

Shirley Advance

Parkgate Shirley

Rebuttal Proof of
Evidence of Johnny Ojeil
in respect of the objection
by Wilson (UK) Limited

SMBC8/4

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CPO and Stopping up
Order Inquiry

April 2008

Ove Arup & Partners Ltd

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2 Rebuttal Comments

- 2.1 I refer to Item 4 of the Proof of Evidence of Mr Hemming which relates to the letter by Mr Andrew Cook on 3 August 2007 to the Secretary of State for Communities and Local Government.
- 2.2 In particular, (Item 2) "The acquisition of the delivery / service yard to the rear of 162-170 Stratford Road will seriously adversely affect the shops within the objectors ownership (162-170 Stratford Road)" and
- 2.3 (Item 4) "The land is required for the purpose of providing part of the service yard to the proposed development. An adjustment to the design of retail Block H would enable the service yard access and turning to be provided without the necessity to acquire the subject land."
- 2.4 With regard to 2.2 above, Section 3.14 of my Proof of Evidence outlines the existing access arrangements for 162-170 Stratford Road and these were shown diagrammatically on Figure JMO3 of my Proof of Evidence. Figure JMO9, attached, shows that with the existing arrangements, a HGV service vehicle (or any large service vehicle) is presently required to drive past the access gates into the service yard and reverse into the service yard. Figure JMO9 shows that with the existing arrangements, a HGV vehicle can not actually access the service yard from the access road thereby constraining the operational ability of the occupiers of 162-170 Stratford Road. It should also be noted that large vehicles are required to reverse across the path of private vehicles leaving the Shirley Shopper Car Park which has safety implications. The proposed new service yard will overcome these issues. Figure JMO10 shows a HGV vehicle reversing into the proposed service yard and clearly demonstrates that even if the development service yard has three HGVs parked for servicing, a HGV can easily access the service area to 162-170 Stratford Road. The effect on the shops will therefore be a positive one.
- 2.5 With regard to 2.3 above, the land is required to ensure that unobstructed access can be provided into the service and parking area for 162-170 Stratford Road. Figure JMO11 shows that if a service vehicle is parked within the development service area, service vehicles are unable to access the service yard for 162-170 Stratford Road. This would affect the business of 162-170 Stratford Road. It is therefore necessary to acquire the land to ensure that unobstructed access to 162-170 Stratford Road can be provided and to create a shared area for all users of the service yard to be able to operate together simultaneously.
- 2.6 With regard to any adjustment to the design of retail Block H, I refer you to the rebuttal evidence of Mr Robert Birch.

3 Conclusions

- 3.1 Having considered the evidence of Mr Hemming I conclude that the proposed service yard arrangements do not adversely affect the shops within the objectors ownership but in fact provide an overall improvement to the service yard which results in better servicing arrangements than the existing situation.
- 3.2 I also conclude that it is necessary to acquire part of the interest of 162-170 Stratford Road in order to establish a fully functional service yard layout for all users of the service yard and not for the development purposes alone.

FIGURES

Figure JMO9 HGV into Turn Existing Service Yard 162-170 Stratford Road

Figure JMO10 HGV Turn into Proposed Service Area 162-170 Stratford Road

Figure JMO11 HGV Turn into Proposed Service Area 162-170 Stratford Road Using Existing Gates

