

Mrs. A. Gardner
Principal Planner
Development Control
Planning Department
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

My ref: RLS/18/02/17/AR
Your ref: A/55/19/PL

11th June 2019

Dear Mrs. Gardner

Revised Application for a single Dwelling.
Land at the Ninth Tee, Land North of Ashurst, Ham Manor Way, Angmering.
Your Ref: A/55/19/PL

I am writing to you in respect of the above on behalf of clients to object to this application. I attach a copy of my earlier letter to you dated 8th April 2019 in respect of the previous application with all matters as raised therein remaining as clear objections to this development. I would stress, again, that if you are minded to grant planning permission for this development which clearly remains contrary to policy and causes unacceptable harm to the character and amenities of the area, then a 106 undertaking should be promoted to resist, as a consequence of this proposal, any application for a second dwelling to the south of this one on the so-called side garden which is contained within the application site.

With regard to this proposal the applicant has amended the application drawing to show a narrower plot and a deeper rear garden. The dwelling itself remains the same and clearly breaches the guidance promoted by the Inspector in refusing the scheme for two units on the land because the dwelling clearly lacks in space within and about the site, being of a considerable weight and bulk, with no space within the developed site on the two sides as contributing to the character and sense of spaciousness within the overall plot.

In addition whilst the width of the plot has reduced the depth (east to west) has increased and I fail to understand the applicant's stated submission on the application drawings that this is correct when no change has been made to either the site plan or the block plan with the red edges to the site being the same as on the previous application. The claim that is made is that this is the same site as the LDC application and appears incorrect for the same reasons. My assessment of the rear garden depth of Ashurst from the submitted block plan remains as 24 metres max (7 + 10 + 7) from the detailed plans submitted (your reference A/115/16/HH) but the depth of this site now appears greater. The claim made at the time the LDC was granted was that this was correct to applications promoted in 1949 and 1957, which I would challenge, but in any event you clearly cannot now agree a deeper plot arising from this proposal which clearly goes into the protected Local Green Space.

Lastly, in dealing with this plot depth the submitted plans to the rear of Ashurst show a reduced boundary on the west boundary adjacent to this site. In the northwest corner the site is shown to cut back in for the northern part of this site on the detailed drawings. I would describe this as a "dog leg" on the west side boundary. If this is correct then which boundary is the true boundary on the west side of Ashurst irrespective as to whether or not this western boundary to Ashurst is actually correct in comparison to the 1949 or 1957 permissions? This I would suggest is vital in determining the depth of the proposed site as is claimed by the applicant for these proposals. It is perhaps vital that the correct depth and width of the lot from the 1949 or 1957 site is correctly and accurately plotted.

In assessing the impact of this substantial dwelling on the character of the area the potential introduction of a second dwelling on the south side of this plot, unless lawfully removed by 106 agreement, remains and will result in a continuous line of built form which would be bulky and excessive having unacceptable impact on the overall charm, character and appearance of the area. It is clearly not acceptable in this protected countryside location of Local Green Space to allow what is a clear urban form of development in assessing and presenting dwellings on this site. Whilst Badgers may be of two-storey form the dwellings of Ashurst and all of those opposite the site of the development are of a lower form and bulk with, vitally, the original roof form and its eaves being at single storey height. It is clearly this style and form, with space to either side that should be correctly followed at this site.

In considering the last application it was abundantly clear that that application was rejected because it clearly involved development outside of the LDC site through impact on the Local Green Space. It was rejected because the development was correctly perceived as being out of character; and, it was rejected on policy HD5 as the proposal would impact upon its surroundings; it should follow the character of the built form; and that it should integrate with the development and landscape setting. In this respect the changes indicated given the form, bulk and massing of the development reaffirm complete failure to address these matters as before and accordingly the development should be rejected again.

Finally, I refer to the submitted Design and Access Statement which it is claimed was on the 30th of April 2019 amended from the original of the 18th of February 2019. The Inspector in his decision letter of the 18th of December 2018 made it clear that the Arun Local Plan was adopted on the 18th of July 2018. Further representations were made to reaffirm this on the previous application but still the Statement maintains it is discussing and presenting a response to an "emerging plan". I find it totally unacceptable that nothing has been done to address this matter or to correct the failings made in describing and assessing the changes that clearly arise as a consequence. It is worth noting that references to both this Plan and the Neighbourhood Plan Policy HD1 correctly describe this site as being wholly contrary to policy and yet nothing is done within this Statement to address this in what is a so called "planning statement" which is supposed to assess, examine and set out the case for the development. This in my view is totally unacceptable.

