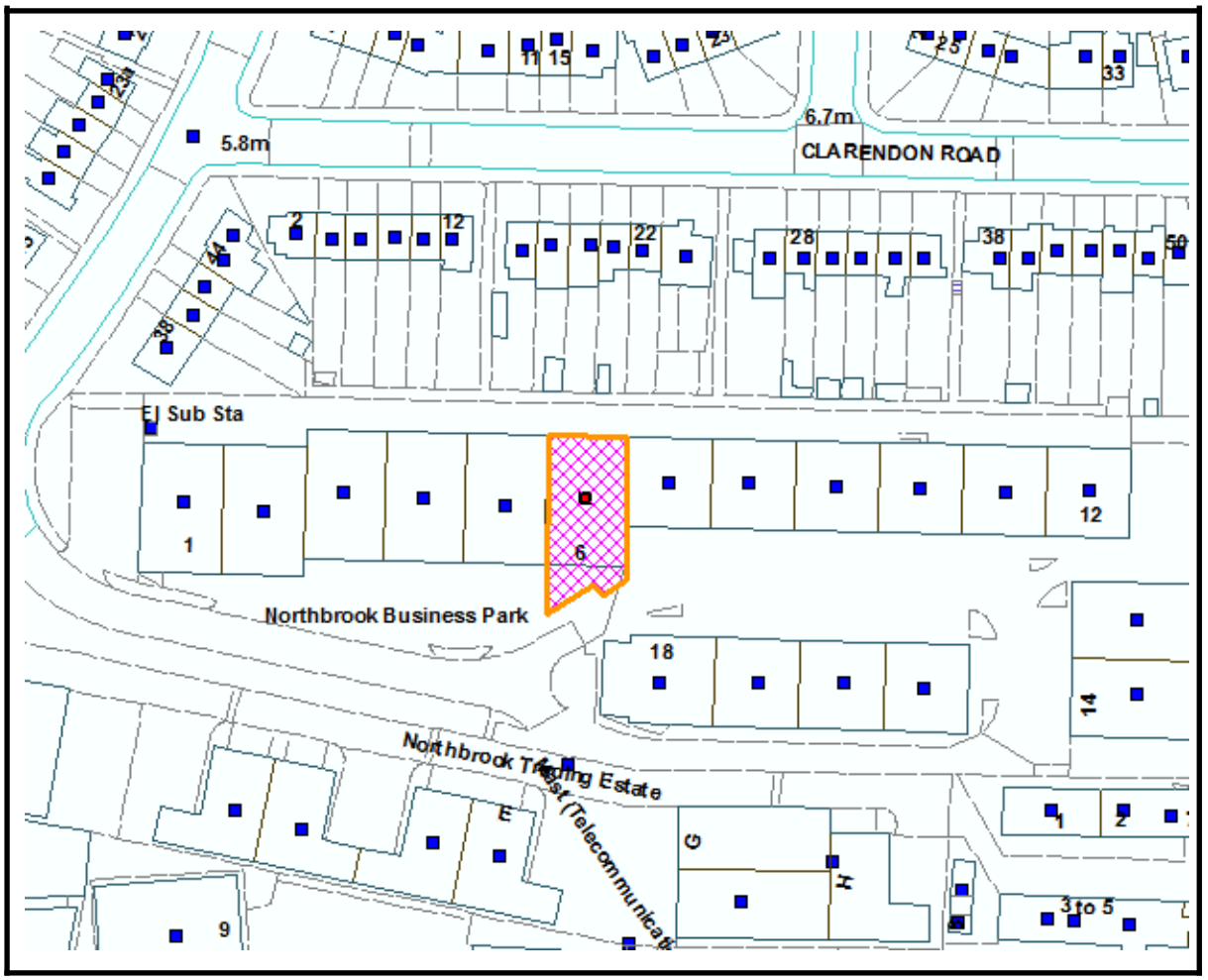
Application Number:	**AWDM/0902/25**	**Recommendation - REFUSE**
Site:	**Unit 6 Northbrook Business Park Worthing West Sussex BN14 8PQ**	
Proposal:	**Change of use from business and storage (Use Classes Eg and B8) to fitness facility (Use Class E) with new fenestration including new windows and a door**	
Applicant:	Adur and Worthing Councils	Ward: Broadwater
Agent:	NA	
Case Officer:	Louise Prew	



Not to Scale

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Site and Surroundings

The site is located within Northbrook Business Park in Broadwater. The unit is located within the northern building in the centre. It forms part of Broadwater Business Park, a protected key employment area.

