

# **Additional Documentation**

**To be read in conjunction with Planning Application 10/00475/COU and associated documents**

**and**

**Planning Appeal APP/B1550/A/10/2138909**

The application 10/00475/COU made on 27 July 2010 sorts a Change of Use from A1 to A5 for the smaller unit adjoining 99 London Road, Rayleigh. The application was refused on 15 September 2010, and subsequently passed to an Appeal. An Appeal Officer visited the site on 26 January 2011 and a further refusal was issued on 16 February 2011.

This document supplements the previously submitted Design and Access Statement, and other supporting documents in 10/00475/COU and should be read in conjunction with them.

The Appeal Officer's report and refusal was centred on three main issues:

1. Odours emanating from cooking smells
2. Disturbance due to vehicular movements during the evening
3. The lack of on- and off-street parking.

This application seeks to address these issues by redesign and a change in proposed opening hours.

1. The control of odours will be by the use of an internal activated charcoal air system, which would not vent externally. This was an excepted solution by both the Appeals Officer and the Rochford District Council Environmental Health Officer.
2. It is proposed that the operating hours for the proposed unit be restricted to mirror the adjoining commercial units, i.e. 10:00 until 19:00 Monday to Saturday.
3. The lack of off street parking has been addressed by the demolition of the workshop at the rear of the site, and the reduction in size of the cycle and storage areas. This will allow the creation of four large ( 5.50m x 2.90m ) off road parking places to the rear.

It is further proposed to construct a purpose built area for bin storage; to prevent the spread of used material, and the elimination of possible infestation.

It is the applicant's belief that both the Appeal and Planning Officers objections have been dealt with in sensible and constructive way, and that the resultant design will produce a positive and appropriate addition to the parade of commercial outlets which serve the local community.



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### TO WHOM IT MAY CONCERN

We can confirm that we acted as accountants to Rayleigh Scooter Centre Limited from its inception in 2008 to the cessation of trade in August 2010.

The company's first year of trading to 31<sup>st</sup> May 2009 saw a small profit of approximately £5,000 being made. However, this was due to the fact that neither of the company director's did not draw any earnings, in whatever form, from the company.

This result convinced one of the director's, Nigel Rogers, to dispose of his share in the company to his fellow director, Derek Cottiss.

The second year of trading saw the company's turnover and general financial position decrease even further. In fact, the fifteen month period to 31<sup>st</sup> August 2010 showed a loss of approximately £10,000 being made.

It was obvious from these results that the company business was not viable and, rightly, the decision was taken to close down the company to prevent further losses being made.

Yours faithfully,



M J HEWITT

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**H.C. BLAKE**  
ESTABLISHED OVER 55 YEARS  
**HORNCHURCH & CO**  
COMMERCIAL AND BUSINESS TRANSFER

Mr D Cottis  
99 London Road  
Rayleigh  
Essex  
SS6 9AX

30 June 2011

Dear Mr Cottiss

**Re: 99 LONDON ROAD, RAYLEIGH, ESSEX, SS6 9AX.**

I refer to our conversation regarding your forthcoming re-application for Planning Permission. The Change of Use that is proposed should help significantly with the marketability of the above premises, as we have discussed in the past.

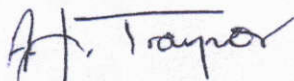
This letter is to be read in conjunction with the previous letters and the marketing report submitted with your previous application and gives up to date information regarding interest shown and enquiries made. I have had two telephone enquiries from what I had hoped would be potential applicants, one of whom was purely an investor and the other was only interested if the premises had A5 Use. We have been actively pursuing applicants for some considerable time now, but with little or no success.

The lack of response is not surprising, bearing in mind the reluctance of High Street banks to loan monies for commercial purposes. The depressing news we are constantly bombarded with via the media regarding the financial situation in the country is likely to prolong the downward economic trend, certainly into the next year. I sincerely hope that the Bank of England does not increase the bank rate over the coming months as this could then lead us into a double-dip recession.

I certainly believe that, if you could achieve Change of Use for the smaller part of the premises for A5 Use, I should be more able to find a suitable applicant to utilise that part of the premises whilst retaining the larger shop as a retail outlet.

I shall, of course, continue to market the property and will keep you advised of any interest I receive. The property will remain as before on our active website and other sources wherever possible.

