

Introduction

- 7.1 Within Mid Sussex the town centres of Burgess Hill, East Grinstead and Haywards Heath provide the main shopping facilities serving the needs of their respective catchment areas. These centres offer a good range of shops in addition to being the traditional focus of community activities providing a variety of public services such as libraries, health services, leisure and entertainment centres. In order to extend the range of shopping facilities and to improve the attractiveness of the District's three main town centres a number of schemes have been undertaken over recent years.
- 7.2 The Market Place shopping complex (an extension to the Martlets) in Burgess Hill town centre opened in 1991 and comprises 10,300m² of covered retail floorspace including an indoor market and a Waitrose supermarket. A major refurbishment of the Martlets was undertaken in 1992 and improvements in the form of shopper parking provision and pedestrianisation of much of Church Road have been undertaken. Within Haywards Heath town centre the pedestrianised shopping precinct at The Orchards built in 1982 comprises over thirty retail units including a Marks and Spencer food and clothing 'anchor store'. Within East Grinstead, enhancements have been carried out recently in the town centre, with additional traffic calming measures, new pedestrian crossing points, planting, seating, lighting and bus stops.
- 7.3 There have also been food superstores opened in each of the three towns. In September 1991 a Sainsbury's superstore commenced trading on the former Cattle Market site in Haywards Heath. In 1993, a Sainsbury's opened on the former station goods yards site in East Grinstead and a Tesco store opened at Jane Murray Way in Burgess Hill. Regular open markets are also now being held in East Grinstead, Burgess Hill and Haywards Heath.
- 7.4 Cumulatively these various retail developments represent a significant increase in the amount and range of shopping provision in the District. Nevertheless, the Mid Sussex towns are vulnerable to competition from centres outside of the District, especially with regard to greater choice for comparison shopping and a wider range of leisure facilities. A survey undertaken by the Council in October 1993 showed that over 50% of households within Mid Sussex travel to either Crawley or Brighton for the majority of non-food purchases. In a more recent survey undertaken in September 2000, this figure had risen to 56%, indicating a slight increase in shoppers going out of the District for non-food purchases. However, the 2000 survey also revealed that approximately 80% of Mid Sussex households carry out their main food shopping within the District, and over a third within Burgess Hill. However there has been a decline from 8% in 1993, to 2% in 2000, of households using rural shops for their main food shopping. In addition, there has been an increase from 86% (in 1993) to 91% (in 2000) of households using cars to undertake their main food shop, and from 77% to 84% using a car for non-food shopping trips.
- 7.5 Further Shopping Surveys have also been carried out. Town centre shopping frontage surveys were undertaken for East Grinstead in 1995 and Burgess Hill and Haywards Heath in 1998. A Sussex Wide Retail Survey was commissioned by a number of authorities in West and East Sussex in 1996. The survey was carried out by James Morrissey consultants and considered the need for additional shopping facilities, including out of town developments in Haywards Heath and Burgess Hill up to the period 2006. An East Grinstead Town Centre study was carried out by consultants, Hillier Parker in May 1999.
- 7.6 In addition to the shopping facilities already mentioned, several of the larger villages within the District such as Hassocks and Hurstpierpoint provide a range of shopping

facilities and services for both residents and visitors as well as serving the day to day needs of the surrounding rural areas. In many smaller villages single shops, often with sub-post office facilities, have an important role to play particularly for the less mobile members of the community.

