

# STORE PROPERTY

STORE PROPERTY INVESTMENTS LTD

FARR HOUSE · 4 NEW PARK ROAD · CHICHESTER · WEST SUSSEX · PO19 7XA

10<sup>th</sup> September 2015

Mr Chris Smith  
Simply Food UK Acquisitions Manager  
Waterside House  
35 North Wharf Road  
London  
W2 1NW

Dear Mr Smith

We are aware of your requirement to open another Simply Food store in Arun and I am writing to ask you to reconsider the Former Waitrose supermarket in Littlehampton.

The Unit was purpose built as a food store and benefits from an adjacent level car park as well as excellent proximity to various public transport links.

We understand that you are concerned the property is too large for your current requirement but we know the property well as our company constructed it originally, and we are confident we could subdivide the property to suit your operation. This could be along the lines demonstrated by Turley on behalf of the Landlord Ropemaker (as per the attached letter) or in a different configuration if required.

We would also be prepared to carry out modernisation and updating where required, and to offer the unit to you at a commercial rate, taking into account the area occupied, with suitable incentives in line with the current market place. Ropemaker have already confirmed their willingness to accommodate your wishes.

We are aware of your planning application for a new build unit on the A259 site which is yet to be determined, and have copied this letter to ADC as we feel they should be aware of this existing and very suitable opportunity for your requirement that could be accommodated immediately. We are sure Littlehampton would welcome your arrival in the town centre in either part or all of the store.

We would welcome the chance to meet and discuss this further.

Yours sincerely

S F Wickens

Cc Susie Rolls - Turley (on behalf of Ropemaker Properties Ltd)  
Arun District Council, Planning Department

23 July 2015  
Delivered by email

Mr Neil Crowther  
Arun District Council  
Arun Civic Centre  
Maltravers Road  
Littlehampton  
West Sussex  
BN17 5LF

Dear Mr Crowther

**A/23/15/OUT LAND SOUTH OF NEW ROAD (A259) AND EAST OF BROOK LANE, ANGMERING  
REPRESENTATIONS ON BEHALF OF ROPEMAKER PROPERTIES LTD**

We write on behalf of our client Ropemaker Properties Ltd in respect of application Ref: A/23/15/OUT which proposes the following development at the above site.

*'Full Planning Permission for a retail unit (Class A1) comprising 1,487sqm (1022sqm ground floor and 465sqm mezzanine) with associated access, car parking, servicing, landscaping & associated works. Outline Planning Permission for a public house (Class A4) comprising 581sqm at ground floor level'.*

It is understood that the intended occupier of the proposed retail unit is M&S Simply Food.

Our client is the freehold owner of the Waitrose Store situated on Avon Road in Littlehampton. This Store is soon to be vacated following Waitrose's decision to relocate to alternative premises in Rustington.

The Waitrose Store is situated to the rear of High Street which is the main focus of retail activity within Littlehampton. Under current adopted policy (Arun District Local Plan 2003) the Store falls within the 'Principal Shopping Area'. The Council is currently in the process of preparing a new Local Plan (currently undergoing examination) and has published a new set of Policy Maps. Map 4 refers to Littlehampton and shows the Waitrose Store designated within the Secondary Shopping Frontage. Together with the primary shopping frontage, these areas define the Primary Shopping Area for the purposes of the NPPF.

In policy terms therefore, the Waitrose store may be defined as 'in-centre' and, in sequential terms therefore, the most preferable location for retail development.

We have reviewed the Applicant's Retail Policy Response (July 2015) and correspondence from M&S (letter dated 4<sup>th</sup> July), in addition to the response from the Council's retail consultant (DPDS) set out within the Addendum Report (June 2015). There are references in these documents to a Feasibility Study

The Charlotte Building  
17 Gresse Street  
London  
W1T 1QL

carried out by M&S in 2011. This information has not been released for reasons of confidentiality and we are not therefore in a position to verify the comments attached to this evidence.

Our client is concerned that the Applicant has failed to properly assess the suitability of the Waitrose Store in accordance with the Sequential Test as set out within Paragraph 24 of the NPPF. This is the 'gateway' test in retail policy terms (NPPG Reference ID: 2b-001-20140306) and the NPPF is clear that where an application fails to satisfy the sequential test, it should be refused.

