

7, Felpham Gardens
Felpham
Bognor Regis
PO22 8QS

February 5 2019

Planning Department
Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF.

Re Planning Application FP/274/18/PL

Dear Sirs/Mesdames

I wish to submit the comments in this letter and those included in Attachments 1 and 2 for your review/consideration in relation to the subject Planning Application and supporting documents. While I appreciate comments were required at an earlier date, I sincerely apologise for this delay resulting from my extensive research of the relevant Arun District Council Plan and the Felpham Neighbourhood Plan. I am a newcomer to the area and was not initially aware of the proposed changes to No. 10. Due to extensive unforeseen maintenance and repairs on my property I have been unable to move into the house at 7, Felpham Gardens which further delayed my response.

In summary, the detailed attachments discuss why I believe the planning application for two dwellings to be erected on the site at 10, Felpham Gardens should be rejected, justified on the basis outlined below, specifically including:

- i. Total disregard of the environmental impact by the (prior) removal of trees on the site and in King George V Park (KGVP) in order to attempt to justify space available for the construction of two dwellings.
- ii. Submission of a planning application together with supporting documents – which fail to reference the previously removed trees.
- iii. Inaccurate outline plan of the site, specifically the proposed drive from the property at its junction with Felpham Gardens.
- iv. Proposed non-compliance with the current building line to facilitate two buildings.
- v. Non-compliance with the heritage, alignment, number and general spatial layout of other dormer bungalows on each plot in the unique setting of Felpham Gardens.
- vi. Apparent premeditated evasion of compliance with environmentally-related policies:
 - i. Evasion of compliance with (Trees and Woodland 17.3 Arun District Council Plan)
 - ii. Evasion of compliance with (Protection of Trees ENV DM4 Arun District Council Plan)
 - iii. Disregard of Felpham Neighbourhood Plan (Protection of Trees ESD9) and, specifically, paragraph 8.12 in respect of resistance to the removing of trees.
- vii. The **Abotrack Systems Ltd.** document is silent on the number of mature trees which have already been cut down and references only those trees in KGVP, two of which will require cutting back by approx. 2 metres.
- viii. The **Biodiversity Checklist** was last updated on 11/05/16. It is unsigned and has negative responses to all the questions in respect of required surveys i.e. none were made. However, trees and bushes on the site which were removed may have housed breeding birds, bats and dormice. As there was no relevant survey made the Biodiversity Checklist has no relevance or value.

I believe it would be totally inappropriate and set a dangerous precedent to allow for the development of the site with two dwellings - as a consequence of the result of the cavalier destruction of trees and natural habitat at the site, evading compliance with environmental policies, the requirement for variance from the current building line and the non-compliance of the number of dwellings on each site on Felpham Gardens. In addition, the proposed parking arrangements adjacent to the road and the entrance to/exit from the proposed two properties will create further parking problems along Felpham gardens.

The current building could be demolished and replaced with a similar type of building extended towards the rear of the plot. However, the wanton and purposeful destruction of mature trees on the site must be addressed.

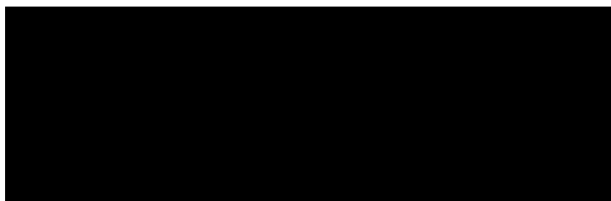
Further, any consideration of the plan should be conditional on factors which will come into play as a consequence of any approved demolition and construction e.g what is the intention of the applicants in relation to the remaining large tree stumps and their underlying roots? These are not addressed in the report by Arbortrack Systems Ltd.

If any submission relating to demolition/construction at the site is approved, there will be a significant amount of heavy traffic, earth moving equipment and materials, which will traverse Felpham Gardens from Felpham Way to the site carrying materials in both directions. Accordingly, there should be a fund established by the applicants, managed by Arun Council, to compensate for anticipated damage to the road surface, which is already in poor condition, to enable the resurfacing of Felpham Gardens when all the work is complete.

Finally, having spent some time reviewing the Arun District Council Plan and the Felpham Neighbourhood Plan – as they relate to the submitted application, I believe more emphasis, authority and enforcement should be afforded to the implementation of environmental standards/requirements/issues and the protection of birds, wildlife and the environment - to enable citizens and visitors to enjoy the unique ambient environment throughout the whole of Arun.

