

Sent: 31 October 2018 23:04

To: Planning

Subject: Objection to AW-85-18-HH Renewed for avoidance of doubt by the LPA - 31-10-2018

Dear Sir,

Please receive a copy of our objection to the original application dated 10 May 2018 for attachment to the file and posting on the website with attachments.

Please apply this to the Amended Planning Application to ensure that our objections are not forgotten and that the additions below are noted and taken into consideration.

The revised front elevation shows that the space between No. 52 and 54 is highly compromised and 52 will suffer greatly, losing light and having shadows in the garden where they have never existed.

PLEASE NOTE THAT THE VERGE AND DRIVEWAY THROUGH IT IS ALL PART OF THE CONSERVATION AREA and that the applicant's land ends at the front boundary.

PLEASE NOTE that the garage is to be removed and converted into living accommodation. THE PROPOSED 6 BEDROOM HOUSE NEEDS PARKING SPACE – AND THERE IS NONE. THERE IS NO TURNING AREA OFF ROAD! The applicants park on the road now and it is impossible to get more than one small car parked in the driveway, sticking out onto the drive on the CA and Estate verge.

Gen 12 is very clear on this issue and cannot be ignored in a Conservation Area in particular WHEN ONE OF ITS MERITS MENTION IN THE CONSERVATION AREA STATEMENT IS THAT THERE IS NO STREET PARKING!

This house will become the ONLY house without a garage on this Private Estate and CA and without extensive off-road parking and this must not be allowed in CHECAA's view – it will HARM the CA!

Immediately opposite, at 55 Kingsway, the husband writes in support but the harm to the CA has to be considered and not what he is prepared to put up with from his friend and neighbour – planning issues!

The Conservation Officer says: '...IT IS CONSIDERED THAT THE PROPOSED EXTENSION...WILL HAVE A DETRIMENTAL IMPACT UPON THE CHARACTER AND APPEARANCE OF THE HERITAGE ASSET.' CHECAA agrees.

Once again, we ask that this application please be REFUSED.

Yours faithfully,

Richard Ostler, Chairman, CHECAA.

Att. Letter; photograph, plan.

CHECAA

Craigweil House and its Environs

Conservation Area Association

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

AW-85-18-HH – 10-5-2018 – OBJECTION

Head of Planning Services
Arun District Council
Maltravers Road
Littlehampton
BN17 5LF

10 May 2018

Dear Sir,

OBJECTION TO – AW/85/18/HH, 54 Kingsway – PROPOSALS TO EXTEND HOUSE WITHIN THE SETTING OF CRAIGWEIL HOUSE CONSERVATION AREA.

INTRODUCTION

CHECAA is an Association of over 230 members, formed in 2001, which initially sought and secured designation of the Craigweil House Conservation Area (CA) in 2009 with two Article 4 Directions attached a little later. Since designation, CHECAA has dedicated itself to studying every planning application submitted for development or tree work within the CA in order to ensure that all proposed development served to **'preserve or enhance the character or appearance of the Conservation Area or its setting'**, according to the provisions of the Act and Planning Policy Area2.

In tandem with the CA constraints, CHECAA also considers whether or not proposed development complies with the requirements of Area of Special Character (ASC) as required by that designation granted and adopted, together with the Local Plan 2003. Particularly considered is the need for development to **'make a positive contribution to the character of the area'**.

Representation is made to the LPA where the CHECAA Planning Applications Scrutiny Committee considers that harm to the area may result from any development proposal, and this application is one such case. Craigweil Private Estate, where this site is located, represents about one third of the CA and ASC area. A plan of the CA is attached with Local Listed Buildings shown and other houses that make a **'positive contribution'**. **One such, built 1936, is 'Weil House', 57 Kingsway – immediately opposite the site address at 54 Kingsway. It is an original Joshua Auty, FRIBA design.**

The applicants repeatedly assert that the site, 54 Kingsway, is not within the Craigweil House Conservation Area or the Craigweil House Area of Special Character and that is correct for the land where are built 52 and 54 was never part of the original Craigweil House estate but, until development in 1978, was part of the 'tradesman's' entrance to the former Martineau House Holiday Home owned by Birmingham City Council.

PRIMARY CONSIDERATION

Although physically outside the CA and ASC, this site is located immediately adjacent to both and very much part of the SETTING of the CA which starts on the verge immediately outside the front of the house, and to the north of the front fence in Kingsway. In that position, the last house on the south of Kingsway, it necessarily and heavily influences the CA and is expected to observe and respect the standards of the CA.

