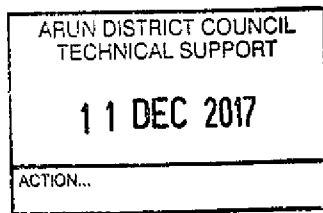


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Westfield House,
Fontwell Avenue,
Eastergate,
West Sussex.
PO203RU
10.12.17

Dear Sir,

We wish to object to planning application AL/122/72/17/PL for the reasons listed below:-

1. **It is a departure from the Development Plan for this area.** The area of the Five Villages has many new estates currently under development. Indeed, a development of nearly 300 houses has just been given permission not 200 yards away. It would seem that there will be many hundreds of new houses available shortly. The council are not therefore **duty bound**, to give this application permission because of the number of new homes currently under construction.
2. 2. Planning Application AL/122/17/PL was based on Planning Application AL/95/13/14 which was granted on 1st February 2014. This planning permission, which was given for 3 detached houses with garages for 3 years, **was not used** and has now expired. Therefore, there is technically **no prior residential approval in place on the site of this proposed development.**
3. Planning Application AL/122/17/PL seeks approval for 2 properties because the plot next door has been given approval for 2 properties. **This approval of planning on the first part of the field (AL/121/16/PL) cannot be considered a precedent for the remaining 2 plots on the field.** It was given, when permission already existed, for 2 other detached houses with garages, on the rest of the field. It was given, in order to allow the **TOTAL** number of residential units on the field, to be increased to 4 as suggested by the Planning Office and the Appeal Inspector, Mr. Andrew Steen BA (Hons) Dip TR MRTPI when he considered Planning Application AL/106/15/OUT for 5 detached houses without garages.

Thus, the applicants could have applied for 4 detached houses with garages across the site, but chose not to do so. Instead, they decided to divide up the field and apply separately for each section, anticipating that by doing so, they could obtain planning permission for a greater number of units. Thus the first plot was applied for separately and only 2 semi-detached houses would fit into the space, making a total of 4 in all across the field.

We believe, that when considering their decision on this current Planning Application AL/122/17/PL, the Council should only consider a new proposal which **reinstates the planning for the two units which has already lapsed.** (AL/95/13).

The council have already acknowledged the need for such restraint, in their decision relating to Planning Application AL/122/87, for 6 units on the field. This decision went to Appeal and the Council stated,

'If this proposal were permitted, the Local Planning Authority would find it difficult to resist similar proposals in the vicinity, the cumulative effect of which, would be to alter the character of the locality to the serious detriment of the amenities of the area.'

If the Council now give permission for 2 units, of whatever kind, on the middle plot of the field, this will set a precedent for the third plot and the Council will have contradicted their own reasoning for refusal of previous applications.

4. Application AL/121/16/PL based on Application AL/121/16 which was itself based on application AL/95/13/14 gave **outline planning for 3 detached houses with garages.** The removal of garages from future planning applications (including this one) has adverse implications for **parking and road safety.** It is also out of character with the other properties found on Fontwell Avenue which all have garages or at least rear access.

The occupant of plot 1 (AL/121/16/PL) currently keeps 4 cars on site. The approval given under this application only allows for 2 parking spaces for

each unit. An increase in the number of units granted planning permission, means a greater number of cars needing space to park. The units already agreed and those proposed, (detached or semi-detached) have no garages and no rear access. Therefore, any extra cars will need to park in the access road. It will become a car park and unless made dual-width, will restricted free access to ambulances, fire engines and the like.

The Council have also already acknowledged the difficulty of accessing the A29 at this point in their refusal to previous Planning Applications (AL/122/87). This difficulty of access has only increased over time since nothing has ever been done to decrease the amount of traffic using the A29, and when the Nyton Road Development begins, (Less than 200 yards along the A29 and also exiting onto the A29) traffic will increase again.

When the Council considered Planning Application AL/121/16/PL on which this Planning Application seeks a precedent, they sought a response from WSCC Highways Department. The WSCC Strategic Planning Consultation reply stated,

'This application has been dealt with in accordance with the Development Control Protocol for small scale proposals which include up to 5 residential units accessed from roads that do not form part of the Strategic Road Network.(SRN.)'

It is clear that, should Planning Application AL/122/17/PL, be given approval, it will create a precedent for the third plot on the field, which will **invalidate the Highways Department response to Planning Application AL/121/16/PL** since there would be more than five units accessing the A29 at this point.

5. The Design and Access Statement for the proposed development says that the gaps between the houses will be similar to others in the Avenue. **This is not so.** The layout of this proposed application is similar to Planning Application AL/106/15/OUT, which was rejected and then appealed, and finally dismissed by the Planning Inspectorate, for this very reason. The Appeal Inspector, Mr. Andrew Steen BA (Hons) Dip TR MRTPI, gave reasons for his refusal and I quote,

'This linear layout behind substantial front gardens largely reflects that of surrounding development but the gaps between the proposed dwellings on plots 1-4 and to Westfield House would be considerably smaller than most gaps between the surrounding houses on the approach to Eastergate, particularly on this side of Fontwell Avenue.' (Point 9 of the report.) He goes on to say,

'Notwithstanding that the site already has planning permission for three houses and the changes to the land they would bring, the narrow gaps between the dwellings on the layout now proposed, particularly on plots 1-4, would result in a cramped and overdeveloped appearance that would adversely affect the rhythm of development on Fontwell Avenue and would be out of keeping with the semi-rural appearance of the area.' (Point 12 of the report.) He concludes by saying,

'For these reasons, I conclude that the proposed houses would have a harmful effect on the character and appearance of the area, contrary to Policy GEN7 of the Arun District Local Plan and the Framework that seeks a high quality of design for development that responds to characteristics of the site.' (Point 12 of the report.)