The Northbrook Business Park is part of a wider employment area - East Worthing Industrial Estate and Broadwater Business Park (including Northbrook Trading Estate and Northbrook Business Park). The wider employment area supports a wide variety of industrial and office premises that meet the floorspace needs of small, medium and large occupiers, with the majority of the buildings at the estate of older stock but in excellent use, with a particularly good quality of premises at Northbrook Business Park.

Unit 6 is located towards the centre of the terrace of 12 units located in the north of the employment area. The units back onto the rear gardens of Clarendon Road. The building is occupied

The site is not in a conservation area and does not contain a listed building.

Proposal

The proposal is to change the use of the ground floor of the unit to a gym / small group fitness training studio (Use Class E).

The applicant has submitted supporting evidence setting out the proposed hours of use and the way the facility would be run. It would be open 6am to 8pm Mondays to Saturdays with classes ranging from 4 participants to 12 participants with a trainer.

The following has been provided by email justifying the reason for the fitness facility

“Our small group personal training facility will be called MINDSET as we believe a healthy mind follows a healthy body and the two are of paramount importance to our community for living a long life, well.

The last point I would like to make but most importantly is that physical exercise is one of the strongest evidence backed ways to protect and enhance mental and emotional health which provides preventative solutions through regular movement and being part of a healthy community that support one another. We believe this is of the upmost importance and it will form the heart of our ‘MINDSET’ small group personal training facility and community. Providing a small group, personal training facility will offer so much more than the large commercial gyms already servicing the surrounding area. These large impersonal facilities can be daunting and inhibit those really in need of physical improvement, encouragement and most importantly, mental & emotional well-being. Our facility and community, MINDSET will support and encourage small groups and individuals to be positive and strong, to move with confidence and to have an enhanced quality of life”

This application is brought to the Planning Committee at the request of Councillor Sparkes For the reason that the provision of new facilities supports the creation of jobs and provides benefits in a part of the building which would otherwise remain empty.

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Relevant Planning History

03/00788/FULL - Redevelopment of the site with the construction of 18 No. business units. **Approved:** 24th September 2003.

04/01230/FULL - Variation of Condition 21 of WB/03/00788/FULL to allow use as either B1 Business or B8 Storage subject to conditions. **Approved:** 29th November 2004.

06/0932/FULL - Variation of condition 11 of planning permission WB/03/00788/FULL to allow the installation of a mezzanine floor. **Approved:** 27th September 2006.

Pre-application advice: PREAPP/0069/25 - Planning permission would be required and would be unlikely to be supported due to other planning decisions restricting fitness facilities in industrial areas.

Other relevant applications:

Goring business park

AWDM/0739/25: Change of use from an industrial storage unit, to a dance and leisure studio facility. **Refused** 1st Sept 2025.

Reason:

1. In the absence of robust evidence there is no justification for the loss of the existing premises from industrial employment use, which would cause unacceptable harm to the availability of suitable industrial employment premises in the Borough contrary to Local Plan policy DM11 and the relevant policies of the NPPF which support economic growth.

Unit 6 Northbrook Trading Estate

AWDM/1581/16: Retrospective application for Change of Use from B1 to D2 (Assembly and Leisure) for class-based martial arts and fitness studio.
Refused 26 Jan 2017.

Reason:

1. The retention of the D2 use would result in the loss of a viable business premises on a protected industrial estate to the detriment of the local economy and spatial strategy, contrary to Core Strategy Policy 4, guidance contained within the Sustainable Economy Supplementary Planning Document and the National Planning Policy Framework.

Southdownview Works

AWDM/1136/14: Retrospective application for change of use from mixed industrial/storage and distribution (B1/B8) to gym (D2) and storage/distribution (B8). **Refused:** 15 Oct 2014. Dismissed at appeal.

Consultations

West Sussex County Council (as LHA):

The proposal for the change of use of the existing business and storage space to a fitness facility, has been considered by WSCC as the CHA. No objection is raised.

The fitness facility will be used by the workforce at Boundary IT services who reside at the unit, and currently employ 10 people * [*see Planning Officer Note below*] ,who will make use of the facilities. In addition to these existing employees the fitness facility will attract additional visitors from the personal training service the gym will provide. The applicant states they will provide small group training sessions for a maximum of 9 people at a time and no more than 2 per day. These group sessions will occur in the early morning and later evening after the am/pm peak hours. Use of the business 11 car parking spaces will be used which would be free as the workforce at Boundary IT work their business hours of 9-5.30pm.

