

Daniel Vick

From: Andy Steve [REDACTED]
Sent: 05 May 2011 10:27
To: Daniel Vick
Subject: Fwd: Planning Application A/53/11/ - Preliminary Observations

Attachments: scan0001.pdf



scan0001.pdf (4
MB)

Dear Mr Vick

Thank you for taking the time to speak with me today regarding the above.

Please find attached our observations on the planning application and the problems it could potentially throw up for us and other households who share the privately owned turning area outside the property making the application.

I thank you for your guidance with regard to the planning process and understand that we would be responsible for enforcements of the rights/covenants attached to our property and am relieved to hear that approval of a scheme does not mean it will automatically be capable of implementation.

Thank you again for your time.

Regards

Andrew Sutherland
24 Rowan Way
Angmering

----- Forwarded message -----

From: Andy Steve [REDACTED]
Date: 4 May 2011 21:24
Subject: Planning Application A/53/11/ - Preliminary Observations
To: peter.cleveland@arun.gov.uk, planning@arun.gov.uk

Dear Mr Cleveland

Having been away from home and having had major problems logging onto the Arun District Council website we write with regard to the above to raise some concerns about the planned development.

While we have no issue as to the planned extension in terms of design or siting we do have concerns about access to the site; parking, and delivery and storage of materials and plant etc.

As you may be aware the tarmac area immediately in front of the property subject to this application and running from the fenceline to the South of the property to the junction with the block paved roadway part of Windmill Close (and marked black with a blue border on the attached scan pf the Plan) is a privately owned and maintained turning area for the use of 1, 3 and 5 Windmill Close along with 20, 22 and 24 Rowan Way in accessing the garages and hard standings contained within the cul de sac that 5 Windmill Close stands in. We all own segments of the tarmac area and are responsible for its upkeep and repair.

For clarity, on the attached scan of Plan plot 1 is our property at 24 Rowan Way and Plot 4 is 5 Windmill Close.

There are rights and restrictions attached to all these properties as outlined in the TP1 Transfer documents as follows:

Part Two (Rights granted for the benefit of the Property)

Section 1.4 subsection 1.4.1 The right at all times with or without vehicles to pass and repass over such part of the area coloured blue (and coloured yellow at ground floor level only) on the Plan [see attached scan where area is coloured black with a blue border] (if any) as does not form part of the Property.

Part Four (Covenants by the Transferee)

Section 2 subsection 2.2 Subject to paragraph 1.4.2 of Part Two not to cause or allow the area coloured blue (or coloured yellow at ground floor level only) on the Plan (if any) to be or become obstructed.

There is no provision for parking on any part of the tarmac area, even temporarily for delivery or collection of goods to maintain free and unhindered access to the garages and hard standings contained within.

There is also a general prohibition of parking on the development's roadways with the exception of the allowance of temporary parking for the purposes of delivery or collection of goods. This would apply to the block paved roadway part of Windmill Close adjacent to the tarmac covered area.

As such it is unclear to us how building materials, skips, contractor vehicles and ancillary plant required to construct this project could be stored or parked without causing a breach of the both the rights and covenants described above.

There is a history of breach of Section 2 subsection 2.2 by the occupants of 5 Windmill Close, that, when challenged has resulted in verbal abuse against us and damage to our property (all reported to Sussex Police).

We would therefore ask that, if you are minded to grant this application that an explicit condition(s) be attached protecting the rights of the owners of 1 and 3 Windmill Close along with 20, 22 and 24 Rowan Way stipulating that no vehicles, plant, materials or other ancillary items may be parked, stored or left on any part of the tarmac area even temporarily and that access to the tarmac area from Windmill Close must be maintained at all times.

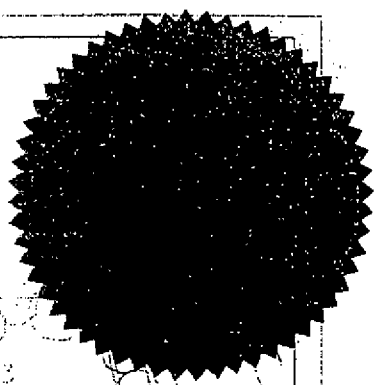
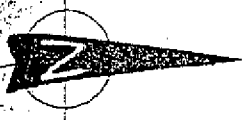
If this is not possible we will object to the planning application as a whole on the grounds that it will negatively impact ours and others rights to access our property unhindered at all times.

