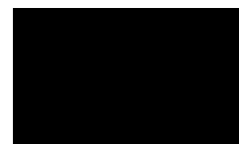




6 New Bridge Street
London EC4V 6AB



**PROPOSED CHANGE OF USE FROM CLASS
A1 (RETAIL) TO CLASS A1 (RETAIL)/ A3
(RESTAURANT AND CAFÉ)
PLANNING STATEMENT**

**130 THE STREET, RUSTINGTON,
LITTLEHAMPTON, BN16 3DA**

Date: August 2018

Ref: 13231



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August 2018
Ref: 13231



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APPENDICES

APPENDIX 1: RUSTINGTON TOWN CENTRE HEALTH CHECK

Revision	Description	Originated	Checked	Reviewed	Authorised	Date
Final	Planning Statement	AOL	SP	SP	SP	15/08/18

DWD Job Number: 13231

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Dalton Warner Davis LLP ('DWD') on behalf of Store Property Investments Ltd ('the Applicant'), in support of an application for planning permission to change the use of the unit at No. 130 The Street, Rustington ('the Site').
- 1.2 The application relates to the proposed change of use of the existing unit from solely Class A1 (retail) use to a Class A1 (retail)/ Class A3 (restaurant and café) use. Although the proposals would meet the conditions for permitted development rights conveyed by Schedule 2: Part 3: Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the applicant is seeking full planning permission for the proposed change of use. This would allow the Applicant to market the Site to a wider range of potential occupiers and better ensure its continued active use in the town centre.
- 1.3 The full description of the planning application is:
- "Change of use from Class A1 (retail) to Class A1 (retail)/ Class A3 (restaurant and café) use."*
- 1.4 This Planning Statement outlines the need for extending the uses of the unit and indicates how the proposals would help secure the continued occupation of the unit, and assist in ensuring the vitality and viability of the Town centre. The Statement demonstrates that an extension of the potential uses on the site represents an appropriate scheme in light of sustainable development and associated retail considerations.
- 1.5 The proposals are consistent with National Planning Policy and Development Plan policies that support sustainable development and, in particular, the protection and enhancement of the vitality and viability of town centres.
- 1.6 This application is supported by a Town Centre Health Check (attached at Appendix 1 to this report), prepared by DWD, that should be read in conjunction with this Planning Statement.
- 1.7 In addition to the above, the following detailed architectural drawings have been prepared by Simpson Hilder Associated Ltd, and are submitted with the applications to illustrate the proposed scheme:

Table 1.1 – Application Drawings

DRAWING NO.	DRAWING TITLE
6566.106	Location, Block, Site Plan
6566.107	Existing Plans
6566.108	Proposed Plans
6566.109	Plans for Change of Use

1.8 The remainder of this Statement is set out as follows:

- Section 2 describes the site and the surrounding area and summarises the relevant planning history;
- Section 3 sets out the proposals for the site that are the subject of this planning application;
- Section 4 assesses the proposed development against relevant national and local planning policies and other material considerations; and,
- Section 5 provides our overall conclusions on the planning merits of the proposals.

2.0 SITE LOCATION, DESCRIPTION AND HISTORY

Site Location and Description

- 2.1 The application site comprises No. 130 The Street, Rustington, a single storey unit within a shopping parade towards the middle of Rustington Town centre, covering an area of approximately 0.01 hectares. The unit has a gross internal area of 123.1sqm and incorporates a sales floor area with changing rooms, a staff kitchen and office area.

Figures 2.1 and 2.2: The Site – Photographs Taken on Site Visit on 4th July 2018



- 2.2 The shopfront is predominantly glazed, with a recessed double door on the western side of the unit, adjacent to a window display area. The fascia sign has been removed since the unit became vacant.
- 2.3 The building is not listed, and the Site is not within a designated conservation area. It is within Flood Zone 1 and is therefore in an area with a low probability of flooding. The Site is located within the Principal Shopping Area and the Primary Retail Frontage of Rustington Town centre.
- 2.4 In terms of accessibility to local residents, the majority of Rustington's built up area falls within 2km of the Site, which has long been accepted as a reasonable walking distance to access shops and services.
- 2.5 The Site was previously occupied by 'Kadi's Boutique', an independent clothing and millinery store. It appears to have previously operated as an ironmongers and cook shop (see Figures 2.3-2.5 below). The unit is served by a loading and bin storage area to the north of the Site accessed from Ash Lane to the east.

