

Sandra Edwards

From: Amanda Scholes on behalf of Planning.Responses
Sent: 09 August 2017 09:00
To: Planning Scanning
Subject: FW: Coutins gate application Y/18/13
Attachments: d2bbc20a7e924e0.pdf

From: Simon Davis
Sent: 08 August 2017 10:28
To: Planning.Responses
Subject: FW: Coutins gate application Y/18/13

Y/40/17/OUT Obj

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37874 | External: +44 (0) 1903 737874 | E-mail: simon.davis@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Andrew Burns [REDACTED]
Sent: 03 August 2017 09:21
To: Simon Davis
Subject: FW: Coutins gate application Y/18/13

Dear Mr Davis

Re Y/40/17/OUT

May I refer you again to the attached letter from Mr Coutin (owner of Bonhams and Flints) to the residents of Hoe Lane, Flansham where he complains about how dangerous it is using his entrance/exit onto Hoe Lane. The letter can be found on pages 3 and 4 of the attachment.

At the bottom of page 3, and the first paragraph on page 4, Mr Coutin refers to the covenant drawn up on behalf of Mr Owen Adames. This was obviously intended to protect the land at Bonhams from any exploitation, then or in the future. There are 2 aspects to the covenant. Firstly, that no trade or business shall be carried out on the land. Secondly, and more significantly, that the land will not be used for any purpose which may become a nuisance to the vendor or his successors.

Mr Nicholas Adames (Grandson to Mr Owen Adames) has asked the Flansham Residents Association Committee to make it clear that he holds true to these covenants and that to have a modern housing estate planted at the entrance to Flansham exiting into the Lane would most definitely be a nuisance.

Surely, these covenants should still have a significant bearing. Mr Coutin certainly thought so in 2013.

Thank you for your kind attention

Yours sincerely

Andrew Burns
Chairman, Flansham Residents Association

Recommendation Report

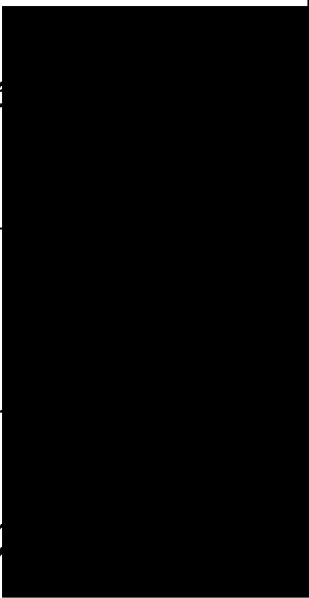
Application No. 4/18/13

Committee ☒ : Date 5.6.13

Delegated ☐

Recommend Permission ☒

Recommend Refusal ☐

	Date	Signature
Prepared by Case Officer	14.5.13	
Agreed by Team Leader	14.5.13	
Agreed by H.O.P.S / P.C.M. (if required)	15/5/13	
Committee Plans	14.5.13	

Comments:

Victor Coutin
Bonhams
Hoe Lane
Flansham
Bognor Regis
PO228NP

Mrs Chapman
Planning Department
Arun District Council
Maltravers Road
Littlehampton
BN17 5LF

Dear Mrs Chapman

**Re. Y/18/13 Planning Application, Bonhams, Hoe Lane, Flansham,
PO228NP**

My architect, Lee Hackett, recommended I forward to you direct the enclosures for your consideration prior to the next Committee meeting on June 5th. I have written to all the objectors to my application to clarify my objectives. Andrew Burns, on behalf of the Residents Committee will be withdrawing their objection and I also received a phone call from Mrs Kemp from Dove Barn stating the same.

I hope, prior to the Committee meeting that you will receive several more letters removing their objections and changing it to support.

I would be greatly obliged if the Committee could have sight of this paperwork and take it into consideration when making their decision.

Yours sincerely



Victor Coutin

Victor Coutin

Bonhams
Hoe Lane
Flansham
PO228NP

28 May 2013

Dear Hoe Lane Resident

Re. proposed relocation of entrance gates at the above address

It would be an understatement to say I was shocked at the response my application to move my gates has generated amongst some of my fellow Hoe Lane residents. I was even more shocked at the inaccurate information written in the letters of objection submitted to Arun District Council. I have responded below with the true facts that correct the incorrect information contained within these objection letters. I hope once you have read my letter it will provide you with the comfort that Bonhams will never be used for commercial purposes.

