

Arun District Council
Arun Civic Centre
Maltravers Road
LITTLEHAMPTON
BN17 5LF

**10 Gunwin Court
BOGNOR REGIS
PO21 4BW**

21st August 2020

Objection to Planning Application AW/197/20/PL

Dear Sir,

Planning Application AW/197/20/PL The former Ship Inn Variation of Conditions applied to previous Planning decision AW/211/14/PL

I wish to object to the proposal to vary the conditions for deliveries for the following reasons:

1. The descriptions in the Application and submitted document Weekly Delivery Management Scheme are contrary and misleading:
 - In the Application Section 4 Description of the Proposal it has:
 - 'There shall be no more than three deliveries to the site per day...and (b) up to two deliveries by a larger vehicle (a rigid HGV up to 10.35m in length.'
 - In the Application Section 5 Condition(s) – Removal/ Variation it has:
 - 'Other deliveries (not restricted to 2nr)...' and 'Deliveries for goods serving the store to be in accordance with the attached Delivery Management Scheme.'
 - In the Delivery Management Scheme it has:
 - Delivery by Articulated Vehicle to existing roadside loading bay 4 N^o per week
 - Delivery by Rigid Vehicle to existing roadside loading bay 6 N^o per week
 - Delivery by Rigid refrigerated Vehicle to existing roadside loading bay 6 N^o per week
 - Bread Delivery by Rigid Vehicle to existing roadside loading bay 12 N^o per week (not Sunday)

The Delivery Management Scheme has 7 newspaper deliveries per week and totals the deliveries to the roadside loading bay to 28 per week. Excluding the 12 bread deliveries (Mon – Sat), this is more than the quoted 'three deliveries to the site per day'. Please could the applicant or agent clarify how many deliveries there will be?

If the application is approved, the application states that non-newspaper deliveries are not restricted to 2 per day (*Section 5 how you wish the condition to be varied*). The applicant will be at liberty to make multiple deliveries per day, notwithstanding the promise that no occurrences of multiple delivery vehicles at the building at any one time shall be allowed, in the Delivery Management Scheme. How would this latter promise be policed?

The Delivery Management Scheme clearly states Articulated vehicles, yet the application clearly states rigid HGV; which is it?

In the Delivery Management Scheme the total of deliveries to the car park is inconsistent with the stated number of deliveries. Is this an attempt to justify more deliveries to the car park?

2. Delivery during loading and unloading is unsafe

The delivery process has not been fully considered by the senior management of the store and is likely to place their employees in a hazardous situation that cannot be resolved with the buildings in their current arrangement.

The Health and Safety Executive (HSE) is the government body charged with advising on safety at work. Guidance on loading and unloading vehicles is given on their website:

<https://www.hse.gov.uk/workplacetransport/factsheets/loading.htm>. The first statement of guidance is:

Loading and unloading areas should be:

- Clear of other traffic, pedestrians and people not involved in loading or unloading.

With traffic passing as close as given in the drawing B200038 B203 and B204 submitted, the unloading area will not be clear of other traffic.

From observations of similar premises and internet searches, supermarket deliveries are usually made by large box-type commercial vehicles with rigid sides and a tail lift mechanism at the rear.

Unloading at the rear is usually safer for the delivery operative, but the usual situation is that the wheeled cages containing the goods are moved to a footway or other protected area.

There is insufficient space in front of the premises; the existing porch has a step around it and the existing bollards limit the size of wheeled cage that can be manoeuvred past. Wheeled cages used for deliveries are usually around 75cm wide. The space available (measured on 04/02/2020) is 52.5cm.

Notwithstanding the comment in drawing B200038 B202 that the existing bollards would be removed to give the delivery driver more space to pull off the highway, such a manoeuvre would restrict the space available for the delivery driver to unload his payload safely. Access will still be hindered by the posts supporting the porch roof.

The goods would have to be unloaded and taken to the entrance in the existing car park and where the bin store is located. Both swept path plans submitted show rigid and articulated delivery vehicles parked on the carriageway with rear access to the North West (ie the vehicle approaching from the Barrack Lane/ Aldwick Road junction with Aldwick Street. With the vehicle in this orientation, the delivery operatives would be obliged to push the loaded and empty trolleys past the parked vehicle on the carriageway side to the car park and from the bin store shown on the original submission plans.

In a previous application, the applicant's agent offered the provision of CCTV to supervise the loading and unloading. I consider this inadequate. A risk assessment of the situation would call for a protected area for deliveries in accordance with HSE guidance; a remote viewing of the hazardous area does not protect the delivery driver.

The only logical solution is to orient delivery vehicles to approach from the South East (ie from Fish Lane), but again, how would this be policed?

3. Conditions applied to the original decision have not been addressed

In the original Application, permitted by the Members with Conditions, deliveries were limited to three per day in the interests of, and to safeguard the amenities of the neighbouring properties. These Reasons have not been addressed in this application to vary the Conditions.

In the original decision to Application AW/211/14/PL, the reasons for the conditions was given by Arun DC:

Condition 8 There shall only be one delivery of newspapers/magazines between 06:00 and 08:00. The other two deliveries to the site shall be made between the hours of 07:00 and 21:30.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

Condition 10 There shall be no more than three deliveries to the site per day comprising of: (a) one newspaper/magazine delivery via a transit van or similar size vehicle of less than 7m in length; and (b) up to two deliveries by a larger vehicle (a rigid HGV up to 10.35m in length).

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun District Local Plan policies GEN7 and GEN32.

With regard to the Reasons given for the conditions in the original decision; The planning Policies GEN7 and GEN 32 of the Arun District Local Plan, extant at the time of the decision are as follows:

POLICY GEN7 The Form of New Development

Development will be permitted provided it:

- (ii) demonstrates that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness;*
- (iv) does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property...*

POLICY GEN32 Noise Pollution

Arun DC Environmental Health department were consulted on the original application and concluded that the noise levels were unlikely to breach the required noise level or give rise to complaints.

In the Conditions applied to the Decision by Arun DC to permit the application, deliveries were to be limited to three per day. This was in the interests of, and to safeguard the amenities of the neighbouring properties.

I have no comment on the GEN32 Policy in relation to Conditions 8 and 10, but I consider that the Policy GEN7 reason given for the Conditions has not been addressed by this new application.

In the AW/197/20/PL application form Section 5, the text for a variation to Condition 8 has:

'...other deliveries (not restricted to 2 N^o) to be between 0700 and 2130'.

As outlined in item 1 of this letter, the Application and submitted document Weekly Delivery Management Scheme offer contrary information. The application should have been scrutinised before submission to ensure correctness; if such a lax attitude prevails to the application, what attitude will prevail to compliance with conditions? Again, how will it be policed, and does the Council have authority to sanction the store management or senior controlling management if the conditions are broken?

In the original Application, permitted by the Members with Conditions, deliveries were limited to three per day in the interests of, and to safeguard the amenities of the neighbouring properties. These Reasons have not been addressed in this application to vary the Conditions.

I would ask the councillors to reject this application.



Lawrence Dooley

