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PLANNING STATEMENT

JUNE 2020

Prepared by:

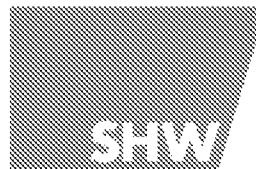
Christopher Heather MRTPI

20 Churchill Parade, Rustington, West Sussex, BN16 3DE

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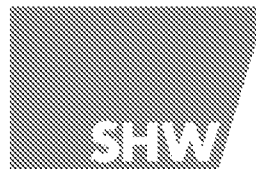


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1.0 INTRODUCTION

Application Summary

- 1.1 This planning statement accompanies an application for a change of use at 20 Churchill Parade, Rustington, West Sussex BN16 3DE. This would be to retain the existing use but to create a flexible use by adding other uses. These are detailed in sections 3 and 6 below. The site lies within the jurisdiction of Arun District Council.

Planning Statement

- 1.2 This submission will detail the proposal and address relevant policy issues as identified in national, local, and regional policy guidance.
- 1.3 This statement comprises the supporting documentation to the planning application. All information necessary to determine the application should be found within this document.
- 1.4 This report has been prepared in accordance with the Royal Town Planning Institute Code of Conduct.

2.0 SITE DESCRIPTION

- 2.1 The site is situated on the first floor directly above La Cucina, Italian Restaurant and is known as 20 Churchill Parade. It is accessed from a staircase between Cook at 29-30 Churchill Parade and L. Guess Jewellers at 18 Churchill Parade. The terrace is within Rustington Village Centre and within this is designated as "Retail – Primary". This designation extends to the west and includes the southern side of The Street.
- 2.2 The village centre is characterised primarily by commercial units at ground floor level, with a mix of commercial and residential on the upper floors. There are bus routes along The Street.
- 2.3 The site is within the "Built-up Area" as defined by the Council's planning policy documents. The building is not listed or locally listed and is not within a Conservation Area. The site is in Flood Zone 1 where there is a low probability of flooding.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The proposal affects approximately 78sqm of floorspace at first floor level. It is currently vacant but was used as a beauty clinic (*sui generis*) for over 20 years. There are three other units on the first floor comprising, one office, one hairdresser and one workshop.
- 3.2 The proposal would retain this use but seek to widen the potential uses to include nail bar (*sui generis*), non-residential Institution (D1), retail (A1), financial and professional services (A2) and office (B1).

4.0 PLANNING HISTORY

- 4.1 There is no relevant planning history at the site itself. The following are changes of use elsewhere in Churchill Parade.

December 2018: Planning permission (ref: R/212/18/PL) **granted** at 12 Churchill Parade for "Change of use from Class A1 (retail) to Class A1 (retail) and Class A3 (restaurant and cafe)"

February 2013: Planning permission (ref: R/221/12/) **granted** at 5 Churchill Parade for "Change of use from retail (A1 Shops) to dental surgery (D1 Non-Residential Institution)"

5.0 PLANNING POLICY FRAMEWORK

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states any determination should be made in accordance with the Development Plan unless material considerations indicate otherwise. The proposal has been considered within the context of National, Regional and Local Planning Policy, and the key policies are summarised below.

5.2 Material considerations include the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG), and several Supplementary Planning Policy Guidance and Documents prepared by the GLA and the Council, as well as emerging policy documents.

National Planning Policy Framework (NPPF)

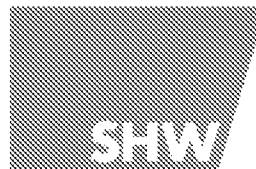
5.3 The NPPF was originally published in July 2018, with subsequent updates, replacing the previous document which was published in March 2012. It sets out the Government's planning policies for England and how they should be applied and is an important material consideration. It should be taken account of in the preparation of the development plan and in making decisions on planning applications.

5.4 Paragraph 8 outlines that there are three overarching objectives to achieving sustainable development. They are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. The three objectives are economic, social, and environmental. Economically, the objective is to build a strong, responsive, and competitive economy.

5.5 These objectives are:

- Economic – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- Social – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- Environmental – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.6 The NPPF states that "so that sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development" (Paragraph 10). Paragraph 11 identifies that in making decisions this means:



- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 1. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Building a strong, competitive economy

- 5.7 Paragraph 80 requires that policies and decisions help create the conditions in which businesses can invest, expand, and adapt. Weight should be given to the need to support economic growth and productivity.