MAIN ISSUES BRIEFLY

CHECAA's Planning Applications Scrutiny Committee seeks to identify matters where the development proposals appear to conflict with Planning Law; the Local Plan, 2003, or other constraints designed to protect and enhance the CA. We have, in this case, selected two significant issues which we consider, standing alone, to be sufficient in weight to Refuse this planning application. These, with other objections and non-compliances, are addressed in more detail later.

1. Planning Policy Area 2 of the Arun District Local Plan, 2003, and the Planning (Listed Buildings and Conservation Areas) Act 1990 state that: - **'Planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting'. We say this application fails this statutory test abysmally and will harm the CA.**

It is common ground that this proposed site is excluded from both the Craigweil House Conservation Area and the Craigweil House Area of Special Character **but it seems not to be clearly understood that these designated areas start at the front fence of 54 Kingsway and that the property is directly within the SETTING of them and any development there must, therefore, comply with, respect and have regard to the constraints that those designations impose upon development in the area.**

2. **The National Planning Policy Framework reinforces these fundamental CA principles which must be satisfied before any form of development may take place and starts at the 'Core Planning Principles'. These require that planning officers must** 'always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings' whilst contributing to conserving and enhancing the natural (existing) environment and conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

DETAIL OF CHECAA OBJECTION

It is clearly set out that development proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:-

- *A consistently high standard of design and detailing reflecting the scale and character or appearance of the area including the development patterns, building lines and building forms. We do not see this demonstrated and, at best, regard the proposals as being mediocre and unfit for any CA.*
- *The use of building materials and finishes which are sympathetic to the area. We see only cheap, tawdry products – particularly the cement render – and nothing sympathetic or in harmony with the original Craigweil area.*
- *That no harmful impact will be caused to the roofscape of the conservation area. The roof height is increased and places the property out of kilter and not subordinate to No. 52 Kingsway, which we find unacceptable.*
- *The RETENTION of SPACES BETWEEN PROPERTIES, and other open areas which contribute to the character or appearance of the area. To destroy the single storey garage and then INFILL BUILD to well above existing roof level is to fly in the face of one of the major design concepts of Auty and Du Cros which was to create the estate with, in Kingsway, in particular, wide vegetated, treed verges and houses well set back ‘with spacing between them both at ground level and first floor levels providing a sense of spaciousness’. The infill proposal is an insult to the design concept; ignores and defies the constraints of the CA Statement, SPG, and English Heritage letter. The requirement of space between houses at first floor level has been respected and now the owners of an indifferent 40 year old house, not even in the area but in its setting, must not be allowed to destroy this 84 year old character feature – it simply must be Refused. Repeatedly such applications at Craigweil have been refused by the LPA. It would be a travesty if this was allowed in its setting. The High Court held that ‘preserve’ means ‘not to harm’ – and they must not.*
- *This proposed harmful ‘development’ act of virtual vandalism takes us back to the National Planning Policy Framework which requires *the retention, where appropriate, of original features which contribute to the character of the area.* The space between properties is part of the character of the Craigweil House CA and must be respected and retained, yet, the LPA contend that it is about 1M away and that is acceptable. It may be so in Social Housing or a Wimpey estate – and we have mostly all been there – but it is not tolerable within a ‘highly sought after Marine Estate’, as Agents advertise and certainly not in a small house added on in 1978.*

- *That proposals likely to have an adverse impact on the character or appearance of a conservation area will not occur. Infilling, as is proposed, will have nothing but an adverse effect and must not be allowed.*
- *When considering proposals affecting a conservation area, the local planning authority always has a duty to pay SPECIAL attention to the desirability of preserving or enhancing its character and appearance. **Craigweil House CA – enjoys an established character and appearance and any change demands that the planning authority will pay special attention to the need to preserve or enhance the area in line with the assessments to be found in the Conservation Area Statement, the English Heritage letter and the Supplementary Planning Guidance.***
- *When CHECAA drew attention to the dilapidated front fence which the CA residents have suffered for far too long, we were told that ‘wrought iron’ replacement fencing could satisfy the LPA and represent an enhancement, under the Act and Policy Area 2. **CHECAA pointed out that reference under ‘General’ in the CA Statement saying ‘Original Sussex wrought ironwork is seen on the gates and many properties...’ was totally inaccurate and incorrect. The only ‘Original Wrought Ironwork’ known to us is to be found at 52 The Drive. Any other ‘ironwork’ is of cheap metal and available from B&Q and cheap building supply firms. But, that apart, the exchange of the existing fencing made of construction industry timber pallets laid sideways for anything imaginable certainly cannot be seen as a significant enhancement within the Act, or to justify accepting this application.***
- *When CHECAA raised the issue of the 1st floor being simply 6 small bedrooms and 2 small bathrooms with a passageway down the centre as not representing a ‘high standard of design’ and detailing reflecting the scale and character or appearance of the area including development patterns, building lines and building form the response was alarming and concerning. **We were told that this development, as described above – and now with no garage and virtually no land to accommodate two adults and (nearly, it seems) 4 children – aligned with the existing pied-a-terre design in the CA.***
- **This mindset reflects a most worrying standpoint of judgment by the LPA for it is a self-indictment of total ignorance of the original design concept and layout of the Craigweil Estate (part of the CA) and worrying lack of research and grossly inaccurate information being considered in this development application – even the reading of the CA Statement which quotes from the original specification for the estate, saying, inter alia:-**

