

Tele:
Mobile:

Saffron Lodge, 46 Kingsway
Craigweil on Sea, Bognor Regis
West Sussex, PO21 4DN

My Ref: 28Kingsway-AW/155/17/PL-1

10th July 2017

The Head of Planning Services
Arun District Council
Arun Civic Centre, Maltravers Road
Littlehampton, West Sussex
BN17 5LF

BY EMAIL

Dear Sirs

Ref: **OBJECTION to Planning Application: AW/155/17/PL**
Brus Lodge, 28 Kingsway, Craigweil

1. I have had the opportunity to inspect the Application papers for the above and consider them to be no better than the three previous attempts (AW/317/11/, AW/80/12/ and AW/367/15/PL) to place a house in the garden of Brus Lodge, a property of high historic and amenity value within the Craigweil House Conservation Area (CHCA) and the Craigweil House Area of Special Character (CHASC). The existing **Brus Lodge** is on the Special Buildings List of Arun District Council, **AS IS** the adjoining property at **The White House**, 26 Kingsway, thus the proposed house is **BETWEEN** these two houses of special character within both the CHCA & CASC.
2. At pages 2 and 3 of the applicant's D&A Statement, they attempt to suggest the design of this house fits in with other houses built over the years in the Craigweil Estate. They completely miss the point that, the proposed house site exists **BETWEEN** two special listed houses within the Arun listings. Accepting design is a subjective judgement, but clearly again, we have design proposals that are **typically modern, of modern materials** and of no particular architectural merit in direct contrast to anything that exists on both Brus Lodge and The White House elevations and juxtaposition to them.
3. Looking broadly at this Application, attempts have been made to play between the relatively recent Appeals to AW/80/12 and AW/367/15/PL, both application Appeal documents submitted again here as supporting evidence for this application. **Similarly**, this application contains a document from the Land Registry, showing a recent transfer of land into the holding of Mrs A.V.Colley **from that of** Mr. D.T.Colley and Mrs A.V.Colley. This transfer seeks to give the reader the impression that we are now dealing with an independent building plot. **WE ARE NOT**. We are still dealing with the **GARDEN of BRUS LODGE, 28 Kingsway**. My conclusion here is supported by the fact that the application is headed **28a Kingsway**, rather than as previously stated – BRUS LODGE, 28 Kingsway. I consider this action misleading and presumptuous at the very least. It is not a material consideration but it does illustrate the mindset of the applicants and their agents.

4. My objections continue with the situation regarding the tree/shrub line to the north of the garden site, **an established avenue/copse of beautiful trees and large shrubs that are a major part of the character and appearance of the CA, in a prominent location on the bend in Kingsway – seen from east and west - and to be seen in the CA Statement and recognised as an amenity asset by the English Heritage Inspector when he visited in preparation of the CHCA.**
5. In previous applications, I have contended that this tree and shrub line should be considered as a **TREE GROUP Preservation Order**. A previous Arboriculturist from the ArunDC **failed to take a view on the Group TPO**, only registering in TPO/AW/1/16 two trees, a Norway Maple and a Pittosporum, initially placing the latter in the wrong location, corrected later after complaint from the public. In this present application, I see no reference to this established TPO in the Tree Schedule by Lizard nor any reference as to the special measures to protect them specifically. It is possible the nominated T04 Acer pseuoplatanus is indeed the TPO'd Norway Maple but even so, no mention of its TPO standing in the documents. It must be noted that it is the grouping of trees and shrubs at the proposed entrance to the site that needs special consideration and where my suggestion of the required GROUP TPO is needed. For, by removing all the greenery including non-TPO'd trees in that area as suggested, the CHCA and CHASC will lose one of its most respected green vistas, forming as it does, such a prominent position when viewed from Kingsway WEST and Kingsway EAST.
6. **Mr.Seaman, in his email of 5th July to the Case Officer promotes his documents as a deep analysis of tree/vegetation retention, yet SH 02, Page 2 of the Tree Schedule – it says under ‘Status’ – “Retain Bay Tree – Remove all other Shrubs beneath.” That could not be clearer, all but the present TPO'd tree/s will be removed from the Northern boundary to the property. This is not in the interests of the CHCA or ASC, it positively harms the character and appearance of the areas and makes absolutely NO contribution to their retention or enhancement.**
7. The plan infers caring for areas of tree root protection but I have to say that from experience, builders clearing and preparing sites for construction are notorious for ignoring the necessary precautions regarding surface rooting in the top 100mm where many roots prevail. A driveway subject to daily passage of 3 or 4 cars must play havoc with tree root systems beneath, to say nothing of the damage done during the construction of any house.
8. I appeal again therefore to Arun District Council, to insert a GROUP TPO to the greenery behind the oak fencing to the northern border of the BRUS LODGE GARDEN. Account must be taken more in the interests of **the HARM its removal will do the designated areas**, in equal measure if not more, than in the interest of a speculative building application which will only benefit the property owners and their agents. **In the previous Application (AW/367/15/PL) a set of papers that the eminent Arboriculturist Mr Bernie Harverson (on behalf of the Craigweil House and its Environs Conservation Area Association) recommends a GROUP TREE PRESERVATION ORDER is created here,**

