Dawn Ayres

From: Planning
Sent: 17 November 2011 13:44
To: Dawn Ayres
Subject: FW: AWDM/0719/11 Change of use from public house to place of worship/ internet cafe/snack bar/cafe with residential flat.

Letter of Rep FYA

From: lee davis [redacted]
Sent: 17 November 2011 13:39
To: Jo Morin
Cc: James Appleton; Keith Morgan; Planning; Jeremy Cook; Jim Funnell; Marian Penwarden; Peter Latham; alex marsh; Beth Carder; Julie Searle; Claire Pink; Linda Amos; Tracey Consterdine; Theresa Cuerva
Subject: AWDM/0719/11 Change of use from public house to place of worship/ internet cafe/snack bar/cafe with residential flat.

Dear sir/madam,
REF AWDM/0719/11 and AWDM/0720/11

I am writing to advise parties concerned that I OPPOSE THE CHANGE OF USE AS LISTED WITHIN YOUR NOTICE DATED 04/11/11 with ref number AWDM/0719/11.

My name is MR.KEVIN DAVIS and reside at 4 rock close, Southwick.

My reasons for opposing the change of use are as listed below, and included is my evidence and my concern that such change of use -

FACT 1- THE CURRENT AND UNAUTHORISED CHANGE OF USE - has impacted upon the local residents within the area of ROCK CLOSE, SPRING GARDENS, WATLING COURT and neighbouring flats and residential homes.

FACT TWO- The Council were informed of unlawful use of the premises back in MID SEPTEMBER 2011 and have not been co-operative to local concern raised by local tenants or myself , APOLOGIES HAVE SINCE BEEN NOTED FROM SENIOR POLICE AND COUNCIL STAFF FOR MISHANDLING OR INTERPRETATION OF FACTS, CAUSED BY A SERIOUS BREAKDOWN OF COMMUNICATION BETWEEN POLICE AND COUNCIL PLANNING OFFICERS. (evidence on file with Council)

FACT 3- Anti social levels of noise and behaviour was noted by myself and other residents affected by the loud 'BOOM BOOM BOOM' and 'crashing' on drums and other musical instruments that were frequently being emitted from the disused Pilot Pub, which had now UNLAWFULLY become a 'place of UNOFFICIAL WORSHIP', and NO CONSENT was given OR

REQUESTED at this time, neither was any PUBLIC NOTICE of change of use given.

FACT 4- The Police attended the 'place of worship' on several occasion's following complaints of loud music and anti social behaviour items directly linked to the UNREGISTERED 'place of worship'.
The Police ref numbers of attendance and calls of complaint are on Planning officers and Housing staff records.

FACT 5- The Adur planning officers claim that they were not aware that the Pilot Pub had undergone change of use despite evidence being sent directly to MR. KEITH MORGAN, of A.D.C. PLANNING.

FACT 6- Again evidence of e-mails raising concern of high levels of noise and change of use are on record with A.D.C. Planning officers, Sussex Police and A.D.C. Housing officers.

FACT 7-The concerns and impact to local residents that were, and still are, having to put up with the 'BOOM BOOM BOOM' and other high decibels of noise being emitted from the unauthorised 'place of worship' was monitored by Police on more than one occasion with Police entering the building and witnessing the high decibels of music late into the night, also being heard from outside on the Boundary of the building, thus having a direct impact of anti sociable noise imposed upon local tenants.

FACT 8-The Police, on more than one occasion have been called by me, and other tenants, and Police have had to enter the unauthorised 'place of worship' to get the music turned down or told to stop.

FACT 9- On Police visits, quantities of alcohol have been seen to have been, or was being consumed by the persons attending 'worship'.

FACT 10-Minors were present but it was unclear to Police if under age drinking and or sale of alcohol was being conducted during 'worship' but the fact remains that alcohol was, and is being consumed on the premises that should not have been occupied as no change of use or occupancy to worship had been granted or requested.