Yours sincerely,



R.L. Stubbs

Cc: Clients

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My ref: RLS/18/04/17/Ar

Your ref: A/31/19/PL

8th April 2019

Dear Mrs. Gardner

Application for a single Dwelling.
Land North of Ashurst, Plot 9, Ham Manor Way, Angmering.
Planning Application Ref: A/31/19/PL

This letter is sent on behalf of my client to object to the latest planning application for a single dwelling at the above.

I note, firstly, this has been submitted as an application for a single dwelling on the planning details submitted and in this respect the LPA can now seek to resist the introduction at a later stage of a second dwelling to the south of this one. Regardless of the view taken on the details of this application the LPA must seek to introduce a Section 106 Agreement to effectively remove any opportunity for a second dwelling on the southern part of the land as applied for, lying between this dwelling and land north of Ashurst, as I have previously with you in an earlier letter. This will effectively remove the planning permission granted under permission A/2/57 as no longer applying to the southern part that these two plots, to comply with the concept of the vitally important changes to planning policy and the consequential introduction of designated green space which is now at the forefront of all planning considerations on this land.

In assessing the impact of this proposal there has been a decision made on the earlier application for two dwellings on the land, granted as a Certificate of Lawfulness. In comparison, this proposal is for a single unit but it takes virtually half of the land itself across the width of the plot as shown on the application A/212/17/CLP. Whilst it is not of the same depth as relative to the application which it seeks to replace in my submission this is irrelevant to the consideration of the impact of the width of the dwelling now proposed and the damaging effect that this will have on its host environment. The applicants in this case have sought to increase the height of the land and to create a level aspect across the width of the plot. Sadly no details have been submitted to fully indicate what happens to the soil on the north of this site as this could become vital given the limited space between the north elevation of the proposed unit and its common boundary, especially where there is minimal

space available where the new chimney has been introduced. On the southside this appears to run into existing ground levels but the ground falls from east to west and this appears to lack certainty as to just what is intended. This situation affirms problems that arise out of the intentions to raise the ground levels within what is a very mixed level of ground with changes that occurring both from both south to north and east to west.

My next concern is the situation across the frontage of the site. The northern 75% of the building is in full two storey height, whilst the south section of this frontage is shown at 1 1/2 storey height to eaves level. In assessing the impact of the front elevation this is clearly further forward, both of Ashurst to the south and Badgers to the north. This is not helped at all by the submitted block plan being well out of date and not showing the more recent changes to Ashurst to the south. The consequence of all of this is that the building now appears more prominent being closer to the highway, with no verges shown across the existing frontage of the site. My view is that the front elevation now needs to be set back, as a matter of principle regardless of the design and aspect of the building, with the correct distance also shown for the depth of the rear elevation to the common rear boundary. As it stands this dwelling is now totally out of character in terms of the full impact of the frontage of the development upon the host environment.

Finally, in assessing the scale and footprint of the building there is the third dimension to address. In determining the appeal decision, which must also be a vitally important material consideration in considering any dwelling on this land, the Inspector wrote very stringent views on the potential of these plots against the 1957 consent. In short, he was expecting the type of construction of a chalet style dwelling with eaves level above the ground floor of the dwellings and a sense of space about both dwellings. This proposed dwelling fails miserably against these requirements: it is too big; far more prominent; and of a rather grand appearance rather than respecting the design and style of all of the dwellings opposite and to the south. Comments made relating to the dwelling to the north should be forgotten in this instance as they are simply irrelevant to the consideration of the proposed dwelling in its existing context. Furthermore, let us not forget, this dwelling sits on just the northern element of the double plot as existing from the A/212/17/CLP application which, without the introduction of a 106 agreement as a matter of principle, to remove the potential to come back another day for the second unit. In this respect one cannot determine the principal without having regard to the introduction of a second unit on the southern plot. The existing plot width between the two is a reduction of 10 feet (3.2 m) of the width of this unit and the same building, but 3.2m narrower, could then be erected to the south. This would result in an absolute disaster upon the host environment in terms of the scale, visual impact and a form of development which in this respect would be wholly out of character with the existing.