I am not a Motor Trader and at no time during my ownership has Bonhams ever been used to store sales vehicles. I owned Toyota, Lexus, Chrysler, Suzuki Dealerships and a vehicle import business in the south of England for many years. This business was sold in its entirety in the year 2000 and I have not sold a vehicle commercially since. My current businesses include, a Travel Insurance Brokerage and the worldwide distribution of the Gardx range of product (see www.insureandaway.co.uk & www.gardx.co.uk).

Mr Nick Adames quite correctly pointed out in his letter of objection that *the new junction is so badly designed as to make it impossible for two cars to negotiate the S bend into Flansham without one backing up*. My opinion is it is an accident waiting to happen. Indeed Arun District Councilor, Stephen Haymes agreed with me when I broached the issue by letter to Arun Council in 2012.(see his copy letter enclosed).

There are two properties on the Bonhams land sitting in five acres, the main house with seven bedrooms and the Cottage with four bedrooms. Each property has a gardener and a cleaner, four members of staff in total who all arrive by car this is in addition to the residents and any guests. It is a point of fact that when two cars are waiting for the gates to open to enter the Bonhams property the second car is exposed to potential collision. If there are three cars waiting to enter Bonhams the danger increases. Moving the gates a few feet up the drive completely removes this danger and allows easier access to the cottage. It certainly does not add any extra access to the property just an easier flow through the existing access. I could achieve the same by leaving the gates open but then my crazy dog would escape and any undesirables could just walk or drive onto the property. If any of you would like to view the Bonhams entrance and drive I would be delighted to show you.

Let us turn to the use of my land and the residents concern about it being used for commercial purposes. Owen Adames, Nick Adames Grandfather, conveyed the land that Bonhams sits on in 1929, 1930 and 1935. Clearly contained in the conveyances (copies enclosed) are two very important covenants.

1. No trade or business shall be carried out on the land. This is for the benefit of the vendor, Owen Adames or his successor in title.

2. The Purchasers will not do or permit to be done on the said land any matter or thing which may be or become a nuisance to the vendors or his successors in title.

If I, or any future owner of Bonhams ever attempted to use Bonhams for any commercial purpose Nick Adames, being the successor in title, can invoke the covenants and cease the commercial or nuisance activity immediately. I write here and now, Mr Nick Adames has my permission to visit Bonhams ANY TIME, to ensure his covenant is being maintained. I hope this fact completely removes any concerns that the residents may have that Bonhams would or could be used for any commercial use, including the storage of cars.

Whilst writing I would like to give you prior notice of a further Planning Application I will be submitting very soon. Currently Bonhams does not have any garaging. My plan is to construct a garage and bin store in the yard to the rear of Bonhams. Access will be through the existing opening where the old oak gates are currently sited fronting Hoe Lane. The old gates will be replaced with new oak electric gates that will facilitate speedy access off Hoe Lane and therefore no requirement to park in the lane or store the refuse bins there. I have enclosed a simple plan showing the proposed building for your consideration.

I am passionate about Bonhams and Hoe Lane having lived in the Lane on and off for over 25 years. I coveted Bonhams for over thirty years before I was privileged to purchase it in 2008. When I took ownership it was in a sorry state. Years of neglect were evident throughout the house. Since then I have completely refurbished every square inch of it. Every piece of timber, pipe, cable, wall and ceiling has been sympathetically repaired or replaced in keeping with its Grade 2 listing. English Heritage visited in November last year and commented how well the refurbishment had been done. At no time would I ever consider using Bonhams for commercial purposes or attempt to sell off any part of it for that purpose. It would be foolhardy, it would devalue the property and I have no intention of doing that.

In summary, my applications to relocate the Bonhams entrance gates are for safety reasons and to allow easier access to the cottage. Bonhams will not and cannot be used for Commercial purposes now or in the future, legal covenants forbid it. Arun Planning Department, the Conservation Officer, Yapton Parish Council, English Heritage all have no objection to my application. I would politely ask that you support my application and overrule your letters of objection. If any of you would like to discuss the contents of my letter please feel free to contact me anytime on the number listed below.

Yours truly



Victor Coutin



P.S. Andrew Burns, Chairman of Hoe Lane Residents Association, visited Bonhams today at my request. Andrew is now fully conversant with what I am trying to achieve regarding moving my gates etc and now fully supports the application.

