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STERLING DEVELOPMENTS LTD

Seadown Parade, Lancing

Supporting Statement for a change of use application

September 2012

Ref: 2012-131-001a

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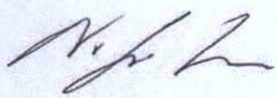
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Ref:2012-131-001a

Authorised for and on behalf NJL Consulting LLP



Nick Lee
Partner

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1.0 Introduction

1.1 Sterling Developments Ltd have instructed NJL Consulting to submit a Change of Use application for Unit 6 Seadown Parade, Bowness Avenue from retail (A1) to hot food take-away (A5).

1.2 This Supporting Statement is being submitted to meet the Adur District Council's minimum requirements to validate this planning application. In addition we have commissioned Pope Consulting to provide Ventilation Statement which is required to accompany all applications which require ventilation or extraction equipment to be installed.

Section 2 of this statement sets out the characteristics of the site and the surrounding area.

Section 3 of this statement outlines the proposals.

Section 4 provides conclusions to support the application.

1.3 The existing planning permission (ADC/0326/09) is due for expiration in November 2012 and as advised by Carlos Hone (13th September 2012) we are required to submit a new Full Application.

2.0 Site and Surrounding Area

2.1 The application site is located within Unit 6, Seadown Parade, Bowness Avenue, Lancing. This is a predominately residential area and the purpose of the parade shops is to serve the day to day needs of residents in the vicinity.

2.2 The parade consists of nine shops and which comprises of a general selection of units such as a news agents, general store, hairdresser's, bakers, and Chinese take away. Above the parade of shop are maisonettes.



2.3 Unit 6 provides 467 sq.ft of shop floorspace which will adequately provide a waiting area of customers and space to put a service counter. There is also a preparation and storage area to the rear which provides an additional 220 sq.ft of accommodation.

2.4 The unit has been marketed by Spratt and Sons since December 2006. This has not attracted any long term tenant interest from A1 retailers (see appendix 1).

3.0 Proposals

3.1 The application seeks to renew the principle of a change of use from A1 retail to A5 take away with associated external alterations for the installation of fan and filtration equipment.

3.2 At present that future occupier is unknown and therefore the exact internal layout has yet to be agreed. The position of the ventilation and extraction will be located as illustrated in both the ventilation and extraction drawing and the indicative floor layout plan, in order to reduce the amount of space taken in the flat above. This in turn will determine the location of the cooking area which will be located in the rear section of the shop which will be used as a storage and food preparation area (see appendix 2). At present, the main factor which has yet to be determined is the size and location of the service counter. This will vary from occupier to occupier, however ample room exists to provide a large service counter and a customer waiting area.

3.3 On the external wall at the rear of the premises will be located the fan and filter equipment (see appendix 2).

3.4 The main material considerations of this application are in respects to local plan policy AS5, ventilation and extraction equipment and residential amenity of neighbouring property. The remainder of the chapter will address the main material considerations, as well as setting out the benefits of the proposed change of use.

Local Plan Designation

3.5 The Local Plan was adopted in 1996 and designates Seadown Parade as local shopping facilities under policy AS5. Policy AS5 states:

"In the areas shown as being subject to this policy on the Proposals Map the District Planning Authority will seek to retain a predominant shopping use, as defined in Use Class A1 of the Town and Country Planning (Use Classes) Order 1987. Whilst the District Planning Authority will not normally permit changes to non-retail use at ground floor level, proposals for non-retail uses will be treated on their merits and will be assessed in relation to the need for the proposed use compared to retail use of the particular premises concerned."

3.6 The application unit was previously let long term to a florist. The exact circumstances surrounding the florist vacating the retail unit is unknown.

3.7 However, since the departure of the florist from the property it has been consistently marketed for A1 use by the agents Spratt and Son since December 2006. Spratt and Sons specialise in commercial lettings in the local area and have marketed the unit in a wide variety of mediums including on their mailing lists, web site, as well as the unit featuring numerous times in the local Worthing Herald newspaper. The unit is also being advertised nationally on the EG website (see appendix 3) and on Vale of White Horse District Council's website (see appendix 4). However, this approach has been unsuccessful and confirmation of this from the agent has been appended (see appendix 5).

3.8 Due to the lack of success of the extensive marketing campaign, it is necessary to look at alternatives to ensure the unit is let on a long term lease. The proposed

takeaway will provide an additional active frontage and attract customers and consequently stimulate more pedestrian activity along Seadown Parade which in turn will increase the vitality and viability of the parade.

