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# Planning Statement
# Change of Use
# For Suite 3, Tudor Court
# From Office (B1) to Chiropractor (D1)

**Prepared by PlanRight**
**December 2010**
**On behalf of**
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# Planning Statement

## INTRODUCTION

The proposal is for a change of use from office (B1) to Chiropractor (D1) with no internal or external alterations.

This statement takes into account the relevant policies and guidance including the relevant policies in the emerging Core Strategy, Local Plan and SPG's on which a decision is made.

## PLANNING POLICY

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless other material considerations indicate otherwise. The approved Development Plan in relation to this site comprises the Worthing Local Plan adopted 2003. The emerging Core strategy should be considered as a material consideration.

National Guidance sets out its agenda through the publication of a number of Guidance or Planning Policy Statements. Of particular relevance to this application is Planning Policy Statement 1 (Achieving Sustainable Development ODPM 2005), Planning Policy Statement 4 (Planning for Sustainable Economic Growth CLG 2009) and Planning Policy Guidance 13 (Transport ODPM 2001).

PPS1 sets out the Governments overarching planning policies on the delivery of sustainable development through the planning system. It sets out key principles under which LPA's should base their development plan policies around. These include social cohesion and inclusion; protection and enhancement of the environment and prudent use of natural resources. PPS1 encourages mixed use development, as a balance of uses can contribute to sustainable development and assist in bringing forward sites that would not otherwise be viable especially in areas that require regeneration.

PPS4 sets out the Governments overarching policies on economic development which, for the purposes of the PPS includes development within the B Use Classes, public and community uses and main town centre uses.

PPG13 sets out the Governments objectives for sustainable transport to promote more sustainable transport choices for all, promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and to reduce the need to travel, especially by car.

## WORTHING LOCAL PLAN

The Worthing Local Plan (WLP) was adopted in September 2003. On 20 December 2007 the borough council applied to the Secretary of State (under paragraph 1(3) of Schedule 8 to the Act 2004) to 'save' the majority of Local Plan policies. A Direction was received on 6 June 2008 confirming that 30 of the Local Plan policies have been saved in accordance with the city council's request. None of the employment policies were saved.

The following saved policies are relevant to this application:

BE1 - Building Design
TR9 - on site parking provision
H18 - Reduction in amenity for local residents

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**LOCAL DEVELOPMENT FRAMEWORK**

The Core Strategy (CS) was formally submitted to the Secretary of State on 9th July 2010. The Hearing sessions commenced on the 16th November and concluded on the 30th November 2010. It is expected that the Inspector's report will be sent to the Council by the end of February 2011. The policies contained within the CS are weighted and are material considerations in the decision making process. The following CS policies are relevant to this application:

Policy 3 – Providing for a Sustainable and Diverse economy
Policy 4 – Protecting employment opportunities
Policy 16 – Build Environment and Design
Policy 19 – Sustainable Travel

**PLANNING ASSESSMENT**

**Site & Surroundings**

The site comprises an attractive Grade II Listed Building built early 20th C in a mock Tudor style. Up until recently, it was the headquarters for Tudor Equity Ltd. However due to the economic downturn, this company has downsized and although still occupying some of the offices on the upper floor, the building has recently undergone refurbishment and marketed as self-contained small starter units to attract small businesses. Each unit has its own allocated parking spaces within the site.

The site is located within a very sustainable area, on level ground and within easy walking distance of Worthing town centre and the railway station. Local buses run close to the site. On-street parking is available, with some spaces allowing free parking for up to 2 hours within close proximity. As aforementioned, there are allocated parking spaces within the site and these will be particularly useful for patients who are unable to walk any great distance.

The Commercial Agents – Michael Jones have extensively marketed the building and a letter of information accompanies the application along with advertising details. Feedback from prospective tenants has been that, Suite 3 in particular, is too small (45sqm (489 sqf)) and due to its unusual layout not suited to an open-plan office layout which is preferred by a lot of businesses. The Agents confer that this particular unit is more suited to a 'consultancy' or 'appointment based' use.

