



15 Den Avenue

Bognor Regis

West Sussex

PO21 1HE

20th September 2015

Planning Application BE/60/15/PL

Dear Mr Davis,

In the light of the significant alterations and amendments regarding this application since 1st August 2015 please accept the as a further objection to the proposals in addition to my original objection of 27th May 2015.

The Town & Country Planning Act

The application continues to intentionally mis-represent the land concerned. It is not solely 21 but continues to be 19, 21 and the drainage ditch owned by ADC. The written assurance given to you by the agent regarding the drainage ditch is wholly false and misleading. I have included for your inspection a copy of the latest block plan and the land registry plan for 21 suitably annotated. I include a photograph taken on 17th September clearly showing the Heras fencing and warning signage still enclosing the ditch and stating that the site is private land.

Additionally the genuine plot 21 only comprises approximately 35% of the entire proposals which means it is a minor component of the whole scheme.

The proposals continue to compromise the legal and binding agreement ADC has made under section 4 of BE/131/07.

The proposals also represent a contradiction to the previous planning refusal given under BE/157/11 where development of the ditch was refused by the planning department as the effects on water courses form a material consideration.

The proposals continue to attempt to develop flood zone 3b land (i.e. the drainage ditch) which is specifically not permitted under national NPPF guidance.

Fire Service Access

The access remains inadequate. It is unfortunate that in the last consultation with WSCC the "technician" failed to identify the failure of the access at the entry point to the site.

The application fails to comply with Approved Document B – B5 paragraphs 11.2, 11.4 & table 8. This requires a minimum 90 degree turning radius of 8.4 metres. The radius outside 17 is less than 4.0 metres (see block plan). It remains a physical impossibility for a Fire Appliance to enter the site. In such circumstances, according to 11.2, the appliance must be within 45 metres of the furthest part of the furthest building. This means the furthest part of the south west first floor of plo3. In direct travel this is 50 metres. In actual travel this is 55 metres. The proposals fail to comply with the national guidance.

I would suggest that, if in doubt, you may wish to consider liaising with West Sussex Fire & Rescue Service, as both authorities are part of the Safer Arun Partnership, to arrange the attendance of a Fire Appliance from Bognor Regis Fire Station (1 mile away) where the impossibility of access for the Fire Service will be self – evident.

Ecological Assessment

The assessment is inadequate as it has not given full consideration to all of the ecological material considerations with the site survey and desk top analysis not considering all the material facts:-

- It failed to identify the ADC drainage ditch enclosed within the proposed site or the need to re-establish it for essential wildlife purposes. The ditches and boundaries on the other three sides were commented upon but this was noticeably absent.
- It fails to recognise the ditch as a necessary flood protection measure for the land based ecology normally occupying 19 & 21.
- It fails to recognise the ditch as flood zone 3b
- The assessment fails to identify that ADCs drainage ditch is a component part of Bersted Park Nature Reserve. An astonishing omission.
- It failed to identify the loss of the existing habitat on numbers 19 & 21. The CDC consultation noted that “a breach of the Wild Life & Countryside Act may have been committed.” Residents of Bucksham Avenue and Chichester Road noted contractors working for the applicants removing the wildlife habitat prior to the application and before any consideration of a safe evacuation was considered. The evidence for this recent activity was clearly noted by CDC but not by the advisor to the applicants.”

It is clear that the ecological assessment is flawed and not fit for purpose.

Policy GEN7

In respect of the amended proposals the following points significantly contradict this Policy

- There is inadequate visitor parking, the previous 3 spaces have been reduced to 1 for 8houses (This contradicts the minimum parking requirement at the original pre-planning consultations and meetings of 2014/15).
- There continues to be no pedestrian path into the site, which, with plots 7 & 8 now discharging cars directly onto the access road significantly increases the danger to both pedestrians and vehicles. This has previously been objected to by Bersted Parish Council in the original layout.

(This contradicts the safety considerations given to this access road at the original pre-planning consultations and meetings of 2014/15).

- There is unacceptable noise and disturbance to 15 & 17 by the changed vehicle parking and manoeuvring to plots 7 & 8.
- With little or no visitor parking it is inevitable that vehicles will park on the access road causing noise, disturbance to adjacent existing and proposed properties, and causing a significant increase in vehicular and pedestrian safety issues.
- The first floor windows comprising bedroom3, landing and bathroom of plot 8 overlook existing numbers 15 & 17. These properties are occupied by the vulnerable elderly and a young family. The windows are unneighbourly, directly compromise the privacy of these residents and would form an unsatisfactory backland development which would harm the privacy and quiet enjoyment of these neighbouring properties.
- Unless the applicants can use the ADC drainage ditch (which forms part of Bersted Park Nature Reserve) adjacent to plots 6, 7, 8 then the garden to each of these plots provides insufficient garden space and private amenity for any occupants of those plots.
- The applicants also seek to use part of the drainage ditch to build the garages to plots 7& 8. Without those garages there is insufficient provision of parking to plots 7& 8 in contravention of the national guidance and putting increased pressure on the access road.
- The ADC ditch forms part of flood zone 3b which, according to NPPF guidance, prohibits any form of domestic dwelling on that land.

I would ask you to give full and meaningful evaluation of the points above, which form significant material considerations, along with those contained in my objection of 27th May last, which clearly identify the proposals as flawed and failing to comply with national guidance and Arun District Council policy.

Yours sincerely

Kevin P. Brown

