

**COMMERCIAL
DEVELOPMENT
PROJECTS LTD AND
MARKS AND SPENCER
PLC**

**LAND SOUTH OF NEW
ROAD AND EAST OF
BROOK LANE,
RUSTINGTON**

PLANNING STATEMENT

FEBRUARY 2015

CONTENTS	PAGE
1. Introduction	1
2. Site and Surrounding Area	3
3. The Proposal	5
4. Planning Policy	6
5. Planning Justification	11
6. NPPF Measures of Sustainable Development	19
7. Conclusion	21

Appendix 1 - Site Location Plan

Appendix 2 - Development Proposal

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Commercial Development Projects Ltd (“CDP Ltd”) who, along with Marks and Spencer PLC (“M&S”), are joint applicants for proposals to develop land south of the A259 New Road and east of Brook Lane to the north of Rustington, near Littlehampton (“The Application Site”) for an “M&S Simply Food” store comprising 826 sq m of food and drink sales potentially including a café of around 50 sq m plus around 10 sq m of general merchandise; and a separate family pub comprising 581sqm (“The Application Proposal”). The application is submitted in hybrid format with detailed permission sought for the retail unit and outline permission for the public house.
- 1.2 The Application Site is undeveloped land bounded to the south by the South Coast railway line, to the north by the A259 New Road and the west by Brook Lane. It lies adjacent to but north of the existing settlement boundary. Land to the east “The Mill Lane Site” is also currently undeveloped and outside of the settlement boundary but is subject to an extant planning permission dated 13 June 2014 for two retail units (including a food store) and a car dealership (LPA Ref A125/13).
- 1.3 The Application Proposal is in responses to the longstanding requirement of M&S to open a Simply Food store in the area. M&S have been looking for a suitable site for in excess of 6 years. The Application Site meets all of the company’s commercial and operational requirements. Accordingly, the Application Proposal is fully supported by M&S who would wish to open the Simply Food store in 2016.
- 1.4 M&S Simply Food primarily sell food and drink products which are predominantly its own brand. The sales floor must be on a single level and at ground floor near a supply of surface or at grade car parking, have dedicated serving facilities; have good commercial prominence and be accessible to its target catchment. It will employ about 50-55 people equating to some 29 Full Time Equivalent staff.
- 1.5 No operator has yet been identified for the proposed public house. However, the layout has been designed to meeting the standard trading requirements of the main family pub chains. The detailed design is reserved for future consideration. Such facilities also employ 50-55 members of staff.
- 1.6 This Planning Statement is submitted in support of the planning application and addresses the relevant planning considerations within the context of the National Planning Policy Framework and the statutory development plan. It is to be read in conjunction with the other supporting documentation which include:

- Retail Statement - Blue Sky Planning
- Operator Statement - M&S
- Transport Assessment/Travel Plan - Redwood Partnership
- Design and Access Statement - Add Architects
- Statement of Community Engagement - Meeting Place Communications
- Flood Risk Assessment - PBA
- Ground Conditions Report - PBA
- Ecological Phase 1 Assessment - Middlemarch
- Arboricultural Method Statement - Middlemarch
- Lighting Impact Statement - GW Lighting
- Archaeological Assessment - CGMS

- 1.7 It is concluded that the Application Proposal represents beneficial development of a site that will generate substantial economic activity and jobs adding to other commercial activities in the location. There will be no adverse impact on the local environment or significant impact on the vitality and viability of existing Centres within the catchment area. The development will incorporate high quality design that will be accessible to all and have a positive visual impact on the A259 New Road. The proposal will therefore result in clear economic, social and environmental gains and is a sustainable form of development that accords with the requirements of the NPPF and the development plan.

