



WORTHING LOCAL PLAN 2020- 2036

WBC-E-08

**Matter 6 –
Retail, Leisure & Town Centres**



WORTHING BOROUGH
COUNCIL

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Matter 6 – Retail, Leisure and Town Centres

Issue 1: Has the WLP been positively prepared and is it justified, effective and consistent with national policy in respect of its strategy and policies for retail and other town centre development?

Retail Need and Supply (Policy SS2)

Q134. Is the plan based on adequate and proportionate evidence about the need for retail and leisure floorspace?

Council's Response:

The Council's Retail & Town Centre Uses Study (2017 & 2020 update) ([CD/K/2](#) & [CD/K/1](#) respectively) and other related studies have informed the policy context in this Plan and provide a robust evidence base in regard to sectors or locations where employment uses are to be promoted or protected. The Studies are compliant with national policy and guidance including paragraphs 004, 005 and 006 of Planning Practice Guidance. They are also underpinned by a new and up to date household telephone survey of shopping and leisure patterns, a standard and best practice step by step need methodology, detailed health checks, an in-depth analysis of retail and town centre national trends and implications at the more local level together with a detailed review of planning policy and legislative change now influencing policy formulation.

The Council's Retail Study estimates a need to provide a maximum of 9,200 sqm of comparison floorspace (non-food) and 1,250 sqm of convenience retail (food) by 2026.

Like 'traditional' studies of this nature, a key focus of this work was retail use and future demand. However, it should be noted that, to reflect the changing dynamics of the town centre, the scope of this work was broadened to incorporate 'other town centre uses' (which includes leisure use).

With regards to indoor sports facilities, the Council commissioned a Joint Sport, Leisure and Open Space Study which comprises an Indoor / Built Sports Facility Needs Assessment Report ([CD/S/8](#)). This study has helped to inform Policy DM7: Open Space, Recreation & Leisure.

Therefore it is considered that the plan is based on robust, up-to-date and proportionate evidence about the need for retail and leisure floorspace.

Q135. Is the plan consistent with paragraph 86d of the NPPF which states that a range of sites should be allocated to meet the scale and type of development likely to be needed, looking at least 10 years ahead?

Council's Response:

Paragraph 86 d) of the NPPF states that Planning Policies should: *'allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;'*

The approach taken in the Plan is based on evidence set out in the Retail & Main Town Centre Uses Study 2017 ([CD/K/2](#), CD/K/3, CD/K/4) and the Town Centre Retail Study Update ([CD/K/1](#)). The conclusions in Chapter 10 of the 2017 study set out the identified need for both comparison and convenience floorspace over the Plan period. However, the study recommends at paragraphs 10.35 and 10.38 that planning to meet floorspace for either category beyond the 10 year period was not advised given the given continuing uncertainties in the market and the need for future study updates in the short-medium terms.

Therefore, the recommendation was that the Plan should seek to accommodate no more than 9,197 sqm net comparison and 1,256 sqm net convenience floorspace in the Plan. The 2020 updated evidence in its conclusions noted (paragraph 7.4) that the requirement for the very small amount of convenience floorspace may be met as part of the proposed Teville Gate application (site allocation A12) but that this will need to be revisited and monitored in future reviews. In terms of the comparison floorspace needed, whilst the overall figure remains the same the study update states that *'Given national trends, and the recorded decline of comparison goods floorspace across the UK, this is likely to represent a maximum/upper threshold. The current Covid-19 global pandemic is contributing substantially to economic uncertainty, and the full implications for local economies and town centres are yet to be realised but should be monitored carefully.'*

In terms of the range and type of sites needed paragraph 10.40 of the 2017 study indicates identified need for a small food store operator (1,256 sqm net convenience space) up to c.9,200 sqm net of comparison goods floorspace, more cafes/restaurants, a multiplex cinema and a mainstream and/or boutique bowling complex. It also identified the need to aspire to a better quality/high end retail and leisure operators with which to compete more effectively and to take a step change upwards as a town centre destination of choice for a broader socio-economic profile. The approach set out in the Plan is one as described at paragraph 5.176 supports this identified provision provided it can be located within the Primary Shopping Area (PSA) or can demonstrate strong linkages and integration with the PSA in order to increase the vitality and viability of the town centre.