Policy Background

National and Regional Planning Policy

- 7.7 Relevant Government advice has been published in the form of Revised PPG6: Town Centres and Retail Developments (June 1996) and PPG13: Transport (March 1994). PPG6 states that the Government's objectives are to sustain and enhance the vitality and viability of town centres; to focus retail development in locations which facilitates competition to the benefit of all consumers; to maintain an efficient, competitive and innovative retail sector; and to ensure the availability of a wide range of services and facilities which are easily accessible by a choice of means of transport.
- 7.8 On 10th April 2003, the Government released a Parliamentary statement on town centre planning policies. The statement is intended to clarify government policy on town centres and retail developments and specifically refers to the issues of retail need and the sequential approach in considering proposals for new retail developments. This is explained further in paragraph 7.26 below.
- 7.9 Variety and activity are seen as essential elements of the vitality and viability of town centres and PPG6 encourages a diversity of uses to complement their shopping function. However, it is clearly stated that the retail function should continue to underpin town centres. The promotion of town centre management and the preparation of a development strategy to enhance the attractiveness of the centre is also encouraged.
- 7.10 PPG6 advises local planning authorities to adopt a positive, plan-led approach to handling planning applications involving new retail developments. It advises authorities, in preparing planning strategies and policies, to consider the need for new retail development in the plan area over the lifetime of the plan. Where a need exists, local planning authorities should adopt a sequential approach to identify suitable sites. The first preference should be for town centre sites, followed by edge-of-centre sites, district and local centres and, only then, out-of-centre sites that are accessible by a choice of means of transport. The issue of 'need' was clarified by Richard Caborn, the Minister then responsible for planning matters, in an answer to a parliamentary question. He stated that proposals for new retail development which would be located at an edge of centre or out of centre location "should be required to demonstrate both the need for the additional facilities and that a sequential approach has been applied in selecting the location of the site."
- 7.11 PPG13 aims to reduce the growth in the length and number of motorised journeys; to encourage alternative means of travel which have less environmental impact; and to reduce reliance on the private car. Local Planning Authorities are advised to encourage local convenience shopping by promoting the location of facilities in local and rural centres which are readily accessible by foot or by bicycle; and, where central locations are not available, to seek sites on the edge of the centre which are within easy walking distance of the town centre and can be served by a variety of means of transport.

West Sussex Structure Plan Deposit Draft 2001-2016

7.12 The West Sussex Structure Plan Deposit Draft 2001-2016 is written in the light of Government advice included in PPG6 and PPG13. Policies NE8 and NE9 set out the importance of maintaining and enhancing town, village, district and neighbourhood centres. New developments in keeping with the centres' shopping function will be encouraged as will improvements to public transport, cycling and pedestrian provision. Permission for retail development outside of established centres is considered favourably only where specific criteria, encompassing the principles set out in PPG6, PPG13 and guidance on sustainable development, are met. There is also support for the retention of local shops in villages or residential areas.

Policy Aims

7.13 The Policy aims for shopping in this Local Plan are:

- (a) To maintain and enhance the range, quality and vitality of existing shopping centres at Burgess Hill, East Grinstead and Haywards Heath, and to safeguard their position in the sub-regional shopping hierarchy;
- (b) To resist proposals for major retail development outside the Districts' recognised town centres;
- (c) To encourage the improvement of the shopping environment of the main shopping centres, increasing their general convenience and attractiveness for shoppers, including those with mobility problems;
- (d) To encourage the improvement of access arrangements to the main shopping centres, particularly for public transport, cyclists and pedestrians;
- (e) To encourage the improvement of town centre parking facilities for car borne shoppers and visitors;
- (f) To maintain and enhance shopping facilities in villages and in local shopping parades; and
- (g) To ensure that new residential developments are adequately served by local shopping facilities.

Policies and Proposals

Town Centre Shopping Developments

7.14 As part of its sustainable approach to development the Council is keen to promote and enhance its town centres and resist out-of-town development, particularly where it erodes the countryside. The Council wishes to see the shopping facilities of the main shopping centres of Burgess Hill, East Grinstead and Haywards Heath and the smaller centres such as Hassocks and Hurstpierpoint maintained and where possible improved and made more attractive. The Council will generally encourage and support new town centre proposals which will enhance the vitality and viability of these centres. Where town centre sites are not available appropriate edge-of-town centre sites, defined in PPG6 as locations 'within an easy walking distance (i.e. 200-300 metres)' of the town

centre which enable dual shopping trips to take place, will normally be supported. Town centres are defined on the Proposals Map for Burgess Hill, East Grinstead and Haywards Heath.

