Worthing
BOROUGH COUNCIL

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Portland House
Richmond Road
Worthing BN11 1LF

APPLICATION NO. WB/09/0104/FULL

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

Mr Ivan Salter
50 Windsor Road
Worthing
West Sussex
BN11 2LY

PROPOSAL: Change of use to Class A3 (restaurant), provision of extraction system incorporated within new chimney stack and soundproofing requirement under planning permission WB/98/00735/FULL. Resubmission of WB/08/0996/FULL.

LOCATION : Fresh Cut Cafe 7 Rowlands Road Worthing

DATE REGISTERED 3rd March 2009

APPLICANT : Mr. B. Colak

WORTHING BOROUGH COUNCIL, under the above Act and Order, gives you notice that its decision upon your application described above and in Drawing No. 7108:1C which accompanied the application, or as subsequently amended prior to consideration, is to

GRANT PERMISSION subject to the following conditions:-

1. No primary cooking of food shall take place on the premises unless and until a scheme has been submitted to and approved by the Local Planning Authority for a scheme of noise and vibration mitigation in respect of the ventilation and extraction system and sound insulation between the commercial premises and adjacent residential accommodation and any such agreed scheme implemented to the satisfaction of the Local Planning Authority. Until such time as the said agreed scheme is implemented, pre-cooked food shall only 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 as may be agreed by the Local Planning Authority in writing.

Dated : 20th April 2009

[redacted]
Execu
Regeneration and Wellbeing

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

Reason: To safeguard the amenities of nearby residential properties, prior to the implementation of a suitable means of ventilation for the extraction and disposal of cooking odours from the premises and sound insulation between the restaurant use and adjacent residential accommodation.

2. The premises shall be used only for purposes within Use Class A3 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 to Public house (A4) or take way (A5) may give rise to unacceptable environmental impacts..

3. The premises shall not be open for trade or business except between the hours of 8am and 6pm Monday to Friday and 8am to 5pm on Sundays and Public Holidays and Bank Holidays.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

4. The materials and finishes of the chimney hereby permitted shall match those on the existing building.

Reason: In the interests of visual amenity.

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

BE1 - Design Quality
H18 - Amenity of Residents
RES7 - Control of Polluting Development
S10 - Ground Floor Uses, Secondary Area, Central Shopping Area
TR9 - Parking Requirements for Development

Saved West Sussex Structure Plan Policies 2001 – 2016

CH1 - Character
CH4 - Conservation areas and historic towns and villages
DEV1 - High Quality Development

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.