

[REDACTED]

From: Richard Castro-Parker
Sent: 06 December 2018 12:09
To: Planning.Responses
Subject: FW: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Hi,

Please could this email be added to application Ref: R/212/18/PL - 12 Churchill Parade, Rustington. It is from the agent agreeing to a change in the application description.

Thank you

Richard Castro-Parker

From: Aarti O'Leary [REDACTED]
Sent: 05 December 2018 12:31
To: Richard Castro-Parker
Cc: Juan Baeza
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Richard

Thank you for your email.

In light of this position, please could we remove the proposed D2 use from the description of the development and retain the Class A1/ Class A3 use only.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



Chartered Surveyors & Town Planners
6 New Bridge Street
London
EC4V 6AB

[REDACTED]
www.dwdllp.com
Linked The LinkedIn logo, which consists of a square icon with a stylized 'in' inside.

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From: Richard Castro-Parker [mailto:Richard.Castro-Parker@arun.gov.uk]
Sent: 05 December 2018 12:25
To: Aarti O'Leary
Cc: Juan Baeza
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Aarti,

Following a reassessment of the Arun local Plan Policies I note that Policy RET DM1 –Retail development only states that:

Town Centres uses within primary and secondary shopping frontages

Along the primary or secondary shopping frontages, as defined on the Policies Map, proposals for retail (Use Class A1) will be permitted. Proposals for financial and professional services (Use Class A2) uses and food and drink premises (Use Class A3) will be permitted provided that.....

The above policy does not mention D2 within the Primary and secondary shopping frontages. The proposed unit is within the Primary retail frontage as shown on the relevant local plan map:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12921.pdf&ver=13061>

Therefore I read this as any D2 would not be permitted. I apologise for not coming to this conclusion sooner.

Richard Castro-Parker
Senior Planning Officer (contract)
Arun District Council.

From: Aarti O'Leary [redacted]
Sent: 05 December 2018 11:45
To: Richard Castro-Parker
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Richard

Thank you for your email.

In terms of opening hours, we would be content for the opening hours suggested in the Environmental Health Officer's email dated 17th October 2018 to be included in a condition.

I have taken a look at the decision notice for consent ref: P/82/12/PL and note condition 4 which imposes a specific use restriction.

However, the proposal for 12 Churchill Parade is not limited to one use, so a similar condition may not be appropriate as it would preclude the Class A1 and Class A3 use options.

We look forward to receiving the draft conditions in due course.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



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From: Richard Castro-Parker [mailto:Richard.Castro-Parker@arun.gov.uk]
Sent: 05 December 2018 11:14
To: Aarti O'Leary
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Aarti,

I will forward you any conditions prior to issuing a decision.

One such condition, is likely to be an hours of opening restriction. Therefore if you have a particular client in mind it would be best if preferred hours of opening can be assessed if possible. Otherwise suggested hours of opening may be imposed.

Previously granted application P/82/18/PL is for a yoga studio and has conditions that I may also wish to impose (subject to specific details such as hours of opening)

I will let you know asap whether an Officer recommendation to approve can be made once I have checked all relevant Planning Policies.

Thank you

Richard Castro-Parker
Senior Planning Officer (contract)
Arun District Council

From: Aarti O'Leary
Sent: 05 December 2018 11:00
To: Richard Castro-Parker
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Richard

Thank you for your email.

The applicant has confirmed they are content for the description of development to amended as per your email.

We would be grateful if you could circulate a copy of the Environmental Health Officer's consultation response once it has been received.

Also, to avoid repeating the situation with the application at 130 The Street, please could you circulate a copy of the proposed conditions so that these can be reviewed and agreed with the applicant in advance of the application being determined.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



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From: Richard Castro-Parker [mailto:Richard.Castro-Parker@arun.gov.uk]
Sent: 05 December 2018 10:37
To: Aarti O'Leary
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Aarti,

Following discussions with the Area Manager I can confirm that the change of description to read:

Change of use from Class A1 (retail) to Class A1 (retail), Class A3 (restaurant and café) and Class D2 (yoga studio)

The above description change is acceptable and no re-consultation will have to be carried out (new site notices). I will however have to re-consult the council's Environmental Health Officer.

Can you confirm that this is ok? Once agreed I will ensure that the description is changed and Environmental Health are re-consulted.

Yours sincerely

Richard Castro-Parker
Senior Planning Officer (contract)
Arun District Council

From: Aarti O'Leary [redacted]
Sent: 04 December 2018 16:42
To: Richard Castro-Parker
Cc: Juan Baeza; Serena Page
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Richard

Thank you for your email.

Apologies for any confusion, but the suggestion under Option 2 is to amend the description of development of the current application to read:

"Change of use from A1 (retail) to Class A1 (retail)/ Class A3 (restaurant and café)/ Class D2 (yoga studio)"

This would reflect the approach taken with application ref: R/221/12.

Please could you confirm whether you could approve the current application with the revised description of development.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



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From: Richard Castro-Parker [mailto:Richard.Castro-Parker@arun.gov.uk]
Sent: 04 December 2018 16:38
To: Aarti O'Leary
Cc: Juan Baeza
Subject: RE: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Aarti,

Following our telephone conversation I have discussed option 1 and the use of a condition to restrict uses, with the Area Manager and do not consider this to be appropriate. Conditions should not be used to restrict uses, it should be the application that restricts uses. As may uses within the use class order, in particular D2 (Assembly and Leisure) include a multitude of activities(uses) within them (all with varying impacts). when applying for a change of use the specific use should be stated in the description. This allows the specific impacts of any use to be taken into account based on the submitted details.

Therefore, In this case it is considered that a condition listing uses within Class D2 that can not be carried out at 12 Churchill Parade, is not considered appropriate or reasonable.

With regard to option 2, the change of use application ref: R/221/12 stipulates the use within the D1 use class that they are seeking permission for. As such, it is not considered to be similar to the blanked D2 being applied for regarding application Ref: R/212/18/PL - 12 Churchill Parade, Rustington. Additionally I consider that this application does not impose any conditions that would mitigate the concerns raised regarding your client's application.

In order for an Officer recommendation for approval to be made it is considered that the D2 use be removed from the description. As such, if you want to remove the D2 use as proposed I would require an email stating that that is what you/your client want(s).

Yours sincerely

Richard Castro-Parker
Senior Planning Officer (Contract)
Arun District Council

From: Aarti O'Leary [REDACTED]
Sent: 04 December 2018 15:58
To: Richard Castro-Parker
Cc: Serena Page
Subject: Application Ref: R/212/18/PL - 12 Churchill Parade, Rustington

Dear Richard

Thank you for your call yesterday evening, which my colleague Alex has relayed the details of this morning.

Your concerns regarding an unrestricted Class D2 uses are noted. However, given the size of the unit (136.1sqm), it is unlikely that any 'inappropriate' Class D2 uses could be accommodated there.

We consider that there are two options for addressing your concerns:

1. Imposing a condition specifying the uses that would not be considered appropriate; or,
2. Adopting a similar approach to that taken for consent ref: R/221/12 at 5 The Street, Churchill Parade, BN16 3DJ, where a "*change of use from retail (A1 shops) to dental surgery (D1 non-residential institution)*" was approved.

If option 2 is progress, we would proposed to amend the description of development to read:

"Change of use from A1 (retail) to Class A1 (retail)/ Class A3 (restaurant and café)/ Class D2 (yoga studio)".

We would be grateful if you could advise which of the above options would be preferred.

We look forward to hearing from you.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



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