

[REDACTED]

From: Debbie Farrell [REDACTED]
Sent: 12 December 2017 09:58
To: Simon Davis
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Hello Simon

I'm happy with a 2 part condition, however prefer the reduced timescale on your version.

Debbie

Debbie Farrell | Planner, County Highways (Development Management), Planning Services;
Economy, Planning, Place Directorate, West Sussex County Council
Location: Ground Floor, Northleigh, County Hall, Chichester, PO19 1QT

[REDACTED]

Part-time working hours: Monday, Tuesday, Wednesday 08:00 – 15:00

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 07 December 2017 15:00
To: Debbie Farrell
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Hi Debbie,

Tescos have suggested that the existing delivery condition is deleted and replaced with the following two conditions:

- (1) No servicing or deliveries (with the exception of newspapers) to the retail unit hereby approved shall take place between the hours of 2300 and 0700 on any day. Additionally, there shall be no deliveries to the retail unit between 1500 and 1800 on weekdays only.
- (2) Within three months of the date of this permission, a Delivery Management Plan (including details of delivery procedures and measures to prevent customer vehicles parking in the delivery area) shall be submitted to the local planning authority. Once approved, the Delivery Management Plan shall be implemented and shall remain in force unless otherwise agreed by the local planning authority.

On this basis, could you agree to the application?

Note that no. (2) is slightly at odds with what I was thinking (below), which do you prefer?

Within 2 months of permission being granted, a Delivery Management Plan shall be submitted to for approval in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries to the front of the store, the advance notification of the timing of such deliveries (including non-Tesco deliveries) to the store, and set out arrangements for the prevention of illegal parking in front of the store to allow delivery vehicles to freely enter the site. The retail use shall thereafter be carried out only in accordance with the approved plan.

Thanks

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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From: Debbie Farrell [REDACTED]
Sent: 21 November 2017 12:02
To: Simon Davis
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Hello Simon

Please find attached photos from one of my site visits. The issue is as previously stated and is clearly shown in the photos which is vehicles parked adjacent to the shop front. The problem occurs when deliveries arrive and they cannot get into the site resulting in the public highway being blocked.

In response to extract 34 from the applicant's planning Statement, the following issues remain:

1. The cones shown in the previously submitted email are used by the Tesco store staff to secure a small amount of space to the rear of delivery lorries to allow for the hydraulic lift/cages and limit the use of the pedestrian crossing. They are also used to secure the

lorry parking space. They do not appear to be used to restrict the parking along the entire store frontage.

2. Tesco Logistics may provide notice to the store however it has not been confirmed that all deliveries (non tesco) are scheduled to the same degree.

The problem is ultimately driver behaviour in the form of parking in non-parking spaces. This is a problem because it has an impact on Highway Safety as delivery vehicles cannot enter the site or if they can enter the site cannot park and block the access. Both of these problems result in standing vehicle in the highway either delivery vehicles or customers trying to access the site. It is usual in an application such as this for the applicant to proposed a solution – Section 34 from the planning Statement is not considered prescriptive enough and from experience of delivery practice during site visits this does not happen.

It would appear from the extract below that the applicant is suggesting the inclusion of a condition to address own concerns. Is this a workable option and can we enforce such a condition?

'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).'

Any condition would have to include a method for prohibiting parking adjacent to the entire store frontage when a delivery was imminent.

Debbie

Debbie Farrell | Planner, County Highways (Development Management), Planning Services;
Economy, Planning, Place Directorate, West Sussex County Council
Location: Ground Floor, Northleigh, County Hall, Chichester, PO19 1QT

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From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 17 November 2017 16:33
To: Debbie Farrell
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Debbie,

Sorry, have now also had the attached which the applicants ask you/us to consider.

Kind Regards

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From:

Simon Davis

Sent: 17 November 2017 16:18

To: 'Debbie Farrell'

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

Dear Debbie,

Please note the following email from the agent and attached image.

I am sorry that I keep trying to negotiate but one last time, can you advise whether your objection still stands and if so, give me a refusal reason. I will then make the decision and they can appeal.

Many Thanks

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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From: Miles Young [REDACTED]

Sent: 17 November 2017 12:02

To: Simon Davis

Cc: Jessica Ferguson

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

Simon,

The County Council's most recent comments may not have the benefit of Paragraph 34 of our Planning Statement, which states:

"Observations during delivery events demonstrate these are carefully coordinated. Tesco logistics' provides plentiful notice to the store of an incoming delivery and this enables store staff to place cones in front of the store to ensure the vehicle is directed swiftly into a safe and suitable location. The driver is assisted by staff to move cages from the lorry to the cage marshalling area at the side of the store. In anticipation of the delivery vehicle arriving, store staff prepare empty cages containing returns, refuse and recycling to be taken away. A member of store staff remains with the vehicle at all times during loading and unloading to ensure the safety of the site for staff and customers. Once complete, the delivery is logged and the driver departs. The whole procedure, from arrival to departure, rarely takes longer than 20 minutes. Deliveries to the site by non-Tesco vehicles, tend to be quicker."