I will attempt to call you at some point on Thursday 5th May to discuss these issues further and seek your guidance as to how to proceed.

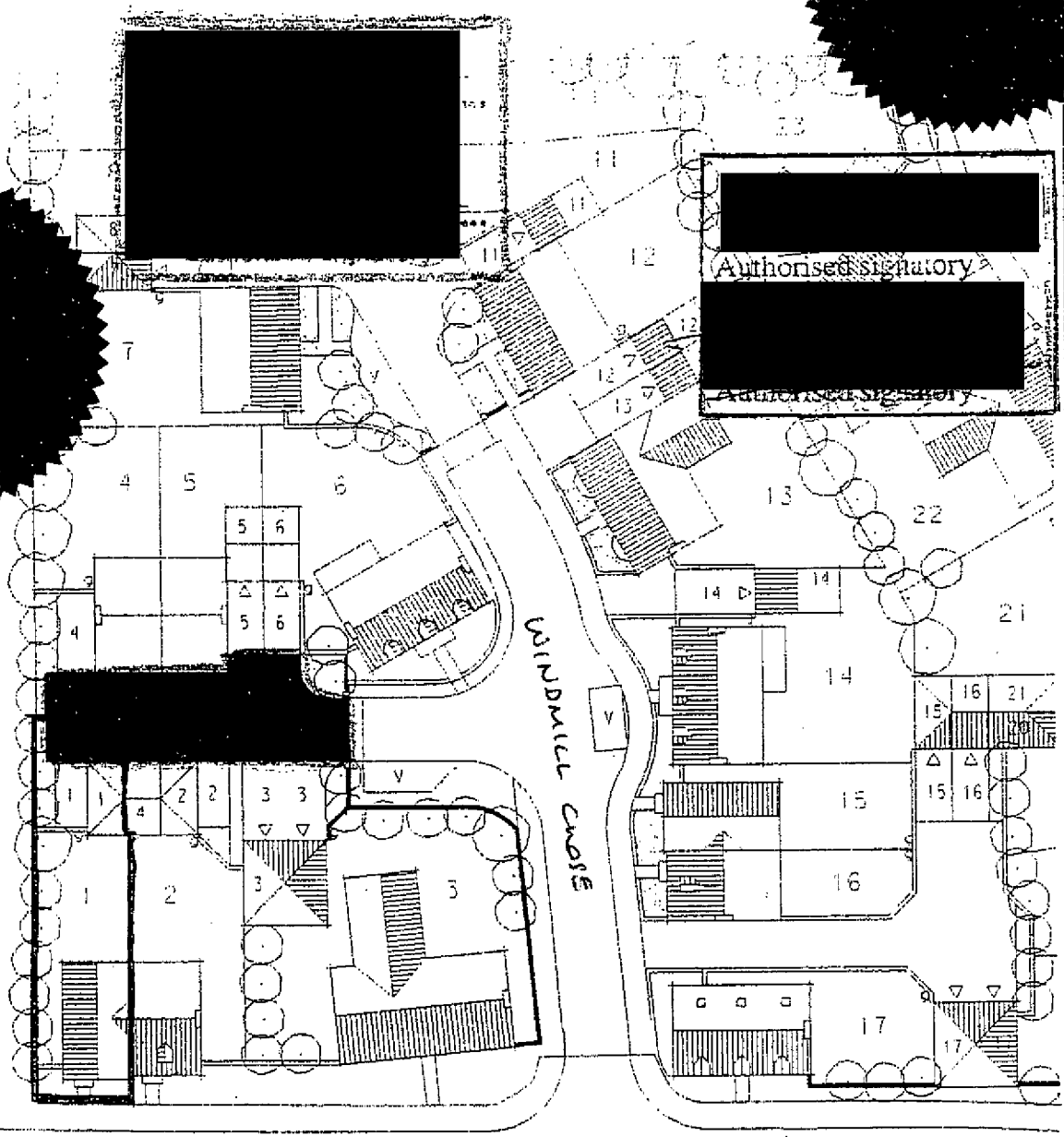
Regards

Andrew Sutherland
pp Stephen Wilkerson

24 Rowan Way
Angmering
BN16 4FW
[REDACTED]



2120



Authorised signatory
Authorised signatory

Rowan Way

R

Site: Roundstone Lane, Engmering
Scale: 1:50
Plot: 1
Extract from Drawg. No: ANCM/EP/01

