



Store Property Investments Ltd

5C Churchill Court, Rustington

Planning Statement

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Planning Statement

1.0 Introduction

1.1 Background

1.1.1 This Planning Statement has been prepared by WYG Planning & Environment on behalf of Store Property Investments Ltd. in support of a retrospective full planning application for a change of use at 5C Churchill Court, Rustington, BN16 3DA.

1.1.2 The planning application comprises proposals for the change of use of the existing building from assembly and leisure use (Use Class D2) to retail use (Use Class A1).

1.2 Consideration of the Application

1.2.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, this statement considers the acceptability of the proposed development against policies within the adopted Development Plan for the area, and addresses any other material considerations raised by national policy guidance, emerging planning policy documents and site-specific matters.

1.2.2 This statement examines the suitability of the proposal having regard to prevailing planning and town centre policy.

1.2.3 The remainder of this statement is structured as follows:

- ✧ Section 2 describes the application site, its planning history, and its surrounding;
- ✧ Section 3 describes the proposed development;
- ✧ Section 4 describes the planning policy context;
- ✧ Section 5 assesses the planning merits of the development against the relevant national and local policies;
- ✧ Section 6 sets out the conclusions to the statement.



2.0 Site Description

2.1 The Application Site

- 2.1.1 The application site is located towards the southern end of Ash Lane within the Principal Shopping Area of Rustington Town Centre.
- 2.1.2 The building is currently in use as a photographic portrait studio (Use Class A1) although the building has permission for Use Class D2 and previously operated as a gym.
- 2.1.3 The unit sits within a modern parade of purpose built shops.
- 2.1.4 The use of the unit as a former gym resulted in the shopfront being obscured and therefore an active frontage was not promoted. Further, it has been noted that the gym caused excessive noise interference for the offices above and adjacent retailers.
- 2.1.5 The gym operated between 8am-2pm and 4pm-7pm Mondays-Thursdays, 8am-2pm and 4pm-6.30pm on Fridays and 9am-12pm on Saturdays. This therefore provided an inconsistent service to visitors of the town centre, and the current use allows this to be regulated to more consistent opening hours.
- 2.1.6 The site is highly accessible in relation to Rustington Town Centre and the range of services it offers. The site is close to a number of car parks, and is also easily accessible by local public transport.

2.2 Planning History

- 2.2.1 Having undertaken a desktop review of the Council's online planning records, there have been recent planning applications at the site.
- 2.2.2 The application permitting the use of the ground floor unit as a gym was permitted on 10th December 1999 under application ref. R/205/99. There were no onerous conditions attached to this permission.



2.3 Site Surroundings

- 2.3.1 The wider area surrounding the site is varied in terms of land use. The site is located within Churchill Court which is a courtyard comprising several shops and services. The site is bounded by retail units which link the site to the rest of the town centre.
- 2.3.2 To the south of the application site is The Street which is the main retail thoroughfare of the town. The Street is an attractive tree-lined boulevard with stores such as Superdrug, Holland and Barratt and Costa Coffee among its tenants.
- 2.3.3 Churchill Court itself provides a number of shops and services including a café, solicitor, a chiropractor, home shop and hairdressers.
- 2.3.4 Car parking is provided across the town through a number of managed car parks, one of which is positioned behind the application site on Ash Lane, and another behind the office block to the south of the site. Car parking is also provided outside the retail units along the length of The Street.



3.0 The Proposed Change of Use

- 3.1.1 The application proposes a change of use from the current Use Class D2 (Assembly and Leisure) to Use Class A1 (shops) within the Principal Shopping Area of Rustington Town Centre.
- 3.1.2 The new unit operates as existing in terms of parking and access. Free town centre parking accommodates the visitor parking for the unit.
- 3.1.3 The unit operates as a portrait studio which is open to the public. A variety of products are on offer - from portraits to a range of gifts which will be sold at the front of the shop.
- 3.1.4 The use of the unit as a photographic studio is more suited to a Town Centre rather than a gym. The unit has been designed to achieve an active frontage and is open throughout the day, rather than at staggered times as per the previous use. The shop provides an additional service that is not currently available in the town centre.
- 3.1.5 The internal layout is slightly amended to accommodate retail sales floorspace and photographic studio. The proposed use will result in less impact to surrounding uses in terms of noise. It is important to note that the unit is currently operating as a Photographic Studio and has not received any complaints from nearby tenants or members of the public.
- 3.1.6 Retail is a suitable use for the existing unit in this location and will contribute to the vitality and viability of Rustington Town Centre.



4.0 Planning Policy Context

4.1 National Policy – The National Planning Policy Framework

- 4.1.1 The National Planning Policy Framework (NPPF) was published by the DCLG on 27 March 2012. The intention of the document is to simplify and streamline the planning process to facilitate an increased growth in sustainable development. The document sets out the Government's overriding planning policies and a framework on which Councils should produce their Local Plans.
- 4.1.2 The document states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- ✧ Making it easier for jobs to be created in cities, towns and villages;
 - ✧ Replacing poor design with better design;
 - ✧ Improving the conditions in which people live, work, travel and take leisure.
- 4.1.3 Paragraph 23 of the NPPF states that planning policies should be positive and promote positive town centre environments in addition to promoting competitive town centres that provide customer choice and a diverse retail offer, and which reflect the individuality of town centres.



