

15 Den Avenue

Bognor Regis

West Sussex

PO21 1HE

27th May 2015

Planning Application BE/60/15/PL

Dear Mr Davis,

Please accept this letter as notification of my objection to the above planning application in respect of 21 Bucksham Avenue, North Bersted for the following reasons:

Town & Country Planning Act

- The application is in fact for 21, the whole of 19 and the adjacent drainage ditch constituting part of the Bersted Park Nature Reserve.
- The application only gives the ownership of 21 and is ambiguous regarding the ownership of 19. At the time of the last planning application this land was in different ownership to that identified in this application for 21.
- The owner of the drainage ditch is **Arun District Council** by virtue of the transfer of Bersted Park Nature Reserve to it by the developers of site 6 and is not under the ownership or lawful control of either the owner of 21 or the developer.
- As the application includes land forming 19 and Bersted Park there is no documentation to identify the owners of these two parcels of land or any other documentation for this land to comply with the relevant Town & Country Planning Act requirements, where appropriate.

Clearly eight houses is far too many solely for the site of number 21 and the description of this application in the Public Notice is completely misleading. Please see:-

Appendix item1 – land registry document for 21

Appendix item2 – proposed site plan (which plainly contradicts the land registry document).

Application For 21

- **Section 5-** the proposals do require the diversion or extinguishment of the continually used public footpath which crosses the proposed entrance to the site. There has been a footpath, formerly incorporating a wooden stile, at this location into Bersted Park Nature Reserve, previously a field, which has been regularly used for in excess of fifty years. The true owners of the ditch widened this path to 3 metres with a tarmac surface due to the large volume of usage.

- **Section 11** – the proposal to use the existing foul water sewage system is highly unsatisfactory due to the substantial problems which have resulted in a number of properties in Bucksham Avenue suffering foul water flooding.
- **Section 12** – the assessment of the flood risk as zone 1 is plainly wrong with the proposals representing a severe flood risk to some of the proposed units and a further substantial increase to the flood risk to the existing residents of Bucksham Avenue.
- **Section 13** – until the recent ground works in preparation for this application (co-incidentally at the time of the pre planning consultation) great crested newts were known to be living at the rear of 11 Bucksham Avenue.
- **Section 14** – the site is currently vacant. In the past part of the site has been a general scrap yard and also had, at one time, an asbestos clad building occupying the north-west corner of 19.

Design & Access Statement

- **Section 1.0 – Para2/3:** the scheme does not integrate within its existing surroundings with respect to pedestrian safety, vehicular access and safety within Bucksham Avenue and the wildlife contained on 19.
- **Section2.0 – Para1:** Bucksham Avenue is **not** within a “developing settlement”. It is part of a long standing existing settlement which has had 19 as an effective boundary to the new overdeveloped site 6. **Para2:** the existing (extremely narrow) vehicular access immediately adjacent to 17 is in actual fact the inadequate access to 19 and has been disused for very many years. **Para3:** Bucksham Avenue is 30% small bungalow occupation. The proposals would detrimentally affect the existing bungalow/housing environment. The proposals form part of the green space/stream separating the long standing existing conurbation from the new development on site 6.
- **Section3.0- Para2:** the proposals intend additional residential units on a green space giving vital separation between existing and new residential areas. The reference to previous applications is completely and intentionally misleading. On each of the applications mentioned a portion of 19 and/or the ditch forming part of Bersted Park Nature Reserve were attempted to be developed surreptitiously. The unilateral presumption to dismiss previous applications is completely at odds with the facts of the matter and is an astonishing attempt to mislead the planning department. **This application is directly related to the previous applications as it constitutes 19, 21 & BPNR.**

Application	Decision Date	Outcome	Land involved
BE/20/08	23/07/08	REFUSED	17,19
BE/137/10	03/02/11	REFUSED	21,BPNR
BE/157/11	24/02/12	WITHDRAWN	21,BPNR
BE/42/13	05/08/13	WITHDRAWN	19,21,BPNR
BE/78/13*	24/12/13	REFUSED	21,BPNR
BE/17/14*	05/06/14	WITHDRAWN	21,BPNR

*At the time of these applications the now owner of 21 was acting as agent for the then owners of 19 in collaboration with the proposers, at that time, to develop all the land contained in this application.

- **Section 4.0** – The proposals do not comply, in a number of significant respects, with the local planning policies listed. The proposals also fail to comply with the Bersted Neighbourhood Plan 2014 or with the National Planning Policy Framework (NPPF).
- **Section 5.0** – Satisfactory separation and privacy has not been provided for 17 Bucksham Avenue or 426 Chichester Road.
- **Section 6.0**– There is no pathway for pedestrians to access the site safely from Bucksham Avenue. The access into the site is not suitable or fit for purpose and will destroy the character of the existing neighbourhood amenity with particular regard to numbers 10, 11, 12, 14, 15, 17 Bucksham Avenue.
- **Section 7.0- Para 2:** the site is outside the established built up area (21 is not but 19 and the ditch forming part of Bersted Park Nature Reserve are). **Para 3:** 30% of Bucksham Avenue is small bungalows. The proposals do not fit in with the existing neighbourhood built environment and character. **Para 5:** the access arrangements are clearly unsafe for the entry to the site, crossing the site entrance, and the general day to day use of Bucksham Avenue by pedestrians and vehicles. **Para 6:** the density of units is too much sensibly and safely use Bucksham Avenue to access it and compromises the privacy of 426 Chichester Road which is a bungalow with a habitable extension close to the proposed units which will directly overlook it and its garden.
- **Section 8.0** - By virtue of the use of part of Bersted Park Nature Reserve the proposed Section 106 will be unlawful.
- **Section 9.0**– The proposals will be highly detrimental to the character of the area. The site is an essential green space to separate site 6 from the long standing existing community. **85% of the site does not, and never has, formed the garden to 21.** 75% of the site is 19 (formerly an asbestos clad piggery, scrap yard and finally a paddock before being left undisturbed for 20 years). 10% is the ditch forming part of Bersted Park Nature Reserve and an essential flood control measure. Only 15% of the site is actually 21 and of this less than two thirds is garden (i.e. no more than 10% of the entire site is actually garden). **Para 3:** contradicts the application by stating that 10 units and not 8 are intended.
- **Section 10.0- Images 1&2** clearly show the inadequate access beside 17, i.e. entrance to 19 (page 14). **Images 3&4** give a misleading indication of the lawful boundary of 21 to Bersted Park Nature Reserve (page 15). **Image 11** is completely misleading with regard to parking issues in Bucksham Avenue – clearly taken in the middle of the day (in contrast see my Appendix item 10). **Image 12** is completely misleading with regard to parking and turning issues immediately adjacent to the proposed access to the site. **It, and Images 1&2,** do however clearly identify the significant issues with regard to access to the proposed site and it being crossed by the public footpath from Bucksham Avenue to/from site 6. It shows that there is inadequate vehicular provision in that it appears the agent has had to park across this path way so as to only partially obstruct the very small existing turning circle. The path is heavily used now and will increase in use with the full development of site 6, its new school, community centre, recreation facilities and access to Bersted Park Nature Reserve.