2.0 SITE AND SURROUNDING AREA

Location

- 2.1 The Littlehampton area is located along the south coast between the sub-regional shopping centres of Chichester, 24km to the west, and Worthing 15km to the east. The A27 provides the principal road connections in the area between Chichester and Worthing.
- 2.2 There are a number of settlements which are located south of the A27 road and north of the coast, some of which are effectively co-joined to each other. Littlehampton is located immediately east of the estuary of the River Arun, and is effectively co-joined with Rustington, West and East Preston, as well as Angmering on Sea. The A259 effectively provides a bypass around the Littlehampton area. Other settlements, such as Yapton, Ford and Climping to the west, Wick and Angmering to the north, as well as Ferring and Goring on Sea are located within the wider surrounding area.
- 2.3 Proposals for a significant expansion of Littlehampton at the “Courtwick” site and “North Littlehampton” site have been granted planning permission for 600 and 1260 dwellings respectively. Additionally it is proposed to allocate land east of Angmering for 600 dwellings in the emerging Local Plan. Accordingly there will be a significant expansion of the residential population within the area surrounding the Application Site.

Application Site

- 2.4 The Application Site is located outside the current settlement boundary between the railway line (the built up area boundary) and the A259 New Road. There is an existing access from the A259 via Brook Lane. It is broadly rectangular in shape and comprises approximately 2.6ha of predominantly grass land with vegetated boundaries. A Site Plan is attached at Appendix 1.
- 2.5 Whilst located outside of the settlement boundary, the Application Site is sandwiched between two pieces of major transport infrastructure just north of the Rustington urban area. The land does not perform a strategic function as undeveloped land (such as to maintain a gap between settlements) given the physical limit imposed by the A259.

- 2.6 The Mill Lane Site to the east is also undeveloped land located adjacent to but north of the settlement boundary. The site is to be developed for retail and car dealership uses following the grant of planning permission on 31 July 2014 (LPA Ref: A125/13). Detailed permission was granted for the car dealership on the basis that it has been designed to accommodate the specific requirements of the Chandlers BMW franchise who wish to consolidate their operations within the Littlehampton area to the Mill Lane Site. Outline permission has been granted for two retail units to comprise no more than 3,365sqm gross and 2,868sqm net.
- 2.7 The Littlehampton area is a large urban area within the District located south of the A259 and north of the English Chanel. The Application Site forms a natural part of that area being located south of the A259 New Road, close to existing retail facilities provided by the Sainsbury superstore and Rustington Retail Park and adjacent to the consented development at the Mill Lane Site.
- 2.8 The nearest bus stops are located at the Rustington Retail Park and south of Mill Lane/Worthing Road roundabout both approximately 800 metres (10 minutes' walk) from the site. The approved development at the Mill Lane Site includes a bus stop. When developed this will be within close walking distance (approximately 200m) of the Application Proposal.
- 2.9 The site is not presently connected to pedestrian footways or dedicated cycle routes. The nearest surfaced public footway crosses over the railway at the Mill Lane Bridge located approximately 600 metres east of the Application Site. Future connection can be made as part of the Application Proposal and development of the Mill Lane Site.

3.0 THE PROPOSAL

- 3.1 The applicant has had pre-application discussions with planning and highways officers regarding the potential to develop retail warehousing at the subject site. There has also been consultation with members of the public and local businesses. Details of the consultation exercise are set out within the Statement of Community Engagement.
- 3.2 A plan of the proposed development is provided within Appendix 2. The application is submitted in hybrid format with detailed permission sought for the M&S Simply Food store and outline consent for the public house building. The application is submitted with the full support of M&S as joint applicants who are committed to opening a Simply Food store at the Application Site. Details of the established business model and trading requirements are set out within the Retail Statement and the Operator Statement prepared by M&S.
- 3.3 The proposed M&S Simply Food store comprises a standalone retail unit (Class A1) of 1,022sqm footprint and 465sqm storage mezzanine (1,487sqm gross). Internally 826sqm is to be used for food and drink sales potentially including a café of around 50 sq m plus around 10sqm general merchandise. The proposed public house (Class A4) will comprise 581sqm with a small outdoor seating area.
- 3.4 The design and layout of the proposal are explained within the Design and Access Statement. The two units are positioned at either end of the Application Site with the customer car park in between. The M&S Simply Food comprises a rectangular footprint of 43m x 23m and an eaves height of 7.4m. It is a modern design with barrelled roof and glazed elevations facing the car park and the main road and metal cladding. The public house is also a rectangular footprint comprising dimensions 24 x 25m. The detailed design is reserved for future consideration but shown illustratively on the application drawings.
- 3.5 It is proposed to access the site from Brooke Lane via an improved “left in left out” junction with associated acceleration and deceleration lanes and a mini roundabout. The development will be served by 196 car parking spaces, including disabled and parent/child spaces, a cycle parking facilities. A dedicated service yard will be provided to the east of the foodstore unit and the public house will be serviced from the car park. Provision will be made for pedestrian/cyclist access within the site and from the A259; and also to the planned development at the Mill Lane Site. Details of the proposed transport requirements and provisions are set out in a Transport Statement and framework Travel Plan.

