BE/108/09

# GeraldEve

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[redacted]

ARUN DISTRICT COUNC
RESOURCES DEPT
24 NOV 2009
ACTION...

Development Control
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

**Our ref.** NTH/JCW/J5852

**Your ref.** BE/137/06/

Paid £335-00 24/11
P82759

**For the attention of K Wheway Esq**

THE SUNDAY TIMES 100 BEST COMPANIES TO WORK FOR 2009

23 November 2009

Dear Sir

**Town and Country Planning Act 1990 (as amended)**
**Town and Country Planning (General Development Procedure) Order 1995 (as amended)**
**Kwik Fit, Unit E, Arun Retail Park, Shripney Road, Bognor Regis**

We are instructed by our client, BBC Pension Trust Ltd as freeholder of Arun Retail Park, to submit an application to renew an existing planning permission pursuant to the amended regulations introduced by the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009 which came into force on the 1 October 2009.

Permission is sought to renew planning permission BE/137/06 which was granted on 15 February 2007 and which granted planning permission for the change of use of Unit E from use for retail sale of motor spares and MOT testing and servicing facilities to retail (class A1) use.

Condition 1 attached to this condition requires that the development permitted be begun before the expiration of three years from the date the permission, that is before the 15 February 2010.

Due to the changes in market circumstances since the permission was granted it has not yet been possible for the Trust to implement the permission by installing a retail (Class A1) tenant into Unit E. Whilst it remains its intention to do so in the short term planning permission is sought for the renewal of this permission for a further five years. This is because of the ongoing uncertainty over the length of current economic conditions which means that there are continuing uncertainties in negotiations with tenants in the short term. From the asset management perspective it would therefore be desirable to have a period of certainty regarding the lifespan of this permission which extends beyond the expected end of the very difficult trading conditions which currently prevail.

We have discussed this application with Keith Wheway prior to submission.

The original application was granted before 1 October 2009 and the time limit imposed by Condition 1 under Section 91 of the Act has not yet expired. The application therefore meets the requirements of Article 10B(b)(ii) of the General Development Procedure Order 1995.

There have been no material changes to the planning position either in terms of relevant planning policies or the retail structure of the district of which we are aware since the initial planning application. In particular the Arun Local Development Framework remains at a relatively early stage, consultation on the



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ARUN DISTRICT COUNCIL BE/108/09/

Options for Growth having been concluded in April 2009. There has also been no further update of the 2005 Coastal Districts Retail Study of which we are aware. We therefore consider that the justification for the proposed change of use as set out in our letters of 18 September 2006 and 12 February 2007 (enclosed) remains valid and that the planning permission should be renewed.

Accordingly, this application comprises:

- Four copies of the completed planning application forms and certificates;
- A cheque for £335, this being the requisite planning application fee for a change of use application, which is the appropriate fee until such time as the Government amends the fee regulations to provide for reduced fees for applications for the renewal of applications.

As this is an application to renew a planning permission the usual statutory requirements to provide a design and access statement and site location plan do not apply.

Please contact James Wickham (020 7333 6353) or Neil Henderson (020 7333 6377) of this office if it would be helpful to discuss this application further.

[redacted]

Cc Edward Luker – CBRE

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BE/108/09

24 NOV 2009

PLANNING PORTAL

# Application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation.
# Application for replacement of associated listed building and/or conservation area consents in order to extend the time limit for implementation.

Town and Country Planning Act 1990

Planning (Listed Buildings and Conservation Areas) Act 1990

**Publication of applications on planning authority websites**

**Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.**

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

## 1. Applicant Name and Address

| | |
|---|---|
| Title: | |
| First name: | |
| Last name: | |
| Company (optional): | BBC Pension Trust Limited |
| Unit: | |
| House number: | |
| House suffix: | |
| House name: | |
| Address 1: | c/o Agent |
| Address 2: | |
| Address 3: | |
| Town: | |
| County: | |
| Country: | |
| Postcode: | |

## 2. Agent Name and Address

| | |
|---|---|
| Title: | Mr |
| First name: | Neil |
| Last name: | Henderson |
| Company (optional): | Gerald Eve LLP |
| Unit: | |
| House number: | |
| House suffix: | |
| House name: | |
| Address 1: | 7 Vere Street |
| Address 2: | |
| Address 3: | |
| Town: | London |
| County: | |
| Country: | |
| Postcode: | W1G 0JB |



ARUN DISTRICT COUNCIL BE/108/09/

## 3. Site Address Details

Please provide the full postal address of the application site.