Therefore, WSCC do not see there being a capacity issue and parking would not be an issue on the site. Access will be taken from the public highway on Northbrook Road where there is a Mini Roundabout. Visibility is good in both directions and cars will be able to park and turn to exit in forward gear.

Following additional comments the following was provided:

WSCC as the County Highway Authority has considered the additional information submitted by the applicant which provides information on the likely number of people visiting the site on weekdays and at weekends.

The information shows that on weekdays the busiest time of day would be in the morning, before 9am and in the evenings after 5.30pm, and on Saturday mornings between 7 and 9am.

WSCC has considered the existing users (Boundary IT services) on the first floor, and it has been acknowledged that they will use the gym during work hours between 9 and 5.30pm. The company has 10 employees and there are 6 marked spaces outside the front of the unit and also the use of the common parking area.

Given the intensification of use of the site i.e. the additional gym use by 9 people in the morning and evening, there would be a requirement for an additional 3 spaces which can be accommodated in the common parking area on weekdays, and at weekends there would be a requirement for 6 additional spaces which would also be accommodated in the common parking areas.

The applicant has provided photos which show there to be spaces available outside the unit, whilst it is appreciated these are snap shots in time given the existing use and the provision of common parking area WSCC do not consider the proposal to be unacceptable.

Therefore, WSCC raise no issues with the parking provision at the site and raise no objection.

[*__Planning Officer Note__: The applicant has confirmed that the number of existing staff at the business is 15 rather than 10 as originally stated and that training groups would range up to 12 participants rather than 9. This information has been conveyed to the Highway Authority to confirm whether the number of spaces is sufficient and their response will be reported at the meeting.]

Southern Water:

Connection to public sewer

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: https://developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

https://www.southernwater.co.uk/developing-building/connection-charging-arrangements

We request that should this planning application receive planning approval, the following informative is attached to the consent: 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.

Surface water discharge proposed to existing watercourse

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Officer's response: These will be attached

Adur & Worthing Councils:

Environmental Health Officer: there are no adverse comments for this application.

WSP (as drainage consultant): Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.

Representations

Three objections were received on the grounds of:

Inaccurate Parking Provision and Overcrowding - The application inaccurately claims that Unit 6 has access to 10 parking spaces. Having reviewed the Land Registry and publicly available mapping data (e.g. Google Maps), Unit 6 only has six designated parking spaces. These are already partially utilised by an existing business operating from the first floor of the same unit. The proposed gymnasium would generate regular visits from members of the public, each potentially arriving by car, and the application fails to provide a credible solution for their parking needs. The estate already experiences frequent issues with unauthorised parking in spaces allocated to

other units, which causes disruption to existing businesses. The proposed use will exacerbate this ongoing problem.

Inadequate Wastewater Infrastructure - The estate has longstanding challenges regarding wastewater and effluent disposal, which must be pumped to street level due to the topography. The addition of further WCs and showering facilities associated with a gymnasium would increase the volume of wastewater beyond the estate's current handling capabilities. This presents a risk of future service failures and hygiene concerns for all estate users.

Inappropriate Use for an Industrial Estate - The proposed use of the unit as a public gymnasium is inconsistent with the existing character and function of the estate. All current businesses are industrial or service-based, with no operations that invite regular members of the public to dwell on-site for extended periods. Introducing a gym would fundamentally change the usage dynamics and risks conflict between industrial activity and public access.

Oversupply of Local Fitness Facilities - There are already multiple fitness centres and gymnasiums in the local vicinity, including at least two on Broadwater High Street, which are within easy walking distance. This raises the question of whether there is a genuine need for an additional facility, particularly in a location ill-suited for such use.

Public Safety and Vehicular Risks - The estate is regularly accessed by Large Goods Vehicles (LGVs) for deliveries and collections. These operations require manoeuvring in tight spaces and are not suited to areas frequented by members of the public unfamiliar with the risks of an active industrial site. Introducing public foot traffic increases the likelihood of accidents and complicates health and safety compliance for all businesses operating in the estate. There are no pedestrian walkways or segregation, presenting a significant health and safety concern

Disruption to Existing Businesses - The influx of gym users and their vehicles will obstruct vital access routes, loading bays, and delivery schedules for businesses like ours and others around Unit 6. This will hamper logistics, delay operations, and potentially cause contractual and financial repercussions for multiple tenants. 5. Incompatibility with Industrial Land Use This estate is specifically designed for industrial, commercial, and logistical use. A gym introduces a leisure-based, high-footfall function that is inappropriate and incompatible with the intended use of the site. It also sets an undesirable precedent that could weaken planning enforcement in future cases.