3.9 At present there is currently only one A5 use within Seadown Parade. Therefore proposing an additional A5 unit within the parade will not change the parades character from a "predominant shopping use." By proposing a new takeaway this will offer local residents greater choice. This is likely to prevent residents from making trips to alternative locations which provide a wider range of takeaways than Seadown Parade currently offers.

Ventilation and Extraction Equipment

3.10 Work has been undertaken by Pope Consulting regarding the appropriate ventilation and extraction system which will be required for this unit. As the future occupier is currently unknown, Pope Consulting have based their proposals on the Defra Guidance "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" and have based it on the highest odour concentration levels and grease content identified in table 2.2 (see appendix 6).

3.11 The proposals will include a new ventilation and extraction system to control the odour from the proposed take away. To address the physical constraints relating to maisonettes above and to reduce the visual impact, the ventilation and extraction system will run through the maisonette above, which is also in the ownership of our client as illustrated within the ventilation document (see appendix 7).

3.12 The duct will be approximately 500mm x 500mm, this may vary slightly depending on the final system which is installed. Once the duct work is above the second floor the duct work will run through the loft space and roof and terminate approximately 100 cm above the roof eaves. The duct work which rises through the domestic property will be fire retardant and also securely boxed in order to prevent unauthorised access.

3.13 Due to the type of take away being unknown at present, Pope Consulting have made a number of assumptions to identify the standard of ventilation and extraction system required. They have worked on the basis that the potential take away will produce the highest levels of odour concentration and grease contents as set out in the Defra Guidance. This is to demonstrate that odour issues can be resolved with the appropriate ventilation and extraction system to ensure that local residents will not be affected by the proposals.

3.14 Based on the above assumptions, Pope Consulting have proposed a filter unit, which will contain 2 pre-filters and an activate carbon filter which will remove odours from the air stream. These proposals are to the benefit of the local amenity as their will prevent neighbouring properties from experiencing unpleasant odours.

3.15 However, it is important flexibility is maintained in relation to the ventilation/extraction system to ensure that potential occupiers do not have to buy costly equipment which exceeds their requirements, for example a Pizza restaurant or Kebab House have lower levels of odour concentration and grease content and will not require the same equipment as a fish and chip shop. The ventilation/extraction system should therefore be dealt with by an appropriate condition.

Noise

3.16 In order to minimise the noise which could be created from a ventilation and extraction system, Pope Consulting have proposed a centrifugal type fan which will draw the air through the canopy over the cooker and discharge it to above the roof top. This type of fan has a low 'noise breakout' level. The fan will be fitted with anti-vibration mountings and flexible connections to the ductwork to prevent noise generated by vibration.

3.17 In addition a silencer will be connected to the outlet of the fan. The silencer will reduce the level of noise transmitted along the ductwork system an at the ductwork outlet. The velocity of the air passing through the ductwork has been kept low and therefore will not be heard within the maisonette. The ductwork will also be boxed in as it rises up through the maisonette which will also help to prevent noise from the extract system.

3.18 The proposals set out by Pope Consulting to prevent any noise can be transferred to any ventilation/extraction system which will be proposed by the future occupier and can be dealt with by an appropriate condition. These measures will control any noise which will be emitted from the ventilation and extraction system which means that there will not be an impact on local amenity.

Local Amenity

3.19 In order to protect the local residents from potential noise issues the proposed hours of opening will be limited from 12:00hrs to 23:00hrs Monday to Saturday, 12:00hrs to 22:30hrs on Sunday and operate throughout the day serving local shoppers and residents. This is in line with Government guidance that people are normally sleeping between 23:00hrs and 07:00hrs, restricting opening hours within these limits would effectively curtail, if any, undue increased activity and disturbance to local residents. The proposed hours of opening will maximise activities during the daytime whilst minimising noise and disturbance at night.

3.20 The Chinese take away which is also located on the parade has opening hours of 12:00 hrs – 23:00 Monday – Saturday and to 22:30hrs on Sundays. By proposing the same closing hours as the Chinese restaurant there will not be additional impact on local amenity.

3.21 The existing consent (ADC/0326/09) confirms the proposed opening hours as being suitable and should be seen as the 'fall-back' position in terms of this application.

