ECE Planning

Planning Statement

Land at Southwick Square Car Park, Southwick, Brighton BN42 4TH

Project Name:	Southwick Square
Location	Land at Southwick Square Car Park, Southwick, Brighton BN42 4TA
Client:	Lisa Holan, Adur & Worthing Councils
File Reference:	P2268

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1. Introduction

1.1. This Planning Statement has been prepared by ECE Planning on behalf of **Adur District Council** in support of a Part-Retrospective Full Planning Application at Land at Southwick Square Car Park, Southwick Square, Southwick, Brighton BN42 4TH. The description of the development reads:

> *'Part-retrospective permission for change of use of three parking spaces to create two enclosed refuse storage areas in connection with commercial uses in Southwick Square.'*

1.2. This Statement sets out the relevant background for the determination of the planning application, including a description of the site and its surroundings, the relevant planning history, planning policy, key details of the proposed development and assessment of the relevant planning considerations.

1.3. In support of this application, the Statement will examine relevant planning policy and guidance. The proposals have been informed by the Development Plan comprising the National Planning Policy Framework, the Planning Practice Guidance and the Adur Local Plan.

1.4. This application is being made following an enforcement complaint to Adur District Council for the erection of one of the two bin stores to which this application concerns. This application seeks to regularise the status of this bin store, and gain permission for a second bin store on another portion of the Southwick Square Car Park.

2. The Site

2.1. The application site is comprised of two plots within the Southwick Square Car Park, just off Southwick Street. The Southwick Square and the associated car park is owned by the Applicant Adur Council and includes a number of different commercial enterprises with residential properties above. (refer to blue line of Figure 1). The total area of the site is approximately 67m^2. This comprises the smaller plot to the east (1) of approximately 18m^2, and the larger plot to the west (2) of approximately 49m^2.



Figure 1 - Site Plan (Source: Google Maps)



Figure 2 – Photograph of Plot 2 as existing (Source: Google Maps)

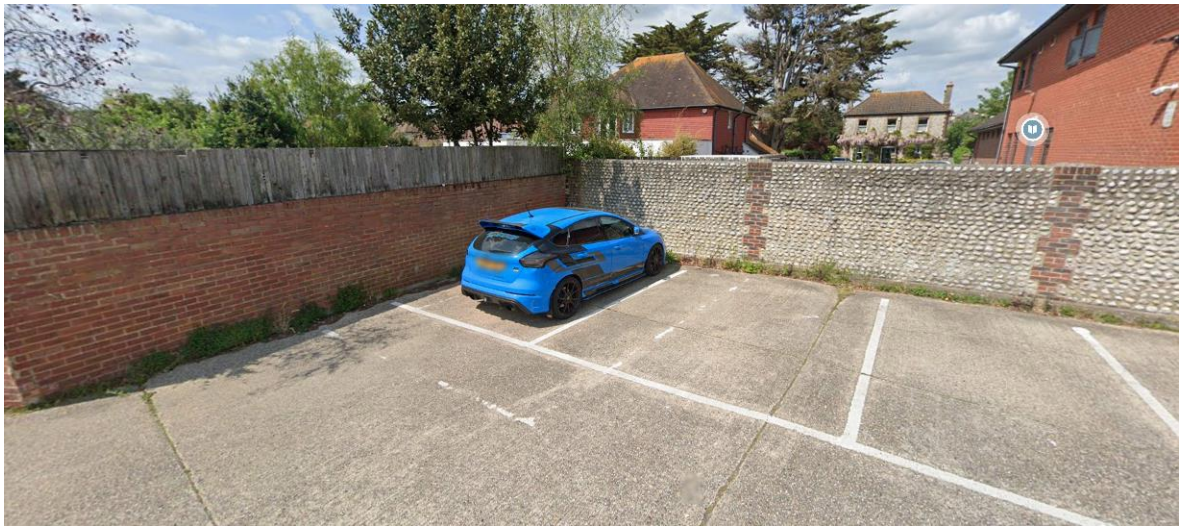

Figure 3 – Photograph of Plot 1 prior to erection of the bin store (Source: Google Maps)

2.2. The site is situated within a highly sustainable location, within a designated local centre. The nearest railway station, Southwick, is approximately 250 metres to the south. A total of 3 bus stops lie within 200 metres of the site.

