

Our ref: LB1176

Matt Brewer
07919 890 207
Matt.Brewer@urbanspaceplanning.co.uk

Development Management
Adur & Worthing Councils
Worthing Town Hall
Chapel Road
Worthing
BN11 1HA

FAO: Louise Prew

17 October 2025

Dear Louise

**OBJECTION TO PLANNING APPLICATION AWD/1270/25 - ERECTION OF NEW RETAIL UNIT (CLASS E)
LYONS FARM RETAIL PARK, LYONS WAY, A27, WORTHING**

We write on behalf of our client, The Gym Group, to object to the current consultation proposals being presented for the potential redevelopment of a further retail unit on the A27 at Lyons Farm Retail Park.

The Gym Group (TGG) operate an existing health and fitness facility within Lyons Farm Retail Park, which has been established on the site for over 7 years having opened in 2018 and provides opportunities for affordable exercise, fitness and wellbeing to the local community.

We have reviewed the proposed plans and documents available on the Council's website with interest given the existing TGG operation on the park and its use within the local community, and write to raise a number of material planning concerns and objections to the scheme proposals as submitted which result in non-compliances with the Development Plan.

Application Site & Proposed Siting and Design

The application site currently forms an open grassed bank to the A27, which separates the road and pavement from the retail park buildings and provides a visual buffer and separation to the residential dwellings located immediately on the opposite side of the road to the south. To the western end of this grassed verge are a group of established trees, with the bank extending further to the east and accommodating further planting and tree planting providing a visual buffer to the car park of the retail park behind.

The bank grassed verge was provided, delivered and maintained as part of the original development of the rear park, to provide a suitable set back from the road and pedestrian walkway, as well as providing a treed and landscaped bank providing a green visual buffer to the residential properties opposite. Historically, this bank included further landscaping, including a greater extent of trees and shrub planting, as can be seen in the image below to have extended across this landscaped part of the site. The further erosion of this designed and planned landscape buffer will have a harmful detrimental impact on the character and appearance of the locality and the townscape.



This landscaped verge forms part of a wider green corridor which extends from the open countryside to the east of the site, in front of the commercial properties to the north of the A27, providing an appropriate and considered transition from the countryside to the residential areas further along the A27 and delivering appropriate separation and buffers to the road and residential dwellings.

The proposed scheme is an opportunist attempt to completely infill this landscaped area with a new building which would extend right up to the pavement against the A27, removing this landscaped visual buffer to the commercial properties and providing an extensive built form directly on the road. The proposals require a 2 metre retaining wall to be constructed against the highway to enable a level site to be created, with the proposed building then sitting above built to the edge of the highway with no set back or separation. The proposed scheme within the application shows a large and long pitched roof building, which will have no windows or activation to the southern elevation to the road and will provide an extensive blank elevation directly on the edge of this busy and prominent public route.

The building will protrude forward of the established building line along the road in this location, harmful to the character, appearance and visual amenity of the area. Whilst the existing Wren unit sits back from the car park and SCS unit to the east and west respectively, both retain a set back from the highway formed by a landscaped verge providing a suitable visual buffer, whilst the set back of the existing SCS unit provides appropriate relief from the pavement ensuring it does not deliver an overbearing relationship given the scale and form of the elevation facing the highway. Any building on the application site should be positioned no further forward than the line of the Lyons Farm Retail Park car park and the SCS unit, and incorporate a landscaped verge to maintain the green corridor along the northern side of the A27 in this location, soften the appearance of the site and the extensive height required by a change to the levels of the land with a building to sit above, and provide an appropriate visual buffer and appearance of the site from the A27 and properties surrounding.

As proposed, the development is out of keeping with the character and appearance of the area as removing this landscaped verge and bringing extensive development out to the edge of the highway. This resulting in a significant harmful impact on this green corridor which provides an important part of the transition from the countryside, the visual amenity of the area and public views from the A27 and its pedestrian routes, and the visual outlook of the residents to the dwellings opposite to the south. The proposed building would need to be set back substantially from the highway edge to enable a green corridor and buffer to be maintained across the site's frontage with the highway.

