

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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**From:** John and Sally Searancke [REDACTED]  
**Sent:** 21 June 2021 13:07  
**To:** Planning <[Planning@arun.gov.uk](mailto:Planning@arun.gov.uk)>  
**Subject:** BN/150/20/PL

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6 Chantry Mead  
Downview Road  
Barnham  
West Sussex  
PO22 0DE

21 June 2021

Arun District Council  
Planning Department  
Maltravers Road

Littlehampton  
BN17 5LF  
**For the attention of Ms M Tomalova.**

Dear Ms Tomalova

**BN/150/20/PL**

**Why has what amounts to a new planning application been allowed without the statutory requirement of notifying local homeowners who will be affected and relevant notices published? Why should we have to go online on a daily basis to seek to protect our interests from rapacious developers? Surely ADC bear responsibility for acting on an even-handed basis?**

We therefore write to you once again to list our objections in respect of the above planning Application. We make no apology for including, once again, our previous comments to the original proposal, because nothing has changed other than there is to be 1 less dwelling. I also note that the largest of the proposed dwellings has now been reduced in size, but this does not materially affect the premise that there should not be permission given at all in the first place.

This is a speculative application, entirely unwanted by the local community either in Chantry Mead or Downview Road, both of the residents of which would be sorely affected. Why it should be even considered, other than for pecuniary gain, is a mystery.

We purchased 6 Chantry Mead some 3 years ago for quiet enjoyment in our retirement. We are to be beset on the one side by the new A29 extension and some 400/500 houses in close proximity and up to 4000 locally, thus ruining our views, and now on the other side by this current proposal for unwarranted infilling and garden grabbing, to the approval of absolutely nobody in this area.

In addition to the above, we offer the following points, not categorized by particular order:

### **1. Privacy.**

As the owners of No 6 Chantry Mead, we would have our existing privacy destroyed, because the proposed access road is planned to be sited directly in front of our lounge window. Headlights at night will shine directly into our windows and those of our neighbours, and the new built properties will overlook our front garden and private terrace and rear garden. Similarly, the proximity of the proposed houses will dwarf the adjacent bungalows in Downview Road (and easily seen from the roadway) and their current view of trees and orchard. Here in Chantry Mead, we will lose completely our current green outlook to mature trees and shrubs.

### **2. Proximity.**

Note that in the Arun Design Guide (<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n16202.pdf&ver=16725>) you will be aware that the front to front distances of the new properties to existing are too far within the acceptable tolerances. This is a clear case for dismissing this proposal.

### **3. Access.**

The proposed access is in completely the wrong place other than for the convenience of the developer. There is a more suitable option. This is to create the access some 25 yards in beyond the entrance to Chantry Mead, thus offering little or no disturbance to our quiet Chantry Mead community. The developers have already indicated that, if approved, they would use access some 25 yards in from the entrance to Chantry Mead. So why do they need to seek to destroy our privacy by putting in an access directly opposite to our property? It makes no sense, and any competent architect should be able to re-jig the plan to offer consideration to existing homeowners.

To add to confusion, the roadway and communal areas have been retained in ownership by Bargate Homes Ltd., although there is a requirement for Chantry mead home owners to maintain it. The roadway and SUDS system is subject to Condition 9 on EG/15/07 for lifetime maintenance. Such requirement should be attached in case of approval for this current Application.

#### 4. Density/Character and Appearance of Local Area.

Such a proposal will create not only unwarranted and unwanted increase of density of properties here, but will create a precedent for other opportunists to jump on a similar bandwagon. Downview Road displays a particular level of density and indeed of character, which would be for ever destroyed. Local estate agents are on record as stating that this is “**a very desirable area**” and, according to ADC, the area is designated as an “**Area of Special Character**”.

Previous appeals to build on back gardens have always been rejected (for example EG/108/17/OUT) because the planners decided that the established character and appearance of the local area would be damaged. Any new 2 storey properties built here will impact the established street scene in Downview Road, since they will be clearly visible from the road on both sides. There are no examples of houses being built in back gardens in this area whatsoever. To do so now would create a very dangerous precedent.

#### 5. Garden Grabbing.

We had presumed that the so-called system of “garden grabbing” was strongly disapproved of by the Council. This now is a perfect example, since it requires land to be purchased from a considerable number of existing properties. Just because an individual property has historically a lengthy garden, as do most around this proposal, it does not mean that they should be built upon, despite the coinage offer to succumb.

#### 6. Precedent

There is no precedent for the above in this area, but, on the contrary, there is the opposite. A nearby property at 10 Downview Road had their appeal to build on the end of their garden overturned. Such a precedent should be applied equally and fairly across the board, to cover all such similar properties in Downview Road.

In APP/3810/A/07/2059083 and APP/3810A/11/2152609 relating to Chantry Mead and Murrell Gardens development respectively, key to planning approval was “**separation between dwellings and property adjoining site to avoid loss of privacy and visual intrusion**” together with “**would limit views of Chantry Mead from Downview Road**”. We would assume that you would wish to maintain the integrity of your previous decisions in respect of this current Application.

#### 7. Flooding Risk/Surface Water Management.

The water table will change with 3 more properties being built in such a confined area, particularly so because this area is subject already to flooding. Neighbours have photographic evidence of flooding of their properties, to the extent that one frontager carries out mechanical water table measurements within the bounds of their property. Those that know more about the area advise that the Barnham Rife will likewise prompt infiltration problems in severe weather. One garden in Downview Road already is subject to severe flooding, and we are reliably informed that there is an underground river/stream that runs from Chantry Mead under the garden of 22 Downview Road.