2.3. Plots 1 and 2 are located within the Adur Council owned Southwick Square pay and display car park, located to the rear of the Southwick Square local centre. Plot 1 is surrounded by Southwick Library to the north, the Southwick Square car park to the east and south, and the gardens of 14 Southdown Road to the west and forms part of the lease associated with the newly occupied Flour Pot Bakery in Bank House, Southwick Square. Plot 2 lies adjacent to the access road and garages of Southwick Square car park to the north and east, an electrical substation to the south, and a smaller private car park to the west.

2.4. The Adur Local Plan (2017) Proposal Map (Figure 4) shows that the site is within the Town Centre Boundary and located adjacent to the Primary Shopping Area of Southwick. It is also located just outside of the Southwick Conservation Area.

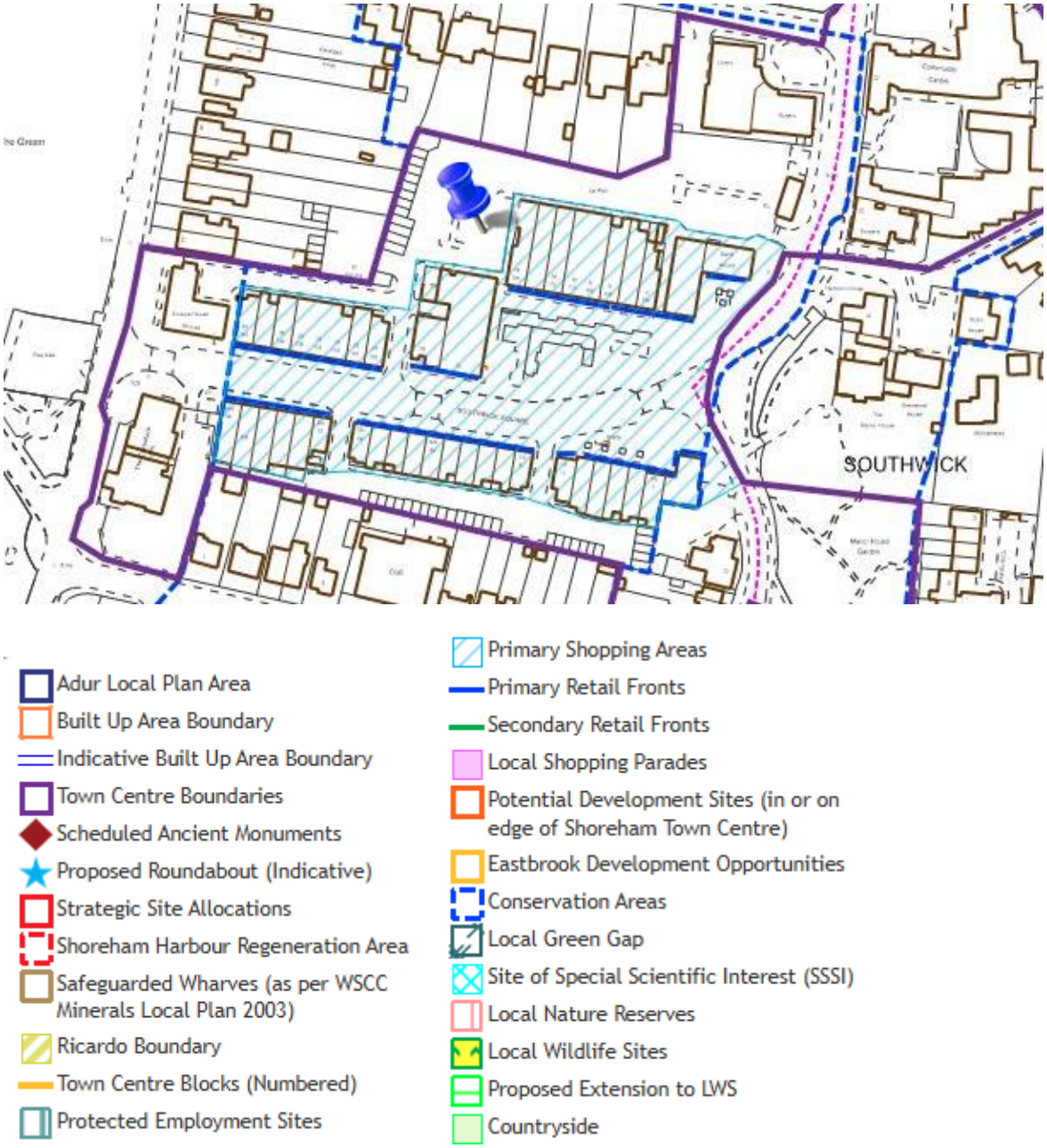

Figure 4 - Adur Local Plan 2017 Policies Map and Key

2.5. The Government's Flood Maps for Planning identify that the site is situated within Flood Zone 1, meaning that there is a low probability of flooding (Refer to below Figure 5). Additionally, there is no identified risk of surface water flooding, either in the site or directly adjacent areas (Refer to Figure 6).

