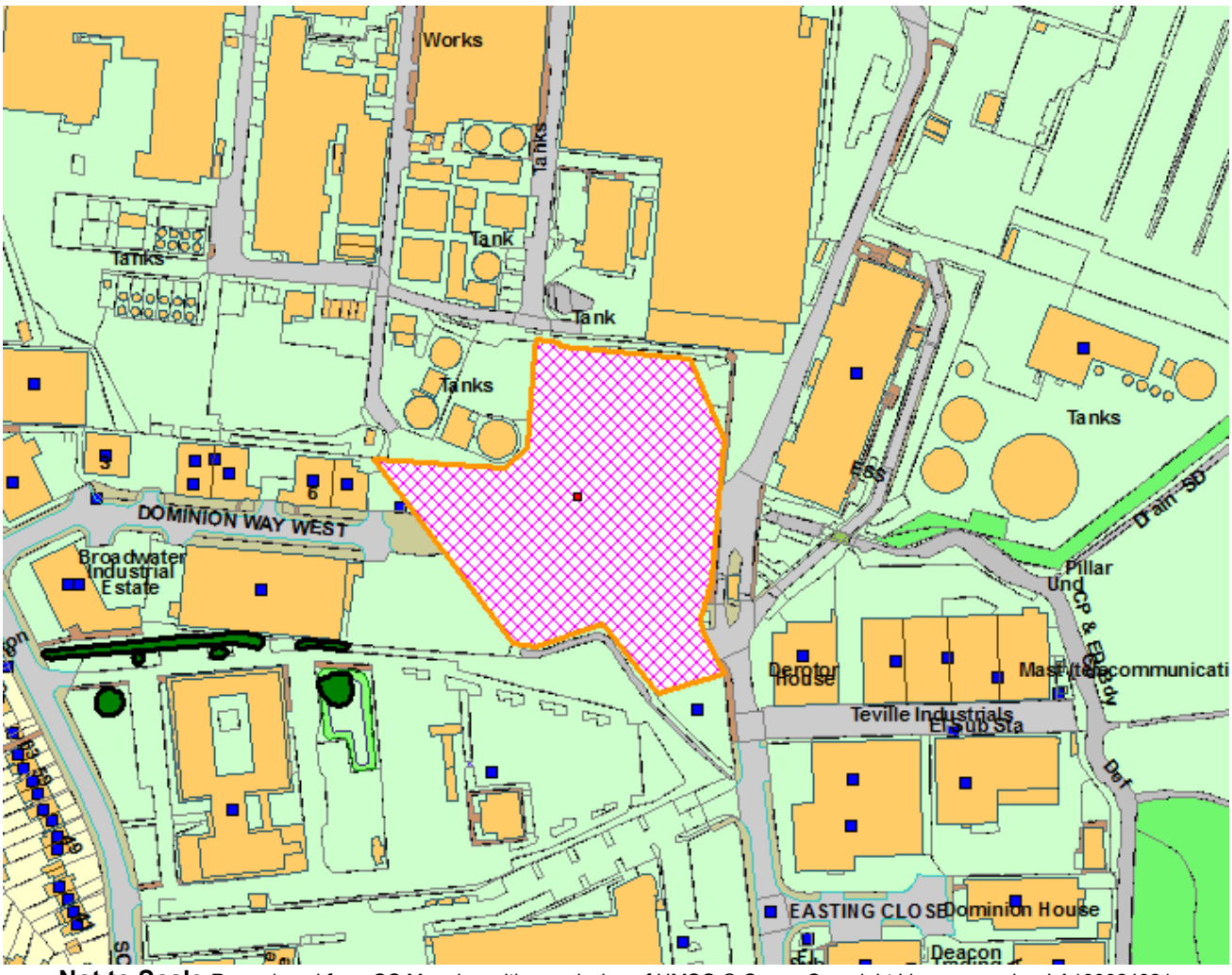
Development Management – Delegated Officer Report

1

Application Number:	**AWDM/1387/25**	**Recommendation - Approval**
Site:	**Worthing Business Park, Dominion Way, Worthing**	
Proposal:	**Approval of Details Reserved by condition 22 (energy use and sustainability statement) of Application AWDM/0510/22.**	
Applicant:	Mr Daniel Rubin	Ward: Broadwater
Agent:	Mr William Booth	
Case Officer:	Giles Holbrook	



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Relevant Planning History:

