

LAND AT RUSTINGTON GOLF CENTRE, GOLFERS LANE, ANGMERING
SUMMARY OF KEY PLANNING ISSUES
PLANNING APPLICATION REFERENCE NO. A/84/17/PL

12th December 2017

Introduction

- 1 This note has been prepared to assist the Council in their assessment of the current application proposals (planning application reference no. A/84/17/PL) for this site, substantially comprising a new Class A1 non-food retail unit on land to the immediate south of the Rustington Golf Club. The site occupies an out of centre location in retail planning policy terms.
- 2 The proposed retail unit will comprise 3,807sqm GIA floorspace including mezzanine floorspace of 1,393sqm. Go Outdoors, a bulky leisure goods retailer, is the intended operator of the retail unit. The proposed retail unit will not sell convenience goods.
- 3 The application site benefits from an extant planning permission for a leisure scheme (decision reference no. A/77/16/PL granted 25th January 2017). The consented scheme comprises a range of leisure uses including a restaurant (Class A3), hotel (Class C1), leisure building (Class D2) and 9 x five a side football pitches and associated club house.
- 4 The retail unit is proposed in substitution for the consented football pitches.
- 5 This note summarises the rationale behind the current application proposals and provides a summary of our assessment of the key issues relevant to the determination of the application. This note should be read in conjunction with the submitted RPS Retail Assessment (April 2017), the Response to Representations made by Rustington and Angmering Parish Councils dated 1st August 2017 (copy appended) and other supporting documents.

The Applicant

- 6 The Applicant (Rustington Golf Centre Limited) is the owner of the Rustington Golf Club. The Applicant has built up a substantial and popular leisure business at the Golf Centre over a number of years which includes the Out of Bounds indoor leisure activity centre, an American Golf retail unit and Virgin Active gym. The latter are let to national retail and leisure operators.
- 7 The Applicant has invested heavily in the provision of modern leisure facilities in recent years and the consented leisure scheme is further evidence of the commitment to providing an enhanced mix of compatible leisure and associated uses for the benefit of local residents.
- 8 The proposed leisure scheme will provide a significant number of new jobs, both through construction and operational phases. Operators have been secured for all but the football pitches.

Rationale for the Proposals

- 9 Since the leisure scheme was approved the local market for 5 aside football pitches has changed. There is no longer any operator demand given the take up of alternative sites/premises within the wider local area. The submitted Retail Assessment provides evidence of the lack of interest by football operators.
- 10 Consequently, the football pitch component of the scheme cannot be delivered as originally envisaged. Furthermore, the Applicant considers that the football pitches are, in hindsight not the best fit in terms of the types of visitors to the other leisure facilities both planned and existing. The current application therefore affords an opportunity to address this potential conflict.
- 11 Importantly, the viability of the consented scheme does not work in the absence of the football pitches. The Applicant has therefore had to give careful consideration to an alternative use.
- 12 Simultaneously, the Applicant was approached by Go Outdoors who has previously expressed an interest in opening a new store in this location to serve the south coast and South Downs National Park. The proposed Go Outdoors is expected to create up to 50 employment opportunities.
- 13 The proposed operator and the focus on the sale of a range of leisure goods are entirely compatible with the existing and planned leisure and retail activities. There would be a good synergy between families visiting the leisure and retail facilities at the site and the proposed retailer who sell outdoor leisure equipment the likes of which are used in the Out of Bounds and Golf Club etc.
- 14 Importantly, the addition of a specialist retail outlet in the form of Go Outdoors would make the overall scheme viable. In reality, in the absence of the proposed retail use, none of the consented leisure scheme will be built, thereby forgoing the associated investment in modern leisure facilities and the range of local employment opportunities that would flow from the scheme.