Furthermore, the impact of the position and extent of the building on the highway is further exacerbated by the proposed design and roof profile of the building, which is at odds with that of the immediate neighbouring building adjacent and results in an uncomfortable visual relationship and appearance. In addition, the extent of inactive blank frontage presented to the public highway together with the extent of retaining wall structure on the edge of the pavement provides an imposing and uncomfortable relationship in both visual amenity terms and in respect of the experience of its user.

The proposed building is contrary to Policy DM5 of the Local Plan as the development is not of a high architectural or design quality in respect of the siting, layout, proportion, form, massing and design of the scheme.

Trees, Ecology and Biodiversity

No consideration is given to the existing trees which are located within the landscaped verge immediately to the west of the new building, with no tree survey or assessment included as part of the application. If approved the scheme would result in the trees being hemmed in on three sides by built form and no consideration has been given to the impact on the health and future maintenance and wellbeing of the trees.

These trees provide significant amenity value in views along the A27 when arriving into Worthing from the east and the transition from the countryside. They break up the visual extent and appearance of large scale massing and form that exists in respect of the retail units adjacent. The proposed building due to its location and scale will result in the trees being boxed into the east, with the building forming a large visual obstruction to views of these trees and replacing it with a solid mass of built form. As a result, the proposal will have a significant harmful visual impact and harm the character and appearance of the area. Even if it were to be demonstrated through a tree survey and Arboricultural Impact Assessment that the proposed trees could be retained without harm to their health or future growth and presence, the scheme would have a significant negative impact on the visual amenity through its form and location and would be harmful to the character and appearance of the area.

As a minimum, if the Council were to consider approving the scheme, details of tree protection measures, buffer zones and working processes in respect of these trees would need to be submitted and approved to ensure that the construction of the scheme could be undertaken without any harm to the trees.

The proposals fail to meet the requirements of Local Plan Policies DM5, DM6 and DM19 as not respecting existing natural features, and not protecting and incorporating green infrastructure. Furthermore, the proposals significantly fail to meet the Government's mandatory requirement for new developments to achieve a minimum of 10% Biodiversity Net Gain, and also is in conflict with Policies DM18 and SP2 of the Local Plan. Rather than achieve a biodiversity improvement as mandated, the proposals actually deliver a significant worsening of the biodiversity as a result of the development with a decline in biodiversity of 65.44%. The proposals include no specific details as to how this will be addressed to deliver the requirements, whilst demonstrating the significant harm that the proposals will do to the biodiversity and ecological value of the site and local area.

Transport, Parking & Servicing

The proposed unit does not include the provision of any dedicated or separated servicing area to facilitate the use of the unit. All the other units in the park however, have separate servicing away from the car park and customer areas to the rear to avoid conflicts with users and ensure appropriate and safe servicing. The servicing strategy appears to use an area out of hours from the other uses of the park. However, as The Gym unit is 24/7 it is evident that it would not be able to service the unit when other premises are not operational.

The servicing strategy set out in the Transport Statement is based on the property being occupied as a bulky goods unit only, with the largest vehicle servicing the site being a 7.5t van and only requiring no more than one servicing trip a day at most. Based on our work with bulky goods retailers it is known that most deliveries are however undertaken by much larger vehicles given the nature and form of bulky goods products, whilst more frequent deliveries will be required with servicing of the unit likely from multiple suppliers and distribution bases.

As no tenant has been identified it is evident that these assumptions cannot be justified at this stage. However, to ensure these matters are carried through to the operation of the site, if approved, the application would have to be made conditional on all of the following in order to align with the justification and assessment undertaken:

- The proposed non-food retail use to be restricted to the sale of bulky goods only and for the sale of no other purpose within Class E(a), and not for any other Class E use;
- Servicing by no more than one vehicle in a 24 hour period;
- All servicing to be undertaken by vehicles which are 7.5t vans or smaller;
- All servicing to be undertaken out of hours of the other occupiers of the park.

The servicing strategy however does not allow for refuse collections, which would utilise larger vehicles and would create a conflict internally within the car park and with customers if refuse collection vehicles were to require access and operation within the car park. No other provisions to enable the safe and secure refuse collection from areas other than the car park have however been provided or presented due to the constrained and limited nature of the site, and the extent of built form proposed.

