

Development Management – Delegated Officer Report

Application Number: **AWDM/0392/26** **Recommendation: APPROVE**

Site: **The Montague Centre, Liverpool Road, Worthing West Sussex**

Proposal: Non-material amendment to approved AWDM/1194/24 to increase the overall height of the building by up to 50cm, add lift overruns and relocate car club space and accessible spaces to the first floor

Date of Site Visit: NA

Neighbours Checked: **Y**

Additional neighbour notification: Immediate neighbours were notified

Proposal

The plans show the addition of up to 50cm in height. This is to allow a steel grillage to be inserted to take the weight of the additional floors. Lift overruns are also now shown. Changes to the placement of windows and detailing at first and second floor levels have been made as a result of the steel being inserted above the existing building.

Three accessible car parks and a car club space at the bottom (northern) end of the vehicle ramp will be moved to the top of the ramp within the parking area. They were moved out of the separate full substation application (AWDM/0707/25) to ensure they are reprovided and covered by the s106 of the existing application.

Site and Surroundings:

This town centre site comprises the part-two, part- three storey Georgian-style building which forms the western side of the retail pedestrian area and arcade at Liverpool Buildings. Its northern wall, which is part of the T K Maxx store, also forms the edge of the wide pedestrian pathway alongside the southern of the Liverpool Gardens Public Car Park, connecting to Shelley Road.

Its western edge is immediately to the rear of the Georgian style apartment building, Alexander Terrace, and comprises the vehicular access and delivery ramp that runs behind the terrace upwards to retail service entrances at roof level of the Montague Centre. The remaining western (rear) wall of the building fronts onto Liverpool Gardens, this includes the distinctive colonnade and sculpture above it; 'the Dessert Quartet' also known as the 'Frink Heads'. The heads and colonnade (or logia) are a listed structure with heritage and cultural importance. Liverpool Gardens is part of the South Street Conservation Area and adjoins that of Chapel Road.

The southern side of the building faces Montague Street and houses a Nando's restaurant.

The building was constructed around 30 years ago, along with Alexander Terrace, in replacement for the demolished Odeon Cinema. Its architecture closely reflects the listed early C19th neo-classical/ Georgian style of Liverpool Terrace on the opposite side of the intervening gardens. A pair of matched rotunda towers are located at the northern and southern corners of the building.

Planning History:

AWDM/1194/24: Application to Vary Condition 1 (approved plans), condition 23 (Obscure glazing & Balcony screen) and condition 28 (number of units) of application AWDM/1624/22 (and amended by NMA application AWDM/1718/23): Amendment allows for an additional three flats within the 2nd floor and an increase in total units to 45, alteration to ground floor access ORIGINAL DESCRIPTION: Full planning permission for a maximum of three additional floors above the Montague quarter shopping centre to provide self contained residential units on the upper floors. Approved 19/03/2026

AWDM/1624/22 - Full planning permission for a maximum of three additional floors above the Montague Quarter Shopping centre to provide 42 No. residential units. Approved 6th October 2023.

AWDM/1718/23 - Application for a non-material amendment to previously approved AWDM/1624/22. Change of development description to: Full planning permission for a maximum of three additional floors above the montague quarter shopping centre to provide self contained residential units on the upper floors. Approved 19th February 2024.

AWDM/0707/25 - Enclosure for new UKPN substation and blue badge accessible parking bays (associated with application AWDM/1624/22). Pending consideration

Consultations:

Conservation architect:

In conversation with the conservation architect various inconsistencies between the approved plans and proposals were identified. These have been resolved. Following submission of proposals for banding at first floor the following comments were received:

The banding looks better on the drawing.

WSCC (as LHA) provided comments on AWDM/0707/25

No Objection is raised in principle however we are aware that due to these changes the car club parking space has not been provided anywhere else on the site and what implications does this have for the operation of the car club?

Dedicated Car Club Bay The client is going to fund membership for a car club, but can the applicant confirm where the parking space has been relocated to? If there is not enough space for one how will the car club work going forward.

Officer's note: Following provision of a plan (which has been included on plans for this application), WSCC confirmed that it was acceptable.

Representations

N/A

Relevant Planning Policies

National Planning Policy Framework (2024)

Planning Assessment

Section 96A of the Act allows a non-material amendment to be made to an existing planning permission via an application procedure. There is no statutory definition of 'non-material'. This is because it is so dependent on the context of a particular scheme – what may be non-material in one context may be material in another. In order to grant an application a local planning authority must be satisfied that the amendments sought are non-material. s96A also allows for changes to conditions:

Power to make non-material changes to planning permission

(1) A local planning authority ... may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2) In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

(3) The power conferred by subsection (1) includes power—

(a) to impose new conditions;

(b) to remove or alter existing conditions.

The application proposes additional height to the building up to 50mm. This is to allow a steel grillage to be located above the ground floor on the southern part of the

shops and above the first floor above TK Maxx. This steel structure will ensure that the building can take the extra load of the three additional floors.

The alterations to the southern aspect of the proposal represent a loss in quality with the first-floor windows pushed upwards towards the urns and aligning them with the windows to the north. The applicant has compensated for the expanse of brick below the windows with a detailed band to match the rest of the building.

It is unfortunate that the lift overruns were not originally designed into the scheme as they appear as add ons in the NMA plans. However, given the size and location they are not considered to have a material impact on the scheme.

Overall, the proposed changes in design are considered non-material.

WSCC confirmed no objection in their comments on the substation application following the reprovision of the car club space alongside the three accessible spaces. The number of is the same and the relocation is considered non-material.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise:

PROPOSED ELEVATIONS	S73-301 REV E	04.08.2026
PROPOSED ELEVATIONS WITH CHANGES MARKED	S73-305 REV E	04.08.2026
PROPOSED FIRST FLOOR PLAN	S73-102	11.08.2026
PROPOSED GROUND FLOOR PLAN	S73-101	11.08.2026

..... existing planning permission AWDM/1194/24 still stands and that the conditions imposed upon it continue to apply to the development except that the above plans can be substituted for Drawing Nos.

PROPOSED ELEVATIONS (1)	21251-120	02.06.2023
PROPOSED ELEVATIONS (2)	21251-121	02.06.2023
Level 00 Proposed Plan	AF210	04.08.2025
Level 01 Proposed Plan	AF211	17.09.2024
North & West Elevations	AF400	17.09.2024

Case Officer: Louise Prew Date: 11/08/2026

Authorised by: Stephen Cantwell Date: 12/08/2026