

[REDACTED]

**From:** David Smith [REDACTED]  
**Sent:** 20 March 2019 10:07  
**To:** Planning.Responses  
**Cc:** Nigel Lynn; Neil Crowther; Cllr. Christopher Hughes; Cllr. Keith Ballard; [REDACTED]  
**Subject:** Land West of Fontwell Avenue Applications AL/116/18/PL and AL/117/18/PL

Westfield House  
Fontwell Avenue,  
Eastergate,  
West Sussex.  
PO203RU  
18.03.19

Dear Sir,

We wish to make further objections to Planning Applications AL/116/18/PL and AL/117/18/PL in addition to those already made on 21.09.18, as these applications have been 'live' now for over 4 months.

The application to vary the conditions specified, seem to have been requested in order to bring applications AL/121/16 and AL/122/17 in line with application AL/136/17/PL which was passed unlawfully at a later date. (Confirmed by your response to our recent Freedom of Information Request.)

The variance requested is to replace the site plan originally given approval, with a new site plan which incorporates the elements contained in the site plan for AL/136/17/PL.

The original application AL/116/18/PL,(based on AL/95/13) was for a normal access, to the first parcel of land owned by Mr. Duggin. You have already confirmed in a response to another Freedom of Information Request, that this access does not have formal Planning Permission. If these variances are permitted, they will be added to a 'disputed planning permission'. They will also permit A CHANGE OF USE, since the original access, which was a normal domestic entrance, will then become A ONE WAY SYSTEM which will be used by other members of the public.

This ONE WAY SYSTEM as specified in Planning Application AL/136/17/PL will also require that each of the THREE INDIVIDUAL OWNERS of THREE INDIVIDUAL parcels of land, must 'cross over' each of the other two parcels of land in order to access their properties. It will also mean that visitors to each property (members of the public) will also have to 'cross over' the other parcels of land.

**Why then, has each owner not given notice on the other two owners as required by law?**

We see that notice has been served on the Highways Authority relating to splays which cross the grass verge (Highways land), but this should also be the case for others whose land is crossed.

At this point in time, we do not understand why mistakes and omissions already admitted by the Council are being added to, with further mistakes and omissions.

As we understand the situation, we should see,

1. A retrospective Planning Application for **formal access to the site** which incorporates **a change of use**. (One which does not stay on the web site for many, many months like AL/101/18/PL has.)
2. Documents for each Application which serve notice on the other two owners individually, as well as the Highways Authority.
3. We would also like to see a legally binding document, as is the case on Application AL/95/13, to ensure that the internal road when constructed, remains the responsibility of all three individual owners.

Yours Sincerely, David and Susan Smith.