

From: Planning@horsham.gov.uk
Sent: 18 August 2026 15:13
To: Planning
Subject: Comments for Planning Application DC/25/1652
Categories: Comments Received

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 18/08/2026 3:12 PM

Application Summary

Address:	3-5 West Street Storrington West Sussex RH20 4DY
Proposal:	Retrospective shopfront alterations to Nos. 3 and 5 West Street, retention of fascia signage with existing external overhead lighting, and part retrospective installation/retention of replacement kitchen extraction duct and associated extract equipment to the rear of No. 3 West Street.
Case Officer:	Robert Hermitage

[Click for further information](#)

Customer Details

Name:	
Email:	
Address:	Oboe Cottage, 1 Church Street Storrington Storrington

Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Design - Highway Access and Parking - Loss of General Amenity - Other
Comments:	Development Management Horsham District Council (submitted via the Council's Public Access planning portal) Re: Objection to Planning Application DC/25/1652 - 3-5 West Street, Storrington, RH20 4DY ("Flame Grill")

Dear Planning,

I am writing as the owner and occupier of 1 Church Street, Storrington - a listed building within the Storrington Conservation Area, and a property directly and materially affected by the operation of Flame Grill at 3-5 West Street. I object to the above application in the strongest terms and ask that it be refused.

I understand this application seeks retrospective planning permission for shopfront alterations and for the mechanical extraction/ventilation duct and associated equipment installed at the rear of the premises without planning permission - the same equipment which is the subject of an existing enforcement notice requiring it to be removed in its entirety. I make this submission on the basis of the following material planning considerations.

1. This application must be considered against an extant enforcement notice requiring complete removal of the equipment

Flame Grill began trading at this address in June 2025 replacing the previous operator, Trawlers fish and chip shop, and installing a materially larger extraction system). Since then, for approximately fourteen months, surrounding residents have experienced continuous and unresolved noise and odour nuisance from its operation. On 20 April 2026, the Council issued Enforcement Notice EN/26/0003 in respect of "the installation of a mechanical extraction ventilation system including metal ducting... to the external rear elevation of the building within the Storrington Conservation Area", carried out "without planning permission". The notice found that "the unauthorised development is causing unacceptable harm to neighbouring amenity by way of noise, odour and disturbance contrary to Policy 33 of the Horsham District Planning Framework (November 2015)", and required the equipment to be "dismantled and permanently removed" in its entirety, with the building fabric made good. The notice took effect on 27 May 2026, with compliance required within six months - that is, by 27 November 2026.

This application (DC/25/1652) seeks retrospective permission for the very equipment that the Council has already formally found, in EN/26/0003, causes unacceptable harm to neighbouring amenity and to the character and appearance of the building and the Storrington Conservation Area, and which it has required to be dismantled and permanently removed rather than merely modified. No appeal was made against EN/26/0003, notwithstanding that section 174 of the Town and Country Planning Act 1990 expressly provides a ground of appeal where an operator considers that planning permission ought to be granted for the development in question (ground (a)). Instead, retrospective permission for the same development is now being sought through this parallel planning application. If granted, this permission would have the practical effect of overturning the Council's own enforcement notice and its finding that the equipment must be removed in its entirety, without that finding ever having been tested through the statutory appeal process Parliament has provided for exactly this situation. I ask the Council to give the harms it has already identified in EN/26/0003 full and continuing weight in determining this application, and not to allow retrospective permission to be used as a means of circumventing its own, unappealed enforcement findings, with the 27 November 2026 compliance deadline now approaching.

I note that Storrington & Sullington Parish Council has also formally objected to this application (comments dated 22 April 2026), stating that this was made "in light of the Enforcement Notice" and specifically requesting that the compliance period be reduced, not extended, "due to the nature of the concern and the length of time that a nuisance has been caused". The Parish Council also objected to any change of use from Class E to Sui Generis that has not already been granted, and stated that signage should not be approved until change of use and additional traffic movements are resolved. I ask the Council to give this statutory consultee response full weight alongside this objection.

2. Noise impact on residential amenity

The extraction system in its current (already enlarged) form generates a continuous, pulsing operational noise regularly exceeding 70dB at surrounding residential properties, from approximately 11:00 until gone 23:00, seven days a week. This is a level and duration of noise that makes it impossible for neighbouring residents to reasonably use or enjoy their gardens for most of the day and evening. In the Noise Assessment submitted which was in a quiet period just before Christmas, the 22nd and 23rd of December, be a typical period. They highlight a maximum of 66 dB from the ventilation stack at 5 metres when using my own decibel reader, which is included in terms of my submission, it is over 70 dB on the boundary. I know Jonathon Griffiths from Horsham Environmental Health had similar excessive readings from the ventilation stack in 1 Church Street. This would have been higher on busy occasions at the kebab shop, whilst it is running typically from 11:00 till 11:00 at night.