It is common ground between all parties that the Waitrose Store is available and is currently being actively marketed by our client. The concern raised by our client relates to the Applicant's assertion that the Store is not 'suitable' for the proposals on the basis of its scale and location. We deal with each of these points in turn below.

## **Scale**

The proposed M&S Simply Food Store comprises 1,022 sqm footprint and 465 sqm storage mezzanine (1,487 sqm gross). Internally the unit will comprise 826 sqm food and drink sales (potentially including a café of c.50 sqm) and 10 sqm of general merchandise.

The Waitrose Store comprises 2,375 sqm arranged over two floors (1,760 at ground and 617 at first floor).

The Applicant argues that the Waitrose Store is too large and would result in a highly inefficient store which would be entirely inconsistent with M&S' business model and therefore not suitable for the proposed development.

In justifying this argument, the Applicant cites 'Dundee' and 'Zurich' judgements. However, there is a clear distinction between these cases, both of which would have predicated alterations to the 'proposals' in order to accommodate the development on a sequentially preferable site; and this case, which requires no 'alteration' to the proposals. But what both the Applicant and DPDS have failed to take into any consideration is the extent to which the Waitrose Store (as a sequentially preferable site) may be altered to accommodate the proposal. This is a fundamental flaw in the Applicant's assessment.

The retail industry is continuing to experience change in response to market trends which has seen a general reduction in floorspace requirements from many retailers, including foodstore operators as highlighted by M&S in their letter. Whilst the Waitrose Store is currently being marketed as a single retail unit, our client is now considering sub-division of this unit on the basis of agent's advice. Indeed most enquiries regarding occupation of the unit have been for a sub-divided space and we enclose correspondence from our client's agent on this matter. Our client has therefore started preparing feasibility plans for its sub-division alongside associated external enhancements which we also include.

Contrary to the Applicant's assertions, it is demonstrated that there is a clear and realistic prospect that the proposed development can be accommodated within the Waitrose Store. There are therefore no grounds on the basis of 'suitability relating to scale' to dismiss this town centre unit in sequential terms.

## **Location**

With reference to the Waitrose Store, it is asserted by the Applicant that *'there are critical underlying issues concerning the viability of convenience retailing from this location'* (para 2.20 of Retail Policy Response). However, this conclusion appears to rely solely on the decision made by previous operators, most recently Waitrose, to relocate from the Site. No further evidence is presented to demonstrate practical difficulties for M&S to operate from this location (with the exception of scale which is resolvable as highlighted above).

The Waitrose Store is situated in a town centre location and it is a fundamental purpose of the sequential approach, in seeking to support the viability and vitality of town centres, to place such locations at the forefront in both plan-making and decision-taking (Reference ID: 2b-008-20140306). To approve this application on the basis of M&S' 'preference' to locate out-of-centre is to undermine the Government's commitment to ensuring the vitality and viability of town centres.

On the basis of the above, we call into question the Applicant's sequential assessment and the, somewhat weak, conclusions drawn by DPDS that the Applicant *'has just about demonstrated that the unit is unsuitable as a sequentially preferable opportunity'* (para 2.7 of the Addendum Report). We duly request that the Council gives consideration to our client's willingness to work with and provide a realistic proposition for M&S to accommodate the retailer within Littlehampton, in a location where it would provide a positive contribution to the overall vitality and viability of the town centre in accordance with the objectives of the NPPF.

Should you have any questions or queries on any of the above, please do not hesitate to contact me at these offices.

Yours sincerely



Susie Rolls  
**Associate Director**



Encs.

Our ref: PJC/asb/150720L1

Tuesday, 21 July 2015

G Warriner Esq  
Turley  
The Charlotte Buildings  
17 Gresse Street  
London W1T 1QL

Dear Graeme,

**LITTLEHAMPTON – FORMER WAITROSE, ANCHORS PRINGS/EAST STREET**

I confirm that Green & Partners have been retained by Ropemaker Properties Limited in respect of the subject property which is shortly to become vacant following Waitrose's re-site to Rustington.

Whilst the lease held by Waitrose, which is to be assigned to Store Property, does not expire until December 2020 my client is rightly concerned about the property being vacant and has asked that Green & Partners explore demand from alternative occupiers. Store Property for their part have retained Colliers to seek an alternative occupier either by way of assignment or subletting. Marketing has been undertaken by both practices for their respective clients since early April 2015.