Multiple Flood Risks.

Bucksham Avenue is at significant jeopardy from several flood risks. The proposals would lead to the risk to the existing properties being increased as well as an unacceptable flood risk to the proposed properties.

Surface Water (From A259) /Ground Water: In June 2012 Bucksham Avenue experienced severe flooding conditions with water approaching 450mm cascading down the Avenue and pavements from Chichester Road. When it reached the end of the road outside 14 & 21 it had nowhere to go as the drainage ditch (part of BPNR) had been filled in at 21. Consequently a number of properties on the east side of the road suffered significant flooding and those on the west were extremely fortunate to escape. The local authorities have yet to address this issue and there is a high possibility of flood risk to the proposed properties and the existing ones
Appendix item 3-photograph of entrance to Bucksham Avenue from Chichester Road dated 13/06/2012.

In addition, over the winter of 2013/14 the threat of surface water flooding was so high as to prompt a number of owners to protect their properties from flooding by the use of sandbags including the chair of Bersted Parish Council planning committee and sometime part owner of 19. **Appendix Item 4** – sand bags placed at entrance to 4 Bucksham Avenue.

It is understood that the responsibility for surface and ground water flooding is not with the Environment Agency but with West Sussex County Council (WSCC). It is believed, that due to a central government guidance oversight, WSCC is not necessarily a statutory consultee. In the absence of such please see **Appendix item 5** - WSCC correspondence sent to every resident of Bucksham Avenue on 21st December 2013. WSCC are clearly of the opinion that the existing road is a high level surface water/ ground water flood risk which can only be exacerbated by this application and also affect the units contained within proposed site for surface water and ground water flooding risk. In June 2012 this site was under water due to surface water flooding.

Soakaways: due to the risks identified above and the proposal to build on flood zone 3 land, the proposal for soakaways is inadequate.

Foul Water: in previous application BE/78/13 the consultation with the Drainage and Coastal engineer clearly identified that this road is susceptible to foul water flooding (**Appendix item 6**). It can be confirmed that in the winter period of 2013/14 Bucksham Avenue suffered foul water flooding and that the eight large proposed units cannot be accommodated by the existing sewage system which will inevitably cause "backing up" and a high risk of foul water flooding to both existing and proposed properties.

Environment Agency Summary: this has not properly considered the true nature of the flood risk to the land included in this application. The ditch forming part of BPNR is in fact flood zone 3 and modest parts of 21 immediately adjacent to it are flood zone 2.

Units 6 & 7 and the garages to units 7 & 8 are situated on the BPNR ditch which is itself flood zone 3. Parts of units 6, 7, 8 and associated foot paths and driveways to 7 & 8 are on zone 2 flood risk. Recently downloaded flood risk map from the Environment Agency (**Appendix item 7**) clearly shows the proposed properties sited on this category of risk. Additionally, the EA flood risk map shown in the Bognor Regis Observer, December 19th 2013 (**Appendix item 8**) corroborates this stating that there is a 1 in 30 flood risk making this at the high end of the zone 3 flood risk spectrum. **Appendix Item 9** clearly demonstrates the extent of flood zone 3b & 2 on the proposals.

Flood Risk and The National Planning Policy Framework

The NPPF states in **section 100**....*"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere..."*

Section 100 also....*"Requires local plans to safeguard land from development to reduce the causes and impacts of flooding..."*

The proposals fail to meet these criteria.

Section 101 states....*"Development should not be allocated or permitted if there are reasonably available sites appropriate for the development in areas with a lower probability of flooding..."*

These proposals are not for any social housing need real or imagined. The Bersted Neighbourhood Plan has identified suitable other sites for the type of housing proposed in this application, and along with permission granted for 25 similar homes in North Bersted Street (BE/105/13- ADC planning committee meeting of 12/02/14), reasonably available appropriate sites have already been identified and approved. Therefore these proposals are non-compliant and unnecessary.

Section 103, by virtue of footnote 20....*"requires a site specific flood risk assessment for all proposals for new development (including minor development and change of use) in flood zones 2 and 3..."*

No credible flood risk assessment has been produced and in particular in respect of the intention to build on flood zone 3b land.

In the guidance to the NPPF:-

Table 1 - identifies the ditch (i.e. part of BPNR and designed specifically as an essential flood control for site 6 as part of a far larger planning permission granted by the then relevant secretary of state) as flood

zone 3b – “comprises land where water has to flow or be stored in times of flood” with the note that 3a & 3b are not separately distinguished on EA flood maps.

Table 2 -identifies dwelling houses as “**More Vulnerable**”

Table 3 – flood risk vulnerability and flood zone compatibility – clearly states that development is not permitted for “**More Vulnerable**” premises in flood zone 3b.

Units 6 & 7, and the garages to 7 & 8 clearly sit across the ditch which is in flood zone 3b. Therefore, the proposals clearly contradict the NPPF and its associated guidance in regard to flooding risk and should not be permitted. (see item 9).

