ARUN DISTRICT COUNCIL
No. FG 33 10

Dear Sir

RE: Country Favre

Accompanying Letter in Support of Planning Application to Amend Car Park Layout with Ancillary Changes to Enable a Revised Full Retail Operation to be put into Effect

Introduction

1. On the 2 day of June 2009 we were granted planning permission for an entirely new building set back on our existing site with all of our car parking requirements located at the front of the building. The application number of this consent is FG/174/08.

2. Since this new building has been under consideration by us we have undergone one of the most severe recessions in living memory and this still continues to adversely affect the economy in a significant way.

3. Notwithstanding the recession, and at a time when the majority of businesses are severely cutting and reassessing their capital investments in their businesses we are keen and anxious to implement the planning consent that we have been granted. As I will explain later in this letter we have however been forced to reassess the basis on which we can justify the huge expenditure needed to put our plans into effect. We believe that the time has come to move away from the garden centre concept and to be able to sell a largely unrestricted range of goods which will give us the flexibility to be able to respond at very short notice to changing customer demand. All of this is quite impossible at the present time due to the existence of a section 106 agreement which is restrictive of the goods that we are permitted to sell. There are in fact a number of section 106 agreements in place in respect of different planning consents but essentially they are all the same being based on an agreement arising out of Lands Tribunal proceedings in 2004 enshrined in an agreement dated 16 day of August 2004.

4. I therefore need to make it clear that it is part of our application to request a Council resolution to rescind all the existing section 106 agreements on the site and to replace them with a new Agreement which we are happy to volunteer as part and parcel of the application and which agreement will incorporate substantial concessions which currently do not govern our operation namely:-

   (i) A voluntary reduction of our total retail selling area from the 11,520 square metres currently permitted under FG/174/08 to 6,336 square metres – a reduction of 45%. The footprint, height and construction of the building will remain the same as the 45% will be used for walkways, storage, access, toilets, offices, and staff rooms.

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(ii) We will encourage and facilitate the admission of public transport to come directly on to our site and we have amended our plans to provide for this.

Scope of the application submission

5. In planning terms I am advised that we have planning consent for unrestricted retail at the present time because the planning consent of 12 day of May 1981 for garden centre use does not have any retail restrictions on how it can be used and as we all know a garden centre use is A1 retail. I do not therefore need to make any application for change of use but a new planning application is technically required now because of the need to change the plans for a redesigned car park which facilitates and enhances access arrangements for public transport and cyclists and other non-car users and which also complies with the latest highway requirements. The revised layout is basically the same as in FG/174/08 with additional parking areas for bicycles and motorbikes and with a facility for public transport buses to come on to the site.

The Country Fayre operation

6. I should like to explain the rationale behind our wish to utilise the benefits of an A1 retail use without all of the previous restrictions that currently apply to it, and in particular to start by resurrecting our food hall.

7. Seventeen years ago we were selling unrestricted food and drink allocating 20,000 square feet for this purpose. Although the quantities we sold were large (we sold mainly by the pallet) the variety was comparatively limited as we could only compete with Tesco/Sainsbury on a very restricted choice i.e. we could compete only on one type of baked bean or one type of olive oil but at that time the main requirement for the customer was choice and therefore we had limited success with the department and it did not warrant the large investment needed for chillers and freezers especially as we were still selling from converted greenhouses, therefore we closed the department down. Now, however, with the recession the customers' main criteria is price, hence Aldi and Lidl are expanding rapidly – they are only using our modus operandi of 17 years ago, added to the fact that we can now build a modern hygienic store – such a department would become commercially viable but we cannot currently do it because of restrictions that we agreed to at the time of the Lands Tribunal hearing when there was no customer demand for this particular facility.

8. In 1995 we instituted a petition to allow Country Fayre full retail and we obtained over 17,000 signatures, with addresses, from our customers. We have been trading from the site for 28 years and have saved the population 10s of millions of pounds due to our pricing policy. If we are allowed to sell more variety and quantity we will save everybody far more – if we buy something cheaply we still put our normal low mark up on it and, therefore, sell it to the public at enormous savings to them.