The Proposed Operator

- 15 Go Outdoors sell a range of predominately bulky leisure goods, specialising in the sale and display of tents, camping and caravan equipment and accessories. The sale of comparable goods within town centres, for example, Littlehampton and Rustington is limited.
- 16 A full description of the Go Outdoors business including the range of goods sold, nearest trading locations and the format and size of stores is contained within Section 2 of the submitted Retail Assessment. Typically Go Outdoor stores comprise in excess of 3,000sqm retail floorspace. The focus is upon the sale of bulky leisure goods. 80% of the sales floorspace is devoted to the sale of such goods.
- 17 Although Go Outdoors wish to trade from the unit, for funding reasons, the Applicant requires any planning permission to grant an extended range of bulky goods for example DIY, carpets, floor coverings, furniture etc. These goods are already predominately sold from locations outside town

centres including the Manor and Rustington Retail Parks (Next, Tapi Carpets, Dunelm, Halfords, Argos, etc) to the south of the A259.

- 18 Whilst there are shops within town centres selling such goods these are distinct from the out of centre offer. In any event, town centre shops will have already adjusted to the sale of such goods from the retail parks. National Planning Policy Guidance (NPPG) recognises that like tends to trade with like. Accordingly any competition will be with comparable out of centre retail facilities rather than town centres.
- 19 The Retail Assessment (paragraph 2.11) sets out a suggestion for the wording of a suitable goods restriction if planning permission were to be granted along the lines described above.

Development Plan

- 20 Since submission of the application in April 2014, the Council's draft Local Plan has been progressing.
- 21 In October 2017 the Inspector issued his Interim Views Following Hearings On the Proposals Map the application site retains the same allocation as the adopted Local Plan, namely the site lies outside of the settlement boundary and is not allocated for a particular planning purpose.
- 22 The retail policies of the draft Plan are comparable to those of the adopted Plan and consistent with the NPPF. The new plan however removes the requirement for applicants to demonstrate need consistent with the NPPF.
- 23 Draft policy RET DM1 concerns new retail development and is directly relevant to the consideration of the current application proposals. The policy permits new retail development outside town centres where the scheme satisfies the sequential and impacts tests. The submitted Retail Assessment demonstrates compliance with these policy tests and a summary of the conclusions reached is provided below.

Principle of Development

- 24 The Council has already granted planning permission for the development of the application site for a significant leisure scheme. That scheme remains extant and capable of implementation.
- 25 The current application proposals will enable the consented scheme to be realised (albeit substituting the consented football pitches for a new Class A1 non-food retail unit).
- 26 Having regard to the planning history to the site, it is clear that the principle of commercial development on the application site is already established.
- 27 The Golf Centre is already an established retail leisure destination with a range of retail and leisure activities including a Class A1 American Golf store. The Council also previously granted planning permission for a Class A1 farm shop on the site. These permissions/uses are material to the determination of the current application proposals in terms of the consideration of any perceived

conflicts with the development plan, for example, the allocation of the site which lies beyond the defined settlement boundary.

- 28 There is nothing in the adopted or proposed replacement Local Plan which restricts the development of new retail development such as this outside the settlement boundary or indeed to the north of the A259.
- 29 The Council has already permitted other retail development to the south in the form of the Manor Retail Park which has the same allocation in the development plan as the application site (i.e. it lies outside the defined settlement boundary). However, unlike that development, the proposed retail unit is considered (having regard to the range of goods proposed to be sold) to have a more limited effect upon town centres.
- 30 The key factor in this case therefore relates to satisfying the sequential approach to site selection. It is significant to note that the consented leisure scheme (reference A/77/16/PL) was subject to the same policy test.
- 31 The Council's Economic Development Department (email correspondence dated 2nd June 2016) confirmed that there are no suitable sites to accommodate a range of uses, such as this, within or on the edge of the town centre. We are in agreement with the assessment of vacant sites provided by the applicant. The same overall conclusion was reached by the planning officer in his report to Planning Committee. There have been no material changes in circumstances to suggest that a different outcome would be reached today.
- 32 We provide further commentary upon the assessment of individual sites below.

