28 th June 2024

Volha Kolchyna
26 The Haven, Brighton Road
Lancing, BN158EU
[redacted]

The Planning Committee
Adur District Council
Portland House
44 Richmond Road
Worthing BN11 1HS

Dear Planning Committee Members,

'The Haven', Brighton Road, Lancing BN15 8EU
AWDM/0202/24 - Written response to the planning application and the recent alterations.

I am writing to express significant concerns regarding the proposed development, which are echoed by the majority of the leaseholders as it can be seen from the vast amount of the submitted objections.

This proposed development **contravenes multiple local and national policies and regulations:** Wildlife and Countryside Act 1981, the recent enhancements from the Environment Act 2021, Environmental Improvement Plan 2023 , Adur biodiversity duty, National Planning Policy Framework, Policy DM5 Quality of the built environment of the Worthing Local Plan 2023, Policy SS1 Spatial Strategy, Policy SS4 Countryside And Undeveloped Coast.

I, therefore, respectfully request your support to reject this planning application. The residents believe that development should not come at the expense of community health, well-being, and environmental integrity. Your advocacy in ensuring that development within our community adheres to sustainable and community-focused practices would be invaluable.

Lack of Planning for Major Building Extension

Current planning application proposes a major alteration to block 4, specifically the replacement of a single staircase with a double staircase involving the demolition of floors as confirmed by the developer in the latest comments. My objection is based on the lack of detailed planning concerning these significant structural changes and the absence of a clear strategy for maintaining resident access and safety during construction.

1. Lack of Detailed Structural Plans: The application fails to provide comprehensive details on the structural changes, which are crucial for assessing the project's feasibility and safety. The demolition of a floor is a major structural alteration that requires thorough planning and justification. The proposal does not adequately address how structural integrity and fire safety, among other critical concerns, will be maintained, which is a requirement under the Building Regulations 2010, particularly parts A and B concerning structural integrity and fire safety.

2. Resident Accessibility and Safety: The proposed alterations significantly affect resident accessibility, potentially violating the Equality Act 2010, which requires reasonable adjustments to ensure that buildings are accessible during alterations. The absence of a clear plan for resident access during the demolition and construction phases raises serious concerns about the safety and practicality of living conditions.

3. Compliance with Local Planning Policies: Local planning policies often require that developments minimize disruption to existing residents. The application lacks a Resident Management Plan, which is typically expected in developments involving significant structural changes. This plan should detail how residents' quality of life will be preserved, how access will be maintained, and how safety will be ensured.

4. Precedent and Guidelines: Planning guidelines emphasize the need for detailed plans when structural changes could impact the day-to-day lives of residents. The lack of such planning in this application suggests a disregard for these guidelines, potentially setting a harmful precedent for future developments.

Community Impact and Equality

The Adur Local Plan 2017 underscores the significance of developments that integrate harmoniously with existing community structures, aiming to enhance or preserve the quality of life for current residents. However, the proposed development does not meet these objectives by removing communal green spaces and providing the green roof for the enjoyment to only a portion of the residents, thus failing to ensure equitable access to shared amenities. This plan not only disregards the principle of equal access outlined in the Adur Local Plan but also plans to utilize community resources to maintain amenities that benefit a limited number of residents, further highlighting the inequity of the proposal.

Overdevelopment

The proposed development constitutes overdevelopment, particularly given the approved development to the north of our building. This concern is detailed in our previous objections and supported by a letter from the professional chartered planning officer from Planning Voice.

Insufficient parking provisions

1. Incorrect Garage Dimensions The planning report incorrectly states that existing garages meet minimum requirements for parking spaces. The report suggests that the garages are 2.8m wide; however, the majority (18 garages) measure only 2.37m, with door openings of just 2m, which do not accommodate modern vehicles. This discrepancy means these garages cannot be counted towards the required parking provisions under the Adur Local Plan 2017, which insists on adequate and usable parking spaces to support new developments.

2. Misrepresentation of Parking Capacity The developer's proposal to officially designate existing informal parking spaces does not increase the physical parking capacity. It is crucial for the planning committee to focus on the actual physical parking capacity available on the

site. If not addressed, this discrepancy between actual and nominal capacity is likely to lead to an overflow of parked cars onto adjacent streets, which is a primary concern among the residents of nearby properties. Real-world usage demonstrates that the site's current capacity is already maximized. For instance, the applicant proposes to create four additional parking spaces to the north of the building; however, in reality, this change would only result in a net gain of one new parking space beyond what residents already utilize. Please refer to the image below.



3. Incorrect Space Dimensions Allowed for Parallel Parking. The developer's assertion that seven cars can fit in a specified area to the south of the building is inaccurate; practical assessments suggest a maximum of six (see the image below). This overestimation further highlights the discrepancies in the developer's parking plan and the actual spatial limitations of the site.



