

Nicola Spencer

From: Richard Brown
Sent: 09 September 2025 11:48
To: Planning
Cc: Kathryn Welch
Subject: FW: AB/135/20/OUT Land at Ford Road, Arundel
Attachments: Q8969_C_Arundel Road, Angmering LAP Area Plan.pdf; Q8969_C_Arundel Road, Angmering LAP Plan.pdf; Q8800_C_Arundel Road, Angmering Site Plan.pdf; Q8800_C_Arundel Road, Angmering LEAP Plan.pdf; Q8800_C_Arundel Road, Angmering LEAP Area Plan.pdf; Q12417_Ford Road, Arundel LAP 2-Plan.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good morning

Please can you register an AOO application – descriptions as follows:

Application to approve First Schedule Clause 4 (Public Open Space Specification) in the Section 106 dated 26.11.21 (as amended) in relation to planning permission AB/135/20/OUT.

Many thanks

Richard Brown
Post Approval Implementation and Monitoring Officer, Planning

T: 01903 737928
E: richard.brown@arun.gov.uk

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From: James Daughtry <[REDACTED]>
Sent: 09 September 2025 11:11
To: Kathryn Welch <Kathryn.Welch@arun.gov.uk>; Andy Wilford <[REDACTED]>
Chris Hughes <[REDACTED]>
Cc: Richard Brown <Richard.Brown@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

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Good morning Kathryn,

Thanks for your email below.

Please see the attached plans which addresses all of your below comments.

Please see the below summary of the changes:

- We have now introduced a new LAP at the north of the site.
- We have moved the basket swing from the previous submission of the LAP onto the LEAP.
- Replaced the basket swing from the LAP with a slide.
- We have twisted the current swing in the LEAP and inserted the basket swing from the LAP on the side.

Please let me know if you have any further questions on this.

Kind regards
James



James Daughtry
Project Co-ordinator



www.esquiredevelopments.com

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Longfield Kent DA2 8EB



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From: Kathryn Welch <Kathryn.Welch@arun.gov.uk>

Sent: 17 July 2025 10:00

To: Andy Wilford <[REDACTED]> James Daughtry

[REDACTED]; Chris Hughes <[REDACTED]>

Cc: Richard Brown <Richard.Brown@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

Dear Andy,

Thank you for your email and for setting out your position in detail. I appreciate your patience while we've reviewed the matter further.

To clarify, the Local Planning Authority (LPA) has not confirmed that "what is being proposed/built is acceptable to the Council." While we acknowledge the discrepancy between the Reserved Matters approval and the S106 agreement, Greenspaces have consistently advised that further details would be required for formal agreement, and this position remains unchanged.

It is important to emphasise that this is not a matter of subjective reasonableness. As it stands, the current scheme does not conform to the obligations set out in the S106 agreement. Should you wish to pursue a scheme that includes only one LAP, this would constitute a breach and would need to be formalised accordingly. This is said without prejudice to any future application to vary the S106 agreement.

We agree with your reference to the Fields in Trust definition of a LAP. To expand on this, LAPs are intended for the very young venturing out under supervision and should be welcoming, semi-enclosed areas that incorporate natural elements such as landform, boulders, and basic climbing or stepping features. These spaces are not defined by the quantity of formal play equipment but by their suitability for informal, early-years play. We do not feel the requirements are overly onerous, and that they could very easily be incorporated within the scheme, without conflict with the RM approved documents.

In terms of the provision outlined in your email, the consultation response from Greenspaces raised several concerns. The LEAP (dwg no A8800-A A), while including a large multi-play unit appropriate to the location and theme, was not recommended for approval. The provision of only one accessible item (the roundabout) is disappointing, and although an accessible basket swing has been included, it is located within the LAP rather than the LEAP, which fragments the offer. There is a lack of inclusive play experiences, accessible pathways, and soft landscaping for enclosure, shade, or biodiversity. Furthermore, the fencing around the area, particularly given the proximity to water bodies, remains unclear and requires confirmation and RoSPA certification.

