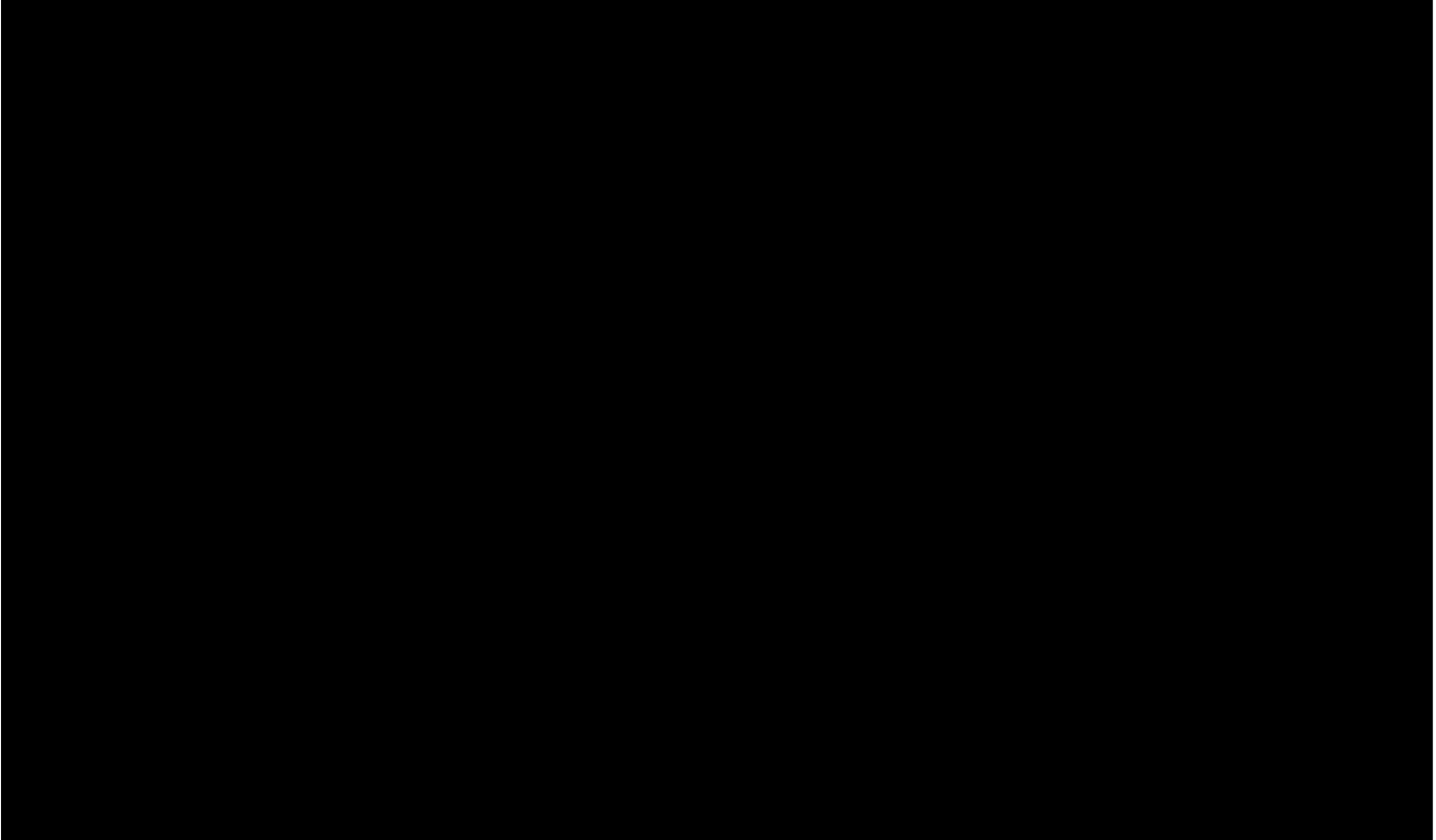




From: Serena Page [REDACTED]
Sent: 16 July 2015 14:37
To: Neil Crowther
Subject: A/23/15/OUT - queries regarding application documentation

