

From: **Andrew Young** < >

Date: Tue, 14 Jul 2026 at 13:59

Subject: Subject: AWD/0737/26 – Land at South East Corner of Amberley Drive / Marine Drive, Goring – Response to Applicant's Additional Supporting Documents

To: planning@adur-worthing.gov.uk <planning@adur-worthing.gov.uk>, Gary Peck <gary.peck@adur-worthing.gov.uk>

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Dear Planning Department and Gary Peck,

I note that Mr Dixon has submitted several further supporting documents in response to objections raised. As those documents engage directly with points made by objectors, I trust it is appropriate for me to respond.

1. The request for temporary permission is respectfully rejected

The applicant's suggestion that a temporary planning permission should be granted if permanent permission cannot be supported proceeds on a false premise: that the Council's concerns arise merely from uncertainty about how the development would operate. They do not. The issues identified are matters of planning principle.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposal conflicts with the Development Plan at the level of principle: it represents development within a designated Local Green Gap (Worthing Local Plan 2023, Policy SS5), in the countryside and undeveloped coast (Policy SS4), resulting in the loss of protected open space contrary to Policy SS6 and paragraphs 106–108 of the National Planning Policy Framework, under which such land is to be protected in a manner consistent with Green Belt policy. Policy SS5 is explicit that development within the Gaps will only be permitted in exceptional circumstances and must not compromise the integrity of the gap, must conserve and enhance the area's natural capital, and must conserve its role within a cohesive green infrastructure network. This proposal fails each of those tests from the moment it commences. None of these conflicts is capable of being resolved by limiting the duration of the permission.

2. National guidance does not support a temporary consent here

The Government's Planning Practice Guidance on the use of planning conditions confirms that a temporary permission is appropriate only in limited circumstances – principally where a trial run is needed in order to assess the effect of a development on the area, or where a use is genuinely temporary in nature. Neither applies. There is nothing left to "trial": the change in the character and function of protected open land occurs immediately upon commencement and would exist irrespective of how well the site is managed. Temporary permission is not a lawful mechanism for allowing development that is fundamentally contrary to the Development Plan to proceed on a probationary basis.

3. The development is not genuinely reversible

Although individual structures may be capable of removal, the planning harm identified is not confined to their physical presence. It arises from the introduction of a commercial leisure destination – with its associated visitor activity, parking demand, traffic movements, noise and infrastructure – and the consequent change in the character and function of the land. Those harms would subsist throughout any temporary consent, in conflict with the Worthing Local Plan for its entire duration. Furthermore, experience shows that temporary consents for commercial uses create expectation, investment and momentum that make subsequent removal contentious; the Guidance itself recognises that it will rarely be justifiable to grant a second temporary permission, underlining that this route is not intended as a foothold for unacceptable development.

4. Licensing controls cannot cure planning conflicts

The applicant's reliance on licensing controls and operational conditions conflates two separate statutory regimes. Licensing is concerned with public safety, crime and disorder and the sale of alcohol. It does not, and cannot, address the land-use planning issues of principle: policy compliance, protection of the Local Green Gap, landscape character, visual impact, the setting of the South Downs National Park, or the loss of open space. The existence of licensing conditions therefore cannot overcome objections arising under planning legislation.

5. Planning conditions cannot make unacceptable development acceptable

The applicant asks why conditions could not address the Council's concerns. The answer is well established in national guidance: conditions may regulate the manner in which acceptable development operates, but they cannot remedy a fundamental conflict with the Development Plan, and any condition must in any event meet the six tests in paragraph 57 of the NPPF (necessary, relevant to planning and to the development, enforceable, precise and reasonable in all other respects). No condition could remove the loss of protected open space, the conflict with Green Gap policy, or the inappropriate commercialisation of this land. Conditions that attempted to do so would fail the tests of necessity and enforceability.

6. The Inspector has already determined the issues of principle

The Planning Inspector, in dismissing the previous appeals concerning this site, determined that the proposed leisure use constitutes a material change of use requiring planning permission and that the introduction of the proposed facilities represents development in planning terms. That reasoning turned on the nature of the development itself, not on any absence of operational evidence – confirming that the objections are matters of principle incapable of resolution through a trial period. I would also remind the Council of its own consistent decision-making on this land, including the refusal in 2016 of a proposed change of use to a caravan and camping site, on this very corner of the Gap.

7. Precedent

Finally, to grant even a temporary consent for commercial development within the Local Green Gap would establish a damaging precedent, inviting incremental erosion of a designation whose entire purpose – confirmed through the Local Plan examination and defended by this Council as recently as the Chatsmore Farm litigation – is to keep this land permanently open.

For these reasons, a temporary permission would neither overcome nor reduce the identified conflicts with the Development Plan; it would merely postpone consideration of matters that already establish the proposal to be unacceptable. I therefore maintain my strong objection to application AWDM/0737/26 and respectfully request that the Council upholds the purpose of the Local Green Gap designation by refusing permission.

Yours faithfully,
Andrew Young
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