# Statement of Case - 3-4 Connaught Buildings, Worthing (Advertisement Consent)



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## Executive Summary

This Statement of Case is submitted on behalf of Merkur Slots Ltd in support of an appeal against Worthing Borough Council's refusal of advertisement consent at 3–4 Connaught Buildings, Chapel Road, Worthing (ref: AWDM/1166/25). The proposal seeks consent for two externally illuminated fascia signs and one externally illuminated projecting sign to facilitate the re-occupation of a vacant town centre unit. The application was recommended for approval by officers, who acknowledged the proposed signage was appropriately designed and in-keeping with the surrounding area. However, planning committee overturned this recommendation and refused consent, citing alleged harm to visual amenity in terms of the character and appearance of the surrounding area and public realm, as well as less than substantial harm to heritage assets.

The appeal proposals comprise modest, fascia-based signage contained wholly within the existing and established fascia zone, together with a slim projecting hanging sign, all with sensitive external illumination via mini trough lights. The appellant contends that the proposed signage is of an appropriate design which fully respects the host building, character appearance of the surrounding area and public realm, and will not have any harmful impact on the significance or setting of the identified heritage assets. Advertisement consent should accordingly be granted.

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## 1. Introduction

1.1. This statement of case is submitted in respect of an appeal made by Merkur Slots (UK) Ltd against Worthing Borough Council's decision to refuse advertisement consent for the following at 3-4 Connaught Buildings, Worthing:

- Planning app ref: AWDM/1166/25 - Advertisement consent for 2no. externally illuminated fascia signs and 1no. externally illuminated projecting sign.

1.2. The application was submitted on 15.09.2025. Whilst the target determination date was originally 13.11.2025 the appellant agreed several extensions of time to enable statutory consultees to respond and the Council to fully assess the submission. Officers reported the application to committee with a recommendation to approve.

1.3. On 04.02.2026 members overturned officer's recommendation, resolving to refuse the application at planning committee. The reason for refusal was not agreed on the day of the committee. On 25.02.2026, the decision notice was formally issued, for the following reason:

> *"The illuminated signage, by reason of its design and prominence, is not considered to respect, and is considered harmful to, the character and appearance of the surrounding area and public realm contrary to policies DM5, DM6 of the Worthing Local Plan 2020 - 2036. The impact includes less than substantial harm to heritage assets: the Connaught Buildings, which is a building of Local Interest, the Chapel Road Conservation Area and the nearby listed building at the corner of Chapel Road and Ambrose Place. This heritage harm is not considered to be outweighed by any public benefit arising from the proposal. It is therefore contrary to policy DM24 of the Worthing Local Plan 2020 - 2036 and the NPPF paragraphs 141 & 215 – 216.*

1.4. The associated change of use application (AWDM/1165/25) for 'Change of use of basement and ground floor from retail (Class E) to Adult Gaming Centre (Sui Generis)' was also refused at planning committee. An appeal against this refusal has been submitted under separate cover, and the appellant wishes for both appeals to be cojoined.

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## 2. Application Site and Surroundings

2.1. The appeal site comprises the vacant ground and basement floors of units 3-4 Connaught Buildings on the east side of Chapel Street. The site is a double-fronted former retail unit located within Worth Town Centre's Secondary Shopping Frontage. There are food/drinking establishments either side, with a range of commercial units at ground floor level in the vicinity. The first floor is currently vacant, and the Connaught Theatre is situated to the rear. The closest residential units to the site are the first-floor units located on the opposite side of the road above The Fabric Shop approximately 15-metres away.

2.2. The site is located in a highly sustainable location with several bus stops located along Chapel Road and services running throughout the day/night. 24-hour car parking facilities are available in close proximity to the site.

2.3. The site falls within the Chapel Road Conservation Area and the Connaught Buildings is identified as a building of local interest (locally listed). The site is also located near to statutory listed buildings.

**Appeal Site - 3-4 Connaught Buildings, Chapel Road, Worthing, BN11 1BA**




Source: Planning Potential Research

### Heritage Assets

2.4. Chapel Road with South Street to the south is the central north-south axis of Worthing Town Centre and the conservation area was designated in March 1997.