Ensuring the vitality of town centres

- 5.8 Paragraph 85 requires Local Planning Authorities to support the role that town centres play at the heart of local communities.

Promoting health and safe communities

- 5.9 Planning policies and decisions should aim to achieve healthy, inclusive, and safe places (paragraph 91). They should promote social interactions. Mixed use developments and pedestrian and cycle connections are cited as a part of this.

Promoting sustainable transport

- 5.10 In terms of transport, development proposals should consider their impact and promote walking, cycling and public transport. Safe and secure access for all users' needs to be achieved. Any significant impacts should be mitigated in a cost effective way to an acceptable degree and development should only be prevented or refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe (paragraph 108 and 109).

Local Planning Policy

- 5.11 The *Adopted Arun Local Plan 2018* is the main planning document at the local level. In addition, the Rustington Neighbourhood Plan (2014) provides local policy. The relevant policies are considered below in Section 6.
- 5.12 Two other documents, the West Sussex Waste Local Plan (2014) and the Joint Minerals Local Plan (2018) are part of the development plan. However, they are not considered relevant to this proposal.

6.0 PLANNING POLICY CONSIDERATIONS

- 6.1 This section reviews National, Regional and Local Planning Policies that are most relevant to the proposal and addresses how the proposed development complies with these policies. It is structured around considerations that are material to the development.

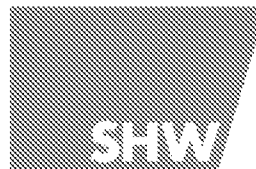


Context / background

- 6.2 The site is accessed via a staircase between Cook Rustington at 29-30 Churchill Parade and L. Guess Jewellers at 18 Churchill Parade. At the top of the staircase is a lobby with w/c facilities and shared tea point facility, with a hairdresser adjacent and storage/workshop on the other side. Beyond this is the entrance to the now vacant unit, adjacent to which is an entrance to Fleming Solicitors who occupy the space to the rear.
- 6.3 The brief extract of planning history demonstrates the need for Rustington to evolve.
- 6.4 There are no external changes proposed.
- 6.5 Policy SD SP1 concerns sustainable development and contains an overarching principle that there will be a "positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework".

Land use / Principle of the development

- 6.6 The proposal would retain this use but seek to widen the potential uses to include nail bar (sui generis), non-residential Institution (D1), office (B1), retail (A1) and financial and professional services (A2).
- 6.7 The previous occupier, The Beauty Clinic of Rustington has now closed and the unit is vacant. It is not proposed that the existing use as a beauty salon (sui generis) is lost. Instead, other uses would be added to help secure a suitable future occupier to compliment the current tenant mix.
- 6.8 Policy RET SP1 confirmed the hierarchy of town centres with Rustington considered to be a Local Service Centre. Within this a good range of shops is sought to serve the local population and a range of other services and facilities. The Rustington Neighbourhood Plan pre-dates the Local Plan but is a relevant consideration: the vision for Rustington includes that it should contain attractive shopping facilities to enable local businesses to compete with larger retailers.
- 6.9 The proposal is to add nail bar which is also considered to be a sui generis use. There are substantial similarities between nail bar and beauty salon, such that it is arguable that planning permission is not required to change from one to the other. Both involve members of the public having specific treatments, either by appointment or not. In practice the distinction is largely between treatments to the skin or to the nails, with very similar and benign impacts for the wider area. However, as both are sui generis uses the applicant has decided to seek specific planning permission to remove any potential uncertainty. Although not specifically referred to as a Main Town Centre Use within the NPPF the definition is not intended to include every potential town centre use anyway. It is considered to be self-evident that it is a use ideally suited within a town centre, and hence can be considered as a town centre use. It would complement the other uses and could form part of a wider visit to the town centre, as is possible now with the existing beauty salon use. Therefore, the introduction of nail bar to the floorspace would have a negligible impact on the town centre.
- 6.10 The NPPF seeks for planning decisions to have regard to the need to provide services which the community needs. The text within Policy RET SP1 states that Rustington should be a location for "...a range of other services and facilities" and this is considered to provide support for D1 uses. There is some interest from a potential hair loss clinic, which is considered to be a D1 use alongside other clinics, as well as a dental surgery. Both are low intensity use which lends itself to first floor space which would not appeal to all occupiers. The applicant is content to accept a condition which prevents the floorspace being used for other uses within the D1 use class, some of which can have a greater impact.



