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Date: Tue, 23 Dec 2025 at 15:28

Subject: Lyons farm application

To: Louise Prew <louise.prew@adur-worthing.gov.uk>

Cc: Moira Hayes <moira.hayes@adur-worthing.gov.uk>

Hi Louise

Firstly please accept my apologies for the long delay in getting back to you on this.

Further to my previous comments on the pre app I have the following points to raise on the full application:

Policy Comments

The site is at Lyons Farm which is an Out of Town location and the proposed use class of the proposed new floorspace is for a town centre use. The proposal seeks the provision of a new retail unit (Class E) totalling 372 sqm Gross Internal Area (GIA), the proposed retail unit would utilise the existing vehicle car parking capacity (totalling 147 spaces) associated with Units A - C at Lyons Farm Retail Park. No end user has been identified but the applicants have referred to the use being for 'bulky goods' and/or a showroom style use and the applicants state that 'therefore offer a range of goods that aren't typically located in the town centre'.

The key local plan policies are :

WLP Policy SS3 ('Town Centre') seeks to ensure that retail uses are directed to the Town Centre.

WLP Policy DM13 ('Retail and Town Centre Uses') outlines the hierarchy of town and local centres. Where retail floorspace is proposed outside centres, an impact assessment will be required for proposals over 500sqm (gross) . A sequential test is required. In addition criteria i) states : '**Where necessary conditions and / or legal agreements will be applied to any permission accepted outside of defined centres, including defining the nature and extent of the proposed use to ensure no significant adverse impact on existing designated centres.**'

The policy approach is one that supports growth in identified centres and town centre uses should be directed to the town centres first and the key sites .The WLP evidence base (Retail Study 2017 and Update 2020) identifies a need for convenience of 1250sqm's and comparison 9200sqms (net) up to 2026. and recognised the opportunity to consolidate and enhance the retail offer in

the main town centre. The supporting text to policy DM13 states: ' **Worthing's Primary Shopping Area and the three sequentially preferable sites (Stagecoach / Union Place / Grafton sites) are the preferred locations for any retail development and other town centre uses. Any applications for retail and other main town centre uses proposed on sites not within the defined frontages would need to demonstrate compliance with the sequential and impact tests.**'

It goes on to state ' **Local evidence recommends a specific local threshold to ensure that edge and out-of-centre retail development proposals are required to undertake a full and detailed impact assessment for schemes of above 500 sqm (gross). Planning applications for main town centre uses need to be accompanied by an appropriate level of information so as to enable the council to determine whether their impact on existing centres would be acceptable. There may also be need to control the type of activities, hours of operation etc. on any permitted out of centre development to ensure there is no adverse impact on existing centres**'

The current proposal for a Town Centre use outside of the identified hierarchy of centres falls below the threshold of 500 sqms that triggers an impact assessment and therefore is only required to undertake a sequential test. The applicants have submitted a sequential test which considers both the nearest identified centre - Broadwater District Centre and for completeness Worthing main Town Centre. The applicants state: ' **This sequential assessment has focussed on assessing sites within and on the edge of the Town Centres within Worthing. Given the size of the store and relatively limited range of products, customers will visit the store on foot and will not walk significant distances to shop at a retail unit. A 300m catchment is, therefore, deemed sufficient to base the sequential test on. This includes Broadwater District Centre and the Downlands Shopping Parade. Although the Worthing Town Centre is outside of this radius, for completeness and following from the Council's pre-application response, we have also included Worthing Town Centre within our assessment.**'

The applicants have suggested the following requirements were appropriate in relation to the search for sequentially preferable sites :

' **The requirements for a sequentially preferred site are also as follows:**

Y **The ability to sell bulky goods from a minimum of 335sqm.**

Y **A demised at grade customer car park of an appropriate size is required directly adjacent to the retail unit to allow the safe and direct transfer of goods from store to customer vehicle, in particular for the purchase of bulky goods.**

- Y **Good accessibility to the strategic highway network and/or in close proximity to other bulky goods store operators providing customers with an ability to compare goods and prices.**
- Y **The floorspace should be at a single level on a single floor with minimal structural interruptions e.g. columns and pillars to allow for the store to be laid out more like a showroom, selling bulky goods;**
- Y **Suitable delivery and servicing access and arrangements;**
- Y **Have an active frontage;**
- Y **Minimum floor to ceiling height of 2.8-3m; and**
- Y **Available within the short term.**

A site must meet all of these requirements in order to provide a sequentially preferable alternative site that meets the operators' requirements and business models.'

They considered the allocated town centre sites and searched online agents websites for available sites. The following sites were considered and assessed against the requirements set out above.

- Y A7 Grafton.
- Y A11 Stagecoach, Marine Parade.
- Y A13 Union Place
 - 56 Montague Street, Worthing BN11 3HE
- Y 97-99 Montague Street, Worthing, BN11 3BN
- Y 105-109 Montague Street, Worthing BN11
- Y 82-84 Montague Street, Worthing, West Sussex, BN11 3HF
- Y 10 High Street, Worthing, West Sussex BN11
- Y The Mill Building, 31 Chatsworth Rd, Worthing BN11 1LY
- Y 6-8 New Street, Worthing, West Sussex, BN11 3BT
- Y 21 Rowlands Road, Worthing, West Sussex, BN11 3JJ
- Y 79-81 Portland Road, Worthing BN11 1QG
- Y 56 Montague Street, Worthing BN11 3HE
- Y 40 Marine Parade, Worthing, West Sussex, BN11
- Y Ridgeworth House, Liverpool Gardens, Worthing, BN11 1RY

Appendix A of the planning statement has considered each site and indicated whether its available (within a reasonable time period), suitable and viable. The overall conclusions are that there is no sequential preferable site.

The PPG at para 010 states:

'The checklist below sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test:

- with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.
- is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
- if there are no suitable sequentially preferable locations, the sequential test is passed.

In line with paragraph 86 of the National Planning Policy Framework, only if suitable sites in town centre or edge of centre locations are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering what a reasonable period is for this purpose, the scale and complexity of the proposed scheme and of potentially suitable town or edge of centre sites should be taken into account.

Compliance with the sequential and impact tests does not guarantee that permission will be granted – all material considerations will need to be considered in reaching a decision.'

Para 011 goes on to state:

'How should locational requirements be considered in the sequential test? Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.'

Conclusion

It would appear that the applicants have met the requirements of the sequential test assuming that the proposed use is for Bulky Goods /Showroom type accommodation as set out in the planning statement . In line with policy DM13 consideration should be given to either the application of a condition or a s106

to restrict the use to that specified and not a use that would be in direct competition with either the local or main town centres, Overall the preference would be to see new investment in our town centre to help with its vitality and viability . It is acknowledged that the proposed use of Bulky goods/showroom type accommodation has specific requirements that are often difficult to accommodate in town centre locations and it would appear that there are no sequentially preferable sites.

Hope that is helpful ? Moira, do you agree ? anything to add?

Regards
Tracy