Worthing Borough Council

Planning, Regeneration and Wellbeing

Mr F Dean
338 Goring Road
Worthing
West Sussex
BN12 4PD

PLANNING PERMISSION

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

APPLICATION NUMBER: WB/11/0020/FULL

Details of Development
CHANGE OF USE FROM A1 BUTCHER/PIE MANUFACTURER TO A5 HOT PIE TAKEAWAY

Location of Development
338 GORING ROAD WORTHING WEST SUSSEX BN12 4PD

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 5th April 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
27/06/2011

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SCHEDULE

Reasons for Granting Permission

01. The proposal is in a designated centre and whilst it involves the loss of A1 retail, the overall vitality and viability of the centre would not be materially harmed. With the safeguard proposed, no unacceptable harm to neighbour amenity should arise and the site sustainably located and adequately served by parking. As such it accords with the relevant policies of the Development Plan and national policy set out below:-

Saved Worthing Local Plan Polices, H18 , RES7, TR9 and S11
Core Strategy Policy 6 and 16
Planning Policy Statement: 1 Delivering Sustainable Development
PPG13: Transport
PPSS24 : Planning and Noise
PPS4: Planning for Sustainable Economic Growth
PPS23: Planning and Pollution Control

Conditions

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

02. The development hereby permitted shall be carried out in accordance with the following approved plans:-

Drawing No. 0811;1

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

03. The use hereby permitted shall not commence unless and until a detailed scheme for the ventilation and extraction system has been submitted to, approved by and installed to the satisfaction of the Local Planning Authority to suppress and disperse odours produced by cooking and food preparation and suppress and mitigate noise and vibration generated by the said system. The measures shall include the installation and use of suitable ventilation and filtration equipment and the said equipment shall not exceed the maximum noise level of 52dB LAeq (5 minutes) at the terminal outlet point between 10:00 am and 10pm Monday to Saturday and shall not operate outside these times. The terminal outlet point should not be located within 2 metres of any residential window. (In addition, the equipment and ductwork are to be sufficiently isolated from the structure so as not to give rise to additional structure-borne noise or vibration both internal and external). The approved scheme shall be retained thereafter.

Reason: *To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties in accordance with saved Worthing Local Plan Policies H18 and RES7.*

04. The extraction equipment installed in pursuance to Condition 3 shall not be used other than between the hours of 10am and 10pm Monday to Saturday and shall be regularly maintained in accordance with manufacturer's instructions to ensure its continued satisfactory operation and the cooking process shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the Local Planning Authority.

Reason: *That the use does not result in excessive cooking odours or noise outside the premises and that the amenity of occupiers of nearby properties is protected in accordance with Saved Worthing Local Plan policies H18 and RES7.*

05. The premises shall not be open for trade or business other than between the hours of 10am and 10pm Monday to Saturday and shall be closed on Sundays and all activity associated with the takeaway shall cease at the premises within half an hour of this closing time.

Reason: *In the interests of amenity having regard to saved Policies RES7 and H18 of the Worthing Local Plan.*

06. No motor vehicle shall enter the rear car park/service yard serving the shopping parade for the purpose of collecting or delivering hot food from the premises beyond 9pm.

Reason: *In the interests of neighbouring flats amenity having regard to saved Policies RES7 and H18 of the Worthing Local Plan.*

07. No waste or refuse from the premises shall be removed from the rear door of the premises after 10pm.

Reason: *To prevent noise disturbance to residential neighbours at unsocial times in the interests of the amenity of occupiers of nearby properties in accordance with saved Worthing Local Plan Policies H18 and RES7.*