

Development Management – Delegated Officer Report

Application Number: AWDM/0063/26

Recommendation: – APPROVE

Site: 74 Heene Road Worthing West Sussex BN11 3RG

Proposal: Proposed installation of new kitchen extraction system with additional flue duct/riser to rear elevation. Retention of refurbished rear infill shed and covered, 'walk-in' cooler and wall-mounted condenser unit to rear.

Date of Site Visit: 16.02.2026

Neighbours Checked: Y

Additional Neighbours Notified: N

Site and Surroundings

The application relates to a fish & chip shop within a terraced parade of shops fronting the East side of Heene Road. The first and second floor are in residential use (74A), with self-contained entrance from the front. The building has a traditional layout consisting of the main, pitched-roof frontage component with a 2-storey rear offshoot and single-storey pitched-roof rear addition. There is a small, walled yard to the rear. The site backs onto a private access drive leading to Bowers Court. The latter comprises a residential apartment block located behind the terraced frontage buildings in Rowlands Road (Nos 101-117).

Adjoining to the South is the Spar convenience shop, and Trax Health & Fitness Club above (Nos 68-72). Adjoining to the North is a therapy/massage clinic (No.76), and residential flats above.

The property is located within the Rowlands Road (medium scale) shopping centre.

Properties on the west side of Heene Road opposite the site are within the Ivy Place Conservation Area.

It is understood opening hours are currently from 11.30am to 9.00pm.

Proposal

The application, which is part retrospective, seeks permission for a kitchen extraction system with an additional extract flue to be positioned on the rear (east) elevation/roof. Plus, retention of a 'covered way' infilling at ground-floor the narrow recess between the 2-storey rear off-shoot of the building and the south site boundary (marked by the 2-storey flank wall of the neighbouring building (Nos 68-72); a covered, 'walk-in' chiller located to the rear (East) of the rear off-shoot and associated condenser unit fixed to the rear boundary wall.

Relevant Planning History:

05/1085/FULL - Change of use of ground floor from Class A1 (retail) to Class A5 (hot food takeaway) and installation of extraction ducting system to rear elevation.

STATUS: WITHDRAWN 16th December 2005.

06/0155/FULL - Change of use of ground floor from Class A1 (retail) to Class A5 (hot food takeaway) and installation of extracting ducting system to rear elevation (Resubmission of withdrawn application WB/05/1085/FULL).

STATUS: Conditional Consent 21st April 2006. IMPLEMENTED.

A condition of the planning permission restricts opening hours to between 0800 and 12 midnight on any day.

AWDM/0690/17 - Replacement shop front to facilitate separate access to existing upper floor accommodation.

STATUS: Application Permitted 21st July 2017. IMPLEMENTED.

Consultations

Environmental Health (Pollution Team):

"I have looked at the various reports and agree with the proposed mitigation measures contained within the Odour and Noise Assessments by Acoustic Solutions. These measures rely heavily on regular maintenance to provide the desired effect. I note that the Proposed and Existing Elevations plan: Drawing No. KD/REFURB/PP/63/25/H-255 Rev 3 contains comments on what maintenance will be undertaken. These should be implemented as per this drawing.

There are no EH objections to this application, subject to the above being implemented."

Environmental Health (Food Team):

- A wash hand basin for food handlers is not indicated on the plans and is required.
- A wash hand basin to serve the toilet is not indicated on the plans and is required.
- I assume that the walk-in cooler is a walk in chiller?

An amended plan has been received showing a new wash hand basin for food handlers and the wash hand basis in the existing staff WC.

Representations

1 representation has been received (in duplicate) from the freehold owner expressing concern about the potential impact of creating an additional opening in the shared rear wall which may further weaken or damage the structure. Clarification is sought on whether an additional opening is necessary, and how any structural issues or risks to the wall will be addressed.

Officer response: *The Applicant's Agent has confirmed that the proposed new opening in the rear wall will be supported by a lintel above to maintain the structural integrity,*

and that if planning permission is granted, an application will then be made to Building Control for building regulations approval, and works will be carried out to comply. It should be noted that concerns relating to party walls or shared structures are a private civil matter not part of the consideration of the current planning application.