The evidence indicates that there are three sites either within or close to the PSA that should form the priority for new/additional space. The sites are the proposed allocations: A11 Stagecoach; A7 Grafton; and A14 Union Place. These present opportunities to meet some of the identified needs in both scale and type identified. In addition, the evidence indicates that the town centre strategy should focus on these sites as whilst other sites may offer the potential to accommodate retail and other main town centre uses they would be unlikely to deliver the same benefits to the overall vitality and viability of Worthing Town Centre which needs to come forward over the Plan period. In addition, the 2020 update notes that the focus of any town centre strategy should not be to build substantial additional floorspace but look to improve trading performance of existing floorspace by continued investment in the environment and public realm and building stronger and collaborative relationships with

partners, businesses and local community to increase the desirability of the town centre as a destination for a diverse range of uses and experiences. Resisting inappropriate out of centre development proposals continues to be imperative as if unrestricted this could have a catastrophic impact on town centre trade retention.

The Plan, and related evidence, acknowledges that both the local and national economies are in a state of great uncertainty and the implications for retail and town centres which have already been subject to significant change are yet to be properly seen. As such, what the Plan can provide is a commitment to continued monitoring and future evidence base studies to keep the situation under review. In line with national guidance, given the changing nature of the retail / town centre environment there would be little benefit in looking far beyond the next 10 years. In the meantime, the need for a sound policy framework, strong frontage policies, and a clear and robust statement of permitted uses in different locations will be required over the Local Plan period but with sufficient flexibility to respond in an appropriate manner.

The Council is therefore satisfied that the Plan is consistent with national policy and provides a justified and effective strategy for delivering the identified needs within an appropriate time period.

Q136. Is the plan positively prepared in relation to the scale of new retail and leisure floorspace proposed? In this regard, what is the justification for suggested modifications M4 and M4(a) as they pertain to retail and leisure floorspace?

Council's Response:

The Council considers that the Plan is positively prepared in respect of the provision of new retail and leisure floorspace. The Plan sets out the most appropriate strategy to plan positively for sustainable economic growth, promoting and enhancing the town and guiding its role within the wider sub-region. As set out in paras 41 and 42 of the Route Mapper Part 2 - ([CD/H/20](#)) the plan allocates a range of suitable sites to accommodate main town centre uses with a number of allocations that can deliver a range of community, retail and leisure uses.

Proposed modification M4 deals specifically with the proposed allocation at Decoy Farm (A5). This is an employment site to the east of the borough which is looking to deliver industrial / storage and distribution / warehousing units and does look to provide retail or leisure uses (see also the Council's response to MIQ-Q108).

Modification M4(a) does include proposed allocations A14 - Union Place , A7 - Grafton and A12 - Teville Gate and seeks to amend the 'Main other uses' column of Policy SS2.

Paragraphs 7.2 and 7.3 of [WBC-E-02 Response to IL01](#) sets out the Council's response and justification for these modifications. More specifically it states that the terminology has been amended to ensure consistency but that the supporting text for each policy allocation will continue to provide a commentary on the most suitable mix of uses (see also the Council's response to MIQ-87).

Q137. To be effective, should the Plan reflect the split of comparison and convenience retail floorspace as set out in paragraph 3.24?

Council's Response:

The Council considers that the current approach to delivering the identified floorspace as explained in more detail in the Council's response to question 135 (above) is effective and no change is required.

Q138. Are the allocations which include main town centre uses consistent with national policy and the Town Centre Strategy, set out in policies SS3 and DM13?

Council's Response:

As set out in the Council's response to question 135, the approach to the town centre is one that seeks to focus retail, and appropriate uses to the Town Centre and to resist inappropriate out of centre developments that could undermine this approach. The supporting text to Policy DM13 at paragraph 5.176 indicates that the identified need will be supported where it can be located within the Primary Shopping Area (PSA) or as part of suitable sites that can demonstrate strong linkages and integration with the PSA. The three key sites as set out in the response to question 135 are considered to be the most appropriate to deliver identified needs and they offer far wider benefits to the vitality, viability and longer term resilience of the Town Centre.

