PLANNING APPLICATION REPORT

REF NO: **FG/33/10/**

LOCATION: Country Fayre
Littlehampton Road
Ferring

PROPOSAL: Amend car park layout with ancillary changes to support an unrestricted A1 retail use. Amendment to previous approval FG/174/08/. This application also falls within the parish of Angmering. This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	4.5 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	Cuppressus type on the front side boundary to the east; some low hedging and low trees to the south; internal fencing side of the car park; line of Poplars to the rear side to neighbouring nursery land.
BOUNDARY TREATMENT	Low walling to front approximately 1 metre high and approximately 2.5 metre walling to south side of car park, with a mural. Chain link to railway line to south of site and post and wire to field to the west site.
SITE CHARACTERISTICS	Single storey assortment of buildings, formerly nursery buildings and the like, clustered together with internal links for the existing use. Canopied entrance to front elevation and west side extension, providing offices. Large car park to front full width of the site. Three sided advertisement board on front boundary approximately 3 metres in height. Car parking has floodlighting poles. Rear area land abuts farm fields to west and railway line to south, the railway line being slightly raised land from the application site. Concrete section between buildings and soil area. Storage containers and pallets together with other storage currently taking place on land to the rear of the buildings. The land to the rear comprises hogging and concrete areas.
CHARACTER OF LOCALITY	Housing lies to the east side of neighbouring nursery uses; railway line lies to the south site; agricultural fields lies to the west site; main A259 Littlehampton Road lies to the

north of the site and over this road lies the South Downs with a mixture of uses ranging from nursery uses, residential and garden centre. Semi-rural appearance to locality.

RELEVANT SITE HISTORY

FG/161/86	Demolition of buildings, closure of vehicular access and improvements to car park. Re-site existing office and bungalow. Provide insulated roofing. Landscape frontage.	Approve Cond 27-03-1987
FG/123/89	Change of use of vacant land to open display of goods for sale associated with a garden centre	NON DET APPEAL 20-12-1989 **Appeal: Dismissed 13 07 1990**
FG/124/89	Change of use of vacant land to open display of goods for sale associated with a garden centre (duplicate application with FG/123/89)	Refused 20-12-1989
FG/58/91	Use of premises for a garden centre	Withdrawn 31-07-1991
FG/34/01/	First floor extension above existing offices, as offices	Refused 04-05-2001
FG/73/01/	Ground floor extension to existing offices as office space	Approve Cond 17-08-2001
FG/164/06/	Re-roofing & refurbishing of existing garden centre, plus utilising rear land for overflow car parking	Withdrawn 21-02-2007
FG/75/07/	Re-roofing and refurbishment of existing buildings to one single building for use as a garden centre, together with the use of the rear land for open storage	Withdrawn 01-10-2007
FG/208/07/	Re-roofing & refurbishment of existing buildings for continued use as a garden centre.	Approved Cond + S106 03-04-2008

FG/174/08/	Relocation of permitted building as per application ref:FG/208/07. Car parking to current standards, including improved circulation to avoid tail back onto dual carriageway, with associated landscaping. Change of use of existing agricultural land to be used in connection with the new retail building - Dual Parish with Angmering	Approved Cond + S106 02-06-2009

REPRESENTATIONS

Representations received:

Ferring Parish Council

Angmering Parish Council

East Preston Parish Council

Kingston Parish Council

FERRING PARISH COUNCIL
Objection
The Parish Council objects to the proposals in that:
(a) they contravene the Section 106 Agreement which restricted the use of the site and did not give across the site A1 use. This agreement was to be in force for a period of 5 years.
(b) they are a departure from the Development Plan.

The Parish Council also request the following actions:

1. That the application be considered at Committee and not be delegated to the Officers.
2. That an independent transport study be undertaken.
3. That an independent retail impact study be undertaken.
4. That West Sussex Highways be requested to reconsider the increased traffic flow onto the Littlehampton Road.

ANGMERING PARISH COUNCIL
No objection

EAST PRESTON PARISH COUNCIL
Objection
The Parish Committee of this Parish Council considered this Application at its meeting on 24th May 2010.

This Parish Council agreed that it would support the comments on the proposals made by Ferring Parish Council, as follows:

(a) they contravene the Section 106 Agreement which restricted the use of the site and did not give across the site A1 use. This agreement was to be in force for a period of 5 years from approximately June 2009, FG/174/08.
(b) they are a departure from the Development Plan.