Reference	Description	Outcome
AWDM/0510/22	Demolition of all existing structures and construction of 5 buildings providing 22 flexible industrial units comprising light industrial (Class E(g)), general industrial (Class B2) and storage/distribution (Class B8) with associated car parking and landscaping with open storage use (Class B8) on land to the northern part of the site.	Application Permitted on 27.04.2023
AWDM/0762/23	Approval of Details Reserved by Condition 3 (remediation strategy), 4 (verification report), 11 (Construction Management Plan), 12 (fire hydrants) and 16 (floor levels) of Application AWDM/0510/22.	Application Permitted on 13.07.2023
AWDM/1244/24	Approval of details reserved by conditions 9 (secure cycle parking), 10 (EVC spaces), 13 (fire hydrants), 15 (no external lighting or floodlighting) and 24 (Travel Plan) of application AWDM/0510/22.	Application Permitted on 28.01.2025

Application Description and Planning History:

This application concerns development approved pursuant to ref: AWDM/0510/22 and seeks the approval of details reserved by Condition 22 attached to that consent.

Condition 22 states:-

> *"Upon the completion and occupation of the development hereby approved, details shall be provided to the Local Planning Authority of any changes to the Energy Use and Sustainability Statement submitted in April 2022.*
>
> ***Reason:** To ensure that individual occupiers of the units meet the requirements of the submitted Energy Use and Sustainability Statement."*

The Energy Use and Sustainability Statement referenced by Condition 22 is Version 3 of the Energy and Sustainability Statement prepared by Eb7 Ltd dated 7th March 2022. The Energy and Sustainability Statement should be noted to be referenced as an approved document within Condition 1 attached to ref: AWDM/1387/25.

Consultations:

Environmental Protection, Health and Licencing: No comments made.

Planning Policy*:* No comments received.

Public Representations:

None received.

Relevant Planning Policies and Guidance

Worthing Local Plan (2023). Policies:

SP1 – Presumption in Favour of Sustainable Development
SP2 – Climate Change
DM16 - Sustainable Design
DM17 - Energy
DM21 - Water Quality and Sustainable Energy Use

Planning Assessment:

In accompaniment to this application the applicant has provided the same Energy and Sustainability Statement as originally submitted in support of ref: AWDM/1387/25 and as subject of Conditions 1 and 22 attached to that permission.

As explained within the submitted application form, the applicant advises that there have been no changes to the original Energy and Sustainability strategy since the initial grant of consent and that a number of units (now understood to be occupied) have been built in compliance with the Energy and Sustainability strategy.

The construction of Condition 22 only necessitates the submission of details for the LPAs approval in the event of a change to the originally approved strategy. Where no change to the strategy has been made, as the applicant submits is the case, Condition 22 is not phrased to require a re-appraisal of measures outlined within the strategy and/or adherence to an alternative strategy to be agreed with the Local Planning Authority.

The Officers written recommendation to Worthing Planning Committee (Dated 19th April 2023), acknowledges targeted standards of environmental/energy performance outlined within the Energy and Sustainability Strategy and does not raise any objection to the standards/measures outlined within the strategy.

The written minutes of the Committee meeting of 19th April make note of member questions to officers in respect of the sustainable aspects of the development and record that members "*requested that a condition be added stating that sustainable energy must be used by the end occupier.*" No explicit objection to measures outlined within the Energy and Sustainability strategy, however, is recorded within the written minutes.

In the view of officers, as considered above, Condition 22 does not demand a reconsideration

of the Energy and Sustainability strategy; neither expressly requires the use of ‘sustainable energy’ as a component part or possible divergence from measures outlined within the strategy as referenced within the written minutes.

Overall, therefore, the scope of matters reserved for approval in this instance is very narrow. Notwithstanding the application currently before the Authority, it is considered unnecessary that the applicant seek the written approval of the Authority except in the instance of a divergence from the originally agreed strategy. There is, further, no indication within the Council’s previous deliberations that the strategy as originally approved was in-itself unacceptable in substantive terms to necessitate the approval of an alternative strategy.

Overall, in these circumstances, it is considered that there is no good reason as to why the approval of details as sought should be resisted. It is, therefore, recommended that Condition 22 be discharged on the basis of the submitted details accordingly.

Case Officer: Giles Holbrook Date: 16/12/2025

Authorised by: Stephen Cantwell Date: 7th January 2026