Expiry Date - 02/10/2025
Extension of Time - 17/12/2025

**Development Management – Delegated Officer Report**

**Application Number: AWDM/0987/25 Recommendation: – APPROVE**

**Site: 292 Goring Road Worthing West Sussex BN12 4PE**

**Proposal: Change of use from vacant Class E to Sui Generis for hot food takeaway and pizza shop. Exhaust vent to rear (north) elevation**

**Date of Site Visit:** 26/08/2025

**Neighbours Checked: Y**

**Additional Neighbours Notified: N**

**Site and Surroundings**

The site is located to the north side of Goring Road within 'The Mulberry' Medium Scale Local Centre. The property sits within a parade of shops including a fitness centre, sandwich bar, kebab house, café, vets, pet store, Domino's and a restaurant. Within the wider shopping centre there is also a pharmacy, cafés, opticians, barbers, takeaways and laundrette. There is a car park to the north of the building and a row of houses beyond this and a mix of commercial and residential uses to the east, west and south of the site.

The property comprises a three storey terraced building with brick elevations and a pitched roof and single storey extensions to the rear with a roof terrace stretching the length of the building at first floor. There are external steps up to the rear terrace to the west side of the building. The application property occupies the ground floor, at the west end of the terrace. The building is currently vacant but was previously occupied as a post office. The terrace is occupied as commercial use at ground floor with residential flats above.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

**Proposal**

Planning permission is sought for change of use from Class E (post office) to Sui Generis as a hot food takeaway and pizza shop and for an exhaust vent to the rear.

The internal layout would remain as existing with the main shop floor to the front and a staff toilet and kitchen area to the rear. An electric oven would be fitted to an island in the centre of the main shop floor providing the cooking area. Seating for waiting customers would be provided to the side. The proposed extraction flue would extend up from the oven, along the ceiling and concluding with a small vent to the rear of the ground floor extension. The exhaust and vent would consist of a 'Ventorn' silent box fan unit AMF-500/1 or Helios Gigabox centrifugal fan and would include an extractor, attenuator, carbon box, exhaust vent and anti-vibration fixings.

The proposed opening hours for the premises are Monday to Sunday, 11:00 am to 23:00 pm. This use was originally proposed until 01:00 am but has now been amended.

The business will employ two full-time and two part-time staff members.

The application is supported by a Noise Impact Assessment.

The proposal has been amended to move the flue originally proposed to the west side of the building and replace this with a vent to the rear.

**Relevant Planning History:**

AWDM/1451/13 - Single-storey rear extension to provide extra floorspace for Post Office.
**STATUS:** Application Permitted 3rd January 2014.

**Consultations:**

**Environmental Protection, Environmental Health & Licensing** – Comments updated 19/11/25 following submission of a Noise Impact Assessment:

*Based on the acoustic report findings there are no EH concerns regarding the extraction system.*

*All the other takeaways close by 11pm. That's KFC, Dominos, Goring Kebab. The Chinese takeaways and fish and chip shop close earlier. The Verandah closes at 10:30pm and the new premises Bon Vivant at 332 Goring Road, closes at 11pm.*

*Updated conditions*

*Sound insulation - The use hereby permitted shall include the sound insulation scheme for protecting the upper floor residential unit from noise. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Following implementation of the insulation scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out have achieved the minimum airborne sound insulation criteria. The use of the development shall not commence until test results, demonstrating the minimum sound insulation criteria has been achieved, has been submitted to and approved by the local planning authority.*

*Extraction/Ventilation - The use hereby permitted shall not be carried on unless and until the system for the extraction and disposal of cooking odours as detailed on the approved documents, has been installed. The approved equipment shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.*

Original comments on the application 26/08/25:

*Construction work shall not commence until a scheme for protecting the residential unit above the commercial unit, which is the subject of this application, has been*

*submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to [the principles contained within the World Health Organisation community noise guidelines] [achieve the Good standard within BS8233:2014] to minimise noise in residential dwellings. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.*

*The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction and disposal of cooking odours (including details of the extract fans, filters, fan units and ducting together with method of noise abatement, as well as details of grease traps and extraction hoods) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the guidance contained within Adur and Worthing Councils Kitchen Extraction and Ventilation ' Information & Guidance 2019. The equipment approved under this condition shall be installed before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.*

**Planning Applications Highways** - *This application seeks the change of use from Class E to Sui Generis for hot food takeaway and pizza shop. The site is located on Goring Road, an A-classified road subject to a speed restriction of 30 mph.*

