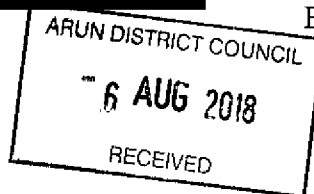


40, Kingsway,
Aldwick,
Bognor Regis,
West Sussex PO21 4DL

Group Head of Planning,
Arun District Council,
Maltravers Road,
Littlehampton. BN17 5LF



By hand 3rd August, 2018

Dear Sirs,

AW71/18/HH – 36 Kingsway – Conservation Area – Report - Objection

I understand you are accepting documentation until 7/8/18. You will have two whole days to respond fully to this letter in the Report up-date, but if that is not sufficient, please ensure that copies of it are given to all the members.

Officer's Report.

My observations about the very low height of the proposed replacement hedge do not appear in the Officer's Report (despatched on 26/7/18):

The proposed replacement hedge is very low, at 1.2m, and would be below that at neighbouring properties (34 and 38 Kingsway). (8/4/18 - 3rd point).
and

The proposed replacement hedge is extremely low in relation to those at neighbouring properties. (22/7/18 - 3rd paragraph).

The lone supporter of the proposal lives a few hundred yards away and, at his property, the hedge is twice the height proposed for Queenslawn!

The width of the roadway inside the curtilage is wider than Queensway. With such a low hedge, cars moving on Kingsway and the hardstanding will make the verge more like a central reservation. Stationary cars will look like a car-dealer's lot over the whole distance between the gates. Additionally the verge will have a ramp across it. (Please advise where in Aldwick there is a similar grass verge with a ramp across it, in a conservation area – Report page 60 point 18)

The aerial photograph included in the Design and Access Statement (Introduction) shows a white car parked on the north side of the house, facing east, so there is no need for removal of the hedge to gain access, unless two-way traffic is the aim.

At 38, Kingsway a similar proposal (A/W/150/13) was refused and an appeal was dismissed, with the inspector observing:

(point 6): *the front garden would be dominated by hard surfacing*

(point 8) *part of the wide grassed verge, which is an important part of the character of Kingsway, would be lost at a prominent location close to the junction.*

(point 9) *the proposed development would have an unacceptably harmful effect on the character and appearance of the area. It would fail to make a positive contribution to the ASC and it would fail to preserve or enhance the character or appearance of the CA.*

The same reasoning would apply at 36 Kingsway. The proposed area of hard standing totals about 220 sq m. It is excessive. In the inspector's opinion, the simple opening of another crossing, with loss of grass, so close to the road junction is aesthetically objectionable. This is unrelated to the total length of frontage, the basis of the officer's opinion under point 9, page 60. The officer misdirected himself.

The proposal at 38, Kingsway did not include the felling of any trees, unlike that at 36 (Queenslawn), where many trees, probably around 25, will be cut down. It is hard to be sure of the total, because some trees are wrongly omitted from the plans and tree surveys. This point was raised in my letter of 13/7/18, but no corrected plans or survey have been supplied and it is not mentioned in the Report.

Consultations - Conservation Officer and CAAC

The consultation responses for the two proposals show a disturbing lack of consistency (see Table) for a local Council. How is it possible for the conservation officer to apply strict standards and a written critique of more than a page on one application and make no recorded comment on the other. The two properties are alike and in mirror image positions in relation to the same road junction. The conservation officer is now only providing off-the-record verbal advice. Is this acceptable? The Report (page 64, Summary) claims 'the Council's Conservation and Tree Officer are supportive ...', but without providing hard written evidence.

What was the verbal advice? Evidently it was not against the proposal or the case officer would not have proposed acceptance. Logically, therefore, it must have been in favour, which would be in flagrant contradiction to the position he took over 38 Kingsway. I think we are entitled to know the precise advice he gave even if only verbally and why it was verbal and not in writing. Why did it apparently ignore the opinion of the appeal inspector and the Article 4 directive?

