

Development Management – Delegated Officer Report

Application Number: AWDM/1435/25

Recommendation: – Approve

Site: 12 Broadwater Boulevard Worthing West Sussex BN14 8JE

Proposal: Change of use from dog grooming parlour (sui generis) to physiotherapists Class E(e) and installation of air conditioning to side (s/w) elevation

Date of Site Visit: 13.01.2026

Neighbours Checked: Y

Additional Neighbours Notified: N Site notice posted 13.1.2026

Site and Surroundings

The site relates to a vacant ground floor shop unit with the pedestrian shopping parade at Broadwater Boulevard. This is a part two storey and part three storey development of shops and a medical centre with residential properties to the upper floors set around a pedestrian public space. No.12 is located at the north west side of the development. There is an undercroft walkway to the west side of No.12 that links the development providing pedestrian access to a car park and servicing area at the rear of the shops.

The site is within the Broadwater District Centre where policy DM13 applies.

Proposal

Permission is sought for the change of use to a physiotherapist clinic with reception, consulting rooms and staff facilities. Three full time equivalent staff would be employed by the proposed use. Hours of operation are proposed as between 07.30 and 20.00 on Monday to Friday and 07.30 to 13.00 on Saturdays. A wall mounted air conditioning unit is proposed to the south west elevation towards the rear of the building. An opaque film is also indicated to be applied to one of the shop windows and its side door. There is an existing bin storage area serving the site within the servicing area at the rear of shopping parade.

Relevant Planning History:

None relevant

Consultations

The **Highway Authority** has commented as follows:

This application is for the change of use from dog grooming parlour (sui generis) to physiotherapist (Class E9e) and installation of air conditioning unit to side elevation.

The site is located on Broadwater Boulevard, a privately maintained pedestrianised street, as such these comments are considered advice only. The nearest publicly

maintained highway is Broadwater Road, an A-classified road subject to a speed limit of 30mph.

The site benefits from rear access via a privately maintained car park. No parking provision is proposed. Parking for the existing use would have to be accommodated within the existing nearby paid-for and on-street parking provision. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

The physiotherapist use would comprise three consulting rooms; the proposed use is not anticipated to generate a material increase in vehicle movements associated with the site or result in a capacity concern on the nearby public highway network. The site located within an existing shopping precinct and as such, is sustainably located. Cycling is a viable option for staff or clients to access the site, and secure cycle storage in the form of Sheffield stands are located within proximity of the site.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

Southern Water has made the following comments:

Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal. Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website. Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water. Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk

or by email at: SouthernWaterPlanning@southernwater.co.uk

The Council's **Environmental Health Officer** provided initial comments as follows:

With regard to the air conditioning unit on this application.

The unit has the potential to cause noise disturbance to future occupiers of the site and adjacent neighbours. I note that the brochure supplied has no noise data and several model numbers.

Please can the applicant supply information on the model number they intend to install and the noise emissions from that unit, as well as confirm that it will be mounted using anti-vibration mounts.

Following receipt of additional information, the Environmental Health Officer has confirmed that the a/c unit specified would be acceptable subject to limiting use to within the hours of operation as stated on the application form and mounting the unit on anti-vibration mounts, which should be secured by conditions.

Representations

None received

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023):

SP1 (Presumption in Favour of Sustainable Development)

SS1 (Spatial Strategy)

DM5 (Quality of the Built Environment)

DM8 (Planning for sustainable communities/community facilities)

DM13 (Retail and Town Centre Uses)

DM15 (Sustainable Transport and Active Travel)

DM16 (Sustainable Design)

DM20 (Flood Risk and Sustainable Drainage)

DM22 (Pollution)

National Planning Policy Framework (MHCLG 2024)

National Planning Practice Guidance

Planning Assessment:

In Worthing a retail network has been established based on centres of varied degree of size and importance. This includes a network of district and local centres including medium and small-scale local centres, which meet day to day shopping and community needs.

The site is within the Broadwater District Centre as defined by Local Plan policy DM13.

In all centres within the Borough changes of use are carefully controlled to ensure that they support, rather than detract from, the successful functioning of the centres and their ability to meet local needs, according to their function and hierarchy.

Policy DM13 states that when considering all such proposals regard will be had as to whether they would:

- i) Make a positive contribution to the vitality, viability and diversity of the centre;*
- ii) Not unacceptably impact on daytime footfall;*
- iii) Maintain a strong role for the centre in providing a varied range of convenience goods and meeting other day-to-day needs;*
- iv) Positively restore and/or enhance the character and appearance of the frontage;*
- v) Maintain the continuity of active frontages;*
- vi) Be of a scale and type of use appropriate to the size and function of centre, or part of the centre concerned;*
- vii) Ensure that any proposal will cause no significant adverse effects for the occupiers of neighbouring properties;*
- viii) Ensure that there will be no severe negative impact on existing parking arrangements;*
- ix) Retain or re-provide ancillary facilities within individual premises, (such as loading, storage, staff or administrative facilities), unless it is demonstrated that these are no longer necessary for appropriate future use of the premises;*
- x) Result in an over concentration of uses such as takeaways and other uses with closed and inactive street frontages. The Council will consider the role of the centre within which the proposal is located and other matters such as the numbers of existing similar uses within the frontage and any existing or potential issues. Permission will not be granted where harm to the vitality and viability of the centre, or the amenity of local residents and businesses, cannot be adequately mitigated; and*
- xi) Require conditions to be applied to any new development where it relevant and appropriate to do so, in order to control the proposed uses and allow for a managed approach to future proposals for change of use, in line with the Council's aspirations and strategies for the area.*

Within District and Local Centres, the policy approach seeks to encourage convenient and accessible local shopping facilities that are of a scale appropriate to the role and function of the centre to meet day to day needs of residents, and contribute to social inclusion. DM13 states that when considering relevant proposals within these centres regard will be had to the following:

- i) in District and Medium Scale Local Centres - seek to retain a core of retail uses of at least 50% of the units in the whole centre, to ensure the role and function of the level of centre is maintained. Allow for uses such as financial and service and restaurant and cafes of an appropriate scale for the role and function of the centre. Other uses will be supported where it can be demonstrated that the use will enhance the vitality and viability of the centre in which it is proposed, generates footfall and retains an active shopfront with a shopfront display;*
- ii) in Small Scale Local Centres seek to retain primarily retail use and resist the introduction of other uses where they will cause demonstrable harm to the centre's ability to meet day to day shopping needs of the local community; and*
- iii) in all District and Local Centres drinking establishments and takeaways uses will be considered on their merit, taking into consideration any negative cumulative impact of such uses on the centre, whether such uses add to the vitality and viability of the centre and the impact on residential amenity.*

The policy approach allows for some flexibility in the range of uses across the centre as a whole. Although there is a cluster of non-retail units within this part of the centre and the proposal would not provide a retail shop, having regard to the former use of

the premises as a dog-grooming business (and where no specific planning permission exists) and the proposed use would be within class E it is considered that it would not be justified to resist the proposed change of use in this instance and where there is flexibility provided within class E under the September 2020 changes to the use classes order to react to changing demands and consumer behaviours. The application proposals would provide an appropriate use within the district centre which would help generate footfall and the proposals have been revised to retain an active frontage with clear glazed shopfront retained to the majority of the shopfront. The proposed use is considered appropriate to the district centre and would not adversely impact upon the vitality and viability of the centre.

Visual Amenity

Although the proposed air conditioning unit would introduce external equipment where not exists currently, its position towards the rear of the building would help limit its impact on the appearance of the building where it would be visible mainly from the adjacent car park and side walkway, but seen in the context of the servicing part of the development and where there are other a/c units positioned at the opposite end of this terrace. In this context the impact on visual amenity would not warrant a refusal of the application.

The application details also indicate obscure film to be applied to windows. It is noted that a number of other units in the vicinity have a similar film or advertising that obscures the shopfront windows. Nevertheless following concerns raised over the detrimental impact this would have on the appearance of the shopfront at No.12 and in the interests of retaining an active frontage, the applicant has agreed to limit the application of the film to part of the side elevation glazing only and to alter the internal configuration of the proposed consulting rooms so that they are set back from the main shopfront window, retaining clear glazing to the whole frontage. This revision is welcomed and would provide a satisfactory appearance in the context of this site.

Residential Amenity

The site is within a district shopping centre where there is a range of commercial uses at ground floor level and residential dwellings in the upper floors. Given the scale and nature of the proposed use it is not considered that there would be any significant impact to the amenities of neighbouring occupiers arising from the proposed use. Hours of operation can be limited by condition to those stated in the application form in the interests of protecting residential amenity.

The installation of an air conditioning unit towards the rear of the south west elevation could give rise to noise and disturbance to neighbouring occupiers particularly in the flats above where there are windows in close proximity. However, the Council's Environmental Health Officer is satisfied with the specifications provided, which includes noise levels, subject to limiting the operation of the unit to within the approved opening hours for the use and installing the unit using anti-vibration mounts. The applicant has agreed to these measures and can be secured by conditions to protect the amenities of neighbouring residential occupiers.

Highways and access

The site can be considered sustainable to the extent that it lies within the district shopping centre and within easy walking distance of public transport links including providing connections to the town centre and surrounding areas. No car parking exists on site but a privately maintained car park is available at the rear of the shopping parade and cycle stands are available within the pedestrian parade. The Highway Authority has raised no objections in terms of parking, access or highway safety.

Recommendation:

APPROVE subject to condition(s):-

1. Drawing Numbers
2. Standard time limit
3. Hours of operation only between 07.30 to 20.00 Monday to Friday and 07.30 to 13.00 on Saturdays. No plant or equipment to be in operation outside of permitted hours
4. Air conditioning unit to be installed in accordance with approved details and mounted on anti-vibration mounts, and maintained in accordance with manufacturers recommendations thereafter

Informative

- The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- Southern Water – sewer investigation

Is recommendation contrary to letter(s) of representation? N

Case Officer: Rebekah Hincke

Date:04.02.2026

Authorised by: Louise Prew

Date: 04/02/2026