Yours sincerely



A.J. TRAYNOR  
**COMMERCIAL & BUSINESS TRANSFER**

Tony Traynor email: [tonytraynor@hcblake.org.uk](mailto:tonytraynor@hcblake.org.uk)

# **MARKETING REPORT**

**In Respect Of:**

**99 LONDON ROAD**

**RAYLEIGH**

**ESSEX**

**SS6 9AX**



**Prepared For:**

**MR. DEREK COTTIS**

**DATE OF REPORT: 10 JUNE 2010**

PO BOX 2120  
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Mr D Cottis  
99 London Road  
Rayleigh  
Essex  
SS6 9AX

10 June 2010

Dear Mr Cottis

**Re: 99 LONDON ROAD, RAYLEIGH, ESSEX, SS6 9AX.**

**Instructions**

You have instructed me to provide a report regarding the lack of interest shown in your property as you are concerned that it is now fourteen months since marketing commenced.

The valuer is an independent valuer of 38 years' experience and has professional knowledge of the subject premises together with personal experience of the whole area of Rayleigh and its environs having previously lived in London Road and the nearby Louis Drive residential estate and now residing in the eastern side of the town.

**Description & Location**

The existing use of the subject premises is for the sale of auto spares and new motorcycles. There are rear stores and a workshop with access from the side road, Danbury Road. Part of the existing retail area dates from circa the 1950s and the additional retail unit with living accommodation above was built within the last few years. You have indicated that you intend applying for Change of Use for this recent extension to the premises from A1 to A5 Use.

The subject premises are located in a parade of shops on a service road off the A129, London Road, approximately half a mile from Rayleigh mainline station en route to London Liverpool Street. There is easy access to the A127 road leading to London and the M25 motorway and the A130 leading to Chelmsford. The parade of shops in which the premises are located serves several densely populated residential estates to the west of the town. Rayleigh Town Centre is situated in an elevated position some 1.5 miles away at the top of a steep hill and therefore the residents of these estates rely heavily upon the local shops. There is a tremendous lack of A3/A5 outlets in this part of Rayleigh. Some 30 years ago there used to be a fish and chip shop at 132 London Road (opposite the subject premises) which later changed to an Augustus Barnet off licence and then to a Local off licence, which has subsequently closed down. No. 132 London Road has now been granted Planning Permission to be extended to a retail unit of 2,800 square feet. There are currently only two A5 premises along the London Road within the Rayleigh boundary, one being situated near the station to the east of the subject premises and the other in a very small parade of shops almost half a mile to the west of the subject premises. Both of these offer Chinese food and neither is

situated within the large Grange residential estate in which the subject premises are located. This means therefore that the majority of residents living in this part of Rayleigh have to use their cars to purchase hot food takeaways and all would have to use their vehicles if they wished to purchase anything other than Chinese food.

Within the parade where the subject premises are situated there are a pharmacy, convenience store, butcher's, air gun retailer, newsagents/post office, greengrocer's and hairdressing salon. As mentioned, there is another parade approximately half a mile to the west of the subject premises and the outlets situated within that parade are a newsagent's, the Silver City Chinese takeaway, Jan's Greyhound Gifts mail order shop and Beads and Craft mail order shop.

**Accommodation of the Subject Premises briefly comprises:**

- ❖ MAIN RETAIL AREA (including extension) – 808 sq.ft. (75.07m<sup>2</sup>).
- ❖ STORE - 452 sq.ft. (41.87m<sup>2</sup>).
- ❖ KITCHEN/W.C. - 152 sq.ft. (14.18m<sup>2</sup>)
- ❖ WORKSHOP- 209 sq.ft. (19.44m<sup>2</sup>)
- ❖ PARKING FACILITIES AT REAR

**Services**

The subject unit appears to benefit from all mains services including water, gas, electricity and drainage.

**Marketing of the Subject Premises**

Over the many months during which we have been marketing the premises we have advertised the unit in the commercial section of the following newspapers:

Yellow Advertiser (Southend, Rochford & Castle Point Edition)  
Brentwood Recorder  
Romford Recorder  
Ilford Recorder  
Barking & Dagenham Recorder  
Woodford Recorder  
Loughton & Buckhurst Hill Recorder  
Newham Recorder

In addition, the premises have appeared on our website, [www.hcblake.co.uk](http://www.hcblake.co.uk), continuously since we were first instructed.

We have received little response from the newspaper advertising. This is not surprising as we have found that nowadays most interest is generated from the website. We have received some enquiries from applicants who have visited the website but the majority were seeking A5 premises and apart from one, as soon as they became aware that the premises did not already have A5 Use, they immediately withdrew their interest. The one applicant who is interested to the extent of making a firm offer has confirmed that he would definitely purchase the premises if A5 Use is granted.