Retail Policy Tests

- 33 National and local retail policy tests require proposals such as these to demonstrate that there are no suitable, available or viable sites located in town centre or edge of centre locations and that they would not have a significant adverse effect upon relevant town centres.
- 34 The submitted Retail Assessment was prepared following discussions with officers regarding its scope and methodology. It was agreed that the Retail Assessment should focus upon Littlehampton and Rustington town centres i being the most relevant centres. By comparison, local and neighbourhood centres, such as Angmering do not have shops which sell comparable ranges of goods instead they cater for the day to day convenience and service needs of a very local catchment area mainly in the form of local residents and workers.
- 35 The Retail Assessment broadly follows the methodology and assumptions set out in the Council's Retail evidence base published in the form of Arun District Retail Study 2013 and subsequent 2016 Update. RPS has also had regard to the other studies submitted in support of relevant retail planning applications.

Sequential Test

- 36 The Retail Assessment examines a range of sites located within and to the edge of Littlehampton and Rustington town centres.
- 37 The assessment was conducted on the basis of a flexible approach where the search for sites focused upon sites/premises capable of accommodating a minimum 3,000sqm floorspace (compared to the proposed 3,807sqm).
- 38 The assessment was undertaken having full regard to recent relevant Court Judgments relating to retail development and the application of the sequential test including the need for such assessments to be conducted in a ~~retailer blind~~ manner.
- 39 Our assessment demonstrates that there are no sites within Rustington town centre. The town centre is popular and has good level of vitality and viability with very few vacant units. Where these do occur, they are small unit shops and the vacancy is short lived. These are not suitable to accommodate the application proposals.
- 40 In relation to Littlehampton just two sites were identified. The first of these relates to the former Waitrose store within the town centre. The background to this store is well documented in relation to a new Marks & Spencer Foodhall at Brook Lane, Angmering (planning application reference no. A/11/17/OUT). The application proposals are materially different to the Marks & Spencer in relation to size, format and the range of goods to be sold.
- 41 The former Waitrose store is simply too small (at 2,377sqm arranged over two floors) to accommodate the application proposals. Indeed, the Council's Retail Study indicates that the most likely use of this store would be for comparison goods purposes with its sub-division into a range of smaller units. We concur with this view. This site is not suitable.
- 42 The only other site which we have identified as part of the site search exercise comprises the St. Martins Car Park in Littlehampton. The site lies behind the High Street currently with little visual connection.
- 43 The majority of this site is in the Council's ownership and is used as the town centre's main visitor car park. The Littlehampton Vision Document (2009) identified the site as a potential development opportunity albeit the retention of car parking is required. Nevertheless, it is significant that the site is not allocated for development in the Local Plan (adopted or emerging).
- 44 The retention of car parking is only likely to be achieved in a multi storey format which would present consequences in terms of design. A large format store of circa 3,000sqm + floorspace would not be suitable given that it would act separately from the wider town centre and provide little by way of enhancement to its retail offer. The site could present a potential future opportunity to extend the retail circuit of the town centre through the provision of a medium sized anchor unit together with a range of smaller unit shops. However, this is only likely to be successfully achieved by integrating the site with the High Street by the removal of a shop unit to integrate the site with the High Street. In the

current climate and for the foreseeable future there is little appetite for such schemes in town such as Littlehampton. For these reasons the site does not present a sequential opportunity.

- 45 Notably, this site has been consistently dismissed in the consideration of a number of retail planning applications including the Leisure Assessment submitted in support of the consented leisure scheme on the application site. There has been no material changes in circumstances to suggest a different conclusion should be reached in respect of the application proposals.
- 46 There is a range of vacant unit shops present within Littlehampton town centre. The precise mix and location of these will change over time however there is a greater concentration of vacant units in the secondary shopping streets within the town centre. Even so, at the time of the RPS survey (April 2017) there were a total of 11 vacant units, ranging in size from 30sqm to 307sqm (excluding the former Waitrose store). Both individually and in combination (total quantum of vacant retail floorspace is assessed as 1,193sqm) these vacant units are not of a sufficient size to accommodate the application proposals (3,000sqm +).
- 47 In summary, our assessment of sequential sites robustly demonstrates that there are no sites/premises suitable of accommodating the application proposals in or to the edge of town centres even when adopting a flexible approach.
- 48 Importantly, locating the proposed retail unit elsewhere would not enable the implementation of the consented leisure scheme (put simply, in the absence of the retail unit, the consented leisure scheme would not be viable) and all of the benefits that would stem from that scheme which the Council has previously recognised and accepted.