The requirement for the proper protection of trees could be enforced by notices to all tree "management" companies requiring any requests by residents for tree surgery activities to be referred by those companies to Felpham Council for information, review, physical site inspection and approval/rejection as necessary in compliance with its Neighbourhood Plan.

In summary, I believe this application should be rejected as a consequence of issues, individually and in combination, outlined in this letter and attached documents.



Chris Jackson

Executive Summary

The attached document addresses key elements in submissions submitted by Rodway Planning Consultancy Ltd. (Rodway), Arbotrack Systems Ltd., and the Biodiversity Checklist in support of subject Planning Application to demolish an existing building at 10, Felpham Gardens, Felpham and construct two dwellings on the site.

This Executive Summary falls into two parts – Part One summarising the purposeful destruction of the trees, bushes and undergrowth at the property prior to submitting the Planning Application with complete disregard for the impact on the environment to enable the construction of two dwellings and Part Two relative to other issues contained in, primarily, the Rodway report.

Part One

During the summer of 2018, all the mature and semi-mature trees, bushes and dense vegetation on the property at 10, Felpham Gardens adjacent to King George V Park (KGVP) were cut down and removed, together with a tree which I understand to be on Arun Council land at the entrance to KGVP at the end of the cul-de-sac of Felpham Gardens. There is no comment in any of the submitted documents that the Council was made aware of these actions and the documents in support of the proposal are silent in relation to the prior cutting down and removal of the trees before submission of the planning application, in direct contravention of the policies of Arun District Council Local Plan Policies and the Felpham Neighbourhood Plan. These are discussed in some detail in Attachment 2. In summary, the policies were designed to incorporate existing trees into integral development proposals, address how trees may be protected in a detailed land and tree survey, develop proposals to retain trees – also submit a plan to ensure longevity of the trees, detailing how they will be maintained. Felpham Neighbourhood Plan specifically identifies that the removal of trees “must be resisted”.

By removing all the trees on the site prior to submission of the Planning Application, compliance with these key policies has been purposely evaded, resulting in the Arbotrack Systems Ltd report to comment only on trees within KGVP. Key here is that environmental assets of particular importance which contributed to the local character and eco system have been totally removed before the submission of the proposal so as to neither hinder its approval nor comply with policies which would delay, jeopardize or prevent the intended development.

The applicants, through their actions in removal of so many trees, including one on KGVP itself, disregard the biodiversity and eco system of KGVP and the adverse impact on the environment of the area enjoyed by so many Felpham residents.

Each of these, and related aspects, are addressed in detail in Attachment 2.

Part Two

The second part of this Executive Summary outlines aspects of the Rodway proposal already established as being at environmental variance with the Arun District Council Local Plan and Felpham Neighbourhood Plan, attempts to justify the building of two dwellings on the site to replace the current dormer bungalow which is in significant need of renovation. This "justification" begins with Rodway attempting to reassure Arun Planning of the site as being "relatively well screened (from KGVP) by dense vegetation in the form of trees and hedging" giving the impression that the proposed 2 new dwellings will not be very noticeable whereas in reality they will be totally inappropriate as a "sense of place" relative to the whole of KGVP and its surrounds. The early indication that further variance will be required to accommodate the two dwellings from the current building line will be required - described as "marginally forward" of the building line. Unfortunately, builders' description of "marginal" generally contradicts the lay understanding of "marginal" and what occurs in reality. The applicants have already demonstrated a disregard for Planning Regulations and Policies and, accordingly, there should be no relaxation of conformance with the current building line for any new building

Additional features of the proposal by Rodway for two buildings on one plot facing KGVP, totally destroying the historical uniqueness and deviating from the local character and charm of Felpham Gardens; submission of somewhat inaccurate drawings, in particular of the area where the drive and the proposed additional parking place meet the road; irrelevant comparisons with housing and plots outside of Felpham Gardens - in another attempt to justify the construction of two dwellings on the plot; an off-road parking plan which will require an extension to the already dropped kerb; paragraph references with conflicting information and incorrect references to properties in Felpham Gardens, resulting, overall, in loss of credibility.

The report by **Abotrack Systems Ltd.**, cannot incorporate the requirement to protect trees on the site as they have already been destroyed - and the **Biodiversity Checklist** is of no value.

In summary I believe the contents of this Executive Summary, the accompanying letter and the contents of Attachment 2 completely justify rejection of the plan for two buildings on the site. Further, the irreparable damage to the environment by the wilful removal of the all the trees on the site should preclude any new development proposals, as the actions taken to date render it impossible to comply neither with the Arun District Council Plan for Trees and woodland to be incorporated into any new construction nor the Felpham Neighbourhood Plan for the protection of trees.