Benefits of the application

3.22 Unit 6 has been vacant intermittently for a number of years. There has not been any interest from A1 retailers and is therefore likely to continue to remain vacant unless a change of use application is approved. The longer the shop front remains vacant the greater the negative impact on the parades vitality and viability.

3.23 The proposed take away will also increase pedestrian activity at the parade of shops which will benefit the other shops such as the mini-market as customers may call and make a top up shop while visiting the proposed.

4.0 Conclusions

4.1 The proposed change of use application seeks to change the use of a vacant unit from A1 retail to A5 hot food take away. As the future occupier of the unit is currently unknown the internal layout which has been included provides an indication of the potential layout, however this may vary depending on the actual occupier secured.

4.2 As a Ventilation Statement is required with every application which needs a ventilation and extraction system, Pope Consulting have demonstrated that an appropriate extraction system could be installed that would prevent any odour or noise issues for local residents based on the worse possible scenario. At present the future occupier is unknown therefore the exact extraction system cannot be confirmed until a tenant is secured. However, the details of the extraction system can be dealt with by an appropriate condition

4.3 The proposed opening times will be between 12:00hrs and 23.00 Monday to Saturday and 12:00 hrs to 22.30 hrs on Sundays which are the same closing hours of the Chinese take away and these opening hours are the same as the current approved application (ADC/0326/09).

4.4 The proposals will benefit the parade of shops by ensuring that a unit which has remained vacant for over two and a half years has a much improved chance of becoming occupied. The proposed use is likely to increase foot fall for the parade which is likely to benefit other businesses which are situated on the parade.

4.5 Proposals demonstrate that a change of use can take place, a suitable ventilation and extraction system can be installed and operated with no adverse impact to residential amenity of the maisonette above and other nearby residences.

Appendix 1: Service Contract

Spratt & Son Limited
Brighton Road
Worthing West Sussex
BN11 2EN

Tel 01903 234343
Fax 01903 214305
info@sprattandson.co.uk
www.sprattandson.co.uk

spratt&son
estate agents and chartered surveyors

AGENCY AGREEMENT FOR SALE OR LETTING

1 Client's Name and Address: **Sterling Developments, Steward House, 309 Bury New Road, Salford, Manchester, M7 2YN**

2 The Property: **Shop 6., Seadown Parade, Bowness Avenue, Sompting, West Sussex**

3 Tenure: **Leasehold - to let on a new lease on terms to be agreed**

4 Asking rent: **£7,000 per annum**

5 Fittings included in the asking price: **- nil**

6 Commission: **£1,000**

7 All our fees attract VAT at the prevailing rate which is currently **17.5%**.

8 Advertising Budget: **Nil**

9 Our commission will be due on exchange of contracts or completion of a letting with any purchaser or tenant but payable by your conveyancer or solicitor with your written authority.

10 Unless previously agreed, our commission charges are inclusive of all fees and expenses which means you will not have to pay any further sums in addition to our commission.

11 If you are instructing us as sole agents, either specifically or by withdrawing such instructions from other agents who may be instructed, we are required to formally advise you that you will be liable to pay remuneration to us if at any time contracts for the sale of the property are exchanged or a letting or assignment completed with a prospective purchaser introduced by us during the period of our sole agency or with whom we have negotiations about the property during that period, or with a purchaser introduced by another agent during that period.

12 In some instances we will appoint sub-agents if we think it is desirable by way of co-operation with other firms in the area. In the event of a sale being achieved in co-operation with any sub-agent we shall be liable for any commission payable to them by way of sharing our commission from you.

Also at
74 Broadwater Street West
Worthing West Sussex
BN14 9DE
Associated offices at
Brighton Horsham London
Registered in the UK No.
4708735
Registered office
70a Brighton Road Worthing
West Sussex BN11 2EN

Director
Christopher Spratt BSc FRICS IRRV
Associate Director
Frances Green
Consultants
Peter Oveill BSc FRICS ACI Arb.
The Earl of Lytton BSc FRICS IRRV
Paul Flindall FRICS IRRV FLand Inst
Date established
C.G. Spratt & Son was established in 1948

13 There may be some occasions arising whereby the purchaser we have introduced will instruct us to act on their behalf in the sale of their property in which case we may raise commission from your purchaser.