The LAP (dwg no Q8969-A A) includes a mix of natural and formal elements, but again lacks soft landscaping and relies too heavily on formal play features. As noted above, LAPs should be natural, informal spaces with features such as mounds, boulders, logs, and stepping stones, supported by seating and bins.

Given the isolated nature of the site, the play provision is particularly important. While we acknowledge the efforts made, the current proposals do not yet meet the requirements of the S106 agreement. Our advice remains that the obligations in the S106 should be met in full. However, we note the potential to convert the "upturned tree roots" maze area into a LAP,

provided it is redesigned to meet the requirements outlined above i.e. for example enhancement with other non-play natural items, protection from the SuDs pond, seating etc. It is also noted that there is a Trim Trail to the north of site, although a separate and necessary requirement, could a LAP be provided in this area as well? Once your preferred route is determined, we would welcome the submission of revised details for consideration.

Please let us know how you wish to proceed with this.

On another matter, I see that yourself and Richard has discussions regarding to swift bricks on site, as follows: *'As discussed, please could you provide written confirmation from the appointed ecologist confirming they are satisfied with this relocation. The Planning Officer will determine if a further submission is required to amend the LEMP. This is with our project ecologist. Once they have replied formally I will send it over. The intention remains as we discussed.'*

Have your ecologists confirmed that relocation of the swift brick is appropriate, when will you be submitting an application to vary the approved details?

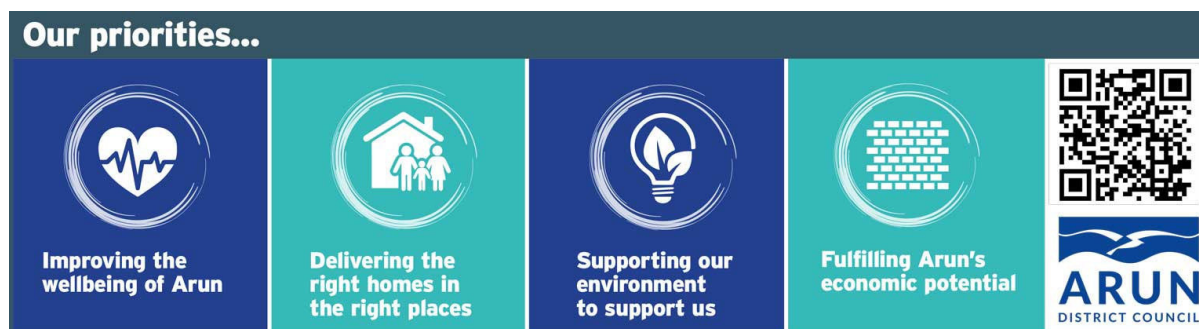
Kind regards,

Kathryn Welch
Senior Planning Officer, Planning Department

T: 01903 737789

E: kathryn.welch@arun.gov.uk

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Littlehampton, West Sussex, BN17 5LF
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From: Andy Wilford <[REDACTED]>

Sent: 08 April 2025 17:36

To: Kathryn Welch <Kathryn.Welch@arun.gov.uk>; James Daughtry

<[REDACTED]>; Chris Hughes <[REDACTED]>

Cc: Richard Brown <Richard.Brown@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

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Afternoon Katherine/Richard,

Just picking up on the emails below and the matter of the play areas.

The matter of play was extensively discussed as part of the RM application and the strategy agreed at that time. Whilst I appreciate the acknowledgement from the Council that there is a discrepancy between the RM and the S106, I think we are all in agreement that what is being proposed/built is acceptable to the Council.

Reviewing the guidance and the scheme, we accord with the intent of the S106 and the definition of LAPs under the Fields in Trust Guidance.

