

Ian
Francis

BN17 5GG

Your Ref: OWPC18885
Our Ref: CM/12/18/PL 10-04-2018
Please ask for:
Mrs A Gardner

15th June 2018

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

The regularisation of operating hours to 24hrs a day commencing 6am Monday to 6pm Saturday with no Sunday operation at Units J1, J2 & Z; new extension covering the existing courtyard area & new acoustic metal cladding to southern facade of existing workshop at Unit J1 & J2; new demountable wall adjacent to existing fence surrounding the guillotine enclosure at Unit U1. This application also lies within the parish of Ford.

Unit J1, J2, U1 & Z, Rudford Industrial Estate Ford Road Ford

Thank you for your internet representation made on 15th June 2018 which has been recorded as '**an objection**' with the comments as follows:

Arun District Council Planning and Environmental Health departments have failed to monitor or ensure compliance with the planning conditions on Rudford Industrial Estate since 1987. One of their managers has stated in an email that they, Arun District Council cannot be held responsible for misinformation given by their officer(s) to residents and Austin Divall in the past. A point that Arun District Council has still failed to address in complaints against them. Had the council ensured compliance with these restrictions recorded in CM/26/87, CM/9/88, CM18/08, CM29/08, F20/88 and ensured that the business understood their obligations under these conditions the residents would not have experienced the disturbance for the years that they have. Whilst it is acknowledged that Austin Divall appears not been in breach of restrictions placed on Unit U - F/20/88 which had similar time restrictions applied. These were erroneously removed (in my opinion) in F/13/16/PL, a point previously raised and constantly ignored by Arun District Council. For those using derogatory language against other residents of Climping I suggest they review their thoughts and study the information on Arun District Council's planning site. Please also refer to the Noise Assessment on this application dated April 28 Ref J2407 Issue 3 which details noise from Austin Divall and other businesses on site. A second officer who also misinformed residents has now left. A recent correspondence from the same manager now seems to acknowledge that there will still be noise from the applicant's site and whilst not being specific mentions restricted hours. The new proposed restrictions proposed provide restrictions only to activities from 6pm Saturday evening until 6 am Monday morning. An earlier version seems to have been proposed by an officer of Arun District Council and would appear to imply that residents only need their sleep 2 nights in 7. There are no commitments on how Arun District Council will monitor or ensure compliance with this or any other restrictions on site. Based on the previous performance and the attitude to residents of Climping by Arun District Council, nothing in this application reassures us that they are capable of this. There are still no restrictions applied on the business to activities outside the applicants building in this application or any confirmation that the area covered will only be used for storage and any noisy activities will remain in the workshop(s). It still fails to address the issues voiced by Ford Parish Council that the sound proofing is to the south of the building and fails to cover the north. There is no recognition of the European Human Rights statements that can be seen on other restrictions detailed on Arun District Council's planning website which states that the council have a duty to protect the rights of residents to enjoy their homes.

<https://www.citizensadvice.org.uk/law-and-courts/civil-rights/human-rights/what-rights-are->

*protected-under-the-human-rights-act/your-right-to-respect-for-private-and-family-life/
Your right to respect for your home doesn't mean you have the right to housing but it protects the home you already have. It means public authorities mustn't prevent you from entering or living in your home. You also have the right to enjoy your home peacefully without intrusion by a public authority. A public authority may need to take positive steps so you can peacefully enjoy your home - for example, by reducing noise or protect your home from serious pollution. Arun has consistently failed to, engage directly with residents impacted by noise from this site or publicly acknowledge the reports submitted by its own 24 x 7 callout service detailing breaches of planning regulations. We reject this application*

Unfortunately it is not possible for the council to respond to each representation individually but your views will be considered before the application is determined and I shall write to inform you of any decision made.

If the application is to be determined at the Development Control Committee and your letter has been received after the agenda has been published, you will not receive a separate letter notifying you of the date of the meeting and the procedures for public speaking. In such circumstances, it is recommended that you track the progress of the application on the website or telephone for further information. Please be advised that any comments received after the the Development Control Agenda has been produced will be reported to the meeting. Please also note that only a small number of all planning applications are determined at the Development Control Committee, most are determined by officers under delegated power.

All representations are published on our website so please make sure your views are clear and only include information that you are happy for the public to view. Do not include personal information or information from third parties unless you have their permission to do so. Do not include information that is defamatory or breaches equality or other legislation. If you do not wish your comments to appear on the website and on the file, please confirm this in writing and I will arrange for it to be destroyed, although this does mean that its contents will be disregarded. For details of what we do with your personal information please refer to our privacy statement comments on planning applications which is available on our website www.arun.gov.uk/planning-privacy-statements.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

Neil Crowther
Group Head of Planning