

PLANNING APPEAL STATEMENT

1 ODEON BUILDING, 60-62
LONDON ROAD, BOGNOR
REGIS, PO21 1PT

Full planning for the change of use from A1 (retail) to D1 (non-residential institution) to enable the use of the site as an orthodontics practice

September 2018

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1.0 Executive Summary

- 1.1.1 Policy SD SP1 establishes the presumption in favour of sustainable development for those applications that contribute to the social, economic and environmental conditions of the urban area along the southern coast of the District. This application for the change of use of the current site from an A1 retail space to a D1 orthodontic practice is considered to embody the key attributes of sustainable development, and therefore lends itself to the positive consideration and decision of the Local Planning Authority.
- 1.1.2 The proposed D1 use, and specifically the applicant's orthodontic practice, will provide a long-term future for the continued use of the application site. The use will promote the social conditions of the local area through the provision of improved dental care to the benefit of the health and well-being of the local population. Its value to the NHS, and therefore the health of residents within the district of Arun, is demonstrably proven by the length and extent of funding for the practice over the next ten year period. This value is specific to Dr Alistair Smith, as it will be the only practice within the Arun District to offer such a service on the NHS. Moreover, the service goes beyond just NHS users, and will also be available privately. There is a demonstrable need and positive social aspect to this application.
- 1.1.3 The new practice will not just provide social benefits to the local population, but will also assist in securing economic growth and investment in the area. A ten year source of funding from the NHS will provide a stable platform upon which the practice can be based, and upon which the occupation and use of the application site can be maintained. This will secure investment in the area through guaranteed business rates for the Council, and both direct and indirect employment of staff and supporting services. The level of employment on the site will be, at least towards the end of the initial three year period, comparably higher than an equivalent A class use, and not too dissimilar to the use of the site in a B1(a) use. It is therefore demonstrably the case that there is a positive economic aspect to this application.
- 1.1.4 The location of the proposed orthodontic practice is within the most highly accessible location to its future users, where there are numerable different modes of transport that are available to visitors and staff alike, in a very close proximity to the site. The sustainable location of the

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site ensures that private car journeys and associated carbon emissions are minimised as far as is practicable. The proposed use of the site makes efficient use of previously developed land in the form of vacant retail floor space, and can be successfully brought into operation in its new use without external changes needing to be made. The application therefore meets the environmental objectives of sustainable development.

- 1.1.5 Policy RET DM1 and DM2 are clear that the nature of the proposed use is acceptable in a location outside of the primary and secondary shopping frontages, and through the analysis provided in section 4.0 of this statement, it is clear that there is policy support for the change of use of 60 – 62 London Road to an orthodontic practice. We therefore endorse the proposed use of the site and recommend the application to the Local Planning Authority for approval.

James Hutchison BA MA MRTPI
Planning Director
Corbil Estates & Planning Ltd

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2.0 Site Description & Relevant Planning History

2.1 SITE DESCRIPTION

- 2.1.1 The application site comprises of a double width unit that was formerly occupied by Oxfam as an A1 retail outlet before its closure. The retail use of the property is spread over both the ground 'shop-floor' and the first floor area and basement, with both floors above and below the shop-floor being accessed through internal staircases. The application site has a large glazed shop-frontage onto London Road and first floor casement windows above. It is positioned adjacent to the Crown Bingo Hall, which is to the north of the site. Two storey buildings align Station Road to the south of the site, and these are predominantly in A1 or A2 uses.
- 2.1.2 The application site is located within the Town Centre Boundary for Bognor Regis. It is also within an area designated as an Economic Growth Area. The site is not located within a designated Retail Area, albeit the buildings to the south along Station Road do form part of the Secondary Shopping Area for the town. The site is not constrained by any heritage designations. It is not within an area of flood risk according to the Environmental Agency's mapping. The site is within the town centre Controlled Parking Zone (CPZ) with only a designated loading bay outside of the shop on London Road. Being located within the town centre, the site is within easy walking distance of most shops and services, is within close proximity to town centre car parks, and is less than a 300m walk to the nearest railway station, bus stops and taxi rank.

2.2 RELEVANT PLANNING HISTORY

- 2.2.1 The public register for the application site shows repeat historic planning applications and building regulations for various shopfront alterations and advertisement consents. Planning permission was granted for the previous occupiers of the site to carry out a rear extension and store under application reference BR/418/87 dated 28 September 1987.

3.0 Relevant Planning Policy Context

3.1 STATUTORY LEGISLATION

3.1.1 The following pieces of statute form the legislative basis for the lawful processing and determination of a planning application made to the Local Planning Authority:

- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Order 2004

3.2 NATIONAL PLANNING POLICY FRAMEWORK (& PPG)

3.2.1 The Planning Practice Guidance (itself a material consideration in the planning process) states under para. 010 Reference ID: 21b-010-20140306, that the National Planning Policy Framework (NPPF) represents up-to-date government planning policy and must be taken into account in any planning application or appeal, where relevant. If the LPA chooses not to follow the NPPF, then it must give clear and convincing reasons for not doing so. The NPPF was revised by central government in July 2018, and is therefore both current and up-to-date.