This Conveyance

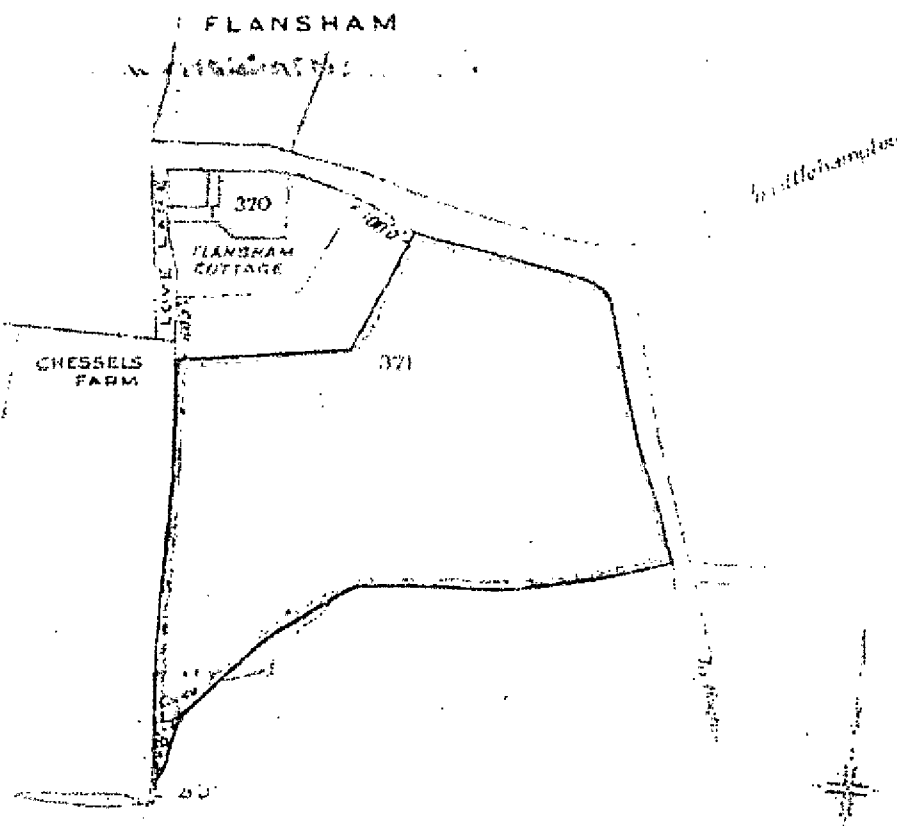
W. AVERY & SON,
LAW STATIONERS,
PORTPOOL ST. LONDON, E.C. 3.

made the present
day of
the second year

hundred and thirty

Between: **WILLIAM ERNEST FLANSHAM** of Warrington
Cheshire in the Parish of Salford and County of Lancashire
(hereinafter called 'the Vendor' of the first part - **WILLIAM ERNEST
FLANSHAM**) of 27 1/2 King's Bench Lane Strand Street in the County
of London Widow of the second part and **STEPHEN J. C. JONES**
WILLIAM of 13 Highgate Court in the City of London Solicitor
and **HUBERT GOODMAN HUBERT** of 11 East, Cannon
Street in the said County of London Esquire (hereinafter
called 'the Purchasers' of the third part) Whereas

The Vendor is seized of the hereditaments hereinafter described
in unincumbered fee simple in possession and has agreed with
the Purchasers for the sale thereof to them for the use of fee



Settlement dated
hereunder and be-
st first George
and John Leckie
and Sarah Barker
Murdock Stocker
said Settlement
consent of the said
and during their
whole life to interest
of the Settlement
to be Great

having beneficiary
contained and
execution of this
intended to be

in the presence
of the sum of
1000/- paid to
mentioned
said Adams
y acknowledge
or up unto the
do part of a farm
Parish of Delpham
and on the place
same place being
the same situation
the map shown
or less being
numbered 321 on
Purchasers in-
tentions mentioned
trusts and wish
y and on the said
concerning

hereditaments purchased under the heretofore recited power
of purchasing freehold hereditaments or such of the same
trusts powers and provisions as are now subsisting and
capable of taking effect.

1. The Purchasers to the intent that this covenant shall be
binding so far as may be on the owner for the time
being of the hereditaments hereby assured but upon the
Purchasers only so long as they are the owners of the same
hereditaments hereby covenant with the Vendor that the
Purchasers and their successors in title will at all times
hereafter observe and perform the restrictions and stipulations
set forth in the first Schedule hereto.

