

DW PLANNING

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My Ref: DWP/5/10

To:-

The Planning Inspectorate,
Room: 3/21,
Temple Quay House,
2, The Square,
Temple Quay,
BRISTOL
BS1 6PN

Dear Sir,

Town and Country Planning Act 1990 - Appeal by Mr. Paul Meredith
Site at 1, Freshbrook Road, Lancing, BN15 8DA
Your Ref. APP/Y3805/A/10/2124426/NWF

With reference to your letter dated 14 June 2010, regarding the Secretary of State`s recent announcement concerning the revision of PPS3, I do not believe that the change in Government policy is relevant to this Appeal, for the following reasons:

1. The Appeal is not, and never has been, a garden;

2. The Appeal site, as described in the Planning Officer`s report, comprises a former storage/office building, located within the designated built-up area for Lancing, and for which the lawful use is commercial/business premises.

3. The relevant development plan already contains policies which encourage the mixed use of such previously developed sites;

4. As the Planning Officer`s report also stated, the re-use of the site for (lawful) storage, etc. purposes has some potential to be unneighbourly.

5. The Planning Officer had no objections in principle to the redevelopment of the site for wholly residential purposes;

6. The LPA`s Decision Notice makes no reference to the principle of such a redevelopment/use, only the manner in which it is proposed to be developed for same;

7. The Appeal site still falls to be classified as "previously-developed land" as now defined in Annex B to the new PPS3, dated June 2010, in that it is occupied by a permanent structure and includes the curtilage of the developed site;

8. The Appeal site is not included in any of the "exclusions" listed in the new definition pf previously-developed land, for the simple reason that, as land within the built-up area, it already *"has been previously developed"* and where the permanent structure thereon has not *"blended into the landscape....etc"*.

8. In relation to the last sentence of the definition in Annex B, the LPA have already, via their Planning Officer`s recommendation and in their refusal reasons, accepted as matter of principle that the site is suitable for housing development.

9. In terms of density (para. 47 of the new PPS3), the Officer`s Report states that the density of the proposed development (83dph, including the access drive) is comparable to that of the nearby terraced houses (75dph) and the sheltered flats at Amberley Court (100dph); also, that a development of flats would normally be expected to exceed the (previously-applicable) density targets for conventional housing.

10. The provision of small, affordable flats – as opposed to conventional houses - would in any event meet the objectives of the Secretary of State, in that they would more suit local needs, in an area where there is already a range of densities and not an over-reliance upon one form of development; the proposed flats thus represent the flexibility of density and dwelling-type ranges the Secretary of State is now seeking.

In conclusion, while understanding the Inspectorate`s concerns as to the implications of the Secretary of State`s recent announcement and the new PPS3, I do not believe they in any way affect my Client`s case.

As a non-garden site, the proposals remain to be determined in the light of the still extant thrust of Government policy, which is to direct new housing to suitable locations, the priority for which should be *"previously developed land, in particular vacant and derelict sites and buildings"* as set out in para.36 of the new PPS3 – the Appeal site falling precisely within this category.

Indeed, to permit new housing on the Appeal site, in the manner proposed, would relieve some of the pressures for developing conventional garden sites - exactly the objective of the Secretary of State`s announcement, and at a density and type of housing commensurate with the existing range of housing provision in the locality.

Yours sincerely,

[redacted]