Figure 2.3: The Site in April 2009 (Google Maps)



Figure 2.4: The Site in June 2012 (Google Maps)



Figure 2.5: The Site in August 2016 (Google Maps)



- 2.6 Car and motorcycle parking provision is located in Churchill Parade Car Park to the north west of the Site (which allows 3 hours free parking), and on-street parking spaces to the south between Churchill Parade and The Street. This area also includes provision for cycle and motorcycle parking.
- 2.7 The Site fronts Churchill Parade, which runs parallel to The Street (B2140), and is bound on all 2.7sides by other town centre uses. The 'Health Check' at Appendix 1 provides additional details on the range of town centre uses accommodated in Rustington Town centre.
- 2.8 Bus stops to the west of the Site (approximately 140m and 160m away) provide links to 2.8Littlehampton, Angmering, Worthing, Lancing, Shoreham-by-Sea, Brighton, Bognor Regis and

London Victoria Bus Station. The Site is 1.9km walk from Angmering train station, which lies to the north east of the Site, and provides links to Littlehampton, Brighton, London Victoria and Southampton.

Planning History

- 2.9 The shopping parade in which the Site is located would appear to date from the 1950s/ 1960s. There have been no previous applications to change the use of the Site, and it is assumed to have been in continuous retail use. Table 2.1 below lists the most recent applications relating to the Site.

Table 2.1 – Planning History

APPLICATION REFERENCE	DESCRIPTION	DECISION	DECISION DATE
R/244/84	Remove temporary storage area and replace with permanent brick store	Approved	31/10/1984
R/183/90	Install new bronze anodised aluminium shopfront	Approved	02/01/1991
R/153/09/A	Advertisement consent for 1x internally illuminated fascia sign	Approved	06/10/2009
R/186/17/A	Advertisement consent for 1 no. internally illuminated fascia sign on front elevation.	Approved	05/10/2017



3.0 PROPOSED DEVELOPMENT AND KEY PLANNING CONSIDERATIONS

The Need for the Proposed Change of Use

- 3.1 The Site would appear to have been in retail use since its construction in the mid-20th century, but has been vacant since the end of March 2018. The Applicant wishes to take advantage of this opportunity to maximise the Site's marketability by being in a position to offer a lease of the property to a wider range of prospective retail and restaurant/ café operators.
- 3.2 Accordingly, planning permission is sought to extend the range of uses approved for the premises by including Class A3 (food and drink) as well as Class A1 (retail).
- 3.3 No external or internal alterations are proposed as part of the current application, as it is expected that future occupiers would apply separately for any necessary amendments to suit their operational requirements.

Principle of Development

- 3.4 The Site is located within the principal shopping area of Rustington Town centre and is also within the primary shopping frontage. These designated areas are considered suitable in planning policy terms for food and drink premises (Use Class A3), subject to certain conditions being met (see Section 4.0 below).
- 3.5 In addition, it should be noted that the proposed change of use is supported at the national level by virtue of the permitted development rights conveyed by Schedule 2: Part 3: Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Town Centre Vitality and Viability

- 3.6 As required by Arun District Council's Local Validation Requirements List, an assessment of the proposal in terms of potential impact on the retail function of the Town centre has been undertaken, and the associated 'Health Check' report (attached at Appendix 1) is submitted in support of the current planning application.
- 3.7 The report concludes that Rustington provides a diverse range of town centre uses, to which additional Class A3 uses could be added without prejudicing the function of the Town centre.

Parking, Access and Accessibility

- 3.8 The Site benefits from proximity to car parking provision that serves the Town centre as a whole. Car and motorcycle parking spaces are located in the Churchill Parade private car park approximately 88m to the north-west of the Site, which allows 3 hours free parking before

charges are applied. Additional on-street parking provision for cars, cycles and motorcycles is located on Churchill Parade to the south of the unit.

