Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 29/09/2025 10:36 AM from Mrs Judith Kelly.

Application Summary

Address:	The Drive Mill Lane Worthing West Sussex BN13 3DF
Proposal:	Application to vary Condition 12 (No occupation of plots 1, 2 or 3a or 3b shall commence unless and until The Drive has been demolished) of approved AWDM/0692/20 to No occupation of plots 1 or 2 shall commence unless and until The Drive has been demolished.|cr|
Case Officer:	Jackie Fox

Click for further information

Customer Details

Name:	Mrs Judith Kelly
Email:	
Address:	Raddison House 77 Mill Lane Worthing West Sussex

Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Highway Access and Parking - Loss of General Amenity - Overdevelopment
Comments:	AWDM/1123/25 We oppose the variation of planning condition. The Kelly family concurs with the submission of our neighbours that this application makes little sense in light of enforcement action upheld by the court action earlier this Summer. I had deferred commenting anticipating further submissions by the landowner's planning agent to illustrate exactly how her son, a one man builder with very occasional day labourer, might feasibly demolish The Drive and build houses on Plots 1 and 2 in tandem. In the absence of clear details I believe the LPA should refuse this application. The condition is only one of several recognised by the Planning Committee at the meeting in September 2023 when they voted unanimously to enforce the "Pre-Occupation" conditions; all of which were triggered in 2021 when plot 4 (79 Mill Lane) was occupied by the landowner and latterly when Plots 3A and 3B were occupied. As stated previously, the syntax of these "pre-occupation" conditions renders them impossible to enforce proactively so I would go further than opposing this request to vary a condition that is already in breach and unremedied, to state that "Pre Build" conditions should now be substituted next time AWC grants permission for the land-owner's son's application. There has been no act of good faith to remedy any of these breaches and the length of time taken to enforce has not served this community adequately. Following the expiration dates of the Breach of Condition Notices served since

2016, no compliance is possible now without a time machine, however an act of compliance in good faith might have supported the builder's representations. There have been no acts of good faith.
The applicant could have made this submission in November 2023 when the most recent raft of BCNs was served. This feels to local residents of High Salvington as a ruse to delay further enforcement action; to kick the can down the road. The fact that this application offers no plan for the achievement of this concurrent demolition and build, gives us no confidence in the agent's hollow throw-away promises of consideration for the amenity of near neighbours; actions for over a decade speak louder than empty promises. Ms Ronan's words:
"It is now proposed that The Drive will be demolished at the same time as work begins on site to construct plots 1 and 2 and not before this time, to avoid unnecessary "stop start" periods of machinery entering the site and associated disturbance to residents."
This statement is, at best, nonsensical. To careworn neighbours, it is disingenuous. The most recent stop period has lasted 2 years - an adequate time period during which The Drive could already have been demolished, the required turning head established and the two permitted houses built on plots 1 and 2.
I ask the council to refuse this variation because there has been no act of good faith to show that the builder is considerate of local neighbours. If and when the open application re Plots 1 and 2 (AWDM/0530/25) is determined, I would ask the LPA to revise the outstanding breached conditions to reword them as "Pre-Build conditions". Pre-occupation conditions are no longer sensible given the current and ongoing occupation of houses on site. This is to ensure that the requirement to complete the estate road, turning heads, visibility splays, supplementary planting etc are completed before the builder is able to build two more houses, install more tenants who are unaware that they are living in homes that breach planning, whilst keeping The Drive, for whatever purpose has prevented it's demolition from 2021 onwards. This house appears to still be occupied.
We would also ask for the builder to submit a comprehensive new Construction Method Statement to set out how this "simultaneous work" will be approached whilst fully maintaining access to and from the estate road on to Mill Lane throughout the build. Unfortunately, the CMS accepted under AWDM/0572/23 to vary a previous long-overdue condition was inadequate to cover the ever-changing complexion of this site.
In recognition of the bottle-neck exit to Mill Lane proper, by allowing houses on plots 4, 3A and 3B to be occupied when the LPA's intention was that the whole site (plots 1-4) would be completed and the estate road fully finished before occupation. Residents have justified concerns that there is insufficient room left on site to accommodate demolition work, site traffic, materials and equipment.
The proposed relaxation of another breached condition is incoherent and should be rejected by the Planning Department.