rather than two single trees as suggested by Arun's own ex Tree Officer Mr Dafydd Lloyd.

9. Under these plans, there is no restriction on removing the 'mature shrubbery' behind the oak fencing and the oak fencing too and all that is now stated will be removed, so the green backdrop may be removed **at any time by the developers or future occupants of the developed site.** So, who is to decide what a retained tree is and what is not a tree or shrub when looking objectively at what is now proposed. The only way to properly protect the green space in question is to issue a **GROUP TPO along the northern boundary of the site.**

10. I would be very grateful now, if Arun District Council review the whole question of the protection of this green scene to the Kingsway frontage **and issue a GROUP TPO** for that stretch of mixed tree and shrub collection, thereby retaining the true character and appearance of the CHCA, as required under the ADC policies relating to Conservation Areas and the Aldwick Parish Statement and the wording of the CHCA Statement itself. That is the only way of correctly affording appropriate protection to one of our dearest assets here in Craigweil.

11. I then note that as in the previous Applications, it is again proposed **to drive a pedestrian pathway** over the commonly owned grass verge, the property of the Craigweil Private Estate Ltd.(CPEL). Again **NOW, CPEL HAS STATED IT WILL NOT GIVE PERMISSION FOR SUCH AN ENTRANCE OVER THEIR LAND.** They also comment negatively on several aspects of this Application, generally OBJECTING to the incompatibility of the plans with the status quo. If permission from CPEL is not forthcoming, again it shows the contempt by the applicant toward other residents in the immediate and general area, not even seeking correct permissions from adjacent landowners.

12. The existing weathered oak boundary fence to Kingsway has long been recognised as a feature of the CHCA. It is the BOUNDARY to the property and together with the shrubbery and trees behind it, contributes greatly to the character and appearance of the CHCA. To remove either and especially both features completely conflicts with the policy references in my paragraph 15 below. Similarly, the existing garage on the northern boundary was originally a garage belonging to the house to the south on The Drive called Little Fellows. I contend that this traditional structure, reflecting the character of Little Fellows should be protected in its own right and not torn down to make space for a modern driveway. I also note in the plans, the entrance gates to the proposed driveway open outwards. This I contend is not appropriate as it will detract from the necessary vision required exiting the property and complicating the entry, leaving a car in the road, on the dangerous bend whilst opening the gate on entry.

13. As previously raised in past applications, this application places a new house with 5/6 bedrooms **at the blind bend in the centre of Kingsway.** There is no clear view from east or west. We have no pavements in Kingsway. The road is used by many pedestrians through the day,

from young children to disabled adults. Whilst there is a notional 20MPH speed limit, experience shows that is not adhered to. WSCC Highways **has again done a desktop exercise** and has failed to appreciate the experiences of residents using Kingsway. **The roadway and verges immediately outside the application site are very dangerous**, especially when there are commercial vehicles parking in the road, as is often the case with a business run from home is **directly opposite the application site**.