FACT 11-Police licence officers, OFFICER PC.SWEETLICK, stated that the PILOT PUB, if operating as a PUB had a licence but a place of worship would NOT have such a licence.

FACT 12- The Police advised that the Council should AND could easily serve an 'enforcement notice' to the 'PLACE OF UNAUTHORISED WORSHIP' as monitoring and attending the unauthorised use of the Pilot Pub in this manner by the attending mass and worshippers was very costly and draining on Police

resources but, the Police had a duty of care to attend to matters of anti social levels of noise and behaviour emitted from the 'place of worship'.

FACT 13- The Council ignored the advice and did not serve any enforcement notice, thus allowing the problem to escalate for affected tenants and this action by A.D.C. showed no compassion or concern from the landlord affect living in Council accommodation affected by this 'change of use'.
Evidence of the Police advice is also on file with Planning officers Ms. CLAIRE PINK, Ms. LINDA AMOS, Ms. TRACY CONSTERDINE, Mr. KEITH MORGAN, Mr. JAMES APPLETON.

FACT 14- In addition, A.D.C. Licensing officers Ms. THERESA CUERVA and the Licencing unit at Adur and Worthing were informed of concerns and the unlawful change of use and 'goings on' that Police and tenants had informed the Licence and Housing officers at A.D.C.

FACT 15-Equally, MR. DAVID PANNELL, and senior housing officers were informed of the anti social levels of noise and waste affecting local tenants.

FACT 16- Local housing officers were informed because of the Councils liability to ensure a Leaseholders peace and quite, as per the legal content of a legally binding lease that holds the A.D.C. LANDLORD fully liable in this matter of anti social behaviour and noise.

FACT 17-The planning officers stated that the PILOT PUB, and surrounding area had become 'tumbleweed' and so redevelopment of the site was granted on that basis.

FACT 18- An interesting fact that is of embarrassment to that Council Representative is that the majority of the immediate buildings within the 'tumbleweed area' as described by senior Council staff, are in fact COUNCIL OWNED RESIDENTIAL BUILDINGS THAT THE COUNCIL HAVE LEGAL LIABILITY TO UPKEEP !!

FACT 19- The objections to the change of use are that the Council should have intervened in this back in September but chose not to - against advice of Police and public request of tenants.

FACT 20- The change of use does not specify the operational times of the 'place of worship'.

FACT 21- The 'place of worship' is unclear in its denomination, and although it is not a religious issue of what 'worship' will be taking place, the times of worship do affect local residents as the music is heard until midnight and beyond into the early hours on a regular basis.

FACT 22- What are the times of worship?

FACT 23- Who can attend the 'place of worship?

FACT 24- Is it for Local community or specific worship of ethnic or other faiths?

FACT 25- Is the Internet cafe going to be operational only when the 'place of worship' is operational?

FACT 26- Is the Internet cafe open any other times of the day or night if the 'place of worship is not open or operational?

FACT 27- Is the Internet cafe licenced to serve or sell alcohol and if so, what precautions and registered doors staff will be on duty during these times and they must be visible on the door entrances to the cafe/ place of worship and registered with the Police and Council as legal door operatives.

FACT 28- The disturbance and noise to local residents is on file with A.D.C. and Police and very strict noise control will need to be enforced.

FACT 29- The exterior of the building has been drastically deteriorated with dangerous boundary walling falling into public pathways.

FACT 30- The multi coloured curtains that 'shroud' the windows of the pub, in its current registered use, is extremely 'tumbleweed', and has a distasteful appearance to the run down character of the building.

FACT 31- The overflowing rubbish that is discarded from the 'worshippers' has been noted and inspected by planning officers and environmental health officers as RATS and MICE have been seen in the immediate area of the Pilot Pub but the Council have failed to enforce that the 'WORSHIPPERS' resolve the refuse issue.

FACT 32- The discarded and overflowing rubbish bin is smelly and will only get worse when the cafe is fully operational but the rat and mice problem will also need to be addressed before the cafe can open as in its current form, it is unfit to serve or store food or drink for human consumption.

