

From: rosemary clayson <[REDACTED]>
Sent: 05 October 2019 10:51
To: Planning
Subject: Comment on Planning Application: Y19/0839/FH

Please consider this comment on

Planning Application Number: Y19/0839/FH

Address: Land Adjoining Telecommunications Centre Stanley Road Folkestone Kent

Proposal: Erection of a pair of 4-bed semi-detached dwellings and the erection of a three-storey building to accommodate 6 x 1-bed and 3x 2-bed flats following demolition of an existing office building together with the provision of car parking.

Reasons for objection to this application.

1. Factual inaccuracies in the proposal
2. No evidence that there is a lawful easement along the private road permitting vehicular or pedestrian access to the site.

Thank you for permitting comments on the above planning proposal.

1. Factual inaccuracies in the proposal

In the planning application form, the proposer states that there will be new vehicular access to the public highway, and invites the committee to refer to 'drawing 1904-03 Proposed Site Plan'. This is untrue.

On viewing the Plan, it is obvious that the proposed new access is not to the public highway, but is to the private access road owned by the freeholder of the 70 properties forming Laurel Court, an assisted living facility for older people.

Indeed, the Highway Authority (in the Highways and transportation comments) states that:
"This proposal is accessed via an existing private street and as such does not meet the criteria to warrant involvement from the Highway Authority".

Therefore, no assessment has been made by the Highway Authority of the impact of the increased activity to the already dangerous access to Stanley Road; both during the development, and afterwards, with the new residential burden (total 20 bedrooms in 11 units).

2. No evidence that there is a lawful easement along the private road permitting vehicular or pedestrian access to the site.

I have searched the documents carefully and have seen no evidence that the site owner is lawfully permitted pedestrian or vehicular access from the public highway to the site via the private road; nor whether such owner is able to lawfully pass on the non-existent easement to the subsequent occupants of the proposed residential units.

The owner of the private road is the freeholder of the Laurel Court properties. The seventy leaseholders of those properties are older people, many of whom are in their 80s and 90s.

They already pay the freeholder for the maintenance of the private road and lawfully allow the easement for the owners of the 6 affordable housing units of 'Kipps Lodge', built at the same time as Laurel Court, as part of the same planning approval, and specified in the original leases.

The freeholder has made no application to the leaseholders to change the terms of their leases, allowing for the easement to be lawfully made, and proposing a shared maintenance burden.

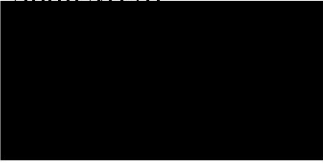
It is not reasonable in law to expect such residents/council tax payers to maintain this private road for the benefit of a commercial developer, or to expect all 70 of them to permit their leases to be changed to relinquish an easement for the purposes of so many units, which will have a significant impact on their safety and well-being.

For example, ambulances and paramedics are called to emergencies within Laurel Court several times a week, sometimes several times a day. Parking within the proposed development is inadequate and there are likely to be vehicles left on the private access road, which will impede the access of the emergency services, as well as NHS staff on routine calls.

Thank you for considering my comments on this Planning Application

R J Clayson

Address c/o

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