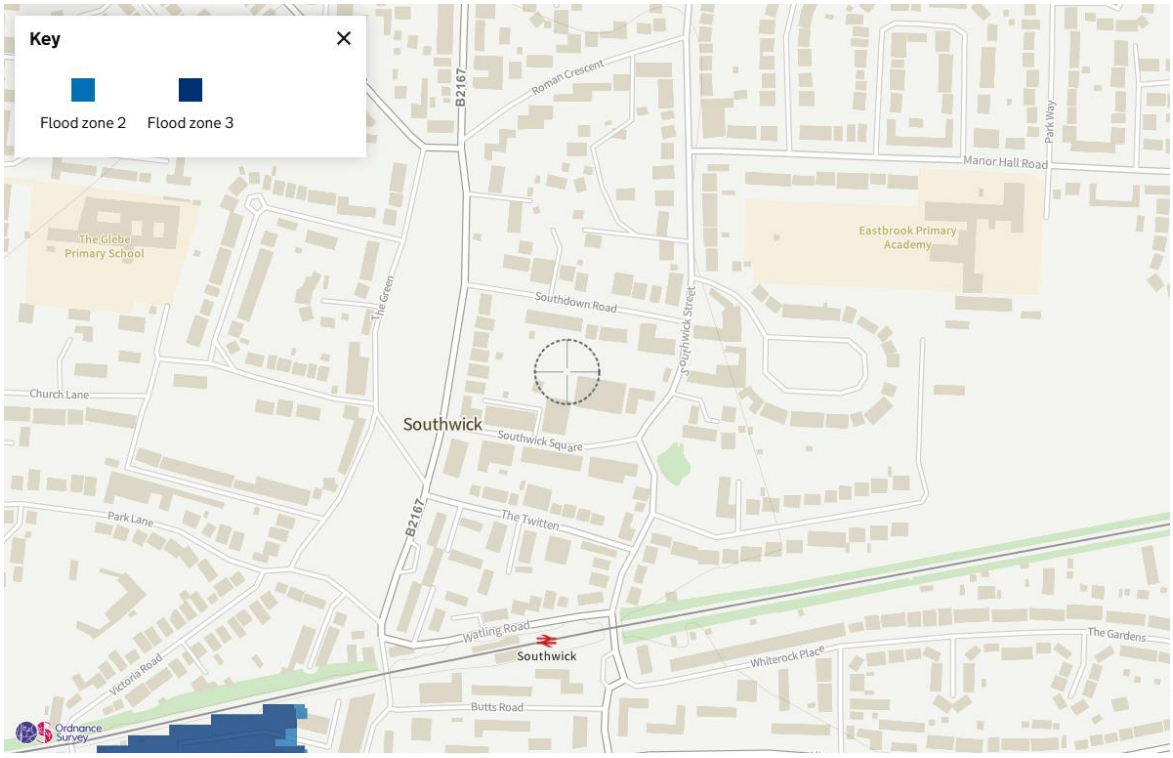

Figure 5 – Map of Flood Risk Zones

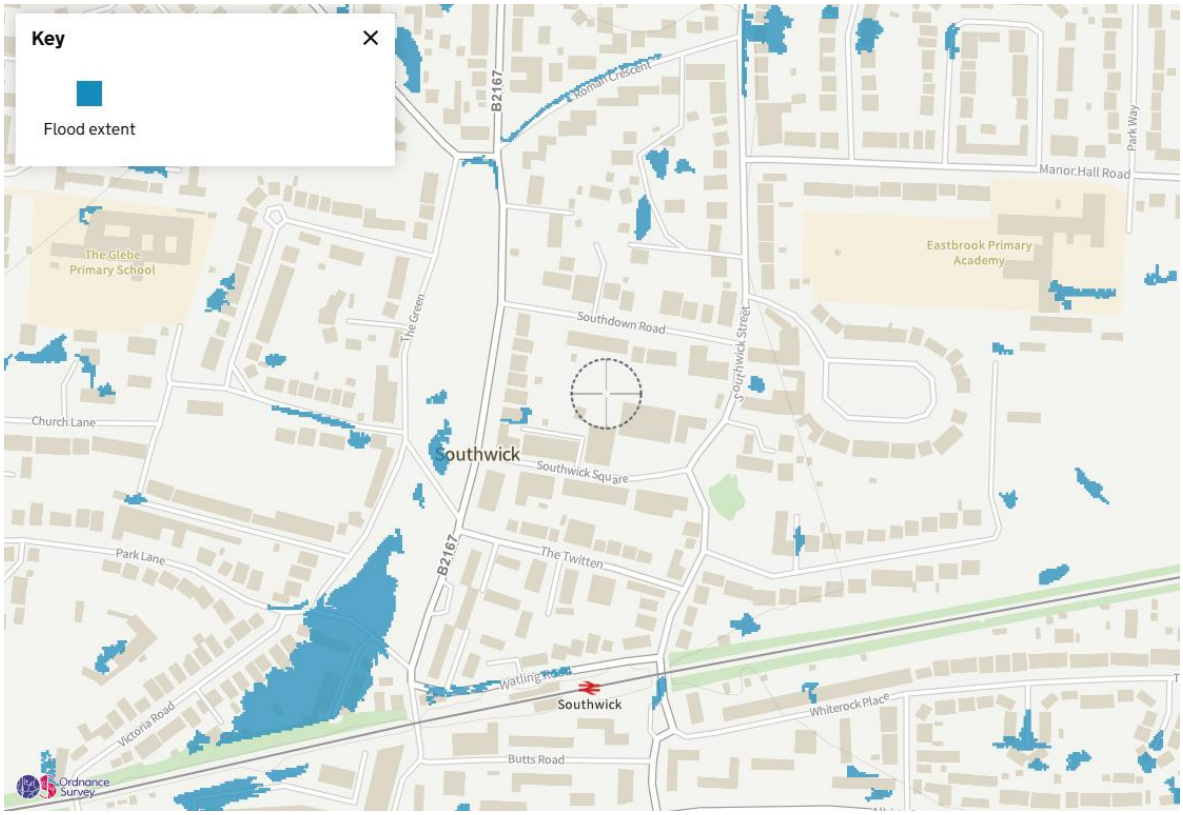

Figure 6 – Map of Surface Water Flooding Risk

2.6. Several Grade II listed buildings lie nearby, though the site does not form the immediate context of any, with all heritage assets lying across the carriageway of Southwick Square or Southwick Street.



Figure 7 – Map of Historic England Listings

3. Planning History

3.1. A search or Adur's online planning register has been undertaken, and the following represents a summary of the most relevant planning history for the site and surrounding area.

3.2. It should be noted that the following relate to around the site, with no relevant history pertaining to the site area itself.

Adjacent to Bin Store Area 1

3.3. **SW/93/04/TP/21663 -** Redevelopment With New Library And GP Surgery With 11 Car Parking Spaces and Additional Access at Public Library Southdown Road/Southwick Street Southwick West Sussex (Refused 04/08/2005).