This directly conflicts with Policy 24 (Environmental Protection) and Policy 33 (Development Principles) of the Horsham District Planning Framework, and with paragraph 185 of the National Planning Policy Framework, which requires that new development mitigate and minimise adverse noise impacts and avoid noise giving rise to significant adverse impacts on health and quality of life. It is also consistent with, and independently corroborated by, the Council's own finding in Enforcement Notice EN/26/0003 that this equipment is "causing unacceptable harm to neighbouring amenity by way of noise, odour and disturbance", contrary to Policy 33. The history of this system demonstrates that enlarging it has previously worsened, not resolved, noise impacts on neighbours; there is no evidence before the Council that this application would do otherwise.

3. Odour impact on residential amenity

The originally enlarged stack discharged at second-floor level, at least directing odour and smoke above ground level. For the past month, however, the stack has been discharging cooking odour and fumes from burnt kebab meat, doner meat, burgers and chips essentially at ground level, directly into neighbouring gardens and windows. This has made it impossible for nearby residents to dry washing outside or make normal use of their outdoor spaces in such hot weather which has been intolerable.

This is contrary to Policy 13 (Town Centre Uses), which requires food and drink uses to demonstrate full and effective control of fume emissions, and to Policy 24 and Policy 33 - the same Policy 33 which the Council relied upon in Enforcement Notice EN/26/0003 in finding that this equipment is causing unacceptable harm to neighbouring amenity by way of odour, among other things. It is also capable of amounting to a statutory nuisance under section 79(1)(d) of the Environmental Protection Act 1990. Given this operator's demonstrated inability to maintain even the current extraction arrangement in an effective state, I do not consider the application can be relied upon to resolve odour impacts absent an independently verified extraction and odour-control scheme, assessed against DEFRA's guidance on the control of odour and noise from commercial kitchen exhaust systems, secured by planning condition.

4. The applicant's own supporting technical evidence should not be relied upon without independent verification

Having reviewed the Noise Impact Assessment (DAA Group, 6 January 2026), Odour Assessment (Nendle Manufacturing Ltd, 7 January 2026) and Heritage Statement (Merve Tay Architecture & Design) submitted with this application, I have serious concerns about the reliability of this evidence and ask that none of it be accepted at face value.

The Odour Assessment is signed by "Angelica Jennings OCDEA". OCDEA stands for "On Construction Domestic Energy Assessor" - a qualification for producing domestic energy performance certificates on new-build homes, with no connection to odour, air quality or environmental health assessment. By contrast with the Noise Impact Assessment, which at least names Institute of Acoustics-qualified staff, the Odour Assessment's author does not appear to hold any relevant odour or air quality qualification. The Odour Assessment is also a desk-based qualitative scoring exercise only, with no actual odour monitoring or dispersion modelling, and of its roughly 20 pages, some 6 pages (Appendix 2) consist of third-party manufacturer product literature for filtration equipment rather than analysis specific to this site. Notably, even on this limited, self-scored basis, the assessment rates the site as "High" impact risk requiring "High Level odour control" - an acknowledgement from the applicant's own evidence that this is a high-risk site for odour nuisance.

Secondly, the Noise Impact Assessment's own measurements support my objection rather than the application: with the existing (already enlarged) extraction system running, the consultant recorded 66dB LAeq at approximately 1 metre from the nearest residential window, against a background of around 38-40dB when the system was off - a difference of some 26dB. Under BS4142:2014, a difference of around 10dB or more already indicates a likely significant adverse impact, so this is a severe exceedance on the applicant's own evidence. The report's predicted post-mitigation rating level of 27dB, against a criterion of 28dB, leaves only a 1dB margin, and relies on a replacement fan for which, by the report's own admission, "no supplied sound octave band is available from the manufacturer" - a wafer-thin, low-confidence margin at a location approximately 1 metre from a residential window, where any shortfall in installation, maintenance or fan condition would likely push noise straight back above nuisance levels. I also question whether a genuine "system-off" background level was captured at all, given the two-day unmanned survey (22-23

December 2025, over the Christmas period) coincides with residents' evidence that the extraction system runs continuously from around 11:00 to gone 23:00 every day.

Thirdly, the Heritage Statement was prepared by Merve Tay Architecture & Design - the same firm that designed the shopfront, signage and extraction scheme shown in the drawings - rather than an independent heritage or conservation consultant, and its finding of "no substantial harm" should be read in that light. Its statement that No. 5 West Street will remain in ancillary storage use only, with no cooking, customer ordering or hot food takeaway activity, is not secured by any proposed planning condition; if the Council is minded to grant permission, I ask that this restriction be imposed as a formal, enforceable condition rather than relied upon as a statement of intent.