The Parish Council also supports the following requests from Ferring Parish Council:

1. That the application be considered at Committee and not be delegated to the Officers.

2. That an independent transport study be undertaken.
3. That an independent retail impact study be undertaken.
4. That West Sussex Highways be requested to reconsider the increased traffic flow onto the Littlehampton Road.

KINGSTON PARISH COUNCIL
Objection
The Parish Council objects to planning application FG/33/10 because it does not honour the existing Section 106 Agreement and it is a departure from the Development Plan. In addition Council has strong concerns about the impact on the local infrastructure, particularly the A259 which is heavily congested and where traffic queues regularly form at each roundabout between the Titnore roundabout and Sainsbury's.

Therefore, Kingston Parish requests the following actions:

- Section 106 Agreements should be honoured
- an independent transport study be undertaken
- an independent retail impact study be undertaken
- West Sussex Highways be requested to reconsider the increased traffic flow onto the A259.

3 LETTERS OF OBJECTION
The large car parking area would have environmental issues on the water table in the immediate area of the Rife and on the flood plain in South Ferring. A supermarket will push infrastructure of the surrounding to limit, increasing traffic to the A259.
Serious effect on wildlife.
Should not rescind S106.
Application not clear - applicant should withdraw application - it is invalid in that a S106 cannot be amended within 5 years.
Arun were duped into approving previous application. Ferring will soon be part of Worthing, Goring, Rustington sprawl losing all character. Abuse of planning procedure carried out with your blessing.
In immediate vicinity continual applications are being made i.e. Jenkins Yard, the equestrian centre.
Arun should sit down and discuss long term plans.

EAST PRESTON & KINGSTON PRESERVATION SOCIETY
Objection. Within Strategic Gap which is unsuitable for A1 retail use. Such activities should be located within the built up area preferably in existing retail centre.

A259 unsuitable as it would generate too much traffic which is already operating to capacity.

The location of the entrance on a dual carriageway where no gaps exist in central reservation implies that the roundabout will carry much more traffic. Within a Strategic Gap and the application should be withdrawn and re-advertised accordingly.

Contrary to development plan.

How can Arun consider dropping the restrictions on the goods sold at Country Fayre within 1 year of it being imposed?

FERRING CONSERVATION GROUP
Objection. Application will become a large supermarket. The site was once farmland, then became a nursery, then a garden centre selling garden supplies, then a garden centre selling an increasingly wide range of general merchandise. The range is regulated by a S106.

The agreement was renewed with the planning permission to build replacement premises to the south of the site with the remaining land being for car parking.

Applicant wants now to withdraw from the agreement and to use the new building as an unrestricted supermarket.

This is a continual erosion of the land outside the built up area boundary which is unacceptable.

Use would generate more traffic on already congested A259. Damage viability of the 2 supermarkets and shops in Ferring.

Use should not be allowed to go any further and damage the environment.

FERRING ROAD SCHEME ASSOCIATION
Objection. The application to enlarge the range of goods sold from the store to include goods available normally in supermarkets is contrary to the agreement which has another 5 years to run. Traffic is extensive coming to and from the garden centre and is always heavy on the A259 and should not be increased.

Comments on Representations received:

Response to Ferring Parish Council, East Preston Parish Council, and Kingston Parish Council.

There is no contravention to the S106 which was placed on both FG/208/07 and FG/174/08 as neither has as yet been implemented. More than 5 years has lapsed to the permissions gained before that date and to which a S106 Agreement applies.
The application has been advertised as a departure.
As Arun District Council have no in-house highway team, WSCC are thereby consulted who are independent from Arun District Council and are the responsible body for the road network and for highway safety matters, who raise no objections to the proposal.
Arun District Council do not have an in-house retail team and have thereby commissioned an independent Retail Consultant, whose response forms an integral part of the determination of this application.

Response to Angmering Parish Council.
Noted.

Response to objections.
The car parking area will be drained.
Increase in car parking was approved on the previous application. As the department responsible for the road network and highways in West Sussex, WSCC Highways have advised on the car parking and the road infrastructure.
Both the rear and the front of the site is predominantly concreted or has hogging and therefore unsuitable for wildlife.
The application seeks an unfettered retail use and this will be assessed within the application.
There is no contravention to the S106 which was placed on both FG/208/07 and FG/174/08

as neither has as yet been implemented. More than 5 years has lapsed to the permissions gained before that date and to which a S106 Agreement applies.
Each application submitted is considered on its own merits.
Everyone has the right to submit a planning application for development and each has to be dealt with in accordance with development plan policies and government guidance.
It is agreed that the site is outside the built-up area boundary and within a Strategic Gap.
It is likely that most land within the District and beyond was once farmland or countryside.
A Retail Consultant has reported on the proposal which includes viability of the use and advise within PPS4.