3.4. **SW/77/05/TP/22195 -** Redevelopment With New Library And GP Surgery at Public Library Southwick Street/Southdown Road Southwick West Sussex (Approved 07/12/2005).

3.5. **ADC/0499/06 -** Demolition of existing 2 dwellings (No's 12 and 14) and erection of 12 two-bedroom flats with 15 car parking spaces and cycle parking at Land At 12 To 14 Southdown Road Southwick West Sussex (Refused 09/03/2007).

3.6. **ADC/0679/07 -** Demolition of existing 2 dwellings (No's 12 and 14) and erection of 12 flats (10 two-bed and 2 one-bed) with 14 car parking spaces and cycle parking at Land At 12 To 14 Southdown Road Southwick West Sussex (Refused 11/01/2008).

3.7. **AWDM/0830/13 -** Construction of a two-storey side extension to east elevation; porch to front (north) elevation; new pitched roof to garage; and single storey rear extension at 14 Southdown Road Southwick Brighton West Sussex BN42 4FT (Approved 30/10/2013).

Adjacent to Bin Store Area 2

3.8. **AWDM/1229/16 -** Prefabricated temporary office building in car park at Europa House 46 - 50 Southwick Square Southwick Brighton West Sussex BN42 4FJ (Approved 07/10/2016).

4. The Proposal

4.1. This application proposes the retention of a pre-existing and erection of an additional enclosure for the storage and collection of trade waste. The existing bin store for which retrospective Planning Permission is sought (referred to as 'Bin Store Area 1' in the accompanying plans), lies in the eastern portion of the Southwick Car Park, while the newly proposed bin store (referred to as 'Bin Store Area 2'), lies in the western portion of the car park.

4.2. Bin Store Area 1 is proposed to service the commercial unit at Bank House, recently occupied by Flour Pot Bakery. Bin Store Area 2 is proposed to service other development within Southwick Square.

4.3. The pre-existing bin store is proposed to be regularised by this submission and was completed during May 2025, prior to their opening in June.

4.4. Bin Store Area 1 replaces a pre-existing car parking space which is associated with the lease of the commercial unit occupied by Flour Pot who recently took over Bank House, Southwick Square. Unit 2 is proposed to replace an area which although does no form part of the formal car park, is used for informal parking with space for c2no. vehicles.

4.5. The bin stores are proposed to be formed of timber close-boarded fences and gates, 1915mm in height. These, along with the existing boundary fences around the car park, will fully screen the bin storage area from public view. Further details are available within the plans included in this application.

5. Policy Overview

5.1. Introduction

5.1.1. A key role of the planning system is to regulate the development and use of land in the public interest. At the heart of the planning framework are Statutory Development Plans, which seek to guide the decision-making process. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires, that where the Development Plan contains relevant policies, an application for planning permission shall be determined in accordance with the Development Plan, unless material considerations indicate otherwise

5.1.2. In this case, the Development Plan comprises the Adur Local Plan (2017). The National Planning Policy Framework, the National Planning Policy Guidance and Supplementary Planning Guidance are material considerations.

5.1.3. This section considers how the proposed application complies with relevant National and Local Planning Policy.

5.2. National Planning Policy Framework (NPPF)

5.2.1. The NPPF, most recently amended in December 2024, sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

5.2.2. The following extracts of the NPPF are considered most relevant in the determination of this application. The below are not explored in detail within this Statement but have been fully reviewed in preparation of this application.

- **Chapter 2 (Achieving Sustainable Development)**
- **Chapter 6 (Building a strong, competitive economy)**
- **Chapter 7 (Ensuring the vitality of town centres)**
- **Chapter 8 (Promoting healthy and safe communities)**
- **Chapter 9 (Promoting sustainable transport)**
- **Chapter 11 (Making effective use of land)**
- **Chapter 15 (Conserving and Enhancing the Historic Environment)**

5.3. National Planning Practice Guidance (NPPG)

5.3.1. The PPG supplements the overarching objectives of the National Planning Policy Framework. The guidance provided by the PPG has been fully considered in the creation of the application and the proposed plans are seen to be fully compliant with it.