Impact Test

- 49 The second test which the application proposals need to satisfy is that of impact.
- 50 The Retail Assessment sets out detailed analysis of the composition and distribution of existing retail facilities within Littlehampton and Rustington town centres.
- 51 Littlehampton and Rustington are the main centres proximate to the application site and which sell a range of convenience and comparison goods. In addition to which there is a significant out of centre retail offer provided in the form of the Rustington and Manor Retail Parks as well as a significant concentration of retail warehouses to the north eastern fringe of Bognor Regis.
- 52 The submitted Retail Assessment demonstrates that the sale of bulky goods (including leisure goods that would be sold from Go Outdoors) is very limited within the town centres. Where such goods are sold these tend to be as part of a wider or specialist retail offer. Furthermore, the quantum of floorspace is at the opposite end of the spectrum to the application proposals. As the NPPG recognises, like tends to trade with like, meaning that large out of centre retail warehouses are likely to compete mostly with comparable out of centre retail facilities rather than town centre shops.

- 53 There is already a range of out of centre retail outlets serving Rustington and Littlehampton including those selling bulky goods. Accordingly, town centre shops selling comparable goods will have already adjusted to any trading effects felt at the time the out of centre facilities commenced trading.
- 54 The application proposals are both qualitatively and quantitatively different to town centre shops selling comparable goods ranges.
- 55 As identified above, Rustington is a strong centre and the application proposals are considered to have very little effect upon the vitality and viability of the centre.
- 56 Littlehampton does not share the same level of vitality as Rustington, nevertheless, it is still a healthy centre overall but with some signs indicating investment/improvement is required. Even so, Go Outdoors is not the type of shop that would significantly address and improve the offer of the town centre.
- 57 The Retail Assessment calculates the turnover capacity of the proposed retail unit as £9M by 2021.
- 58 The turnover of the store would be drawn from a combination of the growth in available retail expenditure generally in the locality together with diversion from existing retail facilities selling comparable goods ranges. With respect to the latter, as like tends to trade with like, the majority of any competition (trade diversion) will be with other similar out of centre retail facilities rather than town centres.
- 59 The Applicant is prepared to accept a restriction on the ranges of goods which may be sold from the unit. A suggested form of wording is set out within the submitted Retail Assessment (referred to earlier). In this way any potential effects associated with the operation of the retail unit would be limited.
- 60 The Retail Assessment models potential effects upon existing retail facilities both in the form of town centre shops and retail warehouses. Table 4 demonstrates that the effect of the Go Outdoors, upon Rustington and Littlehampton town centres would be just 1.5% and 0.9% respectively (comparison goods turnover only). If, as the NPPF requires the level of trade diversion is assessed upon the total turnover of the town centre (namely comparison plus convenience goods turnover after the effect of commitments, for example the Manor Retail Park ĩ at that time), the level of impact will decrease to 0.77% and 0.53% by 2021 (Table 5 refers) in respect of Go Outdoors.
- 61 Having regard to the health of the town centres concerned, it is clear that these levels of impact would not have any significant adverse effects. Furthermore, comparing the level of impact to the predicted growth in comparison goods expenditure per annum (+2.3% pa) it is clear that these levels of impact will be very short lived, being cancelled out within a matter of 3-4 months. As such the effects will be imperceptible.
- 62 Alternatively, if the retail unit were to be occupied by a bulky goods retailer, RPS would expect the level of impact to increase slightly to 0.96% and 1.86% for Littlehampton and Rustington reflecting the comparable ranges of goods currently sold in these towns. Even so, these levels of impact

remain low and should pose no concern for the vitality and viability of each centre. They are not significant adverse impacts and at worst would be cancelled out by 10 months of growth in comparison goods expenditure (assuming growth occurs at a rate of 2.3% pa, as advised by Experian).

- 63 In summary, the application proposals are compliant in terms of the sequential and impact tests. There are no sequentially preferable sites and impacts are not significantly adverse.