The outline of issues raised in this Executive Summary are addressed in full in Attachment 2.

Preamble

King George V Park (KGVP) is a greenery oasis for residents of Felpham and visitors, providing open space for outdoor activities, dog walkers and a sanctuary for birds and other wildlife. The proposal to replace what is a building in need of modernisation repairs with not one, but two buildings directly overlooking KGVP, is neither sympathetic to nor compatible with the environment. Felpham Gardens, which provides one of the few vehicular accesses towards KGVP is a unique residential area, consisting of properties with large mature gardens and trees, in correlation with its name, and forming an important part of the surrounds of KGVP.

Visitors to the park who use this area of Felpham Gardens to park are generally dog walkers, elderly people who arrive in adapted vehicles with wheelchair access and/or with walking aids and/or with several dogs and a helper. In addition, on Saturday mornings and other events, the end of Felpham Gardens next to KGVP is "parked out" with parents bringing children to play football on KGVP. While this occasionally creates unreasonable parking behaviour and disregard for residents' access, the children thoroughly enjoy the sessions and the park is full.

Comments on Submitted Planning Support Documents**A. Rodway Planning Consultancy Limited (Rodway)**

Numerical section references are in conjunction with the Rodway document.

1. "Introduction" - (No comment)**2. "Site Context"**

- a. Paragraph 2.3 states "The site is relatively well screened by dense vegetation, in the form of trees and hedging."

Comment

While this description of the site may have been accurate 6 months ago, this December 2018 report totally fails to record that since the summer of 2018, the purchasers of the property have cut down and removed at least seven mature/maturing trees on the site immediately adjacent to King George V Park (KGVP) and removed most of the "dense vegetation". In addition, a large tree has been cut down, the remaining stump of which, indicates that the tree was on KGVP land at the pedestrian entrance to KGVP. The Rodway document makes no reference to the removal of the trees, hedging and vegetation from the site and casts doubt on the credibility is the first indication of inaccurate reporting and credibility.

3. "The Proposal"

- a. Paragraph 3.2 identifies that Unit 1 would be "brought marginally further forward".

Comment

To maintain alignment with the frontage building line along Felpham Gardens - "marginally" is too loose a description and frequently disregarded in the building trade and, from the plan, it is clear that to enable the construction of two buildings on the plot, the front building line will have to be moved forward significantly from the current building line. In reality, to

ensure and maintain integrity of the building line, there should be no variance from the current building line along Felpham Gardens.

- b. **Paragraph 3.6** references access via the existing dropped kerb leading to 2 garages and 1 No. parking space to the front of Unit 2 and an additional 2 No. parking spaces to the front of the site, resulting in 5 No. parking spaces.

Comments

- i. The "Street View" drawing indicates one vehicle at the front (west) – with apparent space for another vehicle – but this paragraph apparently references 2 No. parking spaces to the front of the site, (somewhat unclear). Regardless, there is insufficient space for the "two car" parking slots, or even one, adjacent to the road without extending the dropped kerb across the proposed parking area and possible realignment of the current drive, where it aligns with exit onto Felpham Gardens.
- ii. This paragraph is contradicted by the contents of Paragraph 6.40 which states that 2 No. spaces are provided for each dwelling and an additional visitor space, which could in fact be a total of 6 No required parking spaces if the parking space/s shown on the drawing adjacent to the road are included.

4. "Planning Policy Context"

a. Adoption Arun Local Plan 2011-2031 (July 2018)

Paragraph 4.28 – Policy D DM1 Para 7 - Trees and woodland

According to subject Policy, all new development will be expected to incorporate existing and new tree planting as an integral part of development proposals.

Comment

The previous removal of trees on the site and at the entrance to KGVP before submission of planning application evade compliance with this requirement and prevented a meaningful site survey by planners while the trees were on the site. The applicants will have been fully aware that if the trees were on the site at the time of an inspection, the required planning permission for two units would not have received consideration. This entire planning application should be void as a consequence of the irreversible environmental damage resulting from the removal of so many mature trees from the site.

b. Adoption Arun Local Plan 2011-2031 (July 2018)

Paragraph 4.28 – Policy D DM1 Para 14 – Scale

Comment

The scale of the proposed development is in direct contradiction of every other plot in the whole of Felpham Gardens.

c. Adoption Arun Local Plan 2011-2031 (July 2018)

Paragraph 4.31 – Policy ENV DM4 is a detailed policy referring to the protection of trees. This policy includes the provision that where there are existing trees on or adjacent to a development site, developers shall be required to provide a land and

tree survey, a tree constraints plan and an arboricultural impact assessment to include a tree protection plan and an arboricultural method statement.

