Development Control – Delegated Officer Report

Application Number: AWDM/1563/23 Recommendation – APPROVE

Site: 100 - 108 Montague Street Worthing West Sussex BN11 3HG

Proposal: Application to vary conditions 1 (approved drawings) and 11 (number of flats) of AWDM/1752/20 (as amended by AWDM/0606/24). Alterations include extended showroom on second floor, improvements to internal flat layouts, changes to east elevation and alterations and extensions to third floor to increase habitable living area and reduction of overall flats to 7.

ORIGINAL DESCRIPTION: : Change of use of part of the first and second floors from retail to residential use, demolition of part of the northern elevation and extension to this elevation, extension at first floor level to the warehouse, installation of a new floor in the warehouse to match the level of the retail showroom first floor, alterations to the Crescent Road frontage to the warehouse, creation of a new access to the proposed flats from Graham Road, creation of flats including a roof top flat and conversion and extension of part of the sales area, provision of cycle and bin storage and ancillary works.

Date of site visit: various site visits

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

Montague Street at this point is part of the secondary shopping frontage of Worthing town centre as defined in the Worthing Local Plan 2023 and is pedestrianised. This prominent corner with an imposing three storey Victorian building is within the Montague Street conservation area.

The cream coloured building comprises a traditional glazed shop front to Montague Street and part of the Crescent Road and Graham Road frontages. At ground floor facing Crescent Road is the blocked frontage of a former chapel building and now warehouse/store for the shop. Facing Graham Road is the rear entrance and service yard.

The overall building is three storeys although attached there is two building types with the corner building portraying large deep windows and detailing to the masonry and a flat roof. The attached building to the east has smaller window openings and a part pitched roof. To the rear there are a range of additions, part single, part two storey and part three storey (stairwell)

The former Trinity Church hall building was incorporated into the site in 1971 and has been refurbished and used for showroom and store.

To the north of the site is a Victorian terrace along Crescent Road. This comprises 3 storeys above a semi basement and most have added a full mansard to the roof, though No 6 which adjoins the site does not. The bulk are in residential use converted to flats. The facing southern flank of the terrace is windowless.

To the north east the buildings are two storey Victorian terraced houses in Graham Road which feature uniform outriggers, excepting No 3 which is shorter by approx. two metres. 3 and 5 Graham Road gardens directly abut the site. The gardens are bounded by tall (2 metre plus metre) walls. Only the ground floor flat in No 5 incorporates window in its west facing outrigger at this level. In common with the rest of the terrace, Nos 3, 5, 7and 9 include west facing first floor windows in their outriggers.

To the east and south are a range of two storey buildings with retail primarily on the ground floor and store/residential at first floor. The property immediately to the east has a number of windows at first floor facing the site. This area appears to being used as storage for the café below. There is a shopfront with return at ground floor level. The properties on the south side of the pedestrianised street are two storey and much smaller in scale than 100-108 Montague Street.

On the opposite site of Crescent Road there is a continuation of two and three storey buildings with commercial at ground floor and mixed uses above.

Proposal

The application is a variation of condition 1 to include:

- The first floor includes internal alterations to flats 2 and 3, the floor area remains the same. Flat 1 is increased in area from a 1-bedroom flat (67sqm) to a 2-bedroom flat at 84sqm.
- Extending the retail showroom on the second floor by enclosing over a flat roof on a northern internal elevation. The increase in area would be 27.4sqm. The extension would have a flat roof.
- On the second floor it is proposed to alter the internal arrangements of flats 5 and 6, the floor area would remain the same. Flat 4 would be extended in retail floor

space and is increased in area from a 1 bedroom flat (67sqm) to a 2 bedroom flat at 84sqm.
- Extending the floor area on the third floor with an enlarged extension and new dormer window.
- At third floor following discussion and amendment it is proposed to reduce the number of units from 2 flats to one two bedroom flat (flat 7) with a floor area of 134sqm
- Replacement window and door in the east elevation with apartment letterboxes to replicate the details on the east ground floor elevation.