*No vehicular access is associated with this site, whilst pedestrian access will remain as existing from Goring Road. The proposed change of use is not anticipated to give rise to a material intensification of movements to or from the site.*

*No vehicular parking is proposed – as such, parking would have to be accommodated on-street or within the nearby public car park to rear, as per the existing arrangement. There are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the existing nil car parking provision would give rise to a highway safety or capacity concern.*

*The site is situated in a sustainable location in Goring that is well accessible on foot, by cycle or by public transport.*

*In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.*

**WSP -** *Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.*

**Waste Services** – No comments received

**Southern Water** - *Due to the applicant proposing to utilise the existing connection, Southern Water has no objections to the proposed works.*

**Sussex Police** - *The National Planning Policy Framework demonstrates the government's aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas.*

*Although the level of crime and anti-social behaviour in Adur & Worthing district is average when compared with the rest of Sussex, additional measures to mitigate against any identified local crime trends and site-specific requirements should always be considered.*

*I have had the opportunity to examine the detail within the application and in an attempt to reduce the opportunity for crime and the fear of crime I offer the following comments.*

*Whilst I do not have concerns over the design and layout of the proposal, I do have concerns about the amenity of nearby residential occupiers. Given that there are residential dwellings both surrounding and above the proposed takeaway – there is potential for the local community to be disturbed with high footfalls of customers seeking hot food. This coupled with the introduction of a ventilation system can further impact on neighbouring residents and businesses due to potential associated food smells and noise.*

*Given that the application form does not state hours or days of opening - I would therefore ask moving forward that reasonable hours of trading are made a condition of consent (if planning consent is approved) in order to protect the amenity of the nearby residential occupiers.*

*Although video surveillance systems (VSS) are not a solution to all security problems it can help deter criminals and assist with the identification of offenders after a crime has been committed.*

*Should CCTV be a consideration the following documents will be of assistance to the applicant:*
*CCTV guidance for police requirements: HO (publishing.service.gov.uk)*
*CCTV at Commercial Business https://www.gov.uk/can-i-use-cctv-at-my-commercial-premises*
*CCTV | Search | Information Commissioner's Office (ico.org.uk)*

*To protect the premises out of hours consideration should be given to the siting of an intruder alarm.*

*The Crime & Disorder Act 1998 heightens the importance of taking crime prevention into account when planning decisions are made. Section 17 of the Act places a clear duty on both police and local authorities to exercise their various functions with due regard to the likely effect on the prevention of crime and disorder. You are asked to accord due weight to the advice offered in this letter which would demonstrate your*

*authority's commitment to work in partnership and comply with the spirit of The Crime & Disorder Act.*

***Officer response*** – The application has been amended since these comments were received and the flue to the side removed and opening hours confirmed and to be restricted to close at 23:00hrs.

**Neighbour Representations**

Two objections received, one from the Goring and Ilex Conservation Group and one from a neighbour above the premises (both objections were received prior to amendments to the application, to remove the large flue to the side and to restrict opening hours to 23:00hrs).

On behalf of the Goring and Ilex Conservation Group:-

*We are writing to object to the above application for change of use to a Pizza/hot food takeaway (sui generis). The objection is based on planning policy grounds and the unacceptable cumulative impact this proposal would have on the local community.*

*1. Over-Concentration of Takeaways and Cafés*

*The proposed site is situated in an area already saturated with food outlets, including: - An existing pizza takeaway and kebab shop in same parade of shops - Five cafés within 50 Meters - A Fish & Chip shop and a KFC opposite. The addition of yet another hot food takeaway would result in a harmful over-concentration of similar uses, contrary to the principles of National Planning Policy Framework, which seeks to promote healthy and safe communities. The Worthing Local Plan restricts the over concentration of takeaways in the Town Centre, implying that this policy should apply to Goring By Sea too.*

*Local authorities such as Brent, Gateshead and Bath & North East Somerset have adopted clear planning policies to prevent clustering of takeaways in the interests of public health and balanced town centres. While Worthing does not yet have an explicit density cap, this application would clearly conflict with the spirit of national and regional planning guidance.*

*2. Proximity to Local School and Impact on Public Health*

*The proposed takeaway is within 400 metres of a local school. The National Planning Policy Framework encourages planning authorities to take into account health outcomes, including the promotion of healthier food environments. Numerous councils, including Newcastle, Sandwell, Brent and Gateshead, have adopted Supplementary Planning Documents (SPDs) restricting new hot food takeaways within 400m of schools in response to childhood obesity concerns. It is reasonable to expect Adur & Worthing to apply the same principles in line with Government policy and NICE public health guidance. Approving this application would undermine efforts to encourage healthy eating among schoolchildren and conflict with NPPF objectives to support healthy lifestyles.*