The Council are satisfied that the allocations include main town centre uses consistent with national policy and the Town Centre Strategy set out in policies SS3 and DM13.

Town Centre Strategy (Policy SS3)

Q139. What is the purpose of Policy SS3 and is it clear to decision makers, developers and local communities how it should be used to react to development proposals?

Council's Response:

The Council considers that the purpose of Policy SS3 is clearly established in the Plan and that it is clear as to how decision makers, developers and local communities should react to development proposals affecting the Town Centre.

The NPPF acknowledges that town centres are at the heart of communities and it advocates the 'town centre first' approach that requires policies to positively promote competitive town centre environments and manage the growth of centres over the plan period. The Plan recognises the challenge that is required to ensure that the town centre remains a beating heart of the community and it seeks to ensure there are tools in place to rise and meet that challenge. The Council is committed to a programme of renewal and reimagining acknowledging the continuing role for retail but as part of a wider offer of more varied uses

and experiences. The Plan plays a key role in assisting the Council in achieving its corporate aspirations which are set out in a number of key strategies and plans.

Worthing's main Town Centre is a sub regional centre which performs a key economic, strategic and cultural role and is home to the main civic institutions of the Borough. It is also home to the majority of the Boroughs retail, food and drink establishments, cultural activities, an important location for business and has a substantial (and growing) residential population.

In light of the importance of the Town Centre (both in terms of its current context and also the central role it plays in the WLP) it was considered essential that a 'Spatial Approach to the Town Centre' was developed and placed at the forefront of the Plan. Policy SS3 provides clear strategy and direction for the town centre and together with related Policy DM13 provide clear direction whilst also providing a good degree of flexibility to reflect uncertain and changing economic conditions. To help reflect the identified development needs of the Borough the Plan allocates four residential / mixed-use development sites in and around the town centre (allocations - A7 / A9 / A11 / A14).

A key objective of the Local Plan is to regenerate the town centre (Vision 2) and strengthen the area as a location for shopping, leisure and business (Strategic Objective SO9). These aims are then supported by a Spatial Policy for the Town Centre (SS3) which seeks to create a place where people want to spend time in and where investors want to invest. Policy SS3 provides a clear strategy and direction for the town centre and together with the policies listed below support the overarching objectives of the Plan whilst also providing a good degree of flexibility to reflect uncertain and changing economic conditions:

- DM6 – Public Realm
- DM12 – The Visitor Economy
- DM13 – Retail and Town Centre Uses Policy

DM13 further clarifies the hierarchy of retail centres in Worthing and explains how these function. The policy sets out clear planning guidance for how change in all areas should be managed and supported over the Plan period.

Although retail remains a key element of any mix of uses, the policies within the Plan very clearly support the diversification of uses (including residential) within the town centre with strong encouragement for alternative uses - particularly those that support both the daytime and evening economies. Whilst the Council still considers it appropriate to provide a clear policy framework for the town centre and other retail areas it is not considered that this is overly restrictive. Care has been taken to ensure that the wording is sufficiently flexible to allow changes in circumstance (covid-recovery, changing retail habits, changes of Permitted Development Rights, leisure demands, mixed-use community hubs etc). Whilst it is acknowledged that new use Class E is likely to have implications for land uses within retail areas this has been taken into consideration and it is not felt that any change is required to the policy framework at this time this will be kept under review. However, the following modification to the supporting text to Policy DM13 paragraph 5.175, first sentence, is proposed to reflect changes with Class E:

'As mentioned above, changes made at the national level have, in effect, increased the ability for changes to be made between ~~use classes~~ **land uses within** the town centre.'

It is worth noting that at the Reg 19 stage there were only 3 responses received in relation to this policy, none of which challenged its purpose or clarity. One highlighted that the policy fails to acknowledge the importance of biodiversity, the others raised concerns that the policy needs to be more flexible to respond to uncertainty and consider the impact in not meeting

local housing needs on the competitiveness of the town centre. The officers' response to these representations are set out in the Schedule of Representations & Officer Responses ([SDWLP-54/57/66](#)).

