



ACK

St Giles
Shripney Lane
Bognor Regis
West Sussex
PO22 9NR

26/12/11

Dear Sir or Madam,

Planning application BE/151/11

This planning application should be rejected. I would like this letter to be drawn to the attention of the development committee.

Background - application BE/42/10

In 2009 an application on this site was rejected. The report said:

"The proposed development would have an adverse effect on an environmentally sensitive site. It would have a serious and adverse urbanising effect on the character and appearance of the rural area... It is therefore contrary to Arun District Local Plan policy GEN3, GEN7 and DEV35. National Policies..."

The applicant appealed. However a government inspector rejected the appeal and said "The site acts as a physical break between residential development and the caravan site and is therefore environmentally sensitive. The development would have 'serious and adverse effect which would urbanise the character of this rural location"

On BE/42/10 (an identical application save a market needs assessment) the officer's report says...

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

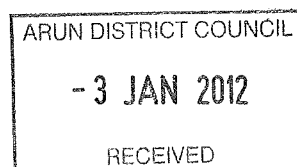
"The proposal is considered to conflict with relevant Development Plan policies in that the site lies in an environmentally sensitive location and the justification has not been proven, therefore the proposal would have an adverse impact on the countryside by creating an intensification of structures in the countryside.

"It is considered there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background."

So the development was contrary to the Development Plan and Local Plan with no material considerations otherwise - yet the officer concludes:

"This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise. Relevant policies LOCAL PLAN: GEN3, GEN7, DEV35. National policies..."

The officer decided to approve BE/42/10 without reference to a committee.



Application BE/151/11

Understanding the history of the site is essential in determining this application and whether this is just a small change to a reasonable application or a significant change – in all respects worse than the original application.

1. The application states that there are no trees or hedges adjacent to the site that might be important as part of the local character. This is untrue. The whole length of the boundary to the south is a conservation area with a range of mixed trees and hedges. The new siting of the caravans encroaches significantly on the conservation area.

2. The Planning Design and Access Statement (PDAS) by Henry Adams reports that the planning officer states that the site would not adversely affect the visual amenities of the locality. It fails to mention that the same officer and a Government appointed inspector said exactly the reverse for the same application a year previously.

3. PDAS section 1.03 is totally untrue. The new application shows the bases to be significantly (approximately 4 metres) closer to the conservation area than the original.

4. PDAS section 1.04 – 1.06. The report suggests the new siting of the caravan pads on the northern side of the site was to accommodate the car park and the two trees. The report fails to recognise that a number of trees have previously been felled on the site, and that by simply moving the last two caravans around 4m eastwards (rather than moving it to the southside and then 14m eastwards) both trees would have been protected anyway.

I do not accept that the access needs to be on the southernmost part of the site. The road would be perfectly wide enough where the original access was designed – which is wider than most of the rest of the road. In fact the road must be wide enough to accept and allow access to caravans as the site owner knows full well – since he owns the caravan site to the north, along the road where the application now says the road is too narrow. Nor do I accept that the internal layout of the tarmac required amendments. Caravans (which are very rarely moved) could have been placed on the pads perfectly easily using the original road layout. 'Ease of access of delivery of caravans' should not have been a key design element when it is plain that a) the original access was adequate and b) the access was being moved closer to neighbours.

5. The statement by Henry Adams in 2.01 that the site is as the approved plan apart from the eastern boundary being approximately 12m eastwards beggars belief.

- **Not one** of the caravan pads is in the same position as the original plan
- The eastward boundary has moved 30m not 12m as the applicant has laid a tarmac road some 20m beyond the last caravan
- The access has moved significantly closer to the conservation area
- The site now doesn't appear to include a section in the north of the site – which has been used to move a caravan from the original caravan park
- The car park has changed – although perhaps not significantly
- There is one access road not two
- There is a new brick structure housing electrical intake

6. PDAS section 3.01 states that there is no material greater impact of the changes. I beg to differ. The officer's report for BE/42/10 states that "the site is well screened and this modest extension is not considered to adversely affect the visual amenity of the area..." This was incorrect and at odds with the previous inspector's report which said it was a visual intrusion; but even if it was, the changes to the site have made the visual impact significantly worse.