Please also see attached photo.

To confirm, our client is requesting relaxation of a delivery condition which was originally justified on the basis of highway capacity and amenity issues. Whereas the County Council is introducing issues which are either not directly related to the application subject, or for which (as above) solutions already exist.

We have demonstrated a conciliatory approach throughout the application, in particular, by agreeing to prevent deliveries during the long afternoon peak when both the store and the adjacent highway are notably busier. That is entirely reasonable and justified in planning terms.

However, we can see no sustainable reason to object to our very sensible proposed amendment to the condition and can therefore now only agree an extension of time on the basis you support the application (ie, to provide sufficient time to prepare a report and issue a decision).

We look forward to understanding your position on this.

Regards,
Miles

Miles Young
Director

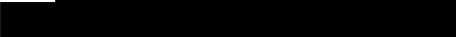
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T

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 17 November 2017 11:47
To: Jessica Ferguson 
Cc: Miles Young 
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Dear Jessica,

I note the current extension has expired. Can we agree a further one until Friday 1st Deember please.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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From: Simon Davis
Sent: 08 November 2017 12:55
To: 'Miles Young'
Cc: Jessica Ferguson
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Dear Miles,

I have checked with Highways and although this does mitigate part of the issue, they still have concerns about the illegal parking as set out in their earlier emails. I have been advised further that:

"Yes, the comment on illegal parking still stands. Delivery vehicles cannot enter the site and park when cars are parked adjacent to the store and this still needs to be addressed by the applicant. Of the options available some form of no parking markings adjacent to the store could be considered, however these will need to be enforced by the store staff. Alternatively the area could be 'coned off' by store staff when deliveries are due. It is appreciated that there is a business need for morning deliveries, however with customer's existing parking habits, deliveries are highly likely to result in standing vehicles in the highway - which is a highway safety concern."

Kind Regards

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From: Miles Young [REDACTED]
Sent: 03 November 2017 17:17
To: Simon Davis
Cc: Jessica Ferguson
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Simon,

I confirm agreement to the County's suggestion of no deliveries between 1500 and 1800 on weekdays. Are you now able to approve?

Many thanks,
Miles

Miles Young
Director

21 Buckingham Street
London, WC2N 6EF
[REDACTED]

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PLANNING PRACTICE

From: Jessica Ferguson
Sent: 23 October 2017 18:34
To: 'Simon Davis' <>
Cc: 'planning@arun.gov.uk' <planning@arun.gov.uk>
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Simon,

Many thanks for your email. In order to facilitate your suggestion, I agree an extension of time until 3rd November.

Kind regards,
Jessica

Jessica Ferguson
Senior Planner
MRPP
21 Buckingham Street
London, WC2N 6EF

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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 12 October 2017 17:14
To: Jessica Ferguson [REDACTED]
Subject: FW: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Hi Jessica,

I have received the below email from Highways in response to your submission of 06 October. You may wish to try and discuss this direct with Highways?

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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From: Debbie Farrell [REDACTED]
Sent: 10 October 2017 14:41
To: Simon Davis
Subject: FW: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Hi Simon

Although the graph provided gives an indication of Sales and the possibility of increased visitors during the evening peak it does not tell us a great deal about traffic levels. I have visited the site a number of times and there is a consistent problem with vehicles parking adjacent to the access on 'non parking spaces' a problem likely to be exacerbated by parked delivery vehicles.

If the condition was to be altered to *additionally, there shall be no deliveries to the retail unit between 1500 and 1800 on weekdays only* to include the school peaks this could be considered. However, there is still the issue of 'illegal' parking which needs to be recognised and addressed by the applicant. Whilst this type of parking is not actually illegal as it's off the public highway it does indicate there is a capacity problem which will be made worse by delivery vehicles during the peak periods.

Please call if you would like to discuss further.

Kind regards
Debbie

Debbie Farrell | Planner, County Highways (Development Management), Planning Services;
Economy, Planning, Place Directorate, West Sussex County Council
Location: Ground Floor, Northleigh, County Hall, Chichester, PO19 1QT
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From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 09 October 2017 10:38
To: Debbie Farrell
Subject: FW: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Hi Debbie,

Further to your email of 06 September, I have received further information from the applicant in the below email (and with reference to the attached graph). They are asking if you can agree to the following revised condition: *"No servicing or deliveries (with the exception of newspapers) to the retail unit hereby approved shall take place between the hours of 2300 and 0700 on any day. Additionally, there shall be no deliveries to the retail unit between 1600 and 1800 on weekdays only."*

I look forward to hearing from you.

Kind Regards



From: Jessica Ferguson [REDACTED]
Sent: 06 October 2017 18:40
To: Simon Davis
Cc: Miles Young; Planning
Subject: RE: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Simon,

We have now reviewed the County's response in respect of highways. Their main concern relates to the impact of deliveries on the safe operation of the site during weekday peak hours. This concern arises from the assertion that it is difficult to manoeuvre in and out of the echelon spaces opposite the store and therefore this is likely to result in a delay with vehicles waiting close to the site access. They allege that whilst this situation could occur at any time of the day, it can be contained within the site outside of peak hours. It is asserted that during peak times however, blocking could impact the public highway due to the number of vehicles entering the site. Thus, although the County Council does not object in principle to amending the delivery condition, they propose that deliveries are restricted between the hours of 0700 to 0900 and 1600 to 1800 (considered by the County Council to be the 'peak' hours here).

