

Mark Chan
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Your Ref 2020/4447/P
Our Ref

11 December 2020

Dear Mark,

PLANNING APPLICATION 202/4447/P – 28/30 KIRBY STREET

I refer to above planning application, which is currently being considered by your authority. In response to a request for further information I set out below the applicant's response and append a letter from the letting agent for the subject property.

Compliance with Policy E2

Policy E2(b) states that *"the Council will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time."*

Para 5.39 provides clarification regarding what is an appropriate period of time. It states that *"where a change of use to a non-business use is proposed, the applicant must demonstrate to the Council's satisfaction that there is no realistic prospect of demand to use the site for an employment use. The applicant must submit evidence of a thorough marketing exercise, sustained over at least two years. The premises should be marketed at realistic prices, include a consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers."*

On 27th November I confirmed that the building has been marketed for a period exceeding that set out in paragraph 5.39 of the Plan. As requested, I attach a letter received from the letting agent, Savills together with the marketing brochure. This confirms the property has remained vacant having been marketed for over 30 months. Accordingly, the proposed change of use complies with Policy E2.

In addition, and from a contextual perspective, the applicant is entering into a lease to occupy all the remaining space within the building on the basis that it can accommodate all operational teams and functions. The applicant is applying for permission to change the use of a minor element of the building in order to occupy all the remaining vacant space, which has been vacant and marketed for over 30 months. Accordingly, approval of the change of use will enable the building to be let and will ensure the continued employment use of the building.



All functions to be accommodated within the building are purposefully joined to reflect operational requirements and proximity to the law courts.

I trust the information set out above and attached is enough to enable your authority to positively determine the planning application.

If you have any questions, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Mark Jackson".

Mark Jackson MRTPI
Partner

Enc.