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From: Gary Bottwood [REDACTED]
Sent: 06 May 2021 19:34
To: Finlay Gardner <Finlay.Gardner@arun.gov.uk>
Subject: Re: Planning resubmission BE/59/21/HH

Hi Finlay,

We have attached copies of the plans with the Drop Kerb positioned correctly and tried to show how the plans submitted, having the dropped kerb incorrectly positioned, favours Mr Delaneys Application and his attempts to meet the visibility requirements. You will also notice the gates in the plans are not positioned 5 mtrs from the curb as required by Highways. Overall the visibility requirements are unobtainable as pointed out by Highways correspondence during the previous application due to the residents parking on the curb either side of the drop kerb, legally, reducing visibility to well below the minimum of 43 mtrs required.

Even if the Drop Kerb was positioned where it is shown on the plans the parked cars would wipe out any visibility. At present the plans show the visibility of the driver being a view of the inside of the boundary fence if a 6 ft fence is used.

We are sending this information to you directly as we feel you need visuals to highlight our reservations which cant be done on the comments page. As inspections seem to be a thing of the past and desktop studies seem to be how things are done you may need Photos etc to orient yourself with the site and how Mr Delaneys agents are adjusting the plans to gain maximum advantage for their application. Adjusting the drawings and exaggerating or underplaying aspects of the site appears to be the only option Mr Delaney has to comply with the original Drop Kerb Licence conditions. He was asked to address these issues many times prior,during and again now to provide adequate visibility and with these plans has failed again.

On Thu, 6 May 2021 at 15:16, Gary Bottwood [REDACTED] wrote:

Hi Finlay,

A picture attached shows the actual positioning of the Drop Kerb against the Site Plans positioning in Mr Delaneys latest Application. For the plans submitted the current Drop Kerb would need relocating which still wouldn't address the point where the calculation for the visibility splays is measured being wrong on the site plans.

Again Mr Delaney has failed to address the issues that have dogged his plans from the start. Highways have stated visibility standards on this site were unobtainable and Mr Delaney is just tweeking the original drawings hoping they will be accepted.

We said all along Highways should have addressed the visibility issues before issuing a licence and we are now questioning why and who gave the licence the go ahead.

The photo clearly shows the drop Kerb doesn't straddle the apex as shown in the plans. This means visibility is actually far more restricted.

Please note damage to Road surface, this will accelerate once Delaneys vans are coming and going daily.

Thanks
Gary.

On Wed, 5 May 2021, 19:25 Gary Bottwood, [REDACTED] wrote:

Hi Finlay,

Sorry ! Just a couple of things I forgot to mention! According to Highways own regulations the following applies:

6. Visibility requirements Will you be able to see pedestrians and vehicles clearly enough to drive out of the driveway without causing danger to yourself or other road users? Probably the most important contribution to road safety is the provision of adequate visibility. Adequate visibility enables road users to see a potential hazard in time to slow down or stop comfortably before reaching it. The application will be refused if the crossing does not meet visibility requirements set within published industry standards. Greater visibility may be required on faster, busier roads. West Sussex County Council considers each request on its own merits. Consideration will be given to the driver's line of vision in both the vertical and horizontal planes. In order to determine the exact level of visibility required, a site inspection will be needed from an experienced officer. The following diagram provides further information.

I was unable to include the diagram but it is available online on WSCC Drop Kerb Guidance. When Delaney applied he was handed the Licence which had conditions attached which included a maximum height of the boundary wall/ fence to be 600mm. This hasn't been addressed within the new plans nor previously. In fact the original Retrospective planning Application was withdrawn after Mr Delaney was repeatedly asked to submit plans addressing this and ignored all requests. It appears he has failed to address this in this resubmitted application with the fencing being too tall to satisfy the Drop Kerb Licence Conditions.

The other issue with the revised Application is the positioning of the Drop Kerb In the drawing. The drawing suggests it is on the apex of the bend where as it is actually flush with the wall in the direction of Chichester Road. Unless Mr Delaney intends to extend the Drop Kerb 1m towards Chalcroft Lane it isn't an accurate representation

of its physical position. This may seem minor to someone looking at the drawing but it benefits Mr Delaney in his attempt to prove visibility is better than it is.

If he were to move the Drop Kerb or extend to match the plans he would need to consult with amenities to ensure the covers can take the weight of vehicles or need to be moved. There is also a fire Hydrant which would require consultation along with BT access to recent Cable installations.