2.5. The Connaught Buildings appear on the Council's 2003 list of buildings of local interest. The list does not contain any further information on the Connaught Buildings.

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The nationally listed buildings near the site are as follows:

St Pauls Church (Grace II*):

"TQ 1402 SE WORTHING CHAPEL ROAD (West side) 753/3/22 CHURCH OF ST PAUL 11.10.1949 II*

Chapel of ease, now church. 1812, exterior by john Rebecca of Worthing, interior by Charles Hide; extended and altered 1893. Yellow stock brick in Flemish bond with ashlar dressings, east end stuccoed and scored as ashlar; concealed roof 2 storeys, 3 x 6 bays. East end: 3-bay pedimented Tuscan portico on 3-step podium with attached pilasters at gable wall. Blocked central entry, now window, and side-doors, all in moulded architraves, the side-doors having panelled double-doors and fanlights with decorative glazing bars. Plat band breaking forward over doors and with segmental pediment over central door; 3 recesses above. Behind portico, body of church has tall, flat-coped, parapet with dies and, at east end, central cupola, on stepped podium, with Greek-key fueze and ball-finial. Returns: east bay treated as front and having a curved-backed rectangular recess to ground floor and a 24-pane sash window in eared architrave above. T o rest, 2-1ight segmental-arched mullioned windows to ground floor and round-arched windows above, all having gauged brick arches and stone inner surrounds and cills; ashlar cill band to 1st floor. On south side at left end, steps up to door in projecting flat-roofed porch; further left, tall added l-storey block with 2 windows. North side marked by attached church hall of 1964. Interior: added chancel at west end in classical style with columns, attached pilasters, moulded cornice, keyed arch with panelled soffit, panelled vault, tessellated floor, and alabaster and marble facings of 1912. Body of church has coffered ceiling with panelled beams; columns support side galleries which have panelled and balustraded fronts and original pews; organ gallery at east end with royal coat of arms. Decorative rnid-C19 wooden pulpit and choir stalls. Font, brought from Chichester Cathedral, has C 15 octagonal polished stone bowl. The chapel of ease was built to serve Worthing when this was still part of the parish of Broadwater. H A L Jefferson, St Paul's Church Worthing: a short history (1969)".

2.6. St Paul's War Memorial (Grade II):

"A First World War memorial, built about 1920; with later additions for the Second World War.

MATERIALS: sandstone.

DESCRIPTION: it consists of a tall, square-section cross pattée with incised margins, on a low base".

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## 3. Relevant Planning History

3.1. The relevant planning history relating to the appeal site are as follows:

- Planning app ref: AWDM/1165/25 - Change of use of basement and ground floor from retail (Class E) to Adult Gaming Centre (Sui Generis). Refused on 25.02.2026.
- Planning app ref: AWDM/1166/25 - Advertisement consent for 2no. externally illuminated fascia signs and 1no. externally illuminated projecting sign. Refused on 25.02.2026.

**Other Relevant Planning History (Precedent Applications)**

3.2. Illuminated signage schemes have been accepted by the Council within the Chapel Road Conservation Area, as well as on buildings of local interest. These include:

- Planning app ref: 08/1181/ADV – Retrospective application for the installation of one internally illuminated fascia sign and one internally illuminated projecting box sign to Chapel Road frontage and one non illuminated 'goods in' sign to rear of premises, at 9-11 Chapel Road -approved 21.01.2009.
- Planning pp ref: AWDM/0512/25 - Display of 1no. externally illuminated projecting sign and 1no. internally illuminated fascia sign, at 37-39 Chapel Road, Worthing - approved 17.06.2025.

  The site is within the Secondary Shopping Frontage Area within the town centre and is within the Chapel Road Conservation Area. It is identified as a local interest building along with others in this terrace at No's 13-53.

