

From: Nicola Oktay on behalf of Planning.Responses
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To: Planning Scanning
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From: Geoffrey Winch [REDACTED]
Sent: Monday, January 8, 2024 3:01 PM
To: Planning [REDACTED] Tim Townsend [REDACTED]
Subject: FP/274/21/OUT - BOGNOR REGIS GOLF CLUB

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Mr. G D Winch
65 Downview Road
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8th January 2024

Dear Mr Lee

Mr Townsend's formal consultation response on behalf of the Local Highway Authority has again recently been posted on the Application File on the Arun DC website. It is not clear why this has been done, other than to re-iterate the fact that he is still raising no objection to the developers securing the means of vehicular access to the site via Downview Road and the adjacent residential roads. This is despite the fact that he failed to consider achieving access via the A259 Bognor Regis By-pass – a matter which has been the subject of considerable earlier correspondence between myself and him, all of which is in the public domain via the Application File on the Arun DC website.

His only stated reason for not considering access via the A259 was that 'the applicants did not own the land'. He would have known (or should have) as well as me that this is not a valid reason for not considering such an access.

He has now had ample opportunity to review his response, or his senior managers have had ample opportunity to instruct him to review his response. He and I are former colleagues, and it therefore goes against the grain with me to have to remind him that, in order to

provide an acceptable means of vehicular access to the proposed development, he should have asked himself the following questions and fully considered the answers before advising the applicants' transportation consultants:-

Were the developments of Site 6 allowed vehicular access via the existing local highway network in the residential north part of the village? Answer: No.

Were the developments of Site 6 only permitted vehicular access via the A259 Bognor Regis By-pass? Answer: Yes, and only via that route.

Will the Lec Airfield development be permitted access to any part of the local highway network in the residential north part of the village? Answer: No.

Will the Lec Airfield development be permitted vehicular access to any part of the non-residential local highway network towards the northern part of the village? Answer: Yes.

Will the Lec Airfield development be permitted vehicular access via the A259 Bognor Regis By-pass? Answer: Yes.

Does the foregoing set a precedent? Answer: Yes – basically any new proposed development should only be accessed via the A259 Bognor Regis By-pass, or via non-residential parts of the local highway network in the north part of the village.

Will the developers of the Lec Airfield site be required to own the land to provide vehicular access to the proposed development at the time of making a formal application? Answer: No – the Planning Regulations make specific provision for this by way of requiring applicants to serve notice on the owners of any of the land not in the applicant's current ownership. However, the developers can be certain that the land will be capable of being secured for that purpose because it is 'protected' by way of a Local Plan policy.

In the case of the Golf Club application, if there is the presumption in favour of allowing the development because there are no objections on Planning Policy grounds, is it essential to have regard to any precedents that have been set when considering the most satisfactory means of vehicular access? Answer: Yes.

Would the developers of the Golf Club site have been required to own the land to provide the most satisfactory means of vehicular access to the proposed development at the time they made their formal application? Answer: No – the Planning Regulations make

specific provision for this by way of requiring the applicants to serve notice on the owners of any of the land not in the applicant's current ownership.

Could the Golf Club's proposed development and the Lec Airfield development both be accessed via the same junction (if and when constructed) along the A259? Answer: Yes.

In order to do this, would it be necessary for both developers to negotiate for the same piece of land with the same owner? Answer: Yes – the same land that is 'protected' by a Local Plan policy.

Clearly he did not taken these facts into consideration, and for this reason his formal consultation response should be invalidated on the grounds that specific provisions in the Planning Regulation system, which allow applicants to submit proposals on land not within their ownership, have been disregarded and, as a result, the public's best interests have not been served.

The whole purpose of pre-application meetings is that the applicants can be guided, among other matters, by the Local Highway Authority as to the most acceptable method of proceeding with their proposals in order to minimise any objections. Consultants are not necessarily local – they can be based in any part of the country, and they need to be informed of local issues, preferences etc, and it is up to those employed by the Local Authorities to ensure they are fully informed. However, it would appear that at the pre-application meeting in this case Mr Townsend completely failed to advise the applicants of the precedents for accessing new developments in the northern area of the village which had already been set and, in order to minimise objections, that these should be conformed to – i.e. in the public's best interest he should have provided the applicants with the best possible advice but failed to do so.

Again, I can only urge Mr. Townsend again, to review his formal response because, as it stands, it is wholly invalid inasmuch that he has not considered the safest and most acceptable means of access, and only considered the least safe and most unacceptable means of access, and this is not in the public's best interest which he is obliged to take into consideration.

Geoffrey Winch (Retired)

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Former Part-time Highway Consultant (Development Control) to West Sussex County Council