Q140. What is the justification for suggested modifications M5 and M6 and are they necessary for soundness?

Council's Response:

The Council is of the view that these modifications are necessary for soundness.

The proposed amendments (M5) to paragraph 3.35 and paragraph 3.36 highlights the growing demand and support for smaller, environmentally friendly and independent retailers. This change being experienced in the town centre is one that is in line with a number of the WLP's strategic objectives. This modification helps to highlight that, with regards to the town centre, the plan has been positively prepared.

The proposed addition of criterion g) to policy SS3 (M6) links the Council's objectives for green infrastructure. Whilst the Council has sought to avoid repetition of policies within the WLP, it is felt that this cross reference will make the plan more effective given the significant opportunities there are within the town centre to integrate biodiversity and help to address climate adaptation and ecological connectivity.

Retail and Town Centre Uses (Policy DM13)

Q141. Is the retail hierarchy justified and appropriate? Does it adequately reflect the size, role and function of the settlements and the level of existing provision? For effectiveness, should the centres which make up the hierarchy be set out in policy?

Council's Response:

The Council considers that the retail hierarchy set out in the Plan is justified and appropriate. In addition, it considers that the centres within it adequately reflect the size, role and functions of the settlements and the level of existing provision.

The NPPF at paragraph 86 states: *'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. Planning policies should:*

a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;

b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;'

The current hierarchy set out in the Plan is a long established one, having been defined in previous iterations of the Local Plan. Over time, the hierarchy has been reviewed, reassessed and revised as necessary to ensure that it met with the prevailing national policy requirements and identified local needs. In order to support the new Local Plan the Council commissioned retail consultants to undertake a review of the main town centre and the district and local centres to ensure that they remain fit for purpose and to make any necessary amendments as required to ensure that they remain so.

The Worthing Retail & Main Town Centre Uses Study 2017 Final Report, August 2017 ([CD/K/2](#), [CD/K/3](#), [CD/K/4](#)) in Chapters 5 and 6 clearly set out the work undertaken by the consultant to assess and review these centres. The 2017 study concludes that the hierarchy of centres is fit for purpose but that a number of revisions were recommended regarding the boundaries and frontages. More specifically paragraph 10.70 bullet points 6 and 7 refer to the need for district centres to remain vital *'to ensure that they continue to meet local residents' essential day-to-day shopping needs and assist in promoting sustainable patterns of shopping in the Borough.'*

In reference to the network of Local Centres (small and medium scale) the study concludes that these *'also play a significant role in meeting local shopping needs and the loss of these facilities could potentially have a negative impact on sustainable shopping patterns and ensuring that all residents are able to access basic shopping needs within easy reach of their homes.'*

In early 2020 the Council commissioned a focused update of the 2017 study with a particular focus on Worthing Town Centre in light of significant changes that the retail sector had undergone and changes in national policy. The Worthing Town Centre Study Update March 2020 ([CD/K/1](#)) considered and undertook a review of the previous evidence base (2017 study), outputs and assessed the implications of change on the conclusions and recommendations. Whilst some further changes were recommended the fundamental conclusions of the update are that the hierarchy still remains relevant, justified and appropriate.

The Council considers that Policy DM13 as currently drafted with the list of all centres detailed in the supporting text on page 143 of the Plan is both clear and effective and as it is not considered necessary to amend the Policy text.

<p>Q142. How have the primary shopping areas and frontages been determined? Are they justified? Is the extent of the PSA on the Policies Map clear, both in terms of the policy and Policies Map?</p>

Council's Response:

As set in the Council's response to question 141 (above) the reviews of the hierarchy of centres included a reassessment of boundaries and frontages. The Council considers that the Primary Shopping Area (PSA) and the Primary Shopping Frontage within it are underpinned by robust evidence and as set out in both the 2017 Worthing Retail & Main Town Centre Uses Study 2017 Final Report, August 2017 ([CD/K/2](#), [CD/K/3](#), [CD/K/4](#)) and the 2020 focused update ([CD/K/1](#)) and are therefore justified.

