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FAO: Louise Prew
Principal Planning Officer
Worthing Borough Council
Worthing Town Hall
Chapel Road, Worthing
West Sussex, BN11 1HA

29 October 2026

Dear Ms Prew,

19-23 SOUTH STREET, WORTHING, BN11 3AN - FORMER BEALES DEPARTMENT STORE BLOCK 10 - SECTION 96A APPLICATION - PLANNING PERMISSION REF. AWDM/0905/20

On behalf of St. Clair Developments Limited (the Applicant), please find enclosed a non-material amendment (NMA) application under section 96A of the Town and Country Planning Act 1990 (as amended) in respect of planning permission ref. AWDM/0905/20. This application is the first stage of the coordinated planning strategy discussed with Worthing Borough Council through pre-application reference PREAPP/0113/26.

The purpose of the NMA is to amend the wording of the description of development and secure the existing quantum and use split by condition, without changing the development presently permitted. This enables the Applicant to submit a separate section 73 application shortly thereafter, through which the Council can consider the proposed amendments.

Application Documents

This application has been submitted via the Planning Portal (ref: PP-15335712) and comprises the following information:

- Completed NMA application form,
- Site location plan (drawing no. 217(05) 001 Rev A)

The requisite planning and admin fees of £309 + £99 have been paid online via the Planning Portal. The remainder of this letter sets out our supporting statement regarding the NMA proposals.

The Site

The application site forms part of the former Beales department store at 19–23 South Street, within the heart of Worthing town centre. The wider property comprises a collection of interconnected buildings extending between South Street and the Montague Centre, with commercial accommodation at ground-floor level and

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upper-floor areas benefiting from permissions for a mix of residential and live/work accommodation. This application relates specifically to the Block 10 permission (ref. AWDM/0905/20). The site occupies a highly accessible and sustainable location, close to the town centre's shops and services, public transport connections and Worthing railway station.

Background

A formal pre-application submission was made on 17 July 2026 seeking the Council's advice on amendments to Blocks 8 and 10 of the former Beales department store at 19-23 South Street, Worthing and the route by which those proposals could be brought forward. The scheme and the proposed two-stage planning strategy were discussed and subsequently agreed with officers at the pre-application meeting on 18 August 2026. That strategy comprises the submission of section 96A applications to amend the descriptions of development, followed by section 73 applications to vary the relevant conditions and approved plans.

Proposed amendments

A NMA is being submitted pursuant to Section 96A of the Town and Country Planning Act 1990 (as amended) seeking an amendment to the description of development of planning permission ref. AWDM/0905/20 and the creation of a new condition.

Planning permission ref. AWDM/0905/20 was granted on 14 October 2020 for:

"Change of Use from Class A1 (retail) to provide 8 live/work units (Sui Generis) and 6 residential apartments, minor extension at third and fourth floor, external alterations and associated works."

The following amendments are proposed to the description of development:

"Change of Use from Class A1 (retail) to provide ~~8 live/work units (Sui Generis) and 6 residential~~ apartments~~,~~ ~~minor extension at third and fourth floor,~~ external alterations and associated works."

In additional, this NMA application seeks to create a new condition stating:
The development hereby approved shall provide 8 live/work (sui generis) and 6 (Class C3) residential units.

Assessment

The proposed changes do not alter the number of dwellings provided at the site, nor do they alter any other aspect of the permission. This application is sought to facilitate a larger amendment to the permission which will be submitted separately via section 73 of the Town and Country Planning Act 1990 (as amended). The proposed changes will not have any impact on the principle of development approved under planning permission ref. AWDM/0905/20, the general character or appearance of the approved scheme, or the wider range of economic and social benefits being delivered at the site. The proposed amendments represent extremely modest format changes to the decision notice and therefore should be considered to be non-material in nature and should be approved as part of the NMA application.

The application does not seek approval for any change to the permitted uses, number or mix of apartments, approved drawings or physical form of the development. The residential and live/work uses are also controlled through the approved plans and the existing conditions. The amendments therefore regularise the description while transferring the existing numerical controls into conditions. We understand that no previous amendments have been made or approved to the permission under section 96A. For the avoidance of doubt, the subsequent section 73 application would be a separate application supported by the revised plans and relevant technical information. Approval of this NMA would not approve those later changes; it would enable them to be considered by the Council through the correct statutory route.

Summary

The application is the first, non-material step in the planning strategy discussed with and accepted by the Council. It preserves the substance of the existing permission while creating an appropriate decision-notice structure for the subsequent section 73 application, which will be submitted shortly after determination of this application. We would therefore be grateful if the Council could approve the application and issue an amended decision notice recording the revised description and additional conditions. Please contact us if any further information is required.

Yours sincerely,

DARA Planning