

From: "Colin B. Bennett" <colin@bennett.uk.com>
To: Stephen.Dryden@brighton-hove.gov.uk
Date: Thu, Oct 16, 2003, 7:46 PM
Subject: Re: St James's Place, Brighton

Dear Stephen Dryden

Thanks for this email.

I'm afraid I cannot withdraw my objection to the proposed stopping-up of StJames' Place.

Please confirm that the matter has been referred to the Sec. of Stare at DEFRA.

I am concerned at the loss of maps of Brighton's rights of way of way-public or otherwise.

Regards

Colin Bennett

My telephone number is: +44 (0)1273 325311

>From: Stephen.Dryden@brighton-hove.gov.uk
>To: colin@bennett.uk.com
>Subject: St James's Place, Brighton
>Date: Fri, Oct 10, 2003, 3:27 PM
>

> ST JAMES'S PLACE

> Colin Bennett

>

> I refer to our recent telephone conversation concerning the proposal to
> stop up part of St James's Place to allow the residents to install an
> electronically timed controlled gate and have set out some comments on the
> main issues raised in your letter to Matt Payne dated 18th September 2003
> i) It is because this application for development does not fall within the
> permitted exemptions ie within the curtilage of a dwellinghouse, is within
> a Conservation Area and could not be permitted until the footpath has been
> stopped up that planning permission was needed. The permission that was
> granted is subject to the stopping up of the footpath.
> 2) Section 257 of the Town and Country Planning Act 1990 is the appropriate
> legislation for the Council to use and yes there is other legislation that
> you have quoted but in this situation it is not applicable.
> 3) You rightly recall many years ago walking north from the northern end of
> St James's Place into what I suspect was the then builders yard. The
> Council has no record of this area north of number 6 St James's Place
> having any "public rights" indeed the evidence is only of "private rights"
> and at some point certainly by the 1940's there is reference to a gate.
> 4) The subsequent redevelopment of that land to the north in the last 20/30
> years went through the usual planning process and as far as I am aware no
> questions of any public footpath rights being infringed was raised.
> 5) Finally I am advised that if this path had in fact connected St James's