Expiry Date - 12/12/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1329/24 Recommendation – APPROVE

Site: Golden Lion 7 The Strand Worthing West Sussex

Proposal: Proposed detached timber pergola structure, with sheet metal roof, to existing external seating area (fronting The Causeway)

Date of site visit: 08.11.2024

Neighbours checked: Y

Additional neighbour notifications: Site Notices

Site and Surroundings

The application relates to a well-established public house on the corner of The Strand and The Causeway. It adjoins, but is sited just outside The Strand medium-scale local shopping centre. The 2-storey pub building is sited on the southern half of the site. A large, U-shaped car park accessed from The Strand wraps around to the north side. There is a small, covered external seating area attached to the southeast corner of the building with a larger, open, external seating area in the southeast corner of the site, and an enclosed pub garden area to the southwest corner. The roadside site boundaries are enclosed by a low, brick wall, and the external seating area by low picket-style fencing.

Adjoining to the south is a 3-storey flat block forming part of Durrington Gardens, a complex of mid-C20 flats set within open landscaped grounds with parking/garaging to the rear.

Adjoining to the west is a walled electricity sub-station, and beyond that a semi-detached house, 9 The Strand. The rear garden of the latter adjoins the enclosed pub garden.

Proposal

Permission is sought to erect a timber-framed ‘pergola’ type structure within the existing external seating area in the southeast corner of the site. It will have a covered roof, electric heaters and lighting to allow patrons to enjoy the outside area throughout the year regardless of weather conditions.

As amended, the proposed structure would be 6.3m wide x 5.7m deep x 2.6m high consisting of softwood timber support posts with a powder-coated metal roof on top of timber cross beams. The east side, facing The Causeway, will be clad in timber horizontal slatted panels, as will the central panel on the

north side facing the car park. The south and west sides facing onto the remainder of the outside seating area will be open-sided.

An existing 'Jumberella' located in the outside seating area will be removed.

Relevant Planning History:

AWDM/1403/24 Advert consent for proposed replacement signs to include 1 no. new panel, gibbert and lights to existing post, 3 x sets of externally illuminated individual letters, 1 x welcome transom sign, 2 x amenity boards and 1 x single sided post mounted sign – Pending consideration.

Consultations:

Sussex Police:

The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.

The level of crime and anti-social behaviour in Worthing district is above average when compared with the rest of Sussex, so additional measures to mitigate against any identified local crime trends and site-specific requirements should always be considered.

I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments:-

My main concern with this planning application is that of the amenity of the surrounding residential community as the proposed pergola will ultimately provide more warmth and comfort during inclement weather which will result in greater use especially late at night. Despite reassurances with regards to noise management: 'The development is unlikely to result in any significant increase in noise levels, as the external trade area is already in use' the potential for the amenity of the surrounding neighbours to be impacted cannot be overlooked. It will be a matter for staff to manage this in the most appropriate manner to ensure that the local residential community are not unduly disturbed and sensitivities around this issue must be duly addressed by staff on duty particularly when patrons are drinking outside late into the night.

Thank you for giving me an opportunity to comment. The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are

asked to accord due weight to the advice offered in this letter which would demonstrate your authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.

Adur and Worthing Councils:

The Environmental Health Officer (Public Health & Regulation) has no adverse comments.

Representations: None received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM10, DM13
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

Planning Assessment

The contribution of outdoor seating to the successful trading of many pubs was particularly important during the Covid-19 pandemic and has remained an important aspect of the overall business 'offer' since then. The proposed pergola structure seeks to meet demand for improved outdoor seating and enhance the functionality of the existing outdoor trade area.

The Local Plan seeks to support, promote and enable the continued development of a strong, sustainable and diverse local economy by (amongst other things) supporting the tourism, leisure, sporting and creative industries with a particular emphasis on the town centre and seafront locations. The supporting text to Policy DM13 recognises the important role of bars, pubs and restaurants to the 'evening' economy of the town centre, whilst noting that a careful balance is required to ensure that crime, disorder and noise does not impact on the amenity of those living and working in the area.

The key considerations are the effects on visual and residential amenity, including crime and disorder.

Visual Amenity

The existing outside seating area in the southeast corner of the site is made up of bench seating on a split-level paved terrace, with the higher level adjoining the roadside. The existing 'Jumberella' (to be removed) is sited on the lower terrace, closer to the pub building.

There is a large deciduous tree (shown on the plan to be retained) on the southern edge of the terrace close to the boundary with Durrington Gardens.

As initially submitted the proposed pergola-structure extended some 10.7m wide along the site frontage, extending right up to the boundary with Durrington Gardens, with the roadside elevation clad entirely with horizontal

timber slatted panels. Officers considered the resulting visual impact on this relatively ‘open’ corner would be unduly intrusive and harmful to the street scene. Whilst, owing to its prominent siting, even the amended structure would be a conspicuous addition to the street-scene, it offers a reasonable compromise with its overall width fronting the road reduced by almost half. This type of structure, providing shelter to outside seating, is increasingly becoming a more typical feature of pub gardens across the town. On balance it is considered the impact on visual amenity in this location on the edge of the commercial shopping centre would not be so harmful to warrant refusal. A condition is suggested to ensure a minimum 40mm open gap between the horizontal timber battens of the slatted panels to minimise the sense of visual enclosure.

Residential Amenity

Although the proposal does not expand the existing seating area, the shelter, heat and lighting provided will enable customers to stay longer in the outside area during the evening and throughout the year. As initially submitted officers considered the increased intensity of use in close proximity to the nearest flats in Durrington Gardens would be unneighbourly.

As amended there would be a minimum gap of 4m between the pergola structure and the boundary with Durrington Gardens.

There are a number of windows in the north side of Durrington Gardens and given the low boundary treatment it is likely that the occupier(s) of the nearest ground-floor flat are already aware of clientele within the existing outside seating area, although the large tree close to the site perimeter provides some screening. As amended, the pergola structure is sited sufficient distant from the nearest windows that it would not be overbearing. Although the festoon lighting is likely to be visible, it would not be intrusive.

Whilst there is some potential for increased noise and disturbance, other controls exist (i.e. through the licensing regime) for the effective management of the outside area, as recognised by Sussex Police. It is noted that no objection has been raised by the Environmental Health Officer.

Taking into consideration the reduced size of the amended pergola structure, and the improved separation distance from the common boundary with Durrington Gardens, it is considered the potential for increased noise impacts would not justify refusal on this ground.

There is no reason to believe the proposals would result in any increase in crime & disorder in the locality.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers

2. Standard time limit
3. Materials as stipulated
4. A minimum 40mm gap shall be provided between the individual horizontal battens on the slatted panels/screens of the pergola structure hereby permitted.
   Reason: To ensure the structure has a reasonably 'open' appearance in the interests of visual amenity and to comply with policy DM5 of the Worthing Local Plan.

Informative

Pro-active Amendment

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

Case Officer:	Jo Morin	Date: 16.12.2024
Authorised by:	Louise Prew	Date: 16/12/2024