Neil,

I understand that you are still dealing with the Brook Lane application following Dan's departure. A couple of additional documents have now been uploaded on-line in respect of retail matters and I would be grateful if you could let me know sequentially in which order the responses were received. The content of the Montagu Evans letter dated 30th June 2015 – does not appear to address the queries in the DPDS addendum report relating to cumulative impact – suggesting that a further response will be required from the applicants in respect of cumulative impact assessment. Also the approach within the letter runs counter to the approach suggested within the DPDS report – regarding treating the M&S relocation as a commitment within the cumulative exercise rather than part of the baseline. However, I wanted to check, as going by the dates of the documents would suggest that the letter followed the issue of the DPDS report. I also note that the Montagu Evans letter does not discuss the sequential approach. Your confirmation in this regard would be appreciated. We would also be interested to know what date has been agreed with the applicants for an extension of time to the application and when you envisage that it will be put to committee.

We continue to have concerns regarding the assumptions made in the Montagu Evans response regarding the re-occupation of the Waitrose Littlehampton store- particularly in light of the recent Secretary of State decision referred to in our previous representations. Moreover, their assumption that Waitrose will still be in the centre in 2015 is flawed. Waitrose are due to take occupation considerably before 2018, and the applicant's assessment should take due account of the timing of this major change to the town centre. The representations from Waitrose's agent makes the timescales for relocation clear. It is well known that Waitrose intend to occupy the unit by the end of this month, the agent details cited by Montagu Evans makes it clear that the unit is available from August 2015. We are concerned that due account has not been taken to the representations made by First Plan on behalf of

Waitrose regarding whether the cumulative impact on the centre should be viewed as acceptable. We were also surprised at the way the assessment relies on assumptions regarding the occupation of the Waitrose Littlehampton unit by B&M. Based on our knowledge of the site, B&M have made no commitment to take the unit at this point in time. We just wanted to double check that DPDS are instructed by Arun District Council to provide a further response to this latest brief letter from Montagu Evans, as if this is not the case then we would like to take the opportunity to highlight our concerns in more depth.

In respect of the sequential assessment we note the DPDS has concluded that the applicant has passed the sequential test on the basis that at an inquiry an inspector would be more likely to conclude that the unit (Waitrose) is not suitable than that it is. Whilst this may be the case, at an inquiry it is our view that the appellant would need to provide substantially information to justify their position in order for any Inspector to take this view. This information has not been provided to the Council by the applicants to justify why the unit is unsuitable. We believe that allowing the application on the basis that the applicants have 'just about' demonstrated compliance is not a firm and rigorous basis for a planning decision and one that could be subject to challenge. As shown in our previous representations – the combined floorspace of the Brook Lane proposal is only slightly different to that provided within the Marks and Spencer unit, this aspect of the sites suitability appears to be ignored. Taking into account the total retail floorspace proposed by the applicant the answer to DPDS' question on page 3 of their addendum would have to be no – the difference in size between the proposal and the Waitrose unit is not sufficient to justify the rejection of the unit. The next question that DPDS pose relates to viability, and in this regard the applicants have provided no additional data as far as we are aware regarding viability. **The costs of converting the building and maintaining it have not been quantified, and no viability exercises have been undertaken recently** (since 2011). The points raised by DPDS in respect of the judgements discussed in page 2 of their addendum are particularly relevant to the discussion – as a large part of the additional information provided by Montagu Evans in their previous response is reliant on these cases to justify the proposal, particularly having regard to Marks and Spencer's requirements. In paragraph 2.5 DPDS consider that the agents for the application have not identified any site specific reasons why the site is unsuitable for food retailing in general. It is unclear how therefore the Council can sustain a position, based on the evidence provided, that there are no sequentially preferable sites in the town centre of Littlehampton.

We note that your statutory consultee for ecology has required that a number of surveys are undertaken prior to the application being determined. We have been able to locate the reptile and GCN surveys on the online portal – however, we have been unable to locate the water vole or bat surveys for the site. We would be grateful if you could confirm whether these have been submitted in support of the application in order that we can review the findings.

Also there does not appear to be a response from County on the online system for this application – we would be very grateful if you could let us know whether this is available, and if so, where we would be able to find it.

Many thanks in anticipation for any assistance you are able to offer.

Kind regards,

Serena

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