

CHANGE OF USE PLANNING APPLICATION &

DISCHARGE OF SECTION 106 AGREEMENT DATED JANUARY 2006

BAIRDS FARM SHOP, CROOKTHORNE LANE, CLIMPING, LITTLEHAMPTON, BN15 5SN

1. INTRODUCTION

1. This proposal is for the Change of use of the property known as Baird Farm shop, A259 Climping, Nr Littlehampton, West Sussex; from a Farm Shop and Garden Centre to A1 Retail Use.
2. The site is no longer Viable as a farm shop and will only break even in 2018 and may well run into a loss in 2019 at which stage it will be closed and become vacant. Information on the past trading patterns of Bairds will be provided in section 7.
3. The site is being Purchased by Maidenhead Aquatics Ltd, who have a requirement in the area due to a forced closure in the area, subject to the correct planning being obtained to trade. Information on Maidenhead Aquatics the potential buyer and occupier will be provided in section 9.
4. Supporting documents include:
 - i. Site Location Plan. Plan 1
 - ii. Existing Floorplan Plan 2
 - iii. Existing Garden Centre Area (Pink) Plan 3
 - iv. Marketing Report by Fludes XL spreadsheet 1
 - v. Trading Chart of Bairds Farm Shop. Section 7
 - vi. Spreadsheet of District Pet shop offerings XL spreadsheet 2
 - vii. Information sheet on Maidenhead Aquatics. Section 9
 - viii. Section 106 agreement between Bairds and Arun DC Dated 2006
 - ix. Certificate of Lawful Use No. CM/17/03/CLE
 - x. Deed of Covenant between Marchioness of Normandy and National Trust
 - xi. Christie & Co Marketing brochure for Wyevale Garden Centres.
5. The proposed use has not begun on site and the existing use of Bairds Farm Shop will continue until it becomes unviable which is estimated to be 2019.
6. A summary of benefits of the proposal is in section 10

2. BACKGROUND

1. The Farm Shop was commenced in 1977 and had steadily grown in size and in turnover until the opening of the out of town superstores, which attracted the convenience shopper with extensive free parking and extended opening hours which was later enhanced with the Sunday Trading Act 1994 that allowed the opening for 6 hours on a Sunday for retail units larger than 280m²
2. The Farm shop has always been a Family run business as an extension to the main farming business. However, UK farming has also been diversifying in the last few decades, and a farm shops former competitive edge is easily matched and often undermined by multi million pound retail businesses which are public companies, with sophisticated logistic capacity and huge purchasing power, such as Tesco, J. Sainsbury, Waitrose, Lidl, Aldi and Morrisons.

3. SITE DESCRIPTION

1. The site is on the A259 Crookthorne Lane, which is a strategic road between Littlehampton and Bognor Regis, and is served by the coastliner 700 bus service, which is generally passing three times an hour.
2. The surrounding area is mainly rural, but also other commercial industries close by. To the west on the A259 The Oystercatcher Public house is close by which sits on the front corner of the Jaybelle Grange Lodge Park for residential and holiday rentals. Both the Black Horse Public House and the Bailiffscourt Hotel and Spa and Restaurant are situated on Climping Street to the south of the site. Ford open Prison is to the north of the site, as is Ford Airfield Industrial Estate.
3. The site which is adjacent to the south has planning application from Brackley Investments Ltd No. CM/16/18/PL for the development of a 64-bed specialist Dementia Care Centre which has yet to be determined. Application accepted 30.05.2018.
4. The field directly to the east of the site is Woodpecker Camping Field operated as a campsite during the summer for 28 days permitted use between July and October. Planning application No. CM/7/18/PL accepted 09.04.2018 for a change of use to 60 tent pitches from April to October annually. Yet to be determined.