4.0 PLANNING POLICY CONSIDERATIONS

- 4.1 This section sets out the national and local planning policies relevant to the proposals that seek to achieve sustainable development, ensure the vitality of town centres, and promote safe and sustainable transport.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of determining planning applications, then determination must be made in accordance with the development plan, unless material considerations indicate otherwise.
- 4.3 The statutory development plan for the area for the purposes of this planning application comprises the Arun Local Plan (July 2018). Material considerations of relevance to the application include the updated National Planning Policy Framework (NPPF) published on 24th July 2018.

Achieving Sustainable Development

National Planning Policy Framework

- 4.4 The NPPF sets out the Government's planning policies for England and how they should be applied. It specifies that the purpose of the planning system is contribute to the achievement of sustainable development through 3 overarching objectives, which should be delivered through the preparation and implementation of plans and the application of the NPPF policies:
- An economic objective – to ensure a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places to support growth, innovation and improved productivity;
 - A social objective – to support strong, vibrant and healthy communities by enabling accessible services that reflect the community's needs; and,
 - An environmental objective – making effective use of land and contributing to protecting and enhancing the natural, built and historic environment (paragraph 8).
- 4.5 At the heart of the NPPF is a presumption in favour of sustainable development, which should be applied by approving development proposals that accord with an up-to-date development plan without delay (paragraph 11c).
- 4.6 Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless there is a clear reason for refusing the proposal (based on NPPF policies that protect areas or assets of

particular importance), or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole (paragraph 11d).

Arun Local Plan (July 2018)

- 4.7 Policy SD SP1 states that the Council will take a positive approach to considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF. It will work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions of the District.

Policy Compliance

- 4.8 National and local policy makes a clear link between economic development in town centres and the achievement of sustainable development. The application Site is located within Rustington Town centre, where a range of town centre uses are considered to be suitable. The proposed extension of the uses that could be accommodated within the unit represents a more efficient use of the existing building. Additionally, the Site benefits from an accessible location where sustainable development can be delivered.
- 4.9 Sustainable development is achieved through the collaboration of a number of key requirements. As such, compliance with the above over-arching policies requiring sustainable development is set out below.

Ensuring the Vitality of Town Centres

National Planning Policy Framework

- 4.10 Paragraph 85 of the NPPF advises that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Local authorities should:
- Promote the long-term vitality and viability of their defined town centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses and reflects their distinctive characters; and,
 - Allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed.

Arun Local Plan (July 2018)

- 4.11 Policies Map 4 (Littlehampton and Surrounding Area) confirms that the site is located within the Rustington Town centre Boundary and within the Primary Retail Frontage.



- 4.12 Policy RET SP1 identifies Rustington as a 'Local Service Centre' that provides a good range of shops serving the local population, together with a range of other services and facilities. The policy advises that the Council will welcome development and initiatives that add diversity to the centre to aid economic resilience and vitality.
- 4.13 The Council's intention to maintain the existing hierarchy of retail centres within the District is set out in Policy RET DM1, which also advises that development proposals that accord with this objective will be permitted, provided that criteria relating to design standards, accessibility by public transport, equal access and crime prevention measures are met. The Policy requires applications for A3 Uses to be accompanied by details of the provisions for the extraction of fumes and cooking odours and the provision of areas for the collection of waste.
- 4.14 Policy RET DM1 also states that proposals for Use Class A1 (retail) will be permitted along the primary shopping frontages, as defined on the Policies Map. Proposals for food and drink premises (Use Class A3) will be permitted provided that:
- The proposal would not create a concentration of non-retail uses to the detriment of the vitality of the town centre;
 - Provision is made for a window display, appropriate to a shop front, which is in keeping with the character of the shopping area; and,
 - There is no detrimental effect on the character or amenities of the area through smell, litter or noise.
- 4.15 In addition, the Council will require evidence that retail units have not been made deliberately unviable, that marketing has been actively conducted for a reasonable period of time and that alternative retail uses have been fully explored.