14 We do not have a financial services department and we do not intend to enter into any direct arrangements with any prospective purchaser with regard to arranging mortgage requirements in purchasing your property. They may however be referred to brokers with whom we have arrangements and in the event of a successful conclusion being achieved we may earn commission in that respect. We would stress that this would be at no cost to you.

15 We will send you a copy of the sale particulars relating to your property; kindly inform us if any aspect is, or at a later date becomes, inaccurate or misleading.

16 We are not aware of any personal family or business relationship which exists between this firm and yourself or any person or business associated with this firm but please advise us at once if you become aware of any such relationship.

17 When we are marketing a property which is vacant, we accept no liability or responsibility for the maintenance or repair of or for any damage to the property while unoccupied. If the property is vacant when adverse weather conditions are likely, frost damage may occur to water and heating systems and sanitary appliances. You are strongly recommended to take all necessary action to protect your property from any such risks and ensure that you have adequate insurance cover.

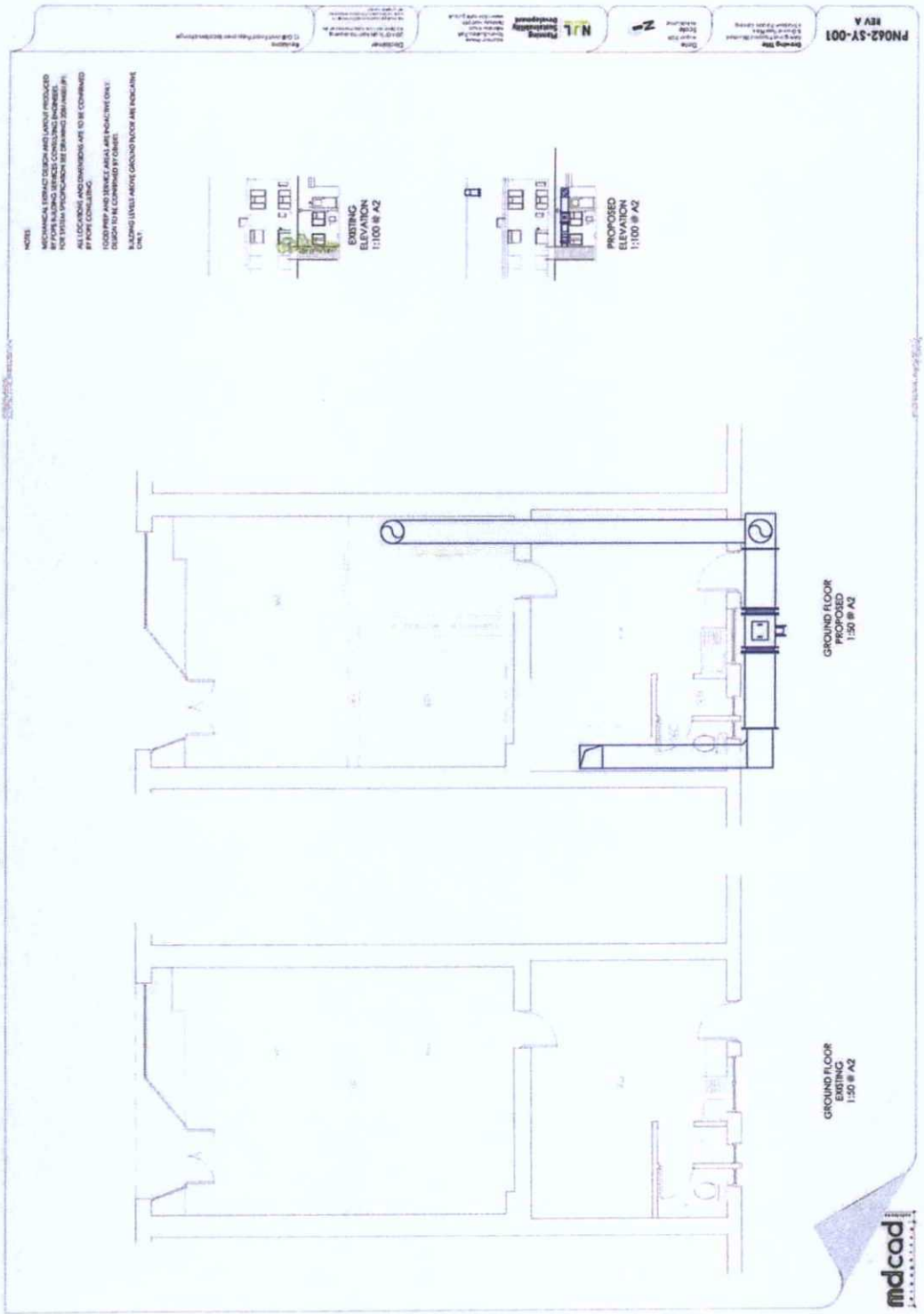
18 This agreement will continue until terminated by either the client or the agent, giving the other 14 days' notice in writing.