4.0 PLANNING POLICY

National Policy

4.1 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and provides new consolidated national guidance which supersedes former planning policy statements.

4.2 The NPPF establishes a **presumption in favour of sustainable development** as central to the planning process both in terms of plan-making and decision-taking. The three dimensions to sustainable development are:

- Economic:** Contributing to building a strong, responsive and competitive economy
- Social:** Supporting strong, vibrant and healthy communities,
- Environmental:** Contributing to protecting and enhancing the natural, built and historic environment

4.3 Development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Where the development plan is absent, silent or out of date, permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits
- Specific policies within the Framework indicate development should be restricted

Core Planning Principles

4.4 Paragraph 17 sets out core land-use planning principles should underpin decision-taking. The following are relevant to the Application Proposal:

- finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places;
- identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.
- allocating sufficient land for development taking account of needs of the residential and business communities and market signals

- high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources and encourage the use of renewable resources
- encourage the effective use of land;
- promote mixed use developments
- make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable

Prosperous Economies

4.5 The NPPF confirms the Government's commitment to securing economic growth in order to create jobs and prosperity and ensuring that the planning system does everything it can to support sustainable economic growth. Significant weight should be placed on the need to support economic growth through the planning system (Paragraphs 18 & 19).

4.6 Paragraph 20 states that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Paragraph 21 states that investment in business should not be over-burdened by the combined requirements of planning policy expectations.

Town Centres

4.7 Paragraph 23 states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Applications for main town centre uses should be subject to the impact and sequential tests. These matters are considered further within the Retail Statement.

Transport

4.8 The NPPF requires development proposals that would generate significant amounts of movement to be supported by a Transport Assessment. Decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; and safe and suitable access to the site can be achieved for all people.

4.9 Paragraphs 34 and 35 states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

- 4.10 Developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, have access to public transport; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and consider the needs of people with disabilities by all modes of transport. Paragraph 36 identifies that a key tool to facilitate this will be a Travel Plan. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities (Paragraph 37). These matters are considered further within the Transport Assessment and draft Travel Plan.

Design

- 4.11 Paragraph 57 requires high quality and inclusive design for all development. Decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
 - optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
 - respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
 - create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - are visually attractive as a result of good architecture and appropriate landscaping.
- 4.12 These matters are considered further within the Design and Access Statement.

Flooding and Biodiversity

- 4.13 When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere (Paragraph 103) and aim to conserve and enhance biodiversity (Paragraph 118).
- 4.14 Issues concerning flooding and the natural environment are considered further within the Flood Risk Assessment, Arboriculture Report and Ecological Assessment.

Development Plan Policies

Arun District Local Plan 2003

- 4.15 The Arun District Local Plan was adopted in April 2003 and covers the period to 2011. On 27 September 2007 the Secretary of State identified the policies within it that are saved, with all others ceasing to have effect.
- 4.16 The Application Site is an unallocated site adjoining the urban settlement boundary. There are no site specific policies that apply to it. However, the following (saved) general policies are relevant.

Saved Local Plan Policies	Issue
GEN2	Built Area Boundary
GEN3	Protection of Countryside
GEN7	Form of New Development
GEN8	Development and Infrastructure
GEN9	Drainage
GEN 12, 14, 15	Transport
GEN 33	Light Pollution
DEV26 and DEV 27	Retail Development

- 4.17 It should be noted that the Local Plan covers the period to 2011 and does not plan for growth beyond this period. Therefore policies GEN2 and GEN3 related to the settlement boundaries and development in the countryside are out of date and greater weight should be afforded to policies of the NPPF.