General Comment for The Proposed Development

- The proposed shared access is unsatisfactory as it is sited tightly adjacent to, and alongside, 17 Bucksham Avenue. Vehicles entering the proposed site would have to cross over the access driveway to 17 affecting the safe egress of vehicles from 17 and also affect 14 (14 is currently both a domestic residence and landscape gardening/groundwork business).
- There is no paved access to the site giving a high risk of a pedestrian accident, either with vehicles going to/from the site or, vehicles accessing/ leaving 17.
- The entire roadway from 17 down to 1 usually is populated with vehicles; some high sided, parked on it with vehicles also frequently parked on the grass verge outside 11 & 15 due to existing parking difficulties. Additionally it is usual for vehicles to be parked on the grass verge outside 8,10,12,14 due to the severe congestion in the evening and at weekends. There is little or no line of sight for vehicles leaving the site to safely negotiate egress.
- This fails to comply with the relevant guidance in the NPPF for Vehicular Access Standards with particular regard to the “X” distance for the minor road (i.e. access road), the “Y” distance for the priority road (i.e. Bucksham Avenue) and that there is zero “**Visibility Splay**” when vehicles are legitimately parked in the driveway to 17 or outside 11,15,17. The Visibility Splay is further compromised by the two large bushes outside 15/17 & 9/11 and also the street lamp post outside 17. These are all contrary to the guidance to the NPPF. The guidance states that “**good visibility is essential to enable drivers emerging from the minor road to see and be seen by drivers proceeding along the priority road**”.
- The proposed access is insufficiently wide to enable vehicles to pass. Where drivers attempt to pass in the access roadway, which they clearly will, this will cause unacceptable noise and disturbance to 17 as they fail to do so. In this situation it is highly likely that a vehicle will strike the boundary fence of 17. This in turn means that a vehicle waiting to enter the site will have to wait in Bucksham Avenue and cause further unacceptable congestion. It would be impossible for site vehicles to pass in Bucksham Avenue due to the existing parking limitations. This will also cause unacceptable noise and disturbance to Bucksham Avenue residents at 10, 11, 12,15,14,17 with frequent vehicle manoeuvring.

- This is exacerbated for 17 with vehicles also using the site turning area immediately next to their rear garden. Any SUV or large vehicle passing the garden to 17 would cause an unacceptable interference with the resident's privacy to the rear garden and rear ground floor of the property.
- With vehicles legitimately parked outside 15, 17 it will be impossible to actually turn left into the access road.
- Any proposed street lighting in the access road will cause unacceptable light pollution to the occupiers of 17 with particular regard to the rear of their premises.
- The proximity of the proposed access is an immediate threat to the safety of young families and the elderly in the street and in particular at 9, 11, 14, 15, 17 on leaving their properties. Vehicles using the access road would pass too close to the front/side and driveway of 17 and would represent an unacceptable deterioration in the resident's family amenity, sustainable living environment and basic safety.
- The proposals would make the already congested street more so and represent an unacceptable deterioration in the existing local amenity for all the residents of Bucksham Avenue. (**Appendix item 10** -showing typical evening/weekend street congestion)
- The proposed access, therefore, fails to comply with Policy GEN 7 for noise and disturbance to existing dwellings.
- The increase in vehicular hazard is not just to the residents of Bucksham Avenue but also to the significant number of pedestrians, cyclists, school children, dog walkers and mobility scooter users passing to/from the site 6 development using Bucksham Avenue as a short cut either to the facilities in North Bersted or alternatively BPNR, the new school, community centre, recreation facilities or the several hundred houses that now constitute site 6. Their path of travel is directly across the proposed access way to the site from the nature reserve path onto the pavement outside 17. The guidance to the NPPF states that ***"where the access crosses a footway it is important to have intervisibility between pedestrians and emerging motorists"***. With a vehicle parked (often high sided- see **item 10**), as now, on the immediately adjacent drive to 17 there is zero Visibility Splay for emerging motorists.
- Additionally, with the very poor sight lines to the proposed access, there is a high risk to cyclists using Bucksham Avenue to access site 6 and BPNR due to similar Visibility Splay issues which are further deteriorated by vehicles legitimately parking outside 9, 11, 15, 17.
- The volume of pedestrian/cyclist traffic is in proportion to the 3 metre width path to BPNR installed in 2014. There has been a public footpath at this location which has been regularly used for over fifty years and this large and growing safety risk forms a significant material consideration in line with Policy GEN 7.
- The first floor windows of units 1, 2, 3 look down and into the rear extension and garden of 426 Chichester Road which is a bungalow. As stated elsewhere, the houses are out of keeping with the street scene in Bucksham Avenue (by virtue of 30% of it being bungalows) and also out of keeping in respect of this property. This is contrary to Policy GEN 7 in respect of 426 Chichester Road for privacy, noise and disturbance.

- Within the site the proposed parking arrangements are unsatisfactory. If all three visitor bays are occupied then it is a physical impossibility for a vehicle in the central bay to exit without either striking one or both of the adjacent vehicles and/or the fence to unit 4 behind it. In the same way, a vehicle trying to leave the north parking bay could not do so with striking the centre bay vehicle and/or the fence to unit 4 or any vehicle parked in front of the garage to unit 5. This will lead to increased on street parking in Bucksham Avenue in or around the existing turning area to Bucksham Avenue or parking on the proposed road way adjacent to 17. This is further compounded by the fact that it is likely that many of the proposed units will have more than two vehicles in each household. This represents an increased safety risk to other road users, pedestrians and residents and result in unnecessary noise and disturbance and be un-neighbourly to the existing residents of the road and in particular the residents of 10,11,12,14,15,17.

Fire Service Access

- The proposals are inadequate for Fire Service access. With the usual parking outside 9,11,15,17 it is a physical impossibility for a Fire Appliance to use the proposed narrow access road. In the unlikely event of no parking outside the dwellings, and according to the national guidance, the minimum turning radius required is 8.4metres for a Fire Appliance and 13 metres for an Aerial Ladder Platform (ALP). Therefore the entrance access provided is impossible for a Fire Appliance to negotiate, let alone an ALP, whether there are vehicles parked outside 9,11,15,17 or not.
- The national guidance requires that "*there should be vehicle access for a pump (i.e. Fire Appliance) to within 45metres of all points within a dwelling house*". This means the furthest habitable point at first floor level. As Fire Appliances cannot access the site units 1, 2, 3, 5, 6 all fail to comply with this requirement.
- The turning area provided within the site is also inadequate. A "pinch point" has been created between the garden to unit 4 and the southernmost visitor parking bay. A Fire Appliance requires a minimum 3.7 metre width so, not only would it be impossible for a Fire Appliance to access units 5 & 6, it also invalidates the turning area for Fire Service use for units 1, 2, 3 (NB:- a turning circle of 16.8 metres for Fire Appliances and 26.0 metres for ALPs or a hammerhead is required 20 metres from the end of an access road).
- If a Fire Appliance were able to use the roadway it could not stop outside a fire in units 7 or 8 and would have to drive past. While the roadway requirement for an appliance is a minimum 3.7 metres for a vehicle to traverse the road, with the doors open to enable the crew to dismount, it is in excess of 5.7 metres. This is a physical impossibility for the access road width proposed.

