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From: Gary Bottwood [REDACTED]
Sent: 15 July 2021 19:11
To: Finlay Gardner <Finlay.Gardner@arun.gov.uk>
Subject: 339 Chichester Road

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Dear Finlay,

We wish to Address your latest communication with the Applicants agent and the replies to your questions and subsequent comments.

Your first question regarding the height of the walls was rather confusingly answered by the Applicants agent. There is no way of positioning 6 Ft fencing and not interrupting the visibility required which is why Highways imposed the condition that a boundary Wall/Fence of 60cms maximum Height was required as part of the VCO licence being issued as confirmed by Ben Whiffin at Highways on numerous occasions throughout this case. Applicants agent has again failed to address this query and failed to mention the conditions imposed by Highways.

With regard to question 2 it is a bit rich asking the Applicant to agree to an extension of time to enable consideration at the ADC Planning committee considering the Applicant hasn't bothered to meet deadlines or answer requests for information regarding safety throughout this Application and the one previous. We understand you have to, probably by law, but it again it appears to us like the Applicant is having his belly rubbed despite being in breach of Planning and Highway regulations.

We now come to the comments addressing our objections specifically regarding the Drawings submitted and its proposed use.

The Applicant is proposing the property will not be used for Delaneys Plumbing Business. So why is one parking space in the back garden required when he has at least 3 if not 4 already available by way of a Driveway at the front of the property. The access the Applicant is applying for will reduce the on road parking for residents by 3 spaces at least when it is already an issue for residents. There are 3 rooms for residents at 339 Bedford Avenue so ample parking is already available on the property.

We all are aware of the Applicants flouting of regulations so he wouldn't think twice about moving the Plumbing business back to 339 with or without any conditions as he has the Highways Conditions attached to his VCO Licence which he has so far ignored and ,as a reminder, it was issued with WSCC Highways unaware the Property was a Commercial Property and not as claimed on the Applicants Application residential, just one of many examples of his willingness to not give accurate information in an attempt to get what he wants.

Now our opinion on the drawings has been well documented and having read the Applicants agents response is laughable. He suggests the drawings are depicting the proposed positioning of the VCO and layout of the site. He also suggests they do not reflect the exact position of the gated access rather they reflect the proposed location to achieve the Maximum Visibility.

A Proposal is a suggestion on how the Applicant sees the finished development. If the work has been carried out as in this case surely any plans should represent the finished development in the position it has been built?. To then submit drawings of the site with the Crossing in a different position can only be interpreted as nothing other than manipulation to improve their chances of having Planning approved. How are the Planning Committee Members going to be able to make an informed decision when the Plans within the Application bear no resemblance to what has already been built. It is critical Visibility requirements are met for the safety of the Public. If the Drawings show the Crossing in one place and it has been built in another how are the Committee going to assess what visibility is possible on the site or if this access meets with visibility requirements. One meter can have a drastic effect on how much visibility is available so accurate drawings are essential when dealing with Public Safety.

Highways haven't inspected the site post installation and as far as we are aware neither have the ADC Planning Department. Only Bersted Parish Council has made a site visit and after assessing our evidence at a recent Planning Meeting voted against this development on grounds of safety ,giving us 100% support. They also pointed out their concerns regarding the site's traffic mitigation. For many years there have been bollards placed around this bend precisely where this development is positioned. The bollards were placed there to stop parking on the bend as it was deemed dangerous. Have Highways suddenly decided the bend is now safe enough not only to remove the bollards but add an entrance directly on the previously dangerous bend?

It is correct that WSCC Highways required the Crossing to be positioned precisely on the corner which it hasn't been. The Applicants Agent is suggesting it doesn't matter that the crossing has been installed in a different position than shown on the drawings within the Planning Application. That is ludicrous. It is critical Visibility requirements are met for the safety of the Public. This only highlights the blatant disregard for Public Safety shown throughout by the Applicant .

The Applicants agent has confirmed in his Email what we have been saying all along , the plans submitted are inaccurate and in no way represent the positioning of the Crossing. In its current location visibility of 43 meters is unobtainable and it is unlikely to be obtainable on this site at all which is why The Applicants agent manipulated the plans in the first place, to give the impression that visibility conditions can be met. If they weren't intending to mislead the Planning Department why did they not submit plans showing where the Crossing is actually positioned.

At this point we would have to question why WSCC Highways have refused to make a site inspection and check the Crossing is in the correct position and satisfies visibility requirements?.

SAFETY. is the residents driving concern. This bend is already very dangerous and an access on this bend will make it even more dangerous for all.. It speaks volumes that in Mr Delaneys Agents comments he never mentioned safety once.

In Conclusion, We are of the mind that Mr Delaney has taken 9 Months to address the questions ,raised by yourself and others many times in this period ,only now in an attempt to justify submitting misleading plans have they tried to address this because they know the plans will be queried by the ADC Planning committee and quite possibly considered as fraudulent. They continue to use the VCO Licence being issued as justification for their not applying for Planning Permission overlooking the fact that the Licence was obtained using misinformation and possibly, again, fraudulently. and continue to ignore the conditions attached to that licence. They were aware that a site inspection by WSCC Highways was not going to happen and therefore could put the Crossing in a favourable position on the plans submitted implying visibility was adequate without any physical check taking place.. Mr Delaneys agent has admitted the Crossing isn't where it is on the plans in his comments, he has also stated the plans show where the Crossing should be to improve visibility, he has therefore confirmed the Crossing doesn't satisfy Visibility requirements as it is in a different position than in the plans submitted.

We as residents can only question how this Application was even considered given its positioning and danger to the public. We also are amazed that this applicant has been given the opportunity to seemingly submit false information within a VCO Licence Application yet be successful, then have Planning Enforcement force a retrospective Planning Application which during consideration he ignored deadlines, failed to supply information requested and submitted misleading plans only to withdraw. Then, again ignoring deadlines, resubmit the same Plans with inaccurate drawings, having not addressed requested information then admits the drawings aren't accurate and show the Crossing where it gets best visibility not where it has been installed which is where it has no visibility. Yet he is now being given the opportunity of this being a successful application by being heard at a ADC Planning Committee Meeting.

Yours Sincerely
Gary Bottwood.