Emerging Local Plan

- 4.18 Arun District Council is in the advanced stages of preparing an updated version of the Local Plan. The publication draft was published in October 2014. This was the final stage of consultation prior to Examination which is anticipated to take place in mid 2015.
- 4.19 Only limited weight can be afforded to the policies of the emerging Local Plan at this stage. However, the following are relevant to the Application proposals.

Emerging Local Plan Policy	Issue
Policy SD SP1	Sustainable Development
Policy SD SP2	Built Up Area Boundary
Policy D SP1 & DM1	Design
Policy T DM1	Transport
Policy HER DM6	Archaeology
Policy ENV SP1	Natural Environment
Policy ENV DM4	Trees
Policy W DM2 & DM3	Flooding and Drainage
Policy QE DM2	Lighting
Policy INF SP1	Infrastructure Provision

5.0 PLANNING JUSTIFICATION

- 5.1 We set out below justification for the Application Proposal in planning terms having regard to the location of the Application Site, the relevant planning policy considerations and the specific merits of the proposed development.

Principle of Development

- 5.2 The Application Site is located adjacent to but outside of the “Built Up Area Boundary” as defined by the Proposals Map to the adopted Local Plan. However, it is sandwiched between two pieces of major transport infrastructure, the railway line and A259 New Road, just north of Rustington urban area.
- 5.3 As stated previously, policies GEN2 and GEN3 relating to the settlement boundaries are not up to date. Therefore, the application proposal should be considered against the objectives of the NPPF which has established a presumption in favour of sustainable development and seeks to encourage economic growth.
- 5.4 This position was accepted by the Council in approving the retail/car showroom development on the adjacent Mill Lane Site on 13 June 2014 (LPA Ref A125/13). The Mill Lane site shares the same characteristics as the Application Site being undeveloped and adjacent to the settlement boundary. This approval has established a precedent for developing the area between the railway line and A259 New Road for commercial uses that will deliver economic benefits. The Application Proposal lies immediately to the west of the approved development and will provide a natural extension of it. This pattern of development mirrors that which has taken place east of Mill Lane which includes Sainsburys, Rustington Retail Park and residential development further to the east. The proposed development will therefore accord with the prevailing urban form which has been increasingly built out towards the physical boundary established by the A259.
- 5.5 The land to which the Application Proposal relates does not perform a strategic function, such as to maintain a gap between settlements, nor would its development give rise to unrestrained “urban sprawl” given the limits imposed by physical boundary of the A259. The proposed development would not result in the coalescence of built up areas, encroachment into the countryside or an adverse visual impact on the open landscape. Accordingly, whilst the development plan is out of date, there would be no conflict with the strategic objectives of policies GEN2 and GEN3 relating to the built up area boundary.

5.6 The Application Proposal, like the Mill Lane Site scheme, will deliver substantial economic benefits including approximately 110 permanent new jobs. These benefits are significant material considerations which outweigh the merits of retaining the site as open land. The clear economic gains are summarised below:

- The application proposal is fully supported by Marks and Spencer Plc who operate nearly 800 retail outlets in the UK and make a significant contribution to employment and the retail economy. The development will enable M&S to fulfil its long standing requirement to operate a Simply Food store in this area. It will represent a substantial investment by a well regarded national retailer.
- The development of a high quality M&S Simply food outlet will significantly enhance the attraction of the area to shoppers and contribute to the range of facilities on offer to residents and visitors. It will generate substantial economic activity in the area;
- The M&S store alone will deliver 50-55 permanent jobs at the operational stage with a range of positions available and employees benefiting from the Company's well established training and career progression schemes. M&S will target the local area for recruitment of staff. Further details are set out within the Operator Statement.
- The layout of the public house has been designed to meet the generic requirements of a number of national operators who wish to operate from the site. Facilities of the scale proposed typically generate 50-55 permanent jobs. This will include a range of positions (managerial, kitchen, bar, waiting staff etc) along with established training schemes and employee benefits.
- CDP Ltd is an experienced developer who has a strong track record of delivering commercial schemes across the UK. Recent projects include an M&S Simply Food store and family public house similar to that proposed at the Application Site.
- A significant number of direct jobs will be created at the construction stage which is estimated to last 12-18 months. There will also be indirect employment for local businesses serving the needs of the development (materials, local trades, professional input etc) and the workforce (accommodation, food and drink, transport etc).