- If, by some miracle, a Fire Appliance were to enter the site and turn, it is a physical impossibility for it to exit from the site, due to the constrictions outside 17, and become available for any further incident.

Wildlife

- The development is on a ditch which formerly (i.e. before it was part filled in) was a haven for aquatic wild life including newts, frogs, toads & sticklebacks. It appears that a significant number of these creatures already existed on 19 & 21 or migrated onto the land formed by 19 & 21. Anecdotally the former residents of 11 observed Great Crested Newts living at the end of their garden in 19 in 2014. This was included in the last objection to building on this land at that time. Other wildlife, including an inhabited fox's den, was also located on this site at this time. At the same time as the pre planning consultation was in progress residents of Bucksham Avenue and Chichester Road observed this habitat being cleared by ground workers presumably working for the applicants. This habitat had previously remained undisturbed for over fifty years. It is interesting to note that in the Chichester District Council (CDC) Ecology & Wildlife consultation that authority is of the opinion that a **"breach of the Wild Life & Countryside Act may have been committed"**. It is most likely that any such breach occurred at this time.
- It is also noted that CDC have raised an objection to the proposals.
- In the interests of the ecology of the area the ditch (which is part of BPNR) should be re-instated and returned to its former condition which would complement the rest of BPNR of which it is a component part and not any part of 21 (as identified in Land Registry Document – item 1) and, therefore, not suitable for any form of development on these grounds.
- The habitat recently destroyed on 19 should be returned to its former condition to enable protected, and other species, to thrive as they had previously as part of the green space separating the existing conurbation from the new site 6 development.

Re-instatement of Ditch

The re-instatement of the ditch is essential to the flood protection for the existing residents of Bucksham Avenue from surface water flooding, ground water flooding and the threat posed by the zone 3b flood risk from BPNR.

In common with previous application BE/157/11 and irrespective of ownership, occupation lawful or otherwise, effects on water courses is a significant material consideration when determining planning applications. The negative effects on the drainage ditch are overwhelming.

Housing Need

The immediately adjacent site 6 has planning permission for significantly in excess of 600 dwellings. Bersted Neighbourhood plan compliments this with, now finalized, further lesser development on land not at high risk of flooding. The proposals completely contradict the NPPF Sections 100,101,103 with regard to flooding risk and sufficient housing of this type has already been approved on site 6, in Bersted Neighbourhood Plan and in the wider proposals for the Arun District Plan.

Ownership

The drainage ditch included in the proposals is not owned or lawfully controlled by either the owner of 21 or the developers. The *Heras* fencing installed to the north of 21 is located on the **wrong side of the ditch** and falsely gives the impression that the ditch is part of 21.

The ditch was originally owned by Berkeley Homes, Berkeley House, Bay Tree Avenue, Leatherhead, Surrey at the time of planning permission being granted for site 6 and throughout the development period of the nature reserve. Berkeley Homes subsequently gave ownership of the entire nature reserve, including the ditch, to **Arun District Council** for public recreational and amenity space only, as part of the terms of the site 6 planning approval, which is currently administered, maintained and lawfully controlled by Arun Green Spaces Services on behalf of ADC. The Proposals appear to require the misappropriation of public land and property.

Section 106

As part of the original site 6 application (BE/131/07) its section 106 document was included. Section 4 of this document clearly states... "*that **no one other than those mentioned in section 4, including the chargee (ADC) has any interest in any part of the site for the purposes of section 106 of the 1990 Act...***"

Therefore any section 106 proposed for this application would be unlawful as the proposals include the drainage ditch which is part of BPNR which in turn is part of BE/131/07 and would clearly contradict this original section 106, endorsed by the relevant secretary of state at that time.

It is clear that the developers consider that to develop 19 & 21 they need to acquire the ditch which as part of BPNR is:-

1. Owned exclusively by ADC for resident recreation and amenity only
2. Forms public property not provided for individual exploitation
3. Is specifically not for any form of development
4. Comprises part of flood zone 3b which is specifically not for any form of domestic dwelling development according to the NPPF guidance

5. Would break the terms of the original site 6 planning approval in respect of developing land set aside
6. An essential, with urgent need to re-establish, flood protection measure for Bucksham Avenue as it has always historically done
7. An essential wildlife habitat that should be re-established

Over development of Bucksham Avenue

The proposals would increase the total number of properties in the road by 60%. The units are not in keeping with the built environment as 30% of the existing road is bungalows and no such dwellings have been proposed. The three existing detached houses are small "2 up, 2 down" premises. The proposed detached houses are considerably larger than the existing detached properties. The proposals are therefore, contrary to the built environment and general street scene. The proposals constitute a wholesale overdevelopment of a road that could not, in any context, safely sustain the numbers and types proposed. The proposals fail to comply with Policy GEN7 (iv) as it fails to take into account the impact on adjoining residents, both in Bucksham Avenue and Chichester Road, in terms of street safety, street parking, the amenity and living conditions of neighbouring properties, noise, disturbance and privacy.

Significant Material Considerations

The application fails to satisfy the following material considerations:-

- It does not comply with the necessary requirements of the Town & Country Planning Act.
- The proposals intend the use of land not specified as independent of 21.
- The ditch is not under the lawful control /ownership of the developer or owner of 21.
- There is a high risk of surface water or ground water flooding to the proposed units.
- The proposed units will increase the already high risk of surface water and ground water flooding to existing dwellings.
- There is a high risk of foul water flooding to the proposed units.
- The proposed units will increase the already high risk of foul water flooding to existing dwellings.
- The proposals fail to address the zone 3b and zone 2 flooding risk to the units.
- The proposals do not comply with NPPF guidance sections 100,101,103.

