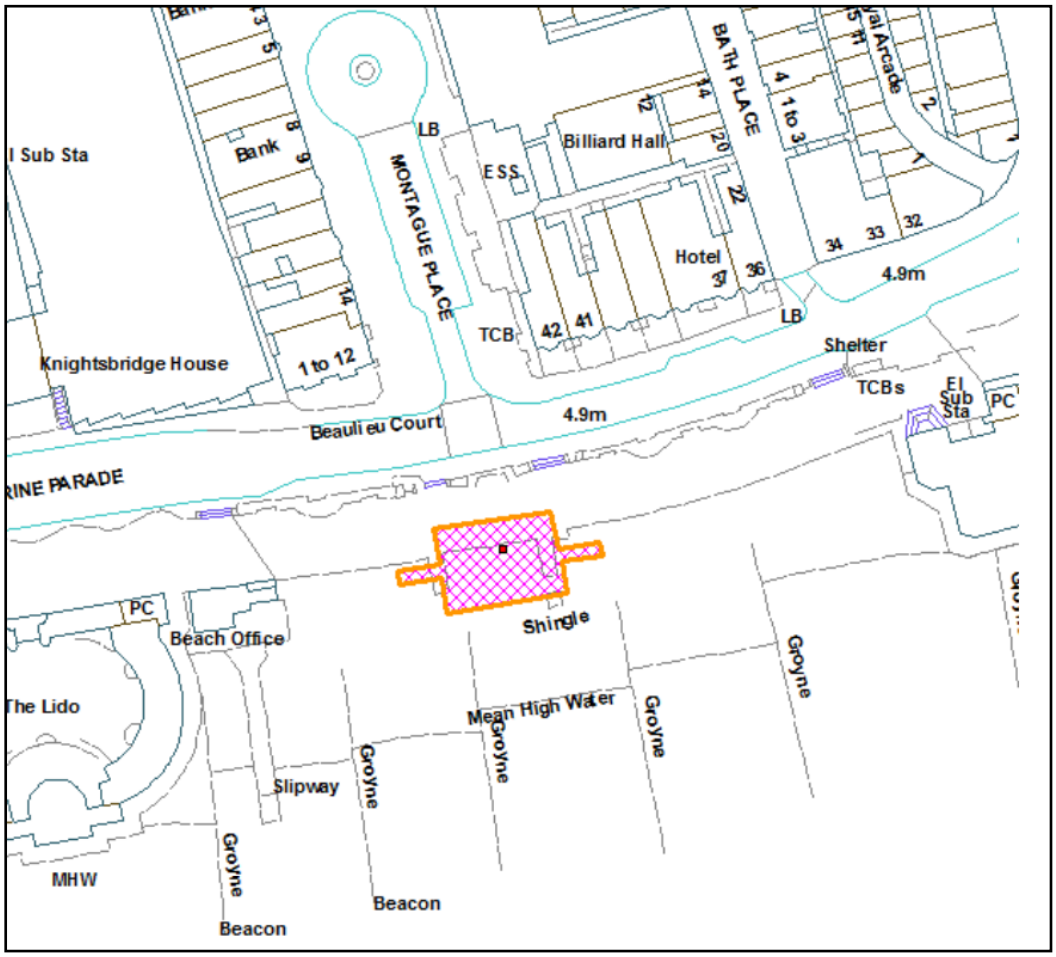
Application Number:	**AWDM/0156/25**	**Recommendation - APPROVE**
Site:	**Foreshore East Of Beach Inspectors Office, The Promenade, Worthing**	
Proposal:	**Erection of a 44m high observation wheel with viewing gondolas and associated structural base, payment booth and welfare facilities to operate from March to November (and at the same time each year until 2028)**	
Applicant:	Mrs Sheridan Wesley	Ward: Central
Agent:	N/A	
Case Officer:	Gary Peck	



Not to Scale

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Proposal, Site and Surroundings

This application seeks permission for a 44 metre high observation wheel to be erected until November of this year and for the period between March and November in following years until 2028.

