DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: 13 Broadwater Boulevard
WB/11/0007/FULL

DATE OF SITE VISIT: 15.03.2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

The application property comprises a vacant mid-terrace ground-floor shop unit, formerly a café/coffee bar (Class A3), within Broadwater Boulevard, a mixed-use complex of commercial units and purpose-built flats dating from the 1960's. The application premises faces onto the north side of the open square. A pedestrian 'covered way' leads from the square to a pay & display public car park to the north (55 spaces). The site is located within the core shopping area of the District Shopping Centre.

Permission is sought for a change of use to a dental practice (Class D1). No external alterations are proposed.

The internal layout would consist of a reception area, 3 treatment rooms, a de-contamination room, disabled WC, and staff facilities. The opening hours are unknown at this stage.

The application is accompanied by a design and access statement and a letter from a local estate agent setting out the marketing history from January 2007.

RELEVANT PLANNING HISTORY

5 -11 Broadwater Boulevard Change of use of 7 retail units to doctor's surgery approved 2002 (02/01118/FULL)

RELEVANT PLANNING POLICIES

Saved Local Plan: S11, RES7
Submission Core Strategy: Policy 6

RELEVANT CONSULTATION RESPONSES AND REPRESENTATIONS:

The **Highway Authority** has raised no objection.

Executive Head of Housing, Health and Community Safety: No objection.

Economic Development: This property is located within Broadwater Boulevard at the south end of the district retail centre which has been suffering from low occupation for sometime. This property has been vacant

and actively marketed for 4 years without attracting an A3 use. The Boulevard is well served by public transport and provides substantial off-street parking at the rear. A doctor's surgery is also located within this area of the Boulevard. Economic Development supports this application for a change of use from A3 to D1 dental practice to encourage employment and occupation of this unit, to improve the appearance and footfall for the surrounding shopping area and to provide services for the local community.

The **Planning Policy Manager** comments:- *"Policy S11 is relevant which states:-*

"This café has been vacant since 2006 and marketing started in 2007. From the evidence provided it is clear that extensive attempts have been made to maintain the A3 use and find a new tenant. This has proven to be impossible and a change of use is now being proposed.

From a policy point of view both policies S11 (Local Plan) and policy 6 (Core Strategy) focus on protecting and enhancing the viability and vitality of the shopping centre(s). Policy S11 explicitly states that other uses which would enhance the vitality and viability of the shopping centre may be permitted. It is considered that the dental practice attracts visitors/pedestrians to the area and enhances the vitality of the shipping centre. In addition there are high numbers of vacancies (latest figures 2007) already. It is undesirable for the total percentage of A1 uses to fall under 65% but with the A1 use being 72% this is still able the required percentage."

PLANNING ASSESSMENT:

The main consideration is loss of the existing shop use and the impact on the vitality and viability of the District Shopping Centre. Saved policy S11 seeks to safeguard a good proportion of retail shops within the core areas of the District shopping centres in order to maintain a strong shopping role and function. Applications for non-retail (A-Class) uses will not normally be permitted. Although the District Centre as a whole maintains a high proportion of A1 uses, the application property is in part of the District Centre that has been suffering low occupation over a number of years and this unit has been vacant for 4 years despite being actively marketed. The proposed dental practice is supported by the Economic Development team on that basis that it would attract visiting members of the public resulting in an increased footfall which may help to boost passing trade benefiting surrounding retail shops. Moreover, the proposed use would complement the nearby doctor's surgery, creating a 'cluster' of health-related uses in a highly accessible and sustainable location to serve the local community.

It is suggested that the use is restricted by condition to a dental practice owing to the wide range of uses embodied by the D1 Use Class, some of which would raise additional transport and noise issues. In view of the proximity of residential properties, it is recommended that trading hours are restricted to 08.00 to 20.00 hrs (Monday to Friday) and 08.00 to 18.00 hrs (Saturdays) – discussed with applicant's agent.

There is a large public pay & display car park adjoining the site to the north (accessed from Rectory Gardens). The site is accessible by public transport with bus stop nearby on Broadwater Road. No objection has been raised by the Highway Authority.

RECOMMENDATION APPROVE subject to:-

1. Standard time limit
2. A window display shall be provided at all times in the shop window fronting Broadwater Boulevard and the shop window shall not be blanked off or otherwise obscured.
   Reason: To safeguard the interest of the core shopping area of the District Centre.
3. Restrict to dental practice and no other use with Class D1.
4. Limit hours of use to between 0800 hrs and 2000 hrs (Monday to Friday) and between 0800 hrs and 1800 hrs (Saturdays).
5. Approved plans

REASONS FOR RECOMMENDATION:

The proposed use would not unacceptably detract from the vitality and viability of the District Shopping Centre and subject to the recommended safeguard on hours of use would not detract from the amenities of neighbouring residential occupiers. It would therefore not conflict with saved policies RES7 and S11 of the Worthing Local Plan (2003) and submission Core Strategy policy 6.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

No

Case Officer Sign..... [redacted] .....Date 15.3.11

Authorising Officer Sign..... [redacted] .....Date 16.3.11