

E.Hutchings
42 Ferringham Lane

BN12 5LU

Your Ref: OWPC25862
Our Ref: FG/20/20/DOC 13-02-2020
Please ask for:
Mrs A Gardner

4th March 2020

Dear Sir/Madam

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

Approval of details reserved by condition imposed under FG/115/17/PL relating to condition 3-visibility splays.

Paddock House 44 Ferringham Lane Ferring

Thank you for your internet representation made on 3rd March 2020 which has been recorded as **'an objection'** with the comments as follows:

Having spent the many years suffering the consequences of Conditional Planning Approval and in particular the conditions of width and splay applied to FG/115/17/PL, I object to this application to discharge Condition 3 imposed by The Planning Inspectorate Appeal Ref: APP/C3810/W/17/3166634.

The Outline Appeal application for this site DID include a sample splay plan borrowed from Globe Estates. It clearly illustrated a need to acquire additional land for similar splay to be provided for this development. This need would have been further evident during the Planning Inspectorate site visit on 24th. April 2017. The Appeal was allowed on 11.05.2017 on this basis and the document describes the conditions of splay as reasonable and necessary in the interest of highway safety, item 7 of Schedule A is very specific.

Land ownership is Civil matter and therefore not directly relevant to the appeal decision. As with the 4m access requirement for the site, both were similarly unfulfilled at the appeal stage and the Conditional Approval in 2018. This is normal planning practice.

Purchase of additional land for splay IS possible, as already illustrated by the recent acquisition of No.46 to achieve the 4m access condition. This, together with the POSSIBLE application of double yellow lines and the new frontage available, could provide splay. Better still, it could dispense with the need for the implausible traffic light system approved for this ill-concieved, cramped development.

The Planning Dept are aware of the stress and losses suffered by residents of No.42 and 46.

On the basis of a Land Registry Plan the applicant bulldozed the 160ft. access boundary line between us a year ago, causing criminal damage and untold stress. We were subjected to an expensive legal process through constant, harassment and intimidation with the intention gaining "certain rights" across our land using the threat of expensive litigation costs. An Anti Social Behaviour Order was also sought against us for the re-securing of our property.

Forced into commissioning a RICS Chartered Survey to substantiate the already conclusive Historic Deeds held that proved the boundary line correct, we prepared to face litigation. Solicitors informed they would be suing us for all expenses involved in holding up the development. A vulnerable homeowner may well have conceded, or worse, due to financial or health constraints.

At this time I requested urgent assistance and intervention from the Planning Dept. I was told by Non Compliance that it was a civil matter and I would have to seek a court injunction to prevent encroachment. I was further informed they did not consider the requirement of splay to be an issue that would hold up the development nor would require additional land purchase. Surprised at this information I requested clarification. Despite reminders I received no reply. Perhaps this current application will address the matter fully? Or, as I see it, the Council is actively helping the applicant.

As resident in this property for 29years, I consider Condition 3 fully satisfies the six tests of Planning practice guidance in terms of reason, relevance, necessity, highway safety/enforcement and in all other respects concerning the amenity of the surrounding properties and all road users. It was applied for the long term benefit of the entire village.

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