In addition, the extent of the PSA is considered to be clearly defined in both policy and in the policies map (Worthing Local Plan - Map ([CD/H/2](#)) and Worthing Local Plan - Town Centre Inset Map ([CD/H/3](#))).

The NPPF at paragraph 86 b) states that planning policies should:

b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;

The 2017 study at Chapter 9 sets out a detailed assessment of the Council's approach to defining frontages within the centres and considers the appropriateness of the existing Core Strategy proposals map definitions. It also provides guidance on whether the Council's policies in relation to retail and town centres remain fit for purpose for carrying forward into the Council's new Local Plan. A number of recommendations were made in terms of the definitions and extent of boundaries and frontages and the overall conclusion was that there remained a valid role for defining frontages as part of a positive strategy for each centre.

The 2020 study acknowledges the change of national policy from the previous requirement to define primary shopping areas, based on a clear definition of primary and secondary shopping frontages in designated centres to the removal of reference to Primary and Secondary Frontages. However, it notes that the Planning Policy Guidance confirms that such allocations remain useful tools if desired in supporting the vitality and viability of town centres.

Q143. Is the policy and approach for each tier of the hierarchy consistent with paragraph 86 of the NPPF, in particular:

- i. criterion a. which expects policies to allow centres to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, and
- ii. criterion f. which recognises that residential development often plays an important role in ensuring the vitality of centres.

Council's Response:

The Council considers that the approach to each tier of the hierarchy set out in the Plan is consistent with paragraph 86 of the NPPF and in particular criterion a) which states:

a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters; and

f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

The Council's response to question 141 (above) sets out why the hierarchy is considered justified and appropriate.

Policy DM13 responds to the evidence base that has assessed each level of centre and

recommends the most appropriate strategy taking into account the role, function and 'distinctive characters of each tier', and sets out a clear and justified strategy and approach to decision making. The overarching approach to the hierarchy is set out in criterion b) of the policy and seeks to ensure that change of use and redevelopments make a positive contribution to the vitality, viability and diversity and are of an appropriate scale for the centre concerned.

Care has been taken to ensure that the wording of the policy reflects the strategy, gives support to appropriate uses and scale of development but is also sufficiently flexible to allow changes in circumstance (e.g. covid-recovery, changing retail habits, changes of Permitted Development Rights, leisure demands, mixed-use community hubs etc).

Given the levels of unmet need in the borough a central thread running through the WLP is the need to maximise the delivery of housing on suitable sites - this includes the potential for new residential development in 'centres'.

The supporting text to the policy at para 5.169 sets out what the policy needs to do and refers to NPPF para 86 a) which specifically refers to residential as part of a suitable mix of uses in centre taking account of the distinctive characteristics of centres.

Paragraphs 5.179 - 5.180 recognise the importance of the residential population of the main Worthing Town Centre and the opportunities through regeneration sites in or close to this main centre to introduce new dwellings. This includes reference to the key role the town centre plays and in recognition of this the WLP includes a strategic Spatial Policy SS3 which seeks to enable the centre to be a place where people want to live.

Criterion b) of SS3 seeks to improve and enhance the mix of uses in the town centre with a specific reference to residential delivered as part of key development sites and the more efficient use of existing sites. Policy DM13 c) clearly refers to the need for proposals for development in the main Town Centre to be assessed against Policy SS3.

In terms of the other tiers of centre in the hierarchy residential would be accepted as part of the mix of uses and would be subject to that part of the policy specific to the centre in question and the overarching criteria set out at b). This criteria seeks to ensure that any use or redevelopment would not negatively impact the viability or vitality of the centre as a whole. In addition criteria i) of Policy DM13 encourages the efficient and effective use of the upper floors of centres to add to the viability and vitality of centres without undermining the viability of the unit at the ground floor. Residential use of the upper floors is encouraged.

The Council is satisfied that both criteria a) and f) are reflected in the Plan and as such Policy DM13 is consistent in that regard with the NPPF.