14. Turning to the house plans, I note that again there is an attempt **to squeeze as many bedrooms as possible** into the available space. This design will result in what is seen on many building sites these days, limited room space to accommodate 5 and probably 6 bedrooms. This also seriously questions the amount of garaging, parking AND turning space within and to the front of the house. I submit therefore that this house design is excessive for the space available **and an overdevelopment**, sited as it is between the two locally listed neighbouring properties. The floor plan appears/**ne is**, forward from the existing, natural building line and compared with the houses immediately opposite with larger frontage gardens, will dominate the street scene at this critical point in Kingsway, completely unacceptable when seen as part of the CA and ASC. This dominant position is emphasised when one considers the size of the Block Plan (TSP 481-PL21 a) in relation to the house and the space it occupies. Compared with the houses around, the proportion of the built area compared with the garden space is completely out of character with the 'norm'. Just see the comparison between the proposed new house and Brus Lodge itself, **the former overwhelms Brus Lodge**. The architectural drawing TSP 481/PL25 Revision A is trickery personified. Nobody views the proposed siting from 200 yards away, the actual viewing distance is at least one quarter of the architectural impression. Technically the measurements may be correct but the impression given is greatly exaggerated. It's a pity there is not a comparative drawing **to show the present amount of greenery**. Similarly, the drawings TSP 481 PL 26 and 27 are also puzzling, all showing the same tree profile, all encroaching very closely upon the building. I suggest are we dealing again with more architectural trickery, prettying up the 'pictures' to gain favour.

15. **NOW POLICIES---**Set against **Policy GEN7 of the Arun District Local Plan 2003**, (iv) requires that development "does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property...", then at (v) "takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property." **Policy AREA1(iii)** requires "the development makes a positive contribution to the special character of these areas, particularly with regard to the characteristics included in the descriptions for each area as given in Supplementary Planning Guidance." Thirdly, **Policy AREA2** for Conservation Areas requires "Planning Permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting." ***This Application neither preserves nor enhances the CA nor its SETTING and indeed does positive HARM to both.***

16. In the **emerging Arun Local Plan 2011-2031**, **Policy D DM1** requires at '1 Character', developments to "make the best possible use of the available land by reflecting or improving upon the character

the site and the surrounding area, in terms of scale, massing, aspect, siting, layout, density, building materials (colour, texture, landscaping and design features.” Then at ‘3 Impact’ development “Have minimal impact to users and occupiers of nearby property and land. For example, avoiding the loss of sunlight/overbearing-overshadowing, over-looking issues, loss of privacy, anti-social noise disturbance or having an overbearing presence.” ***This Application places an incongruous design between two character and locally listed properties of superior design and size. Policy HER SP1 requires “‘a’ For Conservation Areas, development proposals must preserve or enhance the character or appearance of the area including its setting; ‘c’ For Areas of Special Character, development proposals must respect the intrinsic character of these areas;”*** The Policy then continues: “Development likely to prejudice any of the above, including their settings, will be refused.” ***This Application neither preserves nor enhances the CA nor its SETTING and indeed does positive HARM to both. Policy HER DM3 Conservation Areas, at ‘a’, “New buildings and structures acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings;” and at ‘b’ developments must show “They retain or emphasise the qualities of the townscape or streetscape in the area;”*** Then at ‘h’, “Trees, hedgerows and other significant landscape features are protected and landscaping incorporated appropriate to the character and appearance of the area;”. Finally, at ‘j’, for development, ***“It does not harm important views into, out of or within the Conservation Area.”*** For Areas of Special Character, Policy HER DM4 requires at ‘a’ “The retention of buildings and other features such as boundary walls, hedges, trees, railings, open spaces, etc. which make a positive contribution to the special character of the areas;” and at ‘c’ “permission will be granted providing “New development preserves and where possible enhances the special character of these areas, particularly with regard to the characteristics identified by the Local Planning Authority.” *This Application positively HARMS the setting and views into the CA and does nothing to preserve or enhance the CA.*