9. In this recession I am being offered large quantities of clearance lines which I am having to turn down partly due to storage capability but mainly due to the restriction on both quantities and variety of goods that we can sell e.g. I can only sell gifts from October to 10 January, kitchen and household only 200 square metres, stationary only 100 square metres. If these were unlimited I could buy the majority of clearances offered to me.

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10. It could be said what difference does this make – the difference is that we are the only retail unit within a very large radius large enough to buy and store to sell direct to the public, added to the fact when these lines are offered we can make the decision in seconds. If we do not take them they will be sold to wholesalers who would put a larger mark up than us on the goods and then sell them to smaller distributors who then sell them to retailers who would obviously sell them to the public at hardly any saving. Whereas years ago businesses could be run without change over a long period of time in this current climate the quantities and type of goods needs to be looked at constantly and to do this one needs to be able to change without artificial restrictions.

11. I cannot emphasise too strongly how the retail trade has drastically changed, not only due to the recession but also with internet trading and the consumers' different shopping criteria. We only have to look at the recent failures of large outlets, for example Woolworths, having traded for 100 years – although they gave very good value for money they did not move with the times and lost their basic trade to the pound shops and the internet. B&Q, in spite of the recession one would expect an increase in DIY, have in fact seen their profits reduced by 75% and have closed approximately 100 of their superstores. We too have suffered – when we were granted unlimited DIY at the Lands Tribunal in 2004 it became, with ceramic tiles a major part of our retail business but over the last year it has dropped by one third, and although we are selling more ceramic tiles, because we have had to go down market with a large stock of cheaper tiles our actual takings have gone down by one third.

12. When the planning committee passed our relocated building and associated car parking (FG/174/08) Councillor Oliver Redgate, on behalf of Councillor Elkins, raised the question of other garden centres and nurseries in the area. We because of the recession are all sharing limited sales of the same goods. If, however, we were given unrestricted retail I would change my emphasis into other goods which, with respect to Wyevales and Haskins (and others) have not got the expertise in such goods, and without so much competition from me they would have more financially viable businesses – it is for example most unusual to have four substantial garden centres trading in such a small area. The public will be better served by having my premises do what it does best and coming out of the garden centre market. For example I believe we sell more compost and associated products than any other single unit in the country because we use it as a "loss leader". In 1982 we were the first retailer to sell three large bags of multi-purpose compost for £10.00 – now 27 years later I am selling three large bags for £8.50! This involves complicated logistics and twice this last year we have sold out in spite of having up to 15,000 bags in stock. If we were allowed full retail use I would not need to use compost as our main reason to come to us, but numerous other items.

13. Why can I say that we have the expertise when other garden centres do not? I was employed by Rank Hovis McDougal at Stewarts which was their wholesale general food arm which supplied all the "VG" stores. As assistant managing director I was instrumental in promoting these stores in competition with Tesco and Sainsbury. Later I went back to the accountancy profession and specialised in insolvencies as a receiver/liquidator. I still have contacts in both these areas and obviously at Country Fayre, in running a 20,000 square foot food hall. Mr Brian McCansh, Chairman of the

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Ferring Parish Council said that one thing the "locals" regretted was the shutting down of our food hall.

14. In view of the foregoing it is anticipated we will need a lot more storage and it is necessary to allot 40% of the building for storage access and walkways, and 5% for toilets, offices and staff rooms, leaving 55% for retail. Consequently out of a total floor area of 11,520 square metres this means 6,336 square metres would be retail. Using retail square meterage for superstore car parking requirements of one car parking space for 10 square metres of retail space equates to 634 car parking spaces, we have 567 which is more than adequate bearing in mind the non-food requirement is one car in 18 square metres. (WSCC highways have agreed our permitted car parking is adequate for the change of use applied for apart from minor changes for which see the highway consultants' report).