Policy Compliance

- 4.16 The Site is located within the defined town centre boundary and the principal shopping frontage, where retail and restaurant/ café uses are considered to be suitable in planning policy terms.
- 4.17 The proposals do not seek to replace the existing Class A1 use of the Site, but intend to maximise the opportunity to secure ongoing occupation of the existing unit, and reduce the risk of long term vacancy. The site has been vacant since the end of March 2018 and expressions of interest in response to the marketing activity undertaken have principally been from Class A3 operators.
- 4.18 As shown in the accompanying 'Health Check' report, Rustington already contains a diverse range of retail, service and leisure, and is not deficient in convenience or comparison retail provision.

The potential for a wider range of operators to occupy the unit would help to ensure that Rustington remains a 'healthy', competitive, and vibrant town centre, with a wide variety of retail, service and leisure offers for the local community.

4.19 The Arun Retail Study Update (2016) identifies a surplus of convenience and comparison goods floorspace in Rustington over the plan period, which further justifies the position that provision of flexibility in the use of the Site would not have a detrimental effect on the town centre.

4.20 Therefore, in light of the above, it has been demonstrated that the flexibility to lease the Site to a retail or restaurant/ café operator would not jeopardise the function of the town centre, but would further enhance its economic resilience and vitality. Accordingly, the proposed change of use is considered to comply with national and local policy seeking to ensure the vitality of town centres.

Promoting Healthy and Safe Communities

National Planning Policy Framework

4.21 In the interests of providing the facilities and services the community needs, the NPPF requires local authorities to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities (paragraph 92a). The loss of valued facilities and services should be guarded against, particularly where this would reduce the community's ability to meet its day-to-day needs (paragraph 92c). Councils should ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community (paragraph 92d).

Arun Local Plan (July 2018)

4.22 Policy HWB SP1 requires new leisure facilities to be located along public transport corridors that are easily accessible to members of the wider community.

Policy Compliance

4.23 The proposed expansion of the uses that could be accommodated within the Site would ensure that the local community has access to a range of services, and would guard against the risk of long term vacancy due to limited options for marketing the site to prospective tenants.

4.24 As discussed above, the requested change of use would assist the resilience of the town centre and allow it to adapt to changing market factors in a sustainable way, to the benefit of Rustington's residents.

4.25 The Site is located close to public transport facilities and is accessible by a range of transport modes. As set out in Section 2.0 above, the Site would be within a reasonable walking distance for the majority of residents in the built up area of Rustington.

4.26 Therefore, the proposed change of use would comply with national and local planning policies seeking to promote healthy and safe communities.

Promoting Sustainable Transport

National Planning Policy Framework

4.27 Paragraph 102 requires developments identify and pursue opportunities to promote walking, cycling and public transport use. In addition, local planning authorities should support an appropriate mix of uses across an area to minimise the number and length of journeys needed for shopping, leisure and other activities (paragraph 104a).

Arun Local Plan (July 2018)

4.28 Policy T SP1 states that Council will support proposals that explain how the development has been designed to:

- Accommodate the efficient delivery of goods and supplies; and,
- Give priority to pedestrian and cycle movements and have access to high quality public transport facilities.

4.29 Policy T DM1 requires development proposals to be located within easy access to established public transport service(s), and existing pedestrian and cycle networks that link the site with key destinations.

Policy Compliance

4.30 As discussed in Section 2.0 above, the site is accessible by a range of sustainable transport options. It is well served by public transport services from the bus stops on The Street and the nearby railway station at Angmering, all of which provide links to a range of local and further afield destinations.

4.31 The site is within a reasonable walking distance from the majority of Rustington's built up area and is therefore easily accessible for pedestrians. Cycle parking provision is available to the south of the site between Churchill Parade and The Street.

4.32 The 'Health Check' submitted in support of the current application specifies that Rustington is an easily navigable, well sign-posted town centre, in which visitors are clearly directed to local

destinations. The centre is also pedestrian-friendly with wide and even pavements set back from the main road.

- 4.33 In light of the above, the proposal is considered to comply with national and local policies that seek to promote sustainable transport accessibility.