5.4. Strategic Planning Policy – Adur Local Plan (2017)

5.4.1. The Adur Local Plan (ALP) was adopted in December 2017 and sets out the strategic development and land-use priorities for Adur up to 2031. The ALP contains the policies relevant to developments within the Adur District.

5.4.2. The following policies are considered to constitute the main policies of reference to this application and although they are not explored in detail within this Statement, the following have been fully reviewed in the preparation of this application and the proposals are considered to be entirely acceptable:

- **Policy 1 (The Presumption in Favour of Sustainable Development)**
- **Policy 2 (Spatial Strategy)**
- **Policy 4 (Planning for Economic Growth)**
- **Policy 12 (Southwick and Fishersgate)**
- **Policy 15 (Quality of the Built Environment and the Public Realm)**
- **Policy 16 (A Strategic Approach to the Historic Environment)**
- **Policy 18 (Sustainable Design)**
- **Policy 25 (Protecting and Enhancing Existing Employment Sites and Premises)**
- **Policy 26 (The Visitor Economy)**
- **Policy 27 (Retail, Town Centres and Local Parades)**
- **Policy 28 (Transport and Connectivity)**
- **Policy 33 (Planning for Sustainable Communities)**

5.5. Supplementary Planning Guidance

5.5.1. Supplementary Planning Documents published by Adur District Council have been considered in the preparation of this application. However, no SPDs are of specific relevance to the proposals and as such will not be discussed further in this statement.

6. Planning Appraisal

6.1. Introduction

6.1.1. The principal considerations which relate to this proposal are as follows:

- **Principle of Development**
- **Access and Parking**
- **Residential Amenity**
- **Design and Visual Amenity**
- **Heritage Impacts**

6.2. Principle of Development

6.2.1. The appeal site lies within the built-up area boundary (BUAB) of Southwick and occupies a highly accessible and sustainable location, with excellent proximity to public transport links, as outlined in Section 2 of this Statement. The Adur Local Plan (2017) (ALP), supported by the Adur Policies Map (2019), identifies the site as falling within the Southwick Town Centre Boundary and immediately adjacent to the Primary Shopping Area.

6.2.2. Paragraph 90 of the National Planning Policy Framework (NPPF) confirms that:

> *'Planning policies and decisions 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.'*

6.2.3. Given that properties within Southwick Square lie within both the defined Town Centre and Primary Shopping Area, planning decisions should actively support their appropriate growth and adaptation, in accordance with the above policy.

6.2.4. At a local level, Policy 27 of the ALP (2017) provides that:

6.2.5. *'Within the defined town centre boundaries of Shoreham-by-Sea, Southwick and Lancing (as shown on the Policies Map), town centre uses will be permitted, subject to compliance with other relevant policies.'*

6.2.6. The proposal is wholly consistent with the function of Southwick Square in providing town centre uses. It comprises an ancillary and complementary facility to existing commercial activity. However, it is noted that there has been a significant change in planning context since the adoption of the ALP in 2017, namely the introduction of revised Use Classes.

6.2.7. The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force on 1 September 2020. These regulations restructured the Use Classes Order, combining former Classes A1 (Shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafés), B1 (Business), D1 (Non-residential Institutions), and D2 (Assembly and Leisure) into a new unified Class E: 'Commercial, Business and Service'.

6.2.8. This change has simplified the process for altering the use of premises within town centres by removing the requirement for planning permission for changes within Class E. This has significantly enhanced flexibility, particularly in response to the continued evolution of town centre uses, changing consumer behaviour, and the impacts of the COVID-19 pandemic.

6.2.9. This regulatory shift aligns with the NPPF's objective to promote the long term vitality and viability of town centres. One notable trend has been the emergence of café and service led uses, which contribute to a more diverse, experiential town centre offer. While these changes are beneficial, they also introduce operational differences, for example, in refuse generation and management that would have been managed through the planning process.