- 6.11 The loss of existing local shops is resisted by policy 5 of the Rustington Neighbourhood Plan. Policy RET DM1 of the Local Plan states the uses that will be acceptable within primary and secondary shopping frontages. This is primarily envisaged to be A1, which is included in the proposal. A2 uses are identified as being potentially acceptable but only where:
- this would not result in a concentration of non-retail uses to the detriment of the town centre;
 - provision is made for a window display; and
 - there is no detrimental impact on character or amenity due to odour, little or noise.
- 6.12 The third criterion is discussed in the section entitled *Neighbouring Amenity* below. The existing use is not A1 and so to have a different non-A1 use would not alter this, and hence why the proposal is considered to accord with this first criterion. There is also a distinction to be made between ground floor and first floor, with more flexibility in the use justified for the first floor than the ground. This also renders the provision of a window display not relevant in this instance. Notwithstanding these points there is a predominance of A1 uses in the remainder of the parade as well as opposite, and in no way could a concentration of non-A1 uses be considered to exist. Therefore, there is considered to be sufficient justification within planning policy to support the introduction of both A1 and A2.
- 6.13 The vision for Rustington contained in the Local Plan also refers to the need to “support and preserve existing employment land to improve employment opportunities”. B1 is proposed as part of the flexible uses. Policy 6 of the Neighbourhood Plan supports proposals to expand employment and business uses expect where this would impact negatively on flood risk, amenity, traffic, or landscape. Amenity and traffic are discussed below. Being above ground floor there is no impact on landscape or flood risk.
- 6.14 Policy EMP SP1 of the Local Plan promotes sustainable economic growth with a focus on town centres as a means to regeneration. This is supported by policy EMP D1 which similarly directs B1 to town centres. A range of unit sizes including for small and medium sized businesses is supported. The policy is more aimed at requiring smaller units as part of a larger redevelopment, but the aim is considered relevant to this proposal, and the space has the potential to be used by a small company.
- 6.15 Therefore, the addition of the uses discussed above is supported in planning policy.

Neighbouring amenity

- 6.16 The immediate area is predominantly commercial. There are some residential flats above the commercial units further along the parade to the west. However, they are some distance away from the site. Of most relevance is that the uses proposed are town centre uses and this is a location where they would all be expected.
- 6.17 The third criteria within policy RET D1 above cites odour, little and noise as considerations. These impacts, either individually or collectively, are generally associated with those uses which serve food such as cafes and restaurants (A3), but, especially hot food takeaways (A5), none of which are proposed. Any noise generated would be the same as most town centre uses and characteristic of the area. As noted above a condition could ensure that the space could not be used for some of the uses within the D1 use class which can generate greater impacts than dentist or hair loss clinic. In addition, there would be no food preparation to generate odour. Litter is generally generated where a product sold is consumed immediately (primarily food). This is not the case for any of the uses proposed



Highways and transportation

- 6.18 The uses would not be materially different in terms of the transport impacts. The site is in a sustainable location with access to bus routes along The Street. The 1D, 9, 12 and 700 bus routes serve a variety of destinations including Brighton, Worthing, Littlehampton, Arundel, Lancing and Shoreham by Sea. Therefore, the site can be accessed via public transport.
- 6.19 There is no dedicated cycle parking, but cycle racks are available to the front. There is extensive car and motorcycle parking to the front and rear. Access for servicing would remain unchanged with opportunities to the rear

Section 106 / Planning obligations and Community Infrastructure Levy (CIL)

- 6.20 There is not considered to be a need for a section 106 agreement considering the nature and scale of the proposal, and there is no liability for CIL.

7.0 SUMMARY

- 7.1 The proposed change of use is considered to accord with the policies within the Local Plan and the Neighbourhood Plan on town centres and commercial uses. The proposal would maximise the opportunities for the unit to be re-let when the current tenant vacates.
- 7.2 There would be no detrimental impact on neighbours, given that the immediate vicinity is characterised by commercial uses. There are also several opportunities to access the site by bicycle, car, or public transport.
- 7.3 Overall, the proposal is considered to represent sustainable development.