

[REDACTED]

From: Amanda Scholes on behalf of Planning.Responses
Sent: 26 April 2019 10:34
To: Planning Scanning
Subject: FW: Planning Application AL/101/18/PL

From: David Smith [REDACTED]
Sent: 26 April 2019 10:29
To: Planning
Cc: Nigel Lynn; Nat Slade; Neil Crowther; Planning.Responses; Sharon Lilleywhite; Sue Bowley; Shirley Zeman; Simon Davis; Daniel Vick; Rosemarie Dannatt; Cllr. Keith Ballard; Cllr. Christopher Hughes; Cllr. John Charles; Christopher Davis; Anna Appleton; [REDACTED] Infomanagement; richard castro parker
Subject: Planning Application AL/101/18/PL

Westfield House,
Fontwell Avenue,
Eastergate.
PO203RU
26.04.2019

Dear Sir,

We wish to make further comments in objection to Planning Application AL/101/18/PL. We do so for the following reasons.

1. The Planning Application has not been properly prepared, submitted, validated and investigated. **It is a joke!** The unauthorised bund in question **constructed on Palm Sunday 2018**, was reported to the Council by ourselves on **23rd May 2018** and a letter from that department on **24th July 2018** assured us that retrospective planning permission would be requested.

It was not until **September 2018** that the applicant make an application (for retention of the bund rather than full application) and not until **15th October 2018** that the application went live on your web site. The application has rested on the site for **six months now, although it is over one year since the offence itself was committed.**

THIS IS A VIOLATION OF YOUR OWN POLICY of determining applications within 21 days and shows a clear prejudice towards the applicant.

2. The application itself, is not valid for the reasons described in the report from WSCC. The application has no clear purpose and is missing the detail required. We believe that the applicant, has no desire to actually construct a regular bund and has shown no interest in conforming to planning regulations. The applicant is ignoring approaches which must have been made by the Council and simply being allowed to

waste time. Any other application would by now have been refused due to the lack of co-operation on the part of the applicant and the illegal bund required to be removed.

The application is also not valid since the bund has been placed on land **which is not in the ownership of the applicant**. The application (such as it is) has been made by Sussex Recovery (Mr. David Parker.) The bund is shown on the plan submitted as being, **outside the land occupied by Sussex Recovery which is leased from the Landowner – not Mr. Parker**. If this was a real application, Article 13 and 14 notices would apply.

3. The response from Mr. Parkers' agent, suggests that there is a mistake in the WSCC report. We agree with this. The report has assumed that the soil contained within the bund, came from the Taylor Wimpey Development site next door to Sussex Recovery. It did not. A small amount of soil was scraped up into the beginning of a bund, but the **bulk of the soil**, was brought to the site from the land known as, 'Land West of Fontwell Avenue', which is adjacent to our house on the other side of Sussex Recovery. It was moved by three dumpers, loaded by two digging machines, through the back of the site, across the road into the scrapyards behind 'Oaktrees' and piled up into the bund in question by another digging machine from Sussex Recovery.

We were eyewitnesses to this event, which occurred on Palm Sunday 2018. Also eyewitness to this event, was the Emergency Environmental Health Inspector who visited our house that day, took photographs and wrote a report of the activity. This visit, formed the basis of twelve Enforcement notices issued by Mr. Christopher Davis from your own Environmental Health Department. You will have access to both the report and the photographs. Three of the Enforcement Notices were issued to Mr. Parker who is one of the four owners of the site known as 'Land West of Fontwell Avenue.'

However, where the soil came from, is not the point! The soil is still waste from a building site, just not the one assumed by the WSCC report. The Planning Department have been completely inefficient when determining this case. The Planning Department have shown bias and prejudice towards the applicant (not for the first time) by allowing this application to rest for so long.

It is now past time for this matter to be concluded, - for the application to be refused as concluded by WSCC, and for the applicant to be required to remove the bund.

David and Susan Smith.