

Westfield House,
Fontwell Avenue,
Eastergate,
West Sussex.
PO203RU
2.8.17

Dear Sir,

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

1. It is a departure from the Development Plan for this area.
2. It is based on application AL/95/13/14 which was granted, on condition that a fee of more than £6000 in lieu of low cost housing, was paid to the Council. This fee is not recorded as being paid, (since it is no longer required by Government), the planning given for 3 years was not used and has now expired. Therefore, there is no prior approval in place on the site of the proposed development.
3. Application AL/95/13/14 seeks approval because the plot next door has been given approval. This approval (AL/121/16/PL) is the subject of a formal complaint and is currently under review by the Ombudsman. Depending on the outcome of his decision, it may well proceed to Judicial Review. It should therefore not be considered a safe precedent.
4. Application AL/121/16/PL was itself based on application AL/95/13/14 which gave outline planning for 3 detached houses with garages. The removal of garages from future 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.
5. 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, 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.

6. 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 the same as Planning Application AL/106/15/OUT, which was rejected and then appealed, and finally dismissed by the Planning Inspectorate, for this very reason. The proposal was for 5 detached houses with garaging across the whole of the field. 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/72/17/PL proposes 2 detached houses in the same position and with the same gaps, as those on plots 3 and 4 in the application referred to and rejected by Mr. Andrew Steen.

In conclusion, I would like to point out, that it is **implicit** in the rejection report by Mr. Sheen, that as the 5 units then proposed, would be an overdevelopment of the field as a whole, because of the small gaps between the houses, it is possible that 4 might be considered. However, we would point out 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, as the units are virtually on the same footprint, the only difference being that they have been applied for separately under two different planning applications. These different multiple applications, were first made by the same person, and are now being made individually by the three joint 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.

Planning Application AL/72/17/PL must therefore be rejected.

Yours Sincerely,

David and Susan Smith.