Fourth, there is a distinct lack of engagement with the Council's own Environmental Health team throughout this process, across the different ventilation stacks that have been proposed and installed at this site. Storrington & Sullington Parish Council's own comments of 22 April 2026 record that they were objecting "pending full assessments from HDC's Environmental Health team around the capacity of the proposed vent" and pending "HDC reassurance that the proposed ventilation system will be suitably effective to manage grease and odour from both businesses without generating unacceptable noise" - indicating that no such assessment had been carried out by the Council's own Environmental Health team at that stage. I am not aware of any subsequent Environmental Health assessment, at the time of the original unauthorised installation, at the enforcement stage, or in respect of the amended scheme now before the Council, and ask the Council to confirm what direct engagement its own Environmental Health team has had with this site at each stage, rather than the noise and odour case resting solely on reports commissioned by the applicant. Given these matters, I ask that the Council commission or require independent verification of the noise and odour evidence, including direct assessment by its own Environmental Health team, rather than relying on the applicant's own reports, before determining this application.

5. Harm to the Conservation Area and neighbouring listed buildings

Church Street lies within the Storrington Conservation Area, and both 1 Church Street and 3 Church Street are listed buildings in close proximity to the application site. A materially enlarged external extraction stack, together with the noise and odour it generates, harms both the visual character and appearance of the Conservation Area and the setting and amenity of these heritage assets.

This conflicts with Policy 34 (Heritage Assets and Managing Change within the Historic Environment) of the Horsham District Planning Framework and with the Council's statutory duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving the setting of listed buildings and preserving or enhancing the character and appearance of the Conservation Area. Under paragraphs 208 and 212-213 of the National Planning Policy Framework, great weight must be given to the conservation of these heritage assets, and any harm must be weighed against public benefits. No public benefit is offered by this application to outweigh the harm identified.

This is, again, consistent with the Council's own findings in Enforcement Notice EN/26/0003, which concluded that the same equipment "results in an incongruous form of development which detracts from the visual appearance of the building in the street scene" and "an unsympathetic, intrusive and incongruous feature that harms the historic and architectural character of the Land's surroundings and neither preserves nor enhances the character and appearance of the Storrington Conservation Area", contrary to Policies 33 and 34 of the Horsham District Planning Framework and Policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan (2018-2031) - and that "there are no public benefits which would outweigh the identified harm". I ask the Council to reach the same conclusion on this application, which seeks permission for the same development.

6. Highway safety and obstruction

Flame Grill's delivery operation (including a Just Eat service) regularly results in vehicles double-parking on the double yellow lines outside Carters at the start of Church Street, causing difficulties for traffic entering and leaving Church Street. Obstruction is also regularly seen across Bax Court and on the pedestrianised footways along West Street and Church Street at various times of day.

This pattern of highway and pedestrian obstruction is a further material consideration and

reflects a broader pattern of this business operating without regard to the amenity, safety and character of the surrounding streets. It reinforces why any further intensification of this operation - which an enlarged extraction system would facilitate - should not be permitted without robust, enforceable controls, and underlines why the Council should have limited confidence in voluntary compliance by this operator.

7. Cumulative impact on the character of a residential conservation area

Church Street and West Street form a small-scale, historic and predominantly residential part of Storrington within the Conservation Area. The cumulative effect of unresolved noise, odour and servicing/highway impacts from this single business is already substantial. Enlarging its extraction capacity would entrench and likely intensify that impact rather than mitigate it, contrary to the requirement in Policy 33 that development should not cause unacceptable harm to the amenity of the surrounding area.

Conclusion

For the reasons set out above, I object to this application and request that it be refused. The Council has already found, in Enforcement Notice EN/26/0003, that this same equipment causes unacceptable harm to neighbouring amenity and to the Storrington Conservation Area, and has required it to be dismantled and permanently removed by 27 November 2026; nothing in this application justifies departing from that conclusion. If the Council is nonetheless minded to grant permission, I request that this only be done subject to conditions requiring: independent verification of the noise and odour evidence submitted, given the concerns raised in Section 4 above; an independent noise impact assessment demonstrating compliance with BS 4142:2014+A1:2019; an independent odour impact assessment and extraction scheme verified against DEFRA guidance; restricted hours of operation for extraction plant; a formal condition restricting No. 5 West Street to ancillary storage use only; and a robust, enforceable management and maintenance scheme - reflecting this operator's demonstrated history of non-compliance, as evidenced by EN/26/0003.

Please confirm receipt of this objection and register it against the application referenced above.

Yours faithfully,
Michael Yeoman

Where did you
hear about this
application?

Emailed Letter from Local Authority

Kind regards

Telephone:

Email: planning@horsham.gov.uk



**Horsham
District
Council**



Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton