

REPORT SUMMARY

REFERENCE NO - 19/01714/FULL			
APPLICATION PROPOSAL Change of Use from Class B1(a) (Office) to Class D1 (Non residential institution) as a clinic specialising in minor cosmetic procedures, theatre and consulting rooms and offices arranged over first and second floors and linked to adjacent existing D1 use in Market House via interconnecting doors at first and second floors. Installation of condensing and air handling plant.			
ADDRESS The Corn Exchange The Pantiles Royal Tunbridge Wells Kent			
RECOMMENDATION to GRANT planning permission subject to conditions (please refer to section 11.0 of the report for full recommendation).			
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none">- The proposal would be located within the Limits to Built Development and within a Primary Shopping Area- The change to D1 would not have a detrimental impact on the vitality and viability of this part of the town centre.- There would be no significant harm to the Conservation Area or Listed Building- The proposal would not harm Residential Amenity of neighbouring properties			
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application: Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A Net increase in numbers of jobs: 5 Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: £139,412.00 The following are not considered to be material to the application: Estimated annual council tax benefit for Borough: N/A Estimated annual council tax benefit total: N/A Annual New Homes Bonus (for first 4 years): N/A Estimated annual business rates benefits for Borough: The change of use is considered not to be a large development and according to the guidance these figures are therefore not required.			
REASON FOR REFERRAL TO COMMITTEE Tunbridge Wells Borough Council are the Free Holders of the Corn Exchange.			
WARD Pantiles & St Marks	PARISH/TOWN COUNCIL N/A	APPLICANT Mr John Bee AGENT Mr John Whitlock	
DECISION DUE DATE 03/09/19	PUBLICITY EXPIRY DATE 23/08/19	OFFICER SITE VISIT DATE 13/08/19	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
17/02097/FULL	Change of use of ground floor from retail,	Permitted	22/08/17

	entertainment, drinking establishment, leisure and food and drink uses to a business centre comprising open plan offices falling within Use Classes B1 (Business) and A2 (Financial and Professional Services) and continued lawful use of part of the basement, together with ancillary minor operational works to facilitate the new use(s)		
17/02098/LBC	Listed Building Consent - minor operational works to facilitate proposed new use(s) under reference 17/02097/FULL	Permitted	22/08/17
17/03411/LBC	Listed Building Consent - Temporary change of use of the ground floor of the Former Day at the Wells Building for a period of 6 years from cinema use (Class D2) to use as a sales centre (Class A2), including the creation of an internal show apartment, office accommodation, toilets and kitchen area, requiring the formation of a new internal door and other ancillary internal amendments	Permitted	14/12/17
17/03413/FULL	Temporary change of use of the ground floor of the Former Day at the Wells Building for a period of 6 years from cinema use (Class D2) to use as a sales centre (Class A2) and associated internal changes	Permitted	14/12/17
84/00342/FUL	Shops, offices, restaurant, heritage museum, health club, auction hall, parking	Permitted	18/01/85
84/00343/LBC	Listed Building Consent - Part demolition	Permitted	18/01/85

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This site forms part of the 'Lower Walks' area of The Pantiles and is within the Corn Exchange situated to the south-east of The Pantiles Lower Walk.
- 1.02 The Corn Exchange comprises a central hall with retail units around the perimeter which frame the central space. The building is Grade II listed but was the subject of significant internal alteration/rebuilding when developed for the most recent uses under the 1984 permissions.
- 1.03 This application relates to the part of the building occupied by Bella Vou a cosmetic Clinic, and also the offices in part of the Corn Exchange to the west at no. 49 specifically the first and second floor levels. The offices are currently vacant.
- 1.04 Access into the building is from a side door to the right of the main entrance to the Corn Exchange from the Lower Pantiles.

2.0 PROPOSAL

- 2.01 The part of the site that is seeking a change of use is currently in a B1 office use. The proposal is for a change of use to a D1 (non-residential institution) use which will match that of Market House where Belle Vou is currently located.
- 2.02 The two properties will be linked via the existing internal doorways within Corn Exchange House being re-developed to provide additional clinic space, theatre rooms and staff welfare. The proposal will provide 5 new jobs for the company.
- 2.03 Internal alterations are being proposed but they do not require planning permission and will be assessed under the accompanying Listed Building Consent application (ref: 19/01715/LBC).
- 2.04 Three new air cooling units are proposed on a flat roof to the rear of the building.

3.0 SUMMARY INFORMATION

Proposed new floor space under D1 use: 224.7m²

4.0 PLANNING CONSTRAINTS

Potential Archaeological Importance Potential Archaeological Importance - Various Sites

Conservation Area Tunbridge Wells Conservation Area *(-statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)*

Inside Limits to built development (LBD)

Listed Building Grade: II *(statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)*(relates to Corn Exchange House including no. 49)

Local Plan 2006 Character Frontage + 5M Buffer

Local Plan 2006 Tunbridge Wells Central Parking Zone (commercial) - TP7

Site Allocations 2016 Primary Shopping Area

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance (NPPG)

Development Plan:

Tunbridge Wells Core Strategy 2010:

Core Policy 4 - Environment

Core Policy 5 – Sustainable design and construction

Core Policy 9 – Development I Royal Tunbridge Wells

Tunbridge Wells Borough Local Plan 2006:

Policy EN1 – General development criteria

Policy CR3 – Location of proposals for small scale D1 uses within defined Primary Shopping Areas
Policy CR5 – Royal Tunbridge Wells Primary Shopping Area
Policy TP7 – Tunbridge Wells Central Access Zone (Commercial)

Tunbridge Wells Borough Council Supplementary Planning Documents/Guidance:

Town Centre Office Market Review 2018

6.0 LOCAL REPRESENTATIONS

- 6.01 Site notices were displayed on the 02 August 2019 at two locations around the application site. In addition an advert was placed in a local newspaper on the same date.
- 6.02 No representations were received.

