WORTHING BOROUGH COUNCIL

Miss Megan Owen
Hemiko
Castletown Office
Rockcliffe
Carlise
Cumbria
CA6 4BN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0968/25

Details of Development
EXTENSION TO BURIED PIPEWORK AND ASSOCIATED EQUIPMENT TO CONNECT TO THE DISTRICT HEAT NETWORK. THE PIPEWORK WILL RUN UNDERGROUND ALONG HIGH ST, THROUGH STEYNE GARDENS AND EAST AND WEST ALONG THE PROMENADE TO CONNECT THE ENERGY CENTRE WITH SPLASHPOINT AND PAVILION THEATRE.

Location of Development
MULTI STOREY CAR PARK HIGH STREET WORTHING WEST SUSSEX

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 30th July 2025.

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

G Peck

Gary Peck
Head of Planning & Development
16/12/2025

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
TREE VALUATION & CONDITION SURVEY	S3 P02	19.09.2025
STEYNE GARDENS TREES	NOTE TO FILE	19.09.2025
DETAILED UXO RISK ASSESSMENT	DRA-25-1884-HEKO06R	19.09.2025
STAGE 1 PRELIMINARY UXO RISK ASSESSMENT	PRA-25-2748	19.09.2025
PHASE B - DENSIFICATION	V1.0	19.09.2025
WORTHING DISTRICT HEATING PIPE INSTALLATION METHODOLOGY	DH-XX-MS-Y-0001 P04	19.09.2025
COVER LETTER	Dated 23/07/2025	19.09.2025
DENSIFICATION PHASE 1 ROUTE STATEMENT	DH-XX-TN-H-0001 Rev 04	19.09.2025
TRIAL HOLE LOG		19.09.2025
SPLASHPOINT & PAVILION THEATRE ROUTING DRAWING	PHASING DRAWING	19.09.2025
STATEMENT OF COMMUNITY INVOLVEMENT	19 September 2025	19.09.2025
STEYNE GARDENS CONSERVATION AREA	CHARACTER APPRAISAL 2024	19.09.2025
EASEMENT DRAWING PHASE 2 PAVILION AND SPLASHPOINT	DHZ-UG-DR-Z-1000 P01	19.09.2025

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. Standard time limit.

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. Tree protection area works

The works within Steyne Gardens shall be carried out in strict accordance with the recommendations within "Note to file - Steyne Gardens Trees" particularly where works are required within the root protection zone of trees. All works within the root protection area of any tree shall be carried out under supervision by a suitably qualified arboriculturalist. The proposed supervision including arboriculturalist and timetable for works shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing and thereafter adhered to for the duration of the works.

Reason: *To ensure adequate safeguards are in place to protect the trees having regard to the National Planning Policy Framework and policy DM19 of the Worthing Local Plan 2023.*

04. Replacement of tree T62

Prior to works within Steyne Gardens commencing, details regarding the provision of a replacement tree (minimum girth of 20cm, species and location to be agreed) shall be submitted to and approved by the Local Planning Authority. Following the approval of details, during the next planting season following the removal of T62, the replacement tree shall be planted. In the event that the tree dies within five years following such planting, it shall be replaced by a similar tree in a similar position during the next planting season in accordance with details approved by the Local Planning Authority.

Reason: *In the interests of visual amenity and to protect the character of the locality and to comply with policy DM19 of the Worthing Local Plan.*

05. Details of mulch ring

Prior to works within Steyne Gardens commencing, details of the mulch ring to be installed around the retained T63 shall be submitted to and approved in writing by the Local Planning Authority. The ring shall be installed in accordance with the approved details as soon as possible after works complete and retained and maintained as required.

Reason: *To protect tree roots from damage likely to lead to the loss of the tree and to comply with policies DM19 and DM24 of the Worthing Local Plan.*

06. BNG plan to be submitted

Prior to commencement of development, a Biodiversity Gain Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall set out how 10% biodiversity gain has been achieved.

Reason: *To provide for biodiversity net gain in accordance with policy DM18 of the Worthing Local Plan.*

07. Construction management plan

No development shall take place, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works
- Hours of construction

Reason: *In the interests of Highway Safety and amenity in accordance with policy DM5 and DM15 of the Worthing Local Plan (2023).*

08. Steyne Gardens works

Any benches or other park structures that need to be removed to facilitate works shall be carefully removed and securely stored while works are being undertaken. Once works are complete the benches shall be reinstated in their original position and condition within one month of the works completion.

Reason: *In the interests of preserving the conservation area in accordance with policy DM24 of the Worthing Local Plan (2023).*

09. Archaeological watching brief

(1) No development or preliminary groundworks of any kind shall take place until a programme of archaeological monitoring has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved by the Local Planning
Authority. The programme shall include details of a watching brief to be carried out by a suitably experienced, qualified professional who shall be approved as part of this condition.
(2) No development shall take place other than in accordance with the written scheme of investigation approved under Condition 9(A)
(3) The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority.

Reason: *The site is of archaeological significance and it is important that it is recorded having regard to the National Planning Policy Framework and policy DM24 of the Worthing Local Plan.*

10. Works within memorial gardens

No work shall take place within the memorial oval garden within the south of Steyne Gardens until a programme of works to involve dismantling of walls and reinstatement and planting has been submitted to and approved in writing by the Local Planning Authority. Thereafter works within the garden shall be carried out in full accordance with the details approved and reinstated to a timeframe agreed with the LPA.

Reason: *To ensure the appearance of the conservation area is preserved in accordance with policy DM24 of the Worthing Local Plan 2023.*

11. Replacement tree if required for T63

Prior to works commencing, details regarding the provision of a replacement tree for T63 (minimum girth, species and location to be agreed) shall be submitted to and approved by the Local Planning Authority. The retained Norway Maple (T63) shall be monitored for a period of not less than two years to assess the health of the tree. If it is considered that the tree has been adversely affected by the works in its root protection zone, during the next planting season, a replacement tree shall be planted. In the event that the replacement tree dies within five years following such planting, it shall be replaced by a similar tree in a similar position during the next planting season in accordance with details approved by the Local Planning Authority.

Reason: *In the interests of visual amenity and to protect the character of the locality and to comply with policy DM19 of the Worthing Local Plan.*

12. High Street Car Park access

The High Street car park shall remain open and accessible for parking at all times during the construction period.

Reason: *To ensure adequate town centre parking is retained.*

13. No works during set periods

No work shall take place during the following periods:
- 1 December 2025 to 4 January 2026
- 28 March to 12 April 2026,
- 22 July to 30 August 2026,
- 24 October to 5 November 2026,
- 26 November 2026 to 3 January 2027

unless otherwise agreed in writing with the LPA, Chair, Vice Chair and Ward councillors with a two week notice period (with the exception of essential works which shall be notified as they arise).

Reason: *To ensure businesses can continue to operate during construction works.*

14. Seafront premises access

Access must be maintained to all beachfront and promenade premises at all times during construction works.

Reason: *To ensure businesses can continue to operate during construction works.*

15. WWII bunker

If during works through Steyne Gardens evidence of the WWII bunker is discovered, the Local Planning Authority shall be notified and works halted to allow for inspection by the Local Planning Authority and for a course of action to be agreed in writing prior to works recommencing.

Reason: *The site is of historic significance which should be recorded in accordance with policy DM24 of the Worthing Local Plan 2023.*

Ref: AWDM/0968/25

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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.

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).