5.0 CONCLUSION

- 5.1 The Site at No. 130 The Street, Rustington, comprises a vacant, single storey unit within a shopping parade towards to the middle of Rustington Town Centre. The site was most recently in use as clothing boutique in Class A1 (retail) use. The unit has been vacant since March 2018 and is currently being marketed by the Applicant.
- 5.2 The proposals, the subject of this planning application, are a direct response to the need to secure planning approval that would help ensure the ongoing, active use of the Site. The proposed change of use is supported at the national level by virtue of the permitted development rights conveyed by Schedule 2: Part 3: Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 5.3 It is intended to maximise the opportunities for leasing the Site by seeking approval to change the approved use from Class A1 (retail) to Class A1 (retail)/ Class A3 (restaurant/ café). The proposals do not involve any physical alterations to the unit.
- 5.4 The proposals represent an opportunity to make a small but valuable contribution to ensuring the continued vitality and viability of Rustington Town Centre.
- 5.5 All key planning considerations have been taken into account in the preparation of the change of use proposals, which comply with national and local Development Plan policies.
- 5.6 In short, these proposals represent the sustainable change of use of the Site, securing additional opportunities to ensure its continued use in a suitable, appropriate and efficient manner to provide town centre uses for the benefit of Rustington.
- 5.7 In summary, the proposals represent sustainable development that warrants support from the Local Planning Authority.



APPENDIX 1: RUSTINGTON TOWN CENTRE HEALTH CHECK



6 New Bridge Street
London EC4V 6AB

T: 020 7489 0213

F: 020 7248 4743

E: info@dwdllp.com

W: dwdllp.com

Rustington Health Check

Date/Time of Site Visit: **4 July 2018/13:30 pm – 15.00 pm**

Weather Conditions: **Sunny and Dry**

A) Role of Position in Hierarchy

1. Arun District Council allocates Rustington as a District Centre and Principle Shopping Area in the Arun District Local Plan (2003).
2. The application site is located within Rustington town centre.
3. Rustington provides the following:
 - a. Shopping – The centre is well-served by comparison retailers particularly small independent traders and a range of charity shops. There are also a number of convenience retailers with several multiple national traders including Waitrose and Iceland.
 - b. Services – The town centre provides a good range of services including high street banks, estate agents, hairdressers and beauty salons.
 - c. Entertainment – There is a good range of facilities including various cafes, pubs and restaurants.

B) Diversity of Uses

4. DWD has prepared a Town Centre Health Check of the Rustington Town Centre Shopping Area. The study separates the diversity of uses in the centre into comparison retail, convenience retail, service retail and vacant units.
5. Rustington retail offer is summarised below and compared with the past results of the Borough Council's Study and the national average.

Type of Unit	Number of Units in July 2018	Number of Units in July 2018 (%)	UK Average in March ~~June~~ 2017 (%)	Past Number of Units in ~~2009~~ March 2017 (%)	Past Number of Units in ~~2009~~ March 2017 (%)
Comparison	41	35.04	~~38.30~~ 39.03	40.42	~~36.04~~ 35.00
Convenience	9	7.69	~~9.71~~ 9.41	13.14	~~11.71~~ 11.67
Service	61	52.14	~~38.58~~ 38.37	48.54	~~43.24~~ 45.00
Vacant	6	5.13	~~8.85~~ 12.10	10.10	~~9.01~~ 8.33
Total Units	117	100	100	111	100

6. The diversity of uses in Rustington slightly differs to that of the UK average. The percentage total of service units is higher than the UK average while the percentage of convenience and comparison units is lower than the UK average.
7. Since ~~March 2017~~ 2009, the vacancy rate in Rustington has decreased ~~from 9.01% to~~ -5.13% and is 7% below the UK average.
8. There is a mix of independent and chain retail stores across the town centre. The national retailers including Waitrose and Boots are largely located towards the eastern end of The Street and the independent retailers are located towards the northern end of The Street.
9. Rustington features a range of services which serve local residents, as well as several entertainment facilities including Establo Lounge (café/bar), The Lamb Inn (Public House) and The Lemongrass (Thai Restaurant) which moved from 1 Churchill Parade to larger premises at 50 The Street.