2. The Vendor hereby acknowledges the right of the Purchasers
to production and delivery of copies of the documents specified
in the second Schedule hereto and undertakes with the
Purchasers for the safe custody thereof when and so often as
the said documents comprised in the said Schedule shall
come into the possession of the Vendor his heirs or assigns
In witness whereof the said parties to these presents
have hereunto set their hands and seals the day and year
first above written.

The First Schedule above referred to

- X 1. That no trade or business shall be carried on on the
said land.
2. The Purchasers will not erect or permit to be erected on
the said land any dwellinghouse of less value than £1500.
- X 3. The Purchasers will not do or permit to be done on the
said land any matter or thing which may be or become
a nuisance to the Vendor or his successors in title.

The Second Schedule above referred to

22nd September 1920 Charge. The Vendor (1) The London County Westminster and
Docks Bank Limited (2)
26th September 1920 Conveyance: Gilbert Gardner (1) Gilbert
Gardner and John Gardner (2) The
Vendor (3)

A: Property register continued

25 May 2007 made between (1) Muriel Helen Arbuckle and Roger Charles Philpot and (2) Felpham Consortium Limited.

NOTE: Copy filed under WSX313127.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (07.11.2008) PROPRIETOR: VICTOR ADOLF COUTIN of Bonhams, Hoe Lane, Flansham, Bognor Regis, West Sussex PO22 8NP.
- 2 (07.11.2008) The price stated to have been paid on 29 September 2008 was £50,000.
- 3 (07.11.2008) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the charge dated 29 September 2008 in favour of The Royal Bank of Scotland PLC referred to in the Charges Register.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (19.07.2000) A Conveyance of the land in this title and other land dated 24 October 1972 made between (1) Helen Sybil Dow Sainter and others and (2) Victor Kildea Arbuckle and Muriel Helen Arbuckle (Purchasers) contained details of the restrictive covenants affecting the land edged blue on the title plan contained in a Conveyance dated 15 May 1935 made between (1) Owen Ernest Adams (2) Muriel Ada Adams and (3) Sydney Ernest Wood and Hubert Goodman Stocker of which the following are details:-

- X 1. No trade or business shall be carried on the said land.
- 2. The Purchaser will not erect or permit to be erected on the said land any dwellinghouse of less value than £1,500.
- X 3. The Purchaser will not do or permit to be done on the said land any matter or thing which may be or become a nuisance to the Vendor or his successors in title.

NOTE: No copy of the covenant to observe the said restrictive covenants was supplied on first registration.

- 2 (05.10.2007) Option to purchase in favour of Kingsoak Homes Limited contained in a Option Agreement dated 25 May 2007 made between (1) Muriel Helen Arbuckle and Roger Charles Philpot and (2) Kingsoak Homes Limited which will subsist until 25 May 2011.

NOTE: Copy filed.

- 3 (07.11.2008) REGISTERED CHARGE dated 29 September 2008 affecting also title WSX316785.



Councillor Stephen Haymes

Woodlands Park House
Woodlands Park
Yapton
Arundel
West Sussex
BN18 0EZ

Mr V. Coutin
Bonhams
Hoe Lane
Flansham
Bognor Regis
PO22 8NP

23rd November 2012

Dear Mr Coutin,

Re. Recent junction change at the entrance to Hoe Lane

Thank you for your letter regarding the entrance to Hoe Lane.

As I have driven down Hoe Lane I appreciate your concerns.

I have forwarded your letter to Mr Tansley, the clerk to the Parish Council who will contact WSCC Highways, and to Cllr. Mrs Christina Coleman who is the County Councillor for this area.

Thank you again for drawing this to my attention, and trust you will hear from WSCC Highways and Mrs Coleman shortly.

Yours Sincerely


Stephen Haymes
Chairman Yapton Parish Council
Arun District Councillor



ATKINS *m.0*

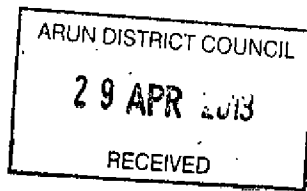
SCANNED
30 APR 2013

Atkins Limited
Anglo St James House
39A Southgate Street
Winchester
Hampshire SO23 9EH

Telephone +44 (0)1962 858688
Fax +44 (0)1962 810296

winchester.enquiries@atkinsglobal.com
www.atkinsglobal.com

Planning and Development Services
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF



Your Ref: Y/18/13/

Our Ref: PLAN-002819

26/04/2013

Proposal: Relocation of existing gates.
Site: Bonhams Hoe Lane Bognor Regis PO22 8NP
Y/18/13/

Dear Sir,

Thank you for your letter of 28/03/2013.