6.2.10. The Flour Pot Bakery commenced occupation of Bank House in November 2024, following the closure of Barclays Bank in November 2022. Adur District Council, as the landowner, identified during lease negotiations that refuse storage was a critical operational requirement for the incoming food and beverage tenant. The nature of a café use differs materially from that of a bank in terms of refuse output, necessitating dedicated waste management infrastructure external to the building.

6.2.11. In response, the Council's Estates Team permitted the principle of the erection of a dedicated bin store within one of the car parking bays, given the constraints of the site and in order to avoid unsightly on-street bin provision fronting retail units. This was considered the most practical and visually contained solution within the site context.

6.2.12. The erection of Bin Store 1 was undertaken in good faith by the tenant following lease approval and without awareness that planning permission was required. The current application seeks to regularise this breach, and to provide a second, purpose-built waste storage facility. Together, these measures will assist in supporting commercial operations, improving the visual environment, and enhancing the overall attractiveness and functionality of Southwick Square.

6.2.13. The proposals are therefore considered to contribute positively to the function and vitality of Southwick Town Centre, in accordance with Paragraph 90 of the NPPF. Significant weight should be given to their role in supporting viable and adaptable commercial activity, particularly within the redefined planning context introduced by the 2020 Use Classes Order.

6.3. Access and Parking

6.3.1. The proposal will result in the loss of formal and informal parking spaces within the Southwick Square Car Park. Bin Store 1, to which this application seeks retrospective planning permission, replaced 1no. parking space whilst Bin Store 2, which has not yet been developed, is proposed to utilise land that is currently used for informal parking with capacity for up to 2no. vehicles. This space is not officially designated as parking but been subject to some unauthorised parking as there is no means of enclosure to prevent its access.

6.3.2. Policy 28 of the Adur Local Plan (2017) encourages travel behaviour change away from the use of private vehicles and towards more sustainable modes. The Policy states that development should '*Ensure that new development is located and designed to minimise the need for travel, facilitates and promotes the use of sustainable alternatives to the private car'*. As a sustainable town centre location with high access to bus and train links, the car park is regularly under capacity with many spaces left unused throughout the day. In addition, due to the scale and nature of the Southwick Square centre, the majority of the people regularly accessing the facilities are likely to be from the local area and are able to access the area by foot/ sustainable modes.

6.3.3. Regarding the loss of parking resulting as a result of the development, the provision of 75 parking spaces is a significant overprovision and is rarely near capacity. The loss of one official and two informal parking spaces is not considered likely to have a material impact on parking provision and would not give rise to any displaced parking that would give rise to highway safety or capacity issues.

6.3.4. In addition, there is available on-street parking in the area which is unrestricted or with light-touch restrictions providing additional capacity for those accessing the centre. Nearby facilities of Southwick Community Centre and The Cricketers also provide users dedicated parking.

6.3.5. The impact on parking provision is not therefore considered to be material or harmful to the location, especially given the extensive provision of parking and quality of public transport access. The proposal should therefore be considered acceptable on the grounds of parking provision and transport.

6.4. Residential Amenity

6.4.1. The site is located in a mixed use area with residential properties above the commercial provision and surrounding the site. The closest neighbouring dwelling is located to the north of Bin Store 1 and shares a boundary with the store.

6.4.2. The proposed store enclosure for Bin Store 1, sits below the existing boundary treatment and would not therefore be visible from outside the site, within the neighbouring garden. The area would be accessed and serviced within usual commercial opening hours and would not give rise to any adverse of materially increased noise disturbance when compared to the lawful use a public 24 hour car park. Bin Store area 2 is located adjacent to an existing row of garages, remote from the closest residential properties by a sufficient distance to ensure that neighbouring amenity would not be affected.

6.4.3. For these reasons, will not adversely affect neighbouring amenity.

6.5. Design and Visual Amenity

6.5.1. The NPPF seeks to prioritise good design, ensuring development is sympathetic to the local character of the built environment and landscape setting. Chapter 12 encourages the design of places that are safe, inclusive, accessible and which, promote health and well-being, with a high standard of amenity for existing and future users. Development should be visually attractive as a result of good architecture and appropriate and effective landscaping.