  In the assessment the Council concluded that:

  - *"In terms of the size of logo and lettering, colour scheme and method of illumination, the proposals would not cause any significant harm to visual amenity or harm to the conservation area in the context of this site and surroundings."*

3.3. The Council further confirmed that levels of illumination could be appropriately controlled by condition in the interests of visual amenity, and that, as the signage fell within the existing fascia dimensions, it was acceptable in design and scale.

3.4. These approvals clearly demonstrate the Council's acceptance of illuminated signage (both internally and externally) within this part of Worthing Town Centre.

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## 4. Planning Policy Context

4.1. The local development plan consists of the following:

- Worthing Local Plan (2023)

4.2. The development plan policies relevant to this appeal are as follows:

Referenced in the reasons for refusal:

- Policy DM5 – Quality of the Built Environment
- Policy DM6 – Public Realm
- Policy DM24 - The Historic Environment

Heritage Legislation

4.3. The Planning (Listed Buildings and Conservation Areas) Act 1990 is the primary legislation and foundation on which further policy, and guidance relating to the conservation of the historic environment is built. Section 66 of the Act relates to the 'general duty as respects listed buildings in exercise of planning functions', with Section 66 (1) stating that when deciding whether to grant planning permission for a development, special regard must be given by the local authority to the "desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

4.4. Section 66 (2) of the Act states that "a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings".

4.5. Section 72 of the Act relates to the 'general duty as respects conservation areas in exercise of planning functions', with Section 72 (1) of the Act stating that in exercising planning functions, "special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area".

NPPF 2024

4.6. The paragraphs of the NPPF (December 2024) relevant to this appeal are as follows:

Referenced in the reasons for refusal:

- Paragraph 141 – this paragraph relates to the need for good quality adverts and that the matters to be considered are amenity and public safety.
- Paragraphs 215-216 - this paragraph relates to proposals affecting heritage assets, specifically less than substantial harm to designated and non-designated heritage assets

Planning Practice Guidance (PPG)

4.7. The Planning Practice Guidance (PPG) states that Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is a lighter touch than the planning system for obtaining planning permission.

4.8. Factors relevant to amenity include general characteristics of the locality, the presence of any historic, architectural, cultural or similar interest. In assessing amenity, the decision maker should consider the local characteristics of the site's context. This might mean that an internally illuminated sign would be refused where it dominates a group of listed buildings, but would be permitted elsewhere, where the advertisements would not adversely affect the visual amenity of the site.

4.9. The PPG also confirms that proposals can minimise harm to the significance to an identified asset through alternative development options, such as more sensitive designs and/orientations. Elsewhere, the PPG confirms that unless the nature of an advertisement is itself harmful to the amenity or public safety, consent cannot be refused because local planning authority considers the advertisement unnecessary.

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## 5. Statement of Case

5.1. Prior to responding directly to the reasons for refusal it is important to consider the original assessment made by professional officers that informed their recommendation to approve:

*"Chapel Road comprises a mixture of signage on mainly traditional buildings. The application proposes two fascia signs on the frontage. The fascia signs would have lettering and logos and would be externally illuminated. The application also proposes an externally illuminated hanging sign."*

*"Although the existing signage to the commercial premises to the north do not appear to be illuminated* there *are examples along Chapel Road of externally illuminated signage. Externally illuminated signage would be acceptable in this Conservation Area location and is in accordance with policy.*

*"The proposed externally illuminated signage would be appropriate in character with the scale and location of the building and conservation area."*

*"Chapel Road is a busy street with a variety of town centre uses. The signage would be set well above ground and would be lit to an appropriate level for a town centre location. The signage would not cause a distraction to highway traffic. The projecting sign is set adequately above ground level and the fascia sign does not project out from the building. There are no implications arising from the proposals from a public or highway safety perspective."*

