

Nicola Spencer

From: Nicola Spencer
Sent: 18 May 2018 18:15
To: 'Adrian Burrows'
Cc: Karl Roberts; Neil Crowther; Anita Gardner
Subject: RE: AHA! Fitzalan rd

Dear Mr Burrows

Thank you for your emails.

Yes the expiry date has been amended as it is a major application.

The application is live on the website but we have not advertised it yet and will not until we have received the documentation that has been requested. The agent has indicated to us that this is in hand. As soon as we receive the information that is required it will be published in the planning weekly list in the West Sussex Gazette in the Public Notices section, in our planning weekly list on our website and site notices will be displayed. This is the normal way in which we alert the public of the existence of the application. At that point the formal consultations will also be carried out. The publicity period commences at that point and there will be the formal 21 day publicity period for comments to be submitted. At point the comments due date will appear on the website so everyone will be clear about when they need to make comments by. I understand you are under the impression that we will only allow customers to comment once on an application. This is incorrect they can comment as many times as they wish. We cannot determine the application until the publicity period has expired regardless of the 13 week expiry date, so the public will get the full 21 days to consider the application in full.

I cannot really add anything more to what I have previously stated. We have gone through the local validation requirements list and applied it proportionately and requested the information that at this early point in the life of the application, we require to determine the application. If at a later point the case officer determines that further information is required they can ask for this at that point. The validation process is not subject to public participation so we are not obliged to consider your validation wishes. You can raise any issues about the content of the application as part of your representation on the application and if it is a material planning consideration it will be taken into account in determining the application

Your sincerely

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From: Adrian Burrows [REDACTED]
Sent: 16 May 2018 16:33
To: Nicola Spencer; Karl Roberts; Neil Crowther; Anita Gardner
Cc: Town Clerk
Subject: AHA! Fitzalan rd

Dear Nicola,

It seems 2 helpful things have evolved since my emails of yesterday as follows:

1. thank you for confirming yesterday that the planning application has gone live on your website. I have now had a chance to look at which documents you have correctly requested from the developers so that their

defective application might comply with the National Validation Requirements. My case remains, that until the application complies, it is invalid and the clock for the determination deadline must not start ticking.

2. I also note since my email of yesterday, that the date for determination has now been published as 29th June 2018 (moved on by circa 1 month) since yesterday.

I am however concerned that you have ignored my wish that distances to adjoining property, windows of adjoining property and topography of the site and surrounding area is accurately shown.

there were listed as points : 3, 4 and 5c) in my email dated 26th April 2018 address to planning officer David Eaton and then forwarded to you.

the reason that points 3,4 and 5 c) are so vital is because the affect of a 3.5 storey structure (set 1.5m out of the food plain) some 11m from adjoining property will have a damming impact on overshadowing, privacy, overlooking, loss of amenity, and, of course, rights to sunlight and rights to day light.

we accept that Rights to Light is a civil not a planning issue but rights to day lights and sun light are not civil issues (they are planing issues) and should be closely monitored by the LPA in accordance with the National Planing Guidelines.

In this regard, we took advice from a surveyor in respect of the last application relating to this site and that advice was published in our objection to that application under the chapter "rights to light".

You will presumably appreciate that unless the topography of the site and surrounding buildings is known, plus the precise distances to adjoining building plus the size and position of windows, it is impossible to correctly assess the technical criteria for rights of sun light and daylight infringement.

The developers themselves appear to have admitted they are taking this matter very seriously and have included in their application a detailed assessment of sun light/ daylight, however they have admitted they have not conducted accurate surveys and there are evidently demonstrable fundamental errors in their assessment (such as a they have not included the closest window to the new development). **So it is surprising that the LPA is not insisting on such a detailed assessment and i invite you again to reconsider this**. How can members of the public possibly assess the impact of the development on their windows or on the surrounding conservation area or the street scene when we dont know the distances, heights and positions? In my view there should be a full sun light and sun path 3D modelling at different times day at different times of year. This is completely standard in london and recommended practice. Again, last year, in respect of the previous application, AHA! commissioned a 3d modelling and it showed the proposed "tower block" casting a shadow completely over every surrounding property and half way into the River Arun.

in passing , I note that members of the public have already started objecting to the application online and they are objecting based on an incomplete application so the decision to prematurely validate the application without the full information is already affecting the planning process detrimentally.

Please will you confirm that you will add a request for points 3 ,4 and 5c) to the required list of documents.

thank you very much,

Adrian Burrows