Southern Water has no objections to the proposal.



Current Applications by Officer

Report run on: March-28-2013 2:06 PM

Officer:	Total Current apps per officer:	Current Tree apps per officer:
ARG	15	
CC	21	
DJV	1	
DPS	4	
JC	37	6
JMS	23	4
JXB	1	
KZR	38	7
MO	35	9
NXC	7	
PXC	24	1
SAL	22	
Total Current Applications:	228	

y/18/13/

WSD Local Development Division (Includes ROW/Archaeology/ Ecology/ Highways/Reg3/4/Strategic)	WSE		
Listed Building Design	WSD + 00	28/3	✓✓8
Agricultural Appraisal	WAA		
West Sussex Waste Disposal	WWD		
Commission for Social Care Inspection	RHU		
Playschool Registration Unit	PRU		
Highways Agency and Consultants Interoute	HA & MO		
English Heritage (Parks/Gardens Special Interest only)	EH2		
West Sussex Health Authority (Eastern Area)	WHA		
West Sussex Health Authority (Western Area)	CHA		
Southern Water	SWW	28/3	✓✓8
Environment Agency (Zone 2, 3 or 2/3)	EA		
Portsmouth Water Co.	PW		
Railway consultee	RP		
English Nature	EN		
Sussex Police	POL		
English Heritage (for apps affecting grade I or 2* LB's)	EH		
Garden History Society	GHS		
Health & Safety Executive	HSE		
Sport England South East	SPO		
West Sussex Fire and Rescue (Water And Access Management)	WFW		
Department for Environment, Food & Rural Affairs	DEF		
The Countryside Agency	COA		
South East England Regional Assembly	SEE		
Western Sussex Primary Care Trust	PCT		
South East Economic Development Agency	ECD		
National Planning Casework Unit	MFF		
Ministry of Defence Safeguarding - choose from either: general planning applications MO1 , for Wind Turbines MOD , or for Offshore developments MO2			
The Theatres Trust	TTT		
Estates Property	PS		
Adjoining Council (Worthing/ Chichester/Horsham/ North Mundham Parish Council/South Downs National Park)	WOR/CHI/HOR/ NMP/NP		
Landscapes	LDS		
Arboriculturist	HOR		
Environmental Health	FS		
Leisure Services	TL		
Concessions Officer	CON		
Engineers - All to go to Brian Holland + Fluvial flooding (Simon Power) END or Coastal Protection (Roger Spencer) ENC or Structural (Bruce Taunton) ENS	ENG		
Council Tax	CTR		
Building Control	BC		
Economic Regeneration	ER		
Housing Policy	HOU		
Housing Management	CHO		
Local Plans	FP		
Conservation Officer	CO	28/3	✓✓8
Planning Solicitor	LEG		
Elections	EL		
Car Parks	CAR		
Environmental Amenities and Community Safety	EAC		
Windturbine Developments - Directorate of Airspace Policy - CAA Ministry of Defence Safeguarding MOD Ofcom - OFC , NERL Safeguarding-NATS-CTC - WFC			
TSU WILL ALWAYS DO:			
Relevant Parish Council			
CAAC - any app falling within a Conservation Area (enter group code CAA)			
Six Societies - any demolition to a listed building (AMS, CBA, GG, SPA, VS + EH for principle demolition + LOCAL GROUPS ABS, LVC, FVS, AS, EPK, FCG, FNV)			
Ian Brewster - any tree applications (HOR)			
Environment Agency - if development in a flood plain (EA)			
Southern Water - development over a public sewer or If in Barnham Drainage Area			
Adjoining Parish/Town Council if Dual Parish application			
Southern Gas Networks GBO (Check Utility Maps - applies in Shripney and Crossbush)			

Clerk of the Council
David Tansley

12 The Loop
Felpham
Bognor Regis
West Sussex PO22 7ND

Yapton
Parish
Council

E-mail
Website

23 November 2012

Dear Mr Coutin

Recent junction change at the entrance to Hoe Lane

I am writing on behalf of the Chairman of the Parish Council to acknowledge and thank you for your letter dated 20 November 2012. I am sorry you had difficulty in locating an address for the Council itself. It is published both on our website and in our Parish Magazine, Yapton News, which is distributed to every household on the village.