If it were moved a meter toward Chalcroft an environmental issue comes into play As I believe the Drop Kerb / Driveway falls within around 8 meters maximum of the trunks which are well established and around a metre in diameter. Obviously it is the roots of the trees they are concerned with. As Mentioned previously the trees aren't mentioned in the plans even though they reduce the distance of visibility for drivers that would be entering or exiting the proposed site.

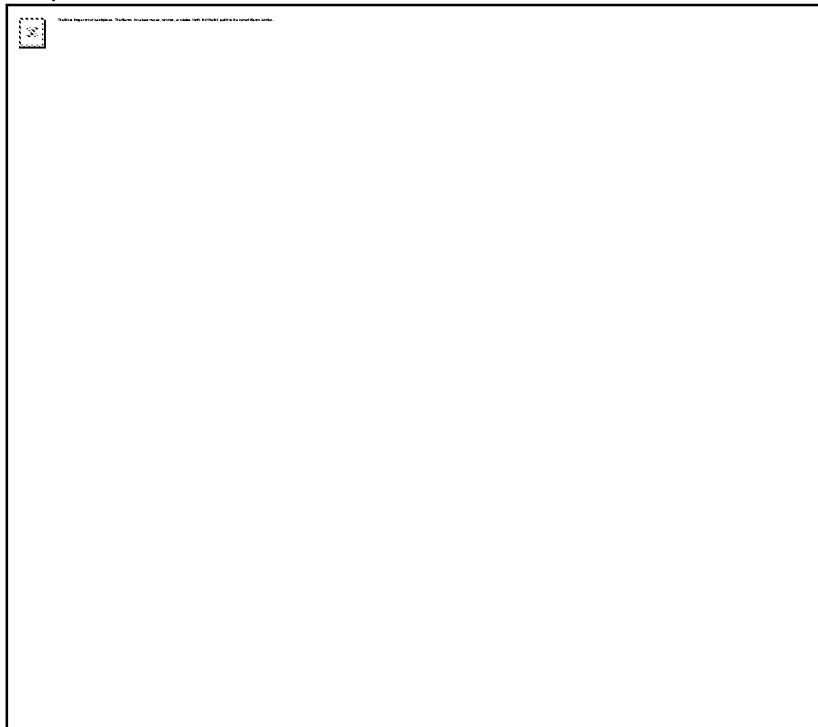
Just to finish up the area where the trees are positioned is home to a foxes den, Hedgehogs sheltering and the tree itself is home to Magpies, Wood Pigeons and various visiting species at different times of the year. Those living close to and next door enjoy this area so to not consult with the relevant department would be very disappointing.

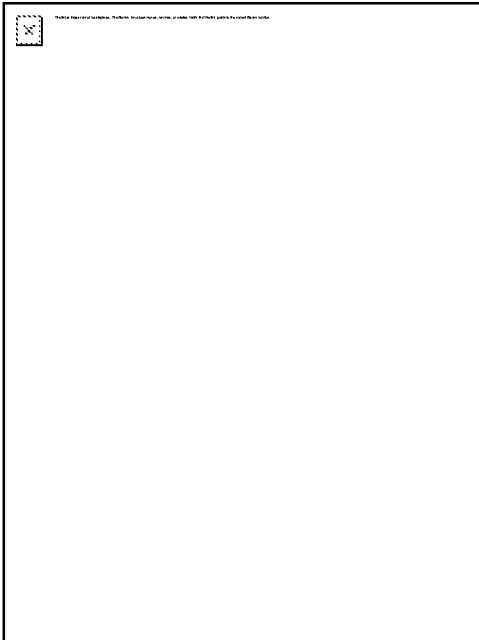
At present Mr Delaney has a garden resembling the tip at Shripney Road with waste from his plumbing business such as old piping,sinks baths etc. A Photo is attached taken by a neighbour over the weekend along with a photo giving you an idea of how poor the parking situation is already without Mr Delaneys attempts at congesting it further.

As you can see ,although not sufficient material to take the weight of vehicles it also would give Mr Delaney space to have multiple vehicles in and out ,loading and unloading all using the hazardous exit onto Bedford Avenue.

Yours Sincerely

Gary





On Wed, 5 May 2021 at 16:38, Gary Bottwood [REDACTED] wrote:

Hi Finlay,

We are aware that a planning application has been resubmitted and the residents of Bedford Avenue are asking me where they can object. The plans only differ by having lines added to indicate visibility splays. However the splays do not account for trees adjacent to the property reducing visibility to far less than the 43 Mtrs required.

The visibility, and therefore safety, is also affected by parking either side and opposite of the drop Kerb which is essential parking space for residents who park legally on the Kerb due to the number of residents requiring parking. This leads to the Street essentially being only wide enough for one lane of traffic.

