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[REDACTED]

From: Rod Brown [REDACTED]
Sent: 16 September 2021 12:35
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: Re: LY/10/21/PL - The Barn, Station Road, Lyminster- DRAFT CONDITIONS

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Dear Mr Eastham,

Thank you for giving the Applicant the opportunity to comment on the Draft Conditions.

Mr Haines has returned comments of three of the conditions (3, 10 and 11), which I set out below:

CONDITION 3. Prior to the first use of the summerhouse by guests, the 2.8 metre high close boarded fencing measuring 36 metres in length should be installed along the western boundary of the property, to screen from view the railway line and the platforms at Arundel Railway Station. The approved fencing shall be retained thereafter.

Reason: To protect the amenity of the local residents at Priory Farm and the guests at the summerhouse in accordance with Policy QE DM1 of the Arun Local Plan.

The Clients prefer that implementation of the proposed use would not to be conditional on erection of the fence.

Although the intention of course is to erect the fence in the near future, its purpose is principally to protect the house and south west part of the garden from noise from the railway and platform users (and from the A27 when it gets realigned), as an adequate visual barrier is already provided by the dense tree screen and undergrowth. The Summerhouse itself is already shielded by the fence behind, so the Applicants would prefer to be able to install the new fence less hurriedly. And of course once erected, it would reasonable to make a condition that it will be maintained.

CONDITION 10. Provision should be made for the installation of an Electric Vehicle (EV) Charging Point next to the parking spaces at the front of Priory Farm serving the summerhouse. The EV charging point shall be installed prior to occupation of the summerhouse for paying guests and thereafter will be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017), the ADC Parking Standards SPD (January 2020) and the National Planning Policy Framework (2021).

While the Applicant is willing to install a charging point, he points out that the position specified for the charging point is not the most practical (or feasible) nor the one that would show most benefit in terms of improvement of air quality, as the air pollution due to paying guests would be minimal compared to that due to occupants of the existing house, so a position that benefitted both the occupants and visitors would be far better. The Applicant proposes a position near the existing car port, which can be accessible to all, and is also technically simple to achieve.

But another question arises, is the condition that the charging point is "for paying guests" reasonable or enforceable? Is this suggesting a commercial charging point? Or a requirement to donate electricity paying guests? Is there not legislation forbidding landlords to sell electricity to tenants?

And it is not clear exactly how installing the charge point purely for the benefit of paying guest achieves the objective of cleaner air, which surely depends on the whether the vehicles using the facility are electric powered or not. Perhaps you can provide a credible explanation of the causal relationship between provision of an electric charging point for visitors and a reduction in atmospheric pollution? It may be more convenient for users of electric-powered vehicles, but how would that change overall air pollution?

This is a Planning Condition designed for new housing, where the convenience of a charge point is very likely to influence earlier adoption of electric powered vehicles by the home owners.

But as stated above, Mr and Mrs Haines are willing the install a charge point near or in the car port, which can be available for the use of paying guests to charge their vehicles for a consideration so long as such a service is permitted by law.



CONDITION 11. No development shall take place until details of the landscaping have been submitted for approval in writing by the Local Planning Authority. The landscaping details should include a planting plan and specification detailing species choice, actual plant quantities, planting densities and size at time of planting along the western boundary of the garden with the railway line. The approved landscaping details shall be installed prior to first occupation of the of the existing summerhouse by guests and thereafter will be permanently retained and maintained.

Reason: In the interests of residential amenity, to minimise the visual impact of the timber fencing when viewed from the garden of Priory Farm, and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan and the Arun Design Guide.

As you would have seen on site, this is a mature garden that already has a considerable amount of planting and screening intended to reduce view into and out of the site where the boundary fencing is in the form of chain-link. I am inserting a 2020 photo showing part of the boundary where the new close-boarded fence is proposed. My memory tells me there is also significant, and possible self-seeded, growth of saplings etc on the railway side of the fence, but I have no photos to show it.

Is this Condition really appropriate for this situation where there is already good plant screening and when the Applicants are in control of the appearance of the fence, and when the condition is intended to control whether they find their own actions are objectionable?



(The image above shows the existing ditch, with railway boundary chain-link fence behind the laurel bushes)

The Applicant would be grateful if you take these views into account when finalising the conditions.

Many Thanks,
Rodney Brown