The potential impact of servicing from the car park on residential amenity also requires careful consideration. The car park has an open orientation to the south, with the proposed unit being located to the southern end of the car park with residential properties located on the opposite side of the road. The existing Wren unit adjacent operates until 9pm and therefore under the servicing strategy proposed would mean that servicing could not take place until after this time, or would need to be before 9am. Given the proposed location of the entrance on the unit, the proposed position of the servicing vehicles and the proximity to residential properties with the noise of large servicing vehicles maneuvering, and the noise of operatives man handling large bulky goods in the car park and into and out of the premises, the potential for noise disruption to residential properties during these hours is extremely high.

The proposed operation does not include either the provision of any disabled parking spaces to enable accessibility for those with additional needs, or the provision of electric charging spaces which are required to be delivered under the Local Plan policy in respect of new commercial units.

The proposals are contrary to the Local Plan in respect of transport and servicing and Policy DM15 in respect of sustainable and active travel.

External Plant and Equipment

No details of external plant and mechanical equipment have been provided within in the application drawings or documents forming part of the application. Whilst such elements can often be considered as part of the subsequent planning applications, given the very limited space and constrained nature of the site it is considered that such details are essential to consider at this application stage. The north elevation is positioned tight up to the Wren unit which is likely to limit plant to the open elevations to the front, rear and south of the building. The provision of plant and equipment units and ducting on these elevations would have an unacceptable visual appearance. As such the plant strategy needs to be incorporated into the scheme and application at this stage to ensure that it can be adequately addressed on site, and needs to address any potential noise impacts related to sensitive receptors around the site.

Residential Amenity

The proposals will also have a significant detrimental impact on the amenity of the residential properties located immediately opposite the site. Due to a combination of the proximity, scale, height and change in site levels, form and design the proposal will have a harmful impact on the outlook of existing residential occupiers, whilst the servicing proposals will result in increased external activity, noise and disturbance during late night and early morning periods in an exposed location to the residential properties which will have an unacceptable impact on the residential amenity of these dwellings. No consideration has been given in the Planning Statement to these dwellings and the impact of the proposed development, with no noise assessment provided demonstrating how the operation of the unit, any associated plant and equipment and the servicing arrangements from the car park will impact on the residential amenity of these properties. The proposal is contrary to Local Plan Policies DM5 - Quality of the Built Environment and DM22 - Pollution, as failing to demonstrate that the proposal will deliver an appropriate operation that will not result in any unacceptable impacts on the amenity of residential occupiers.

Drainage

There are no details provided either in terms of a drainage strategy, or within the Sustainable Section of the DAS, in terms of the sustainable drainage strategy to be adopted. No information is provided as to how the scheme will maintain existing run-off rates and the sustainable drainage measures that will be required to be adopted and implemented on site to achieve this.

Given the limited site extent and the scale of the built form, the site does not include any available areas to provide attenuation to address sustainable drainage requirements. Further detail is required in respect of the drainage strategy to ensure that a suitable sustainable drainage strategy can be delivered and ensure that existing run-off rates can be maintained. Local Plan Policy DM20 sets out how proposals should be designed to ensure a Sustainable Drainage System is in place. With no drainage strategy provided, the proposals do not demonstrate how they meet the requirements of Policy DM20.

Overdevelopment

It's evident that the proposal represents an overdevelopment of the site. The built form is squeezed into the full extent of space between the existing Wren premises and the highway, with no allowance for any meaningful landscaped buffer and separation from the highway edge apart from some bark mulch. No provision is made for appropriate and dedicated servicing of the unit, and no provision for refuse and recycling storage or collection, car parking, sustainable drainage measures or external plant and mechanical equipment.

Construction

No details of the proposed method, process and programme of construction has been provided within the application. Given that the building is to be constructed to the full extent of the site, with the presence of the existing trees to the west, the proximity of the new building on the edge of the A27 and the position of in relation to the operational uses and car park adjacent, the site is effectively landlocked with no access for construction, no construction area or space to enable the building to be built and fitted out. Full details of the construction process and method, access and servicing during construction, and programme of works is therefore necessary at this stage to ensure that the development can be delivered without undue impact on either the local highway network, existing operations, the safety and security of the public, and the amenity of residents.

