

Comments for Planning Application AWDM/0538/26 Reps and Consults x



planning@adur-worthing.gov.uk
to me ▾

Fri 4 Sept, 10:59 (3 days ago)

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 04/09/2026 10:59 AM from Mr Dmitrij Tkaciuk.

Application Summary

Address: The Grizzly Bear 33 South Street Worthing West Sussex BN14 7LG

Proposal: Application to vary the conditions of planning permission AWDM/0960/16 for change of use to drinking establishment (as subsequently varied by AWDM/1779/19): Proposed variations to allow to allow recorded and acoustic live music to be played on the premises (condition 8); to vary the opening hours to between 10.00 and 23.00hrs (Monday to Thursday), 10.00 to 24.00hrs (Friday, Saturday and Bank/Public Holidays), and 11.00 to 22.30hrs (Sundays)(Condition 9); to allow customers to eat takeaway food on the premises (Condition 11); to allow the existing tables on the private forecourt area to remain fixed in situ (Condition 12); and to allow the front door to remain open until 22.00hrs daily (Condition 17).

Case Officer: Jo Morin

[Click for further information](#)

Customer Details

Name: Mr Dmitrij Tkaciuk

Email:

Address: 35A South Street Worthing West Sussex

Comments Details

Commenter
Type: Neighbour

Stance: Customer objects to the Planning Application

Reasons for
comment: - Loss of General Amenity
- Other

Comments: Dear Case Officer,

Further to my formal objection to planning application AWDM/0538/26, I have now received the Council's substantive response to my Environmental Information Regulations request concerning the associated Planning Enforcement investigation.

I appreciate that the neighbour consultation period closed on 20 August 2026. However, the Council did not provide the EIR disclosure until 28 August 2026, and the information disclosed was therefore not available to me during the consultation period.

I respectfully request that this email is accepted as a supplementary representation arising from new Council-held evidence disclosed after the consultation deadline, and that it is placed on the application file and considered by the Case Officer before the application is determined.

The disclosure is directly relevant to matters raised in my original objection concerning the Applicant's compliance history and the effectiveness of the existing planning conditions.

In particular, the disclosed correspondence records that, following a Council site visit on 29 May 2026 at 21:48, the Planning Enforcement Officer found that all seating remained attached to the benches and that tables were being used by patrons drinking. The officer expressly described this as "a clear breach of condition 12" and warned that continued breaches would result in consideration of a Breach of Conditions Notice.

The Applicant's subsequent response did not dispute the finding, but stated that he had not been present and would ensure that staff "tighten up" on the matter.

The disclosed records further show that on 29 June 2026 Planning Enforcement was receiving further complaints concerning:

1. use of the outside seating area;

2. customers sitting outside with drinks after the permitted time;
3. benches not always being removed; and
4. the front door apparently being left open after 21:30.

The Council again referred expressly to the possibility of serving a Breach of Conditions Notice.

Furthermore, correspondence dated 23 July 2026 confirms that the Council was still receiving complaints relating to these conditions, and once again referred to the possibility of formal enforcement action.

This is particularly significant because the Applicant's planning submissions state that the premises had reverted to following the existing permissions and suggest that the previous extended operating arrangements caused no problems. The Council's own contemporaneous enforcement records appear materially inconsistent with that narrative.

I would also draw attention to the EIR response concerning the earlier assessment on 1 May. The Council states that removal of the bench seating was regarded as demonstrating compliance with Condition 12. However, Condition 12 separately requires the tables and chairs to be cleared from the forecourt and stored within the premises. The Applicant has now confirmed through the current application that the tables are permanently bolted to the ground. I respectfully request that the Case Officer considers whether the earlier assessment therefore addressed the full requirements of Condition 12.

The EIR response also confirms that there was no further Council site visit after 29 May 2026, despite subsequent complaints and evidence. Accordingly, the absence of further officer-observed breaches should not be interpreted as evidence that compliance was subsequently achieved.

I am not seeking to reopen the consultation period generally. I am asking the Council to take account of material information from its own enforcement records which was disclosed to me only after the consultation deadline and which directly relates to the issues already raised in my timely objection.

In light of this disclosure, I respectfully repeat my request that the complete Planning Enforcement history is expressly considered and addressed in the Officer Report, particularly when assessing the proposed variations to Conditions 8, 9, 12 and 17 and their effect upon neighbouring residential amenity.

Please confirm that this supplementary representation will be placed on the planning file

and taken into account before any determination of AWDM/0538/26.

Kind regards,
Dmitrij