<p>Q144. Paragraph 5.183 suggests that 65% of the Primary Shopping Frontage should be retained in retail use. For effectiveness should this figure be set out in the policy (as the 50% figure is set out for District and Medium Scale Local Centres)? Are these figures justified?</p>
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Council's Response:

The percentages set out for the Primary Shopping Frontage and for District and Medium Scale Local Centres are based on the recommendations set out in the evidence that

supports the Plan's approach to the retail hierarchy and centres within it. As such the Council considers the percentage figures to be justified.

The evidence recommends that a 65% minimum threshold of units for retail (former use class A1) in Primary Shopping Frontages should be retained, irrespective of unit size. This will ensure a strong mix and diversity of retail operators irrespective of floorspace and length of frontage. The Worthing Town Centre Retail Study Update - March 2020 ([CD/K1](#)) undertook a complete review of the vitality and viability of the town centre. It concluded that this percentage threshold for retail within the Primary Shopping Frontage is consistent with national averages in the context that 35% of town centre units are – on average – occupied by leisure and financial/business services.

In light of the significant changes that have taken place in respect of the use class order, particularly since the evidence was prepared, it is recognised that the proposed thresholds may well present a challenge. However, the underlying evidence supports them as part of the clear and justified strategy for each tier of hierarchy. The wording indicates that the Council will 'seek' to retain these percentages which provides an appropriate degree of flexibility.

The Council accepts that the location of the 50% threshold for District and Medium Scale Local Centres (sitting within the policy text itself) and the 65% threshold for the Primary Shopping Frontage (sitting within the supporting text to the policy) does represent an inconsistency. To address this and ensure that the policy is effective a modification is proposed that amends the the first line of criterion d) i) as follows:

d) i) Primary Shopping Frontage (PSF) - will be the focus for retail uses within the centre. **The Council will seek to retain 65% of units in retail use** and the loss of retail uses will be resisted.....'

Q145. Under criterion d. iii) is it clear to decision makers what would constitute an over-concentration of takeaways?
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Council's Response:

The evidence base underpinning this Policy points to the negative impacts that an over-concentration of uses with closed and inactive street frontages and a proliferation of take-aways can have on the vitality, viability and diversity of use in a centre.

Criterion d) iii) specifically relates to Worthing Town Centre. This centre has the main concentration of drinking establishments, leisure facilities and nightclubs that, in part, make up the evening and night time economy. Whilst one would expect takeaways to form part of the makeup of a town centre concerns can arise when there are too many in a certain location leading to a visible concentration of such uses in an area or stretch of high street, which is changing the character of the area through the domination of such uses. It can lead to a proliferation of anti-social behaviour, noise, litter and in some cases have a closed frontage during the day. It is these issues which will help to determine whether there is an over-concentration of takeaways rather than the use of a rigid and less flexible numerical figure for the number of establishments within a set geographical area. This helps to ensure that the policy is effective.

In terms of assessing any proposal, consideration will be given to the number of similar uses

within the frontage. Close liaison with colleagues from Environmental Health, Licensing, Planning Enforcement and the Police will help to identify any existing or potential issues. An assessment would then be made as to whether any potential issues could be addressed through planning either via conditions or whether the specific locality had reached a point where no further similar establishments should be permitted in the interest of the wider viability and vitality and impact on amenities.

Q146. Is it clear to decision makers and developers in what circumstances the conditions referred to in criterion h. would be imposed and what they would restrict?

Council's Response:

The Council considers that criterion h) of the policy is clear as to when and how it would be applied. The Plan and Policy DM13 needs to be read as a whole. Policy DM13 sets out the approach to each level of centre with supporting text setting out why the approach taken is justified.

In order to deliver on the expectations of the NPPF at Paragraph 86 in '*taking a positive approach to their growth, management and adaptation*' together with local aspirations and to ensure that the centres and hierarchy remain relevant and fit for purpose, it was considered necessary to have some ability to 'manage' where the evidence justifies this. Paragraph 5.175 of the supporting text to the policy clearly acknowledges the changes at national level and the resultant reduction of control over change of use.