The proposed new properties are already “named” as part of Chantry Mead. They will have to use our surface drainage, SUDS, and more. Who will make them pay to contribute?

The original proposal for Chantry Mead included soakaways but this was rejected by the Environment Agency on the grounds that the locale could not provide the required 1 metre of unsaturated ground beneath infiltration units during wet winters. Since that time, some 10 years ago, best advice is that winters will become wetter. Why can this proposal be allowed therefore with small independent soakaways?

#### 8. Trees.

There are a considerable number of mature trees within the area covered by this planning proposal. One may reasonably assume that the great majority were planted for a reason by homeowners, rather than random growth being allowed over the years. Some of these trees, as we can see from our property, are at least 30 feet high. It would be vandalism to allow them to be destroyed, as has one already. This is an area of Special Character and the loss of this garden area/wooded space will severely impact on flora/fauna/local environment.

#### 9. The Mature Black Beech.

The entire local area was dominated, until recently, by a towering mature black beech, beloved of all that saw it, as a prime specimen of its species, and situated within the garden of one of these properties subject to this planning

Application. So, who gave approval for it to be cut down in the night by a band of villains, tearing uninvited through a Chantry Mead hedge to gain access? Have the perpetrators been prosecuted? If not, why not?

#### **10. Visitor Parking.**

Chantry Mead was built by Bargate Homes Ltd (current owners of the land subject to this proposal, ownership of said land to be transferred, we understand, post planning approval to Stonehurst Properties) without sufficient visitor parking – one only allocated bay, and that for 11 properties! There is nothing sufficient provided in the Application for visitor parking for these 3 new properties. What there is, is totally insufficient for car owning families of today.

#### **11. Highway safety/dangers.**

Chantry Mead has no pavements, nor street lighting. We now have more children visiting/living here. Three more properties would greatly enhance risk for children and adults, particularly so because the current new access is proposed adjacent to a blind bend. My suggestion of re-jigging the proposal to ensure that the access is some 25 yards in from the entrance (see item 3 above) would go a long way to overcome the problem. More houses in Chantry Mead means more cars and more pedestrians using a narrow roadway with inadequate safety. There is no provision for adequate disabled access to Chantry Mead, a situation that should be brought within the compass of this Application.

The plan shows provision of hedges to the new properties to front on to Chantry Mead. **There are no hedges allowed on Chantry Mead or Murrell Gardens.** Should hedges be inserted, they would create blind spots for pedestrians on an already dangerous roadway which has no pavement.

#### **12. Traffic.**

Three more properties will need to access their homes via usage of Downview Road and then existing Chantry Mead. There is no suggestion as to how this will be addressed, whether from extra vehicles or wear and tear on the highway surfaces. Both roads are unadopted, leaving existing residents to pick up their costs. Will you make it a requirement for any development to integrate and contribute? Will you adopt these roadways?

#### **13. Covenant.**

We are reliably informed through a solicitor letter to one of our neighbours that there is a “no building” covenant applicable to the majority of the land in question. The extract reads **“Clear covenant that the land immediately behind 18 Downview Road is not to be used for any purpose other than garden ground”**. This comprises land behind 16, 17 and 18 Downview Road. This covenant was acknowledged and honoured by Bargate Homes Ltd when they submitted plans and built Chantry Mead only some 10 years ago. We would assume that the Council would wish to uphold such covenants freely entered into by successors in title. If not, future covenants are all in peril, and this is not a precedent that ADC should set.

#### **14. Contributions to upkeep/costs.**

No detail is provided as to whether this Application will seek to align itself to either Chantry Mead or Downview Road, in terms of costs of road repairs, linkage of sewerage systems, drainage of surface water (talk of soakaways is spurious here, and was rejected by ADC in respect of Chantry Mead) and annual maintenance charges. Have these matters been thought through by the proposers? Neither they nor Bargate have done any of us the basic courtesy of including us in their thoughts.

#### **15. Green space.**

We believe that the removal of some of our green space/amenity area in Chantry Mead will leave us outside the bare minimum that planning laws dictate. We are advised that the creation of 3 extra properties will leave Chantry Mead with over 100 square metres short of the ADC 2000 SPD requirement for particular space to be maintained/required.

#### **16. Damage to roadways.**

The tarmac roadway of Downview Road, and the block roadway of Chantry Mead were not built to withstand the wear and tear of heavy builder’s lorries. These 2 roads are unadopted and residents should not have to foot the bill for repairs and future maintenance.

## **17. Notices.**

Planning notices for the original Application were not erected locally nor householders informed until this was “discovered” and complaints were registered to ADC. Similarly, the plan was nodded through by the local Parish Council with no objection, even though a representative of the developer was invited to the planning meeting! No offer was made to representatives of either Chantry Mead, Downview Road, or Murrell Gardens. This is hardly even-handed action by the Council who are meant to consider our interests.

As regards this current Application, yet again there have been, to date, no notices put up to advise local householders of the imminent infringement of their rights.

May we close our list of objections by re-iterating once again that this speculative money-making venture is neither wanted nor needed in our existing residential community. I believe that we, and many others, have demonstrated ample grounds for objection to this Application, and for it to be rejected in entirety by your/our Council.

Yours sincerely

John & Sally Searancke