Sequential Assessment

The assessment contained within the Planning Statement is based on a number of proposed “requirements” set out in Para. 6.4.3. There is however no potential tenant identified with an established set of operational parameters on which these “requirements” are based on, and no evidence has been included as to the specific need for these requirements. In particular, no justification or market evidence is provided as to why a premises with between 335 and 409 square metres of floorspace is “required”. It is evident that existing bulky goods retailers, both within Worthing and across the UK, are operating from a range of units sizes which are generally much larger than the size which is asserted in the sequential assessment to be “required”. This is evident in respect of the immediate neighbours of the application site in respect of the Wren Kitchens and SCS units.

Savills reported in 2022 that bulky goods retailers, including Benson for Beds (average 752.5 sqm), Easy Bathrooms (average 464.5 sqm metres) and Tapi Carpets (average 873.3 sqm), were operating from units above the range set out as being required within the application.

The reality appears to be that the proposed scheme and area of floorspace in the application has been led by the maximum amount of floorspace that can be squeezed into the confines of the site between the existing buildings and road, rather than the actual requirements and operational parameters a bulky goods retailers and is an arbitrary figure chosen to reflect the floorspace proposed, rather than the occupier requirements of a sequential assessment.

In addition, the requirements in 6.4.3 set out a need for a “demised at grade customer car park...”, however the application proposal does not fulfill this requirement itself.

There are therefore significant concerns that the unit is not of a size and scale suited to the proposed use, whilst the parameters underlining the assessment of sequential sites is neither robust or supported by appropriate evidence.

It therefore further follows that the assessment of sites within the sequential assessment is not based on actual requirements of the bulky good retail market and its occupiers, and is not robust. Sites which have been discounted due to their size being above 409 square metres could well suit the floorspace requirements of a bulky goods operator. Furthermore, the conclusions of some of the site assessments are highly questionable. For example, in respect of 97-99 Montague Street (Para. 6.6.6) the assessment discounts the site on the basis of a lack of suitable availability of customer car parking, despite the proximity of the Grafton Multi-Storey car park immediately to the rear of the site and accessible to the side of the premises, and lack of at-grade servicing, despite the ability to access the premises via a ground floor dedicated servicing entrance to the rear of the unit, unlike the application premises which would require servicing through the front customer entrance of the property.

The application fails to meet the requirements of the NPPF and Policy DM13 as it fails to adequately demonstrate that there are no suitable, available or viable sites within or on the edge of centres that could accommodate a proposed bulky goods retail operation.

As noted in respect of the servicing strategy above, despite the description of development in the application related to the full extent and range of potential Class E uses and functions, the sequential assessment is based solely on the specifics of a bulky goods non-food retail use. Whilst the specific requirements set out have not been justified and are highly questionable as being explicitly required, if the assessment is accepted on the basis presented, then the use must be restricted by condition to Class E(a) only and specifically to the sale of non-food bulky goods retail products.

Other Matters

It is noted that WSP are acting as both the agents in submitting the application and preparing supporting documents forming part of the planning application, as well as a consultee in reviewing and advising the Council on the determination of the application. It is evident that there is a clear conflict in the agent also having a role in determining the application which requires immediate action to address and remove this conflict of interest.

The Design and Access Statement (Para. 6.1 pg 11) references a proposed residential plot which is to be considered in respect of sustainable transport and accessibility of the scheme, and is used to assist in justifying the sustainable location of the site. However, no details of this residential plot are contained and there is no information as to where this residential plot is located and what is proposed to come forward.

This letter demonstrates multiple areas where the proposed scheme does not comply with the policies of the Local Plan and NPPF. The proposals therefore should be refused in line with the Development Plan.

We look forward to receiving confirmation of receipt of this letter. Please do keep us informed with progress on the application; notify us if further information, revised or additional plans or documents are submitted; and if the application is referred to the Planning Committee; and notify us of the decision once issued.

Yours sincerely,

Matt Brewer

URBANSPACE Planning Ltd

For and on behalf of The Gym Group