

THE WORTHING SOCIETY

President: Geoffrey Godden, FRSA.

The Planning Services Manager

17th December 2015

Portland House

Dear Sir/Madam,

Your Reference: **AWDM/1640/15**

Construction of a new freestanding glazed kiosk and change of use of Units 1 and 2 and 6 to 12 to create A3 floor space at Montague Shopping Centre, and public realm improvements, including landscaping and associated works.

In your letter to the Worthing Society dated 27th November 2015 you invite us to comment on the above proposals submitted by NewRiver Retail (UK) Ltd. for the Montague Centre (“the Centre”).

We have no fundamental objection to the proposed changes of use of the designated shops from A1 to A3 restaurants even though we note that such changes would result in some conflict with the Conservation Area Designation Document (CADD) for the South Street Conservation Area.

Our main concern is the introduction of a further restaurant (the kiosk) to be constructed in the open space at the northern end of the Centre. This open space is in fact part of the original street known as Liverpool Road and we believe cannot be built upon unless a Stopping Up Order is obtained which is unlikely. The kiosk would occupy that part of the street which contains a group of mature Sycamore trees and would be built over red brick paviers. It would also cause obstruction to fire engine access. The Centre was designed to create a visual link from the juxtaposition of Montague Street and Montague Place at the southern end of the Centre and Liverpool Road to the north. This would be obstructed by the kiosk. The proposal to replace the red paviers on the

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floor of the Centre conflicts with the CAAD and in our opinion would degrade the overall setting of this important conservation area including that of the listed buildings in Liverpool Terrace and the listed Grade II* Desert Quartet both of which are bordered by red pavior pavements.

The National Planning Policy Framework (NPPF) guidance clearly stresses the importance of preserving and enhancing the historic environment by protecting our heritage assets. It goes on to state that local authorities should take into account the desirability of new development making a positive contribution to local character, historic architecture and distinctiveness.

Whilst we accept the need for economic viability and footfall in the shops in the Centre is allegedly poor, we consider the challenge is how this change can be managed within the historic environment. The combination of appropriate development, sensitive to surrounding heritage assets, can produce a unique townscape contributing to an interesting and attractive public realm which both visitors and local people can enjoy. The present proposal does not in our opinion adequately reflect this important combination. Heritage assets can make a positive contribution to the economy by enhancing the local character and built environment.

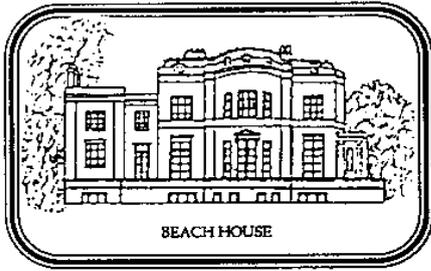
Our enquiries at the Land Registry indicate that there is a covenant in the Charges Register of the Title document which seeks to preserve the highway formerly known as Liverpool Road and now within Montague Centre. We are making further enquiries on this matter.

The Worthing Society considers the proposals, excluding the changes of use, are out of step with the guidance contained in the NPPF. Specific elements referred to in the CAAD as being worthy of preservation in the Centre would be lost. We conclude that if the proposals receive approval the degree of harm which would be caused to the Centre and the related settings of the South Street Conservation Area would be unacceptable.

In the light of the above the Worthing Society wishes to formally object to the proposals, apart from the proposed changes of use of Units 1 and 2 and 6 to 12.

Yours faithfully,

David Sumner Chairman



THE WORTHING SOCIETY

President: Geoffrey Godden, FRSA.

The Planning Services Manager

31st December 2015

Portland House

Dear Sir/Madam,

Your Reference: **AWDM/1640/15**

Construction of a new freestanding glazed kiosk and change of use of Units 1 and 2 and 6 to 12 to create A3 floor space at Montague Shopping Centre, and public realm improvements, including landscaping and associated works.

We wish to refer to our letter to you on this subject dated 17th December 2015 and in particular the sixth paragraph of this letter regarding the Charges Register of the Title Document for the Montague Centre.

We have now seen this Title Document Numbered WSX281804 Edition Dated 12th June 2015 and it would appear that the proposed glazed kiosk would stand on a public footpath. This footpath is referred to in Item 11 of the Charges Register in that Title Document. This item also refers to a public highway which presumably is Liverpool Road over which the canopy of Montague Centre is built. Construction on a public highway is not normally permitted and therefore the kiosk should not be permitted.

We are surprised that there does not appear to be any reference to the covenants contained in the Charges Register, in the Planning and Retail Statement forming part of the application by NewRiver.

We trust that you will regard this letter as part of our objection and take it into account in your paper to the Planning Committee.

Yours faithfully,

Edward Kennard per pro The Worthing Society

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