

From: [REDACTED]
Sent: 25 May 2023 08:27
To: PCU <PCU@levellingup.gov.uk>
Subject: Objection to CPO of Access Track in Birdham by Chichester District Council under CPO 2023
Importance: High

You don't often get email from [REDACTED]

Dear Secretary of State,

I would like to draw your attention to this CPO which has been decided by Chichester District Council (CDC) in what appears to be an attempt to cover-up a previous grant of planning permission on an associated piece of land which should never have been approved. Unfortunately it is very difficult for the common-man to investigate such matters and CDC will certainly not investigate themselves so I am writing to ask that you do so to ensure that there is not a miscarriage of justice.

The details of the CPO are noted here <https://www.chichester.gov.uk/birdhamcpo>

The reason for CDC deciding on this CPO is that they originally gave permission 10 years ago, in error or perhaps worse, for houses to be built on a piece of land owned by a developer but which in fact had **no access**. This decision was made under application BI/13/01391/FUL which was discussed at a CDC council meeting on 13th November 2013. Following this meeting it was discovered that there was not in fact any right of access to this land, which appears to have been, at the best, mistakenly assumed. You will note point iii) at the meeting that no mention was made of this:-

- (iii) Miss Bell explained this proposal which was for a development of solely affordable housing outside the settlement policy area pursuant to saved policy *H9 (Social Housing in the Rural Area)* of the *Chichester District Local Plan First Review April 1999*. In so doing she referred to a sequence of slides shown on the screens, consisting of a location plan, a coloured site layout plan, a varied set of photographs, elevation drawings of the different types of houses and two colour street scenes. On the location plan she drew attention to the boundary features, access to the site via the Crooked Lane farm track, the surrounding agricultural land and views of the site from nearby properties, the layout and features of the site eg mix of dwellings, central access road, car parking and turning, public open space and landscaping. Section 8 of the report addressed in particular whether the proposal satisfied the five criteria of saved policy *H9*. It examined the issues of (a)

It is this 'farm track' which they are now seeking to compulsory purchase having realised over the intervening 10 years that the earlier planning decision could not in fact be legally undertaken and, clearly in hindsight, was approved in error. It would also be valid to note that this track is very narrow and long and certainly not wide enough to be suitable as an access road to a development of houses. It is also directly opposite the Birdham Primary School raising further questions regarding traffic and safety, especially now that the local nursery has now relocated to the school site too.

The meeting goes on to note that the area is an AONB and Chichester Harbour Conservancy themselves objected to this proposal as an 'unacceptable intrusion', as noted in the meeting minutes:-

- The development would constitute an unacceptable intrusion into the AONB and towards Chichester Harbour, which among other points had led the Chichester Harbour Conservancy to object to this proposal. An *H9* site in this location could be the harbinger of some 50 to 100 houses.

Despite the fact that the farm track continues to be unsuitable, and with a considerable amount of public objection, CDC have now made the decision to try and compulsory purchase it. This is therefore tantamount to a second 'wrong' on top of the original wrong decision, and this does not make a right.

I would therefore ask that you block the CPO on the grounds that the original planning application should not have been approved and that the site itself is not in fact suitable for development and is not in the public interest.

Yours sincerely,

Alex Rogers
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