The proposal is for the change of use of Suite 3 from an office use to Chiropractors consulting rooms. This is not a speculative proposal as the applicant is a qualified practitioner currently working at an established practice in Horsham. The applicant wishes to start up his own Practice and this unit is ideal for his purposes.

**Planning History**

There is no relevant planning history attached to this site.

**Principle of development**

As the employment policies within the Local Plan were not saved, the relevant employment related policies in deciding whether the proposed change of use is acceptable are Core Strategy Policies 3 and 4.

The sub text to policy 3 states at paras 6.22 and 6.23 that *Worthing needs to achieve a healthy, vibrant and diverse economy. The Council will work with its partners to deliver the regional objective of 'smart' economic growth that enables businesses to work as efficiently as possible, through considering their needs for land and premises, skills, movement, housing and ICT. The approach is one which seeks to ensure that the right amount and range of premises and sites are delivered in sustainable locations to meet the needs of the local economy. This will help to provide a business environment that will deliver a flexible mix of office and industrial units which will stimulate employment growth, meet the requirements of modern business and help to strengthen Worthing's economic growth and vitality.*
*Retaining existing local business and supporting new and growing business enterprise is a priority to help diversify Worthing's economy and reduce the current reliance on a small number of large employers based in the borough. This will be achieved by building on the existing economic strengths and supporting the growth of the emerging economic clusters and business excellence. In addition encouraging new development the Council will seek to ensure that all existing and underused sites will be used to support business and employment growth.*

The CS acknowledges at para 6.29 *that there is limited provision of workspace to nurture the development of local business and no provision of incubation space in the borough. The provision of serviced office / business suites would support potential start-up businesses and help develop a more diverse local economy. The provision of serviced space will be promoted through the delivery of a wide range of workspace choices for different types and sizes and business within the borough.*

**Policy 3** lists a set of criteria through which it is considered will be able to deliver a sustainable economy over the period to 2026. Out of the 10 criteria, 3 are applicable to this proposal. These being:

- Making more efficient use of existing and under-used accessible employment sites;
- Supporting the development of tourism, leisure and creative industries with particular emphasis on the town centre and seafront;
- Promoting a greater choice of start-up/serviced offices

Marketing information indicates that the unit is not laid out to suit modern business practices which favour open plan spaces. This is due to the physical restraints of the building and is a common problem with conversions, particularly so in this case with the building being Listed. Therefore an alternative employment use should be offered to prevent the unit remaining empty and unlettable for the foreseeable future. As a prospective occupier, the applicant will be bringing business and employment opportunities to the town as well as providing an essential service linked to the health and well-being of the Boroughs residents. A D1 use could be considered as a 'creative' use as it is not a traditional employment area. The town centre location for the proposed practice is ideal and is also the type of business use that adds to the vitality of the town, providing an opportunity for patients to use other services and facilities before or after their appointment. It is recognised that the Borough has limited workspace options for potential start-up businesses that can help to develop a more diverse local economy. This is a good example of providing an appropriate use within an established employment related building and allows a new business use within the Borough which otherwise may have found other more suitable premises outside of the Borough area. Worthing BC should be encouraging new starter businesses within the area in order to achieve its sustainable economy as set out within the above policy.

The proposed D1 use is, in our view, an appropriate employment related use and complies with the relevant criteria within this policy.