In short this building is simply far too grand for this site. It is built to be the full extent of the boundaries with the minimum (or less) space provided to properly contain the site. It would be wholly out of keeping on its own, let alone without the introduction of a slightly smaller unit to the south being built another day at some time in the future.. In this respect I would submit that the development is wholly contrary to the Arun Local Plan Policies HD1 and 5 and also to DM1 and 3.

In support of the application further details have been submitted as a Design and Access Statement and as a matter of fact this contains a number of errors which must be drawn to your attention in the consideration of this application.

It refers to application A/62/49 but in the decision it is clear that it is only referring to application A/2/57 and not the 1949 decision. In refusing A/87/18/PL the principal increase in

the size of the plot was to the rear and this must be balanced against what is now submitted (see last paragraph on unnumbered page 1) incorporating two plots again.

On the unnumbered page 2 under "Amounts" it refers to the land to the south. From the new dwelling there are no doors or windows that in any way overlook that land or otherwise seek to utilise the format of that space lying to the south of the unit and enjoying excellent aspect. We are told that this land is to form a substantial rear garden to the proposed dwelling, however, that appears wholly inconsistent with the objectives of securing best outlook from the dwelling to thereby utilise land to the southwest which must be the very best location within the plot providing excellent sunlight and warmth. In addition no indication is offered to suggest how this land will be bordered to secure privacy to the land.

On the unnumbered page 4, (scale), it is a matter of fact that the dwelling is taller than Ashurst and more importantly all of the neighbouring properties opposite the site. There is nothing shown within the submitted plans to in anyway hide the dwelling from its location and in this respect with no apparent screening available the perceptive height of the building will always be read in connection with the dwellings opposite and with Ashurst to the south.

Same page "Access". This does not appear to be correct as ground levels are acknowledged on the submitted drawings to be made up to create a more level plot.

Unnumbered page 5 "Access". I am also somewhat confused here as we were told that at least "six cars will be provided" and yet when I go back to the application forms they categorically state that 12 cars can be accommodated on this site. Why is this quote now given or is it because the applicant is promoting a scheme in his mind for two dwellings?

Unnumbered page 4 "Sustainability". The application forms appear to indicate that no one would be working from here at all. In addition to this all the rooms indicated are shown as habitable rooms on both floors to serve a dwelling. Against that background where now are these people to operate from, and to what extent; and how important will the concept be of providing employment here at this site, if at all?

At the end of this page this statement goes on to consider Planning Policy although I am somewhat surprised that the Arun Local Plan is called an "emerging plan". This plan was approved some nine months ago! With regard to the Angmering Neighbourhood Plan, like the Arun Local Plan, the site is shown in the countryside and is designated as green space to be treated as such in the consideration of all matters. In addition to this the latest version, the approved version, shows that there is sufficient land available in terms of a five-year land supply to demonstrate that within the countryside no additional permissions need be granted to support the dwelling unless it can be demonstrated that there is a sound policy reason as to why. In terms of this Statement no details of any sound planning policy reason have been promoted at all.

Finally, in the "Conclusion" the document refers to these as "family homes" and "such dwellings". Surely it is beyond doubt that the clear intention set out within this statement is to produce a scheme for two dwellings on this site which would then introduce a totally unacceptable form of development across the whole which would be grossly out of character and totally inappropriate particularly given the refusal of planning permission made under application reference number A/176/17/PL, as tested at appeal with wholly negative comments made by the Inspector against such development. There can be no other conclusion but to refuse this dwelling as being too big and wholly out of character having

totally unacceptable impact upon its local environment and without any justifiable planning reason to bring forward or support such development. The applicant and whoever wrote the Design Statement has the appeal decision A/176/17/PL and it would have been wholly proper for them to have followed the guidance given by the Inspector instead of trying to cram one or even two unacceptable dwellings on this site. This guidance is abundantly clear and in the circumstances there can be no excuse for not following the advice as given by the Inspector.

I trust that you will now refuse this application as there are sound planning reasons to do so and that the development proposed appears to have no proper justification given the submissions made within the documentation of the application itself and the details of the Design Statement in presenting the case for the development.

Yours sincerely,