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM13, DM22
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

Planning Assessment:

It is proposed to diversify the current takeaway food offer to include fried chicken/burgers. The new extraction system is required to mitigate cooking odours resulting from chargrilling, in particular. The other elements of the application are related to food storage and preparation and can be supported in principle in this location in accordance with policy DM13 which supports development that enhances the vitality and viability of local shopping centres.

The key considerations are the effects on the visual and residential amenities of the locality.

Visual Amenity

Extraction system and duct

The proposed extract from the new fryer/chargrill will pass through a new opening in the rear wall with the riser duct (300mm diameter) extending up through the flat roof of the covered infill (currently in situ) rising vertically alongside the existing extraction duct serving the fish fryer. At eaves height it will be angled to follow the rear roof slope before rising upward adjacent to (and supported by) the chimney stack. It will extend 1m above the roof ridge.

It is understood both the existing and proposed extraction systems (and ducts) are necessary as they serve different types of food cooking/functions.

Both ducts will be visible on the recessed, main rear wall of the building viewed from the private access drive to the East. However, public views from Rowlands Road will be effectively screened by the scale and siting of the buildings on the corner of Rowlands Road and Heene Road. The upper part of the existing duct, positioned behind the chimney stack, is barely visible, if at all, in views from Heene Road. The upper part of the new duct will be more visible, fitted to the north side of the chimney stack. However, it will not dominate the roofscape and will not appear out of keeping in the context of this mixed commercial/residential environment. It will not detract from the setting of the Ivy Place Conservation Area.

Infill covered-way

This timber-framed, flat-roof structure infills the recess between the original rear offshoot and the taller, flank wall of the neighbouring building to the South. It has a subsidiary, lightweight appearance and does not detract from the appearance of the

building. Views from outside of the site are curtailed by the scale and siting of neighbouring buildings.

Covered chiller unit and condenser

The chiller unit is sited in the rear yard (between the single-storey rear component and the rear boundary wall). It has a door on the south side facing into the yard. It is covered by (an unfinished) timber-framed, roofed canopy to provide it with weather protection (for longevity). The condenser unit is fixed to the inside of the boundary wall. The chiller cabinet and canopy project above the lean-to roof of the single-storey rear component of No.74, but not the larger scale rear component of the neighbouring building(s) to the North, effectively screening it from public view from Rowlands Road. It is visible from surrounding residential properties, including 117B Rowlands Road and 1-4 Bowers Court, but is not unsightly, or out of keeping in the surrounding commercial context where ancillary structures/buildings at the rear are not unusual.

Residential Amenity

The properties most likely to be affected by potential noise or cooking odours are No.74A (directly above) as well as the flats above neighbouring properties.

The application is accompanied by full details of the proposed kitchen extraction system and fan model (1 x Helios 560mm Gigabox centrifugal fan), carbon filters, and the chiller condenser and evaporator units, and Odour and Noise Assessments (Acoustic Solutions AS26-04.O.V2 and AS26-04.v2). The noise assessment identifies that in order to mitigate likely adverse noise impacts from the proposed extraction fan on the first-floor rear window of 74A an Acoustica CP03-0560-1D in-line attenuator will be installed internally at the nearest possible downstream point from the systems extraction fan within the fabric of the premises. With the attenuator in place, it is concluded that noise from the extraction unit will have no adverse impact on the nearest noise sensitive receptors. The EHO has considered the submitted technical information and reports and has raised no objection subject to the maintenance regime annotated on the submitted plan H.255.3 R1 being adhered to.

Recommendation:

APPROVE subject to condition(s):-

1. Drawing Numbers
2. Standard time limit
3. The development shall be implemented and thereafter carried on in strict accordance with the details of the submitted extraction system and associated noise attenuation and odour mitigation measures proposed in the Odour and Noise Assessments (by Acoustic Solutions AS26-04.O.V2 and AS26-04.v2). The maintenance regime outlined on the approved drawing H.255.3 R1 shall be adhered to at all times.

Informative

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.

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

Case Officer: Jo Morin Date: 05.03.2026

Authorised by: Louise Prew Date: 06/03/2026