

## **Final Formal Objection: Application AWDM/1019/25**

**To:** Adur & Worthing Councils Planning Department **Application Reference:** AWDM/1019/25 **Site:** Land Rear of 53-61 Southview Road, Southwick, BN42 4TS **Subject:** Formal Objection to Proposed Development (SD Holdings)

I am writing to formally **OBJECT** to planning application AWDM/1019/25. Having resided in this area for over a decade and having monitored every previous application on this site, I believe this proposal is physically and environmentally dangerous. It ignores documented infrastructure failures, statutory regulations, and a very recent Planning Inspectorate dismissal.

**1. Legal Precedent: Failure to Address July 2024 Appeal Dismissal** This application is a tactical attempt to bypass the **Planning Inspectorate decision (Ref: APP/Y3805/W/23/3334241)** dated July 2024. The Inspector concluded that development here was **"harmfully discordant"** and **"unacceptably overbearing."** Under **Section 70A of the Town and Country Planning Act**, I urge the Council to decline to determine this application, as it is a repeat proposal that fails to overcome the fundamental "back-land" overdevelopment and character issues previously identified.

**2. Empirical Evidence of Hydraulic Overload & Groundwater Surge** The applicant's drainage strategy (referencing GTA Drawing 12383-100) is mathematically and scientifically "unsound" based on real-world data from our street:

- **The 75 l/s Reality:** As documented in Southern Water EIR 2770, during recent flood events at The Green and Cross Roads, the infrastructure required 3 x 150mm industrial pumps operating at a rate of 75 litres per second (l/s) just to manage the overflow.
- **Environmental Health Findings:** During the flooding approximately two years ago, I spoke directly with the attending Southern Water engineers and Environmental Health officers. They tested the overflowing water and confirmed it was "extremely clean."
- **The "Washout" Effect:** This "clean water" test proves that the flood is not standard sewage or surface runoff; it is a massive surge of fresh groundwater from the Ladywell Stream system physically washing out the sewers. The proposed development removes the "sponge" effect of the gardens, forcing even more groundwater into the foul system, causing total hydraulic failure.

**3. Obstruction of the "Underground River" (Ladywell Stream)** The site sits directly atop a historical watercourse and spring line.

- **Historical Evidence:** The 1872 Ordnance Survey identifies natural springs running through this block. These are now culverted.
- **The "Dam" Effect:** Building deep concrete foundations will act as a subterranean dam, blocking the natural north-to-south flow and forcing water into the basements of Underdown Road.
- **Covenants:** Restrictive covenants exist on these gardens specifically to preserve the land's function as a natural soakaway. While the Council may view these as civil, they provide material evidence of the land's historical unsuitability for building.

#### 4. Statutory Ecological and Environmental Protections

- **Biodiversity Net Gain (BNG):** Under the **Environment Act 2021**, the developer must prove a **10% net gain**. Given the loss of mature garden habitat and the presence of protected wildlife, achieving this threshold on such a constrained site is ecologically impossible.
- **Protected Trees:** The proposal risks the Root Protection Area (RPA) of a TPO-protected tree, violating **BS 5837:2012**.

#### 5. Highway Safety, Parking, and Logistical Failures

- **Parking Overspill:** The high-density nature of this "back-land" build will lead to unacceptable parking pressure on Southview and Underdown Road, creating hazards for existing residents.
- **Refuse Collection:** Plan 25-016 P03 A shows no turning head for a 26-tonne refuse freighter. This will lead to dangerous reversing or 8+ industrial bins blocking the Southview Road pavement.
- **Highway Integrity:** Southview Road is in poor structural condition. Heavy construction HGVs will cause further subsidence and risk the foundations of existing properties.

**6. Lack of Developer Accountability** I wish to place on the official record a conversation I had with the developer (SD Holdings) circa 2018. When questioned on the units' survival against known flood risks, he stated: *"I'll retire, they won't be able to touch me."* This admission proves a disregard for the NPPF requirement for "sustainable development" over its entire lifetime.

**Conclusion** This application fails the BNG 10% legal threshold, ignores the documented 75 l/s flood risk, and directly contradicts the 2024 Planning Inspectorate's ruling. I urge the Council to refuse this application.

Yours faithfully,

Stuart Lee