The Planning Inspectorate
Room 3/21
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

PO Box 5170
Brighton BN50 9UN
13/8/2009

Your ref APP/Y3805/A/09/2107819/NWF

Dear Sirs 53 Parkhill Road, Lancing BN15 8HB

I am in receipt of your letter of the 17th August, enclosing the LPA's statement in respect of the appeal, and also representations made by Gates & Maloney on behalf of Mr & Mrs Coombes

I have read in detail the LPA's statement, and I only have a few comments to make

4.1 As I have stated previously these comments are subjective and relate only to possible aesthetic matters. Also none of these comments were in the officers report, that wholeheartedly recommended the scheme saying that it complied with all planning policies. Prior to going to Committee the officers were quite satisfied that the proposal had no adverse effect on the streetscene, and it was only after the Committee decided to refuse the application, that the officers were forced to come up with a reason, which is what 4.1 constitutes

4.3 In an earlier application there were two reasons for refusal the second being that the proposal does not include adequate provision on the site for the parking of vehicles associated with the proposed use and it would generate a volume of traffic and activity which would be detrimental to the residential amenities. In the latest application it was pointed out that, the present planning use allowed cars, lorries etc in any number and at any time of the day or night to enter the site. On accepting this point the reason for refusal was not regurgitated in the present refusal, and so to try and re introduce it now is unacceptable. The officers report indicates that the site is within a sustainable location, where no provision of parking can be acceptable

CONT

- Moving on to the representation made by Gater & Moloney

(a) The Council officers do believe that a mixed use with residential and business premises is acceptable in this location and other instances. The new party wall legislation would cover any concerns about the new building abutting Nos 57 & 61

(b) The possibility of a car parking in this location already exists and the new proposals do not exacerbate this

(c) This is a matter for building control, if the application is approved

(d) It was the Coombs choice to build a conservatory right on a boundary where they had no rights of access or rights of light, and the officers found no infringement. If instead of just building regulation permission, planning permission for the conservatory had been sought and a notice No1 issued. Objections may well have been raised at the time

(e) The Coombs did claim a prescriptive right of way over the land but on the 11th August they withdrew their claim, see confirmation from the adjudicator for Land Registry. They now accept they have no rights

[redacted]

2 copies as requested

Tribunals Service
Adjudicator to HM Land Registry

The Adjudicator to HM Land Registry
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London WC2B 6EX

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Richard Gillam
P. O. Box 5170 Brighton
BN50 9UN

Our Ref: REF/2009/0372

14 August 2009

Dear Sir/Madam,

WSX255574
John Anthony Coombes and Janet Coombes vs. Richard Gillam
Land on the Southside of 59 Penhill Road, Lancing, West Sussex BN15 8HB

Upon reading a letter from the Applicants' solicitors dated 11 August 2009 withdrawing the Applicants' case

The Adjudicator to the Land Registry directs the Chief Land Registrar to give effect to the Respondent's application dated 26 September 2008 for the cancellation of the unilateral notice in favour of the Applicants upon the above title, as if the Applicants' objection had not been made.

Accordingly, no party needs to attend the hearing that has been scheduled for the 28 Aug 2009 followed by the Site Visit on the 27 Aug 2009.

You are allowed to apply for costs within 28 days from the date of this letter.

Yours faithfully,

[redacted]
Ania Gastol
For the Adjudicator

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