

[REDACTED]

From: Elaine Walby on behalf of Planning.Responses
Sent: 15 July 2026 17:03
To: Planning Scanning
Subject: FW: Planning Application Ref R/84/26/PL - OBJECTION
Attachments: Objection letter 55-57 Sea Lane.pdf

[REDACTED]

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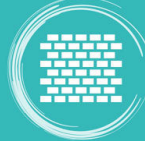
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From: Breezie Allwright <Breezie.Allwright@arun.gov.uk> **On Behalf Of** Planning
Sent: 15 July 2026 11:06
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Fw: Planning Application Ref R/84/26/PL - OBJECTION

Breezie Allwright
Planner Degree Apprentice, Planning Department

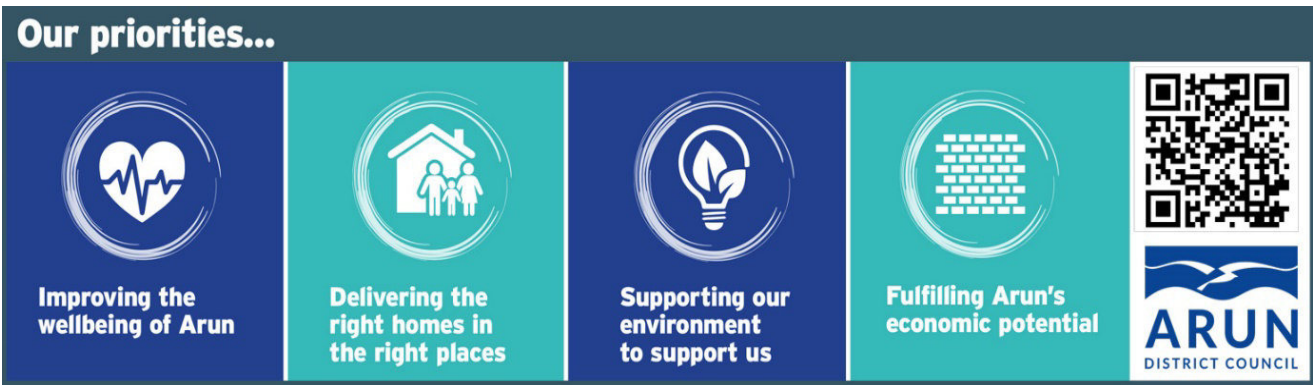
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Please note my working days are Monday, Tuesday, Wednesday and Friday.

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From: [REDACTED]
Sent: 15 July 2026 10:03
To: Planning <Planning@arun.gov.uk>
Subject: Planning Application Ref R/84/26/PL - OBJECTION

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Dear Sirs

Re: R/84/26/PL - 55-57 Sea Lane Rustington

Please find attached my letter and comments of objection to the above named application.

Yours faithfully

L.A. Scorgie

L.A. Scorgie
Old Barn Cottage
Sea Lane
Rustington BN16 2RG

15.7.26

Dear Sirs

Re: Planning Application Ref R/84/26/PL

I am writing as a concerned resident of the area close to the proposed plan to convert 55-57 into a Chinese Restaurant.

It has become clear from conversations with a number of those involved with the owners of the proposed restaurant that once a commercial kitchen is in place for a restaurant it will be easy to change the use from a restaurant to a Chinese takeaway!.

Our current Rustington Neighbourhood Plan would clearly be violated if the planning officers agree to the above proposal. The RNP states in its policy that property design including alterations to existing buildings should not impact surrounding buildings. Clearly if this proposal for a garage to become a commercial kitchen is granted, there will be a great impact to the surrounding properties.

With regard to the drawings submitted by the owners (or their agent) of 55-57 Sea Lane concerning the extractor. It is noted that this proposed extractor in the drawings is facing south but as you will know I'm sure, the wind blows off the sea (from the south). This would therefore blow any serious cooking smells being extracted back towards the residents of Cudlow Avenue and surrounding private roads.

It is safe to say that the buildings of local interest, thatched properties and listed buildings in the vicinity will be prejudiced if this proposal is agreed.

It has been discovered that the deeds for the site 55-57 Sea Lane clearly state that the owners cannot cause nuisance to the residents of Cudlow Avenue. A commercial kitchen operation will inevitably cause disruption and nuisance to the residents of Cudlow avenue with :-

- Deliveries at all times of the day and possibly night
- Noise levels from an operating commercial kitchen until 11pm every night of the week. Pots and pans clattering, chefs calling orders ready etc
- Noise from waste disposal after closing time x 7 days a week,
- Increased levels of vermin in the area. Many residents have already taken steps at their properties to try and keep the numbers of foxes and rats away from this area who are drawn to the current restaurants in the area.
- Obnoxious smells emanating from open windows and kitchen doors at 55-57 Sea Lane during the year and especially in the months of hot weather.

With further reference to the inadequately designed and specified extraction system proposed as part of this application, is Arun Council prepared for the local residents

to take formal action to seek an abatement order through the Magistrates Court under Section 82 of the Environmental Protection Act 1990 for Statutory Nuisance?

In this instance, Statutory Nuisances (as listed in section 79) could typically be any one (or more) of fumes, smoke, dust and odours, or the accumulation of refuse or unhygienic conditions all, or any of which, could affect the comfort or health of individuals living in the adjacent dwellings.

No doubt the Local Authority are aware that Section 82 empowers individuals to take direct action when Local Authorities are either unwilling or unable to address Statutory Nuisances, thereby providing a clear legal route to redress and action to enforce compliance via an abatement order. Breaching such an order would be a criminal offence by the owner of the premises causing the nuisance.

The provisions of Section 82 include for the prevention of recurrence of the nuisance, which can include execution of remedial works to prevent the nuisance from being repeated.

Importantly, I want to mention that residents in the area currently enjoy watching the **bat activity** and foraging flights from dusk to dawn. I would suggest that a **bat survey** is conducted in the roof of the current disused empty garage as described in the proposal. There is evidence of the NBN atlas which confirms **soprano pipistrelle** in the vicinity, and they are evident in my garden due to the amount of places to look for food in and around the properties in the area.

I note that the application at the moment is only for a garage at the rear of 55-57 Sea Lane to be converted into a commercial kitchen, however if granted, this will inevitably escalate parking problems. I do understand from working with Planning Officers in other districts that this issue will not be considered in this specific application. It should in my view, be considered as a material concern for obvious reasons.

In closing, I would strongly request that this proposal is rejected.

Yours faithfully

L.A Scorgie