

**1 Mulberry Lodge
Cudlow Garden
Rustington BN16 2RN**

Dear Sir

PLANNING APPLICATION R/84/26/PL 55-57 SEA LANE, RUSTINGTON

This application causes considerable concern for several reasons:

- The mechanical ventilation proposals are totally inadequate and the design FAILS to address how smell and pollution of the immediate surroundings will be controlled to any acceptable level. The 'Noise and Odour Statement' notes that the discharge point is 12m from the rear elevation of the main building, but FAILS to note that it is also only 11m and 14m from the nearest dwellings – a far more onerous issue that is totally overlooked.
- There is no recognition that this commercial kitchen will be surrounded by multiple residential properties with many bedroom windows opening on to the shared courtyard space
- If any change of use of this garage to commercial kitchen is made, there is then NO control over the future users should the property be sold on – therefore intensity of use, types of odours and cooking style could evolve into a far more acrid and difficult to control source of smells/fumes. The whole question of appropriate vent installation is critical at this stage or, if this cannot be agreed, should the decision be made that this location is totally inappropriate to this type of use?
- There is no supporting evidence of consideration of any design issues that could impact the adjacent premises, or any form of effective mitigation measures, where these are clearly severely detrimental to and adversely impact the local environment, amenity, noise profile and traffic movement in the immediate surroundings.

THE APPLICATION SETTING

The application is for a ground floor level, single storey commercial kitchen sited within a converted garage in an otherwise residential setting. The surrounding buildings being typically 2 storey plus pitched roof 18m to the south and 14m to the east, but the largest block is 3 storeys plus pitched roofs in a single 25 meter long block running north/south and generally about 6m east from the garage/proposed kitchen. This large block comprises 5 differing types of commercial/office uses at ground floor in one continuous expanse facing Sea Lane, but there are also 5 residential dwellings above these, some accessed from the rear courtyard, while others are accessed from the Sea Lane frontage. It should be noted that the application makes no reference to, or acknowledgment of, immediately adjacent residential properties. This is a major material omission, as there are 20 residential properties within 35m and 31 residences within 50m of the proposed kitchen that will be directly impacted by various aspects of the proposed development.

Looking at the proposed drawings, there are a number of very significant omissions:

- The proposed extract system design differs between the provision shown on the plans and the proposal included in the extract design statement. The notes state there is vertical discharge, the drawings suggest it is horizontal after a 90 degree bend. Which is it?
- No provision of a secure and vermin proof food waste bin storage area
- There is no clear ventilation inlet other than the access door – surely this is not a design acceptable to Arun Environmental Health, to prevent vermin and fly access directly into the kitchen?

- The proposed extract system discharge stack FAILS to comply with the most basic of requirements for dispersal above ridge level of any building within 20m of the exhaust point. This would require the proposed extract duct to be carried up to above the level of five dormers and 21 opening windows on the rear of the Sea Lane building – NOT 1m above the roof of the converted single storey garage, as proposed. Discharge at this level will result in excessive smells within the courtyard formed by the surrounding buildings together with acoustic nuisance to all adjacent dwellings during warmer months when windows are often open for longer. It will also result in a very adverse impact on the only private external space available to the residents of 51/53 Sea Lane (First Floor flat), their terrace being barely more than 2m to the north of the vent outlet. Is this a design that will not cause nuisance, as defined within the Environmental Protection Act 1990 resulting in further action by Arun DC to ensure ongoing compliance?
- Cooking smell dispersal is dictated by weather, wind direction and the heights of surrounding buildings. At this site, there is a 25m long, three storey plus substantial pitched roof block between the prevailing wind direction and the proposed vent. This will cause eddies and wind flumes that will 'trap' the food smells in the virtual courtyard formed by the surrounding buildings, these mainly being two storey plus roof – all substantially higher than the proposed vent exhaust point. This is contrary to the best practice suggested by the Bromley Council* publication 'Food and Drink Premises – Planning requirements for kitchen extraction/ventilation systems' which was consulted as there doesn't appear to be a similar document issued by Arun. Using the Bromley assessment criteria, the proposed design for this site on Sea Lane would have a Significance Score of 37 indicating a VERY HIGH Impact Risk that would require a **very high level of odour control** (if sited in Bromley) for example. This arrangement and level of environmental impact cannot be acceptable to Arun Environmental Health, can it?
- There is no evidence provided about the delivery traffic intensity envisaged or food delivery frequency out of operating hours, another potential source of nuisance and loss of local amenity, compounding of local parking stress and additional noise.
- The access to the rear of the premises is made via a stretch of private road (Cudlow Avenue) leading off Sea Lane. The junction between Cudlow Avenue and Sea Lane has notably poor forward visibility to the north and any intensification of use will inevitably result in an increase of RTA risk at this point, particularly in the evening, when driving speeds seem to be significantly above 30mph. There are also questions of increased danger to road users arising from the inevitable e-bike and scooter delivery activities allied to almost any take-away premises now. It has similar risks associated from intensification of short-term parking associated with take-away collection from the small lay-by running along the front of 51/53 Sea Lane and adjacent properties. This could also spill random parking over into adjacent roads (particularly Cudlow Avenue and Cudlow Garden – both private roads), further exacerbating noise disturbance, adding pollution and safe traffic management issues into the area too.
- There is no assessment or evaluation of noise impact of the proposed commercial ventilation system on the adjacent residential properties, necessary to accord with and fulfil the requirements of BS4142 where commercial noise nuisance can impact the wellbeing and sleep patterns of local residents. This becomes particularly acute during summer months, when windows are left open longer into the evening and night.
- There is no fire risk assessment for the very close proximity (approx. 1.5m separation) of the extract exhaust and the wooden trellis and panelling forming the enclosure for the neighbouring First Floor terrace of 51/53 Sea Lane.

*www.bromley.gov.uk/downloads/file/2397/food-and-drink-premises-planning-requirements-for-kitchen-extraction-ventilation-systems

In conclusion, I hope that you will very critically review the application and recommend that it is REFUSED in its current form due to totally inadequate provision for the maintenance and enhancement of the amenity of the local area and severely detriment effects to more than 30 surrounding residential properties immediately adjacent to the site.

Yours faithfully

John Sykes

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From: Elaine Walby <Elaine.Walby@arun.gov.uk> **On Behalf Of** Planning
Sent: 18 June 2026 12:05
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Ref Planning Application R/84/2/PL

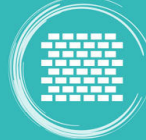
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From: JOHN SYKES [REDACTED]
Sent: 18 June 2026 11:29
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Subject: Ref Planning Application R/84/2/PL

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Dear Sirs

Please find attached a letter of OBJECTION to this application.

Yours faithfully

John Sykes