

SEQUENTIAL TEST

SEQUENTIAL TEST

Units 1 & 2, 5 Marshall Road, Hampden Park,
Lottbridge Drove, BN23 6QU

CML Investments LP

May 2024

YOUR REF:

OUR REF: 0501.02.M24-RPT

TETLOW KING PLANNING
FIRST FLOOR, 32 HIGH STREET, WEST MALLING, KENT ME19 6QR
Tel: 01732 870988 Email: info@tetlow-king.co.uk

www.tetlow-king.co.uk

Contents

Section 1	Introduction	1
Section 2	Site Assessments	4
Section 3	Conclusion	6

Copyright

This Sequential Assessment has been prepared by Tetlow King Planning based on the information provided by the client and consultant team. Tetlow King Planning does not accept liability for any changes that may be required due to omissions in this information. Unless otherwise agreed, this document and all other Intellectual Property Rights remain the property of Tetlow King Planning. When issued in electronic format, Tetlow King Planning does not accept any responsibility for any unauthorised changes made by others.

Introduction

Section 1

1.1 Paragraph 91 of the NPPF states that *“Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.”*

1.2 The Planning Practice Guidance (PPG) provides further clarity as follows:

“The sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.” Paragraph: 009 Reference ID: 2b-009-20190722.

“It is for the applicant to demonstrate compliance with the sequential test (and failure to undertake a sequential assessment could in itself constitute a reason for refusing permission). Wherever possible, the local planning authority is expected to support the applicant in undertaking the sequential test, including sharing any relevant information. The application of the test will need to be proportionate and appropriate for the given proposal. Where appropriate, the potential suitability of alternative sites will need to be discussed between the developer and local planning authority at the earliest opportunity.” (Paragraph: 011 Reference ID: 2b-011-20190722).

1.3 The PPG provides further information as to the checklist for matters assessed within the sequential test, which are:

- *“with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.*
- *is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can*

accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.

- if there are no suitable sequentially preferable locations, the sequential test is passed.” (Paragraph: 011 Reference ID: 2b-011-20190722).

1.4 Suitable in the context of the sequential test means that sites need to be both available and appropriate for the proposed development, with appropriate meaning that a site is capable of accommodating the proposed development with some degree of flexibility to be applied.

1.5 The PGG then notes that

“Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.” (Paragraph: 012 Reference ID: 2b-012-20190722).

1.6 The sequential test must therefore have regard to economic factors that can influence the decision of businesses in terms of location.

1.7 In accordance with the PPG a sequential test must therefore:

- Assess first whether there are any sequentially preferable sites that are available;
- Have regard to the market and locational requirements relating to the proposed development;
- Ensure that the assessment is both proportionate and appropriate for the proposed development; and
- Be sufficiently flexible to demonstrate whether the proposed development could be accommodated within alternative more central sites.

1.8 The floorspace at the application site measures approximately 500square metres (Gross Internal Area), accordingly, to demonstrate ‘flexibility’ and meet the requirements for the operator we have only assessed in detail units that could provide between 400 and 1,000 square metres (GIA) of floorspace. Other specific site criteria include:

- A customer car park of an appropriate size directly adjacent to the retail unit to allow the safe and direct transfer of goods from store to customer vehicle, for the purchase of bulky goods.
- The provision of most of the main sales area on a single, ground floor level to facilitate trolley shopping and the transfer of bulky goods purchases from store to customer modes of transport.
- An existing store suitable for conversion/ refurbishment as they are not a developer of their own stores typically.

Site Assessments

Section 2

2.1 Below we set out our assessment of each of the individual sites listed as being vacant through the online site <https://completelyretail.co.uk/>. Sites were selected meeting the minimum GIA of 4,300square feet (closest to 400square metres) and maximum of 10,700 square feet (closest to 1,000 square metres).

2.2 No suitable sites were identified within local or neighbourhood shopping centres. The only identified sites were therefore found either within the Primary and Secondary shopping areas of the town centre or within district shopping centres.

Unit 1 Terminus Buildings, Upperton Road

2.3 This unit has a total floor area of 6,389 square feet split over 2 floors with the ground floor accounting for 3,061 square feet (284 square metres) and a basement with the remaining 3,328 square feet (309 square metres).

2.4 Whilst the site is sequentially preferable being within the main town centre and in a prominent location the layout of the site does not lend itself to meeting the requirements of the operator in respect of servicing and parking arrangements. The reduced ground floor sales area further restricts operational requirements.

Unit 10, 96 Kingfisher Drive, Langley Shopping Centre

2.5 The unit has a total floor area of 6,825 square feet, the ground floor accounting for 4,540 square feet (421 square metres) and a basement with the remaining 2,285 square feet (212 square metres).

2.6 Sequentially this site is preferable being located within the Langney Shopping Centre, which although not in a defined town centre is still within a local centre. However, the link indicated that the unit was under offer and therefore not considered available.

52-54 South Street

2.7 The unit has a total floor area of 4,812 square feet.

2.8 Sequentially this site is preferable being located within a local parade, however, the link indicated that the unit was under offer and therefore not considered available.

Curzon Cinema, 14 Langney Road

- 2.9 Within Seaside there is the former Curzon Cinema but this site has a total of 15,342 square feet split over the ground and first floors with a mezzanine and not ideally suited for food retail.
- 2.10 Whilst sequentially preferable being within a Local Shopping Centre this unit isn't considered suitable for the intended purposes.

Sovereign Harbour Retail Park

- 2.11 The website identified unit 6 as being available with space of 9,841 square feet, however the link also indicated that the unit was under offer as of February 2024 and therefore not considered available. Whilst sequentially preferable being within a District Shopping Centre this unit isn't available being under offer.

Conclusion

Section 3

- 3.1 The Applicant has provided clear evidence to demonstrate that the application site is the most sequentially preferable to accommodate the proposed development.
- 3.2 There are no sites in or on the edge of Eastbourne town centre that can accommodate the proposed development, even when applying a significant degree of flexibility in terms of both scale and format.
- 3.3 The location of the application site and its established commercial function, ensures it accords with the objectives to deliver sustainable economic development and should therefore benefit from a presumption in favour of development.