

Application Correspondence

From: [REDACTED]
Sent: 17 November 2017 16:29
To: Simon Davis
Cc: Train, Ben; Jessica Ferguson
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition
Importance: High

Simon,

In doing so, can you be absolutely clear to those involved at the County Council, that the application seeks not to review the operation of parking and deliveries at this site generally, but to partially relax an existing planning condition pursuant to s73. It is therefore, incumbent on those involved to assess the proposed alteration primarily in the light of the justification for the original condition and any other material considerations.

Through negotiation, the proposed relaxation is now rather more limited, with no deliveries to be made in the evening peak when both the store and adjacent highway are agreed to be busy. However, we have demonstrated that although the adjacent highway is also busy in the morning peak, the store and its car park is significantly less so. This and the management regime which would be used to facilitate deliveries, will reduce the risk of any blocking which would effect the highway (and indeed is already show to opeate successfully at other times).

Even if the County Council has residual concerns here, it must consider whether other controls are available to address them or put forward alternative wording for the condition in mitigation. Indeed, it is also open to them to recommend, and for you to consider imposing, any other conditions which may be necessary to make the proposed amended condition workable, such are the broad powers afforded by s73 of the principal Act (eg, submission and approval of a delivery management scheme).

Should it become clear that such considerations have not formed part of the County Council's position and planning permission refused as a result, then it would clearly strengthen my client's position in the event of an appeal.

Regards,
Miles

Miles Young
Director

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MARTIN ROBESON
PLANNING PRACTICE
ARUN DISTRICT COUNCIL FP/161/17/PL

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]

Sent: 17 November 2017 16:13

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Dear Miles,

I have agreed with my Team Leader that we will go back to Highways one last time with your latest email and ask for their final thoughts. If they maintain an objection, then we will refuse the application.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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