Mr Delaneys intention is to create a single parking space as a result of this development in addition to the 3 to 4 already available on the property. This development would cost minimum of 3 spaces to residents of Bedford Avenue.

The fence is not compliant with the 600 mm maximum height required by highways as ordered by Ben Whiffin as a condition of the licence being issued in September 2019. As there has been no subsequent inspection the renewal of the Drop Kerb licence would be issued under the same conditions required by Ben Whiffin.

Mr Delaney has again omitted information that the rear of the property is used as a hub for his Plumbing Business which involves vans loading and unloading on Bedford Avenue. The development would see his vans driving in and out of the development between park cars directly on a bend and onto Bedford Avenue where as explained visibility and therefore safety is an issue.

Mr Delaney previously applied for a LDC in Sept 2019 which you yourself refused as it required planning. Mr Delaney applied for a Drop Kerb Licence at the same time and on his LDC application dated September 18th 2019 he stated he had successfully secured a drop Kerb licence. Mr Delaneys Drop Kerb licence wasn't confirmed until at least 25th Sept 2019 as Jill Mills (Highways Steward) was still considering the application and Consulting with Ben Whiffin as to its feasibility.

Ben Whiffin has also confirmed in an Email that Mr Delaneys initial Drop Kerb Application was fraudulent as he failed to disclose the property was a commercial premises. He did inform yourself in November 2019 that it was a commercial property after initially omitting it from his application for a LDC. Ben Whiffin claims Highways only became aware a month ago, nearly 18 Months after you advised Mr Delaney he needed planning permission.

All in all this new planning application hasn't addressed the issues raised by ourselves when he first applied. He has failed to address the visibility issue as the plans have just had a couple of lines added. There has been no speed test as suggested by Highways themselves due to the inability to satisfy the necessary distances required.

The whole development has been given air on the back of a licence application which was obtained by Mr Delaney fraudulently. He ignored your ruling of needing planning permission until he was forced to apply retrospectively by enforcement. He would have completed his development illegally had we not got involved. Highways now confirm the licence was obtained in breach and they may be taking action themselves.

We feel this is a development that if allowed would cause residents more issues surrounding parking. Put motorists and pedestrians using Bedford Avenue at great risk.

Given Mr Delaneys reluctance to submit information when required by enforcement, miss countless deadlines set by the Planning Department it is obvious the safety of residents is not something he cares too much about. As he doesnt live at the property what is the purpose of this development other than to serve his plumbing business.

If you could enter this correspondence as an objection to this Planning Application I would be grateful. I would also appreciate it if you could let me know how the other residents can object and how to find the page online as it appears to be missing on the website.

Yours Sincerely
Gary Bottwood.

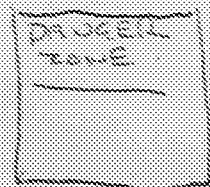
Serial number: 2006526
Crown copyright and database right 2020
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LEGALLY PARKED
RESIDENTS/VISITORS
CARS

ACTUAL
DROPPERS
POSITION

GATE NEEDS
SETTING BACK
5M/5 FROM
CARPARK WAY



N

VEHICLES FROM

ALL DIRECTIONS
WILL HAVE DANGEROUS
BRAKING DISTANCES
DUE TO WHAT WILL BE
EFFECTIVELY A CROSSROADS

N - SHOWING VISIBILITY SPLAYS

(A3)



STER ROAD, BERTSD. PO21 5AN
ney

MENT WALL WITH FENCE AND VEHICLE ACCESS

Broomfield Studio
Bridham
West Sussex
PO20 7BA
Phone: 01243 512 327

RICHARD
MEYNELL LTD

Rev	Drawing No.	Date
A	D.1084-01	17-02-21

SITE PLAN - SHOWING VISIBILITY SPLAYS

1:500 SCALE (IN A3)



if the plan showed deep
kerb as assumed in plan
would be needed to meet
less than the 2.4m required
when access is provided
along the street and adjacent
to the development the
visibility is assumed to 40m
from 10m with vehicle used
the development should meet
they are assumed on the road

The site is located
between the A1 and
B1013 and is a 0.25 ha
plot. The site is currently
used as a car park and
is surrounded by residential
development. The site is
located on the edge of the
settlement and is a 0.25 ha
plot. The site is currently
used as a car park and is
surrounded by residential
development.

Some minor details
have been omitted for clarity
of the plan.



DELANEY PLUMBING

PLUMBING • HEATING • GAS

01243 861138

DELANEY PLUMBING

PLUMBING • HEATING • GAS

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