Worthing Borough Council

Planning, Regeneration and Wellbeing

Mr Khosrow Danesh
40 High Street
Worthing
West Sussex
BN11 1LL

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

APPLICATION NUMBER: WB/11/0171/FULL

Details of Development
VARIATION OF CONDITION 2 OF PLANNING PERMISSION WB/08/0530/FULL TO ALLOW HOT FOOD TO BE PREPARED ON THE PREMISES.

Location of Development
40 HIGH STREET WORTHING WEST SUSSEX BN11 1LL

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 23rd March 2011.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

[redacted]

James Appleton
Executive Head of Planning, Regeneration and Wellbeing
19/07/2011

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SCHEDULE

Reasons for Granting Permission

01. The proposal can be accommodated satisfactorily in the existing chimney without harm to the amenity of the neighbouring occupiers or the appearance of the Listed Building and as such is acceptable and accords with saved Worthing Local Plan Policies H18 and RES7 and National Policy in PPS4: Planning for Sustainable Economic Growth, PPS5: Protecting the Historical Environment, PPS23: Planning and Pollution Control and PPS24: Planning and Noise.

Conditions

01. 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.*

02. The development hereby permitted shall be carried out in accordance with the following approved plans, except as where specified otherwise by any condition attached to this permission:

Un-numbered Plan site plan; section of kitchen and chimney and ventilation and extraction system and extract from Helios centrifugal fans, Date received 12.3.11

Reason: *For the avoidance of doubt and in the interests of proper planning.*

03. No primary cooking shall take place at the premises unless and until the ventilation and extraction system as described in the approved plans and supporting documentation has been installed and is in full operation, subject to the following;

a) Notwithstanding the approved drawings, no cap shall be placed on the chimney accommodating the flue.

b) The ventilation and extraction system shall fully comply with the relevant parts of Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs January 2005, in particular:

i) Subject to the efflux velocity, there must be a removable, washable grease filter at the point of extract in line with P52, S4.7 of the above guidance and S 4.7.4 on any carbon filters that may be installed. These filters shall be accessible and regularly replaced in line with manufacturer's instructions.

ii) S 4.7.8, P61, of the above guidance showing examples of best stack design to provide good dispersion and discharge velocity.

iii) Access panels for cleaning must be provided at 3m centres in line with S 4.6 of the above guidance.

iv) Fans; drainage hole must be provided at the lowest point for condensation.

v) Canopy dimensions should comply with S4.2.4 of the above guidance. The canopy must overhang the cooking appliances by 200mm on each free side and by 300mm at the front. The ideal distance between the lowest edge of the grease filter and the top of the cooking surface should be between 450mm to 1350mm.

The equipment shall be retained thereafter and maintained in accordance with the best practice set out in the above guidance.

Reason: *To prevent smell disturbance to nearby dwellings in accordance with saved Worthing Local Plan Policies H18 and RES7, PPS23: Planning and Pollution Control and PPS24: Planning and Noise and Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs January 2005.*

04. The premises shall not be open for trade or business except between the hours of hours 8.30 am to 5pm Mondays to Fridays; 9am to 5pm Saturday; and Bank Holidays and Public Holidays 9am to 4pm and shall be closed on Sundays.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties in accordance with Saved Worthing Local Plan Policies H18 and RES7 and PPS23: Planning and Pollution Control and PPS24: Planning and Noise.*

Informatives / Notes to Applicant

01. The applicant is advised to contact Food and Occupational Health, Housing, Health and Community Safety Department, Adur District Council and Worthing Borough Council Room 116-122, Civic Centre, Ham Road, Shoreham-by-Sea, West Sussex, BN43 6PRY in respect of the detail of the ventilation and extraction system and an odour management plan to discharge condition 3.