

BIRCHWOOD HOUSE
CHURCH LANE
BARNHAM
WEST SUSSEX
PO22 0DB

Mr J Baeza
Arun District Council

By Hand

2nd May 2013

Dear Mr Baeza,

Re : Cottage Piggeries, Church Lane, Barnham

I refer to the proposal to be put forward by Mr Albert Brazil regarding the above property.

The land known as Cottage Piggeries abuts Birchwood House (owned by my disabled daughter and where my family reside). For many years the land was kept in a poor state of repair, covered with derelict outbuildings and overgrown with scrub. An application dated December 2004 to build two houses was refused and such refusal confirmed at appeal in 2005. Reasons included "would be unneighbourly and adversely affect the privacy and quiet enjoyment of neighbouring properties". At appeal the adjudicator spoke of the development having visual detriment across my daughter's land, and among other comments raised the suggestion that the land could be returned to agriculture or forestry use.

By application dated September 2011 Mr Brazil requested permission to continue the use of a static caravan that he had sited on the land, and fronting onto the rife, for residential use for himself and his family. Within the application were the statements "a home for my myself/wife and young son" "we want to settle and raise our children in a community and go to schools etc" and again "we want our children to go into local playschools and schools and grow up in a community and have a settled way of life, something we unfortunately never had, and never had the opportunity to have, but hopefully our children will". This application was successful.

Mr Brazil now proposes that he be given permission to resite away from the rife and further up his land towards Church Lane. He further wishes to remove his static caravan from the site entirely and build a bungalow of brick construction in it's place. Reasons for this include space for his growing family and the unhealthy conditions which exist by the rife, evident in particular during periods of sustained rainfall and bringing about a foul stench, soggy ground underfoot, and flying insect infestation.

The original 2011 application, whilst supported by evidence of the Gypsy background of the applicant and his wife, was for sole permission to continue to reside on the land in the manner stated above (we want to settle and raise our children in a community and go to schools etc). By granting permission on 29th February 2012 ADC went beyond this and imposed conditions that created a Gypsy and Traveller site in accordance with Circular 01/2006. This condition was not within Mr Brazil's application and by imposing it in such fashion local residents and other interested parties were excluded from making any representations upon it.

The applicant and his family wish to continue living on this land but have a need for extra space and more permanence. The construction of a single storey residence, in a position agreed by consultation and subject to normal building regulations, would not have the visual detriment mentioned in the 2005 appeal, the removal of the static caravan would go some way appearance wise towards returning the land at that point to agriculture or forestry use as also suggested, and would remove the adverse affect on the privacy of the neighbouring properties that the current siting produces (planning refusal 2005). The removal of the conditions imposed and the granting of the change would further the stated attempt of the applicant and his family to progress and integrate within the local community, and thus would accord with his rights under Articles 8 (respect for family life, home and correspondence) and 2 (education) HR Act 1988.

As Deputy for Property and Affairs (Court of Protection Order 2009) for my daughter I support the proposal as outlined above.

Yours sincerely,

A large black rectangular box redacting the signature of Tristan Thwaites.

Tristan Thwaites.