WORTHING BOROUGH COUNCIL

Mrs Sheridan Wesley
City Observations Limited
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Wilburton
CB6 3QB

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0156/25

Details of Development
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)

Location of Development
FORESHORE EAST OF BEACH INSPECTORS OFFICE THE PROMENADE 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 12th February 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
09/04/2025

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
LOCATION PLAN	1:1250	12.02.2025
SITE PLAN	1/1250	12.02.2025
SITE PLAN	1/500	12.02.2025
FULL PEOPLE LOADS	106.01.GL-R00	12.02.2025
STORM CONDITION LOADS	106.02.GL-R00	12.02.2025
FABBI GIANT WHEEL MANUAL	69-e-11.doc	12.02.2025
GIANT WHEEL ADJUSTABLE STABILISER	1-2	12.02.2025

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. 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.*

04. 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.*

05. 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.*

06. 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.*

07. 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.*

08. 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.*

09. 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.*

10. 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.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Ref: AWDM/0156/25

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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).