.....
Lessor's Signature

.....
Agent's Signature

Agent's Copy
21 December 2006

Appendix 2: Layout Plan



Appendix 3: EG Website Extract

EG PropertyLink



Your Leisure Property Search

« Back

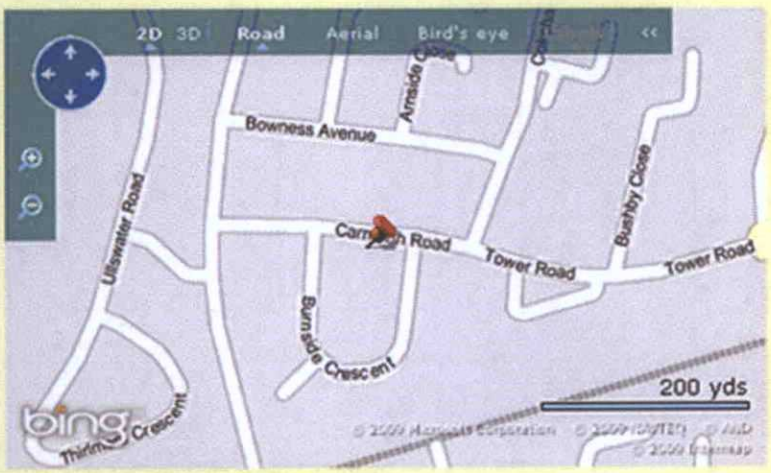
Search: Any | Town: | Size: Any | Rent: Any | GO

6 Seadown Parade, Seadown, Sompting, Lancing, BN15 9TP

General Retail, Residential, Retail - out of town - for sale
450 to 500 Sq Ft
Price: £195,000.00
Tenure: Freehold

Last Updated: 19 May 2009

The premises comprise a ground floor lock-up shop with three bedroom first and second floor maisonette above. Seadown Parade is a well-established parade of shops which serves the surrounding densely populated residential area.
INVESTMENT OPPORTUNITY



Download details to Microsoft Word »

Contact by Email Now:

Your Email address (required)

Your Name (required)

Your Telephone (required)

