21.10.2021

RE: AWDM/0765/21

Planning Inspectorate Number: APP/Y3805/W/21/3278230

I am writing with regard to the above planning appeal by Mr J Davies.

Previous planning application and appeal were both refused for creating 2 storeys and 5 additional units on the existing building.

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Amongst the representations submitted back in February 2021 I would like to draw attention to **Mr Tim Laughton MP's**, particularly to the part where it says:

"The essential task of reinforcing foundations and walls (possibly 3 metres down) would be very disruptive to the existing residents and for safety reasons would surely require them to move to temporary housing."

No contingency plans or I assume surveys were prepared regarding this eventuality by the appellant.

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The distance and the implication of Brighton City Airport as an **aerodome** were also widely debated. Please take **Mr Rob Cooke Managing Director's** representation into account where it says 16/02/2021):

"Having made our submission, the Applicant has subsequently, in their appeal, expressed **a view**, that the intention of paragraph A.1.(o)(vii) is to apply to the perimeter of safeguarded aerodromes only.

Brighton City Airport is a safeguarded aerodrome – we have a safeguarding process in accordance with the guidance contained in Civil Aviation Publication (CAA) CAP738 Safeguarding of Aerodromes and have, for many years, lodged a safeguarding map with our local Planning Authorities, including Adur and Worthing Council.

What I believe the applicant meant to refer to was 'officially safeguarded' aerodromes only – these being a specific list of 41 Aerodromes including the largest airports in the UK that are afforded some additional protections in the planning process.

CAP 738 confirms in its opening paragraph (reproduced below) which aerodromes it is applicable to:

"This publication is intended to provide advice and guidance to all those involved in the process of 'aerodrome safeguarding'. Primarily these are certificated and licensed aerodromes, heliports and hospital helicopter landing sites (HHLS) but non-licensed aerodromes, heliports and HHLS3 may find the information of assistance. Additionally, the publication provides guidance on the planning process for those aerodromes that are 'officially' safeguarded in accordance with DfT Circular 01/2003 and those 'non-officially' safeguarded aerodromes that may wish to establish a similar process with their Local Planning Authority"

It goes on to advise (emphasis added):

"Aerodromes holding a certificate based on European Union (EU) regulation or a licence based on UK regulation are required by the CAA to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles; or activities that may present a hazard to aircraft operations (e.g encourage wildlife, glare, lighting, building induced turbulence, etc). **Responsibility for all safeguarding activities at these aerodromes' rests with the aerodrome operator. Government advice is that non-licensed sites are also encouraged to have a system of safeguarding in place with their Local Planning Authority (LPA)."**

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Other matters to urge refusal

Government want to achieve 'building better, building beautiful – sustainable with greener spaces' - This proposal does the opposite, taking away greener spaces in favour of car parking facility and is against environmental and carbon targets. (eg. no bike storage, no car charge points on proposal, no solar panels – all of which should be a given when future planning by prestigious town planners).

5 storeys are proposed (including the ground floor). Definition of a tower block is 6 storeys, and probably would not be considered without a lift. This proposal does NOT seem in line with Public Sector Equality Duty. Who can be expected to be able to access these top floors, whilst doing several trips up and down with say a weekly shop. Certainly not most elderly, those with mobility issues, disabilities or families or those with children.

There is NO shortage of one and two bedroom flats within 1 mile of Lancing station. On Penhill Road only a new (2 storey!!) purpose build block is about to be finished. We also understand that just off the road another planning permission was granted for 9 flats at The Heaven. That plan was also rejected by ADC's planning committee in March last year. The eventual approval cited the lack of a 5 year housing supply in the district as a significant deciding factor. Disappointing as it is, it is to be noted that this new development will NOT be an upward extension.
There is also local approval for around 600 new homes in Lancing some of which *are* designated social housing (New Monks Farm).

Should this appeal at Penhill Court be approved, ALL surrounding 2 and 3 storey blocks will use the case as reference and push for further upwards plans, giving the committees no valid ground for refusal.

Therefore, the refusal should stand.