Comment

Rodway makes no comment on this paragraph which is of paramount importance – a forerunner that precedes development - and which has not been complied with.

d. Felpham Neighbourhood Plan 2013-2029

Paragraph 4.34 – Policy ESDI requires the development to contribute to local character by creating a sense of place appropriate to its location.

Comment

The removal of so many trees from the site and proposed replacement with two new houses which directly front onto KGVP is absolutely inappropriate to a “sense of place” relative to the whole of KGVP surrounds - and contradicts the policy. The proposed construction and layout deviates from the local character of every dwelling in Felpham Gardens.

e. Felpham Neighbourhood Plan 2013-2029

Paragraph 4.38 – Policy ESD9 requires development proposals to be designed to retain ancient trees or trees of good arboricultural and amenity value. Proposals should be accompanied by a tree survey that establishes the health and longevity of any affected trees and a management plan to demonstrate how they will be so maintained.

Comment

As previously referenced in d. above, at least 7 trees including those of good arboricultural and amenity value on the site and one tree on KGVP land were cut down, destroying the ambience of this gateway to KGVP. In addition, the Arborical Survey prepared/submitted on December 13 2018 by Arbortrack Systems Ltd., is somewhat of a misnomer as it is silent in respect of trees cut down on the site and on the corner of KGVP. What has not been quoted by Rodway is Paragraph 8.12 from the Felpham Neighbourhood Plan Paragraph 4.38:

8.12 Trees are a major feature of Felpham and contribute to the open and pleasant feel of the village, its parks, play areas, residential properties and the many private estates. The removal of trees to make way for development can completely change the amenities of a road and must be resisted.

The blatant and cavalier removal of so many trees on the site has indeed completely changed the amenities.

5. “Planning History”

No comment

6. “Planning Assessment”

a. Paragraph 6.16 references No. 7 Felpham Gardens as being an HMO.

Comment

Incorrect statement. No. 7 is not an HMO.

- b. **Paragraph 6.18** references No. 8 Felpham Gardens as being an anomaly due not only to its larger size, but its position adjacent to the recreation ground.

Comment

Incorrect statement. References wrong plot number.

- c. **Paragraph 6.19** references Table 1 and Fig 5, discussing sites in the surrounding area and, on this basis, considers the proposed two dwellings acceptable for the site without impacting the established spatial development in this area or resulting in an unneighbourly development. The paragraph continues by stating the proposals would not jar or appear incongruous and respects the urban grain in this part of Felpham.

Comments

- i. Incorrectly describes the application site as being “much larger” than other neighbouring sites and, contrary to the statement – will most obviously negatively impact the long-established spatial pattern and, by removal of the trees has already ashamedly done so. The assertion totally disrespects the current and historical orderly and sympathetic spatial pattern which exists within Felpham Gardens.
- ii. The submission elects to reference “neighbouring” sites outside of Felpham Gardens instead of those within, in an attempt to establish some congruity.
- iii. Having failed to establish alignment and congruity for the proposed two dwellings within Felpham Gardens, the application then attempts to “move the boundaries” and incorporate what are nefarious references throughout Section 6 to the number and type of dwellings, commercial properties etc., on sites outside of Felpham Gardens, all of which are totally irrelevant.
- iv. What would be incongruous would be for a revised map of Felpham Gardens to show two buildings on one plot, both overlooking/fronting onto KGVP, whereas every other site in Felpham Gardens only has one property – each of which fronts onto Felpham Gardens. The proposal for two dwellings would most certainly destroy the spatial formality, unique character and alignment of properties - held since the inception and throughout the development of Felpham Gardens.
- v. Having already destroyed the trees, ambience and habitat for birds and other wildlife which previously existed in the area approaching the entrance to KGVP, with complete disregard to the policies of Arun District Council and Felpham Neighbourhood Plan, in relation to the protection and management of trees, the next phase of the plan appears to be the destruction of the unique orderliness and congruity of Felpham Gardens properties.

- d. **Paragraph 6.36** states there is “dense tree screening” along the southern boundary.

Comment

As previously reported, all the trees which were previously along the southern boundary with KGVP within the property have been cut down. Unless the boundary includes the few trees located inside KGVP in front of the proposed dwelling, there is certainly no “dense tree screening” – another misnomer and inaccurate reporting of facts in the Rodway document.

