WORTHING BOROUGH COUNCIL

Mr Chris Barker
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0431/25

Details of Development
CHANGE OF USE OF GROUND FLOOR FROM COMMERCIAL (CLASS E) TO AMUSEMENT ARCADE (SUI GENERIS) AND FIRST AND SECOND FLOORS FROM ANCILLARY OFFICES / SNOOKER (SUI GENERIS /USE CLASS E) TO OFFICE USE (USE CLASS E) WITH REPLACEMENT SHOPFRONT TO INCLUDE SEPARATE OFFICE ENTRANCE (RETROSPECTIVE)

Location of Development
2 BATH PLACE WORTHING WEST SUSSEX BN11 3BA

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 20th May 2025.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

Gary Peck
Head of Planning & Development

DRAFT

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
LOCATION PLAN	WLD/003/22/05	20.05.2025
PROPOSED SECTIONS & DETAILS	ARC/032/24/04	20.05.2025
PROPOSED ADVERTISING BOARD	ARC/032/24/05	20.05.2025
SITE LOCATION & BLOCK PLAN	ARC/032/24/06	20.05.2025
SHOP FRONT PLANS	ARC/032/24/11	20.05.2025
PROPOSED GF & FF PLANS	ARC/032/24/01A	24.07.2025
PROPOSED SF & ROOF PLAN	ARC/032/24/02	24.07.2025
PROPOSED ELEVATIONS & MATERIALS	ARC/032/24/03	24.07.2025
FLOOD RISK MANAGEMENT (Addendum)	pursuant to AWDM/0431/25	10.09.2025
SHOP FRONT PLANS (From AWDM/0432/25)	ARC-032-24-11	29.09.2025

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. Materials and details of shop front

The new shopfront at 2 and 3 Bath Place shall comprise:

- Painted metal window and door frames
- Painted metal or timber or glazed doors
- Painted timber stall riser
- Rainwater goods if used in the replacement shop front shall be black or painted to match the window and door frames

This condition shall apply notwithstanding any information contained in the current application. Any variation of these details shall be first approved in writing by the Local Planning Authority.

DRAFT

Reason: *In the interests of certainty and to ensure a satisfactory standard of materials and finish to ensure that the character of the conservation area and setting of listed buildings is preserved and enhanced in accordance with policies DM23 & DM24 of the Worthing Local Plan 2020 - 2036.*

04. Display window

The display windows at the site frontage, shall be maintained in accordance with the drawing: Shop Front Plans ARC-032-24-11, to ensure a degree of visual interest. No security shutters shall be included without the prior written approval of the Local Planning Authority.

Reason: *To safeguard the character of the shopping area to ensure that the character of the conservation area and setting of listed buildings is preserved and enhanced in accordance with policies DM5, DM13, DM23 & DM24 in accordance with policies DM23 & DM24 of the Worthing Local Plan 2020 - 2036.*

05. Noise levels

The sound level from any amplified sound equipment or machines with amplified sound in the amusement arcade, measured 1m from any speaker or equipment shall not exceed 75dB(A) LAeq 1 min at any time.

Reason: *To protect users of the building and neighbours from noise and vibration in accordance with policy DM22 of the Worthing Local Plan 2020 - 2036.*

06. Noise - Air moving equipment

Notwithstanding any information in the current application, no additional external air moving equipment or duct shall be installed unless details, including the acoustic specification and provisions to minimise risk of noise, vibration and odour, their location, maintenance arrangements and hours of operation, have been submitted to an approved in writing by the Local Planning Authority and thereafter shall be permanently maintained in accordance with the details thereby approved and the manufacturer's instructions.

Reason: *To minimise risks of noise, vibration or odour from any external air moving equipment or plant in accordance with policy 22 of the Worthing Local Plan 2020 - 2036.*

07. No residential use

The offices and amusement arcade hereby approved shall not be converted to residential use. This condition shall apply notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any Order revoking or re-enacting these Orders.

Reason: *Residential use may require additional noise insulation measures, flood risk management and cycle parking in accordance with policies DM15, DM20 & DM22 of the Worthing Local Plan 2020 - 2036.*

DRAFT

08. Flood risk management

Conversion works shall be carried out in accordance with the design recommendations at section 73 of the Document: 'Flood Risk Assessment by Ambiental Ltd. (Reference: 3482 / AWDM/1299/17/INVAL) and the Flood Resistance and Resilience measures in Sections 3.3 - 3.11 of the document: Response to Condition 6 of AWDM/1627/19 and Condition 19 of AWDM/1626/18 by Motion Ltd, dated 24th September 2021. Arrangements for provision, dissemination and updating of flood risk information and means of escape in a flood event contained in Section 2.0 of that document and arrangements for the management of flood risk shall be permanently adhered to in the uses of the offices and arcade hereby approved, together with all flood risk management measures in the document: Condition 9 Flood Risk Management pursuant to Application Reference AWDM/0431/25, which was received by the Local Planning Authority on 10th September 2025 .

Reason: *In the interests of safety and to minimise risk from flooding in accordance with policy DM20 of the Worthing Local Plan 2020 - 2036 and in the interests of clarity, to ensure that appropriate documents are adhered to.*

09. Delivery Hours

Deliveries to and from the site shall only take place between 07:00 and 20:00 hours Monday to Saturday and 10:00 and 18:00 hours on Sunday & Bank Holidays and not outside these times.

Reason: *To ensure a balance between the amenities of the area, including neighbouring residents and the commercial use hereby approved in accordance with policies DM5 & DM22 of the Worthing Local Plan 2020 - 2036.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. Condition 8 Flood Risk Management

The document referred to in condition 8: 'Condition 9 Flood Risk Management pursuant to Application Reference AWDM/0431/25' received on 10th September 2025, refers to draft numbering of the planning condition which was changed after receipt of that document. Hence the draft condition 9 has become condition 8.

DRAFT

03. It is recommended that doors and windows of the arcade should not be propped open after 9pm in the evening, if the premises is open, in order to minimise the risk of noise nuisance to nearby occupiers.

DRAFT

Ref: AWDM/0431/25

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

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.

DRAFT

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).

DRAFT