



WORTHING BOROUGH COUNCIL

Mrs Sarah Sheath
Dowsett Mayhew Planning Partnership
Mocatta House
Trafalgar Place
Brighton
BN1 4DU

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015
Schedule 2, Part 3 Class MA

APPLICATION NUMBER: NOTICE/0003/26

Details of Development

APPLICATION FOR PRIOR APPROVAL FOR PROPOSED CHANGE OF USE OF THE FIRST AND SECOND FLOORS OF EXISTING BUILDING FROM COMMERCIAL (USE CLASS E) TO PROVIDE 13 SELF-CONTAINED RESIDENTIAL FLATS.

Location of Development

105 - 109 MONTAGUE STREET WORTHING WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify that PRIOR APPROVAL IS REQUIRED for the above development from the Local Planning Authority and hereby GRANTED, in accordance with the application and information registered on 26th February 2026.

This is subject to compliance with the conditions specified overleaf.

Gary Peck
Head of Planning & Development
11/06/2026

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
FIRST FLOOR PLAN AS EXISITING	01	26.02.2026
SECOND/ROOF FLOOR PLAN AS EXISITING	02	26.02.2026
PARTIAL GROUND FLOOR PLAN AS EXISITING	03	26.02.2026
SECTION AA AS EXISITING	04	26.02.2026
SECTION BB AS EXISITING	05	26.02.2026
ELEVATIONS AS EXISITING	06	26.02.2026
BLOCK & SITE LOCATION PLANS	TA 1591 10	26.02.2026
PROPOSED NORTH ELEVATION	TA 1591 17	26.02.2026
PROPOSED WEST/ SIDE ELEVATION	TA 1591 14 B	11.05.2026
PROPOSED SOUTH / FRONT ELEVATION	TA 1591 15 A	11.05.2026
PROPOSED EAST / SIDE ELEVATION	TA 1591 16 G	11.05.2026
PROPOSED SECTION BB	TA 1591 18 A	11.05.2026
PROPOSED SECTION CC	TA 1591 19 C	11.05.2026
PROPOSED SECTION DD	TA 1591 20 C	11.05.2026
INTERNAL DAYLIGHT	V3 MAY 2026	11.05.2026
PROPOSED GROUND FLOOR PLAN	TA 1591 / 11 A	09.06.2026
PROPOSED FIRST FLOOR PLAN	TA 1591 / 12 F	09.06.2026
PROPOSED SECOND FLOOR PLAN	TA 1591 / 13 A	09.06.2026

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: *To protect the residents from flooding risk in accordance with policy DM20 of the Worthing Local Plan (2023).*

03. The residential units hereby approved shall not be occupied until all the windows approved under planning application AWD/0235/26 have been installed in full. The windows shall thereafter be retained in accordance with the planning permission for the lifetime of this development.

Reason: *To ensure the provisions of adequate natural light in all habitable rooms.*

04. The use hereby permitted shall not commence unless and until an insulation scheme for protecting the residential units from external noise and from the commercial unit below has been submitted to and approved by the local planning authority. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors, have regard to the principles contained within the World Health Organisation community noise guidelines and ensure the standards within Table 4 of BS8233:2014 are achieved in the residential units above. Details of glazing and a strategy to prevent overheating should also be included where mitigation relies on keeping windows closed to achieve internal noise standards. Following approval and implementation of the scheme, a test for compliance shall be undertaken and submitted to the Local Planning Authority for approval in writing. All works, which form part of the approved scheme, shall be completed before the use commences.

Reason: *To ensure the impacts of noise from commercial premises on the intended occupiers of the development are appropriately managed.*

05. Prior to occupation of any residential unit, the cycle spaces as shown on the approved plans shall be implemented in full. The storage shall thereafter be retained for the lifetime of the development.

Reason: *In the interest of the highway impacts of the proposal and to provide alternatives to private car use.*

Informatives / Notes to Applicant

01. The Applicant is reminded that the development the subject of this decision notice is liable for Community Infrastructure Levy (CIL). A CIL Liability Notice will be issued to the liable person(s) and a CIL Land Charge added to the register. CIL will become liable upon commencement of the development with the liable person(s) required to submit a CIL Commencement Notice at least one day before the development commences. Further information can be found on the Council's website via the link <https://www.adur-worthing.gov.uk/planning-policy/infrastructure/>

In calculating individual charges for the levy, regulation 40 (as amended by the 2014 Regulations), requires collecting authorities to apply an index of inflation to keep the levy responsive to market conditions. The index is the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. This index presents forecast figures, which are updated and finalised periodically. To reduce the need for repeated re-calculation indexing will be applied from the previous 1st November of the date of the CIL Liability Notice to the previous 1st November of the date the payment is due using the national all in Tender Price Index.

02. All Planning Applications for both domestic and non-domestic premises that have been granted approval for new development or conversions will require a new, or amended property address for the proposed development. Developers will be required to submit a Street Naming and Numbering Application to the Street Naming and Numbering Department upon commencement of works to enable the new development to be officially addressed in compliance with the British Standard of Addressing; known as BS7666. Developers are invited to complete their Street Naming and Numbering Application via the following link to the councils' website: www.adur-worthing.gov.uk/naming-and-numbering Information and guidance regarding the Fees for the service provided are also available at this location. Alternatively, please do not hesitate to contact the Street Naming and Numbering Department via the following methods should you have any queries; Street Naming and Numbering, Adur & Worthing Councils, Portland House, 44 Richmond Road, Worthing BN11 1HS. Telephone Number: 01903 221479. Email: llpg@adur-worthing.gov.uk
03. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant prior approval in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
04. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.
Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours Sundays and Bank Holidays no work permitted

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(ENGLAND) ORDER 2015 **Schedule 2, Part 3, Class MA**

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, and you want to appeal, then you must do so within 12 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://acp.planninginspectorate.gov.uk>.
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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).