Your Address

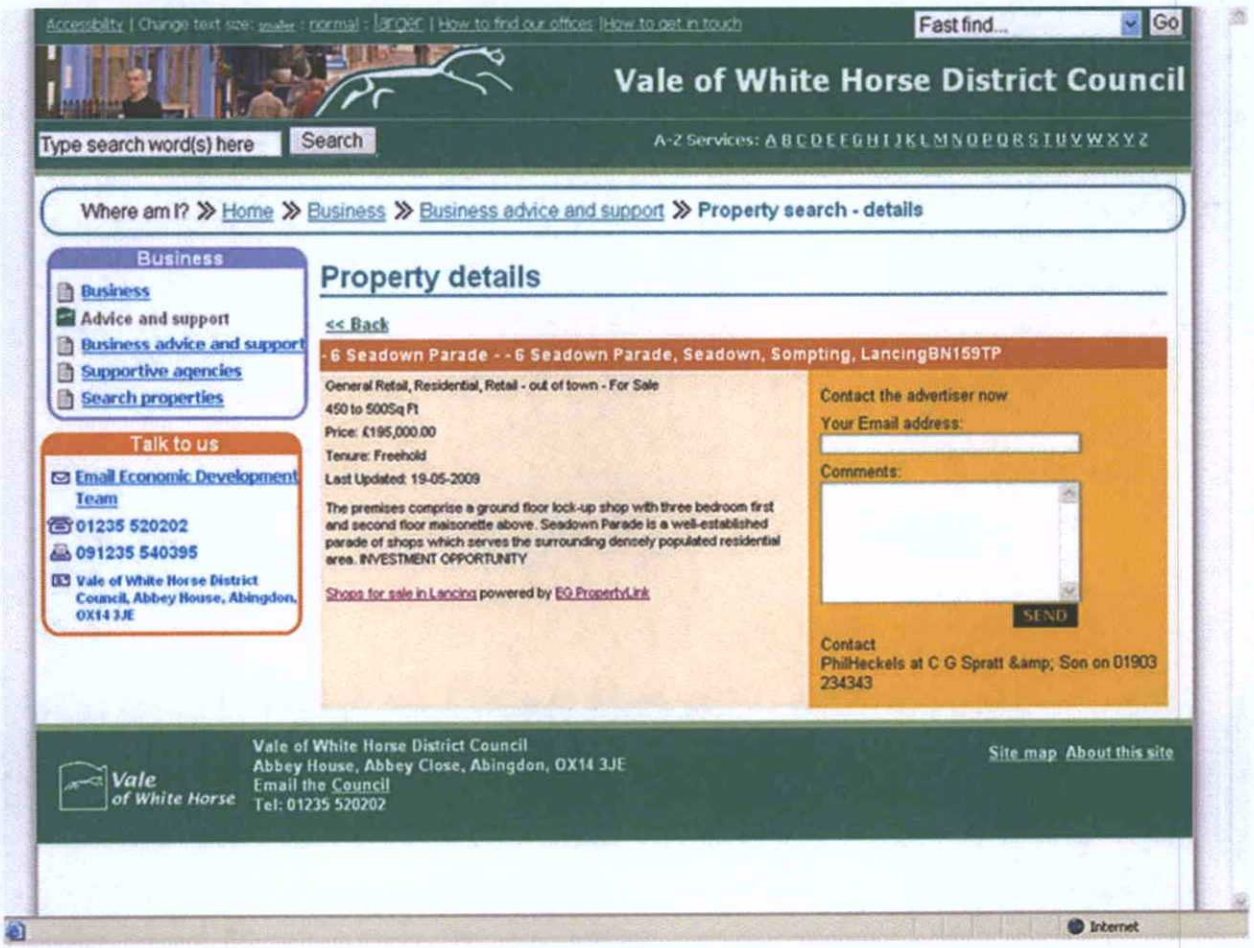
- Send more details for the property
- I would like to arrange a viewing
- Send details of similar properties
- Put me on your mailing list

Your Comments

SEND

Show agent contact details

Appendix 4: Vale of White Horse District Council Extract



Appendix 5: Agent's email

Jordan Kenison

From: Phil Heckels [ph@cgspratt.com]
Sent: 04 August 2009 14:35
To: Jordan Kenison
Subject: 6 Seadown Parade

Jordan

6 Seadown Parade, Bowness Avenue, Lancing

I write further to our recent telephone conversation regarding the above.

I confirm that we commenced marketing the property To Let in December 2006 (agency agreement attached for evidence) and subsequently started offering the freehold for sale in October 2007.

During this marketing period the property has been circulated to our mailing list of over 100 applicants on a regular basis, advertised on our website and has appeared numerous times in the local 'Herald' series of newspapers.

To date, we have been unable to introduce a satisfactory tenant or purchaser and the property has remained vacant during the entire period of our marketing.

I trust that this brief email gives you the information you require, but please do not hesitate to contact me should you need anything else.

Kind regards

Phil

Phil Heckels MNAEA
Spratt & Son
01903 826911

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17/08/2009

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Appendix 6: Defra Guidance Extract

Table 2.2 Odour and grease characteristics arising from a range of commercial kitchens.

		Odour concentration				Grease content			
Catering establishment	Description	Low	Moderate	High	Very high	Low	Moderate	High	Very high
Tea shop		✓				✓			
Pizza restaurant	Herb		✓				✓		
Steakhouses	Fat		✓				✓		
French	Herbs/garlic		✓				✓		
Italian	Herbs/garlic		✓				✓		
Most pubs	Fat		✓				✓		
Chinese	Ginger, spices, oil		✓					✓	
Japanese	Spices, oil		✓					✓	
Cantonese	Spices, oil		✓					✓	
Indian	Spices, oil			✓				✓	
Thai	Spices, oil			✓				✓	
Vietnamese	Spices, oil			✓				✓	
Kebab houses	Fat, cooking meat			✓				✓	
Fried chicken	Oil, cooking meat				✓				✓
Pubs (large turnover of deep-fried food)	Oil, cooking meat				✓				✓
Fish and chips	Oil,				✓				✓
Fast food/burger	Oil, cooking meat				✓				✓

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Appendix 7: Ventilation Document

