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Our Ref:
Your Ref: A/23/15/OUT
Email: [REDACTED]
Date: 11 May 2015

Mr D McEwan
Planning Department
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex, BN17 5LF

Dear Mr McEwan

PLANNING APPLICATION AT LAND SOUTH OF NEW ROAD (A259) AND EAST OF BROOK LANE, ANGMERING
APP REF: A/23/15/OUT

We write on behalf of our client, Waitrose Ltd, in respect of the above application submitted by SDB Investments Ltd, CDP Ltd and M&S Plc, which seeks planning permission for:

'Hybrid application - Full Planning Permission for a retail unit (Class A1) comprising 1,487sqm (1022sqm ground floor and 465sqm mezzanine) with associated access, car parking, servicing, landscaping & associated works. Outline Planning Permission for a public house (Class A4) comprising 581sqm at ground floor level'

The application seeks full planning permission for a Class A1 retail unit of 1,487sqm gross which is to be occupied by Marks and Spencer and operated as an M&S Simply Food store. We note that the applicant's Retail Statement submitted in support of their application dated February 2015 states that following formal pre-application consultation ***'officers considered that development of the site and associated benefits would be welcome in principle subject to the full assessment of retail policy considerations'***.

Putting aside key planning considerations relating to the principle of allowing development on this greenfield land which lies outside the existing development boundary, the retail impact of the proposed foodstore on existing defined centres is clearly fundamental to the overall acceptability of the development. The emerging Local Plan requires retail impact assessments to be carried out on developments over 1,000sqm. As the current proposal exceeds this threshold, the applicant has undertaken a retail assessment in support of the proposal. However, in our view, the current retail impact assessment is materially flawed as it fails to take into account the fact that the existing Waitrose store in Littlehampton town centre is to be relocated to the former Co-op unit at 1 Broadmark Lane within Rustington town centre. The new

store at Rustington is currently expected to open towards the end of July 2015. The existing Littlehampton store will close just before the Rustington store opens.

Waitrose did not announce their relocation plans until March 2015, which explains why the applicant has not accounted for this in their retail assessment dated February 2015. Notwithstanding this, the relocation is now confirmed and should be considered a 'committed development'. Both the existing Waitrose store in Littlehampton and the new Rustington site are within the proposals catchment area and, importantly, within defined centres, which are protected by national and local policy (Littlehampton is defined as a 'Town Centre' and Rustington as a 'Local Service Centre' in the emerging Local Plan). The NPPF requires an impact test to include an assessment of **'the impact of the proposals on existing, committed and planned public and private investment in a centre or centres in the catchment areas of the proposal'**. Planning Policy Practice Guidance goes on to state that (our emphasis):

Where wider town centre developments or investments are in progress, it will also be appropriate to assess the impact of relevant applications on that investment. Key considerations will include:

- . the policy status of the investment (i.e. whether it is outlined in the Development Plan)*
- . the progress made towards securing the investment (for example if contracts are established)*
- . the extent to which an application is likely to undermine planned developments or investments based on the effects on current/ forecast turnovers, operator demand and investor confidence*

The new Waitrose store represents a significant investment in Rustington and, in accordance with the NPPF, it is essential that this investment is taken into account to ensure that an accurate assessment of the retail impact of the proposed foodstore is provided.

Waitrose are extremely concerned that the proposed out of centre foodstore will have a detrimental impact on their newly relocated store in Rustington. The proposed M&S will be located less than a mile to the north of the new Waitrose store. There is likely to be a significant crossover in terms of the retail offer provided by Waitrose and that of the proposed Marks & Spencer Simply Food store. As such, we estimate that a significant proportion of the trade drawn by the new M&S is likely to be taken from the planned Waitrose in Rustington. Paragraph 7.23 of the applicant's retail statement acknowledges that the proposal 'would compete principally with other full range M&S facilities beyond the catchment area and food stores within the main catchment area which offer a premium range' [such as Waitrose]. The new Waitrose store will play an essential anchor role in supporting the health of Rustington following the closure of the Co-op store. Any detrimental impact on the turnover of the new store is likely to 'undermine' this planned investment, and indeed, have a knock on impact on the vitality and viability of Rustington.

The threat from the proposed M&S to Rustington town centre also needs to be assessed cumulatively with the extant planning permission for two new retail units including a foodstore on land known as 'the Mill Lane Site' (LPA Ref: A/125/13) to the east of the current application site. Allowing the current application, along with the permitted foodstore and the existing retail provision in this area at Rustington Retail Park and the Sainsbury's store, will effectively create an attractive retail destination in its own right with a much larger convenience goods offer than Rustington. This will significantly undermine the role of Rustington as a 'medium sized centre...providing a good range of shops and serving the local population' and in our view, would materially *harm* the vitality and viability of the centre.

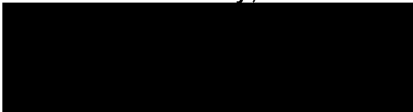
In addition, the existing Waitrose site at Littlehampton should be assessed as part of the applicant's sequential assessment. We understand that the Littlehampton unit is currently being marketed and will be available following Waitrose relocation. As the unit is located within Littlehampton town centre, it is a sequentially preferable site to the out of centre application site and should therefore be assessed.

In summary, the presence of a Marks & Spencer Simply Food in an out of centre location represents a significant threat to Rustington town centre. In our view, the applicant has not provided an adequate assessment of the potential impact of the development. The proposed store will directly compete with the newly relocated town centre Waitrose store, which may well, in turn, have a wider impact on the vitality and viability of Rustington. This letter should therefore be treated as a formal objection to the current planning application.

Waitrose strongly suggest that the applicant is requested to provide an updated Retail Impact Assessment and sequential assessment taking into account Waitrose relocation in order to allow the Local Planning Authority to fully assess the acceptability of the proposal. We would be grateful if you could inform us if/when any revised submission is made so that Waitrose has an opportunity to review the content and submit further representations if appropriate.

In the meantime, should you have any queries please do not hesitate to contact me.

Yours sincerely,



SHIRLEY KARAT
Director