5.7 On this basis, the Application Proposal will accord with the prevailing pattern of commercial development in the area without conflicting with the objectives of settlement boundary policies which are, in any event, out of date. The development will give rise to substantial economic benefits as a natural extension of recently approved commercial development at the Mill Lane Site. These are significant material considerations which substantially outweigh the merits of retaining the site as open land. The Application Proposal is therefore a sustainable form of economic development which would not conflict with an up to date development plan. In accordance with the NPPF, there should be a clear presumption in favour of approving the Application Proposal in principle.

Design

5.8 The Design and Access Statement prepared by Add Architects considers the physical aspects of the Application Proposals relative to the site and its local context. It demonstrates that:

- The proposed access from the A259 is suitable for customer/staff vehicles and service deliveries;
- The site is capable of accommodating the proposed buildings and associated car parking and servicing that will enable the physical regeneration of a vacant site for mixed commercial use;
- The proposed development can be successfully integrated with the approved scheme on the Mill Lane Site offering a natural extension of mixed commercial development within this area;
- The development will be of high quality design and materials befitting of a modern retail scheme. This will make a positive visual contribution to the A259 which is a key transport corridor;
- The scheme has been designed to accommodate known retailer requirements in terms of unit size, layout, car parking, serving and orientation;
- The scale and height of the proposed new buildings are appropriate to the local context and approved development on adjoining land;
- The buildings are appropriately designed to allow the best possible inclusive access including provision for the disabled and those with other mobility problems;
- The application proposal incorporates a landscaping scheme to compliment the proposed buildings, enhance the appearance of the development and support natural habitats;
- Security measures and lighting will be incorporated with the detailed design to ensure that the site is safe for intended users and not subject to unauthorised activity or anti social behaviour.

5.9 Accordingly, the proposals comply with Paragraph 57 of the NPPF, Policy GEN7 of the adopted Local Plan and Policies D SP1 and DM1 of the emerging Local Plan.

Local Amenity

- 5.10 The Application Site is located between the railway line and the A259. The area to the east is to be developed for mixed commercial uses. Accordingly, there are no sensitive receptors to any operational effects of the proposed development on or adjacent to the Application Site.
- 5.11 In any event the proposed retail and public house uses will not give rise to any material impacts in terms of noise, fumes, dust, odours or vibrations that require specific consideration or mitigation. Service deliveries and refuse collection are coordinated by the operator and there should be no need to control the hours of such activities within this location. Extraction plant for the public house kitchens will include filters and noise attenuation, details of which are to be provided at the reserved matters stage.
- 5.12 The Lighting Assessment carried out by GW Lighting provides a lighting strategy that is appropriate to the site and the nature of the proposed development. The detailed lighting scheme will ensure that external lighting is concentrated in the appropriate areas and that upward light is minimised, reducing unnecessary light pollution and energy consumption. The proposed landscaping will provide suitable screening to the public highway, the railway line and adjacent property, further reducing any ambient light contribution to the immediate area.
- 5.13 The Application Proposal will therefore not give rise to adverse impact on local amenity in accordance with Local Plan Policy GEN 7 and GEN 33 and emerging Local Plan policies Policy D DM1 and Policy QE DM2.

Vitality and Viability of Town Centres

- 5.14 The Retail Statement addresses the policy requirements of the NPPF and the development plan in relation to the proposed M&S Simply Food unit. It demonstrates that:
- Taking into account the need for flexibility in terms of the scale of floorspace, format of stores, amount of car parking and disaggregation there are no sites within or on the edge of Littlehampton and Rustington Centres which are available and suitable for the proposed development.
 - Littlehampton and Rustington Centres are in very good health. There is no planned investment in either centre that would be prejudiced by the proposed development and the level of retail impact arising from the M&S Simply Food store would not be significant.