The proposed residential units would comprise

Flat 1- 2B 84 sqm
Flat 2- 2B 65 sqm
Flat 3- 1B 54 sqm
Flat 4- 2B 84 sqm
Flat 5- 2B 65 sqm
Flat 6- 1B 54 sqm
Flat 7- 2B 134 sqm

Condition 11 that was imposed as part of the NMA would be varied to say that 7 units are proposed instead of 8

Relevant Planning History:

AWDM/0052/15- Infill central part of first floor to extend showroom and extend forwards and subdivide existing enclosed flat roofed area for deliveries by Graham Road-Approved

AWDM/0449/16- Demolish existing redundant warehouse storage rooms attached to existing retail premises, replace with a pair of three storey two bedroom semi-detached dwellings with gardens and access from Crescent Road. APPROVED- Not implemented

PREAPP/0153/20- Create 8 flats in part of the upper floors to this property including alterations to the north eastern side, create one flat on the roof, alter the frontage and change the use of a building currently used as the warehouse to the north west side of the building and to extend the first floor of the warehouse to the east.(see PREAPP/0581/19)

AWDM/1752/20- Change of use of part of the first and second floors from retail to residential use, demolition of part of the northern elevation and extension to this elevation, extension at first floor level to the warehouse, installation of a new floor in the warehouse to match the level of the retail showroom first floor, alterations to the Crescent Road frontage to the warehouse, creation of a new access to the proposed flats from Graham Road, creation of 8 flats including a roof top flat and conversion and

extension of part of the sales area, provision of cycle and bin storage and ancillary works. APPROVED

AWDM/0908/22- Approval of Details Reserved by Conditions: Condition 3 (Materials); Condition 4 (Railing, Hard & Soft Landscape); Condition 5 (Ventilation); Condition 6 (Contamination Risk Assessment Details); Condition 7 (Construction Management Plan) and Condition 10 (Working Hour Details) of approved application AWDM/1752/20-APPROVED

AWDM/1377/22 - A Non-Material amendment to approved application AWDM/1752/20 for new windows, gate, bin and cycle store-APPROVED

AWDM/0732/23- Proposed extension to accommodate new dwelling with mansard roof with flat roof dormers and glass balustrade. APPROVED

AWDM/0606/24 - Non-material amendment to approved application AWDM/1752/20 for a description to change to: Change of use of part of the first and second floors from retail to residential use, demolition of part of the northern elevation and extension to this elevation, extension at first floor level to the warehouse, installation of a new floor in the warehouse to match the level of the retail showroom first floor, alterations to the Crescent Road frontage to the warehouse, creation of a new access to the proposed flats from Graham Road, creation of flats including a roof top flat and conversion and extension of part of the sales area, provision of cycle and bin storage and ancillary works. Permitted

Consultations:

WSCC Highways

The LHA have been consulted on the above application, with regards to alterations to planning application AWDM/1752/20. There don't appear to be any changes that would affect access from the highway or parking; therefore the LHA would raise no objection and would refer you to our comments made under planning application AWDM/1752/20.

WSCC Water and Access

Having viewed the plans for the planning application no. AWDM/1563/23 for the change of use of part of the first and second floors from retail to residential use, demolition of part of the northern elevation and extension to this elevation, extension at first floor level to the warehouse, installation of a new floor in the warehouse to match the level of the retail showroom first floor, alterations to the Crescent Road frontage to the warehouse, creation of a new access to the proposed flats from Graham Road, creation of 8 flats including a roof top flat and conversion and extension of part of the sales area, provision of cycle and bin storage and ancillary works; evidence is required to show that all parts inside all flats are within 45 metres of the location of a fire appliance in accordance with

Approved Document B (AD-B) Volume 1 B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45-metre distance will need to be mitigated by the installation of sprinkler or water mist system complying with BS9251 or BS8458 standards.

The applicants have now provided the hose run and have confirmed that they will provide a mist system as necessary

Southern Water

Southern Water has no objections to the above variation of condition 01. The comments in our response dated 23 November 2020 remain unchanged and valid.

Water Management

No objections

Worthing Society

Thank you for requesting our comments on the above application. We have noted the comments from the Private Sector Housing Officer regarding the proposed changes and variations to Condition I of the earlier approved plans. In particular, the Private Sector Housing Office have highlighted access problems regarding Flat 7 and stated that Flat 8 does not meet the National Technical Space Standards. Although these issues fall somewhat outside our remit, we respectfully suggest that they need to be resolved with the applicant's architect before the application is progressed

