WORTHING BOROUGH COUNCIL

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United Kingdom

# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/1212/24

Details of Development
**APPLICATION TO VARY CONDITION 1 OF AWDM/1439/23 (APPROVED PLANS). AMENDMENT: ROOF TOP PLANT TO BE MOVED TO THE NORTH END OF THE CAR PARK ROOF; AND RELOCATION OF CONTAINERISED GAS FIRED BOILER PLANT ROOM FROM THE CAR PARK ROOF TO GROUND FLOOR LEVEL INTERNAL TO THE CAR PARK, AND THE ADDITION OF LOUVRES AND A DOOR TO ENERGY CENTRE AND SUBSTATION.**

**ORIGINAL DESCRIPTION: PROPOSED TWO STOREY ENERGY CENTRE, THERMAL STORE, ELECTRICAL SUB-STATION, CAR PARK ROOFTOP PLANT, AND RISER PIPEWORK.**

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 4th October 2024.

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

**Ref: AWDM/1212/24**



Gary Peck
Head of Planning & Development
01/10/2026

## 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 |
|---|---|---|
| ENERGY CENTRE-GA PLANS | ZZ-DR-A-00001 P06 | 21.09.2024 |
| HV SUBSTATION - GA PLANS | ZZ-DR-A-00002 P06 | 21.09.2024 |
| HV SUBSTATION -GA ELEVATIONS | ZZ-DR-A-00103 P06 | 21.09.2024 |
| ENERGY CENTRE-WEST AND NORTH GA ELEVATIONS | ZZ-DR-A-00102 P06 | 21.09.2024 |
| GROUND FLOOR AS PROPOSED | XX-ZZ-DR-A-40100 P4 | 13.03.2025 |
| GAS BOILER ROOM - SITE, FLOOR _ ELEVATION PLANS | XX-ZZ-DR-A-40900 P1 | 13.03.2025 |
| BOILER PLANT ROOM FIRST FLOOR | ECZ-GF-DR-Y-2104 T01 | 04.10.2024 |
| PLANT DECK TO CAR PARK ROOF 3D VIEWS | 30873/2010 P02 | 04.10.2024 |
| CARPARK ROOF MODEL VIEWS OF ACOUSTIC PANELS | RF-XX-SK-Y-00001 P01 | 08.11.2024 |

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

02. The biodiversity net gain assessment approved under application AWDM/1326/24 shall be implemented in accordance with the requirements of the approved scheme and thereafter maintained.

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

03. The green wall and landscaping scheme shall be implemented in full accordance with the approved details within application AWDM/1326/24 and maintained for the lifetime of the development in accordance with the agreed maintenance plan.

**Reason**: *To control the development in detail and to ensure appropriate future maintenance in the interests of visual amenity.*

04. No plant or equipment shall be used on site unless it has been provided with the acoustic screens in accordance with the recommendations of the submitted acoustic report. Thereafter the plant and equipment shall be maintained in accordance with the manufacturer's instructions to ensure compliance with the maximum noise levels set out in the submitted acoustic report.

**Reason**: *To protect the amenities of local residents*

05. The tree protection measures approved within application AWDM/1326/24 shall be installed around the trees to be retained on the site in full and retained as such for the whole construction period.

**Reason**: *To control the development in detail and to retain existing landscape features on the site.*

06. The landscaping scheme shall be carried out in accordance with that approved within application AWDM/1326/24. Any trees or plants that die within 5 years of planting shall be replaced with similar trees or planting.

**Reason**: *In the interests of visual amenity and to enhance biodiversity on the site*

07. The acoustic screens shall be retained on site in accordance with the details approved under application AWDM/1052/24

**Reason**: *In the interests of visual amenity.*

08. The proposed Energy Centre shall be located a minimum of 5.3 metres away from the back edge of the High Street.

**Reason**: *To safeguard land for the possible provision of a segregated cycle lane on the west side of the High Street.*

09. Within 35 days from the date of this permission, the KP Acoustic Report, Reference 26677.PCR.01 dated 12/10/23 which was submitted with application AWDM/1439/23, shall be updated to take into account the revised position of the plant, the specific details of the chosen product, and any additional noise mitigation. Thereafter, this updated report shall be submitted to the local planning authority in writing for approval to demonstrate that the original noise objectives have been achieved. In the event that the original noise objectives have not been achieved, then notwithstanding the installation of the plant hereby approved, the air source heat pumps shall not be used until a further scheme of attenuation works capable of achieving the objectives as specified have been submitted and agreed in writing by the Local Planning Authority. Following installation, the Air Source Heat Pumps, acoustic barrier, and any further attenuation measures as may be agreed, shall be retained for the lifetime of the development and maintained in accordance with the manufacturer's recommendations.

**Reason**: *To safeguard the amenities of nearby residential occupiers and to comply with policies DM5 and DM22 of the Worthing Local Plan and the NPPF.*

**Informatives / Notes to Applicant**

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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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://acp.planninginspectorate.gov.uk.

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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).