- The proposals fail to comply with Policy GEN7 for noise and disturbance by vehicle movement for 10, 11, 12,14,15,17 Bucksham Avenue.
- The proposals are unsafe for vehicle users, pedestrians and cyclists and do not comply with NPPF or Policy GEN7 for the safety of residents of immediately adjoining properties.
- The proposals represent a significant safety risk to any persons entering the site either in a vehicle or on foot.
- The noise, disturbance and invasion of privacy to bungalow 426 Chichester Road does not comply with Policy GEN7.
- The proposed parking provision is inadequate.
- Fire Service access is non-compliant with national guidance and inadequate.
- Site clearance may have breached the Wildlife & Countryside Act (CDC).
- The ditch is essential flood protection for Bucksham Avenue from Surface Water, Ground Water flooding and also from zone 3b flood risk from BPNR.
- As with BE/157/11, effects on water courses are a significant material consideration.
- The proposals do not comply with Bersted Neighbourhood Plan.
- There is no legitimate need for this form of housing in Bersted as there is already sufficient provision, now and in the foreseeable future.
- The drainage ditch is public property.
- The section 106 is unlawful as it directly contradicts the section 106 under BE/131/07.
- The proposed units are not in keeping with the character and type of existing properties in Bucksham Avenue.
- The proposals do not comply with Arun District Council Policy for housing provision, flooding risk to properties (existing or new) or preservation of green spaces.
- Proposals do not comply with Policy GEN7(iv) as they fail to take into account the impact on adjoining residents in terms of complimenting the street scene, street safety, street parking, the amenity and living conditions of neighbouring properties, noise, disturbance and privacy.

Conclusion

I would ask that where the proposals for the development of 21, the drainage ditch forming part of BPNR (and not any part of 21), and any aspect of 19, are rejected for the reasons stated above.

I would also ask that ADC and West Sussex County Council work in partnership with any other necessary authorities to return the drainage ditch to its original condition to perform the necessary role as surface water and ground water overflow/flood drainage,

flood protection from BPNR and restoration of the necessary environment for protected species, ecology, wildlife and the like ,before it was inappropriately destroyed, in its original form.

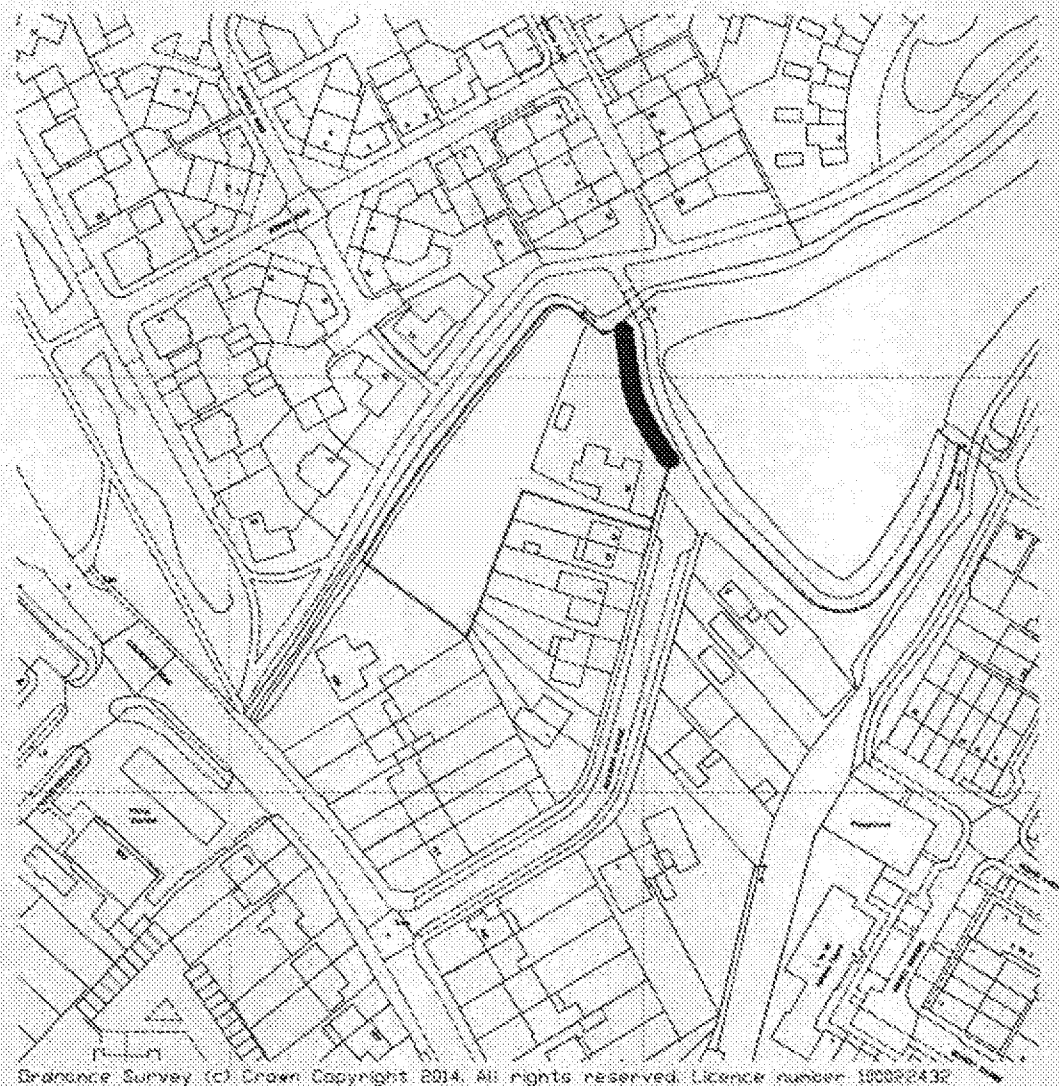
I would also ask that, where necessary, proper formal consultation and lawful notice is served with the true owners of the ditch and on the owner(s) of 19.

Mr K Brown.



Appendices

1. Land Registry Document
2. Proposers site plan - annotated
3. Photograph of 2012 flooding at entrance to Bucksham Avenue
4. Photograph of flood precautions to 4 Bucksham Avenue winter 2013/14
5. WSCC/National Flood Forum correspondence
6. Drainage Engineer correspondence
7. Environment Agency flood risk map
8. Bognor Regis Observer Environment Agency Plan/Article identifying area as 1 in 30 flood risk
9. Land affected by flood zone 3b & 2
10. Photographs 1-6 showing typical weekend congestion at entrance to proposed development, line of sight issues for approaching vehicles and zero "visibility splay" for vehicles emerging from the proposed site to see vehicles and/or pedestrians/disability scooters/ children etc.

