**TOWN & COUNTRY PLANNING ACT 1990**

**AND**

**THE ACQUISITION OF LAND ACT**

**CHICHESTER DISTRICT COUNCIL (TANGMERE) (No.2)**

**COMPULSORY PURCHASE ORDER 2023**

**STATEMENT OF EVIDENCE OF JOHN AND MOIRA WOLFENDEN**

1. Summary
   1. My name is John Wolfenden, and I am submitting evidence on behalf of my wife Moira and me. We are objectors to this CPO. We are the leaseholder of 28 Saxon Meadow, Tangmere, Chichester, PO20 2GA. We became a shareholder of Saxon Meadow Tangmere Limited (SMTL) in March 2021.
   2. We submitted our objection in two parts one on April 27, 2023, and a supplement on June 21, 2023.The objection is grounded firmly in the context of my human rights, which are referenced at Paragraph 10.2 of the AA’s Statement of Case (Article 1 of the First Protocol to the Convention and Article 8 of the Human Rights Act 1998).
   3. The first part of our objection primarily concerns a boundary issue relating to a small strip of some 51sq metres on the southern edge of plot 7 (owned by the Pitts family). Although not part of our registered title this issue of boundary raises multiple concerns.
      1. The accuracy of the original boundary line in the Conveyance of the land in the deeds dated 26/10/1984 (ATTACHMENT 1). The scale of plan used by the land Registry which omits significant detail and the inconsistency of understanding of where this boundary is intended is unclear. A view of the Conveyance map simply blurs the boundary by use of thick crayon lines. The scale of the plan omits an important feature of a flying buttress on the north wall of the property and the intent of where the boundary would logically be is the ditch line adjacent to the property, since that is the line used for the remainder of the north side boundary of Saxon Meadow. This compounded mistake has resulted in a situation whereby a flying buttress supporting the north wall of our property is apparently registered to the Pitts and would transfer to the AA under this CPO.
      2. In addition, there would be no ability to maintain walls gutter roof or windows without access rights being incorporated into the agreement. A more significant issue is the position and location of the cycle path. if this were to be directly alongside my wall that would have detrimental issues regarding even opening of my ground floor windows. Since occupying this property, the issues have been raised with various parties to resolve it. Including discussions with a Pitts family member regarding obtaining ownership and latterly rights of use. These were stalled by CPO process because of complications they might cause.
      3. An interim solution has been an agreement to plant a mixed species hedgerow providing a 3-metre buffer zone for access and maintenance which follows the culverted drainage and encompasses the flying buttress. An obvious solution to this boundary issue would involve the minor revision to the order removing a 17 metre by 3meter strip of land from the south side of plot 7 adjacent to no 28 Saxon meadow. This issue has close ties to the boundary issue raised by SMTL. The area in question has become known as the Garden Land in the Draft Heads of Terms document (HoTs) a both plot 7 and 8, and the position of Cycle Path.
   4. The second part of our objection, referred to as a supplemented further objection in the Statement of case for CDC concerns the planed Surface Water Drainage Plans of the Scheme. The viability of the currently proposed and show a complete lack of detailed understanding of the existing infrastructure which make the current Sustainable Urban Drainage System (SUDS) unworkable because the slope of the land is not as indicated on ATTACHMENT 2 to this document. There would be increased flood risks to for plot 6,7, and 8 if the current SUDS was not altered. This assertion is based on three factors, incorrect topographical flow direction on plot 6, a complete lack of detailed understanding of the current surface water scheme on the Saxon Meadow particularly on plot 6,7 and 8. site and the opinion from drainage consultants.
   5. In addition to the personal objections mentioned, we are also a shareholder and support the objections raised by SMTL. Like other shareholders of SMTL we welcome paragraphs 12.37 – 12.40 of AA’s Statement of Case. Para 12.37 states that the AA has relocated the Community Orchard outside of Plot 9; para 12.39 states that the AA has requested that the Order is amended to remove Plot 9, 9a and 9b; and para 12.40 states that the AA has offered a set of heads of terms to address the objections relating to the access land, garden land and drainage issues. We and welcome the decision of the Chichester District Council Planning Committee on 16 August 2023 to adjust the boundary of the strategic development land to exclude Plots 9, 9a and 9b and to relocate the proposed community orchard to an alternative location within the TSDL, and the written confirmation in the Heads of Terms document that the Access Land and Garden Land can be separated from Plot 7 and registered in the name of SMTL.
   6. We are aware that a Draft Agreement is under negotiation between SMTL, the AA and Countryside Properties (UK) Ltd (the Developer). There is no doubt that SMTL has negotiated in good faith, and I consider that the parties should work together to complete a legally binding agreement without further delay to resolve this matter so that I can withdraw my objection.

Date: 17 November 2023

ATTACHMENT 1



ATTACHMENT 2

