



WORTHING BOROUGH COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1279/25

Details of Development

ERECTION OF ADDITIONAL STOREY FOR THE CREATION OF FOUR SELF-CONTAINED RESIDENTIAL UNITS (USE CLASS C3) WITH TERRACES AND SCREENING

Location of Development

97 - 99 MONTAGUE STREET WORTHING WEST SUSSEX BN11 3BN

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 14th October 2025.

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

Gary Peck
Head of Planning & Development
03/07/2026

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 GROUND FLOOR PLAN	3110.04B	16.02.2026
PROPOSED FIRST FLOOR PLAN	3110.05A	16.02.2026
PROPOSED SECOND FLOOR PLAN & ROOF PLAN & BLOCK PLAN	3110.06B	16.02.2026
PROPOSED ELEVATIONS & SECTION	3110.07B	16.02.2026
PROPOSED STREET SECTION & WINDOW RELATIONSHIP	3110.08A	16.02.2026
DESIGN & ACCESS STATEMENT	V2	14.10.2025
FLOOD RISK ASSESSMENT	Rev C	14.10.2025
DAYLIGHT REPORT	V01	14.10.2025
EXTG GROUND FLOOR PLAN	3110.01	14.10.2025
EXTG FIRST FLOOR PLAN, EXT ROOF PLAN & LOCATION PLAN	3110.02	14.10.2025
EXTG ELEVATIONS & SECTION	3110.03	14.10.2025

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. No development shall be carried out unless and until a schedule of all external materials and finishes to be used for the walls, windows and doors, roof and bin stores of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in

accordance with the approved schedule and thereafter retained for the lifetime of the development.

Reason: *In the interests of visual amenity and to comply with policy DM5 of the Worthing Local Plan.*

04. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding.

Reason: *In the interests of highway safety and the amenities of the area.*

05. Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: *To ensure adequate drainage and to comply with policy DM20 of the Worthing Local Plan.*

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in the east or west side walls of the extension other than as hereby approved.

Reason: *To prevent overlooking and to comply with policy DM5 of the Worthing Local Plan.*

07. Prior to occupation of any of the dwellings hereby permitted the following windows and balcony screens shall be fitted with obscured glass not less than Level 3 and shall be non-opening in that part of the window below 1.7m above finished floor level.
- The windows annotated as OG on the west elevation
 - The window to the single bedroom in Flat D
 - All boundary screens to the north and south terraces.

The windows and screens shall thereafter be retained as such for the lifetime of the development and not altered in any way.

Reason: *To prevent overlooking and to comply with policy DM5 of the Worthing Local Plan.*

08. No part of the development shall be first occupied until five secure and lockable cycle spaces as shown on the approved ground floor plan have been installed in full. They shall thereafter be retained in good working order for the lifetime of the development.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

09. No part of the development shall be first occupied until the refuse, recycling and food waste stores as shown on the approved ground floor plan have been installed in full. The stores shall thereafter be maintained and retained for the lifetime of the development.

Reason: *In the interests of amenity and to provide facilities for refuse and recycling storage.*

10. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-

Monday - Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays, Public and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policy DM22 of the Worthing Local Plan.*

11. Prior to first occupation of the dwellings hereby permitted, the following shall be submitted to the Local Planning Authority for approval in writing.
- i) a build stage SAP calculation report demonstrating that the thermal performance levels of the proposed dwellings shall meet or exceed the requirements under Part L of the Building Regulations (2021) together with evidence that the dwelling has achieved a minimum B rating Energy Performance Certificate (EPC);
 - ii) evidence to show that the solar panels achieve at least 10% of predicted total energy requirements (after CO₂ reductions from energy efficiency measures). If the solar panels can not provide at least 10% the alternative measures to provide at least 10% such as air source heat pumps. If an ASHP is proposed then this shall show that the installation of the heat pump complies with the Chartered Institute of Environmental Health and Institute of Acoustic's guidance: 'Heat Pumps, Professional Advice note.' The report shall outline that the rating level from the ASHP shall not exceed

35dBLAeq15min at any noise sensitive façade of a neighbouring residential premises. If it is not practical to achieve this value and the local context supports a relaxation, then a report providing a full justification as to why such a relaxation in rating level is required, shall be submitted in writing to the Local Authority for approval. Only where such justification has been agreed in writing by the local planning authority shall the rating level from the ASHP exceed 35dBLAeq15min at any noise sensitive facade of a neighbouring residential property:

- iii) all fittings (shower, taps, WCs) shall be low-flow and shall adhere to the optional requirement set out in the Building Regulations limiting estimated water usage to no more than 110 litres of water per person per day.

Once approved the details shall be installed in full and retained as such for the lifetime of the development.

Reason: *In the interests of sustainable development and to comply with policies DM16, DM17 and DM20 of the Worthing Local Plan.*

- 12. In the event that the change of use permitted under application NOTICE/0015/25 has not been implemented in full, the dwellings hereby permitted shall not be occupied unless and until an insulation scheme for protecting the second floor residential units from noise has been submitted to and approved by the local planning authority. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors. Following approval and implementation of the scheme, a test shall be undertaken with the results submitted to the Local Planning Authority for approval in writing. All works, which form part of the approved scheme, shall be completed before the use commences and retained for the lifetime of the development.

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

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.
- 02. All points inside all dwellings should be 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 45m distance will need to be mitigated by the installation of domestic sprinkler or water mist systems complying with BS 9251 or BS8458 Standard.

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. 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, Portland House, 44 Richmond Road, Worthing BN11 1HS. Telephone Number: 01903 221479. Email: llpg@adur-worthing.gov.uk

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(AMENDMENT) (ENGLAND) ORDER 2015**

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).