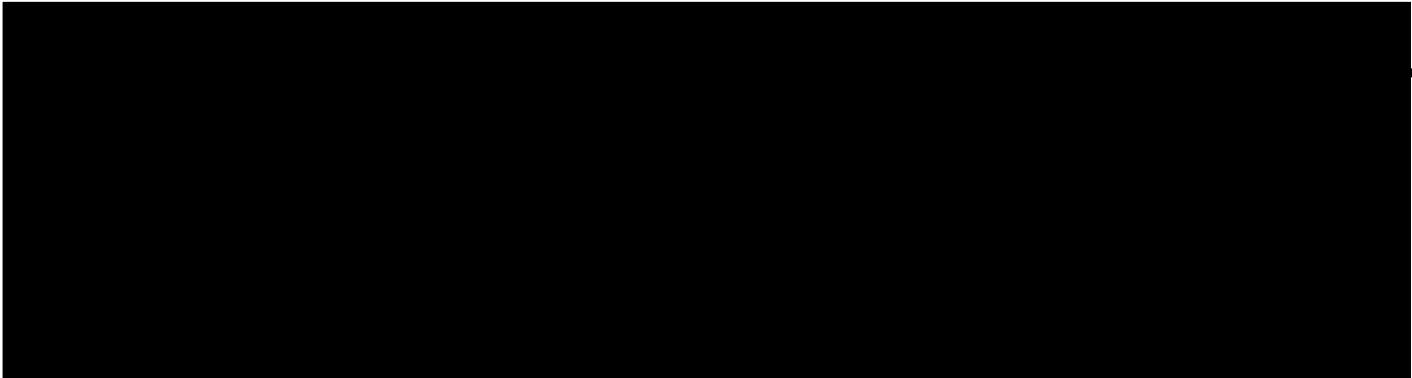




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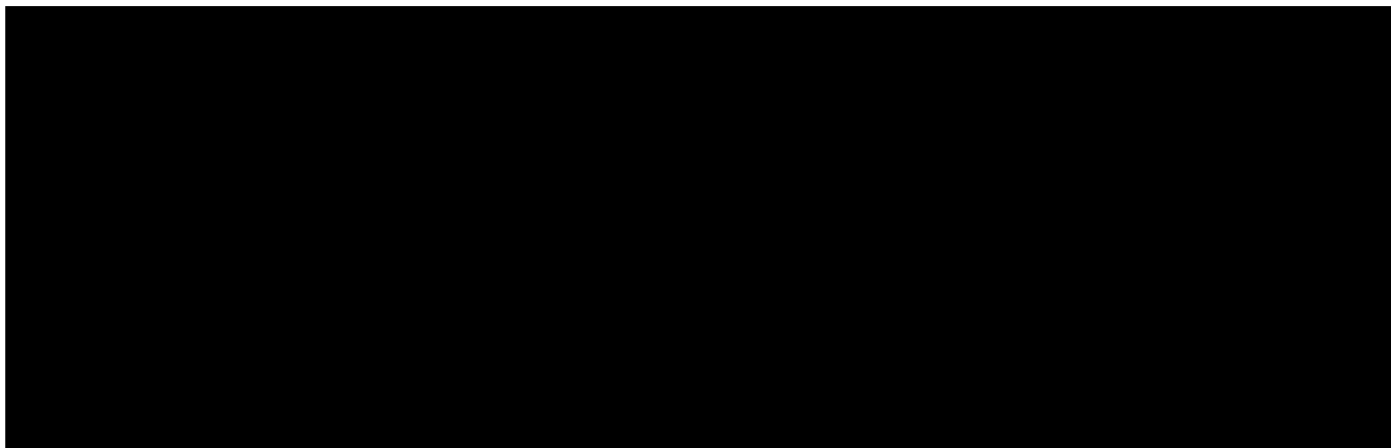
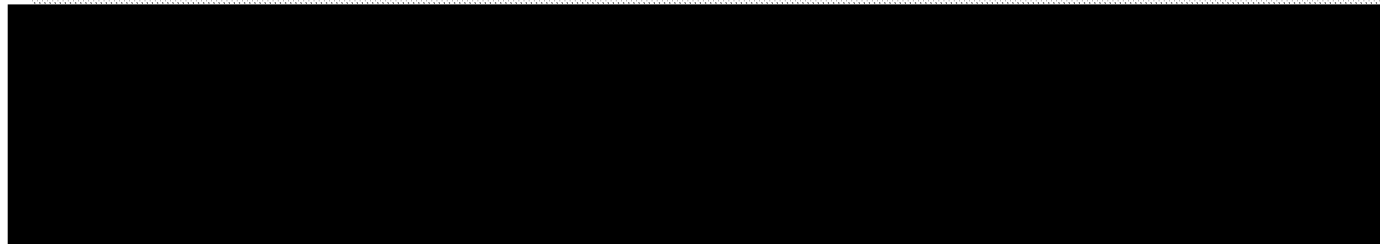
Anita Gardner
Principal Planning Officer,
Directorate of Place




