



Planning Services
Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

5th August 2026

Dear Sir/Madam

APPLICATION UNDER SECTION 106A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) HASKINS GARDEN CENTRE, ROUNDSTONE BYPASS, ANGMERING, WEST SUSSEX. APPLICATION TO MODIFY PLANNING OBLIGATION IN S106 AGREEMENT ORIGINALLY DATED 23 DECEMBER 2010 AND LAST MODIFIED 22 JULY 2024 ('THE AGREEMENT')

We write on behalf of our client, Haskins Garden Centres Ltd, the owners of Haskins Garden Centre, Roundstone, to apply to amend the above Section 106 Agreement under S106A of the Town and Country Planning Act 1990.

The garden centre is bound by the Section 106 Agreement (the Agreement) dated 23 December 2010 between (1) Haskins Garden Centre Limited, (2) Santander UK PLC, and (3) Arun District Council. This Agreement is accompanied by four Deeds of Variation dated 14 November 2012, 15 August 2013, 15 January 2015 and 22 July 2024. This application proposes the inclusion of an additional category to be added to Schedule 2 of the Agreement (as varied).

This application comprises the following enclosed documents:

1. Section 106A Application Form signed and dated 5th August 2026;
2. Plan Ref. 6520/1010 showing the location of the land to which the application relate;
3. A copy of the original Section S106 Agreement;
4. Copies of the four Deeds of Variation and
5. This covering letter and appendix.

The Application

Section 106A of the Town and Country Planning Act 1990 allows a planning obligation to be modified or discharged in accordance with this Section and Section 106B. This application seeks to include an additional category to be listed within Schedule 2 of the Agreement, namely:

(22) Footwear up to a limit of 163 square metres.

This addition is requested to allow Pavers into the unit currently occupied by a Hot Tubs retailer. The intention is that they will take the unit, which is approximately 186 sq metres, and trade alongside Mountain Warehouse and Hobbycraft. They would have a net sales area of 163 sq metres with the remainder being storage.

Pavers predominately operate from out of centre locations, and particularly garden centres or other leisure destinations across the Country. The products sold by Pavers complement the range of goods typically sold from garden centres in that they are not regular purchases. They therefore benefit from the trade already going to the garden centres, rather than being retail destinations in their own right.

Looking at their store portfolio nationwide, there are currently 174 units in total and the breakdown on their location is as follows:

- **Garden centres:** 61 stores
- **Other out of centre formats (outlets, retail parks, mills, etc.):** 91 stores
- **High street/town centre:** 22 stores

This shows their preference for locations/destinations where customers often visit as part a 'leisure trip', when they take time to browse and make non-specific purchases. This makes up for approximately 87.5% of their stores nationwide.

Appendix 1 shows the distribution of Pavers stores along this part of the south coast and inland. What is interesting is that of the 8 stores, only one is not in a garden centre, all the other others are. The one non garden centre location is another leisure destination, Port Solent.

Relevant Planning Policy

National Planning Policy Framework – December 2024

Although no additional retail floorspace is being proposed by the application, only the expansion of the range of goods for a specific retailer, it is relevant to consider Chapter 7- Ensuring the Vitality of Town Centres.

Paragraph 91 states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses if they are not in an existing centre nor in accordance with an up-to-date Local Plan.

The NPPG (Town Centres and Retail 2020) confirms that for decision taking, it is for the applicant to demonstrate compliance with the sequential test and that '*The application of the test should be proportionate and appropriate for the given proposal.*' The guidance also confirms that the use of the sequential test should recognise that certain uses have particular market and locational requirements which mean that they may only be accommodated in specific locations.

In line with the Policy set out in the NPPF, and the guidance contained within the NPPG, this application has considered the sequential test.

Adopted Arun Local Plan 2018

Policy RET SP1 of the Arun Local Plan 2018 sets out the hierarchy of centres within Arun and identifies Bognor Regis and Littlehampton as the main focus for major retail, leisure, commercial, office, tourism, cultural, community and residential development.

Policy RET DM1 confirms that retail development outside of town and local service centres will be permitted provided that the following criteria are met:

- The scheme meets the impact tests of the NPPF;
- The scheme is easily accessible by the highway network and public transport;
- The scheme includes provision for access by cycle and on foot;
- The scheme includes appropriate provision to enable access for people with disabilities.

The above Policy also confirms that applicants proposing retail development on out-of-centre sites should demonstrate that no suitable site can be found, firstly within the existing town centre or secondly, on the edge of those centres.

It notes that an impact assessment would be required if the proposal was larger than 1,000 sq m outside the larger centres and 200 sq m for the villages and suburban local centres. Both these threshold levels are above the amount of floorspace under consideration here. As the application relates to just 163 sq. m of net floor space, an assessment of the impact is not required. In any event, for the reasons set out above, allowing Pavers to sell these additional items from the garden centre, is unlikely to have any demonstrable impact on any designated centre within the District.

The criteria set in Policy RET DM1 can be met on this site and therefore the only other policy consideration that needs to be addressed is the sequential test.

The Sequential Test

Haskins Garden Centre is approximately 6km to the east of Littlehampton and over 3km to the northeast of Rustington Service Centre. Given the small amount of the existing floorspace that will be utilised at the garden centre for footwear (163 sqm) and the negligible potential impact on any retailer in the main centres, it does appear inappropriate to assess whether sites in Littlehampton and Bognor would be suitable. This view is supported by the NPPG, which confirms that the application of the sequential test should be '*proportionate and appropriate for the given proposal*'.

Pavers operate a business model which focuses primarily on a trip to Pavers being part of a leisure trip to a Garden Centre or other similar destination. They know that their model works in association with larger, mainstream garden centres who have a complementary retail offer and draw. Roundstone Garden Centre acts as a leisure destination where customers will spend time browsing and making non-specific purchases, rather than necessarily visiting for a particular purpose.

Therefore, Pavers very seldomly select smaller town centres which tend to have a different mix of retailers, focused more on the everyday, convenience needs of local residents.



Summary and Conclusions

This application proposes the inclusion of an additional product range (footwear) to be added to the Second Schedule of the Section 106 Agreement to permit Pavers to sell their products from the Garden Centre. The following matters should therefore be considered to confirm this request:

- The net floor area devoted to these goods will be approximately 163 sq metres, which is a small part of the overall sales area of the Garden Centre.
- Pavers is a specialist, niche business who primarily trade within leisure destinations such as garden centres where customers like to take their time to shop and browse for goods.
- In retail planning policy, the scale and nature of the proposal is such that it will not damage the vitality of the local town centres and it meets the criteria set in Policy RET DM1.
- Overall, the benefits associated with this proposal, in terms of the new investment it will bring to the District and the potential retention of trade going elsewhere, should be supported.

I trust that we have provided you with sufficient information to enable you to register and consider the application. However, if you do have any queries or require any additional information, please contact me.

Yours faithfully,

Mary Davidson

MDAssociates
330 High Holborn
London WC1V 7QH