The nature of the property as currently configured restricts the number of potential occupiers and whilst Aldi did consider the store their preference was for a new build store on the new Store Property retail scheme near Rustington Retail Park south of the A259. Other food store operators such as Sainsbury's and Lidl are already in the town centre whilst other operators such as Tesco and Morrison have large stores on the outskirts of Littlehampton.

Over the period of marketing it has become apparent that demand for the store as configured is extremely limited and we have, therefore, explored subdivision opportunities to provide two smaller stores where expressions of interest have been made by Poundland and Poundworld of a store of between 7,000 to 10,000 sq. ft. Whilst marketing of the subdivision option is at an early stage it is clear that the subdivision of the store is a realistic proposition and one we will need to pursue to provide a larger market audience.

I have seen the emerging plans for subdivision and I consider that Unit 1 could accommodate the simply food format and that Unit 2 would be attractive to certain occupiers such as Poundland or Poundworld.

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Turley  
Tuesday, 21 July 2015

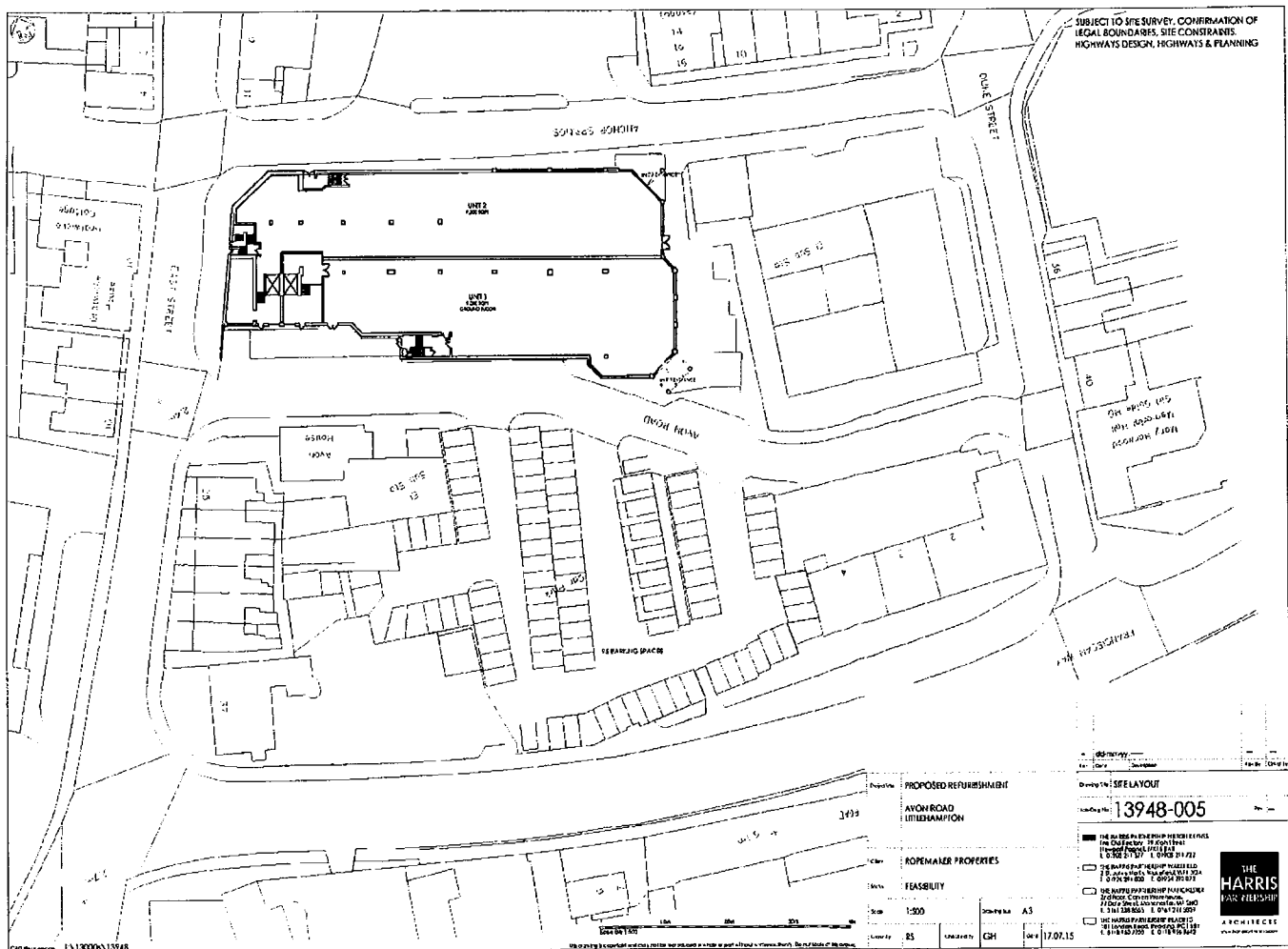
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I am happy to discuss any of the aspects raised above.