E: anita.gardner@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

Sign up to our newsletter [here](#)



Dear Mr Crowther and Mr Lynn,

CM 16/20/PL and CM/64/19/PL Langford, Horsemere Green Lane, Clymping

Please read this email as a legal document

APPEAL AND INQUIRY REQUEST, INVOLVEMENT OF THE GOVERNMENT OMBUDSMAN

I submit that an Appeal and Inquiry Request, involvement of Local Government Ombudsman should take place for the following reasons:

Local residents' formal objections have been ignored and not registered by ADC

It appears a number of objections have been lodged by local residents and ignored by ADC. ADC is DUTY BOUND to not only adhere to the LAW but apply it to protect vulnerable tax payers. It's what we pay you to do, and this amounts to a CONTRACT between the Council and the people. Residents do not possess the legal expertise or funds to fight applications at very short notice. Most of us do not possess a degree in planning law and are therefore RELIANT on the Council and Planning Department who has a DUTY OF CARE to act in our best interest. It goes without saying that a council and its departments have an ETHICAL AND MORAL DUTY to those whom it serves.

I have been writing to Arun District Council to lodge my objections to planning applications CM/64/19/PL and (now I discover) CM 16/20/PL which flies in the face of the Neighbourhood Plan adopted by ADC, paid for with public money.

The portal tells us to write to James Cross and Anita Gardner (see below), which I've done and never received even an acknowledgement and my written objections have not appeared on the portal either - WHO ELSE HAS OBJECTED AND BEEN COMPLETELY IGNORED?

The ADC website explains that you are not accepting postal objections and objections can only be made through the portal. I only found out the planning application number had changed by talking to my local Parish Councillor Colin Humphris

Discrimination Act

Please read this email as a legal notice that your Council is acting in a discriminatory way, the process is too difficult, undemocratic and leave the onus on residents to become super sleuths and have to continually research the internet to find out what is happening - TOTALLY UNACCEPTABLE.

I have never received any notification whatsoever in any form from the developers even though I am directly and very adversely affected. My rights have been denied.

Many of the elderly residents affected are unable to use a computer, internet or understand how to make an objection without help. Many have no idea this is even happening. Busy families or those with busy working lives, and people who are Covid-19 shielding such as myself - likewise HAVE NOT BEEN EFFECTIVELY NOTIFIED. There are unreasonable obstacles to objection, and unreasonable obstacles to information which will dramatically and materially adversely affect people's lives.

The criteria are far too narrow, confusing, time consuming and is therefore obstructive and discriminatory and denies my legal rights.

Human Rights Act

Enshrined in statute and is fundamental to Central and Local Government. With particular reference to Articles 1 protocol, 3, 8, 14, and possibly article 6 applies to all residents affected by this development and cannot be waived simply because you have not received an objection from them.

ADC Report and recommendations undated

Description of the Application

This is incorrect; one of the 'bungalows' on plot 8, has ALWAYS been for a house.

The proposed road and footpath leading to Plot 8 and back fences of existing residents

Highways impact – public road and footpath ending at existing residents back garden fence.

Nowhere on the whole estate does a new road and footpath end at someone's back garden where no path/ easement etc existed previously. This is a very obvious and very real security risk for the existing residents at numbers 44, 45 and 46 Appletree Walk. We should have been officially notified in writing by the relevant Council departments and Highways Agency notified that this was happening. At no point have we been given opportunity to object. Therefore, I submit that the Council has been negligent. If we had ever been consulted, we would have vehemently objected.

Breach Wildlife and Countryside Act, Conservation of Habitats and Species Act

There are a number of protected species on this site and birds which are on the RSPB red list such as great spotted and green woodpeckers (I have photos). This has been virtually undisturbed for centuries, and was left to natural woodland with a thriving ecosystem.

Anyone developing the site are **obliged to conduct wildlife surveys**. At no point has this ever been done. The site was cleared of all trees and vegetation during the week of 4th November 2019 (filmed). This was been reported to the Council at the time and works were allowed to continue in breach of clearly laid out legislation.

After attempting to destroy any evidence of a natural ecosystem a cynical 'Ecological Impact Assessment' was conducted on behalf of MJH Homes dated 3rd December 2019.

Sussex Wildlife Trust have been notified and looking into this.

Pygmy Shrew – ground burrowing protected species

Many protected species still live on site including the Pygmy Shrew (see photo taken this week) which lives in holes in the ground. Ground works will disturb and destroy their natural habitat. Sussex Wild life Trust have been notified.