3.3 DEVELOPMENT PLAN

3.3.1 The development plan for the area comprises of the following document which, following due examination by an appointed Inspector for the Secretary of State, was adopted on 18 July 2018

- Arun Local Plan 2011 - 2031

3.3.2 A list of policies within the Local Plan that are considered to be applicable to the development the subject of this application are provided in the table below:

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ARUN LOCAL PLAN 2011 – 2031	
Policy Ref:	Policy Description:
SD SP1	Sustainable Development
SD SP2	Built Up Area Boundary
EMP SP1	Strategic Economic Growth
EMP SP2	Economic Growth Area
EMP DM1	Employment Land: Development Management
SKILLS SP1	Employment and Skills
RET SP1	Hierarchy of Town Centres
HWB SP1	Health and Well-Being
ECC SP2	Energy and Climate Change Mitigation
T SP1	Transport and Development
T DM1	Sustainable Travel and Public Rights of Way

4.0 Planning Appraisal

4.1 PRINCIPLE OF THE CHANGE OF USE

- 4.1.1 This is a full planning application seeking the permanent change of use of 60-62 London Road from its existing A1 retail use to a D1 non-residential institution use. Policy SD SP1 of the Arun Local Plan sets out the presumption in favour of sustainable development, and encourages applications that make a positive contribution in terms of social, economic and environmental considerations.
- 4.1.2 Policy EMP DM1 sets out the ambitions of the Local Planning Authority to protect and to enhance existing employment sites, and this is replicated within policy EMP SP1 which sets out the goals for Strategic Economic Growth within the District as a whole. On a local level, policy EMP SP2 promotes Economic Growth Areas within both Littlehampton and Bognor Regis town centres, and this essentially sets out support for a wide range of uses encompassing knowledge, cultural, retail, leisure and office users.
- 4.1.3 As the application site is located within the town centre boundary of Bognor Regis, attention should be paid to policy RET SP1, and this reinforces the desire to promote 'major retail, leisure, commercial, office, tourism, cultural, community and residential development'. The policy goes on to state that the Local Planning Authority will positively welcome developments and initiatives aimed at the sustainable economic growth and social well-being of the town centre.
- 4.1.4 The proposed scheme seeks a change of use to facilitate an orthodontics practice within the town centre of Bognor Regis. The nature of the proposed use is one where a community service will be offered to customers with the objective of enhancing their health and well-being. The orthodontics practice that will occupy the application site has been awarded a NHS contract for a 10 year period, and this will form an integral part of the overall business profile for a private and public practice that will employ 5/6 full time employees (or equivalent) from opening in April 2019, moving towards an expected 15 strong team within 3 years.

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- 4.1.5 Not only is the proposed use of the site as an orthodontics practice fully compliant with the range of services for which the Local Plan policies seek to encourage within a town centre and economic growth location, the economic activity in terms of both revenue and employment is considered to be favourable to almost any other A class user that would otherwise be likely to operate from the application site if this application were to be denied.
- 4.1.6 Attention has been given to policy RET DM1 of the Local Plan, which sets out some criteria for applications within the town centre boundary to follow, and through the analysis below the proposed scheme is able to demonstrate compliance in this respect. The applicant has noted the restrictions on land uses within the primary and secondary shopping frontages, however as mentioned in section 2.0 of this statement, the site is not located within either of these shopping frontages and so is unencumbered by such restrictions.
- 4.1.7 When the principle of the proposed change of use is assessed against the policies for the development plan, it is clear that there should be an unequivocal level of positive support for the establishment of a D1 use, specifically an orthodontics practice, on the site. Such a use and operator will bring about employment and economic growth to a town centre location, and will also bring about a real enhancement to the provision of health services within such a sustainable and accessible location.

4.2 NATURE OF USER

- 4.2.1 The application proposes the permanent change of use of 60-62 London Road to a D1 (non-residential) use. In the event that the proposed change of use is granted planning permission, whilst it is not considered to be both expedient or appropriate to restrict the permission to a specific end user or D1 type, the Local Planning Authority can take comfort with the stable position upon which this business has been established and the expected longevity of the use.
- 4.2.2 The application site represents the second location from which the business will be established and will serve local customers, for they already have a presence within Chichester town centre. The company is already established and is in a stable operating position. Furthermore, and of significant importance in terms of the predication for a new practice in Bognor Regis town

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centre, is the fact that Dr Alistair Smith has been awarded a new NHS contract for the next 10 year period in which they will be serving visitors within the Arun District.

4.2.3 This NHS contract will sit alongside the growth of the private orthodontics business, which together is anticipated to attract up to 50 separate appointments per day (the equivalent of 400 visitors per week including parents). Much of the business will come from the existing excellent links that the practice has with schools and local charities in the area, moreover as Pallant Orthodontics are the only such NHS operating practice in the area, there is a clear and identifiable need to open a new practice.