We do appreciate the concerns you raise about the road layout at this junction. As this is a highways issue, however, it is a matter which falls within the purview of the County Council and as such it is for them to follow up and advise upon. I have therefore forwarded your letter to WSCC Highways and have asked that they write to you direct as soon as possible, copying in the Parish Council with their reply.

Yours sincerely

Clerk of the Council

Copies:

Stephen Haymes, Chairman of Yapton Parish Council
WSCC Highways

Mr Victor Coutin
Bonhams
Hoe Lane
Flansham
BOGNOR REGIS
PO22 8NP


QUALITY
PARISH
COUNCIL



Councillor Stephen Haymes

Woodlands Park House
Woodlands Park
Yapton
Arundel
West Sussex
BN18 0EZ

Mr V. Coutin
Bonhams
Hoe Lane
Flansham
Bognor Regis
PO22 8NP

23rd November 2012

Dear Mr Coutin,

Re. Recent junction change at the entrance to Hoe Lane

Thank you for your letter regarding the entrance to Hoe Lane.

As I have driven down Hoe Lane I appreciate your concerns.

I have forwarded your letter to Mr Tansley, the clerk to the Parish Council who will contact WSCC Highways, and to Cllr. Mrs Christina Coleman who is the County Councillor for this area.

Thank you again for drawing this to my attention, and trust you will hear from WSCC Highways and Mrs Coleman shortly.

Yours Sincerely,

Stephen Haymes
Chairman Yapton Parish Council
Arun District Councillor

Victor Coutin
Bonhams
Hoe Lane
Flansham
Bognor Regis
PO228NP

David Tansley
Clerk of the Council
12 The Loop
Felpham
Bognor Regis
PO227ND

22 December 2012

Dear Mr Tansley

Recent junction change at the entrance to Hoe Lane

Thank you for your reply to my letter dated 23 November 2012. As of today I have not heard from Mrs Coleman or WSCC.

Even if WSCC do decide to amend the new road layout I believe my existing entrance situation could still be hazardous.

Consequently I have decided to take matters into my own hands and move Bonhams entrance gates further up my drive.

This would allow clear and easy passage onto my property without a vehicle being at risk whilst waiting for the gates to open.

I am not sure if I need planning permission for this but I will take advice from Arun Council after the Christmas holiday.

Thank you for your interest in my problem. I am very grateful and whilst writing can I extend my best wishes for Christmas.

Yours sincerely



Victor Coutin

Cc: Stephen Haymes

Bonhams
Hoe Lane
Flansham
Bognor Regis
PO228NP

David Tansley
12 The Loop
Felpham
Bognor Regis
PO22 7ND

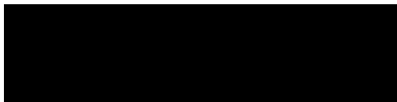
24 March 2013

Dear Mr Tansley

I write further to my previous correspondence to Stephen Haymes and your letter to me dated 23 November. I am disappointed that following your letter I have had no response from WSCC Highways or Cllr. Christina Coleman. I had waited to hear from them before submitting my Planning Application to move my gates but as time has moved on and safety is an issue I have had now made the application. For your reference the Planning Application reference number is PP-02538656.

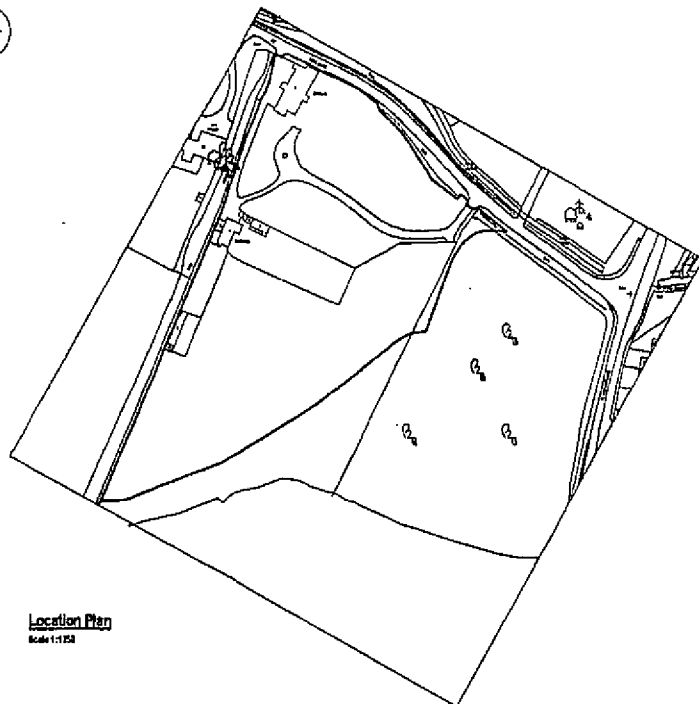
For ease of reference I have enclosed copies of all correspondence and a copy of my letter to Arun Council Planning Department.

