

**From:** Simon Davis  
**Sent:** 23 April 2021 17:41  
**To:** Planning Scanning  
**Subject:** FW: P/29/21 DOC- - Land North of Summer Lane

## Application Correspondence

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**From:** paul collins [REDACTED]  
**Sent:** 23 April 2021 12:17  
**To:** Simon Davis <Simon.Davis@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>  
**Cc:** [REDACTED] Cllr. June Hamilton <[REDACTED]> Cllr. David Huntley <[REDACTED]> Will" [REDACTED] Cllr. Hugh Coster <[REDACTED]> [REDACTED] Cllr. Jamie Bennett <[REDACTED]>; Nigel Lynn <[REDACTED]>  
**Subject:** P/29/21 DOC- - Land North of Summer Lane

Mr Davis

Please note the following on your file and the Land Charges Register for future reference by all those with an interest including prospective purchasers and also bring same to the attention of WSCC Highways and Drew Smith Homes Ltd.

The access works shown on the now approved VD16396-ID-SK-0005 Rev A "Section 278 Highway Works" do not match any of those works 'indicatively' shown on the only approved access plan ref 120843/A11 Rev C (as approved by P/58/15/OUT) or those partially undertaken on site and neither Drew Smith Homes Ltd nor the highway authority own or control sufficient land to implement the works which are shown on the only approved access plan 120843/A11 Rev C (as approved by P/58/15/OUT) or those shown on the now approved plan VD16396-ID-SK-0005 Rev A "Section 278 Highway Works and that those who do own and control the land required to implement same have not yet given their consent for such works to take place on their land and many I know will not be prepared to give same.

As ADC is aware Condition 14 requires that none of the 90 dwellings under construction be occupied until the access works ( including those in respect of the un adopted part of the Summer Lane footpath and Bridleway) are implemented in accordance with the agreed details so it would seem very unwise for Drew Smith Homes Ltd to continue with their development until such time as they do have the agreement of land and property owners to implement these now approved works as I am sure that prospective purchasers will be very wary of buying properties that they may not lawfully occupy so the continued erection of further dwellings on the site where those dwellings are reliant on an access that cannot be lawfully implemented may prove to be a futile and costly exercise for Drew Smith Homes Ltd.

As you know I act for a number of residents in Summer Lane who do own and control some of the land (and/or rights of way over that land) necessary for the now approved access works to be implemented and I have repeatedly brought these matters to the attention of you and other officers and Drew Smith Homes but without any satisfactory response. Therefore I will be preparing a report for the ADC DCC at its meeting on 26 May 2021 to consider that may provide a negotiated solution to these issues and so that ADC (as the LPA ) may properly consider what part they can play in resolving the issues but if not my clients do of course reserve their right to pursue a remedy via the Courts so as to protect their property rights if necessary.

The manner in which this development is being allowed to proceed is causing residents significant personal and financial stress and is shaving a direct adverse impact on the quality of their lives and it is in the gift of ADC to consider and take appropriate actions to resolve these issues so it is to be hoped that Officers would wish to play

their part in allowing ADC Members to consider taking the necessary action to resolve the issues on behalf of those residents.

Thank you

**Paul Collins BA (Hons) DipTP**

