

23rd August 2018

Dear Sir/Madam

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

Application for variation of condition imposed on planning reference FG/115/17/PL
relating to condition no. 4 - access width.

44 Ferringham Lane Ferring Worthing

Thank you for your internet representation made on 22nd August 2018 which has been recorded as '**support**' with the comments as follows:

After the initial public notice, from 26th July 2018 to date there has been objections as well as those who are in favour of this application. The majority of Ferringham Lane residents abstained.

In sum objections are centred around 4 points: -

1. Four terraced houses which should not have been approved.

The application is not for 4 terraced houses but for 4 chalet bungalows which has been approved based on its merit, desirability, and meeting the national and local planning policies.

2. Cutting back hedges to the access road.

Trimming hedges on a weekly bases is the owners right within the curtilage of his property, without the need to gain consent from the local authority or permission from the Local Estate Management.

3. Safety.

There have been no concerns raised on safety from the Planning Inspectorate. West Sussex County Council Highways Consultation response dated 7th August 2018 did not raise any safety concerns over the access width. He did however, make comments on the usage suggesting that streets that have widths between 2.75m and 3.25m should be avoided in most cases. He then commented on other access widths. Never at any point did he stipulate it should be 4m. He also made it very clear that as it is a private access road, that the Local Highways Authority offers advice only, meaning he cannot enforce any condition which is not a mandated policy.

4. The retention of 4m access width.

Whilst most of the objectors are insisting the access should be 4m wide and nothing less because it is the law, and that, the condition should not be varied to suit one individual, this is incorrect as no such law exists.

The 4m as requested by the local authority was set because the Title Deeds and the Ordinance Survey indicate 4m, as stated on the initial outline planning application. For

this development there is no law that states it should be 4m and there is no guide that states it should be 4m. Within the Estate Management (Ferringham Road Association) there is no set criteria, hence similarly the condition must not be set on a single individual or development. That said, the Planning Inspectorate and the West Sussex County Council Highways confirmed that, at its maximum width of 3.74 the access would be suitable for the passing of a vehicle and a single pedestrian or a wheelchair user, so far as it is not less than 3.25m wide.

It should be noted that this is a small development and that those using the access road by car or foot will predominately be the residents as it is not a general public thoroughfare.

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. If a complaint is received that permission has not been given for comments included about a third party, the Council reserves the right to redact/remove all relevant information. 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