*3. Residential Amenity (Noise, Disturbance, and Anti-Social Hours)*
*The proposed takeaway is located very close to residential properties. I note the Sussex Police has already raised their concerns. Such use generates late-night noise, disturbance from customers, odour from cooking, and increased vehicle traffic for deliveries. These impacts are well-documented and are contrary to: NPPF - requiring planning decisions to ensure new development does not give rise to adverse impacts on health, quality of life, or residential amenity. Worthing Local Plan Policy - which seeks to protect the amenity of nearby residents from noise, fumes, and general disturbance.*

*4. Environmental Impacts (Litter, Waste and Attractiveness of the Area)*

*Takeaways are known to generate significant litter, which contributes to street cleansing costs, attracts vermin, and harms the local environment. The area directly west of the location is already impacted by "fly tipping", which has required recent intervention by WBC. The accumulation of packaging waste and food debris would be contrary to Local authority responsibilities under the Environmental Protection Act 1990 to manage waste and litter. With multiple existing outlets already generating such issues, an additional takeaway would only worsen this problem.*

*5. Precedent & Policy Consistency*

*The Council has a duty to ensure planning decisions are consistent with both national guidance and emerging best practice. Other councils have successfully defended refusals of takeaway applications based on clustering, school proximity, and residential amenity. Examples include: - Gateshead SPD (2015): No new takeaways permitted near schools or in areas of high childhood obesity. - Brent Local Plan: Maximum 6% of town centre frontage allowed for hot food takeaways; none within 400m of schools. - Bath & North East Somerset Local Plan: No clustering of more than two takeaways together; limits within 400m of schools. Worthing should apply the same policy reasoning, using the NPPF's emphasis on health and well-being as the basis for refusal.*

*Conclusion*

*This application fails to demonstrate how it contributes positively to the community, environment, or public health. Instead, it would: - Create an over-concentration of hot food takeaways - Conflict with NPPF guidance on healthy communities and amenity - Increase environmental issues such as litter and waste - Expose children to unhealthy food choices within 400m of a school - Cause unacceptable noise and disturbance to nearby residents, particularly at night On these grounds, we respectfully urge the Council to refuse planning permission for this proposal*

**Neighbour objection from flat above the premises:**

*We are writing to object to the above application for change of use to the shop at 292 Goring Road to a hot food takeaway/ pizza. We have recently moved in above the shop and our objections is based on the disturbance from noise, traffic, smells and other issues.*

*Already we have to endure cars visiting nearby takeaway outlets leaving their engines on and often playing loud music. We are constantly being bombarded with smells from nearby outlets and this will no doubt get worse in the summer when our windows will be opened more.*

*There is already a serious problem with rubbish being dumped behind this shop which I have already complained about and sent photos about this.*

*The proposed flue will be attached to our lounge and bedroom so no doubt we will hear noises despite any cushioning attached. Birds already make a mess from sitting on the pipes attached to the side of the building and the flue will make the issue worse and no doubt hear them on top of a steel flue. We strongly feel the same as previous comments as there are already too many fast food outlets in a close proximity.*

**Relevant Planning Policies:**

Worthing Local Plan policies (WBC 2023): SP1, SP3, DM5, DM13
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

**Planning Assessment**:

The principle of change of use is acceptable where it will not harm the vitality or viability of the local centre or cause harm to residential amenity. The key considerations are the effects on the visual and residential amenities of the locality and the vitality and viability of the local centre.

***Policy Context***

Policy SP3 (Healthy Communities) of the Worthing Local Plan states:

*a) New development must be designed to achieve healthy, inclusive and safe places, which enable and support healthy lifestyles and address health and well-being needs in Worthing. In order to maximise opportunities to promote healthy lifestyles, where appropriate, new development must:*

> *vi. support healthy eating and promoting healthy food choices, through increasing opportunities for sustainable food systems such as community food growing spaces and green infrastructure within development and public realm spaces to enable healthy lifestyles.*

The proposed use is limited to a single small unit within an established shopping area and is commensurate in scale and provision to other takeaway options in the local area and would not undermine the ability to provide or promote healthy food choices or lifestyles in Worthing.