CONSULTATIONS

WSCC Local Development Divis.
Network Rail
Sussex Police-Community Safety
Worthing Borough Council
Parks and Landscapes
Environmental Health

Consultations responses received:

RETAIL CONSULTANT:

The Nathaniel Lichfield and Partners (NLP) study submitted with the Applicants application, provides a reliable assessment of the criteria by which the proposal should be judged.

The initial assessment of 2,000 sq.m. of convenience shopping is within their estimates of need for convenience floorspace but the subsequent suggestion of 2,800 sq.m. is beyond it. However, the larger figure would take less than half of the capacity for the area suggested by the Local Development Framework Sub-Committee approved Retail Study Update by DTZ which assessed the scope for new development in different areas of the District. The proposed convenience floorspace is therefore within the reasonable range of estimates of capacity.

The estimate of the impact of 2,800 sq.m. of convenience space on Rustington centre is a concern but this is again conservative on the basis of the DTZ study. The NLP study demonstrates that there will be no adverse impact on other shopping centres.

The proposal will result in a reduction of total comparison retailing so there is no issue on the need for or impact on this broad class of goods overall. The agreed combination of limits to the convenience floorspace and the subdivision of the unit provides reliable safeguards about the format of future operations. However the Council may consider that certain types of comparison goods are not appropriate to the character of the Strategic Gap and wish to impose restrictions to limit sales of such goods.

The proposal would broaden the range of convenience and comparison shopping in the area. This would encourage competition which is in tune with the removal of the Needs Test in PPS4 compared to PPG6 and the recommendation by DTZ that more discount convenience space would be welcome.

It is recommended that the planning application is approved subject to conditions or legal agreements which will:

* Limit the net retail floorspace to 6,336 sq.m. i.e. 55% of the total already approved. Care should be taken in the wording of this condition to include normal operating space such as

walkways or aisles in the food facility within the net floorspace.

* Limit the net convenience floorspace to 2,800 sq.m.

* Not allow subdivision of the premises which should be built in one stage and operated as one unit. This should be framed to stop one element such as the food hall being constructed and operated separately.

* Restrict sales of any type of comparison goods the Council consider to be inappropriate to the character of the Strategic Gap.

(NB - The Definition of Convenience Shopping is stated within PPS4 - Planning for Sustainable Economic Growth as being:- 'Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery.')

COUNTY HIGHWAYS:
No highway objections. We were consulted previously on highway matters for this location under planning application FG/174/08 to which no highway objections raised.

The proposed increase in parking layout constitutes a 3.5% increase on existing level of parking. The additional parking is proposed in order to support the proposed unrestricted A1 use at the site, and the provision of 587 spaces at the site would be within West Sussex County Council parking standards. The proposal is also not anticipated to have a negative impact on safety within the car parking area. West Sussex County Council have no concerns regarding the amendments to the parking layout.

COUNTY HIGHWAYS ADDITIONAL COMMENTS
Further to the comments made by West Sussex County Council Local Development regarding the likely trip generation and highway impact of the proposed removal of the S106 restrictions at Country Fayre, the Highway Consultant has produced further information to address those concerns raised. Based on this information, the following additional comments would be offered.

The nature of the Country Fayre use is such that this does not fall into any distinct, standard category as defined within TRICS, hence it has been appropriate to apply a trip rate that is considered reflective but acknowledging that this trip rate may underestimate trip generation. Similarly a trip rate for the food retail use has been applied that is considered appropriate for this type of food retail as derived from the information included within the retail impact assessment. Applying the agreed trip rates, its evident that the permitted use of 11,250 square metres could generate a significant number of movements. However the additional food retail use (which is to be limited) combined with the capping of the overall retail floor space is indicated to generate fewer movements in the Friday PM peak. This does not directly consider the possibility of the food retail element generating a degree of pass by trips (i.e. attracting trips from vehicles already on the highway network and that would already be passing through existing junctions). A sensitivity test of plus 10 per cent has been applied and this still indicates a trip generation in the Friday PM peak comparable to that which the permitted store may generate. It is considered that this proposal (of 6,336 square metres of retail floor space with 2,800 of food retail permitted therein) will not have any consequences during the Friday PM peak.