- *'... the houses so built fall into two categories – the larger, higher price houses erected on a substantial plot on the one hand; on the other a smaller residence, occupying a less extensive plot and accordingly available at prices which make them an attractive propositions for those in a position to maintain a pied-a-terre by the sea without giving up a London or suburban residence. This is reflected in the slightly higher density of Wychwood Close.'* **The Builder magazine, in 1934, reports Mr. Graham Steaggles, Historic Areas Adviser of English Heritage, recorded that properties designed by Ernest B. Glanfield, FRIBA, were 'houses designed primarily to provide accommodation for summer visitation'. There were 20 built in 5 months in 'The Close' – eventually named 'Wychwood Close' – and guaranteed to have no less than 4 bedrooms and mostly 6 bedrooms – with minimalistic garden area. The Close finally had 40 houses built by Glanfield, all of similar design and designed and intended as pied-a-terre. There were no such properties built elsewhere and the LPA is very wrong indeed in now trying to draw 54 Kingsway into this category – when built 1979! The development house is a low quality house of poor design which merely filled a spare piece of ground that was vacant when the adjacent estate by W.S. TRY Limited was built, and it was sold off to a speculative infill builder to make what money he could. They were not built to Craigweil standards and failed to respect any of the characteristics of Craigweil.**

CRAIGWEIL HOUSE AREA OF SPECIAL CHARACTER

This local designation was granted in tandem with the adoption of the Arun District Local Plan, 2003, and upon the direction of the Local Plan Inspector.

Primarily, this status requires that 'the development makes a positive contribution to the special character of the area, particularly with regard to the characteristics included in the descriptions for each area given in the supplementary planning guidance'. Patently, this development fails to do this and, by destroying the spaciousness at first floor level, it impacts adversely to Craigweil's established design concept and should be refused upon that ground alone.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

Added to this is the NPPF, paragraph 131 which establishes that: *'In determining planning applications, local planning authorities should take account of – the desirability of new development making a positive contribution to local character and distinctiveness'.*

CHECAA says, again, that these proposals contribute nothing to Craigweil House CA except damage to the established Heritage Asset and, particularly, to the Locally Listed Weil House on the north side of Kingsway at No. 57 and to the house on the corner, immediately opposite which will be left with a view of nothing but a plain brick wall replacing the airy, open view with trees in the background – a pleasant outlook, indeed. That will be destroyed – for ever, as says the NPPF!

Paragraph 132 of the NPPF is equally firm in laying down that: *‘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. The applicant has not even addressed the subject.*

Simply by removing and blocking up the first floor space, designed and intended to create a sense of spaciousness and specified by the Architect, irreversible harm will be caused to this heritage asset. This is intolerable.

Paragraph 133 stipulates that: *Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss’.* **CHECAA can envisage no public benefit arising from this development and none is claimed by the applicant. It causes only harm.**

Relative to this application, Paragraph 134 makes a powerful and decisive ruling when it says: *Where a development proposal will lead to less than substantial (which we think fairly describes this application) 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 maintains that there is no potential ‘public interest’ and that the only potential benefit would benefit the applicant, who seeks to squeeze a quart into a pint pot, and that no benefit would accrue elsewhere. It is no more than a selfish attempt, at any costs, including the damaging of the CA and enjoyment of it by established residents – particularly those nearly – to enlarge their living accommodation to a completely unreasonable and damaging extent. The proposals show no respect for residents or for the protection of the unique, highly valued and greatly respected Craigweil House Conservation Area or its setting.

PHOTOGRAPHS ATTACHED

The applicant attaches photographs of houses from one across the road to others in Pagham and Rose Green (of London overspill developments) of different ages, shapes and sizes and certainly of no architectural merit whatever and with some suggestion of a roof connection.