- 5.15 Public Houses fall within Class A4 and are therefore town centre uses. The proposed facility comprises a family public house that would be run by a national operator. A number of operators have expressed an interest in the Application Site due to its proximity to the A259 and other existing/planned commercial development in the area. The focus is mainly on a food offer and creating a family friendly environment. Such facilities are not “local pubs” which attract regular drinkers. It is not necessary to consider the “retail impact” of public houses on existing Centres. Also, having regard to the nature of the proposed facility which will complement existing commercial uses in the area, capture pass by trade and provide a family eating establishment, we consider that it is appropriately located at the Application Site. In any event there would be no suitable sites for this type of facility within Rustington and Littlehampton Centres.
- 5.16 We therefore conclude that the proposed development accords with Paragraphs 25 and 26 of the NPPF and Local Plan Policy DEV27 which seek to protect the vitality and viability of Centres.

Transport/Highways

- 5.17 Having regard to the requirements of NPPF (Paragraphs 34-37), the Transport Assessment prepared by the Redwood Partnership demonstrates that the proposals will:
- Provide appropriate access from the A259 for both customer and service vehicles including necessary acceleration and deceleration lanes;
 - Provide acceptable servicing arrangements within the site;
 - Provide an appropriate level of parking to support the proposed development;
 - Have no material impact on the operation of the local highway network;
 - Provide for pedestrian and cycle connectivity alongside the A259;
 - Allow for linkage to the Mill Lane Site for pedestrians and cyclists;
 - Be within walking distance of public transport facilities in the area, namely the buses which currently serve Sainsburys and the future bus stop to be provided on the Mill Lane Site.
- 5.18 The draft Transport Plan outlines measures to encourage sustainable modes of transport in accordance with Paragraph 29 of the NPPF.
- 5.19 Accordingly the application is acceptable in highways and transport terms and would not conflict with the NPPF; Local Plan policies GEN12, 14 and 15; and emerging Local Plan Policy T DM1.

Flooding and Drainage

- 5.20 The Flood Risk Assessment has been prepared by Peter Brett Associates in accordance with the requirements of Paragraphs 93 and 95 of the NPPF, Policy GEN9 of the Local Plan and emerging Policies W DM2 & DM3. It identifies that:
- The Application Site is located generally within flood Zone 1 as defined by the Environment Agency;
 - The proposed retail and public house buildings are “less vulnerable” forms of development which are appropriate to this location without further consideration of the Sequential and Exemption Tests;
 - The finished floor level of the proposed buildings has been set at 2.4m having regard to the EA’s modelling of the 1:1000 year flooding levels at the site;
 - The development incorporates a surface water attenuation and drainage strategy allowing for climate change and directing overland flows away from buildings and critical infrastructure in the event of extreme rain fall.
- 5.21 The FRA therefore demonstrates that the proposed development is safe and does not increase flood risk on the site or elsewhere. It therefore accords with the NPPF and the development plan in this regard.

Ecology

- 5.22 Further to Paragraph 118 of the NPPF and Policy ENV SP1 of the emerging Local Plan a baseline ecological appraisal consisting of an Extended Phase 1 Habitat Survey has been undertaken by Middlemarch.
- 5.23 The Survey was undertaken in order to identify any features present on site which are ecologically interesting or significant and which may act as constraints or opportunities to the proposed development; as well as to identify any further surveys which may be necessary and to broadly outline mitigation measures for potential impacts.
- 5.24 The desk study identified no nature conservation sites with statutory or non-statutory protection within a 1 km radius of the survey area. The Application Site comprises unmanaged semi-improved grassland with tall ruderal vegetation, narrow strip of plantation woodland along the northern boundary and a small area of semi-natural broadleaved woodland in the south of the site. A ditch comprising Rustington Stream runs along the southern boundary.