4. PLANNING HISTORY

1. An application for a certificate of Lawfulness for a proposed use Reference CM/4/18/CLP validated 12.03.2018 was refused and stated that Full Planning Permission would be required for the proposed use.
2. Application for a Lawful Development Certificate for Existing Use-erection of 2 No. Buildings to the rear of Bairds farm shop used as an office and laundry. Approved on 23.12.2013
3. Application for Certificate of Lawfulness for use of land as a farm shop and for purposes ancillary to a farm shop, CM/20/13/CLE was approved on 20.01.2014
4. Installation of 1No Window CM/13/12 was approved with conditions on 20.12.2013
5. Application for Certificate of Lawfulness No. CM/17/03/CLE for Use of the compound lying immediately to West of the Farm Shop building to be used as a Garden Centre was granted on 16.03.2004
6. Renewal of Temporary planning permission for a lean to building CM/31/02 was approved with conditions on 18.12.2002
7. Application for a Change of use of Bairds Farm Shop to include the sale of fresh meat and grocery items, was approved on 22.07.1997 with conditions and a Section 106 condition which is attached and is dated January 2006
8. Application for Retail vegetable and greengrocers' shop on land adjacent to A259, CM/21/75/B. application approved 18.10.1976

5. PRE APPLICATION CONSULTATION

1. On 31st May 2018 The landowner and Proposed occupier met with Planning officer Anita Gardner following the decision of application CM/4/18/CLP. The use as a pet shop was not going to be considered ancillary to the existing use and the follow on advise was to lodge a full Planning application.
2. The Section 106 has to be considered in this determination also, and as an A1 use is being applied for we also simultaneously apply for a discharge of the Section 106 agreement between Bairds and Arun district Council dated January 2006.