- 7.15 In East Grinstead the Council would still like to see the redevelopment of Queens Walk for additional shopping facilities as previously allocated in the East Grinstead and Worth Local Plan. Recent new retail developments within the District include the Homebase store in East Grinstead and the Halfords and Jaegar warehouses in Burgess Hill. In Haywards Heath the Council would like to see an extension to the existing Orchards shopping precinct developed, as allocated in the Haywards Heath Local Plan. No other suitable sites have been identified within the District for further new retail development. A detailed strategy for each of the main town centres is set out in the appropriate area chapter of the Local Plan.

S1 Proposals for new or enhanced shopping facilities which will sustain and enhance the vitality and viability of the town centres as defined on the Proposals Map will be permitted subject to the other policies in the Local Plan.

Land is allocated for new shopping development at the following locations shown on the Proposals Map:

- The Martlets, Burgess Hill**
- Queens Walk, East Grinstead**
- The Orchards, Haywards Heath**

New Developments

- 7.16 In all new developments, and wherever possible in existing shopping areas, access to the shopping area and into individual units should be provided for all potential users including wheelchair users and those with mobility problems, as well as shoppers with prams and pushchairs. Town centres can play an important role in reducing reliance on the car and new developments should increase the potential for shoppers to use buses or taxis and also to be able to cycle or walk in safety. Other measures which enhance the attractiveness of the shopping facilities will be encouraged by the Council. Adequate, appropriately located and well signed servicing and parking in accordance with the Council's Supplementary Planning Guidance "Car Parking Policy in Relation to Development", will be required in conjunction with the necessary highway measures, to ensure that effective traffic management is introduced with any new proposals or major redevelopment schemes.

S2 New retail developments (over 500m² gross floorspace) will be permitted where adequate provision is made for:

- (a) access by public transport, bicycle and foot;**
- (b) external access for people with special needs such as the disabled and those with wheelchairs and pushchairs;**
- (c) safe and well lit parking;**
- (d) servicing;**

- (e) landscaping; and
- (f) recycling facilities as appropriate.

Primary Shopping Frontages

7.17 Primary shopping frontages are those areas which the Local Planning Authority considers are the principal shopping areas which should be predominantly for retailing. Proposals should therefore enhance the shopping facilities available and not undermine the retail function of the area. Class A2 uses such as banks, building societies and estate agents, and Class A3 uses such as cafes and restaurants can also add to the attractiveness of shopping facilities and extend shoppers' visits, while diversification of uses to include community and leisure uses can also enhance the vitality of town centres by encouraging dual trips. However, the Council is anxious that within the principal shopping streets a high proportion of ground floor units should remain in A1 shop use. Change of use to non retail uses can break up the continuity of the existing shop frontage in such areas and present a 'dead frontage' that detracts from the attractiveness of the area. Within the main towns the primary and secondary shopping frontages have been defined (these are shown on the Proposals Map). An over concentration of single uses such as hot food take aways, restaurants, cafes, wine bars and public houses can cause local problems. Factors such as smells, litter, parking and local residential amenity will therefore be carefully considered. Where appropriate, the Local Planning Authority will impose reasonable planning controls, i.e. the hours of business of A3 uses.

S3 Within primary shopping frontages change of use to Class A2 financial and professional services or A3 food and drink uses will be permitted where:

- (a) a clear predominance of Class A1 shop uses would be maintained;
- (b) the nature of the proposed use would sustain and enhance the vitality and viability of the centre;
- (c) the location and prominence of the proposed use would not lead to a significant break in the continuity of the shopping facilities;
- (d) the development would not result in an over concentration of non-retail uses;
- (e) the development would not create an unacceptable disturbance or nuisance; and
- (f) the development would not result in an adverse impact on local residential amenity.

Changes of use to B1a offices or residential use at ground floor level will be resisted.

Secondary Shopping Frontages

7.18 Secondary shopping frontages tend to be smaller areas on the edge of, or beyond, the primary areas. Within these designated areas the Council is keen to retain a high proportion of Class A1, A2 and A3 uses appropriate to a shopping area, which contribute to the pedestrian flow and attractiveness of the area. However, where it can be shown that a vacant unit can no longer function as a shop, financial or professional service use, or as a food and drink use, consideration will be made regarding the impact that diversification to an alternative use would have on the particular shopping area. As for proposals in primary shopping frontages (see above), the Local Planning Authority will seek to protect local residential amenity and, where appropriate, will impose reasonable planning controls.