The unit is located within 'The Mulberry' Medium Scale Local Centre. The preamble to Policy DM13 of the Worthing Local Plan states:

*5.190 The focus for Medium Scale Local Centres is to retain retail use but greater flexibility and support is given to other uses that can support the role and function of the centres and where they will enhance the vitality and viability, generates footfall and retains a shopfront display.*

*5.194 Applicable to all Centres - Applications for uses such as drinking or takeaway establishments and other uses with closed and inactive street frontages will need to be carefully considered, taking into account the specific frontage policy and taking into consideration: any negative cumulative impact of such uses; whether such uses add to the vitality and viability of the centre; and the impact on residential amenity. Where appropriate, advice and evidence will be sought from Environmental Health, Licensing, Planning Enforcement and the Police.*

*Policy DM13 - a) The Local Plan will support the vitality and viability of Worthing's town centres by seeking to meet the identified floorspace needs for retail and other town centre uses up to 2026.*

*b) Changes of use and redevelopments within town, district and local centres will be carefully controlled to ensure that they support, rather than detract from, the successful functioning of the centres and their ability to meet local needs, according to their function in the hierarchy. When considering all such proposals regard will be had as to whether they would:*

*i) Make a positive contribution to the vitality, viability and diversity of the centre;*

*ii) Not unacceptably impact on daytime footfall;*

*iii) Maintain a strong role for the centre in providing a varied range of convenience goods and meeting other day-to-day needs;*

*iv) Positively restore and/or enhance the character and appearance of the frontage;*

*v) Maintain the continuity of active frontages;*

*vi) Be of a scale and type of use appropriate to the size and function of the centre, or part of the centre concerned;*

*vii) Ensure that any proposal will cause no significant adverse effects for the occupiers of neighbouring properties;*

*viii) Ensure that that there will be no severe negative impact on existing parking arrangements;*

*ix) Retain or re-provides ancillary facilities within individual premises, (such as loading, storage, staff or administrative facilities), unless it is demonstrated that the centre retains its role as a sub-regional shopping centre and that these are no longer necessary for appropriate future use of the premises;*

*x) Result in an over concentration of uses such as takeaways and other uses with closed and inactive street frontages. The Council will consider the role of the centre*

*within which the proposal is located and other matters such as the numbers of existing similar uses within the frontage and any existing or potential issues. Permission will not be granted where harm to the vitality and viability of the centre, or the amenity of local residents and businesses, cannot be adequately mitigated; and*

*xi) Require conditions to be applied to any new development where it is relevant and appropriate to do so, in order to control the proposed and allow for change of use in line with the Council's aspirations and strategies for the area.*

*District Centres and Local Centres*

*e) The policy approach seeks to encourage convenient and accessible local shopping facilities that are of a scale appropriate to the role and function of the centre to meet day to day needs of residents, and contribute to social inclusion. When considering relevant proposals within these centres regard will be had to the following:*

*i) in District and Medium Scale Local Centres - seek to retain a core of retail uses of at least 50% of the units in the whole centre, to ensure the role and function of the level of centre is maintained. Allow for uses such as financial and service and restaurant and cafes of an appropriate scale for the role and function of the centre. Other uses will be supported where it can be demonstrated that the use will enhance the vitality and viability of the centre in which it is proposed, generates footfall and retains an active shopfront with a shopfront display;*
*iii) in all District and Local Centres drinking establishments and takeaways uses will be considered on their merit, taking into consideration any negative cumulative impact of such uses on the centre, whether such uses add to the vitality and viability of the centre and the impact on residential amenity.*

***Vitality/Viability***

The unit is located in a parade of shops and services that form part of The Mulberry Medium Scale Local Centre. The parade within which the application property sits includes a fitness centre, sandwich bar, kebab house, café, vets, pet store, Domino's and a restaurant.

There is a wide variety of shops and services within the centre as a whole including a pharmacy, cafés, opticians, barbers, takeaways, laundrette, furniture store, restaurants/bar, tanning shop, bike shop, funeral directors, newsagent, supermarkets, estate agents, travel agents, etc. At the time of the site visit the application property was the only vacant unit in this parade.

The previous use of this unit (now vacant) was as a post office and the proposed change of use would provide a takeaway pizza shop. There is currently a good mix of retail shops and services provided by this Local Centre and although there are other takeaways present in the area and within the parade, there is not considered to be an over proliferation of such uses. Retail uses and other services are retained within the wider shopping area. The change of use to a takeaway would not prevent the use returning to retail in the future. The proposed use as a takeaway is not considered to undermine the role of the centre to provide a variety of services to meet local needs or to harm the vitality and viability of the centre.