FACT 33- The impact on tenants has already been noted by Police that have attended the 'place of worship' that should not be operating at present and the Council planning department need to take these facts into very careful consideration.

FACT 34- Anti social behaviour late at night, rubbish and discarded alcohol bottles have been discarded into nearby Council residential flats by

'worshippers' as they leave.

FACT 35- The slamming of doors from the Pilot Pub, and car and minibus doors late at night is also an accumulation of anti social behaviour, often with taxis and other 'pick up cars' blasting the car horn and shouting for passengers outside the car park.

FACT 36- Previous planning decisions were for redevelopment, not change of use.

FACT 37- Because of the location of the proposed 'place of worship', parking and highway safety will need to be reviewed as to W.S.F.R.S FIRE REGULATIONS AND PUBLIC LIABILITY to adjacent property affected by the change of use proposed, or any public use into the property.

FACT 38- Will the snack bar and cafe only be operational during times of 'worship' and will this be licenced?

FACT 39- Will the snack bar be open to the public or only to the 'worshipping community?.

FACT 40- What are the operational times of the 'snack bar' and what class of use is to be registered, example class A1 or A2 or A3 ? eat in or take away and as rubbish is already a noted problem, what services have been ensured to take the rubbish and rotting food and cooking waste to prevent smells and rats. currently no such rubbish control is used by the 'worshippers'.

FACT 50- What will the occupancy of the residential flat be based on?

FACT 51- Is the residential flat going to have direct or independent access to the 'place of worship, ancillary Internet cafe, snack bar and cafe?

FACT 52- Is the residential flat going to be based on 1,2, or 3 bedroom flat occupancy as this may affect parking.

FACT 53- Will specific loading bays be allocated to the cafe, snack bar areas away from public right of way or during operational hours of worship?

FACT 54-What public disabled access has been provided to enter the place of worship, cafe, bar and residential flat?

FACT 55- What restrictions of delivery times to the cafe, snack bar, Internet cafe will be in place to minimise noise and disturbance to local residents?

FACT 56- The placement of loud speakers and drum kits currently are right by exits and prone to emitting loud noise from the building and this should be

rectified to reduce anti social; noise levels.

FACT 57- The doors have been continually left or wedged open during 'worship' and this allows the 'BOOM BOOM BOOM' to be even more amplified into the public areas outside the boundary of the 'place of worship' and this is totally unacceptable and not in keeping with other places of worship.

FACT 58-The building has become extremely 'run down' with a lot of falling brick work, woodwork and external fittings visibly insecure or broken at a risk to the public and this is of concern that the place of worship will not maintain the building as is the current situation for all to see and it is said that the previous owner/ developer of the PILOT PUB has now 'sold out' to the intended new owner that wants to make the place into a place of worship after a hefty investment resulting in the buying of the Pilot Pub from the previous developer.

The above 58 points of fact are my objections and concerns that need to be confirmed by the Council before a final decision on change of use is made.

I await confirmation that these 58 points have been acknowledged by the A.D.C. PLANNING OFFICE and answers to these questions and facts are required from A.D.C. PLANNING, HOUSING OFFICERS AND ENVIRONMENTAL HEALTH OFFICERS prior to any decision being applied by A.D.C.

Due to the location of the 'site', a very busy road junction, with records of fatalities resulting from road accidents, any illuminated signage requested to be used on the sight must not cause reflection on the road or outside the boundary of the building and neither should it be of vivid or flashing neon lighting so as to cause either distraction or impair visibility to passing motorist or pedestrians and it should not reflect or impose into nearby private residential accommodation.

It is noted that other business properties do not have illuminated signage on the immediate vicinity of this dangerous road junction.

All of the above concerns and objections are made within the Council protocol and within requirements and dates stated within the Council notice dated 04/11/11 and fulfilled all requirements to be accepted by the A.D.C. PLANNING OFFICE.
Regards.
MR.K.DAVIS. A.D.C. LEASEHOLD CHAIRMAN.
(also representing the whiterock place community group committee.)