4.2.4 The business plan includes the employment of 5/6 full time staff (or the equivalent of), and is projected to increase to a team of 15 staff within the first 3 year period. The practice will comprise of a total of four surgeries spread across the two existing storeys. There will be sufficient room within the layout to accommodate waiting areas, X-ray facilities and staff welfare areas. The internal layout will be governed and laid out to a high standard of design in accordance with stringent regulations as set out by the Quality Care Commission (CQC) and the General Dental Council (GDC). The practice will employ several patient management systems to ensure that there is no unnecessary waiting or delays.

4.2.5 The opening hours for the practice will be as follows:

DAY OF THE WEEK	HOURS OF OPENING
Monday	08:00 – 19:00
Tuesday	08:00 – 19:00
Wednesday	08:00 – 20:00
Thursday	08:00 – 19:00
Friday	08:00 – 20:00 *
Saturday	08:00 – 16:00
Sunday & Bank Hols.	Closed

** The practice will not open on Friday within Year 1 unless there is significant demand*

4.3 TRANSPORT AND ACCESSIBILITY

- 4.3.1 Policy RET DM1 of the Local Plan states that town centre uses that accord with the hierarchy of town centres (RET SP1), will be permitted provided that they are easily accessible by public transport, includes provision for access by cycle and on foot, and includes appropriate provision to enable access for people with disabilities.
- 4.3.2 The application site is ideally located to ensure that it is in the most accessible location for its visitors. The railway station is positioned no more than 300m to the west of the site, and provides train services to Barnham, Chichester (via 1 change), Littlehampton, Arundel and beyond. There are numerous bus stops, such as those in Station Road, Lyon Street, and at the railway station, all of which provide services to a wide range of local destinations. A taxi rank is provided at the railway station.
- 4.3.3 The application site is also within easy walking distance of local schools, shops and services. In the event that visitors were to choose to arrive by car, there are ample public car parks in the vicinity of the town centre where they can park safely and walk to the practice for their appointments. The opening hours for the practice are compatible with all modes of transport.
- 4.3.4 In consideration of the town centre nature of the use, and its accessible and sustainable location where there are ample choices of modes of transport for both staff and visitors, there is no reason to require any level of on-site car parking. Indeed, it would be wholly counter-intuitive to promote the use of cars by providing on-site car parking in such a sustainable and well-served location, and one where it is important to promote and safeguard pedestrian usability.
- 4.3.5 The application site does not benefit from any publicly accessible outdoor space, and so cannot provide cycle parking facilities on-site, however there is an abundance of suitable and secure cycle parking locations within a close proximity to the application site. As the NHS appointments will largely be for local teenagers, a significant proportion of these will not travel by private car, but instead will walk, cycle or use public transport such as buses and trains.
- 4.3.6 There will be no changes to the threshold or doorway of the existing shopfront and as such the ground floor of the practice will be fully accessible to mobility impaired persons.

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4.4 AMENITY OF NEIGHBOURING PROPERTIES

- 4.4.1 The planning application does not involve any external changes to the building that may give rise to an adverse impact on the daylight, outlook or privacy of neighbouring residential properties, albeit these are limited in the context of this site to a few residential units above shops to the west of application site.
- 4.4.2 The proposed use is not likely to give rise to any noise disturbance that will be audible to neighbouring residential properties. The visitor opening hours are predominantly during normal retail or office working hours, and whilst there will be some early evening appointments on weekdays, these are not likely to give rise to any adverse impacts.
- 4.4.3 Staff breakout areas are located within the building and on the first floor, and any noise outbreak from these areas will be negligible in view of the need to maintain a peaceful and relaxed atmosphere for visitors. There are no parking areas on the site that may give rise to general disturbance as a result of arriving and departing visitors.
- 4.4.4 The application is therefore compliant with policy QE SP1 of the Local Plan.

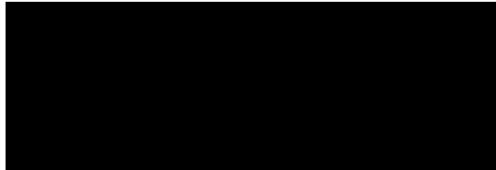
4.5 CHARACTER OF THE AREA

- 4.5.1 The application does not include any external changes to the building and will maintain the shop-frontage in its existing form. The nature of the use is one that is compatible within a town centre location, and it is considered that the level of use would not give rise to any significant change in the character of the area or the way in which it currently operates.
- 4.5.2 The application is therefore compliant with policy QE SP1 of the Local Plan.

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Author's Information

JAMES HUTCHISON BA MA MRTPI
PLANNING DIRECTOR



Company Information

CORBIL ESTATES & PLANNING LTD



Suite 2, Littlehampton Business Centre
Gratwicke House
10 East Street
Littlehampton
West Sussex
BN17 6AW