Members may recall that a number of previous applications have been made and approved for an observation wheel at this location, most recently for a wheel of the same size last year. In order to avoid applications needing to be considered each year (and at short notice, as the previous 2 applications have been approved retrospectively) it has been suggested that if permission is granted, it also covers the following 3 years. A similar arrangement has been in place for the Ice Rink that is sited in Steyne Gardens each winter.

The application site is within the Conservation Area and in close proximity to a number of listed buildings including the Pier, Lido and those within Montague Place. The application site is also close to the Beacon and a separate application appears elsewhere on the agenda to re-site the Beacon.

Relevant Planning History

Planning permission was granted in 2019 for the erection of a 46 metre high observation wheel with 36 gondolas each holding 6 persons and associated structural base, wheel platform, access ramps, payment booth, photo booth and welfare facilities to operate from March to November (and at the same time each year until 2021) between 1000 and 2200 hours (AWDM/0089/19).

Planning permission was granted in 2021 for the retrospective erection of a ferris wheel of 33 metres in height, with the consent valid until November 2024 (AWDM/0752/21)

Planning permission was granted in 2024 for the Erection of a Ferris Wheel (retrospective). Application to Vary Condition 1 (Approved Plans) of previously approved AWDM/0752/21 to amend the height from 33 metre high observation to a 44 metre high observation wheel until November 2024 (AWDM/0745/24).

Consultations

Environmental Health: no objection

Health & Safety Executive: Confirmed that this an application does not fall under their remit to comment upon

WSP (Council Drainage Consultant): Recommend approval of the application

Historic England: Does not wish to offer advice on the application due to the nature of the proposal

National Highways: No objection

West Sussex County Council Highways: No objection

Southern Water: No objection

Worthing Society: No objection provided the structure is installed on a temporary basis

Arqiva (TV and Radio transmission): No objection

Representations

1 representation has been received raising no objection to the wheel being erected (but requesting that a separate amusement ride which was placed near the Wheel is not erected this year which is not a matter relevant to this application)

Relevant Planning Policies and Guidance

Worthing Local Plan 2020-2036:

Policies DM5 Quality of the Built Environment, DM6 Public Realm, DM7 Open Space, Recreation and Leisure; DM8 Delivering Infrastructure, DM20 Flood Risk and Sustainable Drainage, DM23 Strategic Approach To The Historic Environment and DM24 The Historic Environment are among those relevant to the determination of the application.

Adur and Worthing Economic Strategy 2018-2023
Worthing Borough Council: Worthing Seafront Investment Plan
National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
Historic Environment Good Practice Advice in Planning: Note 3 The Setting of Heritage Assets.

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

For Listed Buildings and Conservation Areas

Section 73A and also Section 72 Planning (Listed Building & Conservation Areas) Act 1990 which require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the appearance of the Conservation Area.

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

The main issue in the determination of the application is whether there are any circumstances which are sufficient to justify a different decision to those previously made, given that planning permission has been granted on 3 separate occasions previously for an Observation Wheel at the site. The existence of previous permissions is a material consideration in the determination of any subsequent applications.

The previous permissions allowed a smaller wheel of 33 metres, a taller wheel of 46 metres, and a wheel of the same size (44 metres) which was the subject of the most recent permission granted last year. In this respect, it is considered that the principle of development has already been firmly established. As the original permission, in 2019, was for an observation wheel at the site of 46 metres, 2 metres higher than the current proposal, it is not considered that any objection could be raised in terms of scale to the current proposal. The surroundings of the site have not altered since the grant of the most recent permission last year and accordingly it is not considered there has been any material change in circumstances relating to the site since the grant of that permission.