- 5.25 Due to the existence of trees, the stream and grassland it is recommended that further survey work is undertaken to identify the presence of reptiles, great crested newts and water voles at the site. This will be undertaken in March 2015 and the survey results submitted to the Local Planning Authority prior to determination of the planning application.
- 5.26 Additionally it is recommended that trees are removed outside of the bird nesting season; that an appropriate lighting and landscaping scheme is incorporated to retain suitable conditions for bat related activity; and that the construction site is managed to avoid animals becoming trapped over night.

Trees and Landscaping

- 5.27 An Arboricultural Method Statement has been carried out by Middlemarch concerning trees to be removed and retained as part of the development proposals.
- 5.28 The site includes plantation trees on the northern boundary alongside the A259 and an island of mature trees on the southern boundary. In total 16 trees are to be removed in association with the proposed development which fall within category B and C. Recommendations are provided for root and canopy protection during the construction phase in line with best practice guidance.
- 5.29 A detailed soft landscaping scheme has been prepared and submitted with the application proposals. This includes a strategy for replacement trees alongside the A259 road frontage and other landscaping within the completed development site. New structural planting will enhance the visual amenity of the area and compliment the new development. The use of native species will increase ecological interest.
- 5.30 Accordingly the strategy related to tree removal and landscaping complies with the objectives of Paragraph 108 of the NPPF and Policy ENV DM4 of the emerging Local Plan in relation to the enhancement of natural environment and green infrastructure.

Archaeology

- 5.31 An desk based Archeological Assesment has been undertaken by CGMS in accordance with the NPPF and Policy HER DM6 of the Emerging Local Plan.
- 5.32 The Application Site has a high potential for below ground archaeological deposits. The site is located within an archaeological notification area and archaeological excavation of the Mill Lane Site recorded evidence of Bronze Age settlement. Historic agricultural use is likely to have had a widespread negative impact on any sub-surface horizons.

- 5.33 The construction of the proposed commercial units and associated hardstanding is likely to have a widespread negative impact on any sub-surface remains. Accordingly further archaeological investigations are necessary at the construction stage and appropriate planning conditions are recommended.

Planning Obligations

- 5.34 The Application Proposal may give rise to the need for developer contributions in line with the Local Plan Policy GEN8 and emerging Policy INF SP1. At this stage, the need to provide a pedestrian/cycle link alongside the A259 has been identified. This would be delivered on adopted highway land and therefore it would be appropriate for the developer to make a financial contribution towards such works. Any other relevant contributions that may be necessary to make the development acceptable in planning terms will be agreed with the Local Planning Authority following detailed consideration of the relevant issues. This will be resolved over the course of the planning application process.

6.0 NPPF MEASURES OF SUSTAINABLE DEVELOPMENT

- 6.1 Having regard to the above considerations there are a number of matters related to the key components of sustainable economic development within the NPPF which should be afforded substantial weight in the consideration of the Application Proposal. These are summarised below.

Economic Gains

- 6.2 The NPPF establishes a general presumption in favour of sustainable economic development in order to stimulate growth, jobs and prosperity. The Application Proposals relate to the development that will result in a considerable number of jobs during the construction phase and approximately 110 jobs when operational. There will also be indirect benefits to the local economy as local businesses benefit from the construction activity and people are attracted to the area. There is known demand from operators including M&S who, as joint applicants, have confirmed their commitment to the site. The scheme and associated benefits will therefore be delivered within the relatively short term. The Application Proposal will therefore result in clear economic gains.

Social Gains

- 6.3 The proposed development will provide an important facility to serve the local population by extending the range of commercial facilities available in this area. The development will be accessible to all and provide a socially inclusive environment with dedicated facilities for disabled users and those with other mobility challenges such as mothers with small children and the elderly. Such measures include dedicated parking spaces and buildings designed to modern accessibility standards including level access, wide doorways, lifts, disabled toilets, baby changing facilities, legible signage and clear pedestrian routes. Additionally the majority of jobs created by the development will be filled by the local workforce thereby being of direct benefit to the community. The operators provide training facilities and work development programmes whereby staff can develop skills and gain promotion. The Application Proposals will therefore result in positive social gains.

