



10th August 2022

Planning Application APP/22/00585 42 Bath Road, Emsworth PO10 7ER

Dear Selina Donophy

Certificate A declaration

On 3rd August, following our objection of 1st August we received an incorrectly served notice to 44 Bath Road from pwp architects. Instead of the Certificate A declaration they have merely submitted a Certificate B without changing anything else. Such a route is inappropriate and unacceptable to us:-

There is no shared or partial ownership of anything.

We have not been asked nor would we agree that our garden and our drive be appropriated for their project.

Extant drawings deeds and Land Registry show the garden extension to the T head to be part of 44 property. On June 12th the owners of 42 contractors cut down all the mature bushes on the garden. This was done just before the planning application was submitted on 15th July and without prior notice. (note also that on the 12th the line of mature 40 year old Elaeagnus along the west/allotment boundary were also cut down.)

To add insult to this injury they now claim, in their present submission, the garden area at the top of the drive is to be available as part of their project, presumably as a laydown area for materials. We presume they want to include the drive with its turning head in their project area so that it is available as an overspill area for materials, plant and vehicles. The drive and its turning head is for the use of 41, 42, 43, 44 and obviates the temptation to back out blindly onto Bath Road. The drive and its turning head should not be obstructed.

I refer you to the mirror image planning application for 43 (ref no 06/55518/02 & date 26/11/07). On this application the site red line is along the physical boundary of 43 and as it is shown on the Land Registry plan. The question of access is dealt with simply as "There is no proposed change to the access to or into the property". This presumably permitted a

straightforward Certificate A declaration. The re-development of 43 did not need to use our garden. All materials, vehicles and equipment were accommodated within the property boundary and there was no overspill onto the drive during the project.

The way forward for 42 ought to be as simple. There should be a red outline boundary plan which conforms to physical boundary as it exists and is shown on the Land Registry plan (my letter of 28th July refers) together with a matching Certificate A declaration. The site access to be as existing from Bath Road over 44's drive.

This planning application process should not go any further until a Certificate A declaration for a matching location and block plan is submitted.

Sincerely