Plot 8 deliberate misrepresentation by applicant MJH Homes to ADC

My written objection wholly supports and incorporates the contents of all objections made by the Parish Council, Neighbourhood plan and all local residents who have made representations over the past few months. Many of whom have been completely ignored and not acknowledged or loaded onto the planning portal – such as mine

1. At no time have the Applicants ever notified me, or my neighbours, in any form, of their intention to build permanent ground floor and first floor dwellings at very close proximity (within feet) of my boundary. I have not been given the statutory/regulatory opportunity to object.

2. Clearance and groundworks the other side of my fence have lowered the ground level and weakened my fence posts due to the removal of soil. This damage was done without consulting me and needs to be rectified.
3. The value of my property has been very badly affected.
4. PLOT 8 runs the length of my boundary. An application for a 4-bed house type E was submitted and declined. House type F described as a 3-bed BUNGALOW but which in fact was a HOUSE with 2 bedrooms and 2 bathrooms on the first floor, and one bedroom on ground floor was submitted.
5. An application CM/16/20/ PL which has not been joined to the original application on the Council planning portal, and therefore I didn't know it existed until a neighbour told me. More negligence by the Council. We should never be left to have to second guess planning applications and Council responses.
6. A proposal now for an even larger house, in every sense, F1.
7. Whereas before my outlook was that of natural woodland, the applicant proposes impose that I should have a view of this high expanse of brick wall and roof tiles.
8. The whole length of the proposed house runs the whole length of my boundary, with permanent structure within feet of my fence/ property. This is very intrusive, and the high roof line will obliterate light for the majority of the day, completely unacceptable. I speak on behalf of myself and my affected neighbours.
9. Windows on the first floor which open out directly onto my back garden and can see directly in my bedroom windows, back windows generally and the whole of my back garden is completely unacceptable and a total invasion of privacy
10. Having people living in, what is designed to be a family home, with in feet of my boundary will be very noisy and upsetting. Not in keeping with existing local designs.
11. As pointed out by my neighbours on numerous occasions to the Council the close proximity of the windows to existing houses breaches regulations and laws.
12. As a taxpayer and resident, I request that the Planning Office carefully monitor this application as it appears there is an intention to deceive and circumvent compliance.
13. If the applicant was to reduce the roof height to single storey, ie, that of a bungalow, as proposed, and lower the ground level, this would fall in line with their proposal of '2 x 3-bed bungalows' made to Arun District Council.
14. Again, I'm also objecting to any trees being planted within proximity to my boundary. These will be a nuisance which will also create light issues, roots; sap nutrients from soil, and create a mess with leaf drop etc.

Arun District Council have set a PRECEDENT and GRANTED the wilful and destruction of natural habitats, and the imposition of monstrosities onto local residents in breach of planning laws and regulations, with virtually no redress.

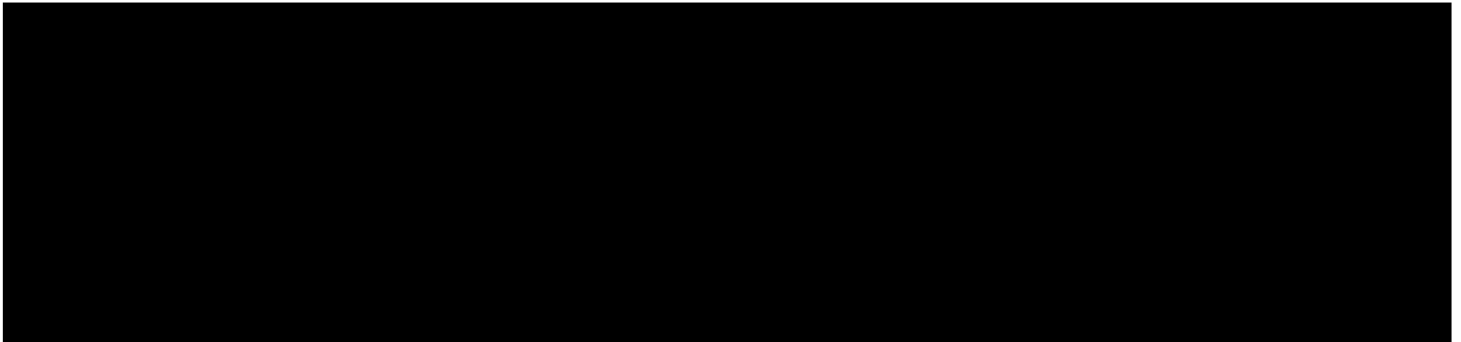
This can be legally challenged which is why I am calling for an Appeal and Inquiry Request, involvement of Local Government Ombudsman.