The impact in the Saturday lunch time peak is more difficult to discern as the trip rate applied for the permitted use is acknowledged not to be an exact like for like comparison. The existing store does have a large element of DIY/garden centre type products, and trip rates for these use classes are higher than those applied for the permitted use. However, it is not considered appropriate to apply a trip rate for a DIY/garden centre as this may then over estimate traffic significantly. It is generally accepted that the actual trip generation would be higher than that detailed in the submitted addendum report. Whilst the submitted report does show a potential increase in movements, this amounts to potentially an additional one vehicle per minute based on the worst case of plus 10 per cent. It is not considered that the traffic generation from the additional food use would result in a significant impact during the Saturday peak.

In conclusion, it is not considered that there are any grounds to resist this application on highway grounds.

POLICE CRIME PREVENTION:
No objections

DISTRICT PARKS AND GREENSPACES:
No objections. The revised car park layout has minimum impact on the proposed landscape scheme. Previous comments apply in that trees rather than a hedge should be provided on the western boundary to ensure adequate screening elsewhere on the hedging boundary an eventual height of 2 metres should be specified in order to provide adjacent screening from the gap. This must be included as a condition of any permission.

Comments on Consultation responses:

Noted

POLICY CONTEXT

Designation applicable to site:
Outside the Built-up Area Boundary
Within the East Preston and Ferring Strategic Gap
A259 Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN12	Parking in New Development
	AREA10	Strategic Gaps

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS7	Sustainable development in rural areas
PPG13	Transport

POLICY COMMENTARY

The Governments national policies and principals relating to the retail development are set out in PPS4 published in 2009. The document sets out planning policies for economic development.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with relevant Development Plan policies in that the site is within a Strategic Gap and outside the defined built-up area boundary and the proposal does not meet the operational need of agriculture, forestry, informal recreation etc.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background namely that the retail use is an existing use within the countryside and a permission exists for the existing retail building to be relocated to the rear of the site and for the car parking to be increased and reordered.

CONCLUSIONS

Principle
The site lies outside the built up area boundary where development unrelated to the needs of agriculture, forestry etc would not normally be permitted. However as stated above there is an existing retail use on the site and it is that use which seeks a variation of the existing retail sales namely by removing the 106 legal agreement which stipulates type of goods and quantity of goods sold to become an unfettered retail use.

The applicant seeks to utilise the building granted under FG/174/08 for the retail use, and to amend the car parking area from that approval namely increasing the numbers by 19 increasing the disabled spaces by 1 and by providing a bus stop outside of the building.

Government Policy
Crucial to the determination of this planning application is the need to assess the proposal against relevant Government policy set out in PPS4. PPS4 Planning for Sustainable Economic Growth has replaced PPG4 Industrial Commercial Development and Small Firms and PPS6 Planning for Town Centres. The key policies within the document against which to determine this proposal are policies EC17 and EC10.

"EC17 The Consideration of Planning Applications for Development of Main Town Centre Uses not in a Centre and Not in Accordance with an Up To Date Development Plan.

EC17.1
Planning application for main town centre uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where:

a. The Applicant has not demonstrated compliance with the requirements sequential approach (policy EC15); or

b. There is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of impact set out in policies EC10.2 and 16.1 (the impact assessment), taking account of the likely cumulative affect of recent permissions, developments under construction

and completed developments.

EC17.2
Where no significant adverse impacts have been identified under policies EC10.2 and 16.1, planning applications should be determined by taking account of:

a. The positive and negative impacts of the proposal in terms of policies EC10.2 and 16.1 and any other material considerations; and

b. The likely cumulative affect of recent permissions, developments under construction and completed developments.

EC17.3
Judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date). Recent local assessments of the health of town centres which take account of the vitality and viability indicators in Annex D of this policy statement and any other published local information (such as a town centre or retail strategy), will also be relevant."

For information Policy EC15 relates to the consideration of sequential assessments for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan.

Comment EC17
The Applicant has submitted clear evidence regarding this sequential assessment which has looked at the surrounding area from the existing Country Fayre to other garden centres and have looked at specifically Littlehampton, Rustington town centre; Ferring; Worthing town centre; Goring Road; West Durrington; Angmering; Sea Lane East Preston; Wick Street Wick; The Mulberry Goring Road Worthing; they have also looked at out of centre retail provision namely Sainsburys at Rustington; Rustington Retail Park; Tescos West Durrington; Tescos Broad Piece; and Lidl Littlehampton;

"EC10 relates to Determining Planning Applications for Economic Development

EC10.1
Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic developments. Planning applications that secure sustainable economic growth should be treated favourably.