Criterion h), where applicable, allows the Council to consider whether the application of conditions will help achieve the aspirations set out for each centre and as supported by the evidence base. As stated in criterion h) conditions may be used where the Council have the power to do so and where it is considered appropriate to do so to protect the vitality and viability of a particular centre by seeking to have a more managed approach to changes of use. It is clear that conditions will only be applied where it is relevant and appropriate to do so. This approach is not contrary to the NPPF as it will allow the Council to ensure that approved changes are in line with the Council's aspirations for the area (which, in turn, reflect the Government's objective to support economic growth and vibrancy within town centres).

Q147. What is the justification for the threshold of 500 sqm for the requirement for impact assessments?

Council's Response:

With regards to the setting of thresholds paragraph 90 of the NPPF states:

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*

b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

In terms of setting a local threshold national policy guidance states:

'The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:*

- *scale of proposals relative to town centres*
- *the existing viability and vitality of town centres*
- *cumulative effects of recent developments*
- *whether local town centres are vulnerable*
- *likely effects of development on any town centre strategy*
- *impact on any other planned investment'*

Recommendation WTC15 (Page 91): of the Retail & Main Town Centre Uses Study 2017 Final Report, August 2017 (CD/K/2, CD/K/3, CD/K/4) states that the Council should: *'Enforce an impact threshold within future planning policy documents, ensuring that edge and out-of-centre retail development proposals are required to undertake a full and detailed impact assessment for schemes up to 500 sq.m gross.'*

The updated Town Centre Study 2020 ([CD/K/1](#)) reiterates the importance of this requirement in recommendation WTC29 on Page 37 of the report. It notes at para 7.5 of this report that: *'The Council should continue to be cautious about out-of-centre development proposals which could have a catastrophic impact on town centre trade retention.'*

A default threshold of 2,500 sqm gross referred to in the NPPF is significant and above most retail unit sizes. This means that most development proposals that are likely to come forward in Worthing would not need to do an impact assessment. Lidl and Aldi, for example, are both usually under this threshold, and represent retailers that often opt for out of centre destinations which can then have a significant impact on town, district and local centres.

As a benchmark, it should be noted that small convenience stores are usually between 200-500 sqm and comparison goods units generally range from 80-1,000 sq m.

The NPPF allows local authorities to set their own thresholds and most Local Plans do include an impact threshold within their respective policies. The Council considers it important to identify an appropriate lower local threshold in order to manage future development proposals in Worthing and ensure they are appropriately tested in terms of their likely impact; both individually and cumulatively.

Therefore, the threshold suggested by the Council's retail consultants (which has then been taken forward in the WLP) was influenced and informed by the scale and type of retail units present in out-of-centre retail areas within the Borough. The proposed local threshold is appropriate and effective as most applications will fall below the 2,500 sqm figure. The local evidence, along with the identified risks to the viability of the town centre, provides justification for the proposed threshold.

Q148. Should the policy be modified to take account of the revocation of the A4 and A5 Use Class?

Council's Response:

The Council agrees that references to the now revoked terms A4 and A5 should be removed from Policy DM13 to take account of the latest changes to the Use Class Order. The following modifications to both supporting text and the policy wording to DM13 in the Plan are suggested to ensure that the policy is effective and consistent with national guidance:

Amend heading to Paragraph 5.194 Page 143 as follows:

Applicable to all Centres
Drinking establishments (~~A4~~) and takeaway establishments (~~A5~~)

Make the following amendments within Policy DM13 (Retail and Town Centre Uses):

Amend 2nd sentence of d) i) as follows:

Uses such as Drinking Establishments (~~A4~~) and takeaways (~~A5~~) together with other uses that would detract from the overall shopping function of the frontage will be resisted;

Amend 2nd sentence of d) ii) as follows:

However, uses such as takeaways (~~A5~~) and uses with closed and inactive street frontages will be resisted.

Amend 2nd sentence of d) iii) as follows:

However, uses such as takeaways (~~A5~~) and uses with closed and inactive street frontages will be resisted. particularly where they cause or contribute to an over-concentration of such uses.

Amend 1st sentence of g) iii) as follows:

in all District and Local Centres drinking establishments (~~A4~~) and takeaways (~~A5~~) uses will be considered on their merit.....

Worthing Borough Council
Planning Policy
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