Again, I look forward to a substantive response.

Regards

Dulcie Brookfield

44 Appletree Walk



Dear Mr Crowther and Mr Lynn,

Please read this email as a legal document

I have been writing to Arun District Council to lodge my objections to planning applications CM/64/19/PL and (now I discover) CM 16/20/PL which flies in the face of the neighbourhood plan adopted by ADC

The portal tells us to write to James Cross and Anita Gardner (see below), which I've done and never received even an acknowledgement and my written objections have not appeared on the portal either - WHO ELSE HAS OBJECTED AND BEEN IGNORED?

The ADC website explains that you are not accepting postal objections and objections can only be made through the portal. I only found out the *planning application number had changed* by talking to my local Parish Councillor Colin Humphris

Please read this email as a legal notice that your Council is acting in a discriminatory way, the process is too difficult, undemocratic and leave the onus on residents to become super sleuths and have to continually research the internet to find out what is happening - TOTALLY UNACCEPTABLE.

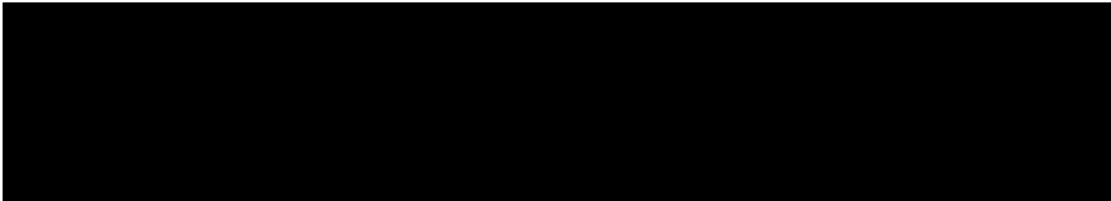
I have never received any notification whatsoever in any form from the developers even though I am directly and very adversely affected. My rights have been denied.

Many of the elderly residents affected are unable to use a computer, internet or understand how to make an objection without help. Many have no idea this is even happening. Busy families or those with busy working lives, and people who are Covid-19 shielding such as myself - likewise HAVE NOT BEEN EFFECTIVELY NOTIFIED. There are unreasonable obstacles to objection, and unreasonable obstacles to information which will dramatically and materially adversely affect people's lives.

The criteria is far too narrow, confusing, time consuming and is therefore obstructive and discriminatory and denies my legal rights.

look forward to your substantive response

Dulcie Brookfield
44 Appletree Walk



Please click on the link or cut and paste the link in a new browser window.

<https://www1.arun.gov.uk/PublicViewer/Index.aspx?emailUrl=90BE8FF412C808986CAD110EF4C18EB4991363EE3E8FE598A8D4C87FEF779F28>

Sent from Mail for Windows 10

This will be the third time I have written to object. Please let it be noted that my detailed objection email to James Cross on 16th April has so far been completely ignored. I believe this breaches legal obligations?

Plot 8 deliberate misrepresentation by applicant MJH Homes to ADC

My written objection wholly supports and incorporates the contents of all objections made by the Parish Council, Neighbourhood plan and all local residents who have made representations over the past few months.

1. At no time have the Applicants ever notified me, or my neighbours, in any form, of their intention to build permanent ground floor and first floor dwellings at very close proximity (within feet) of my boundary. I have not been given the statutory/regulatory opportunity to object.
2. Clearance and groundworks the other side of my fence have lowered the ground level and weakened my fence posts due to the removal of soil. This damage was done without consulting me and needs to be rectified.

3. The value of my property has been badly affected.
4. PLOT 8 runs the length of my boundary. An application for a 4-bed house type E has been superseded by House type F described as a **3-bed BUNGALOW**. Having looked at the plans this is a **HOUSE** with 2 bedrooms and 2 bathrooms on the first floor, and one bedroom on ground floor. The whole length of the proposed house runs the whole length of my boundary, with permanent structure within feet of my fence. This is very intrusive, and will obliterate light for the majority of the day, completely unacceptable. I speak on behalf of myself and my affected neighbours.
5. I understand now that this application has been amended yet again, and the bungalows applications have been amended to that of houses again.
6. As a taxpayer and resident, I request that the Planning Office carefully monitor this application as it appears there is an intention to deceive and circumvent compliance.
7. If the applicant were to reduce the roof height to single storey, ie, that of a bungalow, as proposed, and lower the ground level, this would fall in line with their proposal of '**2 x 3-bed bungalows**' made to Arun District Council.
8. I am also objecting to any trees being planted within proximity to my boundary. These will be a nuisance which will also create light issues, roots; sap nutrients from soil, and create a mess with leaf drop etc.

I look forward to a substantive response by return.

Dulcie Brookfield
44 Appletree Walk