Noise, Amenity and Emergency Access Concerns - Gyms produce noise from amplified music, group classes, and member activity, often outside of normal business hours. The building is not acoustically treated for such use, and this could affect neighbouring tenants. Emergency access could also be impeded due to inappropriate parking and visitor unfamiliarity with site safety protocols.

No consideration has been given to the noise which is generated by a typical gym and classes and there is no note of soundproofing. Notice has only been given to the two adjoining units 5 and 7 and unit 18 but there are 18 units on the estate close by and the residential properties to the rear of unit 6 in Clarendon Road the nearest of which is less than 25 meters away from the proposed new windows at the rear of the

unit. Presumably these windows will open and therefore let out even more noise. Should they open outwards consideration must be given to the fire escape route for the estate which runs adjacent to the rear of units 1-12.

Following additional information submitted online the following comments were received:

Whilst I welcome the fact that the hours of operation of the proposed Mindset business have been clarified these must be strictly adhered to in order to prevent overuse of the parking facilities on the estate. The photos only include two taken between the hours of 7am and 6pm one of which only shows the parking in front of and owned by the respective units and one of the communal parking area (10.13) which shows no spaces and a vehicle parked on a pedestrian walkway.

The proposed hours of opening appear to be outside what I believe to be the original permitted hours of the estate, for record purposes could I be advised of what Adur and Worthing Council consider the working hours on Northbrook Road Business Park to be as I have to advise the unit holders accordingly.

Relevant Planning Policies and Guidance

National Planning Policy Framework (2024)
Planning Practice Guidance
Worthing Local Plan (2023): SP1, DM5, DM10, DM11, DM13, DM15, DM21, DM22
SPD: Sustainable Economy SPD

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Planning Assessment

The proposal is to change the use of the ground floor of Unit 6 to allow for a gym / small fitness training (Use Class E(d)). This part of Use Class E allows for the use “for indoor sport, recreation or fitness, not involving motorised vehicles or firearms or use as a swimming pool or skating rink, principally to visiting members of the public”.

The application that granted permission for the units in 2003, and a 2004 variation application, restricted the use to business only (Use Class B1, now Use Class Eg) and storage (B8).

The Worthing Local Plan which was adopted in March 2023 seeks to accommodate and deliver growth which must be achieved within a very constrained area. Limited

land availability, infrastructure constraints, areas of flood risk, heritage assets and high quality landscapes around the borough means that there is little room for expansion.The overarching challenge is therefore to strike the balance between taking a positive approach to sustainable development and regeneration against the limited physical capacity of Worthing to accommodate it and the need to maintain a good quality of life for new and existing residents. Although the Council will work positively to deliver growth, there is no expectation that all needs (particularly housing) can be met within the borough.

In terms of the economy the Plan sets out the approach for sustainable economic growth within the land constraints and competing identified needs.The approach to the local economy is underpinned by robust evidence and the approach to the economy as set out within key policies in the Plan has been supported at public examination and by the examining Local Plan inspector. On the two key relevant policies for this application the inspector noted the following in his report:

● Policy DM10 – Economic Growth and Skills . Policy DM10 sets out how the Council intends to support, promote and enable economic growth and development in the Borough. The policy is consistent with national policy and would provide an effective framework for employment related development.

● Policy DM11 - Protecting and Enhancing Employment Sites -. Policy DM11 sets out the Council's approach to protecting existing employment sites. It identifies 'protected' employment and 'key' office location and sets out how proposals within these areas will be considered. The locations listed in criteria b(i) and (ii) have been identified on the basis of a robust approach. The principle of providing a degree of protection to existing employment sites is reasonable, particularly in a context where it may not be possible to meet all future needs. In this context, the policy sets a justifiably high bar to allowing alternative uses.

Overall he concluded that (subject to some minor changes) 'approach to employment development is justified, effective and consistent with national planning policy. '

The key evidence underpinning these specific policies is the Employment Land Review 2016 and update 2020. The study concluded:

● 'Future employment growth in Worthing remains constrained by an acute shortfall of available employment land to meet indigenous growth needs, particularly of the industrial market, as well as enable the necessary level of churn and upgrading of current sites needed to support a functioning commercial property market. '

● 'The study's assessment of the existing portfolio of employment sites in Worthing indicates the Borough contains a good range of employment sites of differing quality and type. Many of the sites accommodate a combination of both office (B1a/B1b) and industrial (B1c/B2/B8) uses, although some single-use employment sites also exist.

