Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/08/0094/FULL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE ORDER 1995

Mr A Greenwood MRTPI
Henry Adams Planning Ltd
Rowan House
Baffins Lane
Chichester
West Sussex PO19 1UA

PROPOSAL: Retrospective application for the change of use from Class A1 (retail) to ground floor A3/A5 use (food and drink) with take away facility and first floor A3 restaurant area.

LOCATION : Muldoons Bakery 33 Warwick Street Worthing

DATE REGISTERED 4th February 2008

APPLICANT : Muldoons Bakery

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing No. 7103:01, which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT PERMISSION subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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Dated : 7th April 2008

Executive Head of Planning,
Regeneration and Wellbeing

Note: Your attention is drawn to the notes and advice overleaf.

2. The premises shall not be open for trade or business except between the hours of 8am and 11pm Monday to Saturday and shall be closed on all other days. Reason: To safeguard the amenities of the occupiers of neighbouring properties.

3. The premises shall be used only for purposes within Use Class A3 and A5 as specified on the approved plans, as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended

   Reason: For the avoidance of doubt and/or because changes of use permitted by the Town and Country Planning (General Permitted Development) Order 1995 may not be acceptable in policy terms.

4. No primary cooking of food shall take place on the premises whatsoever. Only pre-cooked food shall be warmed and/or re-heated on the premises by means of a microwave oven, pannini grill, jacket potato oven, soup kettle or other similar means of warming or re-heating pre-cooked food.

   Reason: To safeguard the amenities of nearby residential properties owing to the absence of any means of ventilation for the extraction and disposal of cooking odours from the premises.

5. The use hereby permitted shall not operate other than with the benefit of use of the dedicated commercial refuse storage area in Ann Street, Worthing or other facility as agreed in writing by the Local Planning Authority.

   Reason: The property lacks dedicated on-site refuse storage facilities and relies on the use of off site facilities to store refuse in a visually acceptable and hygienic manner.

INFORMATIVES

The decision to grant planning permission has been taken having regard to the saved policies and proposals in the Worthing Local Plan 2003 and the West Sussex Structure Plan 2001 – 2016 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Saved Worthing Local Plan Policies 2003

H16 - Domestic Extensions and Alterations
H18 - Amenity of Residents
RES7 - Control of Polluting Development
S8 - Ground Floor Uses, Zone B Primary Area, Central Shopping Area

Cont.....

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Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
DEV1 - High Quality Development
DEV4 - Travel needs and choices
DEV5 - Parking Provision
ERA1 - Making the best use of land
LOC1 - Locational strategy

This information is only intended as a summary of the reasons for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Reception at Portland House, Richmond Road, Worthing.