EC10.2
All planning applications for economic development should be assessed against the following impact considerations:

a. Whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions and minimise vulnerability and provide reliance to climate change.

b. The accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road networks) after public transport and traffic management measures have been secured.

c. Whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions.

d. The impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusive objectives.

e. The impact of local employment."

Comment EC10
The Applicant has submitted a Retail Assessment with their application which undertakes an impact policy test within it. They have considered that with regard to the policy EC10.2 and EC16.1 a number of these tests affectively overlap and others for proposals in all centres are not relevant. This is agreed. They have then identified four resultant tests arising from PPS4 and assessed the application proposed against these tests. The tests are as follows:

Test 1
The accessibility of the proposal by choice of means of transport and a scope for the application proposal to limit the carbon dioxide emissions;

Test 2
Whether a proposal results in a high quality and inclusive design and physical regeneration in the area;

Test 3
The impact on economic regeneration and local employment;

Test 4
The impact of the proposal on the town centre vitality and viability including both the impact of proposal on in-centre trade/turnover and on trade in the wider area, as well as the impact of the proposal on existing committed and planned public and private investments in nearby centres.

They then analyse each of these tests which are as follows:

Test 1 - Accessibility
A submitted transport statement identifies that the application proposal result in the scope for an enhanced accessibility by public transport. The revision to the permitted scheme will also improve provision for those arriving by bike and on foot.

This element therefore complies with the requirements for the development to be accessible by choice of means of transport and this in conjunction with its location, means it is well placed to serve the surrounding population. These factors mean the site will be both accessible by choice of means of transport and its location, will assist in limiting carbon dioxide emissions and minimise vulnerability/provide resilience to climate change, therefore complying with the relevant PPS4.

Test 2 - Design
The application proposal seeks limited physical works (effectively the reconfiguration of the permitted car park). However, in the current economic climate substitution of the restrictions governing the retail use is a pre-requisite for the implementation of the planning permission for the replacement retail unit (FG/174/08). In permitting the extant scheme, Officers recognise the

design of the new building is appropriate for the use and its surrounding. They went on to state that the design of the building is considered to be a positive improvement over the proposed design of the existing building and its external refurbishment.

Accordingly, it will take the opportunity available for improving the character and quality of the area and the way it functions leading to the physical regeneration of the area. Policy tests EC10.2.c and d are therefore complied with.

Test 3 - Employment
In facilitating the implementation of the planning permission, the application proposal will facilitate both short term construction jobs and an uplift in permanent jobs within the retail unit (as detailed within the accompanying letter from Country Fayre, they anticipate that the replacement store will result in the creation of an additional 32 full time equivalent staff compared to the current situation where, over the past year, their full time staff has reduced by 20 per cent). The creation of these jobs come at any indirect economic stimulus provided by this proposal, will provide further economic regeneration benefits complying with policy test EC10.2.e.

Test 4 - Retail Impact
Within an Appendix the Applicant has submitted a quantitive retail impact analysis including an assessment of the test which are contained within policy EC16.1.a, b and d. The assessment itself covered convenience impact and then comparison impact.

Aruns Retail Consultant response with regards to the planning application has assessed the Retail Impact Assessment and gone further to include the new DTZ study. Also within the consultants response is that the revised application i.e. initially the proposal was based on 2,000 square metres of convenience floor space but has increased to 2,800 square metres and the consultant together with the Applicants consultants who have come up with the required information looked at population, overall convenience capacity, population extended growth, comparison goods, local plan policy, impact, sequential test and in summary our consultant of the view that it is recommended that the planning application be approved subject to conditions or legal agreements which will limit the net retail floor space to 6,336 square metres i.e. 55 per cent of the total already approved. He also advised that care should be taken in the wording of this condition to include normal operating space such as walkways or aisles in the food facility within the net floor space and to limit the net convenience floor space 2,800 square metres.

Further not to allow subdivision of the premises which should be built in one stage and operate as one unit. This should be framed to stop one element such as the food hall being constructed and operated separately and perhaps.

Condition to restrict sales of any type of comparison goods the Council consider to be inappropriate to Strategy Gap.

Transport Assessment
Further information was required with regard to transport assessment of the comparison goods now proposed. The County Highways were consulted, see comments above, who raised no objection to the scheme.

Design and Appearance
The building will be the same as approved under FG/174/08 which was acknowledged within that

report being an improvement over the existing building. The parking to the front will be similar to that approved under FG/174/08 and the amendments proposed will still provide landscaping to the front and sides and a wooded area to the rear east section of the site thereby minimising the impact of the building and use on its locality.