Conversely our onsite observations and discussions with store management indicate that the car park operates well and would not be prejudiced by the presence of delivery hours during the weekday peak hours. However, we have now obtained sales data which provides an indication of the hourly trading performance of the store for each day. This data is provided in the attached graph and shows that the peak activity of the store occurs at two points during the trading day; lunchtime (between 1100 and 1300) and evenings (between 1600 to 1800). However, it can be seen that during the AM peak (0700 and 0900), the store is quiet relative to other periods. There is therefore no justification to limit store deliveries taking place in the morning. The car park is designed to operate efficiently whilst deliveries are occurring and data in respect of store activity identifies that this is one of the quieter periods in the trading day.

The design of the car park is one which ensures that any interaction between delivery vehicles and customers is limited and any potential delay in manoeuvring in to/out of an echelon space is momentary. Notwithstanding this and our view that there should be no restriction on the hours of delivery, the client is mindful of the activity of its store and would therefore be willing to restrict weekday deliveries between 1600 and 1800. This relates to the weekday peak activity of the store and also corresponds with the suggested peak activity of the adjacent highway.

Your Environmental Health colleagues raised no objection, but requested that no deliveries take place between 0600 to 0700, which our client is willing to accept.

Thus, in light of the foregoing, our client can accept the following amended condition:

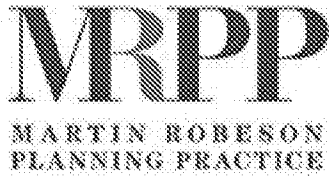
"No servicing or deliveries (with the exception of newspapers) to the retail unit hereby approved shall take place between the hours of 2300 and 0700 on any day. Additionally, there shall be no deliveries to the retail unit between 1600 and 1800 on weekdays only."

On the basis you are agreeable to our client's position we agree to a further extension of time until 13th October.

Kind regards,
Jessica

Jessica Ferguson
Senior Planner
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From: Debbie Farrell [REDACTED]
Sent: 06 September 2017 12:13
To: Simon.Davis@arun.gov.uk
Cc: Jessica Ferguson [REDACTED]
Subject: FP/161/17 - Tesco Store, Felpham - Variation of Condition

Dear Simon

Further the email of the 23/08 from Simon Davis, we have the following comments:

The information provided in support of the original application FP/133/08 does appear to focus on the impact of additional traffic on the local highway network and not on the operation of the site itself and the impact of delivery vehicles on highway safety in the immediate vicinity of the site access. However, no reason is given in the WSP Transport Review report as to why the condition restricting deliveries to outside of peak hours was recommended.

From the site visit photographs, it can be seen that manoeuvring in and out of the echelon spaces (in particular the two most easterly) spaces may be difficult for vehicles other than a small car type when deliveries are taking place. In addition, the westerly space results in vehicles reversing onto the pedestrian crossing. Whilst these manoeuvres are possible and could be shown with a traffic plot on a plan, they do appear to be limited and likely result in vehicles waiting at or close to the access for a prolonged period.

The photographs also show vehicles parked in areas within the site which are not parking spaces i.e. on either side of the access. It is appreciated that this is a decision made by drivers and difficult to manage however it is argued that this type of parking will continue to occur and does have an impact on the application.

Whilst it is acknowledged that a bottleneck could occur at any time of day due to; irresponsible parking and slow manoeuvres out of the echelon spaces, the result of such a blockage is likely to be contained within the site outside of peak times. However, during peak times has the potential to impact on the public highway due to increased demand to access the store.

The Tesco's store is indeed visible from the A2259 and it is likely that a proportion of drivers who see the car park is at capacity will not stop. However, there are also a proportion of drivers who will stop regardless. Due to the nature of the store as a convenience facility drivers may consider their visit to be a necessity during peak hours; to and from work/school run etc.

As mentioned in my previous response, no parking capacity survey/analysis of the car park operation has been submitted nor has any up-to date traffic data been submitted. The BRRR has been fully opened since March 2015 and traffic levels in the area have altered considerably

and whilst there has been a reduction in through traffic there has been an increase in local traffic due to the new development and likely an increase in previously untapped demand for the A2259 (local journeys) due to less congestion.

In conclusion, there does not appear to be any up to date information on traffic flows/ car park demand/car park operation/proposed number of deliveries to support the application and therefore our objection is based on site observations at peak times and recommendations from the original application. As Highway Authority we need to ensure a site is operating safely for all road users, additional survey information may provide sufficient evidence to show that the site will still operate safely with deliveries occurring at peak time – there is also the potential to reduce/alter the peak times as local traffic peaks may be linked to school start/finish times for example.

Kind regards,

Debbie

Debbie Farrell | Planner, County Highways (Development Management), Planning Services;
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