It should be noted that Application AL/122/17/PL proposes 2 semi-detached houses instead of the two detached houses previously applied for. They have simply been pushed together and the space between them divided in half and added to the edge of the plot. No extra space has been created, so the gaps are in essence the same as the previous application which was withdrawn.

The Planning Department has already considered the size of the plot in relation to the number of units possible, in their refusal of Planning Application AL/106/15/OUT by stating,

'The size of the site is considered unsuitable to satisfactorily accommodate five dwellings all with private amenity space without having an unacceptable effect on the character of the surrounding residential area by reference to the width of gaps to boundaries. The

proposal would result in an unduly cramped and overdeveloped form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to policy GEN7 of the Arun District Local Plan, policy D DM1 of the Arun Local Plan 2011 - 2031 (Publication Version) and paragraphs 17 & 64 of the National Planning Policy Framework.'

Thus any development of any type, detached or semi-detached of more than 4 units across the space of the field, has already been ruled out by previous planning decisions on other applications.

Related to this point, we find it very puzzling to note that the applicant has himself, (through his agent) argued that 2 semi-detached houses would not be acceptable in place of the 2 detached houses asked for previously. In a correspondence relating to Planning Application AL/72/17/PL on 16th August he says,

'If a revised scheme were to be submitted for a pair of semi-detached houses (this current planning application) similar to those approved on the site adjacent to the north, (plot 1) I believe the bulk and mass of the built form would increase and the spaces between buildings be reduced and/or lost.' He has now applied for such a scheme that he has already argued against!

6. We are also confused by the Flood Risk Assessment for this application submitted on 6th November 2017. It is the same assessment as that submitted in March 2014 by Mr. Duggin in relation to Planning Application AL/95/13/14 for 3 detached four bedroomed houses with garages. Surely this assessment is no longer current, as the Planning Application associated with it, has now run out and any risk of flooding must be affected by the increased number of residential units proposed for the site.

Senior Engineer Paul Cann makes reference to a discrepancy in his Planning Consultation response on 16th November when he says,

'Please note that the Flood Risk Assessment makes reference to the ADC 2008 SFRA which is no longer valid, as it was updated in 2016.' - Surely a new risk assessment should be required?

In summary then, we would like to object to Planning Application AL/122/72/17/PL because,

1. It would be a departure from the Development Plan. - The Council have already given permission for hundreds of houses in this vicinity and are not obliged to permit any more.
2. There is technically no prior residential permission in existence. - It expired in March 2017.
3. No precedent has been set by permission on the first plot. - The circumstances were different and relate to the number of units overall.
4. The Highways Department Small Scale Development Study would be invalidated.
5. It has already been agreed that the gaps between the houses are not acceptable and in keeping with the rest of the residential area.
6. The Flood Risk Assessment is not valid.

The Planning Department and the Appeal Office have already concluded that 5 units, of whatever kind, would be an overdevelopment of the field as a whole, because of the small gaps between them. However, we would point out in the simplest of terms, that planning is currently in place for 2 units and this new application requests 2 more, thus making 4 units across **two-thirds** of the field. This is the same overdevelopment which has already been rejected, the only difference being that they have been applied for separately under two different planning applications and are different kinds of residential units.

These different multiple applications, (**eight in total, listed on your web-site**) were first made by the same person, and are now being made individually on behalf of the three owners. It is expected that if this application should be given approval, an application will eventually be made by the third owner on the last third of the field thus taking the total count back to that, which has already been rejected.

Whilst we are aware that the planning department are unable to take into consideration the possibility of any future planning applications which may be made, we are also aware that should an applicant be able to show that a piece of land is unsuitable for any other purpose, on appeal of a decision to refuse planning, the Council are obliged to give permission. This would ensure approval for 5 or 6 units in all, when the third owner submits an application on the last third of the field – which he will no doubt do in the near future!

Finally, we would like to remind the Council that we have lived in our house for over thirty years, paying a great deal of money in terms of rateable value to do so. For the last four years particularly, since the first planning application was approved and then not used, we have endured much anxiety, stress and uncertainty whilst these **multiple planning applications** have been considered. We have also encountered many difficulties and much inconvenience since the first owner moved into the first mobile home on the first plot in June 2017. It should also be noted that no building work for any permission given, has yet begun.

We feel that it is time the Council gave due consideration to the effect this process is having on us as long term residents and found some way to conclude this matter and restrict the opportunity for further multiple applications.

Yours Sincerely,

David and Susan Smith.