Strategic Gap
It is acknowledged that the site is within a Strategic Gap however its crucial to remember the existing permission for the building was approved and this application has the same size building with a floor space capacity of 11,250 square metres of that area 6,336 square metres would be within retail use and from that gross figure 2,800 square metres will be within comparison goods mainly food. The remaining 4,914 square metres will be storage etc. These total area figures are the same as the previous approval. It is therefore considered that whilst the site is within the Strategic Gap it is also acknowledged that the earlier approval approved the building and car parking on the site. The changes here are not considered to demonstrably affect the Strategic Gap.

Summary
The use applied for is an unfettered retail use of which 2,800 square metres will be convenience food shopping. A satisfactory Retail Assessment has been submitted together with a Transportation Assessment both of which have been thorough and have looked at issues as required within PPS4. In conclusion it is considered that the application complies with Government policy and is acceptable.
It is thereby recommended that the application is approval subject to conditions set out below.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 This permission relates to the following approved plans:-

2210 : 03
LGPS/CF/LP01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

3 The floorspace hereby permitted shall be limited to a maximum of 6,336 square metres for total retail sales area, (this figure shall include normal operating space such as walkways or aisles in the food facility), and of that figure a maximum of 2,800 square metres shall be for convenience food sales as defined within PPS4 - Planning for Sustainable Economic Growth.

Reason: To prevent an escalation of retail sales within the site in accordance with PPS4 - Planning for Sustainable Economic Growth.

4 There shall be no sub-division of the premises, which shall be built in one stage and operated as one unit.

Reason: To prevent the foodhall being constructed and operated separately in accordance with PPS4 - 'Planning for Sustainable Economic Growth.'

5 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

6 Within 3 months of the building hereby permitted being bought into use, the cycle parking and car and lorry parking spaces and turning facilities shown on the submitted plans shall be provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of cycles and the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of cycles vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

7 The building hereby approved shall not be occupied until such time as a Travel Plan, prepared in accordance with the most recent national guidance, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage sustainable travel to the site and lessen dependency on the use of the private car in accordance with PPG13 Transport.

8 Within 3 months of the building hereby permitted being bought into use, all other existing buildings shall be obliterated and all resulting debris permanently removed from the site to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amentiy in accordance with policy GEN7 of the Arun District Local Plan

9 The servery/coffee area within the building hereby permitted shall not be bought into use until a means of ventilation for the extraction and disposal of cooking odours has been provided in accordance with details to be submitted to and approved by the Local Planning Authority. The facility shall thereafter be provided and retained for such use.

Reason: In the interests of the amenities of the locality in accordance with policy GEN7, GEN34 of the Arun District Local Plan.

10 Details, including sections, materials and drainage, of the overflow car park shall be submitted to and approved by the Local Planning Authority, and the overflow car park shall be provided in accordance with the approved details.

Reason: To ensure satisfactory visual and drainage in accordance with policy GEN7,

GEN9 of the Arun District Local Plan.

11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

12 The development shall not proceed until details of the proposed surface water and foul drainage and means of disposal have been submitted and approved by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works. No building shall be occupied until the foul drainage works have been carried out in accordance with such details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy GEN7, GEN9 of the Arun District Local Plan.

13 The overflow car park areas to the front of the site, shall not come into operation for use unless and until 90% of the new main car park is occupied.

Reason: To safeguard the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan

14 INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission was granted because, although the proposed development does not comply with the policies in the Development Plan Listed below in that the site is within a Strategic Gap and outside the built-up area boundary and the proposal does not meet the operational needs of agriculture, forestry, informal recreation etc. There are material considerations which indicate that it can be granted.
These material considerations are that there is an extant planning permission (FG/174/08) for the building and the car parking and that a retail use is in existance on the site which is within the countryside.

RELEVANT POLICIES

LOCAL PLAN: GEN3, AREA 10

NATIONAL POLICIES: PPS7, PPS4

This paragraph is to comply with Article 22 General Development Procedure Order 1995

15 INFORMATIVE: An application will need to be made to remove the Planning Obligation on the site, as this is covered by separate legislation to the Planning Acts.

16 The retail unit hereby approved shall not be used for the sale of bulky white electrical and gas goods or for the sale of pets.

Reason: For the avoidance of doubt and in the interests of the amenities of the locality in accordance with PPS 4 and GEN 7 or the Arun District Local Plan.