4. Reduction in Available Parking The proposal to convert two regularly used parking spaces into disabled parking significantly reduces accessibility for existing residents, not accounting for the needs of the new units. Such an approach not only fails to meet local planning requirements but also disadvantages current occupants.

Overall Impact The application claims an addition of 11 new parking spaces, with two allocated for disabled users. In reality, the proposal will only create 7 new spaces for 9 additional flats with 2 3-bedrooms. Additionally, if the applicant allocates nine designated parking spots to the new flats, existing residents will find themselves with a deficit of four parking spaces compared to their current allocation.

Given the outlined issues, particularly the discrepancy in garage dimensions and the misrepresentation of the true parking capacity, it is clear that the development will lead to severe parking shortages and spill over onto nearby roads. Such outcomes are inconsistent with the objectives of the Adur Local Plan 2017 and National Planning Framework, which aim to ensure developments are adequately supported by necessary infrastructure without detrimental effects on the existing community.

Significant environmental impact

This is due to removal of over 40m of existing mature hedgerows including trees. The proposed development raises several significant concerns regarding biodiversity, the accuracy of the Biodiversity Net Gain (BNG) report, and adherence to national and local policies.

1. **Inaccurate Biodiversity Net Gain (BNG) Report**:

   The BNG report submitted by the developer, although prepared by a qualified ecologist and using the standard metric, has significant deficiencies. Upon review by another ecologist specializing in BNG (a personal acquaintance), it was found that the report lacks critical data, including the lengths of the hedgerows before and after development, initial conditions, prioritization of hedgerows as primary habitats. Such omissions make the BNG score highly susceptible to manipulation. Additionally, the developer's ecologist inaccurately classified our hedgerows as ornamental based specifying their height being under 2 meters, whereas over 20m of our hedgerows are actually 2.7 meters tall. **According to the Natural England BNG guidance, establishing a baseline is essential for any BNG calculation.**

   Moreover, it came to our light that CT Ecology report was rejected by the Council's ecologist and other professional ecologists for another Adur development. This incident clearly demonstrates that the CT Ecology cannot be relied upon.

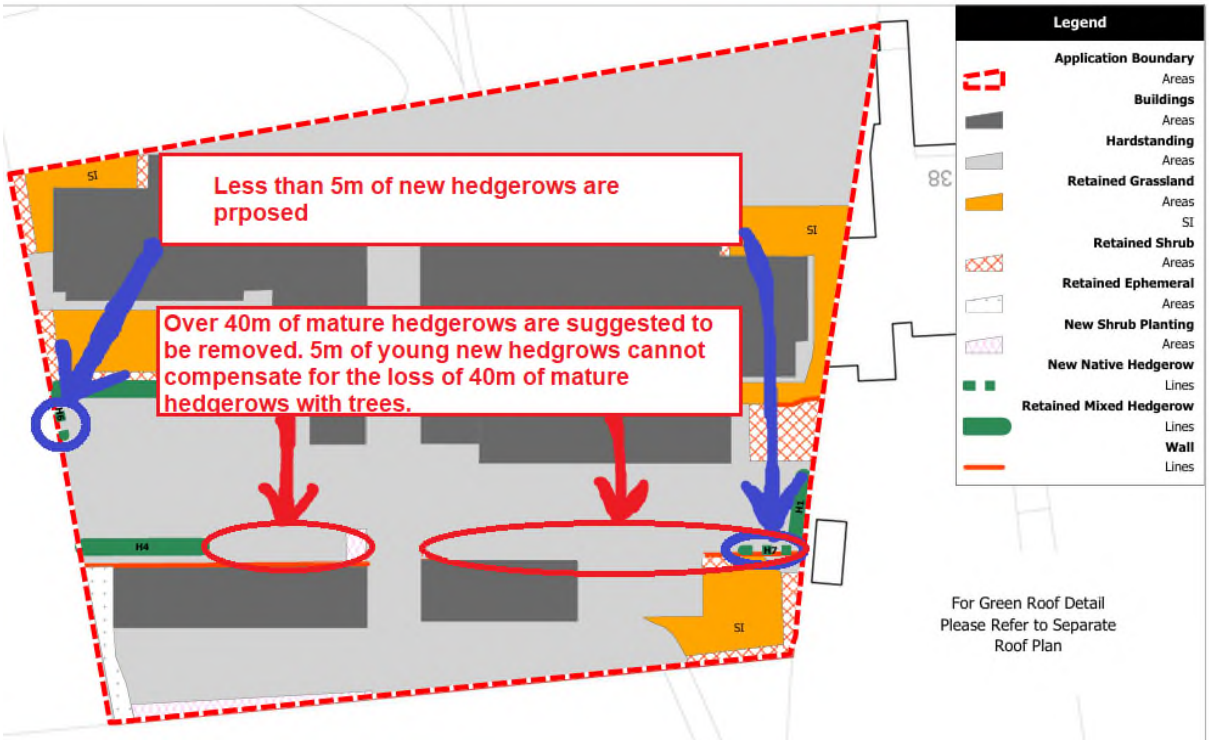
   The application was submitted in November 2023, prior to the mandatory requirement for a BNG report. However, this appears to be a tactic by the developer to submit a substandard report early to falsely indicate compliance with national policies, knowing that its validity cannot be thoroughly examined due to the timing.

