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From: David Smith
Sent: 11 March 2021 11:53

[REDACTED]

Subject: Further objection to AL/9/21/DOC to be posted on the Planning Portal web site.

We wish to make further additional comments in objection to application AL/9/21/DOC as we have now been told by Neil Crowther, that the Planning Department HAVE made an arrangement with Mr. Norgate, to allow him to begin his build without the discharge of Condition 6.

We object to the Construction Management Plan proposed for the following reasons:-

1. Condition 6 (a pre-commencement condition), has already been considered in an application in 2018 to vary this Condition under AL/67/18/PL. The application was withdrawn, after Mr. Davis said he would otherwise refuse it. (16.7.2018)

2.The comments in our four letters of objection to AL/67/18/PL, (1.8.2018, 24.9.2018, 27.9.2018. 22.10.2018) are still pertinent, and we ask that the content of these letters is also considered here, in relation to this objection. (They can be copied on to this site.)

3.We also ask that the comments from WSCC Highways department on AL/17/18/PL are taken into account, as they remain pertinent to this application and illustrate the fact that if Condition 6 is not adhered to, before this build begins, then the visibility splays will still not be provided.

4.Planning Correspondence from Mr. Davis to Mr. Palmer on 3.7.2019 point 4(ii), application AL/116/18/PL, is also pertinent, as it confirms that this access has not been discharged in terms of the visibility splays required and that the material content of the access must be removed before the access can be constructed properly.

5.Mr. Crowther has told us, that the reason for this part of the development being allowed to go ahead without the discharge of Condition 6 is,

‘Condition 6 relates to the creation of the northernmost vehicular access and internal road to be provided prior to commencement. An access was created for the adjoining development in the same position required by this condition. This is nearing completion. This access provided adequate access for safe movement of construction vehicles and the Council consider that it is not necessary for the final finished surface to be provided due to likely damage from construction vehicles.

One has to question then, WHY was this Condition included in the first place? (Maybe because of the event which occurred during the Development Control Committee meeting, when this permission was decided?)

6.The access concerned, is questionable as already described. An FOI request made previously to ADC shows that no formal permission exists at this point and the Information Commissioner has ruled that the Council hold no evidence of established use. – This is also confirmed by Mr. Lee Duggin in his letter of 6.6.2017, to discharge Condition 6 of AL/50/17/DOC.

7.The photographs of the access, posted on this site by the applicant, clearly show, that the access road is NOT nearing completion. There is no provision on the ground for the landscape features shown in the landscape plans under AL/52/19/DOC or AL/85/20/DOC, (pavement and planted grass verge) and there are still open access points to services and Heras fencing in place. There is also no gap between our access and the access to the site, as shown on the landscape plans identified.

8.MEANWHILE, Mr. Norgate continues with his build as shown in the photographs below, despite the fact that his Construction Management Plan has not yet been granted permission.



10th March 2021



11th March 2021

There are many conflicting planning decisions which have been made in relation to this site and even after 4 years, no doubt many more to come. The way Planning Permissions have been granted, and Conditions discharged – or not, seems to be contrary to many established norms, and dependent only on the easiest way to move forward, rather than the right way, which is fair and consistent for everybody.

'Oh what a tangled web we weave, when first we practise to deceive!'

We believe the Planning Process relating to this application is a FARCE and that a complete Planning Review should be carried out for this site.

David and Susan Smith.