Environmental Gains

The key driver for the Application Proposal is the requirement of M&S to open a Simply Food outlet in this area. This will reduce the need for M&S customers to travel to Worthing and Chichester to meet their food shopping needs. Footpath and cycleway connections, including a linkage to the bus stop within the Mill Lane Site, will also encourage alternative

modes of travel. Finally the proposed development will be designed and constructed to modern standards of energy efficiency to make the best use of natural resources and to ensure sustainable drainage. The Application Proposals will therefore result in positive environmental gains.

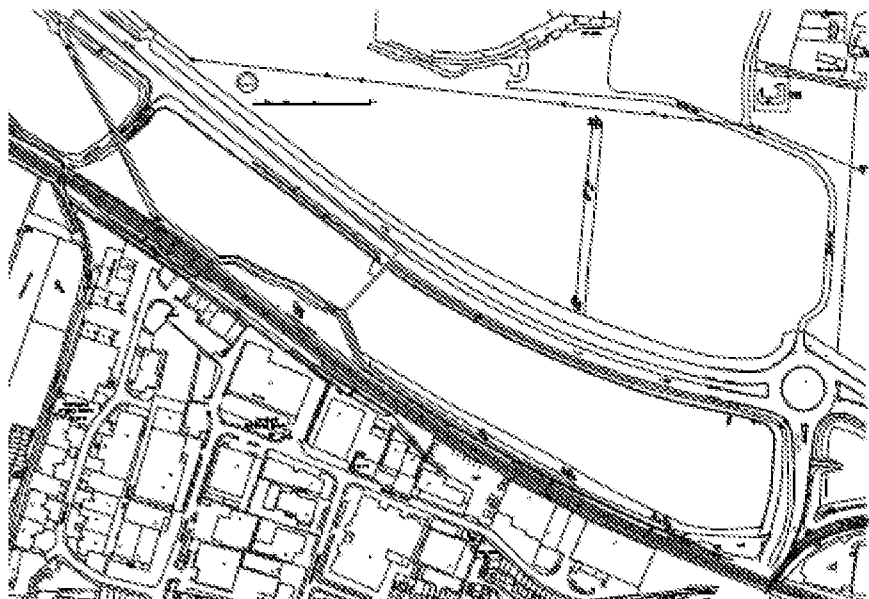
- 6.4 The Application Proposal will result in clear economic, social and environmental gains and therefore comprise a sustainable form of development. The NPPF presumption in favour of granting planning permission therefore applies.

7.0 CONCLUSION

- 7.1 It is proposed to develop land south of the A259 New Road and east of Brook Lane to the north of Rustington, near Littlehampton for a foodstore comprising an “M&S Simply Food” store and a separate family public house. This Planning Statement provides an assessment of the Application Proposal against the relevant policies of the NPPF and the statutory development plan.
- 7.2 The Application Proposal comprises the beneficial use of land on the edge of the existing urban area which currently performs no strategic role. The Application Proposal has been designed as a natural extension of recently approved mixed commercial development on the Mill Lane Site to the east, which holds the same status. The development will meet the specific requirements of Marks and Spencer Plc who wish to invest in the area. It will also meet the requirement of national operators that wish to establish a family public house in this location. The Application Proposal will result in significant economic benefits including substantial business investment in the area and employment opportunities.
- 7.3 The application documentation demonstrates that the Application Proposal accords with NPPF and development plan objectives in respect of design and accessibility, local amenity, retail matters; highways and transport; flooding and drainage; ecology and trees; archaeology and infrastructure.
- 7.4 The Application Proposal will result in clear economic, social and environmental gains and therefore comprises a sustainable form of economic development.
- 7.5 On this basis the Application Proposal is in compliance with the NPPF and would not conflict with the objectives of the statutory development plan. The presumption in favour of granting planning permission therefore applies and we respectfully request that the application is approved.

APPENDIX 1
SITE LOCATION PLAN

Site Location Plan



Ariel View



APPENDIX 2
PROPOSED SITE PLAN