Conclusions

- 64 In conclusion, the proposed retail unit is critical to the viability and delivery of the wider consented leisure scheme.
- 65 In the absence of the retail unit being granted planning permission, the consented leisure scheme will not be realised together with the wider package of benefits which have previously been acknowledged by the Council as positive and beneficial, including a significant number of local employment opportunities.
- 66 The principle of commercial development on the application site has been established. There is no policy moratorium on the development of the site. The principle policy tests applicable in terms of the use of part of the site for retail purposes are the need to satisfy the sequential and impact tests.
- 67 The Retail Assessment and the summary provided above robustly demonstrate that there are no suitable sites located within or to the edge of town centres capable of accommodating the application proposals. Similarly, given the restricted ranges of goods which are proposed to be sold, the effect of Go Outdoors upon town centres would be very limited indeed, amounting at worst to 0.77% on Littlehampton and 0.53% on Rustington. These levels of impact having regard to the overall health of each centres are not significantly adverse. For these reasons the application proposals satisfy the key retail policy tests.
- 68 Having regard to the above assessment, there is, in the Applicant's view a number of positive and beneficial outcomes that would arise from granting planning permission for the proposed retail unit.

APPENDIX

1st August 2017

RUSTINGTON GOLF CENTRE, GOLFERS LANE, ANGMERING PLANNING APPLICATION REFERENCE: A/84/17/PL RESPONSE TO REPRESENTATIONS RELATING TO RETAIL PLANNING POLICY MATTERS

1 This note responds to the representations made by Angmering and Rustington parish councils dated 3rd and 20th July 2017 respectively relating to retail planning policy matters in respect of planning application reference no. A/84/17/PL.

2 The planning application includes the provision of a new Class A1 non-food retail unit comprising 3,807sqm GIA floorspace at the Rustington Golf Centre.

Angmering Parish Council Objection

3 The Angmering Parish Council representation raises the following retail planning matters, *“Need for a retail development of this kind is not demonstrated. Multiple negative impacts on local retail outlets. Retail assessment does not include Angmering.”*

4 The scope of the Retail Assessment was agreed with Arun Council’s planning officers. The Assessment excludes specific consideration of Angmering.

5 The proposed non-food retail unit is of a different scale and type of retail floorspace to the shops and services and overall retail offer of Angmering.

6 The proposed non-food retail unit (comprising 3,807sqm GIA floorspace) is not a local shop and is therefore distinct from shops within Angmering.

7 The proposed retail unit would not directly compete with local shops in Angmering which are aimed at serving the day to day needs of local residents. There are no shops within Angmering which sell goods comparable to those sold by Go Outdoors, the intended operator of the proposed retail unit.

8 The Parish Council has presented no evidence of significant adverse affects upon local shops. Conversely, the submitted Retail Assessment demonstrates that the proposed non-food retail component of scheme would not have any significant adverse retail effects.

9 There is no national or local retail planning policy requirement to demonstrate a need for the proposed retail unit. The premise being that a retailer/developer would not propose a new store unless there was a need for it.

Rustington Parish Council

10 Similarly, Rustington Parish Council make the following comments in relation to the proposed non-food retail unit:

“It is understood that A1 permission is being sought for a standalone retail unit, with a particular tenant in minds, which could arguably result in a positive impact in this area. However, if this tenant does not subsequently move into this unit, then permission would be in place for any type of retail units, which could result in yet another grocery/food outlet in what can only be described as an already saturated area in respect of such units. The retail impact of this possibility is not assessed in this application and therefore, significant changes would need to be made to the Retail Assessment to consider any such operator.”