### Reasons for Refusal

5.2. The application was refused at planning committee for the following reason:

*"The illuminated signage, by reason of its design and prominence, is not considered to respect, and is considered harmful to, the character and appearance of the surrounding area and public realm contrary to policies DM5, DM6 of the Worthing Local Plan 2020 - 2036. The impact includes less than substantial harm to heritage assets: the Connaught Buildings, which is a building of Local Interest, the Chapel Road Conservation Area and the nearby listed building at the corner of Chapel Road and Ambrose Place. This heritage harm is not considered to be outweighed by any public benefit arising from the proposal. It is therefore contrary to policy DM24 of the Worthing Local Plan 2020 - 2036 and the NPPF paragraphs 141 & 215 – 216."*

#### Design and Prominence

5.3. Policy DM5 (Quality of the Built Environment) requires all development to be of a high architectural and design quality and respect and enhance the character of the site and prevailing character of the area. Policy DM6 (Public Realm) requires development to contribute to the public realm and states at criterion e) that express consent will only be granted for advertisements which respect the character and appearance of the surrounding area, and do not create a danger or hazard to public safety.

5.4. Policy DM24 (The Historic Environment) requires development affecting any designated or undesignated to be of a high quality, respecting its context and demonstrating a strong sense of place. Criterion f) states that advertisements in conservation areas should respect the character, proportions and design of the building on which it is displayed and use traditional materials where necessary. Internally illuminated signs will generally not be permitted.

5.5. The appeal proposal comprises two fascia signs and a projecting sign. The fascia signs have been designed to sit wholly within the existing and established fascia zones of the appeal premises. Their scale and positioning entirely respects the shopfront and architectural features of the host building. The individual affixed letters and logo sit neatly within the centre of each fascia sign. As can be seen from the images below, the size of the lettering is smaller than that of the previous retailer's signage ('Scope'), and indeed other signage within the Connaught Buildings.

5.6. The projecting sign comprises a slim, square hanging sign on a bracket located on the right-hand pilaster at the same level as the fascia signs. This traditional approach to the hanging sign is entirely appropriate to both the host building and conservation area, and is considered an improvement when compared to the modern projecting box sign associated with the previous retailer.

5.7. All signs are made of powder coated aluminium (satin black colour), which will provide a smart finish that will sit comfortably within the street scene.

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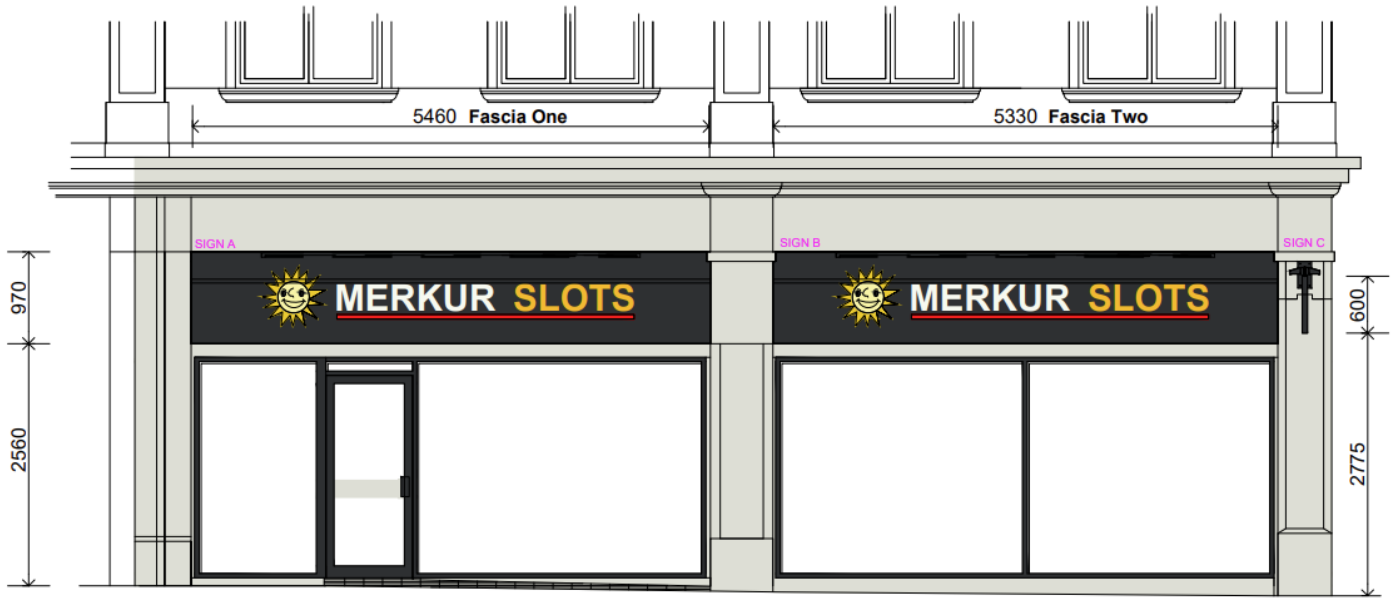
5.8. In line with Policy DM24, all signs will be externally illuminated via discrete mini trough lights. In this instance, the proposed signage would be illuminated at a maximum luminance of 250 cd/m², which represents a restrained and proportionate level of illumination within a town centre context. This level ensures legibility without excessive brightness or glare. Illuminated signage, both internal and external, is a defining characteristic of the town centre environment in this location, including within the conservation area and on local buildings of interest/within the setting of listed buildings (see Section 3 of this appeal statement).