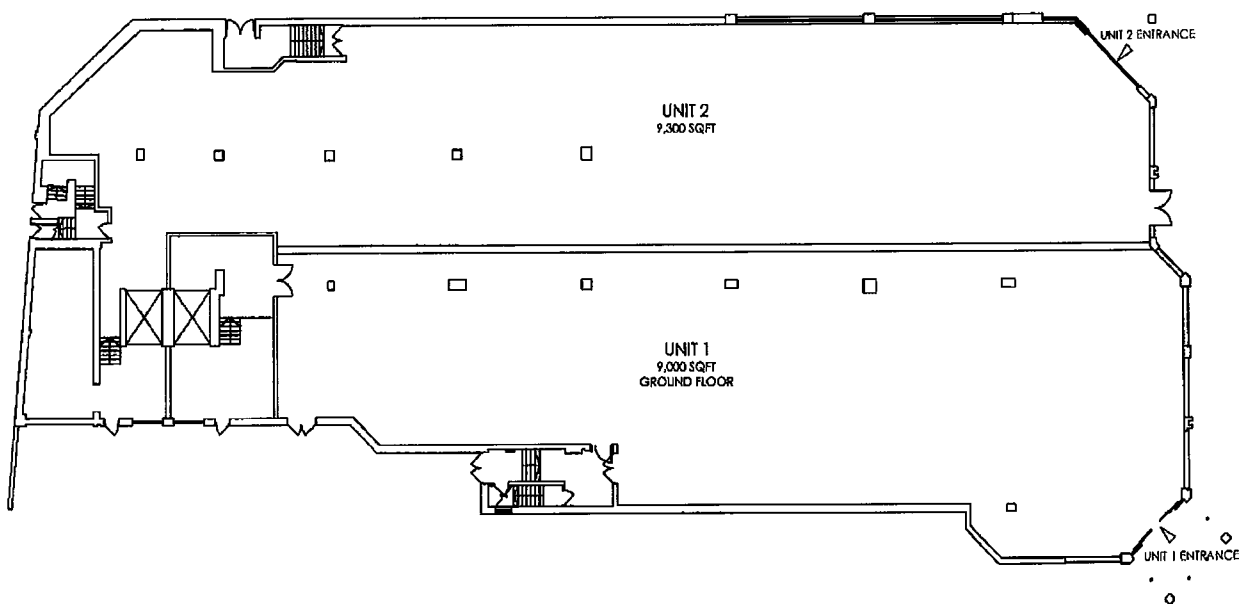


PAUL J COOPER BSc MRICS





SUBJECT TO THE SURVEY, CONFIRMATION OF  
LEGAL BOUNDARIES, SITE CONSTRAINTS,  
HIGHWAYS DESIGN, HIGHWAYS & PLANNING



PROPOSED REFURISHMENT  
AVON ROAD  
LITTLEHAMPTON

GROUND FLOOR

13948-006

ROSEWATER PROPERTIES

FEASIBILITY

Scale 1:200

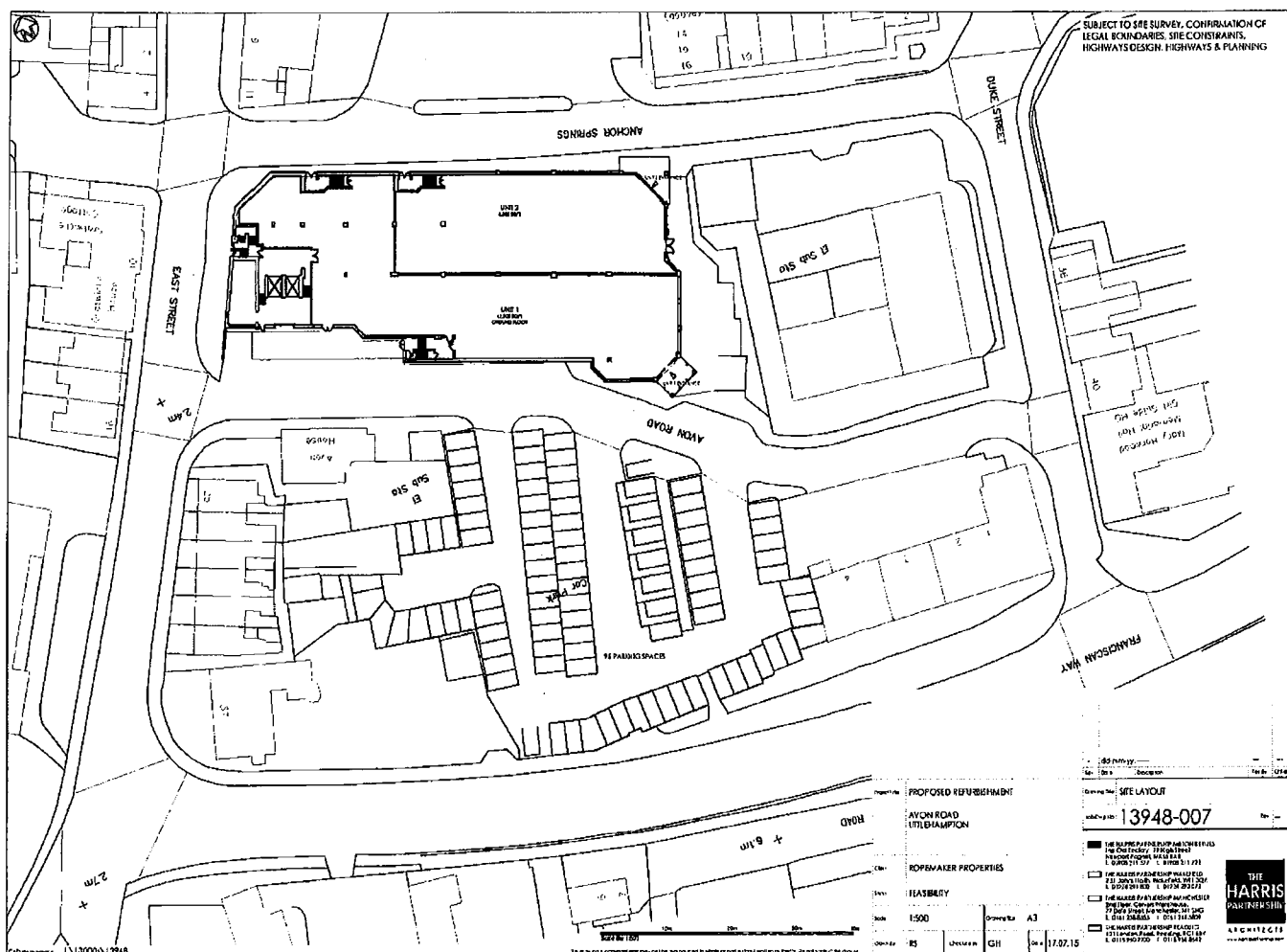
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Unit 104

CH

17.07.15

THE HARRIS  
PARTNERSHIP  
ARCHITECTS





SUBJECT TO SITE SURVEY, CONFIRMATION OF  
LEGAL BOUNDARIES, SITE CONSTRAINTS,  
HIGHWAYS DESIGN, HIGHWAYS & PLANNING

OFF STREET LOADING ONLY

UNIT 2 ENTRANCE

UNIT 2  
6,500 SQFT

UNIT 1  
11,900 SQFT  
GROUND FLOOR

UNIT 1 ENTRANCE

1" = 10' 0"

PROPOSED REPAIR/REINFORCEMENT  
AVON ROAD  
LITTLEHAMPTON

ROPMANKE PROPERTIES

FEASIBILITY

Scale: 1:200

Drawn by: GH

Date: 17.07.15

Drawing No: 13948-008

13948-008

THE HARRIS PARTNERSHIP

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