In terms of national planning policy, although a new National Planning Policy Framework has been adopted since the last permission, it still remains that national guidance seeks to support economic development within town centres. In any case, this has always been an objective of the Council both prior to and after the pandemic as outlined during the consideration of the previous applications.

The effect upon neighbouring properties has been assessed during previous applications. There is no right to a view under planning law and therefore the application could not be resisted on this basis. The primarily open nature of the wheel and its location across the Promenade from nearest properties is not considered to cause an adverse impact through overshadowing.

The potential loss of privacy has been raised previously by some neighbouring residents (albeit not in terms of the current application as no relevant objections had been received during the statutory consultation period) but the distance to the nearest facing windows exceeds the Council's normal overlooking standards. Furthermore, the users of the wheel in practice are more likely to focus on views of the sea and longer distance views that the height of the wheel provides. Your Officers are not aware of any complaints of overlooking raised following the use of the wheel last year and given the transitory nature of the operation of the wheel, it is not considered that an objection could be reasonably sustained on this basis.

The site is located within the Conservation Area and in close proximity to listed buildings and non-designated heritage assets. Whilst the height of the structure could be said to cause some limited harm to nearby heritage assets, your Officers have previously concluded that the benefits of the wheel in terms of bringing visitor activity to the town centre and seafront outweigh such harm and accordingly the application is considered to be acceptable.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans.

2. The development hereby permitted shall only operate until 30th November 2025 and between 1 March and 30 November 2026, 1 March and 30 November 2027 and 1 March and 30 November 2028

   Reason: *Having regard to policy DM5 of the Worthing Local Plan and that permission would not be granted on a permanent basis for such development which is proposed on a temporary basis.*

   3. Light Intrusion into residential windows shall not exceed 10 Lux between 07:00 and 22:00 hours and 2 Lux between 22.00 and 07.00 hours, measured as Vertical illuminance (EV) normal to glazing. The Sky Glow (Upward Light Ratio) shall not exceed 5.0%

   Reason: *In the interests of the amenity of neighbouring residents in accordance with policy DM5 of the Worthing Local Plan.*

   4. The observation wheel hereby permitted shall only be operated between the hours of 1000-2200 hours and at no other time.

   Reason: *In the interests of amenity having regard to policy DM5 of the Worthing Local Plan.*

   5. No public address or other sound amplification system shall be installed or used on the site at any time.

   Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policy DM5 of the Worthing Local Plan.*

   6. The Observation Wheel hereby permitted shall at all times be operated in accordance with the submitted Fabbri Giant Wheel Manual received 11 June 2024 unless otherwise agreed in writing with the Local Planning Authority.

   Reason: *To ensure satisfactory management of the facility in the interests of amenity in accordance with DM5 of the Worthing Local Plan.*

   7. The foundation construction of the wheel hereby permitted shall be maintained in accordance with the details submitted to the Council's Technical Services department in February 2019 and with any further details as subsequently agreed in writing with the Council.

   Reason: *To ensure the safe operation of the wheel.*

   8. Not later than 3 months before the final cessation of the use hereby permitted, a scheme of work shall be submitted outlining all materials etc to be removed and details of the restoration of the promenade/beach. The approved

details shall then be implemented in accordance with a timescale to be agreed in writing with the Local Planning Authority.

Reason: *In the interests of visual amenity and to ensure the site is restored to an acceptable condition in accordance with DM5 of the Worthing Local Plan.*

9. Noise emissions from all plant and machinery associated with the operation of the wheel shall be limited to a level not exceeding 50dB LAeq, 1 hr between 07.00 - 22.00 and 45dB LAeq, 5 mins between 23.00 - 07.00, measured at the boundary of any residential property on Marine Parade. Where extraneous ambient noise precludes direct measurement then measurement shall be taken at a point closer to the wheel and a subsequent calculation be made to determine the noise levels at any residential property on Marine Parade.

Reason: *In the interests of the amenities of neighbouring properties in accordance with policy DM5 of the Worthing Local Plan.*