

CHECAA

Craigweil House and its Environs

Conservation Area Association

'Preserving our Regal, Historic and Architectural Heritage for Future Generations'

AW-71-18-HH – CHECAA Objection Reinforcement – 16-7-2018

Head of Planning Services
Arun District Council
Littlehampton
BN17 5LF

16 July 2018

Dear Sir,

OBJECTION: to AW/71/18/HH – 36 Kingsway – proposed development likely to harm the Craigweil House Area of Special Character and Craigweil House Conservation Area and its setting

Given that this application has been live for over four months and the previous one, withdrawn, we wish to reinforce some points we have made and make others.

Firstly, we have, today, been able to view the letter from Mr. Robert Bremner, 40 Kingsway dated the 13 July and published on the website today, and wish to record that CHECAA firmly endorses every point and opinion made by him in what must be seen as being a most accurate and profound assessment of the site and the effect of the proposed development. And CHECAA speaks for over 250 members, mostly residents and former residents.

It is highly perceptive of Mr. Bremner to have noted the fact that most residents do, in fact, REVERSE out of their driveways. It is also true to say that the writer and others can attest to this for, on a frequency of no less than once a week, the writer has to stop to allow out a vehicle – owner or tradesman cutting grass, painting etc - emerging from a driveway. It is general practice. Even more dangerously, is the scenario where a vehicle is reversing out from behind a car parked in Kingsway. To allow reversing from this site, as is proposed, LESS than a car's length from the junction with Queensway, is to create a potential deathtrap. But, it is worse than simply a 16 foot long BMW emerging at Queenslawn for these are frequently on trailers (20 long) with tow bars and a large 4 x 4 towing vehicle, creating an articulated assembly of around 35 - 40 feet - in a private road of a private estate with no pavements and where pedestrians should be able to feel safe. The existing parking will hold 7-10 cars and a double garage also exists. The applicant parks to the west side and to the rear where a racing car trailer is kept. It is a car park!

GEN7 tells us that ‘Development will be permitted provided it: (vii) allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians’. This does not!

Mr. Bremner rightly draws attention to the general loss of trees within the whole site and CHECAA says that Queenslawn, located in its prominent central position with the Blue Cedar Atlantica Glauca gloriously still towering as a veritable monument to the visit of King George the Fifth in 1929 and when it was planted by the Queen. It is a special, nay, UNIQUE feature of the character and appearance of the Conservation Area and its setting that is respected and looked up to by all with reverence. To lose the trees and shrubs standing around it, almost on guard and protecting her, would cause catastrophic harm.

Indeed, it is not many years ago that another builder pressed to build a house to the south of the house, requiring the removal of that cluster of trees. They came under threat and were protected with a Tree Preservation Order. The TPO of a Holly that could not be seen from the road was appealed – and Dismissed for the Inspector regarded them as an integral and inseparable part of the character of the conservation area and its setting - quite apart from the consideration of the house and garden in isolation – much more!

CHECAA has drawn attention, throughout the year, to the fact that the Conservation Area Advisory Committee (CAAC), as a Statutory Consultee, has NEVER been properly and fully consulted in this case. At their meeting on the 9 April 2018, they were asked ONLY about minor building works – about which CHECAA has no view at this time – but the in-and-out driveway, involving the destruction of the continuity of the longest stretch of open; wide, grass verge still set out as the original design concept of Joshua Auty, FRIBA and Sir Arthur Du Cros owned by the estate residents and not the applicants HAS NEVER BEEN MENTIONED. We have asked for this to go back to CAAC for consideration and we are ignored and defied. It is their DUTY to give an independent view on these things and they have, in the last 2 years OBJECTED to 4 in-and-out driveways – all of them in Kingsway and one at No. 34 and No. 38, plus 37, across the road!

CHECAA considers it shameful that this case should be withheld from CAAC!

The applicant has submitted no details of the building of a boundary wall and gate posts – nor have the LPA, again ignoring our quite proper and professional request – sought any details of the gate posts which BOTH WILL BE WITHIN THE Root Protection Area (RPA) where work of this type will harm or kill tree T5. The posts will have to be 18 inches square and have footings dug out to a depth of at least 2 feet and 3 feet square. That will decimate ALL the root system in that area but it has not been mentioned. THEN the foundation will be HIGHLY TOXIC CONCRETE, which will creep and kill roots.

NOR has the issue of the gates themselves even been mention for it has to be understood that to drive into or out of Queenslawn will necessitate gates OPENING OUTWARDS and they will completely block off the public verge which they do not own. And they are likely to be left open from time to time - to the danger of others.

Residents and pedestrians generally will be obliged to walk into the road for there are no footpaths, as has already been mentioned. If the gates are conditioned to open INWARDS then no car can be driven in or out and it would be a travesty if Arun was to be a Party to approving open gates which led to an incident where a pedestrian, forced into the roadway, was to be injured or killed. Arun could well have a liability.

And then there is the driveway across the verge for which no consent is sought. When this was recently queried by CHECAA, the Team Leader West emailed that this would be Permitted Development for *'the Craigweil Article 4 only removes PD from the hard surfacing of front garden areas and not the act of forming an access'*. He is wrong and, as Mr. Bremner says, there are too many of these 'mistakes'! There are only two such Article 4 Directions in Arun – both made on CHECAA's application and both at Craigweil. The Team Leader does not understand them and presumably wrongly advises his staff accordingly and to the detriment of the Conservation Area.

At paragraph 132 of the NPPF says: *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.*

CHECAA says that in the 4 months this application has been in process, the applicants have never even acknowledged that they are in a very special and regal conservation area with formidable history attached to it. Contrary to the requirement of paragraph 132, they have never put forward any *'clear and convincing justification'* for any of these works. They do not justify destroying the verge and its beauty or show in any way that they make a *'positive contribution'* as required by the Area of Special Character status. CHECAA says this can do nothing but harm. Similarly, they do not even seek to show that the development will serve to: *'PRESERVE (and the High Court Rules that this means 'cause no harm') OR ENHANCE'* the CA as the Act and Policy Area 2 demand. This project does neither.

1. CHECAA says that this whole project fails the over-riding requirement for development within a Conservation Area for it fails to *'preserve or enhance the character or appearance of the conservation area or its setting', contrary to Planning Policy Area 2 of the Arun District Plan, 2003 and the Planning (Listed Buildings and Conservation Areas) Act 1990.*

2. CHECAA contends that the application conflicts massively with the National Planning Policy Framework which, at paragraph 134 requires that: *'Where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'* CHECAA says that the only benefit is for the two new residents to be able to park semi-professional racing cars for their personal enjoyment and convenience and that this does not outweigh the damage that will be caused to the Craigweil House Conservation Area. There is no apparent 'PUBLIC BENEFITS' and we fail to see how introducing another access to an original Joshua Auty, FRIBA designed house and destroying his planned wide verge that has adequately served successive owners for over 84 years can ever produce any 'public benefit' – only harm can come from this act of wanton vandalism.

Accordingly, we ask that the application be REFUSED.

Yours faithfully

Richard D. Ostler
Chairman

Established 20 January 2001

Chairman: Richard D. Ostler: 'Silvergates', 52 The Drive, Craigweil-on-Sea, Aldwick, PO21 4DT
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