- a) some of the mobile homes to the south side are half the distance between the neighbouring properties than they were originally designed to be. The properties are within the conservation area. Planning guidance specifically states that any development near a conservation area should be sensitive to the area. Slapping seven mobile homes within 4m is NOT sensitive.
- b) the extension to the eastwards is in an extremely exposed position (the committee will note that trees T3 and T4 previously gave some limited form of screening – and now there is none)
- c) the preservation of the trees is immaterial. Firstly one tree was never under threat in the original plan. Secondly the second tree could have been preserved with a very slight amendment of the plan – moving a pad 4m eastwards in the northside (furthest away from the conservation area). Please note that the original application by Henry Adams said that there were no trees on the site – so it is unfortunate that Henry Adams is now claiming that a significant change in the layout of the site was to protect a tree! The officer's original report said that there were no trees of any significance affected by the proposed development. Therefore whether the officer believed the tree to be felled or not – the tree is not a significant feature.

Section 3.01 also states that the development accords with development plan policy. This would be difficult as the original plan didn't accord with it.

7. Regarding design (4.01 to 4.03). Firstly the electrical intake is not appropriate as it is adjacent to the conservation area. Regarding 4.03 – the wall was not unstable. It was, as is shown by the last remaining bit in the south west corner of the site, as solid as a rock. It was extremely well constructed. If the wall was unstable then a) why did the applicant originally propose keeping it? Did it suddenly become unstable in the few weeks after approval was granted? Please could the development committee see the report on its instability which presumably was lodged with the planning authority at the time and the request to amend the development at the time?

The report does state correctly that evergreen (I believe Leylandii) trees have been planted along the south side of the plot, adjoining the conservation area. These have been planted in places within 6 inches of the boundary so will overgrow into the conservation area significantly. What was approved was a mixed hedge with traditional species that would have at least complemented the conservation area. Whilst the views of the Downs from the conservation area (and views of the conservation area) will be obliterated by caravans a hedge of this nature would be more appropriate than Leylandii.

8. Regarding point 5.01 – it is simply untrue to say that access would not be possible further north. As stated above, the widening of the road extends some way further north than the southernmost boundary and in any event, since the owner has a caravan site further along the road it proves that this is not an impediment to delivery.

Since the road beyond the site is only used by the remainder of the caravan site, why do cars need to pull off the road to open the gate? Surely it would be better for cars to either access the site at a new entrance further away from the housing and conservation area (as detailed in the original plans) – the gates could still be put back off the road if required or, even better, use the same access as the northernmost caravan park and come round using the access that already connects the two sites.

Condition Number 3 instructed the applicant that no development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. The applicant has willfully ignored this condition.

Conclusion

Does this application overcome the inspector's objection that: " the site acts as a physical break between residential development and the caravan site and is therefore environmentally sensitive. The development would have a serious and adverse effect which would urbanise the character of the rural location" and is it worse than the original application?

This development (which was agreed contrary to the inspector's views above):

1. Places caravans significantly closer to the residential development and conservation area
2. Extends the site and places additional caravans in an area that is not screened from its neighbours
3. Places an entrance closer to residential properties where cars will stop with their engines on at all times of the night to open and close gates
4. Places an electricity station inappropriately immediately next to a residence
5. Includes an extra 30m of tarmac road over agricultural land, for which there is no reason or need. The land is protected under PPG7
6. Has been planted with Leylandii which cannot in anyway be seen to be protecting the sensitive location adjacent to a conservation area. The original application was agreed with a mixed hedgerow with traditional native species.
7. Has demolished an extremely pretty wall which also served to screen the site. The new application a) will not screen the site for some years and b) is entirely inappropriate for a setting adjacent next to a conservation area. As the planning officer said when rejecting the application BE/110/10 "walling or flint walling would be welcomed, with or without planting."
8. Saves one tree – a tree that could have been saved if two caravans had been moved 4m eastwards (in the northernmost part of the plot, away from residences)

The committee should reject this application in its totality and request the applicant develops the site as per the original application.

Yours