Yours sincerely

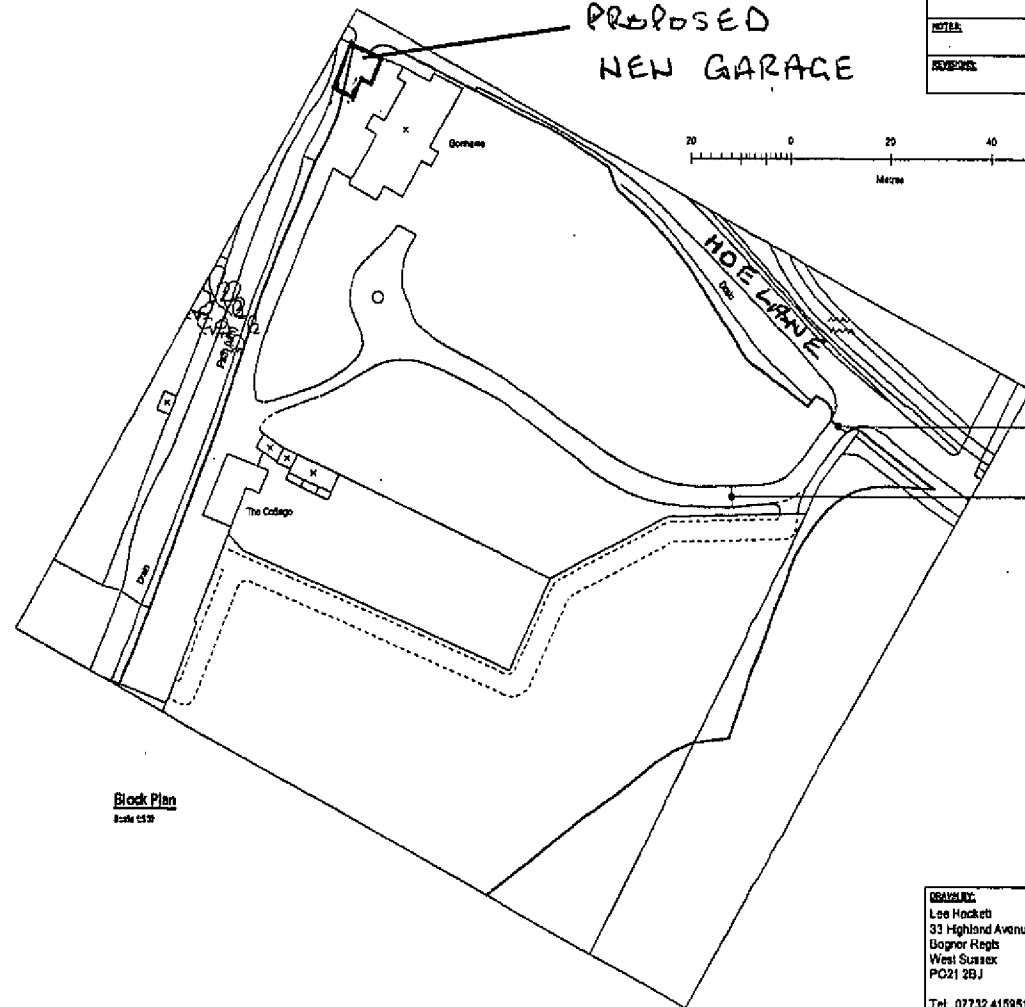
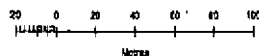


Victor Coutin

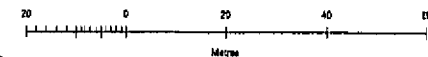
CC. Stephen Haymes, Chairman of Yapton Parish Council



