



WORTHING BOROUGH COUNCIL

Mr Zac Denton
Lewis and Co Planning SE Ltd
Lewis & Co Planning
2 Port Hall Road
Brighton
BN1 5PD

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 3 Class MA

APPLICATION NUMBER: NOTICE/0008/26

Details of Development

**APPLICATION FOR PRIOR APPROVAL FOR PROPOSED CHANGE OF USE OF THE
FIRST TO THIRD FLOORS FROM COMMERCIAL USE (USE CLASS E) TO 4NO.
RESIDENTIAL FLATS (USE CLASS C3)**

Location of Development

25 - 27 MONTAGUE STREET WORTHING WEST SUSSEX BN11 3BE

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify that PRIOR APPROVAL IS REQUIRED for the above development from the Local Planning Authority and hereby GRANTED, in accordance with the application and information registered on 5th June 2026.

This is subject to compliance with the conditions specified overleaf.

Gary Peck
Head of Planning & Development
05/08/2026

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
PROPOSED THIRD FLOOR PLAN	3003 07 A	03.08.2026
EXISTING THIRD FLOOR PLAN	3003 03 A	03.08.2026
Response to WSP / flood comments		07.07.2026
FLO CONSULTING ENGINEERS FLOOD RISK ASSESSMENT	1306 REV A	05.06.2026
EXISTING BASEMENT AND GROUND FLOOR PLAN	3003 01	05.06.2026
EXISTING FIRST AND SECOND FLOOR PLAN	3003 02	05.06.2026
EXISTING ELEVATIONS AND SECTIONS	3003 04	05.06.2026
PROPOSED BASEMENT AND GROUND FLOOR PLAN	3003 05	05.06.2026
PROPOSED FIRST AND SECOND FLOOR PLAN	3003 06	05.06.2026
PROPOSED ELEVATIONS AND SECTIONS	3003 08	05.06.2026
LEWIS AND CO SUPPORTING LETTER		05.06.2026
XDA INTERNAL DAYLIGHT REPORT	VERSION 04 MAY 2026 X321	05.06.2026

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

02. The use hereby permitted shall include a sound insulation scheme for protecting the upper floor residential unit from noise from the commercial unit below. The Scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Following implementation of the insulation scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out has achieved the minimum airborne sound insulation criteria. The use of the development shall not commence until test results, demonstrating the minimum sound insulation criteria has been achieved, has been submitted to and approved by the local planning authority.

Reason: *To protect the residents from noise from commercial premises in accordance with policy DM22 of the Worthing Local Plan.*

03. No dwelling shall be occupied unless and until an acoustic assessment has been submitted to and agreed by the Local Planning Authority in respect of the exact noise exposure of the dwellings from commercial activity and an allied scheme prepared to protect the habitable rooms from excess noise in relation to British Standard BS 8233: 2014 and World Health Organisation 2009 Community Noise Guidelines. Any acoustic scheme shall make provisions for ventilation and to protect from overheating where windows need to remain closed to achieve the internal noise requirements. The approved assessment and mitigation scheme shall be implemented prior to first occupation of any dwelling and retained thereafter.

Reason: *To protect the residents from noise from commercial premises in accordance with policy DM22 of the Worthing Local Plan.*

04. Secure, covered cycle parking and bin storage areas shall be provided within the curtilage of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby approved. Such approved cycle and bin facilities shall be provided on the site prior to commencement of use of the dwellings hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To minimise transport impacts of the proposal in accordance with policy DM15 of the Worthing Local Plan.*

Informatives / Notes to Applicant

01. All Planning Applications for both domestic and non-domestic premises that have been granted approval for new development or conversions will require a new, or amended property address for the proposed development. Developers will be required to submit a Street Naming and Numbering Application to the Street Naming and Numbering Department upon commencement of works to enable the new development to be officially addressed in compliance with the British Standard of Addressing; known as BS7666. Developers are invited to complete their Street Naming and Numbering Application via the following link to the councils' website: www.adur-worthing.gov.uk/naming-and-numbering Information and guidance regarding the Fees for the service provided are also available at this location. Alternatively, please do not hesitate to contact the Street Naming and Numbering Department via the following methods should you have any queries; Street Naming and Numbering, Adur & Worthing Councils, Town Hall, Chapel Road. Telephone Number: 01903 221479. Email: llpg@adur-worthing.gov.uk
02. We have identified the site is adjacent to a flood risk, therefore the applicant should consider creating a Flood Risk Emergency Plan in case of the event of a flood. The Flood Risk Emergency Plan should be created in line with 'Flood risk emergency plans for new development'

as produced by ADEPT and EA and demonstrate safe access and egress in accordance with NPPF.

03. The Applicant is reminded that the development the subject of this decision notice is liable for Community Infrastructure Levy (CIL). A CIL Liability Notice will be issued to the liable person(s) and a CIL Land Charge added to the register. CIL will become liable upon commencement of the development with the liable person(s) required to submit a CIL Commencement Notice at least one day before the development commences. Further information can be found on the Council's website via the link <https://www.adur-worthing.gov.uk/planning-policy/infrastructure/>

In calculating individual charges for the levy, regulation 40 (as amended by the 2014 Regulations), requires collecting authorities to apply an index of inflation to keep the levy responsive to market conditions. The index is the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This index presents forecast figures, which are updated and finalised periodically. To reduce the need for repeated re-calculation indexing will be applied from the previous 1st November of the date of the CIL Liability Notice to the previous 1st November of the date the payment is due using the national all in Tender Price Index.

04. The applicant is advised that any external works required as part of the noise assessment may require planning permission and would need to be applied for separately.
05. Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water. Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

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(ENGLAND) ORDER 2015 **Schedule 2, Part 3, Class MA**

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, and you want to appeal, then you must do so within 12 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).