Summarising the points of concern:

1. **Submitted BNG report does not satisfy the required standard for BNG reporting according to the Natural England BNG guidance**: lacks providing input data for original and proposed measures, conditions assessment, contains misclassification of the primary habitat, misses a 30-year plan.
2. **CT Ecology company report was rejected for another case by the Council's Ecologist and other qualified ecologists who reviewed the report.**
3. **Manipulative Tactics**: The early submission of a flawed report seems to be a strategic move to evade scrutiny.

Request for Action: Given these issues, we urge the planning authorities to ignore the submitted BNG report and critically evaluate the developer's compliance with national biodiversity policies, delay the decision making on this case and consult with an independent ecologist.

2. **Insufficient Mitigation Measures**:
   - **Like-for-like replacement requirement ignored**. According to the Natural England BNG guidance and other policies there should be like-for-like replacement of the effected green areas. The CT Ecology ignores this fact by focusing on green roof and not even specifying the sizes of the proposed new hedgerows
   - **Insufficient replacement for hedgerows**. According to the suggested plan, there will less than 5m of young biodiverse hedgerows introduced to compensate for the loss of over 40m mature hedgerows (over 30 years old) containing holm oak trees. The proposal is absolutely inadequate to replace the loss of biodiversity resulting from this proposal as confirmed by an external ecologist upon consultation. See the image below for native vs proposed lengths of hedgerows.



- **Inadequacy of compensating losses with the green roof**. Green roof can only compensate for the loss of grassland lost to the north of the building. It should not be counted as a replacement for the loss of hedgerows.

3. **National and Local Policies and Regulations non-compliance**

- **Management of Hedgerows (England) Regulations 2024**:
  - Although this application predates these regulations, the principles of protecting existing natural habitats are clear and should be considered. The regulations aim to preserve hedgerows due to their significant ecological benefits, including serving as wildlife habitats, preventing soil erosion, and supporting biodiversity.
- **Wildlife and Countryside Act 1981**:
  - This Act prohibits the removal or destruction of certain types of hedgerows without proper assessment and approval, highlighting the importance of protecting wildlife habitats.
- **Adur Local Plan 2017**:
  - **Policy 31 (Green Infrastructure)**: This policy emphasizes the protection and enhancement of green infrastructure, including hedgerows, to support biodiversity and the ecological network. Removing mature hedgerows contradicts this policy, which aims to safeguard and enhance green spaces within the district.
  - **Policy 33 (Biodiversity)**: This policy requires developments to conserve and enhance biodiversity. The removal of these hedgerows would result in a significant loss of habitat for local wildlife, thus failing to comply with Policy 33.

4. **Ecological Value and Community Impact**:
   a. **Long-Term Ecological Harm**: Removing 40 meters of 30-year-old hedgerows, which include trees, cannot be mitigated by a minimal increase in green space on a roof. The ecological functions provided by mature hedgerows, such as carbon sequestration, soil stabilization, and habitat provision, are irreplaceable in the short term.
   b. **Community Well-being**: The presence of green hedgerows significantly contributes to the well-being of residents as they have been carrying for them for over 30 years and see them form their windows and balconies. The garden, even though precious to the residents, is not visible from the windows. The National Planning Policy Framework (NPPF) emphasizes the importance of green spaces for mental and physical health, and their removal would adversely affect the community.

Circumventing local affordable housing requirements, which undermines the spirit of the Adur Local Plan 2017.

- **Strategic Avoidance of Affordable Housing Obligations:** The Adur Local Plan clearly stipulates the need for developments of ten or more units to include a quota of affordable housing to support the community's diverse needs (Adur Local Plan, Policy H2). By proposing exactly nine units, this development appears to strategically position itself just below the threshold that mandates affordable housing contributions. This approach not only contravenes the intentions of our local housing policies but also deprives the community of much-needed affordable housing options.
- **Adverse Impact on Local Housing Market:** In addition to avoiding affordable housing requirements, this high-end development is likely to drive up local housing prices, further distancing the housing market from the reach of moderate-income families in Adur. This impact directly conflicts with the objectives outlined in the Adur Local Plan, which aims to maintain accessibility and prevent the displacement of existing community members (Adur Local Plan, Policy H3).

I trust that the committee will uphold the principles of the Adur Local Plan in their evaluation and decision-making process.

Yours sincerely,

Olga Kolchyna