

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

16 April 2018

Your ref: EP/7/18

Dear Mrs Gardner

Land to the Rear of Beechlands Cottages, Beechlands Close, East Preston

Please accept this letter as a response to the comments made by the occupier of no. 125 North Lane, East Preston. A number of points are repeated from the applicant's response to the previous application EP/138/17 and relate to legal/ownership matters which are not material planning considerations. However, it may assist in your consideration of the matters referred to.

Firstly, I will repeat the comments made by my client Mr. Hodson, of Dearden Homes in consultation with Greenmanor, the owner of the shops and flats to the west of the site, in respect of legal access to the land the subject of this application. They state:

Firstly, it is necessary to clarify that access and parking onto the application site has been uncontrolled. Legal access to the land is available to UK Power Networks (to the substation), the occupier of 125 North Lane and Greenmanor. Eurosite owns the western access road roughly as far as the line of the rear gardens to Beechlands Cottages. The rights of the UKPN, Eurosite and 125 North Lane will remain. The tenants of the shops and flats belonging to Greenmanor have no parking rights on the land and only a limited number of essential delivery vehicles by agreement with them are able to off-load at the rear of the shops; an agreement that will continue with access restricted to the improved right of way to the west. Due to ease of access, most deliveries to the shops are made at the front from the service road constructed for this purpose. These comprise the vast majority of deliveries; for example, Onestop, which probably accounts for 95 percent of all deliveries to these shops, only delivers at the front.

The legal right of way through the proposed development to 125 North Lane will be maintained which has been legally defined as access by cars or vans. It does not include other types of vehicle such as skip

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lorries, race car trailers or skip lorries and in any event, this right of way is a legal matter and not a planning consideration. The existing fire escape referred to as an impediment will be relocated. Fire doors opening onto the right of way do not cause an obstruction.

The neighbour's pedestrian access will be maintained and enhanced by the provision of a new shared surface which results in slower vehicle speeds and an improved surfacing.

The improved access on the western side of the site will have double yellow lines and an enforceable 'no parking' regime.

I would also add that the photographs provided by the neighbour show a level of uncontrolled parking on the site that in itself prevents access by delivery vehicles. It is stated in the letter of representation that it is 'not unusual to find 12 vehicles parked there'. Furthermore, the larger vehicles which are shown delivering to the front of the shops wouldn't be able to gain access the rear at the present time. There is therefore no change in circumstances from the existing situation. As mentioned above, pedestrian access will be over a shared surface which is not an uncommon arrangement. The questions on the application form have been answered correctly as there will be no new public roads within the site.

With regard to waste storage and collection, the needs of the development have been allowed for in the design of this layout. Furthermore, as mentioned in the previous letter the applicant comments *"The site currently comprises a commercial building, garages their associated parking and turning areas. Once removed, they will be replaced by the dwellings and their parking spaces. This does not impact on how the shops or flats to the west of the site currently deal with their waste storage and disposal."* An area for storage of bins and trolleys has now been incorporated into the scheme which will enhance the current arrangements.

The proposed development will have to meet the requirements of building regulations in both the provision of the new dwellings and the relocation of the fire escape. Your own building control officers will be able to advise on this. The revised position of the fire escape is for emergency use only as all flats have access to the front of the shops. The new dwellings have been designed to meet the building regulations for accessibility by fire appliances. The side gate referred to in correspondence as been replaced and can be opened from the inside. Of course egress is also available across the application site in the event of an emergency.

Finally, with regard to the impact of the proposed development on the amenity of the adjoining neighbour, this has been dealt with in detail in the submission statement. The rear elevation of the proposed dwellings will be 10m from the rear boundary which is the standard distance for this relationship which precludes any loss of amenity. The relocated staircase, as previously mentioned, is for emergency use only and despite resulting in no additional overlooking than the existing balcony, can be screened as illustrated on the submitted drawings. It is noted that the neighbour is concerned about the potential loss of the boundary wall to the rear of the existing garages. The applicant is willing to retain this wall if possible; a matter which can only be assessed upon demolition of the garages.

It is hoped that these additional comments will assist in the consideration of the application, but should you require any further information then please let me know.

Yours sincerely

Dawn Appleton

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