WORTHING BOROUGH COUNCIL

Mr Alistair Anderson
Brown&Co JHWalter
5 Oakwood Road
Lincoln
LN63LH
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0371/25

Details of Development
CHANGE OF USE FROM RETAIL (CLASS E) TO AN ARCADE INCORPORATING BINGO (SUI GENERIS)

Location of Development
82 - 84 MONTAGUE STREET WORTHING WEST SUSSEX BN11 3HF

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 24th March 2025.

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

G Peck

Gary Peck
Head of Planning & Development
23/07/2025

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
LOCATION PLAN		24.03.2025
EXISTING GROUND FLOOR PLAN	24.152.Priv.G.001	24.03.2025
PROPOSED GROUND FLOOR PLAN	24.152.Priv.G.002	24.03.2025
DESIGN & ACCESS STATEMENT		24.03.2025

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 customer trade or business shall take place on the premises except between 09:00hrs and 23.00hrs on Sunday to Thursday and between 09:00hrs and 23.59hrs on Friday and Saturday and the premises shall be closed for business outside these hours.

Reason: *In the interests of residential amenity in accordance with Policy DM5 and DM22 of the Worthing Local Plan.*

04. Details of the display windows at the site frontage, including arrangements for their periodic updating and refreshing, shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the use hereby approved, and shall be fully and permanently adhered to for the duration of the use. No security shutters shall be included without the prior written approval of the Local Planning Authority.

Reason: *To safeguard the vitality and interest of the shopping area in accordance with policies DM5 and DM13 of the Worthing Local Plan.*

05. Other than online bingo machines as proposed in the current application, other gaming or entertainment machines either with audible tones or amplified sound or with audible payout functions, shall only be used if details of their acoustic performance, and if necessary, any details of measures to minimise risk of noise disturbance, (which may include acoustic insulation and/or site management arrangements), have been first submitted to and approved in writing by the Local Planning Authority, and such measures and management shall thereafter be implemented and permanently adhered to.

Reason: *In the interests of clarity, to ensure a balance between the amenities of the area, including neighbouring residents, and the commercial use hereby approved in accordance with policy 22 of the Worthing Local Plan 2020 - 2036.*

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. We have identified the site is adjacent to a high surface water flood risk, therefore the applicant could consider creating an emergency plan to ensure safe access and egress routes can be achieved

03. Licensing

The applicant is reminded that a Gambling Act 2005 Bingo Premises Licence application will also be required for the use hereby approved. This will include the carrying out of a risk assessment including account of the local area and of the local population including children, vulnerable persons, responsible gambling, security, vulnerability to crime and financial regulatory and the operation of policies, procedures and control measures to mitigate these risks. The applicant should contact the Licensing, Public Health & Regulation at Adur & Worthing Councils Public Health & Regulation Town Hall, Chapel Road, Worthing BN11 1HA. https://www.adur-worthing.gov.uk/licensing-and-permits/

04. Corrected Decision Notice

This corrected notice was issued on 31st July 2025, to correct condition 3 by substituting 09:00hrs and 23:00hrs in place of the erroneous 09:00hrs and 11.00hrs previously stated in relation to opening hours on Sunday to Thursday.

Ref: AWDM/0371/25

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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).