S4 Within secondary shopping frontages change of use to Class A2 financial and professional services or A3 food and drink uses will be permitted where:

- (a) the proposal would sustain and enhance the vitality and viability of the shopping area;
- (b) the cumulative effect of non-A1 shop uses is not so great as to undermine the attractiveness of the shopping area;
- (c) the development would not create an unacceptable disturbance or nuisance; and
- (d) the development would not result in an adverse impact on local residential amenity.

In exceptional circumstances change of use to B1a office, medical use or residential use, at ground floor level, will be permitted where:

- (i) it can be shown that an A1, A2 or A3 use is no longer viable;
- (ii) an unacceptable break in the frontage of A1, A2 or A3 uses would not occur; and
- (iii) the cumulative effect of the proposal would not be so great as to undermine the vitality and viability of the shopping area.

7.19 In order to enhance the vitality of shopping areas, where vacant space is available above a shop the Council will encourage residential or B1a office use. Suitable access arrangements should be provided. Where existing residential accommodation above shops is vacant the Council will seek its re-use as a residential property in accordance with the National Empty Homes Strategy.

- S5** Changes of use of vacant premises above ground floor level in primary and secondary shopping frontages to residential or B1a office will be permitted, subject to satisfactory access arrangements being made available.

Local Shopping Areas and Individual Shops

- 7.20 Outside of the three main town centres there are various village shopping centres which serve an important need supplying the day to day requirements of local residents, particularly those without access to a car. Their importance is reflected in the Government's policy of offering reduced business rates to support village shops. Elsewhere neighbourhood shopping parades and individual shops, in many instances including a sub post office, fulfil important local functions. The West Sussex Structure Plan Deposit Draft 2001-2016 generally supports improvements to local shopping facilities in villages and residential areas. Careful consideration must however be given to the siting of new shops within or adjacent to residential areas because of the likely increase in activity to be generated by the development and the possible effects on residential and highway amenity. In certain villages traffic management measures, including traffic calming and increased off street parking provision, may be required to improve the accessibility and attractiveness of the shopping facilities. Particular proposals are set out in the area sections of this Local Plan.
- 7.21 In view of the importance of local shopping centres and individual shops, particularly in the villages, the Local Planning Authority, where possible, will resist the loss of convenience shopping facilities in the interests of maintaining locally accessible and viable facilities. However, a change of use from one form of shop use to another such as a food or general stores to an antique or gift shop does not require planning permission. Similarly, the loss of a sub post office is outside of the Local Planning Authority's control. With regard to individual shops in residential areas, where practical and feasible the Local Planning Authority will resist their loss. However, where exceptional circumstances can be shown to exist, such as where the retail use has been proven to be unviable, other uses such as Class A2, A3, B1a office use, medical use or residential uses will be considered. The Local Planning Authority must be satisfied that the change of use would not result in problems related to traffic generation, parking, noise, litter or smells.

- S6** Outside the main shopping areas (defined as primary and secondary shopping frontages) new small scale shopping facilities will be permitted where the proposal will not be detrimental to the character and amenities of the surrounding area and will not give rise to problems of traffic generation or car parking.

- S7** In order to maintain the range and availability of local shopping facilities changes of use from Class A1 shop use to other uses will be resisted in the villages and in neighbourhood centres. In exceptional circumstances, where the retail use is shown to be no longer viable, a change of use to Class A2 financial and professional services, A3 food and drink use, B1a office use, medical use or residential use will be permitted providing that:

- (a) it can be shown that the existing use is no longer viable;

- (b) **adequate parking facilities are available;**
- (c) **the proposal would not have an unacceptable impact on the amenity of the area.**