We have also contacted the investors we have on our mailing register, a couple of whom are in the motoring trade, but even these did not show any interest as freehold premises are becoming increasingly difficult to sell with the lack of finance facilities currently available.

As you are aware, as well as selling and letting vacant premises we are also agents who sell businesses as going concerns. Here again we have not received any response from people within the motoring trade, not even from those operating a small motor repair business which could utilise the existing workshop. This is indicative of the current economic climate as, until two years ago as soon as these businesses came on the market they were snapped up immediately.

One disadvantage that the subject unit has is that it is located within a secondary parade away from the main town centre. While this location, as mentioned, is an advantage for certain businesses which rely on local trade, for many it is detrimental.

### **The Need for Change of Use**

Rayleigh Town Centre is a vibrant shopping area but even here there are problems with the letting of premises. No. 125 High Street has recently been let to a hairdresser but had previously been on the market for some nine months. The rent is considered reasonable at £16,000 per annum (£26.80 ITZA). No.129 High Street has also recently been let at £22,000 per annum (£33.18 ITZA). The main reason for the letting of this unit is that A3 Use has been granted for use as 'Pancho's Restaurant'. No. 41 Eastwood Road, a previously established Chinese restaurant which closed down several months ago, has been granted Change of Use from A3 to A5. Although these premises are in a location considered to be in the centre of the town, this transaction has taken ten months and the freehold has only finally been sold as a result of the Change of Use being granted. No. 48 Eastwood Road, on the corner of Eastwood Road and Daws Heath Road, vacant premises which were previously used for many years as an off licence, is now on the market to let. There have been fifteen viewings recently but only one offer was put forward and this was later withdrawn. Whilst it could be considered that now A3 Use has been granted for Pancho's Restaurant and good family eating facilities are also being provided by the recently opened 'Ask Italian' restaurant in the previous Woolworth's store in the High Street, Rayleigh Town Centre's restaurant/hot food requirements are fully satisfied, taking into account also the existing hot food outlets. However, this cannot be said of the parts of the town away from the main shopping area.

Prior to the new commercial extension and self-contained flat being built at the subject premises the land was used for the storage and sale of calor gas bottles. I consider that if A5 Use were to be granted for the additional ground floor premises and the existing A1 retail unit were to remain, there would not be an imbalance to the shopping parade. The Change of Use would indeed provide a benefit by replacing the A3 unit that was previously lost from No.132 London Road. There are many Carter & Ward built bungalows located behind the shopping parade in which the subject premises are located and I consider that if A5 Use were to be granted, this would provide an extra service to the large number of elderly occupants who are unable to drive to the High Street or who use a mobility scooter. As previously mentioned, Rayleigh Town Centre is in an elevated position and access to it from this part of Rayleigh is only obtained via the very steep Crown or London Hills.

By granting A5 Use to part of these commercial premises it would mean that they could be sold rather than remain empty. When it became evident to you, the current owner, that the storage and sale of calor gas bottles could no longer be considered viable, you took positive steps to support your existing business by building the additional shop and self-contained flat above. Unfortunately, however, the country

then went into recession. The motoring trade took a downturn and you have thus found it necessary to put the premises up for sale.

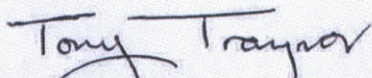
### **Summary**

The community's shopping requirements will continue to change over the years to come. Some forty years or so ago Rayleigh Town Centre was able to support a number of supermarkets including Tesco's and the Co-op. Nowadays, there is only one, Somerfield, which is part of the Co-operative group. In recent years many retail units have been replaced by hot food outlets. One notable example is the demise of Woolworth's whose previous site, as mentioned, has now been converted to an 'Ask Italian' restaurant serving the needs of local people of all ages, especially those with young families who, if they wish to eat with their children, now have an alternative to public house restaurants. A5 takeaway outlets have also grown in popularity over recent years with greatly increased demand for these units. However, as previously shown there is a lack of these outlets in the area served by the subject premises and the granting of A5 Use to part of the premises would go some way to redressing this lack.

I hope my report has provided you with a guideline to the commercial property market. This has been the worst recession that I have experienced in the 38 years in which I have been practising as an estate agent. I am at present trying to sell/let two commercial properties which are about to be repossessed and, sadly, I can only see further struggles ahead for the small local trader in the immediate future.

Finally, I will continue marketing your premises and endeavour to find a suitable purchaser.

Yours sincerely



A. J. TRAYNOR  
COMMERCIAL & BUSINESS TRANSFER