Unit: | House number: | House suffix:

House name:

Address 1: Unit E, Arun Retail Park

Address 2: Shripney Road

Address 3:

Town: Bognor Regis

County: West Sussex

Postcode (optional): PO229NF

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: | Northing:

Description:

## 4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name: Keith Wheway

Reference:

Date of advice (DD/MM/YYYY): 06/10/2009

Details of pre-application advice received: See covering letter

## 5. Eligibility

Was the existing planning permission extant on 1 October 2009? ☒ Yes ☐ No

**If you have answered No to this question, you cannot apply to replace this planning permission.**

Has the development already commenced? ☐ Yes ☒ No

**If you have answered Yes to this question, you cannot apply to replace this planning permission.**

If you are applying to replace an existing listed building or conservation area consent, is it associated with a planning permission which you are also applying to replace? ☐ Yes ☐ No ☒ Not Applicable

**If you have answered No to this question you cannot apply to replace this listed building consent or conservation area consent.**

If you are applying to replace a listed building or conservation area consent, was it extant on 1 October 2009? ☐ Yes ☐ No ☒ Not Applicable

**If you have answered No to this question you cannot apply to replace this listed building consent or conservation area consent.**

## 6. Description Of Your Proposal

Please provide a description of the approved development (BE/108/09/ decision letter, including application reference number and date of decision in the sections below. Please also provide the original application type:

Renewal of unimplemented planning permission BE/137/06/ for change of use of unit E from use for retail sale of motor spares and MOT testing and servicing facilities (Class A1) use.

Change of use of Unit E from use for retail sale of motor spares and MOT testing and servicing facilities to retail (Class A1) use.

Reference number: BE/137/06

Date of decision (DD/MM/YYYY): 15/02/2007

What was the original application type?:
(e.g. 'Full', 'Householder and Listed Building', 'Outline'): Full

## 6. Description Of Your Proposal (continued)

For the purpose of calculating fees, which of the following best describes your application for planning permission?

**Major development**: typically consists of developments for waste, or more than 10 dwellings or a site larger than 0.5 ha, or building(s) with a floor space of 1,000 sq m or more ☐

**Householder development**: development to an existing dwellinghouse or development within its curtilage ☐

**Other:** anything not covered by either of the above categories ☒

If you are also seeking to replace an associated a)listed building consent and/or a b)conservation area consent in order to extend the time limit for their implementation, please also provide a description of the consented schemes, including the application reference numbers and dates of decision:

a) Listed building consent (if applicable):

n/a

Reference number:

Date of decision (DD/MM/YYYY):

b) Conservation area consent (if applicable):

n/a

Reference number:

Date of decision (DD/MM/YYYY):

## 7. Authority Employee / Member

With respect to the Authority, I am:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

If yes please provide details of the name, relationship and role

## 8. Ownership Certificates

**One Certificate A, B, C, or D, must be completed with this application form**

**CERTIFICATE OF OWNERSHIP - CERTIFICATE A**

**Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7**

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land or building to which the application relates.

| Signed - Applicant: | Or signed - Agent: | Date DD/MM/YYYY: |
|---|---|---|
| | | |

**CERTIFICATE OF OWNERSHIP - CERTIFICATE B**

**Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7**

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land or building to which this application relates.

| Name of Owner | Address | Date Notice Served |
|---|---|---|
| Kwik Fit (GB) Limited | The Property Manager, Kwik Fit (GB) Limited, St James' Court, 30 Brown Street, Manchester, BN17 5LF | 23/11/09 |
| | | |
| | | |
| | | |
| | | |

[redacted]

| Signed - Applicant: | | Date DD/MM/YYYY: |
|---|---|---|
| | ve LLP) | 23/11/09 |

**Town and Country Planning** [redacted] **nder Article 7**

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issue
- All reasonable steps have been taken [redacted] *er is a person with a freehold interest or leasehold interest with at le* [redacted] t I have/ the applicant has been unable to do so.

The steps taken were:

| Name of Owner | Address | Date Notice Served |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

| Signed - Applicant: | Or signed - Agent: | Date DD/MM/YYYY: |
|---|---|---|
| | | |

## 8. Ownership Certificates (continued)

**CERTIFICATE OF OWNERSHIP - CERTIFICATE D**

**Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7**

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run )* of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

## 9. Agricultural Holdings

**AGRICULTURAL HOLDINGS CERTIFICATE**

**Town and Country Planning (General Development Procedure)Order 1995 Certificate under Article 7**

Agricultural Lan

(A) None of the land to which the application rela

Signed - Applicant:

d Eve LLP)

Date (DD/MM/YYYY): 23/11/09

(B) I have/ The applicant has given the requisite n ho, on the day 21 days before the date of this application, was a tenant c ch this application relates, as listed below:

| Name of Tenant | | Date Notice Served |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

## 10. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form: ☒

The original and 3 copies of the completed, dated Article 7 Certificate (Agricultural Holdings): ☒

The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable): ☒

The correct fee: ☒

For applications to replace listed building or conservation area consents only:

The original and 3 copies of a plan which identifies the land to which the application relates and drawn to an identified scale and showing the direction of North ☐

The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application ☐

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## 11. Declaration

I/we hereby apply for planning [redacted] information.

Signed - Applicant:

LLP)

Date (DD/MM/YYYY): 25/11/09

## 12. Applicant Contact De[redacted]ct Details

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional):

Telephone numbers

Country code: | National number: | Extension number:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address (optional): nhenderson@geraldeve.com

## 14. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)* ☒ Agent ☐ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name: | Telephone number:

Email address:



$Date: 2009/02/25 14:14:24 $ $Revision: 3.6 $