



WORTHING BOROUGH COUNCIL

Mr Joseph Pearson
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

APPLICATION NUMBER: AWDM/0103/26

Details of Development

SHOPFRONT ALTERATIONS; CHANGE OF USE OF PART OF GROUND FLOOR FROM RETAIL AND FIRST FLOOR RESIDENTIAL UNIT TO SMALL HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4); REPLACEMENT WINDOWS, NEW REAR DOOR AND OTHER ASSOCIATED ALTERATIONS INCLUDING REFUSE STORES AND CYCLE SPACES (NOS 39, 39A AND 39B)

Location of Development

39 BRIGHTON ROAD WORTHING WEST SUSSEX BN11 3EF

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 28th January 2026.

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

Gary Peck
Head of Planning & Development
09/07/2026

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 FLOOR PLANS	3094 03C	23.06.2026
PROPOSED ELEVATIONS AND SECTIONAL ELEVATIONS AND SECTIONAL ELEVATION	3094.04D	01.07.2026
PROPOSED FLOOR PLANS	3094 03A	26.03.2026
PROPOSED ENTRANCE DOOR TO UNIT A & B	L31330-I1 REV C	26.03.2026
2ND FLOOR BOX SASH WINDOW	VER-SS- 04825-003 REV C	26.03.2026
LOCATION PLAN AND EXISTING FLOOR PLANS	3094 01	28.01.2026
EXISTING AND SECTIONAL ELEVATIONS	3094 02	28.01.2026
PLANNING STATEMENT		28.01.2026
REAR SASH WINDOW DETAIL		28.01.2026
PROPOSED AND SECTIONAL ELEVATIONS	3094 04A	01.05.2026
VENT SLATE		01.05.2026
OUTER VENTILATION HOOD		01.05.2026
ACOUSTIC REPORT	J4089 ISSUE 1	29.04.2026
KTLX ACOUSTIC DESIGN RESPONSE TO ENVIRONMENTAL HEALTH COMMENTS		08.05.2026

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. The external materials and finishes of the development hereby permitted shall, prior to occupation of the HMO, be completed in strict accordance with the approved plans and particulars and retained as such for the lifetime of the development.

Reason: *In the interests of visual amenity and to preserve the appearance of the conservation area in accordance with policy DM5 of the Worthing Local Plan.*

04. The HMO hereby permitted shall not be occupied until covered and secure cycle parking spaces have been provided in accordance with WSCC guidance and plans and details to be submitted to and approved by the Local Planning Authority. Thereafter the stands shall be kept in good working order for the lifetime of the development.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with policy DM15 of the Worthing Local Plan and the NPPF.*

05. All works which form part of the scheme for protecting the development from external noise as set out within Acoustic South East - Reference Number: J4089 Issue 1, shall be completed in full before any part of the noise sensitive development is occupied. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures are effective and protect the HMO from noise with the results submitted to the Local Planning Authority and approved in writing prior to occupation. The implemented details shall thereafter be retained.

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

06. Prior to occupation, evidence that the development has achieved a minimum C-rating Energy Performance Certificate shall be submitted to the Local Planning Authority for approval in writing.

Reason: *In the interests of sustainable development and to comply with policy DM16 of the Worthing Local Plan.*

07. No work for the implementation of the development hereby permitted shall take place except between the hours of 08.00 and 18.00 on Monday to Friday and between the hours of 08.00 and 13.00 on Saturdays. No work shall take place on Sundays or on Bank or Public Holidays.

Reason: *To safeguard the amenities of the occupiers of nearby properties having regard to policy DM5 of the Worthing Local Plan.*

08. The sound insulation of the floor/ceiling between the HMO on the first floor and the residential unit above shall achieve a minimum airborne sound insulation value of

45dB (DnTw + Ctr dB) and a minimum impact sound insulation value of 62 (LnTw dB). Prior to occupation of the HMO, a test shall be undertaken to demonstrate compliance with this level with the results submitted to the Local Planning Authority and approved in writing. The values shall thereafter be adhered to.

Reason: *To protect the residents of the HMO from noise transmission from the flat above 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. This development is subject to mandatory HMO licensing. Please see the Council's website for more information and how to apply <https://www.adurworthing.gov.uk/housing/conditions-and-empty-properties/hmo/#which-propertiesrequire-an-hmo-licence>

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (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).