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Your Ref: OWPC22233
Our Ref: WA/18/19/PL 06-03-2019
Please ask for:
Mrs A Gardner

17th April 2019

Dear Sir/Madam

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Erection of 2 No. detached dwellings, adaptation to existing crossover & new driveway
(resubmission following WA/58/18/PL).

Land Adjacent 1 Orchard Way Fontwell

Thank you for your internet representation made on 16th April 2019 which has been recorded as **'an objection'** with the comments as follows:

We were disappointed with the resubmission of the proposal as the previous advice from the case officer to reduce to one dwelling has been ignored, and not redesigned in direct response to her feedback. The concerns raised, causing the previous application to be withdrawn, included 'Whilst there may be an arboricultural solution to move the application forward..whilst retaining the health of the tree in the short term, given the very limited garden size, the tree would adversely impact on the enjoyment of the garden area and be under constant pressure for both pruning and lopping which would impact on its retention in the long term'. Currently a helical screw pile is being proposed for the Plot 2 dwelling, due to the proposal encroaching on the Root Protection Area, the tree crown is also being 'reduced by 30%'- if the proposal was one dwelling these methods would not be necessary. Whilst there is a slight increase to the rear garden size of each dwelling, the proposal is more visible from the road, with reduced front gardens and the protected tree behind subject to severe lopping. As stated by Mr Warwick 'This is a tree of notable landscape value and with long-term potential, appearing to thrive despite the fairly hostile growing conditions-For it to continue to do so, any development nearby must be sympathetic to its long-term requirements.' we do not believe the resubmission to be sympathetic to the long term prospects of the tree. Will Mr Warwick be approached for a statement on the resubmission? Point 6.2 in the Planning Support Statement (PSS) quotes the case officer on Oct 19th 'it is likely that the application will be supported by officers' following which the application was objected by the tree officer (13th Nov). Correspondence following, supports these concerns 'The associated Tree Protection Plan (Appendix A, Dec 18) appears to better define the new dwelling/oak tree (T2) RPA relationship than previous submitted proposal plan...In doing so, it reveals a substantial area of RPA intrusion from both dwellings and new hard surface area (patio). This is unacceptable when considered in light of the large area (approx30%) of RPA to the north which lies under the dual carriageway (A27)'4th Jan. The Ecological report, completed in Nov 18 with the view that the mature oak was likely to be removed (the tree was omitted from the submitted existing plans). The report also states the potential for the tree to be a habitat for roosting bats and breeding birds. Further surveys should outline the effect of a 30% crown reduction on this wildlife. We do not believe the best interests of the tree are being considered, especially as its removal was the initial intention. The PSS, which repeatedly quotes the NPPF (Feb 19) omits point 175c: 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists'. The proposal suggests reducing the crown of the mature oak from 11m to 8m, a strategy of long term detriment to the tree. We have concerns regarding the density and visual impact of two additional properties in the garden. The

PSS states the 'resulting plot widths would be reflective of the established spatial pattern..' however Table 1 shows addresses 1-8/20 Orchard Way have site widths all >10m -the proposed width of each new plot. These dwellings are set at an angle and subject to pinch points, we would not define 2.2m as 'ample' distance between dwellings. The acoustic survey has not been updated to match the new proposal. It will be a shame if the proposal is accepted, the protected tree will no longer be as visible for the enjoyment of the local residents.

Unfortunately it is not possible for the council to respond to each representation individually but your views will be considered before the application is determined and I shall write to inform you of any decision made.

If the application is to be determined at the Development Control Committee and your letter has been received after the agenda has been published, you will not receive a separate letter notifying you of the date of the meeting and the procedures for public speaking. In such circumstances, it is recommended that you track the progress of the application on the website or telephone for further information. Please be advised that any comments received after the the Development Control Agenda has been produced will be reported to the meeting. Please also note that only a small number of all planning applications are determined at the Development Control Committee, most are determined by officers under delegated power.

All representations are published on our website so please make sure your views are clear and only include information that you are happy for the public to view. Do not include personal information or information from third parties unless you have their permission to do so. If a complaint is received that permission has not been given for comments included about a third party, the Council reserves the right to redact/remove all relevant information. Do not include information that is defamatory or breaches equality or other legislation. If you do not wish your comments to appear on the website and on the file, please confirm this in writing and I will arrange for it to be destroyed, although this does mean that its contents will be disregarded. For details of what we do with your personal information please refer to our privacy statement comments on planning applications which is available on our website www.arun.gov.uk/planning-privacy-statements.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application, any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the appeal stage.

Yours faithfully

Neil Crowther
Group Head of Planning