6.5.2. Policy 15 of the ALP states that development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

6.5.3. As set out in Section 2 of this statement, the immediate context of the proposals primarily consists of parking areas which are fully hard surfaced with no vegetation. The contribution each plot gives to the visual amenity of the area is minimal, both plots feature a combination of blank boundary walls or fences with concrete hardstanding.

6.5.4. The proposals are to feature close boarded timber fences which will fully enclose the bin storage from view from the public car park. The existing boundary walls and fences will also shield the bin storage area from views from adjacent land. The use of close boarded fencing provides a simple finish which is in keeping with existing boundary treatment in the locality.

6.5.5. Given the current visual amenity of the site as pre-existing/ existing, the proposals are considered a reasonable addition and will have the significant benefit of shielding the unsightly refuse bins from view within a purpose built facility rather than having them located on the street. As the proposed refuse stores grant the opportunity to remove unsightly bins from public view, they are considered to represent an improvement to the visual amenity of the area.

6.6. Heritage Impacts

6.6.1. In accordance with paragraph 210 of the NPPF, in determining planning applications, local planning authorities should take account of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

6.6.2. At a local level, Policy 16 of the Adur Local Plan requires development to conserve and enhance the historic environment and the distinctive character of Adur. A number of Grade II listed buildings are located on the opposite side of Southwick Street, and the boundary of the Southwick Conservation Area runs along the eastern edge of the Southwick Square Car Park and the eastern side of Southwick Street.

6.6.3. The nearest listed buildings are Southwick Community Centre (ref. 1286207) and 20 Southwick Street (ref. 1027858), situated approximately 60 metres from Plot 1 of the site. Both buildings are recognised for their distinctive use of coursed and uncoursed flint with red brick detailing, contributing positively to the local historic character.

6.6.4. As illustrated in Figures 2 and 3, the application sites represent only a small part of the wider Southwick Square Car Park, which already forms part of the existing setting of these heritage assets. The proposed bin stores are modest in scale and integrated within this established context.

6.6.5. Both bin stores are not readily visible from the nearby conservation area and are sufficiently separated from the listed buildings to ensure no adverse impact on their setting. Where visible, they would be perceived as minor features within the broader car park environment, where close-boarded fencing is a common and established boundary treatment. The proposals would therefore have a neutral effect on and would this sustain the setting of nearby designated heritage assets and, by providing purpose built waste storage facilities, represent an enhancement compared with the alternative of on street refuse storage.

7. Conclusions

7.1. This application seeks part-retrospective and part-proposed planning permission for the change of use of land within the Southwick Square Car Park to create two enclosed refuse storage areas. The proposals are intended to meet a growing operational need arising from the evolution of commercial activity in the Southwick Square local centre, specifically in response to consequential issues arising from the introduced by the revised Use Classes Order (2020).

7.2. The proposals represent appropriate development within the defined Town Centre Boundary, supporting the vitality and viability of the commercial units in accordance with Paragraph 90 of the NPPF and Policy 27 of the Adur Local Plan. The development provides essential waste management infrastructure that is ancillary to the lawful commercial use of the new tenant, Flour Pot Bakery and contributes positively to the overall functionality and appearance of Southwick Square. The bin stores are modest in scale, sensitively sited, and appropriately screened to ensure a neutral or positive impact on the visual environment and setting of nearby heritage assets.

7.3. While the proposal results in the loss of one formal and two informal parking spaces, this impact is not considered material, given the sustainable location of the site, the availability of alternative transport options, and the overall surplus of parking capacity in the car park. Furthermore, the design of the stores and their operational characteristics ensure that there will be no harm to residential amenity, with no anticipated increase in noise or disturbance, and no conflict with highway safety or movement.

7.4. In summary, the development represents a necessary and proportionate response to evolving operational requirements of town centre uses and accords with the Development Plan when read as a whole. The proposals comply with the relevant policies of the Adur Local Plan and the objectives of the National Planning Policy Framework. It is therefore respectfully requested that planning permission be granted.