

From: Simon Davis

Sent: 03 August 2020 13:28

To: Paula Hilton

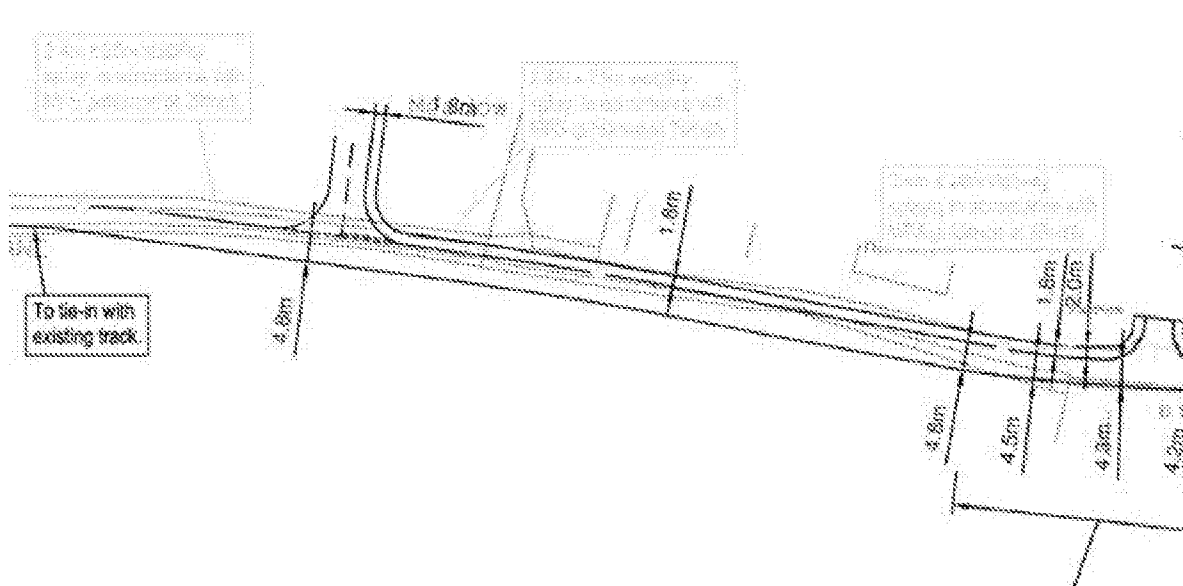
Subject: RE: Summer Lane Development Access Issues (P/58/15/OUT & P/70/19/RES)

Dear Paula,

Thank you for your letter,

Application P/58/15/OUT was an outline planning permission which granted approval to the principle of development and the access arrangements. However, the developers could not build the development without first seeking approval for the other reserved matters (scale, appearance, landscaping, layout). Whilst technically, yes a Reserved Matters is not a planning permission, in practice an outline and a reserved matters are two halves of one planning permission.

You state that the plans approved by P/58/15/OUT did not show any road widening to Summer Lane whereas those on P/70/19/RES now show Summer Lane changed from a single to a two way road. I would ask that you consider drawing 120843/A/11 Revision C as approved on P/58/15/OUT (extract below) which shows Summer Lane to have a new width of 4.8m plus a new 1.8m footway. You will note that a width of 4.8m would allow two cars to pass each other (bearing in mind a standard parking space is 2.4m wide). This plan also clearly shows that the existing road is being widened (compare bold black lines of new alignment versus light grey lines of old alignment underneath). Therefore, whilst this plan does not explicitly state two way, it is very clear that the widened road allows for two way traffic.



I am sorry that you feel that it is wrong that you and your neighbours are having to deal with the covenant issue on your own however, planning law is clear that covenants are not material planning considerations and hence we are unable to take these into account in our decisions or assist you with this.

The Stop Notice was served solely due to non-compliance with the surface water drainage condition (condition 3 on P/70/19/RES). The application to extend the working hours was completely separate to the matter being rectified by the Stop Notice.

Kind Regards.

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

Arun is a CIL Charging Authority, for more information go to www.arun.gov.uk/cil

Sign up to our newsletter [here](#)



From: Paula Hilton [REDACTED]
Sent: 02 August 2020 20:26
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Summer Lane Development Access Issues (P/58/15/OUT & P/70/19/RES)

Dear Simon,

Please see attached letter which I would appreciate a response to.
Thanks

Paula Hilton

Meadowsweet
Summer Lane
Pagham
Bognor Regis
West Sussex
PO21 4NHG

2nd August 2020

Dear Mr Davis,

Having reviewed all the correspondence on Arun's web-site concerning P/58/15/OUT and P/70/19/RES I have come to the same conclusion as others whose letters I have read on the ADC website that P/58/15/OUT is the only Planning Permission that has actually been approved with regard to the development in Summer Lane.

With regard to Access and in particular the road structure for the part of Summer Lane that is unadopted P/58/15/OUT gave planning consent for a single lane road with a layby and this is what was approved. The plans presented in P/70/19/RES show the unadopted part of the road as two-way traffic. A11 revision C shows this as the approved access road. I would like to understand how and when these changes to the road were approved when there is no other approval for access recorded that I can find?

None of my neighbours or I have ever been consulted with about the proposed changes post the P/58/15/OUT approval and I want to know why / how the plans have been allowed to be changed without gaining proper approval via the Planning process. It is my understanding that if P/58/15/OUT approved a single lane road then the developer (Drew Smith) would have had to gain a fresh consent to widen the road to two-way traffic. Where are the details of this consent?

Surely, P70/19/RES should only be showing details of what had already been approved. It seems to me that there is a legal problem here as the Lane has been changed from a single lane to a two-way road without gaining proper approval to do so.

I note that there is a section 278 Highway works revision E dated July 2019. But this is not an approved access drawing. Drew Smith may have agreed the plan with Highways but there has been no proper planning permission sought for the change that I can find.

Others have already made the point that under P70/19/RES Arun appear to have unlawfully approved a whole set of drawings incorrectly and the access road which I am particularly interested in is one of them.

My neighbours and I are all affected by what happens to the unadopted part of Summer Lane as we have covenants in our deeds with regard to the existing Lane and this matter requires sorting before

any alterations should be allowed to commence to this part of Summer Lane. I have raised the covenant issue with Drew Smith on numerous occasions, but they do not seem to want to know or assist in sorting the issue out as they do not own the Lane. It is wrong my neighbours and I have been put in this position which will undoubtedly end up in us incurring legal fees.

I would also like to register my dissatisfaction with regard to the approval that was given last week to allow Drew Smith to work extended days and hours on the Summer Lane site. I would like to understand how such approval was even allowed to take place when there is currently a STOP notice applicable to this development? Surely no decisions should have been made until such a time that the site was operational again.

Please could you look into the issues I have raised urgently and respond.

Yours faithfully,

Paula Hilton