Developments on the edge-of and outside the Town Centre

- 7.22 Over the last 10-15 years changes in the nature of retailing have had a significant impact on many town centres. Out-of-town food superstores, retail warehouse parks, out-of-town regional shopping centres and more recently warehouse clubs and factory outlet centres have become a familiar feature; nationally about a quarter of all shopping floorspace is currently located outside of town centres. With the rapid increase in car ownership such forms of shopping have proved to be popular. However in some areas the consequential diversion of trade from existing town centres has led to their decline, with high vacancy rates and associated problems.
- 7.23 In Mid Sussex the provision of food superstores is considered to meet the perceived needs of the communities in the District as shown by the results of the 2000 District wide Household Shopping Survey, with 80% of households carrying out their main food shop within the District. Whilst recognising that the provision of further retail warehouse developments would add to the existing range of this type of shopping facility and hence consumer choice, the Council is concerned that it could have a detrimental impact on the vitality and viability of existing town centres. It is also of concern that particular town centre traders might be drawn to the out of town centre site and that a loss of town centre trade might result. Although it is not the Local Planning Authority's place to inhibit commercial competition, where the town centre is currently under performing and is experiencing difficulties in maintaining a wide range of goods and services the Council will consider the likely impact, both of an individual proposal and cumulatively with others, on the vitality and viability of the existing shopping centre.
- 7.24 Another consideration regarding potential out-of-town centre stores is the existing use of the particular site suggested or the use for which the site is allocated. For example, a proposal for retail development should be considered against requirements for other uses such as residential or business development, particularly as the amount of industrial land available in many parts of the District is limited.
- 7.25 In terms of protecting the town centre and reducing use of the private car the sequential approach in selecting a retail site should be adopted. First preference is for town centre sites where suitable site or buildings suitable for conversion are available. The Council would then prefer to see new retail developments on edge-of-town centre sites, i.e. those sites which are contiguous to, or within easy walking distance of, existing shopping centres (generally within 200-300 metres of the primary shopping frontage) where sites are accessible by public transport and complimentary to existing retail provision. Only where it can be shown that no suitable town centre site exists, and that the need for the development has been demonstrated will out of town centre sites be considered in built-up area locations accessible by public transport. Town Centre Shopping Policy Boundaries are defined on the proposals maps for Burgess Hill, East Grinstead and Haywards Heath. These include Primary and Secondary shopping frontages.
- 7.26 On 10th April 2003 the Government issued a parliamentary statement on town centre planning policies. This statement aims to clarify retail policies and specifically refers to the issue of retail need and the sequential approach to site selection. In relation to these terms and in the context of Policies S8 and S9, the guidance given in the statement will

be taken into account in assessing proposals for new retail developments, including extensions.

The definition of “a reasonable period of time”, as stated in both Policies S8 and S9, is considered to be a period of approximately 5 years.

S8 Proposals for new or enhanced shopping facilities on edge-of-town centre sites, which are contiguous to or within easy walking distance of an existing shopping centre, will be permitted where:

- (a) a need for the development has been demonstrated;
- (b) no sites that are suitable, viable for the proposed use and likely to become available within a reasonable period of time within the town centre can be identified;
- (c) the proposal would sustain or enhance the vitality and viability of the town centre;
- (d) the site is accessible by a choice of means of transport;
- (e) the range and quality of sites or buildings for business use would not be limited;
- (f) the range and quality of sites for housing would not be limited;
- (g) the proposal would not be detrimental to the character and amenities of the surrounding area;
- (h) the effects of traffic generation can be safely and acceptably accommodated; and
- (i) the criteria set out in Policy S2 are met.

7.27 Where retail developments outside the existing town centre are permitted the Local Planning Authority may consider it necessary to impose planning conditions or to enter into a legal agreement to control the size of individual units and prevent any subdivision which would increase the threat to existing high street shops and services. Conditions or a legal agreement to restrict the range of goods sold so that as far as possible these complement those sold in existing town centre shops may also be imposed.

7.28 Issues regarding the protection of the countryside and particularly sensitive areas such as strategic and local gaps are dealt within the Countryside Chapter. Proposals for retail development in the countryside will not be permitted on environmental grounds.