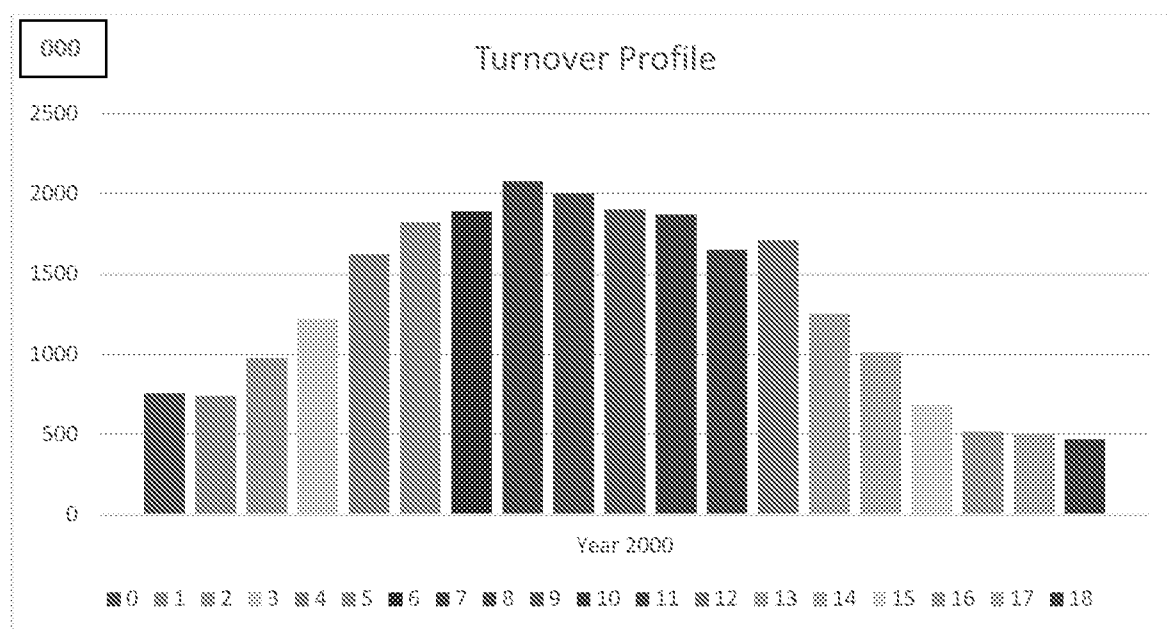
6. DEED OF COVENANT

1. A Deed dated 10.12.1973 (copy attached) between The Marchioness of Normaney and the National Trust states that the lands identified in the deed shall be permanently subject to restrictions in schedule 1 of the deed.
2. The land coloured Blue on the plan (the subject site), is covenanted to 'Not increase the height of any existing building or to erect any new building on any part of the said land to a height in excess of 30 feet from ground level or in any way to paint or otherwise treat the exterior of any building at any time on the said land except in such manner and in such colours as shall have received the precious written consent of the Trust.'

7. FARM SHOP FINANCIAL PERFORMANCE

The Farm shop has been in existence since 1977 and has been extended twice in 1998 and 2002. Its existence pre-dated many of the superstores in the area and therefore benefited from a robust trade.

From its peak year of 2008 trade has been steadily decreasing from a height of over £2million per annum in 2008 to the reduced turnover of £470,000 this 2018 financial year. To this effect the staffing requirement has also decreased accordingly from 15 to 9 full and part time staff combined.



In 1980's the only other food outlet included a local coop and other small local operators, but the march of new offers continued and there are now 11 food superstores in the vicinity which has taken trade away from the original farm shop.

1997 Tesco opens at Broadpiece, Littlehampton, BN17 5RA

2009 Tesco open convenience store at Felpham Way, Bognor Regis, P022 8QW.

2011 Waitrose open in Broadmark Lane, Littlehampton, BN16

2012 Lidl open in New Road, Littlehampton, BN17 5AX

2012 Asda open superstore at Littlehampton Road, Worthing, BN12

2013 Morrisons open at Lyminster Road, Wick, BN17

2013 J Sainsbury open superstore at New Road, Littlehampton, BN16 3RT

2013 Morrisons open convenience store at Littlehampton

2016 Tesco Littlehampton opens 24 hours.

2016 Tesco Shripney Road, Bognor Regis PO22 9ND opens 24 hours

2017 Aldi open in Manor Retail Park, Rustington, BN16 3FH

At this continued rate of decline it will be unviable to trade beyond 2020 unless decline is accelerated under other economic factors that may reduce customer household expenditure and bring forward its demise. As it stands at present, the shop is on track to only break even at the end of this financial year.

The farm shop location was limited to the sale items listed in the section 106 issued in January 2006 (copy supplied) which included 'items necessary for the running of a household' in Appendix A. Appendix B included the products as stocked by a Butcher; a Baker ; and a Greengrocer as listed on the attached document known as Agreement Under Section 106 of the Town & Country Planning Act 1990. All the goods permitted to be sold are in exact competition with the National brand supermarkets that now dominate the district.

8. MARKETING FOR SALE THE FARM SHOP

1. Since the beginning of the decline in sales in 2012, the family have been marketing the land for sale via various agents and media but have been unsuccessful.
2. In 2012 Quinton Edwards extensively marketed to businesses registered with the Horticultural Trade Association, The Farming community, Garden centre association in conjunction with adverts in Barnham Trading Post
3. From 2014 Fludes commercial property Agents were instructed and in addition to marketing their database, a 'For Sale' board was erected on site, with the option to lease the premises also.
4. In March 2014 McDonalds took interest and lodged a pre-application for a drive through restaurant but were advised that consent would not be forthcoming.
5. Many companies looked at the site, but the consensus was that it was unsuitable for a number of reasons, but the repeating reason was that the site was too small for an institutional commercial use.
6. In March 2015 the marketing board was removed from site as sales continued to fall and it was perceived that the for-sale board was deterring people from shopping at the farm shop as it appeared to be a 'closing concern'.
7. In 2017 Maidenhead Aquatics expressed an interest in the site, because the future leases with the Wyevale garden centre group looked precarious. Wyevale only granted 5-year leases outside the security provisions of the Landlord and Tenant Act, and there were rumours of the sites being sold for development or the company being sold as a whole. This has finally happened with Wyevale putting the company up for sale as a whole or in parts with the agent Christie & Co in April 2018. For sale brochure is in addendum.