15. We believe that the offer to reduce our total retail selling area is a huge concession that more than makes up for the lifting of the restrictions that we oppose. We could have easily have found ways of utilising the whole area for retail sales like TK Maxx who have no provision for on site storage but rely on virtual daily deliveries to their outlets and are thus able to utilise a much greater proportion of their gross area for retail sales than would otherwise be the case. The same practice is adopted in shopping malls and by certain other operators and all of that would be denied to this site by the restriction that we are volunteering which goes far beyond the normal limitation of the present status quo.

Planning analysis

16. I find it very easy to provide the commercial justifications for our proposals because I am so familiar with them. Having provided my own summary of the current and proposed operation I want to explain that I realise that it is necessary to comply with all relevant technical aspects in connection with an application of this kind and I have commissioned and prepared the under mentioned reports which support this application:-

(i) Transportation Assessment prepared by LGPS Resources;

(ii) Travel Plan prepared by LGPS Resources;

(iii) Accompanying revised Parking and Landscaping and Layout Plan Drawing Number LGPS/CF/LP01

(iv) Retail Study prepared by Nathaniel Lichfield and Partners;

(v) Supporting Design and Access Statement prepared by Nathaniel Lichfield and Partners; and

(vi) Surface Water Statement.

17. The following conclusions can be drawn from the above mentioned reports:-

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(i) The retail impact study shows that no demonstrable harm will be done to the existing shopping centres and they have done exhaustive tests to show that there is no other sequential site available.

(ii) We all believe that replacing the restrictions as sought fully complies with relevant national planning policy and the Development Plan.

My conclusions

18. Building the new buildings and car park with substantial associated landscaping will require a very large capital investment and is an enormous undertaking for an independent business. Having full retail permission (which will be the result of lifting the 106s) will benefit the community by giving customers more choice and value and will create at least 30 new jobs as more staff will need to be employed. Currently due to the recession and the existing retail restrictions we are trading at a loss running up to £10,000.00 per week. Our full-time staff is currently down by 20% from what it was a year ago. We have never previously experienced such a downturn in trade and our employment requirements. If the restrictions are lifted and our new building is trading we anticipate that our present very low staff of 28 full time and part time (part time adjusted for full time) will at least double to 60. If however the restrictions are not lifted we cannot see how we can afford to implement this new development. It can be seen that a number of other permitted retail developments in the area have not been implemented to date.

19. Further, in the new building permitted we should reiterate that the heating will be by ground source underfloor heating and eco-friendly insulation materials which will reduce the carbon based heating costs by 75%.

20. I am sure that everybody in the Council will agree that the new buildings will be a big improvement on what is currently there! The accompanying retail study prepared by Nathaniel Lichfield demonstrates that the wider product range sought is entirely appropriate in this area and will benefit and not harm the local economy.

21. We are a family run business which has been trading in Ferring for 28 years. We employ approximately 35 members of staff, some of whom have been with us for the entire 28 years. I feel that we, in partnership with Arun District Council have contributed to the choice and variety of retail buying which the residents have enjoyed for nearly three decades. With your experienced overview of retail planning and the development of the local businesses in the area, bearing in mind the present financial climate, I do believe that you will be able to see the unequivocal advantage of allowing us to sell an unrestricted range of merchandise and therefore grant us unrestricted A1 retail.

22. In all the circumstances I invite the Committee to grant my application. If any more information is required I will be happy to supply it and to attend any meetings that might be helpful.

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23. In conclusion I enclose the following:-

1. Four copies of the documents referred to in (i) to (vi) in paragraph 16 herein;

2. Red Line Site Plan; and

3. Cheque for £170.00 being the appropriate planning fee.

I look forward to your acknowledgement of this application and confirmation that you duly registered it for consideration.

Yours faithfully

[redacted]

M Wiggins
On behalf of the Wiggins Family

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SURFACE WATER

The application does not involve any increase in size and the roof surface water will be disposed of to the existing watercourse.

The car parking area will be permeable and therefore will also be disposed of to the existing watercourse

In summary the application will not increase, in any way, surface water run off

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