The overall qualities of the sites appear suitable to meet the needs of occupiers, although some of the sites were of lower quality and possibly less suited to modern occupiers. Regardless of the overall quality of the site, nearly all employment sites

are currently in active use, suggesting that they are presently meeting a need in the market at some level.

● ‘As the emerging supply of employment space in Worthing appears to be insufficient to support demand over the plan period for both industrial and office uses, even assuming the two 2011 Core Strategy AOC sites are fully developed for employment uses, it is therefore going to be even more important that available space in Worthing is regularly monitored to ensure business needs are being met over the short and long term.’

The approach is clear that those identified key employment areas are afforded the highest level of protection with employment sites outside of these areas allowing for greater flexibility. However, it is recognised that some level of flexibility needs to be afforded to those sites in the key employment areas but only in ‘exceptional circumstances’. DM11(c) sets out what factors will be considered when assessing any proposals involving the loss of ‘employment uses’ which for the purposes of the Plan is defined as ‘ Storage & Distribution (B8), General Industrial (B2), Office (Class E(g)(i)), Research and Development (Class E(g)(ii)) and Light Industrial (Class E(g)(iii)).

The supporting text to Policy DM11 refers to the Sustainable Economy SPD and states - ‘It will remain a core consideration document of the decision-making process for employment sites in Worthing and continue to provide appropriate guidance on protecting employment sites in the borough.’ .The SPD clearly sets out information around types, levels and duration of marketing expected as part of any evidence used to consider any loss of ‘employment uses’.

Northbrook Business Park is part of East Worthing Industrial Estate and Broadwater Business Park. This site is a protected employment area as set out in Worthing’s Local Plan. Policy DM11c says that existing premises, sites or floorspace which are used for, or last used for, employment uses, located within the key employment areas will be protected against loss to other uses. The policy sets circumstances where changes from employment uses would be considered as set out below

Only in exceptional circumstances, where there is clear and robust evidence that the introduction of alternative uses is required to retain a diverse and resilient local economy, will such a change be considered. In undertaking any assessment regard will be had to the following factors:

i) robust evidence setting out the importance of the use to the future of the local economy;

ii) a demonstration that the introduction of the proposed use would not negatively impact on the functioning of the key employment area or the local economy as a whole;

iii) evidence that the loss of the existing use would not negatively impact the local economy and;

iv) evidence of alternative sites outside of the key employment areas have been considered and that no suitable sites are available

Pre-application advice provided in July 2025 set out the above policy and advised that an application, if submitted, should respond to the policy criteria. The application, when submitted, hadn't provided a response to policy DM11. Some additional information was provided during the course of the application:

> "As previously outlined in our case, we propose to utilise the downstairs of Unit 6 Northbrook Business Park as a small group, personal training facility, we currently own this building and employ 15 people for Boundary IT Services Ltd (first floor occupied) thereby we already fully support and adhere to the employment protection policy covering our industrial estate. We have previously tried to rent out the downstairs with no success, in October 2018 to March 2020 we marketed the downstairs space of Unit 6 for light industrial use, we had no suitable interest in 18 months of marketing with Marshall Clark. We decided at that point to withdraw the unit from the lease market and took the decision to leave it empty. We will never use this building to further the business currently occupied on the first floor and we will never re-market it for others to use due to lack of interest and plenty of other available units in the Worthing and surrounding area available to rent or buy.
>
> With regards to available industrial units in the area, our proposal to adapt the space we own into a small group training facility will only involve the downstairs of the unit, approx. 260sqm, this equates to less than 0.1% of the available stock in the Worthing area of industrial use facilities of which I believe is a round 280,000sqm therefore we will not be significantly diminishing stock of available industrial buildings (as well as the fact that it will never being rented out by us). Several units have recently been built on Dominion Way, and Worthing Business Park and they remain unsold and unrented and have been for several months.
>
> Furthermore, as a new business we intend to employ 2 full time coaches and 2 part time coaches, continuing to support the current policy of employment for our estate. If it remains empty there is no further support for the employment protection policy or community in relation to this ground floor space and more rented storage space or empty space does not support local employment"

The proposal would result in the loss of floorspace to employment use floor space for which there is an identified need in a location that is afforded the highest level of protection. No evidence has been submitted that would provide a robust justification for the loss as set out in DM11 C) i),ii),iii) and iv).

