

[REDACTED]

From: Christopher Burke [REDACTED]
Sent: 19 June 2021 15:51
To: Planning <Planning@arun.gov.uk>
Cc: Burke Christopher [REDACTED]
Subject: Planning Application r/108/21/PL

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E mail to Planning@arun.gov.uk

Planning application R/108/21/PL

Dear Sirs,

I found myself restricted in my ability to respond to the above planning application by virtue to the character limit placed on the Planning website. Would you please therefore accept and publish this, my full objection accordingly.

Yours sincerely

Christopher Burke

1 Hardham Close,

BN16 2SB

Dear Sirs,

Due to the character limit limit placed on the Arun District Website I found myself unable to provide a detailed consideration of the application. In addition to the one already sent, I am therefore submitting this detailed objection accordingly

With ref to the Planning Statement submitted on behalf of Roberts Miller Redshaw Ltd : (italics are my comment)

In chronological order

Section 23. states”along Shaftesbury Road dwellings tend to be terraced or Flats. *I believe this misrepresents the situation. House numbers go up as far as 51 of which there are 17 Bungalows.*

Section 2.5 states The site is not subject to any specific planning regulation, and is not near any listed buildings or other heritage assets. *The second part of this is in incorrect. The site is immediately facing Green Bushes listed in appendix 2 of The Rustington Village design statement Rustington’s building of special character*

Section 4.7 refers to the Rustington's Local Neighbourhood plan and the associated Referendum and the fact it has not been revised. *This is factually incorrect*

Excerpt from Minutes of the Parish Council Meeting held on 23 September 2019:-

257/19 REVIEW OF NEIGHBOURHOOD PLAN

The Clerk referred to Minute 156/19 and reminded the Council that she had previously circulated a Report from the Working Party recommending that as the Policies within the Plan did not currently require any amendment, the three proposals were still reasonable objectives, and there was no legal requirement to

update a Neighbourhood Plan, the Council was being asked to resolve that no further action should be taken at the present time in this regard.

Following a discussion, the Council RESOLVED that the Recommendation from the Working Party be APPROVED.

Section 5.12 refers to the economic objective and the generation of work for construction workers. *Given that there is a presumption in favour of development for the site, I consider this objective is to be irrelevant since, the evidence suggests there no dispute that the land should not be built on. In that event there is is going to be work for construction workers.*

Section 5.18 The design of the proposal will improve the street scene by proposing high quality, modern development. The mass and scale of the proposed flats will reflect the mass and the scale of the flats at Rawson court to the South and scale of the Town houses will reflect the form of development along Shaftesbury Road as appropriate for modern development

The design conflicts with the Current Neighbourhood plan Policy 2 Housing design specifically in relation to height mass and style of the proposal as follows:

(1)Height of proposed flats

The developer engages in semantics by contending that this is a three storey development, plus an additional floor. The proposed 4th storey is some several meters higher than the ridge line of the adjacent Rawson Court. However, The developer contends that because this 'extra floor' is inset it will be the 3rd story roof line which will "visually define" the height. The developer omits to provide the height of Rawson Court in the drawing. Whereas whether it will dominate will be highly subjective, objectively, the proposal is 4th stories high and will be approx 7m above the ridge line of Rawson Court. Additionally, as there are hardly any 4 storey buildings in Rustington, acceptance of this "visually defined" principle would cross a Rubicon of precedent in in relational to all future applications in the Parish

(2)Style *Geometrically the building Rawson Court and the proposal have are entirely different Shapes. The latter is a polygon, whereas the proposal is square- . Other than the proposal, non of the surrounding buildings have flat roofs The proposal is therefore a different style to both Rawson Court and the neighbouring buildings along Shaftesbury Road.*

(3)Mass *Whereas the mass of the proposal might be considered similar to Rawson Court, this does not apply to the proposed houses along Shaftesbury Road which are of a significantly smaller mass which will not be mitigated texturing the Flats similar to Rawson Court .*

Section 5.26 In this section the developers quote from the Rustington Village design statement as follows:

“The Village Design statement states that within Character area 8, in terms of the street scene “Many of the properties have already been extended and the buildings are very mixed in this area with high density and low density” *The same paragraph states that*, “Grass verges driveways and low trees are features of the area and should be kept and maintained” The proposal provides driveways and grass verges and has regard to the varieties of densities in the area by varying the proposed density of development across the site.

The aforementioned statements is a synopsis of the page Character 8 in the Design Statement Document and which is published in the under the sub heading Street Scene on page 21 and reads verbatim. “Many of the properties have already been extended and the buildings are very mixed in this area with high density and low density Open Spaces (capitalised) are very important in the area and should be kept. Imho the developer's interpretation of this paragraph, is highly misleading. Verbatim, The original design statement clearly states “Open Spaces should be kept”. Frankly I do not understand his last sentence, however, in spite of the loss of at least 6 mature trees there not a single tree provided in mitigation

Section 5.28 Refers to the Neighbourhood Policy 2 and sets out the principles for development proposals It states that development “Should not impact on surrounding properties but should seek to maintain privacy and alleviate possible noise issues to existing neighbourhood properties “

The subsequent section 5.28 to 5.31 deal entirely with Rawson Court, There is no mention of those properties to the North. (or indeed West) This omission is very important in terms of being overlooked, the biggest impact will be on those resident net living opposite on Shaftesbury Road..

Section 5.33 All proposed dwellings benefit from the provision of private parking, private amenity space.

In relation to private parking, the proposal will necessitate the addition of of a dropped curb along Sea Lane removing the current available spaces. The junction of Sea Lane and Shaftesbury road is already notorious for causing difficulties due to the relative narrow with the Shaftesbury Road. As there will be no net gain in spaces this arrangement will be contrary to Arun District Councils Parking standards. Nor does the proposal contain any provision for electric vehicle charging.

In the summary, the developer emphasises the matter of presumption and the fact that Arun District C has only achieved 61% of its target. In this regard *I have found no residents against the proposal per se. Whereas all concede the site it should be developed, the development should be appropriate. It is a fact that the ability of Arun DC to find land is far greater than that of Rustington. Given there is a, current, up to date Neighbourhood development plan approved by referendum in the Parish, the 61% figure is being used to justify something which otherwise would not have been approved. Imho The case should only be allowed to be used if the proposal complies with the Neighbourhood plan design which clearly it does not.*

In summary the developer makes a number of factual errors. The proposal does not conform with the current up to date Rustington Neighbourhood plan Policy 2 (Housing design), in terms of scale, density, massing, height landscape design. Nor does it reflect the architectural and historic character and scale of the surrounding buildings. There is no mitigation for adjacent properties on Shaftesbury Road

Reference the Environmental Health. I note that in the E mail dated 26th May although the proposed works will take place within the normal work hours of Mon-Fri, there appears to be a provision allowing “non noisy work to take place on Sundays and Bank Holidays. Imho this is unacceptable The area close to the beach has now become very congested on Sundays and Bank holidays and the provision on non noisy work will be extremely difficult to monitor

Christopher Burke