**Policy 4** seeks to protect existing employment generating sites and premises whilst encouraging, where appropriate, their improvement or redevelopment to meet the current and future requirements of the local economy. Para 6.33 acknowledges that *there may be circumstances where some loss of employment floor space may be acceptable if it would allow for the redevelopment of existing premises for employment use. Any proposed loss of employment floor space will need to be justified through a process which will seek to ensure that all reasonable steps have been taken to maintain the existing use. Where it is demonstrated that it is not viable to maintain the existing use then options for alternative employment uses will need to be explored before non-employment uses would be considered. For the purpose of these policies employment uses include B1, B2, and B8 together with other employment generating uses as appropriate.*

As aforementioned, the unit is empty and although take up of the other larger offices has been fairly successful, potential tenants of more traditional employment uses have emphasised that suite 3 is too small and poorly laid out for modern office practices. The marketing information states that the units have been marketed since April 2010 and no potential [redacted]ers have been identified apart from the applicant. The D1 use remains as an employment generating use, with the applicant employing a receptionist/administrator as well as providing a service beneficial for the residents of the Borough and surrounding area. Although there are other practicing chiropractors within the Worthing area, the applicant, from carrying out promotional work at Curves Gym and Worthing Pavilion has already started to attract a client base within the local area. This is an ideal opportunity for the applicant to base his business in this sustainable location which helps to achieve the aspirations of the employment policies with the CS to achieve a sustainable economy.

**With regard to fulfiling the criteria of policies 3 and 4, the proposal for the change of use and the principle of development is clearly both appropriate and acceptable.**

**Policy 16** requires new development to demonstrate good quality architectural and landscape design and use of materials that take account of local physical, historical and environmental characteristics of the area. As the building is Grade II Listed, particular care should be taken to its preservation and enhancement. However, as there are no internal or external changes proposed and the proposal seeks only to change the use of the existing unit, there will be no physical changes that need to be taken into account and therefore the criteria of policy 16 are fulfilled.

Although we note that at pre-application enquiry stage that the Economic Development team had initial concerns that the unit may not be suitable due to its limited scope for future alterations, the layout of the rooms are as required by the [redacted]plicant and no immediate or future alterations are envisaged. As the unit is on the ground floor and with on-site parking spaces allocated for the sole use of the unit, the building and location are ideally suited for the Practice.

**Policy 19** relates to sustainable transport and sets out a basis for larger more major developments to incorporate sustainable travel options not reliant on private vehicles.

This application is not a major development but all service providers should consider from the outset how their users will access the service provided. The site provides 2 off-street parking spaces which, for those patients who are unable to travel via other means, may mean the difference between using this service or not. The site is, however, within an area well served by public transport and easily accessible to local services and amenities. Its location enables future occupiers a choice as to how they get to their appointments.

**Saved Local Plan Policies**

The relevant saved policies are BE1, TR9 and H18.

BE1 relates to the built environment and allows for development, within the built up area, to be approved subject to meeting certain criteria, including external appearance and its form and character and relationship within its locality. As this application is purely for a change of use with no external alterations, the built form, external appearance and relationship with adjacent properties remains as existing.

Saved policy TR9 considers the requirement for off-street parking provision and states that these standards should be applied to the WSCC standards at the time of the application. As the allocation of 2 off-street spaces is fixed, the applicant has no control over providing more or less spaces. Due to the nature of the business it is acknowledged that some patients will need to park in close proximity to the Practice, however, it has been demonstrated earlier that the site is within a very sustainable location and patients have a wide choice of alternative transport modes other than arriving for their appointments by private vehicles.

Saved policy H18 states that development, including changes of use, that have an unacceptable reduction in amenity for local residents will not be allowed. The proposal will not have any discernible effect on either other occupiers of the suites nor local residents occupying nearby flats.

**Conclusion**

The proposal for the change of use of the office unit to a chiropractors is an appropriate use within this established employment site. Not only does it offer a use that provides for the health and well-being of the Boroughs residents, it also offers an employment opportunity and a base for a new business use re-locating into the area. It makes effective use of a small unit which has been demonstrated to be unsuited to today's modern office practices and is within a sustainable location close to major public transport providers within the town centre. The proposal accords with Government guidance and adopted policies on a regional, strategic and local level and as well as the new policies emerging through the Core Strategy which are material considerations within the decision making process. The proposal thereby should be approved under the provisions of S 38 (6) of the Planning & Compulsory Purchase Act 2004.