Previous 'Scope' signage compared to proposed signage




Source: Planning Potential Research




5.9. Importantly, comparable and, in some cases, more prominent illuminated signage has been approved by the Council in the immediate vicinity of the appeal site as discussed in section 3 above. In particular, under application reference AWDM/0512/25, advertisement consent was granted in April 2025 for one internally illuminated fascia sign and one externally illuminated projecting sign at 37-39 Chapel Road. In that decision, the Council concluded that the signage would not cause harm to visual amenity or the conservation area and confirmed that illumination could be appropriately controlled by condition.

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5.10. Based on the above, there is a clear lack of consistency in decision-making. The appeal proposal is arguably more sympathetic, incorporating externally illuminated signage only via trough lights, which is the preferred form of illumination under adopted policy. The proposed signs, logos and lettering are proportionate to the existing fascia and do not introduce any additional visual clutter. In these circumstances, there is no credible basis to conclude that the proposed signage would have a harmful impact on the character and appearance of the surrounding area and public realm, particularly when more prominent illuminated signage has been accepted by the Council.

5.11. It has been clearly demonstrated that the signage fully accords with Policies DM5 and DM6 of the local plan.

### Harm to Heritage Assets

5.12. The second part of the reason for refusal states that the proposals would result in less than substantial harm to the following heritage assets: "*the Connaught Buildings, which is a building of Local Interest, the Chapel Road Conservation Area and the nearby listed building at the corner of Chapel Road and Ambrose Place.*"

5.13. Shopfront alterations including signage within Conservation Areas and within the setting of listed buildings should comply with national and local planning policies which seek to preserve and enhance the historic environment. Under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, decision-makers must give special regard to the desirability of preserving the setting of listed buildings and pay special attention to preserving or enhancing the character and appearance of Conservation Areas. These statutory duties are reinforced by the National Planning Policy Framework (NPPF), particularly paragraphs 212–215, which require great weight to be given to the conservation of heritage assets and state that any harm must be clearly justified and balanced against public benefits.

5.14. At the local level, the design of shopfronts and signage is guided by Policies DM5 (Quality of the Built Environment), DM6 (Public Realm), and DM24 (Historic Environment) as discussed above. These policies require development to respond positively to the character and context of its surroundings, safeguard the significance of heritage assets, and ensure that alterations preserve or enhance the character and appearance of Conservation Areas and the setting of heritage assets.

5.15. In practice, these policies expect proposals to respect the architectural composition of the host building and the wider historic streetscape, including appropriate scale, proportions, materials and detailing. They generally encourage the retention or reinstatement of traditional features such as stall risers, pilasters and appropriately proportioned fascias, while discouraging overly dominant signage, poor quality modern materials or elements that would disrupt the architectural rhythm of the street. Where proposals result in the removal of unsympathetic alterations and the reinstatement or improvement of historically appropriate shopfront elements, they are typically regarded as enhancing the character and appearance of the Conservation Area and the setting of nearby listed buildings.