	AW/150/13	AW/71/18
	38 Kingsway	36 Kingsway
	Kingslawn	Queenslawn
Conservation Officer	More than 1 full page of criticisms quoted in officer's report	Verbal advice received raising no objection. (This is then used by the officer to justify ignoring the earlier inspector's opinion) Written advice was also received in respect of the pre-application enquiry... otherwise no concern raised
CAAC	Single Entrance to be retained. Loss of lawn area and hedging has negative impact on setting	No objection Meeting 9/4/18, but the current application is only dated 23/4/18, so has never been formally considered . Initially ownership claimed over whole verge and that the Tree Hedge was only 3m in height (latter repeated in 2 nd application section 10).

On 23/4/18, there was a busy 24 minutes. At 12:52 officer's email to the agent included '**I did not have regard to the Article 4**' and also raised query about ownership of the verge. He went on '*I would like to agree a change in the description to say*'. Is it normal for the authority to do this? I thought the applicant described what he wanted to do and the officer summarised it.

The agent replied at 13:09, agreeing to new description and admitting that the verge was owned by the estate. One of the owners had been a director of the company owning the verge for nine months at this point!

The officer at 13:16 sent an attachment [see below] to agent and asked for new application form with the correct certificate and also said '*I will change the description in the meantime*'.

What was the officer's attachment? It does not appear on your web site.

Presumably the officer was given advice at this time by the Conservation Officer. If so, what was it?

As the officer had not considered the Article 4 directive, his pre-application advice was wrong and at that time he had written advice from the Conservation Officer, who presumably also did not give a thought to the Article 4 directive.

Although I had already pointed out (8/4/18) that the height of the hedge was wrong, the officer did not ask for it to be revised nor did he think the felling of 20+ trees warranted inclusion in the new description.

Officer's Recommendations

Point 3 of the Officer's Recommendation includes '*All construction works are to be carried out in strict accordance with ...Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement Report all prepared by the Landscape Partnership (Rev C – 16/07/18) ... Tree protection Plan dwg no. AIA/AMS drawing no. 602-Rev B ...*

This is impossible, because the various documents are inconsistent. For example:

Every tree, shrub and hedge is to be felled, north of the new extension and along Kingsway. This is contradicted by 11.1 '*None of the surveyed trees pose a significant constraint on the development of the site and no trees are proposed for removal to enable the proposed development*'.

There are other trees which are not mentioned anywhere (see my letter 13/7/18).

The trees in the hedge H4 are only to be removed, clause 6.3, '*to enable the proposed access from Kingsway*'. This can only refer to the new access and the two or three trees there, as cars can already access the area in front of the house (see aerial photo mentioned above). This arrangement is correctly shown in drawing 602 Rev B. with all but 2 or 3 trees in the hedge retained, but is contradicted elsewhere (Description of

the Application point (2), which also fails to mention closure of the pedestrian access on Kingsway). The latest 3D view 0019SK028B shows the pedestrian gate still in position, but the latest plan drawing AIA/AMS602 Rev.B does not.

The proposal is full of omissions and contradictions and, consequently, should not even have been presented for a decision. There is such sloppiness that the agent believes the application is to Chichester District Council (see list of drawings)!

The building is not an architectural gem awaiting revelation to the world. It is not even included in Arun's Local List Buildings. It has suffered several alterations over the years and is no longer what the architect originally designed.

The officer failed to take into account the inspector's judgements on the similar application at the neighbouring 38, Kingsway. The officer in this case justifies taking a different stance because in the previous application *'there was a Conservation Officer objection and, further, the frontage at 22m is some 13m shorter than that for the application site.'* He ignores the inspector's judgement, which under point 8, made clear that his aesthetic objection was to the closeness of the access to the junction and had nothing to do with the length of the property boundary:

The inspector's judgement applies equally to the present application and the officer's failure to respect it, invalidates his conclusions. His forgetfulness over the Article 4 directive led him to compromise his independence by drafting the new application summary for the applicants' approval. The current proposal was never formally considered by CAAC and when the earlier application was considered (excluding article 4?) it was claimed that the applicants' owned the whole verge.

The application should be rejected.

Yours faithfully,

Robert Brem

P.S. Arun's Drainage engineers are aware of problems with a culverted water course crossing Queenslawn, which might conceivably be affected by the proposed development.

c.c Mrs G.A. Brown, OBE
The Chief Executive,
Simon Davies
Martyn White
Et al