7.29 Where it can be demonstrated that there is a need for new out-of-town centre retail developments the Local Planning Authority will assess proposals carefully to balance the desirability of improved shopping provision against the issues of sustainable development, including the need to protect existing shopping centres, other land uses, trip generation and the environment.

S9 Proposals for retail development on out-of-town centre sites will be permitted only where:

- (a) a need for the development has been demonstrated;
- (b) no sites that are suitable, viable for the proposed use and likely to become available within a reasonable period of time can be identified within the defined town centre or on the edge of the town centre;
- (c) in itself, or cumulatively with other recent or proposed retail developments, the proposal will not have a detrimental impact on the vitality or viability of any nearby shopping centre;
- (d) the site is accessible by a choice of means of transport;
- (e) the range and quality of sites or buildings for business, industry or warehousing development would not be limited;
- (f) the range and quality of sites for housing development would not be limited;
- (g) the proposal is within a built-up area boundary;
- (h) the proposal would not be detrimental to the character and amenities of the surrounding area;
- (i) the effects of traffic generation can be safely and acceptably accommodated; and
- (j) the criteria set out in Policy S2 are met.

Garden Centres and Farm Shops

7.30 Garden Centres have become increasingly popular in recent years and due to their location and the type of goods sold tend to attract mostly car borne visitors and shoppers. This is inevitable where garden centres develop out of existing nurseries located in rural areas. The Local Planning Authority's attitude towards garden centres is generally similar to that towards any retail proposal outside existing shopping centres in that it aims to minimise any increase in car journeys caused by the new development. It is also concerned to limit the impact on existing shopping centres and to resist unnecessary development in the countryside. Particularly in rural locations the Local Planning Authority is concerned about potential adverse impact on local roads in terms of road safety and environmental effects. In many cases nurseries or garden centres sell a variety of items, and as a form of retail warehouse usually require a large area of land for the display of goods for sale such as plants, garden furniture, garden sheds and greenhouses.

7.31 The Local Planning Authority is particularly concerned that the range of goods sold

should be appropriate to a garden centre and ancillary to the sale of plants and other garden items. Conditions may be imposed, or a legal agreement entered into, in order to restrict the type of goods which may be sold. Garden Centres often incorporate restaurant facilities and require exterior lighting, advertisements, and large areas for car parking. Such characteristics can make them intrusive in the landscape and detrimental to the rural character of an area. As set out in the Countryside Chapter such development is particularly unacceptable in countryside areas of special qualities such as Areas of Outstanding Natural Beauty, Strategic and Local Gaps (see Policies C1-C4). Garden Centres in remote rural locations are also considered to be contrary to the principles of sustainable development and will be given careful scrutiny in any event. Proposals for garden centres within the built-up area will be considered in terms of the earlier policies in this chapter.

- 7.32 Farm shops can provide a useful local facility in small settlements, particularly those without a local shop. However, in many instances the trade is from passing car borne customers rather than the local community. Planning permission is not required for a farm shop, which is ancillary to the main agricultural use, providing it sells only produce from the farm on that particular site and other locally produced goods. Permission is required for the sale of food or other goods produced elsewhere. Such proposals will be carefully controlled in order to minimise any inappropriate introduction of commercial activity into the countryside which could have a detrimental impact on the viability of nearby village shops. Where proposals for farm shops are considered they should meet the criteria set out in Policies C1 and C12 of the Countryside Chapter regarding development in the countryside and the diversification of activities in existing farm units.

S10 Proposals for new garden centres and farm shops outside the built-up area will only be permitted in exceptional circumstances where the proposal:

- (a) is related to an existing nursery or farm;
- (b) would not represent an unacceptable intrusion into the countryside, particularly within countryside areas with special qualities, regarding the scale, design and level of activity generated;
- (c) would not have a detrimental impact on the vitality or viability of any nearby village shop;
- (d) would not give rise to an unacceptable increase in traffic generation; and
- (e) uses existing buildings where possible.

Planning permission will be subject to conditions restricting the goods sold to those associated with horticultural or agricultural activity and appropriate to a rural location only.

Proposals for additional development relating to existing garden centres and farm shops will only be permitted when the proposal satisfies criteria (b)-(e) above.

