

Development Management – Delegated Officer Report

Application Number: AWDM/0024/26

Recommendation: – Refuse

Site: 136 Montague Street Worthing West Sussex

Proposal: Variation of Condition 1 (Approved plans) of AWDM/1892/21 to change the unit from one-bedroom to two-bedrooms.

ORIGINAL DESCRIPTION: Self containment of first floor flat involving installation of separate front entrance and replacement shopfront

Date of Site Visit: 10.02.2026

Neighbours Checked: Y

Additional Neighbours Notified: N Site notice posted 10.02.2026

Site and Surroundings

The application relates to a 2-storey mid-terraced property located on the north side of Montague Street within Town Centre Secondary Frontage area and within the Montague Street Conservation Area. The ground floor of the property is in use as a hot food takeaway and there is a self-contained flat at first floor level. There are hot food takeaways/restaurants on either side of the application site in Montague Street, and a modern residential mews development 'Clarendon Mews' to the rear. The site is located within Flood Zone 2/3 and is susceptible to surface water flooding.

Proposal

The application seeks to regularise an amendment to the internal layout of the first floor flat which the application forms state was not carried out in accordance with the approved plans under application AWDM/1892/21. This has resulted in a change from a 1-bedroom flat to a 2-bedroom flat. A separate kitchen is also indicated on the plans. The application forms state that the work was completed in 2022.

Relevant Planning History:

05/0985/FULL - Change of use from a restaurant (Class A3) to takeaway (Class A5)
STATUS: CCN 7th December 2005.

AWDM/1892/21 - Self containment of first floor flat involving installation of separate front entrance and replacement shopfront
STATUS: APP 18th January 2022.

Consultations

The **Highway Authority** has commented as follows:

This application is for variation of condition 1 (approved plans) of AWDM/1982/21 to change the unit from one-bedroom to two-bedrooms. The site is located on Montague Street, an un-classified road subject to a speed limit of 30mph.

The LHA was consulted on the original application at this site for the self containment of first floor flat, installation of separate front entrance and replacement shopfront. The LHA did not raise any highway safety concerns to the proposal and the application was approved.

The proposal will result in one additional bedroom to the existing first floor flat. The flat does not currently benefit from existing parking provision and this arrangement is not proposed to be altered. As such, the proposal has the potential to generate an increase in demand for on-street parking provision over the existing approval. However, whilst on-street car parking is limited in the immediate vicinity, there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view. The LHA acknowledge the sustainable location of the site, within walking distance of a variety of shops and services. The LPA may wish to consider securing covered cycle storage via condition if sufficient space is available on site.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

Southern Water - no objection.

Environment Agency – no objection.

The Worthing Society – no comments received

The Council's **Drainage Consultant** has made the following comments:

Thank you for your consultation on the above site. We have reviewed the application as the drainage consultant acting on behalf of the Council and wish to make the following comments

The applicant is applying for a variation of Condition 1 (Approved plans) of AWDM/1892/21 to change the unit from one-bedroom to two-bedrooms. The application is to Worthing Borough Council.

Following a review of the submitted information, we have noted no change to drainage or flood risk and therefore would recommend the approval of the application.

The Council's **Environmental Health Officer** has confirmed no adverse comments.

Representations

None received.

Relevant Planning Policies:

Worthing Local Plan 2020-2036 (WBC 2023): Policies:

SP1 (Presumption in Favour of Sustainable Development)

SS1 (Spatial Strategy)

SS3 (Town Centre)

DM1 (Housing Mix)

DM2 (Housing Density)

DM3 (Affordable Housing)

DM5 (Quality of the Built Environment)

DM13 (Retail and Town Centre Uses)

DM15 (Sustainable Transport and Active Travel)

DM16 (Sustainable Design)

DM17 (Energy)

DM20 (Flood Risk and Sustainable Drainage)

DM22 (Pollution)

DM24 (The Historic Environment)

National Planning Policy Framework (MHCLG 2024)

National Planning Practice Guidance

SPD 'Space Standards' (WBC 2012)

Planning Assessment:

The self-containment of the residential accommodation to form a one bedroom flat has been previously considered under application AWDM/1892/21. This assessment is limited to considering the changes to the layout that have occurred as indicated on the 'as built' drawings provided.

Visual Amenity and impact on the Conservation Area

The application relates to changes to the internal layout and the internal dividing wall does not have any significant visual impact.

Residential Amenity

The NPPF emphasises the importance of creating places that have a high standard of amenity for existing and future users (paragraph 135).

It is considered that there would be no significant impact on the amenities of neighbouring occupiers as a result of the change from a 1-bedroom flat to a 2-bedroom flat.

The previous application approved a 1-bedroom flat and the layout was considered satisfactory and in accordance with the Council's space standards.

Noise from the ground floor commercial use and neighbouring uses was previously considered as part of the original application with a condition requiring implementation of a noise attenuation scheme.

Bin storage was previously required within the rear yard and this would not alter as part of the current proposals.

Local Plan policy DM2 requires new dwellings to meet as a minimum the nationally described space standards for internal floor areas and storage space.

Policy DM5 states that to ensure that the quality of approved development is not materially diminished between permission and completion, where appropriate, the Council will resist subsequent planning applications that would impact negatively on the design and quality of the approved scheme.

The current application includes 'as built' plans which indicate a total GIA of approximately 53.7 square metres which would be below the standard for a 2-bedroom flat and does not provide a double bedroom, contrary to the requirements of the nationally described space standards. Furthermore, whilst the second bedroom has a floor area of approximately 8.1 square metres it is particularly narrow in width (1.9 sqm) and would not meet the space standards for a single occupancy bedroom.

It is considered that the 'as built' 2-bedroom flat layout as indicated represents a retrograde step to the quality of the approved scheme, would not provide a satisfactory standard of accommodation for future occupiers, and would not meet the minimum space standard requirements. As such the proposals would be contrary to local plan policies DM2 and DM5.

Highway safety

No onsite parking is available and this arrangement was previously approved. No objection has been raised by the Highway Authority on parking or highway safety grounds. There would be no significant increase in demand for parking as a result of the proposals.

Flooding

The Environment Agency has confirmed no objection to the proposed development and the Council's Drainage consultant raises no objection on surface water grounds.

Recommendation:

REFUSE for the reason:-

The as built 2-bedroom flat, by reason of its size and layout, does not provide an acceptable standard of accommodation to the detriment of the amenities of occupiers contrary to policies DM2 and DM5 of the Worthing Local Plan (2023) and the NPPF.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority has a pre-application advice service in respect of any future application for a revised development.

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

Case Officer: Rebekah Hincke

Date: 17.03.2026

Authorised by: Louise Prew

Date: 18/03/2026