D) Vacant Units

10. There were 5 vacant units in the town centre on the survey date however one of the units located at 137 The Street was under construction and has planning approval for the change of use from shop (Use Class A1) to restaurant/café (Use Class A3) with elevational alterations and outside seating (Ref. R/78/17/PL). The remaining 4 units were dispersed across Rustington and show no particular pattern.

E) Accessibility and Movement

Car Parking

11. Rustington has ample off-street parking within the town centre including one large off-street car park to the north of The Street and a secondary car park to the east which serves the Waitrose store. There is additional off-street parking along The Street, Sea Lane and Ash Lane and positioned in front of a parade of units on these roads.

Public Transport

12. Rustington has excellent public transport. Bus routes run through the town centre and connect Rustington to various nearby settlements including Brighton, Shoreham-by-Sea and Littlehampton.
13. In addition, Angmering train station is located approximately 1.6 km north-east of the town centre and provides links to locations further afield including London Victoria, Southampton Central and Portsmouth Harbour.
14. There are no cycle lanes in the town centre however there is cycle parking provided along The Street and in front of the Waitrose Store on Broadmark Lane.

Traffic Congestion and Accessibility

15. There was minimal congestion in the town centre and the signage provision for motorists and cyclists was good and provided straightforward navigability around the town centre to a range of facilities.

Pedestrian Access and Movement

16. DWD experienced an easily navigable town centre which was well sign-posted, directing visitors to local destinations. The centre was also pedestrian-friendly with wide and even pavements set back from the main road and was accessible for wheelchair users and pushchairs.
17. Footfall was high along The Street and at the confluence of The Street and Broadmark Lane. Footfall was lower towards the western end of The Street and along Sea Lane.

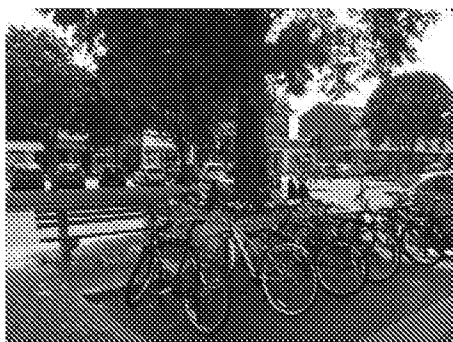
Perceptions of Safety and Occurrence of Crime

18. DWD felt the centre was generally safe. There was evidence of CCTV cameras in the centre and there were no signs of anti-social behaviour.
19. Rustington town centre was too small to be included as an area in its own right on UKCrimeStates.com. Therefore, the data has been taken from the neighbourhood area of Rustington which includes the centre and the wider area.

20. In May 2018, 63 crimes were reported in this area. This was the same number of crimes reported in the area in May 2017. The lowest crime rate in the past year was in November 2017 when 51 crimes were reported.

F) Environmental Quality

21. The environmental quality of the town centre was found to be mixed but generally good. There were some units that were visibly run-down however the majority of buildings were of a high quality in their upkeep and maintenance. There was minimal evidence of vandalism and graffiti within the centre and the main retail hub along The Street was particularly attractive with wide pavements set back from the road, street trees and areas of attractive green planting.
22. Rustington town centre provides outdoor seating for visitors along The Street and outside the Waitrose store. Sufficient street lighting is also provided throughout the centre and signs of litter were low due to the abundance of bins available. There were several notice boards in the centre which were used to advertise local events such as the Rustington Street Fayre and Summer Concert.



Attractive landscaping and street furniture on The Street



Community Notice Board

G) Summary

Strengths

- The centre has good transport links and has ample car parking
- The centre provides a range of comparison, convenience and service retail uses for visitors
- The centre is visually attractive with green landscaped areas
- The centre has a low crime rate

Weaknesses

- There are no cycle lanes in the centre

Opportunities

- The town centre has vacant floor space available to support smaller town centre occupiers

Threats

- The redevelopment of units in the centre could attract more multiple retailers which could detract from the smaller independent retailers