- e. **Paragraph 6.40.** states that the layout arrangement has 5 no. car parking spaces, 2 for each dwelling and an additional visitor space.

Comment

The space identified will require an extension to the current dropped kerb – which may also require realignment to coincide with the proposed drive along the southern perimeter of the property. This paragraph contradicts Paragraph 3.6, and is further addressed in some detail in the “Comments” section of 3.6 above.

- f. **Paragraphs 6.48 and 6.49 state that the application is supported by a Tree Report prepared by Abortrack Systems Ltd., and that none of the surveyed trees will be removed to allow/facilitate development.**

Comment

The tree report primarily references trees on KGVP. It does not address the environmental impact of the removal of trees from the site and at the entrance to KGVP prior to submission of the application.

- g. **Paragraph 6.53 includes references to the creation of construction jobs during the build period.**

Comment

This justification of “Economic Objective” is somewhat irrelevant as if the building is removed and a single building erected to replace it, construction and landscaping jobs will still be created. While there may be some additional revenue, the reverse could apply with additional social demands from occupants. However, the referenced “additional population” described as material considerations to support the application, stretches a point as this could readily be achieved within a single replacement building, in the style sympathetic to and congruent with all the other buildings in Felpham Gardens.

- h. **Paragraph 6.55 addresses “Environmental Objective” and includes the overriding need that (the) development should contribute to protecting and enhancing the natural, built and historical environment.**

Comments

- i. Despite the claim that the application complies with the referenced criteria, the destruction of all the mature trees previously on the site and on the corner of KGVP entrance on Felpham Gardens, immediately negates any form of “protecting and enhancing the natural built and historical environment”. Quite the reverse in that irreversible damage has been done to the environment with total disregard of the “historical environment”.
- ii. The comment by Rodway that there are no biodiversity or landscape constraints that relate to the site are very true with the site now resembling barren wasteland following the decimation of trees, bushes and the biodiversity which previously existed.
- iii. The proposed development is totally out of character with every other format of dwellings in Felpham Gardens in terms of layout, scale and appearance.
- iv. The Rodway Report and the Abortrack Systems Report both fail to reference the previously removed trees nor address the impact of “heave” on any proposed construction. Both companies should be requested to explain why they omitted so much critical information from their submissions.

7. "Conclusions"

The conclusions in the Rodway report merely repeat the contents of the submission but:

- i. Fail to include in the submission any reference to the trees already removed.
- ii. Totally ignore the significant damage already done to the environment on the site and at the entrance to KGVP by the removal of trees and bushes.
- iii. Fail to address that the Council was denied the opportunity to inspect the site prior to removal of the trees.
- iv. Fail to address why the applicant totally disregarded the contents of **Adoption Arun Local Plan 2011-2031 (July 2018)** and **Felpham Neighbourhood Plan 2013-2029** relative to the destruction of trees on the site and at the entrance to KGVP. With increasing concern for protection of the environment it is incumbent on any developer or property owner to consider the preservation of trees.
- v. Disregards the historical, unique character and layout of the properties in Felpham Gardens and attempts instead to incorporate descriptions of properties in the wider, but irrelevant, vicinity, in an attempt to justify the construction of two dwellings on the plot to replace the one which is already there – in conformity with every other plot in Felpham Gardens.
- vi. Attempts to incorporate a parking place on the site which will require an extension of the dropped kerb and possible realignment of the current exit.
- vii. Fails to discuss that the construction of two (or even one) dwellings on the site will require significant heavy traffic along Felpham Gardens to transport materials from and to the site, which will significantly damage the already poor road surface.

B. Arbortrack Systems Ltd

The Arbortrack Systems Ltd. report was prepared/submitted on December 13th 2018, some months after the trees already on site and at the entrance to KGVP had been cut down and removed from the area by the applicants.

The report glaringly omits to comment or address any of this activity and restricts its report to primarily addressing trees located in KGVP and at the rear (east) of the boundary.

Significantly, the report does not address the large remaining large stumps of the trees destroyed by the applicant before submission of the planning application.

C. Biodiversity Checklist

The Biodiversity Checklist submitted in respect of 10, Felpham Gardens was last updated on 11/05/2016 and in every category confirms that a survey has not been carried out relative to any of the questions. I have difficulty following the usefulness of the Checklist which contains negative responses to specific queries – submitted with no name and contact details of the person who completed the Checklist – and with no apparent requirement to carry out any of the listed surveys.