CHECAA sees absolutely no relevance in including these and no link or connection with this application and can find no reason to comment.

LOCAL PLAN, 2003

We will make comment upon those parts of the LP which we consider to be of greatest relevance to this development proposal at 54 Kingsway but we do not suggest that it is exhaustive and it is not our job to explore the LP in detail but we do have a CHECAA duty to draw attention to issues in this development application which are considered as being harmful to the Craigweil House Conservation Area.

Planning Policy GEN7, says that development will be permitted provided it:

(ii) ‘demonstrates that it responds positively to the identified characteristics... of the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness’. **CHECAA contends that this application demonstrates none of these things but detracts from them.**

(iv) ‘does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property...’. **By direct contrast, CHECAA says that the proposals serve to create each one of these anti-social scenarios which will cause extensive harm and distress – particularly to the resident at No. 52 Kingsway whose light will be excluded and sense of space destroyed.**

(v) ‘takes account of any unacceptable adverse impacts that may arise from adjoining land use of property’. **We say that living conditions in No. 52 will be severely adversely impacted upon and, although not a planning matter, the applicant may do worse than to study the Deeds of No. 54 Kingsway which, on the 29 September 1978, decreed ‘The Transfer referred to above contains a provision as to light or air’.**

(vii) ‘allows for the safe movement of pedestrians and vehicles...’ **Demolishing the garage will, undoubtedly, lead to parking in the narrow strip to the front of the house or in the roadway and this is not conducive to ‘safe movement’.**

(viii)'provides for vehicles parking in accordance with Policy GEN12' and, at 1.40 requires that the whole extension 'makes a positive contribution to the quality of the environment'. Further, that the District Council will expect good design, **especially in sensitive areas'**(such as this heritage asset, we suggest). **The design cannot meet these basic parking requirements and shows no provisions for parking. Even now the gates open outwards, blocking the estate CA verges, where pedestrians should be able safely to walk in the absence of footpaths.** The applicant cannot get cars in without blocking the verge for all residents of the estate who own it jointly – and he wishes to demolish his garage and not to replace it?

Planning Policy DEV19 – 'Extensions to Existing Residential Buildings' – states that:

'Planning permission will be granted for extensions to existing residential buildings, provided that:-

'The extension sympathetically related to and is visually integrated with, the existing building in siting, design, form, scale and materials'. **CHECA says that scale and design is seriously in conflict with this provision.**

'The extension is visually subservient to the main building. **We say it is not.**

'The extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties'. **This outrageous attempt to push this house as far as possible into No. 52 Kingsway shows no consideration whatever for that owner and is built hard up to the boundary, as is the existing garage. And it achieves the dubious distinction of conflicting with each one of the provisions and constraints of e DEV19, while showing no sympathy to established character or style. Nor can it ever do this for the basic utility construction allows no such opportunity. It is 1978.**

It damagingly overshadows – no, it completely blocks the eastern side of No. 52 until the occupant can only just open her windows - and we say that is not architecture, nor acceptable – it is disgraceful. From any viewpoint, the proposed house totally overlooks and is completely overbearing – even in the front garden and back garden. It is an indictment upon the applicant and the architectural profession - in CHECAA's opinion – and especially so in a conservation area – that such gross disrespect is shown to the next door neighbour; the environment or the character or appearance of Craigweil House CA. It neither preserves nor enhances anything!

'The extension does not compromise the established spatial character and pattern of the street'. **This is flouted completely by destroying the space at first floor so lauded – particularly throughout Kingsway and so valuable in creating that spaciousness.**

CHECAA wonders if this applicant and Director of the Craigweil Private Estate Limited has any respect for the Craigweil House Conservation Area, the Craigweil House Area of Special Character or his long-standing resident neighbours or has ever referred to the historic and architectural history so well set out the documentation attached to the designation – or, maybe, he thinks that those and the Arun District Local Plan 2003 and legislation quoted above does not apply to him.

Whatever the answer to that may be, we ask that this application please be Refused.

Yours faithfully

Richard D Ostler
Chairman

Attached: Coloured and accurate plan of CA – ADC uses an inaccurate monochrome Plan, we understand.

Photograph of front of 54 Kingsway showing, on right, roughly 7M (23') garage hard up to boundary with No. 52 and to which line 54 will be extended and a wall built vertically up to above the existing roof height.

Established 20 January 2001

**Chairman: Richard D. Ostler: 'Silvergates', Craigweil-on-Sea, Aldwick, Bognor Regis, PO21 4DT
Registered under the Data Protection Act 1998**