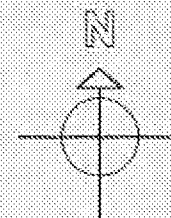


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SITE LOCATION PLAN **(1:1250)**

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N219



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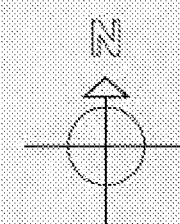
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Project:			
Proposed Residential Development at Buckham Avenue Bogside Regis West Sussex			
Task:			
Site Location Plan			
Client:			
Shipland City Developments Ltd			
Scale:			
1:1250 (A4)			
Date:			
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SITE LOCATION PLAN (1:1250)



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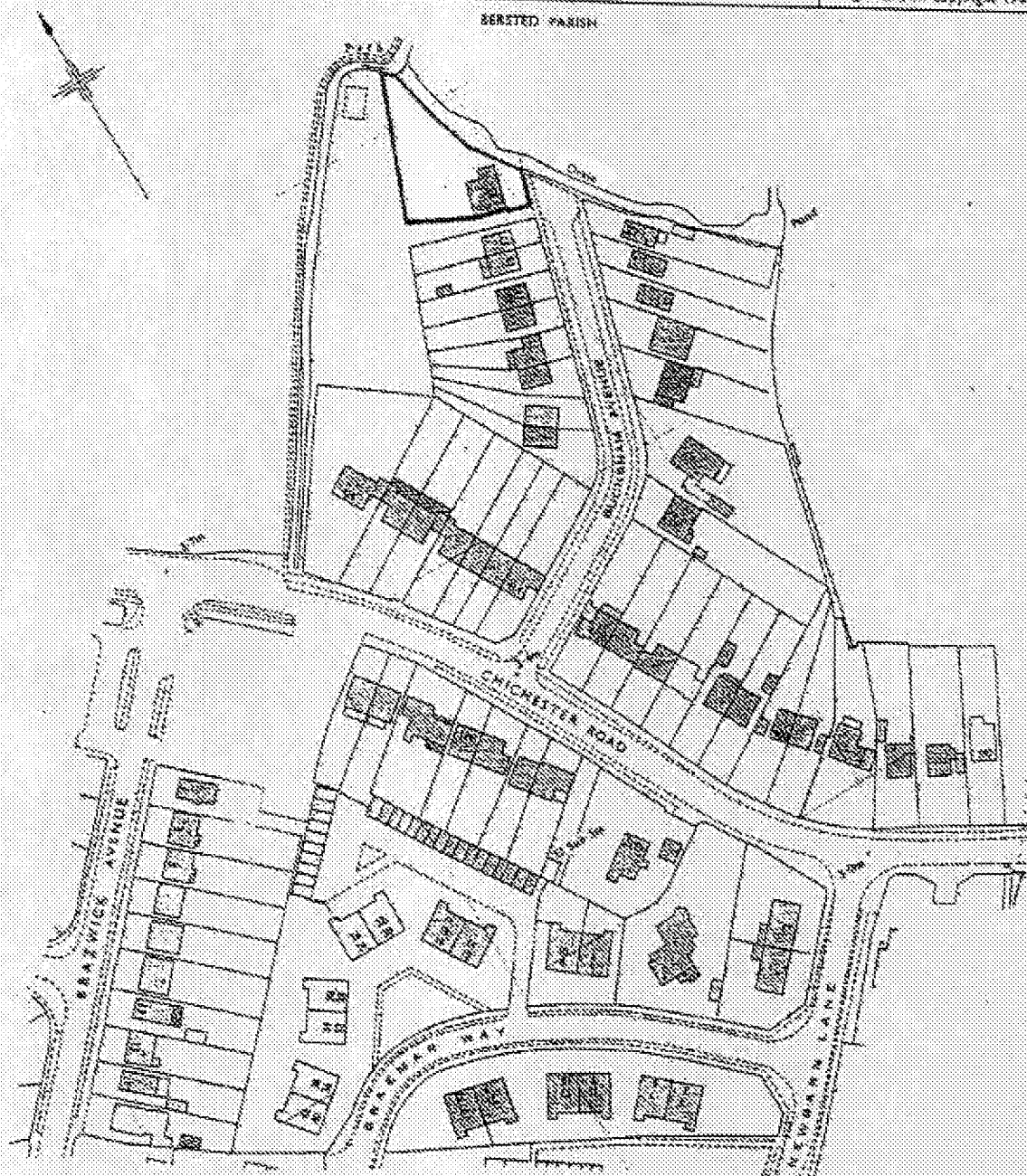
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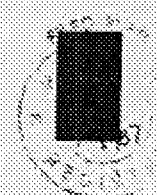
The Bury, Close Mount Bury Park, Close Lane,
Chesham, Bucks HP8 4JH, UK
Tel: 01494 444444
Email: info@vividstudios.co.uk
Website: www.vividstudios.co.uk

Project:			
Proposed Residential Development 21 Stockham Avenue Bognor Regis West Sussex			
Title:			
Site Location Plan			
Client:			
Shepherd City Developments Ltd			
Date:			
1:1250 (8/8/14)			
Author:			
PJD			
Date:			
18/08/14			
Scale:			
1:1250			
Sheet:			
03			

H.M. LAND REGISTRY		TITLE NUMBER WSX101976	
ORDNANCE SURVEY PLAN REFERENCE	SU9101	SECTION A	Scale 1/1250
COUNTY WEST SUSSEX	DISTRICT ARUN	© Crown copyright 1980	



□ No 21



Call for immediate action to prevent a repeat



Reader Tracey Taylor took this photo in North Bersted

Public money has to be spent on long-term solutions to stop the Bognor Regis area from flooding.

The town's chamber of commerce has called on agencies such as the government's Department for Environment, Food and Rural Affairs, which is in charge of flood policy, the Highways Agency, West Sussex, Arun and Bognor councils and Southern Water to take immediate action to act to solve the problems which led to the flooding.

Chamber president and chairman Nick Stuart-Nicolson said: "There is no point in regenerating Bognor if we are regularly marooned.

"The fact Bognor received overwhelming media coverage is nothing to be proud of.

"It only emphasised the deplorable state of our local road network and infrastructure.

"We are adamant in demanding immediate action.

"The massive scale of human distress and suffering should not be underestimated, and is still being realised. There are many stories of people being caught up in this catastrophe.

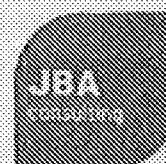
"Businesses and private homes were flooded and the cost to businesses in not being able to receive deliveries or to make simple local deliveries is incalculable.

"The chamber believes this event was not necessarily a once in a lifetime experience and urges the town to be prepared for similar deluges in the future."