DM11 C) i) - other than general statements about the importance of exercise and health and wellbeing facilities to the local communities there is no robust evidence setting out why the specific proposed use is important to the future of the local economy. The Worthing Local Plan clearly acknowledges the importance of health and wellbeing facilities and has various policies such as Strategic Policy SP3 which supports healthy lifestyles and the infrastructure and services needed to deliver it.

ii) no evidence has been submitted about how the introduction of the proposed use would not undermine the functioning of the key employment area. It should be noted that the council has resisted similar proposals in particular in the key employment areas but given greater flexibility to support these types of uses outside these areas. There are a number of similar uses located in non key employment areas and within the town centres and others centres across the Borough. It is also noteworthy that

submissions from other uses on the business park have raised concern about the introduction of the proposed use to the functioning of the park.

iii) no evidence has been submitted to justify the loss of the existing use. Some marketing evidence has been submitted about an exercise undertaken over 5 years ago. There is very little detail provided and there is contradiction within the evidence provided - in one case it suggests 18 months of marketing and elsewhere suggests it was 2 years. The approach in the SPD states we would need recent evidence and would need to understand how it was marketed, evidence that it was at the right rental/ purchase price etc, what response was received and why it was not taken up etc.

iv) no evidence has been provided to demonstrate what alternative sites have been considered.

In weighing up the overall planning balance, consideration can be given to the nature of the proposed use as promoting healthy lifestyles, and accessible to a broad range of people including people with disabilities. Whilst it is recognised that fitness facilities are important for the health of our communities and local economy, a protected employment area is not the appropriate location for such a use.

Land is an extremely scarce resource in Worthing that is subject to many competing demands and pressures. As noted above, the evidence presented to support the Local Plan (the Economic Research and Employment land review Study 2016 and Update 2020) reinforced the approach taken to protecting employment land in order to plan positively for economic growth over the plan period. It found that existing employment space in Worthing is both in high demand and under threat from other uses. Furthermore, a lack of development opportunities severely limits options for future employment growth. Hence to ensure that there are long term plans to allow for the growth of businesses it is important that appropriate sites (i.e. those suitable for continued employment use) are not released in the short term.

There are a number of similar applications which have been refused for fitness facilities / dance studios in protected employment areas including one at Unit 6 Northbrook Trading Estate (AWDM/1581/16), Southdownview Works (AWDM/1136/14) and more recently at 4 Woods Way in Goring (AWDM/0739/25). In all cases it was found that the change of use would result in an unacceptable loss of protected employment use. In the case at Southdownview Works the application was appealed and subsequently dismissed by an Inspector.

In the absence of robust evidence to justify its loss from industrial and employment use it is considered the proposal would cause unacceptable harm to the availability of suitable industrial and employment premises in the Borough and would contrary to policy DM11 of the Local Plan.

Design

The proposal includes new windows for light on the rear elevation at high level and a new door. These are acceptable in design terms.

Residential amenity

The use of amplified music on site with open windows could have an amenity impact for Clarendon Road residents. Appropriate conditions relating to noise levels could be imposed in the event planning permission were granted.

It is noted that the environmental health officer raised no objection to the proposal.

Transport

The use would introduce new users to the site with participants in the early morning, evening and weekends. West Sussex County Council as Local Highway Authority was consulted and provided initial comments stating no objection on parking grounds. The applicant provided further information on the number of car parking spaces available on site, in relation to objectors comments.The applicant also reduced the proposed numbers of users of the gym. This information was made available to WSCC who provided updated comments. The comments state that the existing number of staff at the business is 10 whereas later commentary from the applicant states there are 15 current staff members. WSCC has been asked to confirm whether the number of spaces is sufficient and this will be reported at the meeting.

Conclusion

While the benefits of exercise are recognised the use of the ground floor would remove the space from use as employment generating. The loss of the floorspace would detrimentally affect the supply of industrial and business floorspace contrary to policy.

Recommendation

REFUSE for the following reason:

1. In the absence of clear and robust evidence to the contrary there is no justification for the loss of the existing premises in this Protected Key Employment Area from its existing employment use. If granted, the change of use would cause unacceptable harm to the functioning of this Key Employment Area and therefore the proposal is contrary to Local Plan policy DM11.