8. PET SHOP OFFERING IN DISTRICT

- i. Attached is a spread sheet of the Pet shops in the district. These will include the national chains of Pets at Home and Pets Corner that recently acquires Pampurred Pets superstores. The remaining are independents.
- ii. The Pet market in the UK is £4.615 Billion (source: Statista) and is generally split into Dog, cat, fish, & small animal. Sporting and smallholding animals are not included in the figures, but nevertheless feeds and equipment for Horses, Chickens, goats etc still need be catered for.
- iii. The 5 leading retailers of pet care products in 2017 in the UK are:
 1. Tesco £572m
 2. Asda £317m
 3. Sainsburys £290m
 4. Morrisons £241m
 5. Pets at Home £198m
- iv. Sales by Animal type are
 1. Dog £1371m
 2. Cat £1141m
 3. Fish £67m
 4. Small Animal £65
 5. Bird £11m
- v. Of the 36 pet shops in the area, 5 have closed, 13 are for Dog and cat owners, 14 are small convenience stores for food and accessories trading from between 400 and 800 sq ft and 4 are specialising in Fish, of which 2 are other Maidenhead Aquatic units at Chichester and Worthing.

9. INFORMATION ON MAIDENHEAD AQUATICS

- i. Maidenhead Aquatics (MA) is the U.K.'s leading chain of aquatic Centres, established in 1984 and now trades in 163 outlets nationwide. The shops open 7 days a week offering quality livestock and unbeatable customer service in every location. Opening hours of 9am to 6pm Monday to Saturday and 10am to 4pm Sundays.
- ii. Staff with a background for enthusiasm in keeping pets and aquatics are hired and MA believe that this is a key ingredient to their success. It also means that each store has its own unique character and speciality.
- iii. Maidenhead Aquatics main business is the presentation and sales of tropical, marine and Coldwater fish and all associated accessories and foods. They cater for all levels of fish keepers from entry-level starters to professional fish keepers and sell a wide range of fish both in-store and online. Local stores can be visited at Wyevale garden centre Findon, Rogers Lane, BN14 ORE and Wyevale garden centre Ferring, Littlehampton Road, Worthing, BN12 6PG, from which you will note that car parking is an important element to the store offer as browse time is essential for viewing the large array of fish tanks and various equipment available, for both pond and aquarium keeping. The web site for Maidenhead Aquatics is www.fishkeeper.co.uk
- iv. The trading site at Wyevale garden centre Ferring, Littlehampton Road, Worthing, BN12 6PG is now due for closure as notice has been given and the garden centre is for sale along with the remaining Wyevale estate.
- v. It is Maidenhead Aquatics intention that the site buildings to remain similar to existing save for one office Portakabin which will be removed following

Planning consent. It is the intention to sell across the whole pet offering including food and accessories for cat, dog, small animal, bird as well as Fish. The existing garden plant offer, in the area adjacent to the car park, outlined in red on Plan 3 also, is to remain selling garden goods.

- vi. The main offering will be an extensive aquarium showroom, pet shop, the existing garden offer, with an associated cafe as seen on the existing trading site.
- vii. It is envisaged that vehicular movements will be reduced owing to the fact that consumables will no longer be sold at the premises and that this specialist hobbyist shop will attract approximately 30 movements per day with service vehicles of approximately one per day.

10. SUMMARY OF BENEFITS. CONCLUSION

A site that clearly has limited opportunities due to the constraints of the size of site will be kept as an employment provider by granting a change of use.

A local business which is having to close will be saved from complete closure.

Visual impact will not be altered as the existing site and buildings as laid out, are being used for the proposed use. This development will not intensify the site visits which in turn will not cause further congestion on the A259.