He claimed the situation had been worsened by recent planning permissions. The route of the relief road being allowed through a 'well-documented and notorious' flood plain was just one example, he stated.

BOGNOR REARS OBSERVER 21/6/12, PHOTO TAKEN 13/6/12





Dear Resident,

West Sussex County Council submitted a successful bid to the Department of the Environment Fisheries and Rural Affairs (Defra) for grant funding of Property Level Protection (PLP) measures in three locations across West Sussex.

One of those areas is Bersted, and in consultation with Bersted Flood Action Group your road has been identified as a location which may have had properties which experienced internal flooding. If you have suffered from internal flooding (within the property itself) then you may be eligible for inclusion in the initial (no obligation) free detailed property assessment to identify the types of Property Level Protection products most suited to protect your property from flooding.

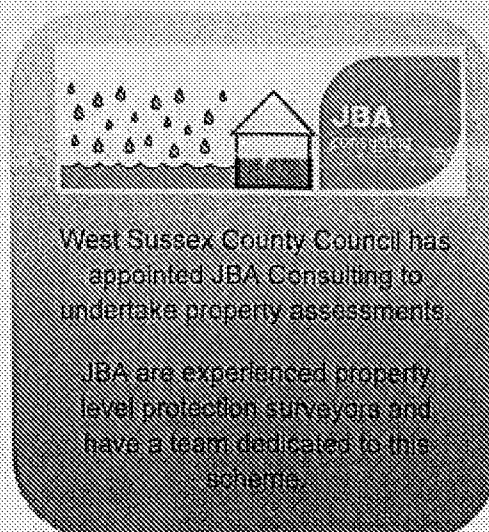
A Bersted Flood Group Open Afternoon has been arranged at the Holy Cross Church, Chichester Road, North Bersted, PO21 5AU on Saturday 11th January 2014 between 11am and 3pm to give you details of the grant scheme and to answer your questions. You are therefore invited to this and I look forward to your attendance.

West Sussex County Council have appointed JBA Consulting to undertake the property assessments and they will also be in attendance at the Open Afternoon, along with the National Flood Forum who'll have a range of PLP products for you to look at.

If you have any difficulties attending please telephone me on 0330 2226428 (there is an answerphone so messages can be left at the weekend or in the evenings).

Your Property Assessment

- JBA Consulting will assess the routes by which flood water could enter your property, as well as property type and condition.
- They will produce a report of their findings, including recommendations for suitable flood protection products for your property.
- The survey should take no more than 90 minutes to complete.
- Entry into your property will be required and JBA will need you to be present.



From: Thomas Callaway
Sent: 15 November 2013 10:27
To: Planning.Responses
Subject: RE: Planning Consultation on: BE/78/13/

Engineers comments in respect to surface water drainage:

The applicant states that surface water will be discharged to soakaway.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests and design must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also enclosed for information.

Please apply standard conditions ENGD2A, ENGD5A and ENGD6A.

Please note that this area is susceptible to foul water flooding. The site also borders an area of flood zone and an area managed by the EA as IDB.

Regards

Tom Callaway

Thomas Callaway | Drainage & Coastal Engineer, Engineering Services, Arun District Council | Location: Second Floor, Arun Civic Centre,
Makravers Road, Littlehampton, BN17 5LF
Internal: 37818 | External: +44 (0) 1903 737818 | Fax: +44 (0) 1903 716019 | E-mail: Thomas.Callaway@arun.gov.uk
Arun is Working in Partnership with Chichester District Council



Enter a postcode or place name:

Other topics for this area...

Flood Map for Planning (Rivers and Sea)

Bognor Regis, West Sussex

Flood Map for Planning (Rivers and Sea)

Map legend

Click on the map to see what Flood Zone (National Planning Policy Guidance definitions) the proposed development is in.

☒ Flood Map for Planning (Rivers and Sea)

Flood Zone 3

Flood Zone 2

Flood defences (Not all may be shown*)

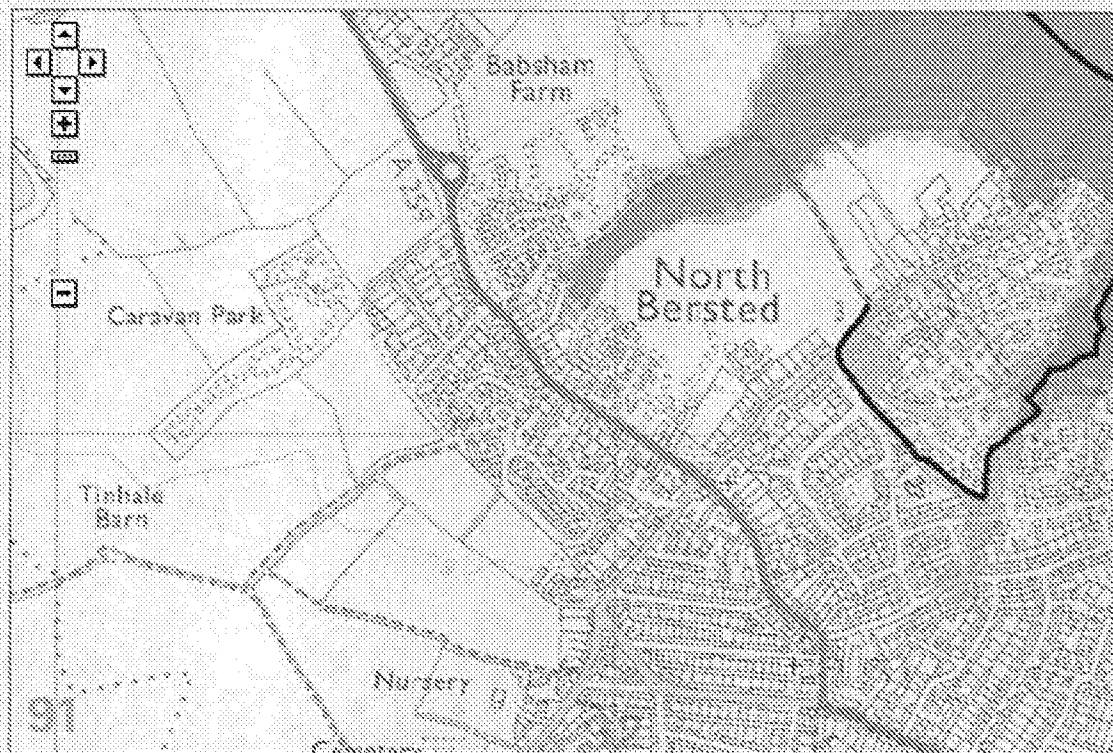
Areas benefiting from flood defences (Not all may be shown*)

Main rivers

X: 491,913;Y: 101,087 at scale 1:10,000

Data search

Text only version



Customers in Wales - From 1 April 2013 Natural Resources Wales (NRW) has taken over the responsibilities of the Environment Agency in Wales.
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 Contains Royal Mail data © Royal Mail copyright and database right 2014.
 This service is designed to inform members of the public, in line with our terms and conditions. For business or commercial use, please contact us.

