WORTHING BOROUGH COUNCIL

Mr Darryl Shear
Shear Architectural Design
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PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/1199/25

Details of Development
CHANGE OF USE FROM RETAIL (CLASS E) TO RESTAURANT AND COCKTAIL BAR (SUI GENERIS) WITH EXTRACTION FLUE AND FRONT SEATING AREA INCLUDING BARRIERS

Location of Development
39 WARWICK STREET WORTHING WEST SUSSEX BN11 3DQ

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 7th October 2025.

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

G Peck

Gary Peck
Head of Planning & Development
18/05/2026

Adur & Worthing Councils, Development Management, Place Directorate,
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

Reference/Drawing Number	Version	Date Rec
SOUND INSULATION ASSESSMENT	IMP7948-1	31.03.2026
DESIGN & ACCESS STATEMENT		07.10.2025
FLOOD RISK ASSESSMENT	22/09/2025	07.10.2025
PROPOSED FLOOR PLANS	WD1	07.10.2025
PROPOSED VENTILATION	WD2	07.10.2025
PROPOSED ELEVATIONS AND ROOF PLAN	WD2 REV A	29.01.2026
INDUSTRIAL NOISE IMPACT ASSESSMENT	IMP7948-1	24.11.2025
WASTEWATER MANAGEMENT PLAN		03.11.2025
AR 450E4 SILEO AXIAL FAN	PRODUCT INFORMATION	23.10.2025
Co200 OZONE TECHNICAL DATA		23.10.2025
R2 ATTENUATOR LOSSES 600-2400 LONG		23.10.2025
SYSTEMAIR_MUB_042_450EV_sileo_MULTI BOX		23.10.2025
EXTG PLANS, EXTG & PROPOSED ELEVATION & PROPOSED SIGN SECTION	SY1 REV B	18.02.2026

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

02. The restaurant / cocktail bar hereby permitted shall only be open for trade and business between 08.00 hrs and 00.00 hours on Monday to Sundays.

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan.*

03. The arrival, reception or dispatch of deliveries to the premises shall only take place between the hours of 07.00 and 19.00 Monday to Saturdays and 09.00 to 18.00 on Sundays

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan.*

04. There shall be no use of the external seating area by customers except between the hours of 08.00 and 21.30 on any day. All external seating shall be made inaccessible to customers after 21.30hrs and stored inside the premises overnight.

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan.*

05. No music of any type (live, non-amplified or amplified) shall be played in the front forecourt at any time.

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan.*

06. Only unobtrusive recorded background music shall be provided in the premises within the approved hours of operation. For this purpose the music noise level shall not exceed 75dB (LAeq1min) measured anywhere on the premises.

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan.*

07. Within two months of the date of this decision, the external flue shall be painted in matt black in its entirety. The flue shall thereafter be maintained in good painted condition for the lifetime of the development.

Reason: *In the interests of visual amenity and preserving the appearance of the conservation area in accordance with policy DM24 of the Worthing Local Plan.*

08. The development shall be fully implemented in accordance with the recommendations set out in the Industrial Noise Impact Assessment. Within one month of this decision, a test to demonstrate compliance with the scheme shall be undertaken and the results submitted to and approved in writing by the Local Planning Authority. All plant shall be maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme.

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan*

09. Speakers shall not be placed near or on the ceiling at any time.

Reason: *To safeguard neighbouring amenity in accordance with policies DM5 and DM22 of the Worthing Local Plan*

Informatives / Notes to Applicant

01. The applicant and their partners are strongly advised to consult directly with the licensing team at Sussex Police before making plans for licensed premises serving alcohol or conducting other licensable activities at this site.

02. The applicant and their partners are also strongly advised to consult directly with the fire service with regards to these proposals to discuss a fire risk assessment

03. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

04. The applicant is advised that they will require a pavement licence for the tables and chairs outside the property. More information is available here: https://www.adur-worthing.gov.uk/aboards-tables-chairs/#pavement-licences

05. The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

Ref: AWDM/1199/25

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TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If the decision relates to a householder application or minor commercial application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to express consent for the display of an advertisement, then you must do so within 8 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/appeal-planning-decision.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990..

7. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).