Environmental health

No further comments received

Private Sector Housing

Flat 7 has bedrooms that are only accessed through the high risk open plan kitchen living area. An attempt has been made to mitigate the risk, but this involved exiting the rooms to a balcony and then re-entering the building which is not ideal.
Flat 8 appears to be too small from the plan. The GIA for those areas over 1.5m is only 30 sq.m and the minimum floor to ceiling height is not 2.3m for at least 75% of the GIA. This unit does not meet the national technical space standards

Officer's response: Units 7 and 8 compared

Representations:

Flat 2 3 Graham Road
I have an interest in this particular planning application as I live immediately adjacent to the property concerned. I recognise that the original planning application had been approved and that the work specified therein has largely been completed. However, I would like re-assurance that the further works outlined in the current application are not going to cause any further disturbance to me and that they will not in any way impact upon my property. Thank you.
Further to my previous comment, I would like to add that I already have to tolerate a great deal of noise emanating from two large generators (presumably associated with their heating system) which are located above the proposed entrance to their flats and only a few metres away from my bedroom window. Hence my concern about these further proposals causing any further disturbance.

Relevant Planning Policies

National Planning Policy Framework (2024)
National Planning Practice Guidance (CLG)
Supplementary Planning Document 'Space Standards' (WBC 2012)

Montague Street Conservation Area Appraisal (WBC 2001)

Worthing Local Plan 2020-2036 (WBC 2023:
SP1 (Presumption in Favour of Sustainable Development)
SP2- Climate Change
SP3 Healthy Communities
SS1 (Spatial Strategy)
DM1 (Housing Mix)
DM2 (Housing Density)
DM5 (Quality of the Built Environment)
DM13 (Retail and Town Centre Uses)
DM16 (Sustainable Design)
DM17 (Energy)
DM22 (Pollution)
DM24 (The Historic Environment)

Planning Assessment

The principle of change of use and conversion has been accepted by planning permission AWDM/1752/20. The main issues are whether the variations as outlined above are acceptable.

Planning Assessment

Existing retail unit

The site lies within the secondary shopping frontage within the Worthing local Plan.

Policy DM13 states that Spatial Policy SS3 (Town Centre) sets out the overarching development principles for the Town Centre and associated seafront and it is the starting point against which all proposed development in these areas will be assessed. The more detailed approach to frontages is set out below:

ii) Secondary Shopping Frontage (SSF) - a wider range of uses will be supported provided they are active uses with active shop fronts that will enhance the vitality and viability and complement existing uses. However, uses such as takeaways and uses with closed and inactive street frontages will be resisted; and

The variation as previously proposes retaining the ground floor of this large shop unit and developing into the former warehouse building to provide a more suitable ground and part first floor shopping experience. The variation includes at second floor an increase of the retail floor area of 27.4sqm by the inclusion of the extension but also a reduction by increasing flats on the first and second floors by approx. 17sqm each. There would therefore be a small loss in retail floor space of just over 6sqm . This minimal loss would therefore have a neutral impact on retail floor space and retain a large shop unit with two frontages on ground floor and will retain the viability and viability of the unit.

Heritage and Visual Amenity

The starting point is whether the development would preserve or enhance the established character and appearance of the Conservation Area.

The application site comprises a prominent corner three storey Victorian building within the Montague Street conservation area. The former Trinity Church hall building was incorporated into the site in 1971 and has partly been used as showroom and store.

The Montague Street Conservation Area document identifies this section of Montague Street as an important part of the town centre shopping area. Wholly pedestrianised, it is a corridor type urban space enclosed by two to four storey buildings on both sides of the street. It indicates that the north side of the street especially has good townscape quality.

It indicates that architectural historic and townscape elements which should be preserved include:

• A common building line at the back of the pavement.
• Cohesive paving materials.
• A vertical emphasis to front elevations.
• Original architectural detailing on 19th century properties including string courses, parapets, slate roofs, quoins and timber sliding sash windows.
• Elevations in stucco or red brick.

The variation application includes one matching window, a clear door to comply with document M (1) requirements and mail boxes in the east elevation, these are in character with the existing pattern of the windows of the building and would not impact on the character of the building or the conservation area.

At second floor the variation includes a small flat roof extension to the rear. This would be relatively internal to the site and due to existing structures and the utilitarian nature of the building at the rear the flat roof extension would not have an impact on the character of the building or the conservation area.

On the roof level the variation includes a small rooflight window to the frontage in line with two existing approved rooflights. Due to the height and location the additional roolight window would not have an impact on the character of the building or conservation area.