More about flooding:

Understanding the Flood Map for Planning (Rivers and Sea)

A more detailed explanation to help you understand the flood map shown above.

Current flood warnings

We provide flood warnings online 24 hours a day. Find out the current flood warning status in your local area.

* **Legend Information:** Flood defences and the areas benefiting from them are gradually being added through updates. Please contact your local environment agency office for further details.

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Author: The Environment Agency | enquiries@environment-agency.gov.uk
 Last updated: 26th February 2014

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Flooding risk is made crystal clear by maps

By KEVIN SMITH
k.smith@bognor.co.uk
Twitter: @kgbognor

NEW maps reveal the extent of the flooding risk around Bognor Regis.

The updated information from the Environment Agency confirms hundreds of properties are in the high risk zone.

This is defined as having a 1-in-30 chance of being flooded by surface water. The worst affected areas are those along the Aldingbourne Rife and Lidsay Rife as they make their way to the sea at Felpham.

Shripney and parts of North Bersted are at the highest risk, while the areas of medium risk take in more of North Bersted.

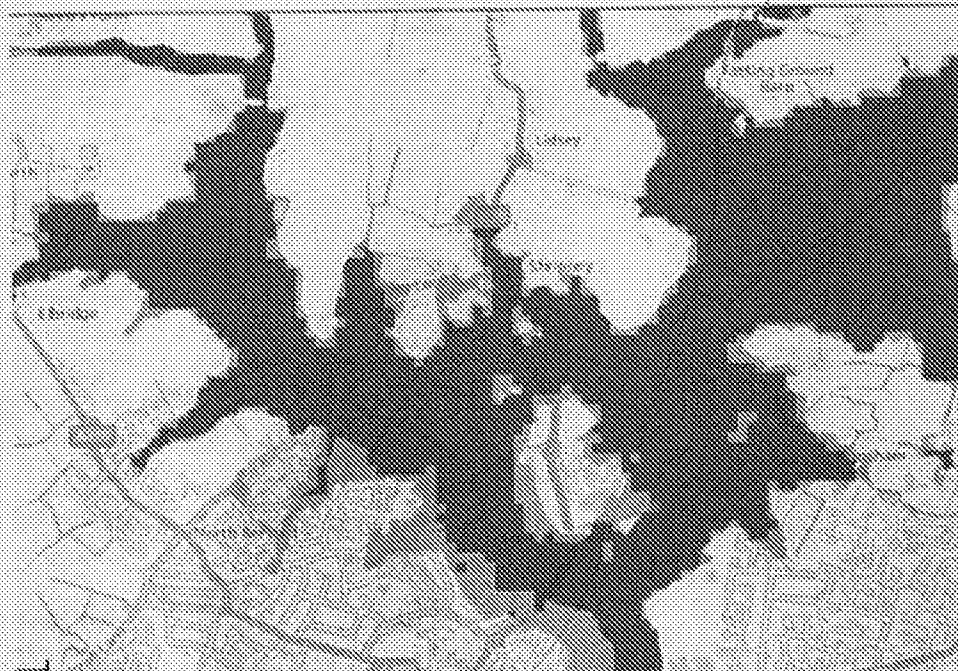
Both the railway line and the A29 between Orchard Way and Rowan Way are in the area of highest concern, as well as a lot of out-of-town shopping areas.

The coastal strip across the town's southern edge is also included.

Rife Way resident Graham Matthews said: "The risk of flooding is not of great concern to me at the moment."

"But what does concern me is the move to put water from the north in the rife quicker."

"If that happens, the pumps at the outfall will have to be upgraded with a bigger



This map courtesy of the Environment Agency shows the flooding risk in the area

capacity. If the Six Villages housing goes ahead, that flow of water in the rife has to be controlled."

The maps were issued by the Environment Agency last week. Chief executive Dr Paul Leinster said: "We have used cutting-edge technology to map areas at risk of surface water flooding in England."

"With one in six homes in England at risk of flooding,

we urge people to check if they are at risk, and sign up to the free river and coastal flood warnings, by visiting the Environment Agency website."

The new maps are also intended to help West Sussex County Council to continue its work as the lead flood authority to manage surface water flood risk.

The council has begun to tackle flooding through its

Operation Watershed work.

Friends of the Earth climate campaigner Guy Shrubsole said more needed to be done. "Millions of homes across the UK are under threat from surface water flooding."

"MPs must take action by insisting the government fixes its flawed insurance scheme, invests properly in flood defences and does more to cut carbon emissions."

Pram race fun will take place again in Pagham

ORGANISERS of the world's oldest pram race are to get national publicity for this year's race in Pagham on Boxing Day.

Welsh comedian Rhod Gilbert has interviewed organising committee chairman Tim Holland for his Radio 2 show to go out that afternoon.

The show will focus on Boxing Day eccentricities.

By then, dozens of teams will have raced three miles around Pagham in fancy dress with prams.

They will start at Nyetimber Mill, in Pagham

Road, at 11am and end at The Lamb, further south on Pagham Road.

Along the way, they will sink pints at The Bear, The Lamb and the King's Beach Hotel as the racers have done every year since 1946.

Mr Holland said: "The pram race is timeless. The concept is simple. People get hold of a pram and then just turn up and go."

"The atmosphere is brilliant with all the spectators and competitors."

"We raised just short of £6,000 for local charities last year, which is amazing."

Call to plant trees now

TREE expert Richard Akkerman is urging Bognor Regis residents to plant trees or hedging before the cold weather arrives.

Richard has developed the tree nursery at Aldingbourne Country Centre for the past few years, using the experience he has gained in

England and Spain as well as his native Holland.

He believes the micro-climate around Aldingbourne is ideal for growing young trees. Native species like silver birch and rowan are ready for planting.

Richard and his team work with landscape gardeners.