The proposed use would not detract from existing shops and services in the local centre and would provide additional choice for the local community and visitors to the area. The proposal would contribute to the vitality and long term viability of the area, helping to contribute to the local economy of Worthing by bringing back into use a vacant unit. The opening hours are consistent with other similar uses providing takeaway food during the day and evening, thereby securing footfall to the area and supporting the successful functioning of the centre.

There are no changes proposed to the shopfront under this application and the large, glazed shop windows would remain, allowing views through into the premises, thereby preventing a closed frontage.

The proposal is considered appropriate for this Medium Scale Local Centre, complies with the requirements of policy DM13 of the Worthing Local Plan and would not harm or diminish the vitality or viability of the town centre.

***Visual Amenity***

The only external alteration to the property proposed by this application is the addition of an exhaust vent to the rear elevation at ground floor. The vent is small and inconspicuous and would not have any adverse impact on the visual amenities of the locality.

The original proposal included a very tall flue to the west side of the building that would have been an extremely dominant feature that was considered to result in significant harm to visual amenity. The plans were amended to remove the large flue to the side and provide an internal solution that required minimal changes to the external elevations, significantly improving the application.

The proposal would enhance the street scene by bringing a vacant shop front back in to use, invigorating the appearance of the area.

There would be no harm to the visual amenities of the locality as a result of this application.

***Residential Amenity***

The area has a mixed character of commercial and residential uses with residential flats above the commercial properties at ground floor. The most affected neighbours are those in the flat above the premises, at No.312 and the flats above neighbouring properties.

There are similar uses within the parade and the local centre that currently operate during the same hours as those proposed by this application. The original proposal was for opening hours from 11am to 1am however this was considered out of character with the mixed use area and detrimental to residential amenity. The hours have been revised to close at 11pm which is consistent with other similar uses and would prevent noise and nuisance from patrons using the takeaway late into the night. The opening

hours would be controlled by condition to protect the amenities of neighbouring residents.

The original proposal was for a large flue attached to the side of the building and to the side wall of the flat above. Not only was a flue in this position considered unacceptable in terms of its visual impact but was also considered detrimental to residential amenity due to its size and position, having the potential to cause harm in terms of noise and vibration. The application was subsequently amended to provide an internal extract/ventilation system that required only a small vent to the rear of the application premises, removing the flue to the side entirely. A Noise Impact Assessment was submitted, and Environmental Health were consulted on the revised extract/ventilation system as proposed and raised no concerns to this proposal. The extract system and vent will be controlled by condition to ensure the approved system is installed prior to first use of the business and that it is regularly maintained.

A scheme for sound insulation is also required to protect the occupiers of the flat above from noise transference between floors. The Noise Impact Assessment includes details of the sound insulation proposed. Environmental Health require a specific standard to be achieved and a condition will be added requiring implementation of the sound insulation and a sound test to demonstrate that the required standard has been met, following installation of the scheme and prior to first use of the premises.

The proposal is not considered to significantly alter or increase traffic or pedestrians to the site, over and above the current levels and would not result in detriment to residential amenity in the area.

The application is considered to propose adequate measures to mitigate potential impacts from noise and disturbance through the implementation of a sound insulation scheme, regular maintenance of the extract/ventilation system and a restriction on opening hours. These matters can be controlled by condition and are considered appropriate and proportionate in relation to the proposed use.

A balance is required between encouraging a new business venture that would occupy a currently vacant unit and safeguarding amenity. Subject to the above controls, it is considered that the proposed use could take place without giving rise to unacceptable detriment to the amenities of neighbouring residential or business occupiers.

***Parking***

WSCC Highways have confirmed that the proposed use is not anticipated to give rise to a material intensification of movements to or from the site and although there is no associated parking for the proposed development, the site is in a sustainable location, within walking distance of public transport links and is accessible on foot or by cycle.

Parking would have to be accommodated on-street or within nearby paid-for provision, such as the car park to the rear of the site, as per the existing arrangement and would not give rise to highway safety concern or parking capacity issue in this location. There are no highways grounds to resist the application.

**Recommendation:**

**APPROVE** subject to condition(s):-

1. Drawing Numbers
2. Standard time limit
3. Sound Insulation scheme to be implemented and test carried out
4. Extraction/ventilation scheme
5. Opening Hours

**Informative**

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.

**Is recommendation contrary to letter(s) of representation? Y**

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|---|---|---|
| Case Officer: | Amanda Haslett | Date: 17/12/25 |
| Authorised by: | Jo Morin | Date: 17.12.2025 |