Development Management – Delegated Officer Report

Application Number: AWDM/0951/25 Recommendation: APPROVE

Site: 14 Queens Parade, North Road, Lancing, West Sussex

Proposal: Change of use from restaurant to takeaway (retrospective)

Date of Site Visit: 20th January 2026

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings

The application site is a ground floor commercial unit located on the west side of North Road. The building is a two storey, middle terrace, with commercial on ground floor and residential above. Queens Parade and North Road are located within the shopping area of Lancing. The parade was permitted in 1961 under L/295/60, 13 shops with 10 flats over and 9 garages. There is a mixture of retail, food and drink and other commercial uses within the parade. This is a mixed use area with residential also opposite the site.

The premises are currently occupied and functioning as 'Pizza Night Plus' a takeaway pizza business. The company website states that food can be ordered for collection or delivery between the hours of 11am and 2am, 7 days a week. The submitted planning application forms state the requirement for opening between 11am and 4am and that this use has been carried out since 26th April 2024.

Under AWDM/0355/22 a Certificate of Lawfulness was issued for the change of use from retail shop to restaurant. Changes in the Use Classes order allowed for the use of the premises to include restaurant use. However, this does not include takeaway use and therefore retrospective planning consent is required to change the use of the premises to takeaway. This application has been submitted following an enforcement enquiry.

The applicant has submitted a Planning Statement which sets out the following: -

"Pizza Night Plus is a hot food takeaway and restaurant which will operate an open door policy in line with current operating times allowing walk in customers until 23:00 hours after this time the entrance door will be closed and locked with a sign displayed indicating restaurant closed. Take away, home delivery only. Takeaway for delivery will operate until 4am."

Consultations:

West Sussex County Council: - Highways Authority: -

The site will operate as a takeaway for delivery until 4am. Whilst this use will likely see an increase in vehicle movements during these times, this is outside of network

peak times and the LHA are satisfied that movements associated with the proposed use can be accommodated into the local highway network without adverse impact. Parking associated with the proposed use will have to be accommodated on-street, as per the existing arrangement. There are parking restrictions in place on the nearby roads that prohibit 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 concern. The site is situated in a sustainable location that is well accessible on foot, by cycle or by public transport, and staff/visitors need not necessarily rely on the private car for trips to or from the site.

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.

Adur and Worthing Councils:

Environmental Health

Request details on the kitchen ventilation/extraction system including details of any odour abatement and where it vents to.

Following submission of an acoustic report the following comments were received from EHO: -

The acoustic report is fine. Condition the acousticians recommendation that the kitchen extract is kept on permanently when the premises is open for business regardless whether they are cooking at the time. This will reduce how noticeable the noise is in the nearest bedroom, particularly after 11pm when the background noise in the area will be lower. This will also resolve the complaint from odours from the premises kitchen seeping into neighbouring commercial units through the structure. The applicant may wish to have a variable speed control fitted for the extract fan, this will save energy and allow for more gentle extract ventilation during quieter trading times, and will prevent odours and fumes building up inside the kitchen.

We did not receive any details of what odour abatement is fitted to the system, although I note the extract blows away from the premises and the flats above into the access road so is not directly impacting on any residential amenity.

We should mirror the opening hours of Domino's pizza in North Road, which is closed by midnight. We should not set a precedent with opening hours later, this is not a city location.

The odour abatement, the kitchen extract should meet the recommendations in the ventilation guidance we sent for the type of food being prepared. There are grease filters above the canopy but no odour abatement beyond that. The current cooking is fairly low risk. The issue is if the style of cooking changes as this would not need

further permission. My Concern is that there could be issues with more spicy odour being carried on the wind. A carbon filter system in the duct which is recommended for the existing food type would help. This could be done at the same time as the variable fan speed control is fitted.

Lancing Parish Council: - Objection, Loss of general amenity, privacy, light and noise. This application was reviewed and discussed at the LPC Planning Committee Meeting 6/08/2025 where it was resolved to object on the grounds of loss of amenity and noise.

Representations: - None received.

Relevant Planning Policies

Adur Local Plan 2017 Policy 11,12 15, 17, 18, 28, 34
National Planning Policy Framework (December 2024)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential and business occupiers, the effect on the character and appearance of the area, highway matters.

Impact upon local and residential amenity, noise and odour

The principle of takeaway at this location is acceptable, it is a commercial use which contributes to the vibrancy and vitality of this commercial centre. It is in keeping with the character of the locality with an active frontage enhancing this locality.

It is essential however to safeguard the amenities of the adjacent residential occupiers within the flats above and surrounding the site and to also protect adjacent business uses.

As requested by Environmental Health the applicant has provided an Acoustic Assessment which considers the impact of the existing extract systems. It is concluded that the extract system is kept switched on for the entire duration of the working period to reduce the noticeable impact of the system to local residents. This is agreed by Environmental Health and has been discussed with the applicant. A condition is set out below to ensure this is the case to improve the existing situation in terms of noise and odour. It is also a requirement to comply with the details set out in the Council's "Kitchen Extraction and Ventilation – Information & Guidance" for the type of food being prepared this is also conditioned below a copy has been sent to the applicant with their agreement.

A license has been granted for the takeaway to function up to 2am. However planning restrictions can override any license issued. In this case, on balance, it is deemed reasonable to limit the hours of the use until 12 midnight only. This is a commercial, town centre location, however there are residential dwellings above and opposite. Closure at midnight would allow for a balance whilst not being significantly harmful in terms of noise and activity into the early hours. This is also consistent with other similar businesses within this locality including Domino's. In line with the licence and the planning condition for Domino's there is a requirement for collection to be up until 11pm and after this it is collection only with all activity at the premises ceasing by 00:30 hours. To be consistent this is copied below in the condition.

Highway Matters

There is no objection on highway grounds, the site is within a sustainable town centre location, customers can access the site by local transport, foot or cycle. Other amenities and facilities can be accessed whilst within the town centre. The business also offers delivery.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. The hot food takeaway use hereby permitted shall not take place except between the hours of 11.00 and 00.00 midnight on any day with no customer collection from the premises after 2300 and no deliveries being dispatched after 00.00 midnight and all activity at the premises shall cease by 00.30 hours unless otherwise approved in writing by the Local Planning Authority.
3. The extract system should be kept switched on and running at all times during opening hours. A carbon filter system in the duct is also required at all times and shall be installed within 1 month of the date of this consent.
4. Comply with Adur District Council Kitchen Extraction and Ventilation – Information & Guidance send via email to the applicant 8th January 2026. https://www.adur-worthing.gov.uk/media/Media,172316,smxx.pdf

Is recommendation contrary to letter(s) of representation N

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Hannah Barker Date: 27th January 2026

Authorised by: Peter Barnett Date: 28 January 2026