4.2 Local Policy – The Statutory Development Plan

- 4.2.1 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that where proposals accord with the development plan, applications should be approved without delay.
- 4.2.2 The Development Plan for Arun District Council comprises the saved policies from the Arun District Local Plan (April 2003).
- 4.2.3 It is considered that all of the relevant saved local policies are compliant with the NPPF, and these will therefore be used as the starting point of decision making for this application.

Relevant Policies

- 4.2.4 The relevant policies to this application are full considered in section 5. In summary, the following saved policies of the 2003 Arun Local Plan are considered relevant to the application:
- ✧ GEN7 – The Form of New Development;
 - ✧ GEN12 – Parking in New Development;
 - ✧ AREA19 – Primary Shopping Frontages;
 - ✧ DEV26 – Criteria for Retail Development; and
 - ✧ DEV27 – Retail Development Outside the Principal Shopping Area.

Emerging Planning Policy

- 4.2.5 Arun District Council is currently working on its new Local Plan, which is currently in its very early stages. The Council consulted on the draft version between July – September 2012 and received a large number of representations.
- 4.2.6 Due to the response rate, timescales on the next phase of consultation have now slipped and there is currently no revised timetable. The timetable is dependent upon a number of factors, including the evaluation of the Strategic Housing Market Assessment (SHMA).
- 4.2.7 The document follows the tone of the NPPF and contains a presumption in favour of sustainable development.



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- 4.2.8 The document seeks to maintain Rustington's role as a centre providing a good range of shops serving the local population, together with a range of other services and facilities. The document states that the Council will welcome development and initiatives which add to the diversity of the centre to aid economic resilience and vitality.
- 4.2.9 The document is still a number of steps away from being presented in front of an examiner to consider whether or not the policies are sound, effective and justified.
- 4.2.10 It is on this basis that the policies in the new Local Plan can be given very limited weight, and will not be considered in this statement. In any event, it is considered that the application proposals are consistent with the aspirations of emerging policy.



5.0 Assessment of Development

- 5.1.1 The proposed development has been assessed in the context of national and local planning policy, which provide support for the principle of the scheme.

Town Centre Policy

- 5.1.2 The NPPF continues to promote the Government's main aim of promoting the vitality of town centres, and states that Local Planning Authorities should promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres. The Arun Local Plan echoes this sentiment, with Policy DEV26 seeking to maintain the existing hierarchy of retail centres within Arun.
- 5.1.3 Further, Policy DEV27 states that proposals outside the Principal Shopping Areas for both food and non-food retail will be permitted provided that the proposal does not adversely affect the vitality and viability of the principal shopping areas and local shopping areas.
- 5.1.4 In light of this, given that the proposed development is situated within the Principal Shopping Area for Rustington Town Centre, it is therefore an appropriate location for a Class A1 retail unit which will enhance the vitality and viability of the town centre.
- 5.1.5 Whilst the unit is not within the allocated Primary Shopping Frontage for the town, it is located in a position that is highly accessible from it, and is in a sustainable location in terms of proximity to existing car parks, and the rest of the town centre.
- 5.1.6 In line with Policy AREA19, the unit provides a shop front along the parade. No physical alterations to the unit have been made and it is therefore in character with the surrounding units.
- 5.1.7 Owing to the size of the unit and the fact that the unit will be positioned within the allocated Principal Shopping Area of Rustington in very close proximity to the Primary Shopping Area, and in accordance with Paragraph 26 of the NPPF, both a sequential assessment and retail impact assessment are not necessary.



Transport/Parking

- 5.1.8 This proposal also meets national and local requirements for sustainable transport as the development is in a highly sustainable location within the Principal Shopping Area of Rustington town centre. The site is well-served by public transport and the town offers a number of car parking spaces. It is envisaged that the unit will not generate a significant increase in trips to the town centre. It is therefore considered that the use of the unit as a Class A1 retail unit conforms with Policy GEN12 of the Arun Local Plan.

Design

- 5.1.9 In term of design, both the NPPF and the Arun Local Plan (Policy GEN7) place great important on good design. Given that the proposed scheme does not differ from the existing building in terms of design and layout this will have no effect on the surrounding streetscape.



6.0 Conclusions

- 6.1.1 It is clear that the application site is suitable for the proposed development, which enhances the vitality and viability of Rustington Town Centre. The site is suitable in retail policy context, as it is located within the Principal Shopping Area of the town.
- 6.1.2 The development is situated in a highly sustainable location in terms of transport, and fits seamlessly into the towns current retail offer. The development will not see a significant increase in trips to the centre over and above the previous use, and it is envisaged that most visitors will utilise the public car parks around the town to combine trips to various shops across the town centre.
- 6.1.3 In terms of lighting and noise, the proposed development will not cause any significant impact to the surrounding uses, and offers a more amenable use to that of the previous gym.
- 6.1.4 It has been demonstrated that the proposed development accords with the provisions of the adopted development plan and with the policies contained within the NPPF and is sustainable in economic, social and environmental terms, and should accordingly be granted planning permission without delay in line with NPPF paragraph 15.