5.16. The Chapel Road Conservation Area is characterised by a continuous commercial frontage where the ground floors are largely occupied by shopfronts. The street presents a varied townscape, with buildings ranging from more ornate historic structures to later twentieth-century commercial buildings of more utilitarian architectural quality. While some buildings retain attractive Victorian architectural detailing at upper levels, the shopfronts themselves display a wide range of styles and materials, including numerous modern fascia signs and plastic signage panels introduced during the late twentieth century. As a result, the heritage sensitivity of the shopfront level within this part of the Conservation Area is limited.

4, 6, 8, 10 Chapel Road (Local Interest Buildings); 31, 29, 27 Chapel Road (Local Interest Buildings)







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5.17. The proposed signage closely reflects the arrangement and scale of the previously existing fascia signage. It is positioned within the existing fascia zone of the building and does not project beyond the established shopfront framework. The modest-sized projecting on the pilaster will hang from a bracket and sit in line with the fascia signs. The materials and illumination method are consistent with typical commercial signage along Chapel Road and do not represent a departure from the established character of the street.

5.18. In this context, the proposed signage would remain consistent with the prevailing commercial character of the street and would not introduce visual elements that are materially different from those already present within the Conservation Area. The proposal therefore does not result in additional harm to the character or appearance of the Conservation Area or to the setting of nearby heritage assets.

5.19. The Grade II* listed Church of St Paul, located to the opposite side of Chapel Road, is a building of considerable architectural and historic interest. Constructed in 1812 and extended in 1893, it represents a prominent and highly significant landmark within the area. However, its immediate setting has long been defined by the commercial frontages along Chapel Road, including the Connaught Buildings themselves. The setting of the church has also been influenced by later detrimental development, including the construction of Chapel Hall to the north in 1964.

5.20. Within this context, the proposed signage would not introduce a new or intrusive element into the setting of the church. On the contrary, the proposed darker and more subdued colour palette would appear more visually recessive than the previously installed bright violet fascia associated with the former "Scope" signage. As such, the proposal would sit comfortably within the established commercial streetscape and would not result in harm to the setting or significance of the listed building.

5.21. It is also relevant to consider the importance of maintaining the active use and viability of buildings within historic areas. Guidance published by Historic England in Vacant Historic Buildings notes that:

*"Unoccupied buildings are vulnerable to damage and rapid decay. This threatens not only their heritage interest and significance but can also jeopardise public safety. Damaged and derelict buildings are more difficult to bring back into permanent use and can pose an increased liability for their owners as well as potential costs arising from statutory action."*

5.22. The guidance further emphasises that ensuring buildings remain in viable and productive use is an important aspect of their long-term conservation.

5.23. Although the Connaught Buildings are locally listed and therefore do not hold the same level of significance as designated heritage assets, the principles outlined above remain relevant. Continued commercial occupation and appropriately designed signage are essential to support the ongoing viability and maintenance of the building. It has been demonstrated above that the proposed signage respects the host building. Ensuring the premises remain in active use helps safeguard the building's condition and contributes positively to the vitality and economic function of the surrounding Conservation Area.

5.24. Therefore, taking into account the assessment set out above, it is considered that the refusal reason relating to the proposed signage is not justified, as the proposal would not result in harm to the significance or setting of the identified heritage assets.

**View to Connaught Buildings (Local Interest Buildings) from the Church of St Paul (Application Site Highlighted in Red)**




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## 6. Conclusion

6.1. It has been clearly demonstrated that the proposed signage is of an appropriate design which fully respects the host building, character appearance of the surround area and public realm.

6.2. It has also been demonstrated that the proposals will not result in any harm to the identified heritage assets including the Cannaught Buildings itself, the Chapel Road Conservation Area, and the setting of the Grade II* listed church.

6.3. Accordingly, the Appellant respectfully submits that the appeal should be allowed, and advertisement consent granted for the proposed signage.

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