



15 Den Avenue
Bognor Regis
West Sussex
PO21 1HE
30th July 2015

Ref: Planning Application BE/60/15/PL

To be discussed at the Development Control Committee Meeting 26th August 2015

Dear Councillor

The planning application above, that you are to consider at the DCC Meeting of 26th August is for the development of two small pieces of land at the end of Bucksham Avenue, North Bersted. The properties, until very recently, were referred to as Numbers 19 and 21 Bucksham Avenue and a series of owners/developers have applied for planning permission in various guises over a number of years which has not been approved. I am hoping to be able to speak against the application again at the committee meeting. There are a number of reasons why this application should be refused again which are detailed in my husband, Kevin Brown's most recent letter of objection of 27th May 2015. The appendices particularly will provide councillors with a great deal of relevant detail and background.

The **key points** I would like you to consider are as follows:

- The planning application provides a **false description of the land to be developed** in that the application describes as being for 21 Bucksham Avenue when in fact it is for 19 and 21 Bucksham Avenue and the drainage ditch of Site 6.
- The **drainage ditch** is a key issue as it was ceded to ADC as part of the site 6 application BE/131/07 approved by the then Secretary of State as part of the Bersted Park Nature Reserve (BPNR) and is only available for public recreation and amenity.
- **Section 106** – contained in Section 4 of BE/131/07 “...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 1990 Act..”
- The ditch has already been designated as having a **high flooding risk** as it forms part of BPNR which is in itself in Flood Zone 3b where dwelling houses “more vulnerable” are not permitted to be built on according to NPPF national guidance.
- 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. Building on this ditch has, therefore, already been rejected by ADC in BE/157/11.**
- **Multiple flood risks** – Bucksham Avenue has experienced severe flooding conditions since 2012 from surface water flooding from the A259 and foul water flooding resulting in a number of properties being flooded and WSCC sending correspondence in December 2013 that they were of the opinion that the road is a high-level surface water/ground water flood risk.
- **Fire Service Access.** The WSCC consultation raising no objection is flawed as access to the site contradicts national guidance and it is a physical impossibility for a fire appliance to enter the site or reach the furthest point of the furthest building in 45 metres.
- **Policy GEN7.** The noise, disturbance, threat to safety in and around the access point is unacceptable as is the proximity of the southern-most proposed properties overlooking the bungalow forming 426 Chichester Road.
- **NPPF** – the sight lines for the access do not comply with NPPF guidance for “**visual splay**” and is dangerous.
- Vehicles exiting the site present a **clear and present danger** to any vehicle trying to leave the driveway of 17 and also to the young family at number 17 and to pedestrians, cyclist and dog-walkers accessing the pedestrian walkway from Site 6
- Contrary to NB – other sites have been allocated under the Neighbourhood Plan and this one has not.

I would ask you when considering this application that you particularly consider the points I have made, the considerable number of objections from local people and North Bersted Parish Council and the **detailed appendices** to the letter from Kevin Brown of 27th May and reject the application.

Yours sincerely

Susan M. Halson-Brown