7.0 CONSULTATIONS

Principal Conservation Officer

- 7.01 13/08/19: The proposed works will lead to changes to the internal layout of the building but will not impact the exterior. This building has suffered substantial internal alteration and all the walls involved in this new programme of alteration are modern plasterboard walls dating from the 1980's major refurbishment.
The proposal for a cooling unit likewise would not have an impact on the character of the building due to its proposed location.
As such the significance of the building as a listed building would not be impacted by the proposals. On this basis no objection are raised on heritage grounds.

8.0 APPLICANT'S SUPPORTING COMMENTS

- 8.01 The proposed works are not considered major structural works and preserve the current features of the building. The extension of the existing business into the adjoining property will be in keeping with the current character and history of the building and therefore will have a low visual impact, as well as increasing the level of visitors to The Pantiles, with the potential of creating new jobs.

9.0 BACKGROUND PAPERS AND PLANS

Application form
Site location plan
Existing plans and elevations
Proposed plans and elevations
Design and access statement

10.0 APPRAISAL

Principle of Development

- 10.1 The premises are located within a character frontage and also within a Primary Shopping Area. Local Plan Policy CR3 supports proposals for a number of different commercial uses within the Primary Shopping Areas provided that the proposals would not have a detrimental impact on the viability and vitality of the area and would not prejudice the development of sites allocated in the Local Plan. This includes D1 uses.

10.2 However, the council have been monitoring the loss of office space in the town centre and commissioned a town centre office market review in 2018. This noted that there has been a significant loss of office space in the town, however the methodology of this report was to exclude smaller units (below 465sqm) as it tends to be ancillary space to retail and generally lacking in modern amenities and therefore has less significant impact on the finding. In addition, it is noted that the change would be to a D1 use with an element of office and could very easily be converted back into office use if the premises are no longer required for the D1 use.

10.3 Therefore, it is considered that the loss of the office use would not have a significant impact on the supply of office floorspace within the town centre and would not have a detrimental impact on the vitality and viability of this part of the town centre.

10.4 The site is located within a character frontage area of the town, which seeks to retain A1 used at ground floor level, as the proposal relates to the upper floor levels this policy is not considered to be relevant for this proposal.

Impact on visual Amenity and Conservation Area

10.5 No external changes are proposed to the building and therefore would not have an impact on the amenity of the area.

10.6 The proposal does include the installation of three air conditioning units on a flat roof area to the rear of the building. This part of the roof cannot be seen from any public view points, and there are other air conditioning units on this roof. Therefore it would preserve the character and appearance of the Conservation Area.

Impact on Listed Building

10.7 The building is a grade II building, and it is proposed to alter some of the internal floor arrangements by removing and inserting new walls. The Conservation Officer has been to the site and considers the proposals acceptable. A full assessment of the impact is proposed in the accompanying committee report for the Listed Building Consent application 19/01715/LBC.

10.8 The NPPF states at paragraph 192 that in determining applications local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

The building is currently vacant and by allowing the alterations for the expansion of a business the building will come into a viable use suitable.

Impact on Residential Amenity

10.9 There are no residential properties in close proximity to the proposal to be significantly impacted by the new use or any noise from the air condition units. The closest neighbouring property is 31m away to the north with a number of properties in-between.

- 10.9 The proposed opening hours are Monday to Friday 08:00-20:00, Saturday and Sunday 09:00-17:00. Considering the proposed use of the premises it is considered that it would not result in a significant disturbance from noise, furthermore there are a number of other commercial uses in the Pantiles which are open later hours and are greater noise generators e.g. (pubs and restaurants).

Highways and Parking

- 10.10 The site offers no parking but this is no different to the existing situation and as the property is located within the town centre where there are a number of public car parks and the site is highly sustainable in transport terms with numerous bus services and the train station within walking distance it is considered that the absence of any car parking is acceptable.

Summary

- 10.11 The proposed change of use is considered to comply with relevant policies and there are no material considerations that would warrant a departure from these policies and the proposal is therefore considered acceptable.

11.0 RECOMMENDATION – GRANT Subject to the following conditions

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- (2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

Site Block Plan, drawing number 56844-PL02, received 17/06/19
Roof plan as proposed, drawing number 56844-PL14A, received 17/06/19
South East (rear) Elevation as proposed, drawing number 56844-PL15A, received 17/06/19
North West (front) Elevation as proposed, drawing number 56844-PL08, received 17/06/19
Lower Ground Floor Plan as proposed, drawing number 56844-PL10, received 17/06/19
Ground Floor Plan as proposed, drawing number 56844-PL11A, received 17/06/19
First Floor Plan as proposed, drawing number 56844-PL12 B, received 17/06/19
Second floor plan as proposed, drawing number 56844-PL-13B, received 20/08/19
First and second floor plan proposed demolition and strip out, drawing number 56844-PL-16A, received 20/08/19

Reason: To clarify which plans have been approved

Case Officer: Charlotte Oben

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.