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WORTHING BOROUGH COUNCIL
PLANNING SECTION
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PARKSIDE RESIDENTS' ASSOCIATION

TO: The Planning Officer, Adur District Council **31st May 2012**

Dear Planning Officer,

Below are set out the comments and objections of the Committee of the Parkside Residents' Association on the applications for planning permission by Tesco in relation to the former Green Jacket Public House Site, corner of Eastern Avenue/Upper Shoreham Road, Shoreham by Sea. A printed copy has also been posted by standard mail.

We draw particular attention to the use of an Article 4 Direction process which is discussed below which we believe would assist the Council in a achieving a more acceptable outcome than simply adjudicating between the best interests of the local community and those of the applicant.

Yours faithfully,

Ian Elliott,

Chairman, Parkside Residents' Association,
38, Parkside,
Shoreham by Sea, West Sussex BN43 6HA

Comments on and objections to Planning applications applying to the former Green Jacket public house at junction of Eastern Avenue and Upper Shoreham Road, Shoreham by Sea, including application numbers: AWDM/0566/12; AWDM/0565/12; AWDM/0554/12; AWDM/0557/12; AWDM/0567/12;

The Green Jackets site is rendered sensitive by its residential location, opposite a surgery, a nursery school and Scout HQ, a primary school, and within a continuous line of good quality houses and bungalows stretching along the Upper Shoreham Road from the east of the site turning to form a line of bungalows and houses down Eastern Avenue and immediately adjacent to the site. The site is on the south-eastern corner of the busy road junction of Eastern Avenue with the Upper Shoreham Road, into which also feeds the car park entrance to Buckingham Park and the residential road, Parkside. The Park is heavily trafficked at week-ends by sports clubs and regularly used all week for informal recreational visits. Eastern Avenue is an advised route for goods vehicles from the port businesses and the Dolphin industrial area . The operation of the Level crossing at the south end often results in vehicles queuing back up to the Upper Shoreham Road, creating 'rat-run' vehicle movements along Park Road & Park Avenue.

We believe that a significant proportion of the users of the proposed Store will arrive by car. The only available parking that appears to be available is that for visitors to Buckingham Park and in the residential areas immediately surrounding the proposed Store. This cannot be seen as community friendly and will create added congestion and hazard to this busy area.

We undertook a random public opinion survey at the western junction of Upper Shoreham Road and Eastern Avenue about attitudes to the proposed Tesco store. We were prevented from persevering freely with this survey. However, between 7 and 8am, during which this survey was able to proceed unhampered, more than 40 signatures were obtained in opposition to the Tesco proposal, with only one person being in favour,

The operation of a Tesco Store at this site will exacerbate existing traffic problems and have the potential to restore nuisance to the Park caused by sales of alcohol and other goods, and cause new forms of pollution previously not encountered by the existing adjacent residents if the use of the premises were not to be tightly controlled. These are issues which we believe the Adur District Council could control, indeed prevent, by the imposition of an Article 4 Direction to control those issues that might otherwise be considered outside the Council's control, or which it would not normally seek to control. We urge the Council to take this course of action (before any planning decision is made, of course) so as to control the issues of litter, opening and closing times and the hours of lighting of signs and exterior features, type of goods to be sold, number and timings of deliveries, and the viability of other valued community based businesses such as the Southlands Post Office/grocery/newsagent. It is advised that this is a course of action open to the Council under legislation designed to enable Councils to conserve the character of areas when such alien uses as Tesco now proposes (though it is not restricted to conservation issues of any specific kind), would otherwise change the character and ambience of the area.

We would expect the following controls to be exercised by the Council under such an article 4 direction:

