where possible, it should not be at the expense of causing harm to the character of the building. Although the effect on the adjoining Listed Building is minimal due to the visual separation from this west elevation, the proposal would fail to preserve or enhance the character of the locally listed building within which it would be installed and the character of the South Street Conservation Area.

Recommendation

REFUSE for the reason(s):-

The proposed self-service machine would, by reason of its positioning forward of the surrounding glazing, represent a visually discordant form of development integrating poorly and out of character with the architectural character of the Local Interest Building. As such the proposal would fail to preserve or enhance the character of the South Street Conservation Area. The proposal therefore conflicts with Policy 16 Worthing Core Strategy 2011, and the policies of the National Planning Policy Framework 2012.

3rd June 2015

Local Government Act 1972

Background Papers:

As referred to in individual application reports

Contact Officers:

Gary Peck
Planning Services Manager (Development Management)
Portland House
01903-221406

Peter Barnett
Principal Planning Officer (Development Management)
Portland House
01903-221310
marie.o'keeffe@adur-worthing.gov.uk

Rebekah Smith
Senior Planning Officer (Development Management)
Portland House
01903-221313
Howard.barnes-moss@adur-worthing.gov.uk

Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

- 9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.