Location Plan
Scale 1:1250



Block Plan
Scale 1:500

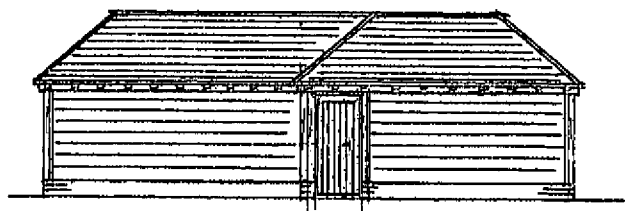


 Metres 1:50	
NOTES	
REVISIONS	

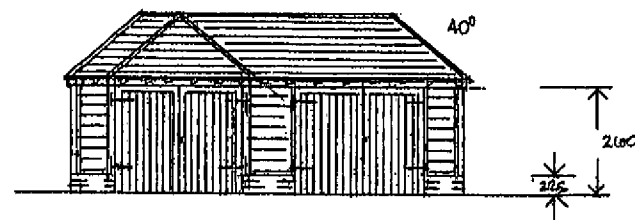
- LOCATION A
Existing Gates.
Move metal gate to new location and remove existing flat roof and posts.
- LOCATION B
Proposed location of Gates and associated veranda.

DRAWN BY: Lee Hockett 33 Highland Avenue Bognor Regis West Sussex PO21 2BJ Tel: 07732 415951 Email: lee@sussexbuildingplans.co.uk	
Copyright 2013	
DRAWING TITLE: Location & Block Plans	
DETAIL: Alterations to Gates Bognor Hoe Lane Flansham Bognor Regis West Sussex PO22 8NP	
CLIENT: Mr V Coull Bognor Hoe Lane Flansham BOGNOR REGIS PO22 8NP	
Scale: 1:50, 1:1250	Date: 14 March 2013
Drawn by:	Rev. No.
GATES02	

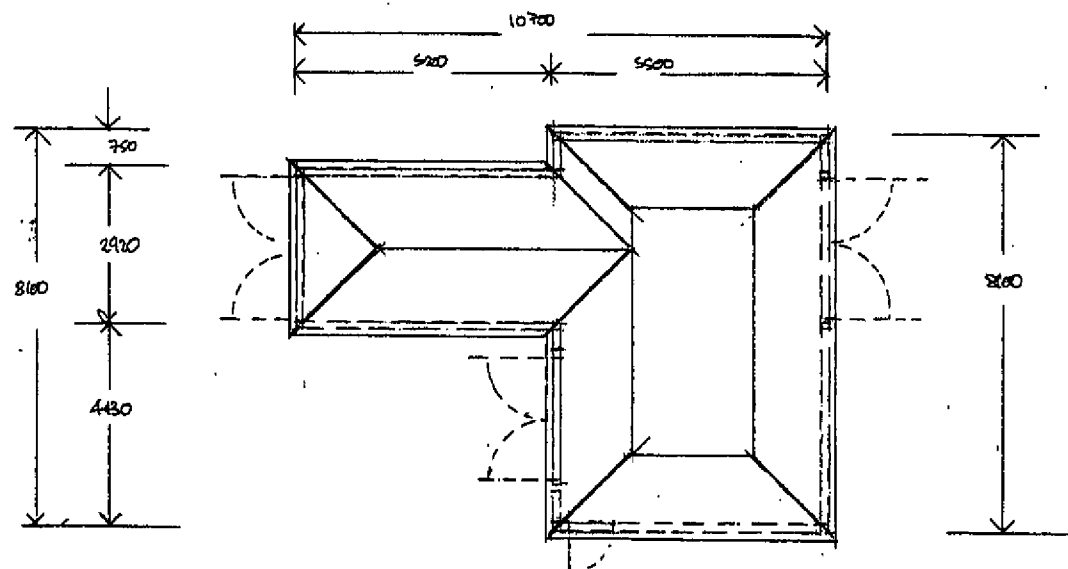
This drawing is 'indicative' only and the position of ALL Posts and Rafters will be assessed by a Structural Engineer.



Side Elevation



Rear Elevation



Plan

CHANGING DOOR
2/2/2010 to 2/10/2010

REV	DATE	NOTES
		
CLIENT: Mr. V. COULTAIN		
PROJECT: 3 Bay Garage		
DRAWN: PD DATE: 2.4.13		
SCALE: 1:100 DRG NO: 13/31		
PRIME OAK BUILDINGS LIMITED Tel: 01384 296611 Fax: 01384 273118 www.primeoak.co.uk info@primeoak.co.uk		

THIS DRAWING IS COPYRIGHT

DESIGN DIRECT P068A 01302 300888