- To avoid unnecessary light pollution and nuisance to adjacent residents, the lighting of signs should cease on the daily closure of the premises and to remain unilluminated until the store re-opens.
- To enable the maintenance of conditions for the rest (sleep conditions) of adjacent residents, the public business hours of the store should be, at a maximum, between 7.00am and 23.00hrs on weekdays, and for some lesser hours on Saturdays and Sundays.
- Tesco should be required to enter into a legal undertaking to maintain a litter clearance service in the public places within 200metres radius of the store and within the whole access road and car parking areas on the east side of the Park.
- Delivery of goods shoud be restricted to a maximum of three per day to operate within the public opening hours of the Store, avoiding those times when children will be arriving or leaving the schools, and no later than 20.00hrs daily.
- It is preferred that there shall be no sales of alcohol. However, if the premises are to be licensed for such sales it should be on condition that restrictions be imposed which are designed to avoid sales leading to alcohol abuse in nearby public areas potentially attributable to such sales from this Store e.g. after 7pm bulk sales not available, other sales being limited to, say, one small pack per customer, and only available to credit card customers.
- To avoid unnecessary light pollution the illumination of the ATM shall be at low level (i.e. sufficient only to be able to carry out a relevant transaction and not to act as signage advertising its presence) between the hours of 23.00 hrs and 07.00hrs. Similarly, to avoid

unnecessary light pollution the ramraid bollard lighting shall be reduced to a low level sufficient only to mark their presence in minimal style.

- There is an increasing trend for major stores to introduce smaller local outlets that specialise in non-food goods. We draw the attention of Tesco and the Council to this possibility to limit the range of goods to be sold which would be less likely to conflict and possibly drive out of business the Southlands Post Office.

Since these measures should have little significant effect on the profitable operation of the proposed Tesco Store, it would be entirely in-keeping with Tesco's professed concern for the community if it were to accept the above minor limitations voluntarily. However, if the Council is neither willing to deal with the above matters under an Article 4 Direction, nor Tesco's willing to accept these operational limits, then the restrictions listed above should be considered as our objections to the granting of the unfettered planning permission sought.

Tesco seem to claim that it is their intention to maintain the essential character of the building. This we welcome and hope that the decorative use of plants that have previously existed on the front facing first floor balcony is to be a continued design feature. We also welcome the minimal structural changes, and support the matching of any new features to the existing style design. However, the new doors might have a more harmonious surface finish to complement this purpose.

Below are copied our comments to the Highway Authority,

which we also submit for consideration in reducing the potential for additional hazards arising from the operation of this store.

"Our soundings seem to show that opinion locally is largely against the proposal for Tesco Express, though quite a number think they will find it convenient. Our concern, however, is the added pressure and consequent nuisance and risk of accident that development of this particular site poses, unless regulated.

You will have seen that the site is on a four way unregulated junction of USR, Eastern Avenue and the entrance to Buckingham Car park. Eastern Avenue carries a fairly heavy load all day but more so in peak hours, as it is an advisory route for heavy goods vehicles going to and from harbour businesses and those in the Dolphin road business estate. This flow is not made any easier by the vagaries of the operation of the railway crossing at the south end of Eastern Avenue which often causes traffic tailback to the signalled junction (S) with the A259 and even to the top (N) of Eastern Avenue. The site is also opposite a popular primary school with nursery, an additional adjacent children's nursery occupying the Scout HQ and the busy Northbourne Medical Centre. Before 9am and after 3pm weekdays the parents parking and delivering/collecting children make for a general mêlée for some 100 metres around the junction. We believe that the parking by customers of Tesco and its delivery of goods certainly will not make this situation any easier unless regulated. At week-ends there is extensive indiscriminate parking on verges and any available space by sports teams using the Park facilities. On weekdays this pressure is much less though there are many casual recreational users of the Park. The junction is further complicated by traffic to and from residential

areas to the north of the USR via Parkside, and those residents and 'rat-runners' using Park Road and Park Avenue, accessed opposite the school.

We appreciate that Tesco seems to expect that they need no permission for a change of use (or at least it is deemed) but we are putting it to the Adur District Planners that it has the means to regulate aspects of the operation of the store so that its nuisance and danger potentials are lessened with little, if any, significant commercial loss to the Company. In objecting to aspects of this application, it seems to us that your Authority has at its disposal a number of traffic regulatory devices which, used judiciously, could obviate the potential danger, to which I have drawn your attention above, that this store presents on this particular site and *(devices)* which would be of benefit to all members of the community, whether in favour or opposed to the application. I have refrained from setting these down here because, as a professional, you will have a very broad knowledge of these, but we can offer helpful suggestions to achieve this end if necessary."

Ian Elliott,
Chairman, Parkside Residents' Asscoiation,
38 Parkiside, Shoreham by Sea,West Sussex BN43 6HA