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Your Ref: OWPC20484
Our Ref: FG/159/18/PL
Please ask for:
Mrs A Gardner

9th November 2018

Dear Sir/Madam

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

Two-storey extension to the existing Cafe in order to provide increased internal seating, multi-purpose space, with improved service & food preparation area, disabled access & bike storage.

The Bluebird Cafe South Drive Ferring

Thank you for your internet comments made on 8th November 2018 which has been recorded as **'an objection'** with the comments as follows:

*PLEASE BE ADVISED THAT THIS IS A TWO PAGE DOCUMENT (PAGE 1 of 2)
Having now had sight of the published WSCC LHA consultation response on this application, Ferring Parish Council is compelled to object to the proposed development being determined without full and proper highway impact assessments.
This objection supercedes and replaces the comments previously submitted by Ferring Parish Council which can now be removed. (The comments to be removed are on the portal under CONSULTATION on 24/10/18).*

In response to the consultation request, the WSCC as the LHA have commented on the basis of a desktop study only. While this is not unusual, they have failed to correctly evaluate the local conditions. The LHA stress that they have no control over the private roads in South Ferring and that it is the responsibility of the LPA and the owners and management body, which in this case is the Ferring Road Scheme Association (FRSA), to address amenity issues such as on street parking. They have stated that as the cafe is accessed along 'private roads' the LHA would not be able to comment and again referenced the LPA and the owners/management group as being responsible for decisions on those 'private roads'.

The WSCC's own definition of private roads is that- .."The public have no right of access to private roads and they are usually gated". That would mean that traffic volumes accessing the roads could be controlled at entry points as is the case in some neighbouring parishes.

(i) None of the access roads in Ferring leading from adopted highways to the site entrance are gated and they all have totally unrestricted public access at all times. They cannot therefore be classified as 'Private Roads'.

(ii) This means that the LHA response is flawed and invalid as it is based on the incorrect highway type which is crucial as it assumes that the owners/managing body have the ability to excerpt some control over traffic numbers, which is incorrect.

The WSCC definition of 'private streets', however, is - - "Private streets are different as they are not gated and the public have right of access. We (the WSCC) are responsible for

ensuring that private streets are accessible to the public, but not for their maintenance- "
(iii) As the roads in question (using 'roads' as a generic term) do not meet the criteria for private roads by the WSCC definition, they should not be dismissed from LHA assessment on that basis.

The applicant's traffic assessment is also unsatisfactory. It states that there is a 20 mph speed limit in South Ferring which is not correct (a 30mph limit was imposed several years ago following a long awaited TRO) and is misleading in its reference to wide verges which are being suggested as pedestrian routes. The verges in the vicinity of the site entrance cannot be reasonably termed as 'wide'. They are mostly narrow by any reasonable definition, are not continuous and can be encumbered with planting as they form part of resident's privately owned and individually maintained front gardens and driveways. They are therefore not suitable to be considered for public pedestrian thoroughfare, let alone with push chairs and certainly not for wheelchairs and cannot be expected to form part of a proper or viable road safety / access assessment or strategy.

(iv) The applicant's submitted access assessment is therefore inaccurate, misleading and unsuitable as a realistic reflection of the access conditions to the site.

The only vehicular access driveway to the ground used as a car park, is a shared space with a public footpath (path no 3089). Ferring Parish Council understands that this sole vehicular access to the site is owned (wholly or in part) by WSCC and includes the public footpath

Your views will be considered before the application is determined and I shall write to inform you of any decision made.

Please be aware that if the application is to be determined by the Council's Development Control committee and your letter has been received at a late stage after the Agenda has been published you will not receive a separate letter notifying you of the date of the meeting and procedures for public speaking. In such circumstances it is recommended that you track the progress of the application on the Council's website or telephone the Council for further information. Please be advised that any comments you make that are not included within the Committee Agenda will be reported to the Members of the Development Control committee. Please also be aware that only a small number of all planning applications received go to the Development Control Committee. Most are determined under delegated powers by Officers in which case your comments will again be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish details of your comments on the internet on the Arun District Council Planning section. Please ensure that you only provide information that you are happy will be made available in this way. If you supply information belonging to a third party, please ensure you have their permission to do so. If you do not wish your comments to appear on the 'open file' please confirm this in writing and I will arrange for it to be destroyed although this means that its contents will then be disregarded.

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