At roof level, the size and shape of the roof addition has been amended and includes a square rather than curved window to flat 7 to the south west corner and an increase in size to the north by approx. 2m. A small flat roof dormer extension is also proposed to the north elevation. The extension would remain set in from the potentially prominent south and west elevations. The variation also includes increasing the outdoor terrace area for the proposed roof level unit to the northern side with obscure glazed screen to 1.7m. The roof terrace for flat 7 is also shown as a more formal area dedicated to this property.

Although the proposal increases the area of the roof addition in view of the approved scheme, existing structures and height of the building it is not considered that the variation would have a material impact on the character of the building or the conservation area.

The proposed variations are considered to be in line with the approved principles in character with the building, the character of the conservation area and the area in general.

Residential Amenity

Future Occupants

The Guide for residential development SPD- Living above shops and other commercial premises indicates that the following points must be considered when assessing an application for living above shops or commercial properties:

- The amenity of residents and occupiers, or of the surrounding area.
- Sound proofing measures for the residential units.
- Design/space standards.
- Independent and safe access shall be provided to the residential unit which is separate from that of ground floor use.

The application which has been amended since originally submitted proposes
Flat 1- 2B 84 sqm
Flat 2- 2B 65 sqm
Flat 3- 1B 54 sqm
Flat 4- 2B 84 sqm
Flat 5- 2B 65 sqm
Flat 6- 1B 54 sqm
Flat 7- 2B 134 sqm

All units comply with the internal space standards.

Concerns raised by Environmental Health in relation to unit 7 and 8 have been alleviated by removing unit 8 and increasing the size of unit 7 and enabling the bedrooms to be accessed off the hallway. No further comments have been received from Environmental health. Flat 7 provides a good sized unit with light and storage.

The internal alteration to flats on the first and second floors still provide the properties with good light and outlook.

The 'Space Standards' SPD also sets out requirements for external open space. Balconies need to be of sufficient size to accommodate a small table and sufficient chairs for each occupant. The scheme provides for communal open space on the roof enclosed by railings which would be set back 1.5-2m from the edge of the building. There is also a separate private balcony for the roof level unit 7, further details are required and a condition for the submission of materials and balcony details is considered appropriate.

Neighbour amenity

The application site is within a range of commercial units with residential to Graham Road and Crescent Road.

The resident of flat 2 3 Graham Road has raised concerns that the proposal should not have any further impact and that noise from generators has become a problem.

The variation includes an extension to the store at second floor. The extension would fill in an existing void in the building and with no windows proposed would not have an impact on neighbouring amenity.

The variation includes extensions to the approved roof level apartment making it closer to neighbouring properties to the north particularly in Graham Road, the apartment also includes additional terracing to the northern side.

Although closer to the northern boundary the proposed addition to flat 7 would still retain a set back from the northern façade of the building and an obscure glazed glass screen

is proposed to the additional northern terrace to 1.7m in height. The height and distance to the boundary should ensure that the additional extension and terrace to flat 7 would not cause additional overlooking or visual impact.

The additional extension to the north of flat 7 as a consequence pushes the access way to the shared terraced also further to the north, and although closer to the northern boundary it would remain a narrow passageway to the main communal space which is further from residential properties in line with the previous approval.

Approved Conditions

Condition 3 (Materials); Condition 4 (Railing, Hard & Soft Landscape); Condition 5 (Ventilation); Condition 6 (Contamination Risk Assessment Details); Condition 7 (Construction Management Plan) and Condition 10 (Working Hour Details) have all been previously approved under AWDM/0908/22

CIL

The proposal is liable to CIL

Recommendation

APPROVE subject to Conditions:-

1. Approved Plans
2. Standard time limit – removed as works have commenced
3. Approved Details from AWDM/0908/22 and current plans and details
4. Details in accordance with approved plans under AWDM/0908/22
5. Details in accordance with details submitted and approved under AWDM/908/22
6. Details in Details in accordance with details submitted and approved under AWDM/908/22
7. Details in accordance with details submitted and approved under AWDM/908/22
8. Bins provided.
9. Cycle storage
10. Hours of work
11. Number of units

Informative

1. 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.
2. New Address
3. Formal application to Southern Water for connection to sewerage system
4 CIL
5. Asbestos

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jackie Fox Date: 28.01.26

Authorised by: Louise Prew Date: 10/02/2026