17. At the time of writing, I note that as with the previous Application AW367/15/PL, Aldwick Parish Council has objected to this application. Now, the applicant’s email of the 5th July attempts to rubbish their contribution with misleading comment regarding the words used. The Parish are simply saying the same as most others that the plan is inappropriate, oversized and not complying with District policy. I also note that several other objections are in place with no supportive comment from residents.
18. **Lastly, at the time of writing I see the Response from the Conservation/Design Officer (CDO).** In the strongest terms, I wish to take issue with her paragraphs which I will address in sequence.
 - (a) Para 2. I strongly contend that the ‘softly landscaped green space’ is one of the main and most important contributions to the special quality of the Craigweil House Conservation Area, ***not to be dismissed as providing ‘No contribution’.***
 - (b) Para 3. The CDO says, “residential development of the site **MAY** be acceptable”. The last Conservation Officer in his 4th para. on AW/80/12 said “Any development will generally harm the special

character {of the CHCA} and compromise the nature of the estate as planned.” *These two opinions cannot be any more different as statements of fact.*

- (c) Para 4. The CDO says the ‘new build form is proportionate to the size of the site and a spacious area of softly landscaped garden remains’. Then ‘Perimeter trees and shrubbery at the front boundary will be largely retained when viewed from Kingsway, the new development will be experienced as nestling among greenery.’ *What form of poetic language is this I ask? I refer the CDO to the paras of my letter above drawing attention to the Applicant’s landscape listings where the front shrubbery including small trees will be stripped bare save for two TPO’d trees.* The CDO continues, ‘The new building.....will not be unduly intrusive and the locally distinctive, park-like quality of the streetscape will be little affected’. *I consider this to be rubbish, the application detail is quite clear, the present greenery will disappear, save for the 2 TPO’d trees, if we’re lucky. The house is far too bulky to retain the tranquillity the DCO has been persuaded to accept.*
- (d) Para 5. The CDO confirms has seen no details of the front wall treatment, only an ‘indication’, and that it ‘appears appropriate’ from the drawings submitted. *As a professional responsible for the Conservation brief. I do not expect such a presumptuous conclusion. The CDO should be REQUIRING a detailed drawing and description before concluding/presuming anything. Condition 4 of the CDO Report must produce the DCO’s opinion on how the wall structure will affect the tree roots etc to the south and the north of the boundary.*
- (e) Para 6. The DCO says the existing, original buildings and their surroundings make a ‘strong contribution to the distinctive qualities of the conservation area’. Others include the open and spacious, tree/green, Arcadian character of the CHCA. *This application does nothing to promote these virtues as suggested by the CDO. In many respects they do the opposite. There is no ‘balance’ in almost completely removing the northern boundary treatment to the site.*
- (f) Para 7. The first-floor dormers indeed crowd the design of the proposed house in my eyes, as do other ‘features’ in the design *but then such matters are subjective by individuals and a personal opinion.* The CDO says and then Conditions regarding the Kingsway rooflights to be removed, *I agree.*
- (g) Para 8. Yes, over time, some changes might be expected within any CA. I agree. *BUT in this case maintenance and reinforcement of key qualities of the CHCA, as recorded in the CA Statement are essentially ignored by this DCO. It’s as if the ‘history’ of this site has not been researched and reflected upon by the DCO.*
- (h) Para 9. *We know what the NPPF Section 12 para 132 says and I do not believe sufficient weight is given in the application to meet those requirements. The CDO gives no qualification or evidence of the balance she says is present.*
- (i) Para 10. *This application has no respect at all for the spacious and Arcadian character of the adjoining local listed buildings on either side nor the broader CA. The schematic drawings give an entirely false image from the street of how the proposed building will*

'fill the gap' between them. It certainly doesn't 'sit comfortably in the street scene' as the house will be so prominently displayed from the east and the west approach, compared with the tranquillity of the status quo.

(j) Para 11. *This paragraph sums up the ill-considered, conclusive view of this CDO. This is not 'carefully managed change', it is the abrupt insertion of a squeezed-in house with no consideration of the Heritage Assets around it nor the CA as a whole.*

I conclude by saying I regret the need to take issue so strongly with the CDO, but it appears to me that insufficient thought and consideration has been given to the history of this site, or the impact the changes will make to the established Craigweil House Conservation Area and Area of Special Character.

I submit that set against the above quoted policies, these plans fail to meet these requirements and as such must be rejected **as have the previous Applications refused on appeal.**

Please REFUSE these plans for works at 28 Kingsway.

Yours faithfully



Cc's: Mr Simon Davis, Case Officer
Mrs G.Brown, District Councillor