- 11 The Parish Council indicates that a new Go Outdoors retail store on the application site would be beneficial for the local area and as such there is an acceptance on the part of the Parish that there would be no significant adverse retail effects upon town centres.
- 12 The Parish Council's sole concern appears to relate to a possibility that the retail unit might in the future be operated as a foodstore. The intended retail operator of the unit is Go Outdoors – a non-food comparison goods specialist retailer. The Retail Assessment describes the Go Outdoors operation and provides details of the types and ranges of goods sold.
- 13 Whilst the application form describes the proposed development as including the provision of a new retail unit it is clear from the supporting Retail and Transport Assessments that the intended use of the unit is for the sale of non-food goods only.
- 14 The Retail Assessment indicates (paragraph 2.11 refers) that the Applicant would be prepared to accept a condition which limits the range of goods to those sold by Go Outdoors together with a range of common non-food bulky comparison goods e.g. DIY, furniture, carpets etc. Accordingly there is no need to assess the proposed retail unit on the basis of a possibility that it may be occupied by a food retailer – a proposition that is neither intended nor possible under the proposed goods restriction.
- 15 The proposed retail unit has been assessed by reference to an average sales density applicable to out of centre non-food retailers consistent with that adopted by the Council's retail study. This sales density exceeds that of a typical Go Outdoors store and therefore the impact assessment presented is robust.
- 16 The provision of bulky comparison goods, in the local area, is predominately found located outside of town centres and provided in the form of comparable retail warehouse units including those located to the opposite side of A259 and to the fringes of Bognor Regis.
- 17 National Planning Practice Guidance (NPPG) recognises that retailers tend to compete on a like for like basis. Accordingly any competition arising from the proposed non-food retail unit will be upon other comparable out of centre retail operators rather than town centres. As the Retail Assessment demonstrates, there are by comparison, relatively few shops located within town centres which sell goods similar to those sold by Go Outdoors. Where these do exist these are identified in the Assessment. In-centre provision is both quantitatively and qualitatively different to the retail offer of the proposed retailer operator.

Location of Retail Development

- 18 The proposed non-food retail unit forms part of revised proposals for the development of land situated between the existing facilities at the Rustington Golf Centre and the A259. The principle of development on the application site is established by planning permission reference no. A/77/16/PL. The retail unit is a proposed substitution for the consented five aside football pitches for which there is no demand.
- 19 The retail offer of the intended operator (Go Outdoors) is a good fit with the existing and proposed retail and leisure facilities at the Rustington Golf Centre. There is a likelihood of linked shopping and leisure trips occurring at this site.
- 20 The Rustington Golf Centre already includes a leisure orientated retail outlet in the form of an American Golf store. Furthermore, planning permission was granted on 16th October 2012 (reference no A/29/12) for a change of use to include the provision of a Class A1 farm shop (231sqm floorspace).
- 21 Although the existing and previously consented Class A1 retail floorspace is significantly smaller than that currently being proposed, it is clear that the Rustington Golf Centre already operates as a mixed leisure shopping destination.
- 22 There are no policy restrictions, save the requirement to satisfy the sequential test to site selection, which limits new retail development on the application site, i.e. to the north of the A259. In this respect the same retail planning policy considerations apply to new out of centre retail developments whether they be located to the north or south of the A259 (subject to other non retail planning policy considerations as may be applicable).

Conclusions

- 23 In summary, the following conclusions can be reached in light of the above observations:
 - The proposed retail development is of a different type and scale to the local shops found in Angmering consequently they will not have a significant adverse effect upon vitality and viability. As the NPPG confirms, like tends to trade with like
 - There are no local shops within Angmering which sell comparable ranges of goods to Go Outdoors or bulky non-food goods
 - There is no retail planning policy requirement to demonstrate a need for the proposed retail unit
 - The submitted Retail Assessment tests the turnover of the proposed retail unit in accordance with a non-food sales density. The adopted sales density exceeds that achieved on average by Go Outdoors. If, as proposed, the retail unit is occupied by Go Outdoors then the level of impact identified by the Retail Assessment upon town centres will be overstated
 - The planning application seeks permission for a non-food retail unit. The intended retail operator is Go Outdoors. The Applicant is willing to accept a condition which restricts the use of the unit for non-food purposes thus ensuring the unit cannot be operated as a food store
 - There are no specific retail policies which restrict new retail development on the application site. Out of centre retail development should principally be considered against the impact and



sequential policy tests. The submitted Retail Assessment demonstrates the proposalsô compliance against these key tests.