WORTHING BOROUGH COUNCIL

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United Kingdom

# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/1050/25

Details of Development
**CHANGE OF USE FROM TATTOO STUDIO (SUI GENERIS) TO CAFE/SMOOTHIE BAR (USE CLASS E)**

Location of Development
**SHOP 27 MARINE PARADE WORTHING WEST SUSSEX BN11 3PT**

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 12th September 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
05/11/2025

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 |
|---|---|---|
| SITE PLAN & LOCATION PLAN | A.001 | 12.09.2025 |
| EXTG & PROPOSED FLOOR PLAN | A.100 | 12.09.2025 |

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

02. 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.*

03. The use hereby permitted shall be carried out only between the hours of 7.00 and 19.00 Mondays to Sundays

**Reason**: *To safeguard the amenities of the neighbouring residential occupiers having regard to policies DM5 and DM22 of the Worthing Local Plan.*

04. Notwithstanding the provisions the Town and Country Planning (Use Classes) Order 1987 (as amended) the premises shall only be used within Use Class E (b) of the Schedule to Order (or in any provision equivalent to those sub-classes in any Statutory Instrument revoking and re-enacting that Order with or without modification).

**Reason**: *To maintain the character and vibrancy of the seafront whilst having regard to the amenities of neighbouring residential occupiers in accordance with policy DM13 of the Worthing Local Plan.*

05. No primary cooking of food shall take place within the premises. Only pre-cooked food shall be warmed and/or re-heated on the premises by means of a microwave oven, panini grill, jacket potato oven or soup kettle. No other means of warming or re-heating pre-cooked food shall take place on the premises unless details of the appliance/equipment have been submitted to and approved in writing by the Local Planning Authority in an application on that behalf.

**Reason**: *To safeguard the amenities of the occupiers of nearby properties owing to the absence of any means of ventilation for the extraction and disposal of cooking odours from the premises, having regard to policies DM5 and DM22 of the Worthing Local Plan.*

06. No music of any type (live, non-amplified or amplified) nor tv broadcasts shall be played in any external part of the premises at any time. Only unobtrusive recorded background music shall be provided within the premises within the approved hours of operation. For this purpose the music noise level shall not exceed 75dB (LAeq 1 min) measured 1m from any speaker.

**Reason**: *In the interests of amenity having regard to policies DM5 and DM22 of the Worthing Local Plan.*

**Informatives / Notes to Applicant**

01. 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.

02. We have identified the site has a high flood risk; therefore, the applicant should consider creating a Flood Risk Emergency Plan in case of the event of a tidal or surface water flood. The Flood Risk Emergency Plan should be created in line with 'Flood risk emergency plans for new development' as produced by ADEPT and the EA.

03. The applicant is advised that covers shall not exceed 24 at any time. Additional toilet facilities are required for over 24 covers.

**Ref: AWDM/1050/25**

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**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).