The latest Fields in Trust Guidance upon which the Arun District Open space strategy is based sets out that.:

“LAPs are designed to allow for ease of informal observation and supervision and primarily function to encourage informal play and social interaction for toddlers. A LAP requires no play equipment as such, relying more on demonstrative features indicating that play is positively encouraged.”

Our scheme currently proposes:

- A dedicated area including 7 pieces of play equipment including the large multi-play unit
- A dedicated area including 5 pieces of formal play equipment and a small trim trail
- A dedicated trim trail including at least 3 pieces of play
- A maze area.

As such we are providing over and above what we need to in terms of number of pieces of formal play equipment to satisfy the definition of a LAP (x 2) and LEAP (x1) and therefore exceed the 1 LEAP and 2 LAPS as required by the S106.

I don't therefore agree/understand why we need to pursue either of the options below – which appear to be simply making workload and taking up further time/resource/cost.

We are in fact delivering on site play equipment better than a 1 leap and 2 lap scenario, and I would seriously query who is actually being prejudiced by the proposals against the S106 under the Wednesbury Principles (if you came to a different conclusion to the above).

Based on the above are we not able to agree that the S106 is in fact satisfied and we can move on given that we all agree that what we are building is acceptable?



Andy Wilford
Head of Land & Planning



www.esquireddevelopments.com

Studio 3, The Old Laundry
Longfield Kent DA2 8EB



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From: Kathryn Welch <Kathryn.Welch@arun.gov.uk>

Sent: 07 April 2025 09:52

To: James Daughtry <[REDACTED]> Chris Hughes <[REDACTED]>

Cc: Andy Wilford <[REDACTED]>; Richard Brown <Richard.Brown@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

Dear James,

Thank you for your email and for bringing this matter to our attention.

We acknowledge the issue regarding the discrepancy between the legal agreement and the approved layouts, specifically with respect to the number of LAP and LEAP. As you noted, the S106 agreement requires 2 no. LAPs and 1no. LEAP, while the current approved layout only provides for 1 LAP and 1 LEAP.

Unfortunately, we cannot simply disregard the wording of the S106 agreement or knowingly discharge an obligation in conflict with the wording. Therefore, there are two viable options moving forward:

1. **Vary the S106 Agreement** – This would involve negotiating an amendment to the agreement to ensure the scheme aligns with the required provisions, resolving the conflict between the approved layouts and the legal requirements.
2. **Provide a Second LAP** – Alternatively, you may choose to submit plans that include the additional LAP as stipulated in the legal agreement.

It's important to also consider the advice from Greenspaces regarding the upturned tree stumps area, as they have suggested how it could be developed to meet the requirements of a recognised LAP. Additionally, any application to discharge the legal agreement will need to adhere to Greenspaces' guidance on the play equipment specification.

Please let us know how you would like to proceed or if you require further assistance in exploring either of the options above.

Kind regards,

Kathryn Welch
Senior Planning Officer, Planning Department

T: 01903 737789

E: kathryn.welch@arun.gov.uk

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From: James Daughtry [REDACTED]

Sent: 04 April 2025 09:36

To: Richard Brown <Richard.Brown@arun.gov.uk>; Chris Hughes [REDACTED]

Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>; Kathryn Welch <Kathryn.Welch@arun.gov.uk>

Cc: Andy Wilford <[REDACTED]>

Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

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Morning Richard,

Are you able to provide an update on the public open space specification mentioned below? Keen to get this resolved as soon as possible.

Regards

James



James Daughtry
Project Co-ordinator

Studio 3, The Old Laundry
Longfield Kent DA2 8EB



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From: Richard Brown <Richard.Brown@arun.gov.uk>

Sent: 20 March 2025 09:18

To: Chris Hughes <[REDACTED]>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>; Kathryn Welch <Kathryn.Welch@arun.gov.uk>

Cc: Andy Wilford <[REDACTED]> James Daughtry <[REDACTED]>

Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

Thank you for the appreciated update, Chris

Once planning officers have reviewed your comments on the Public Open Space Specification, they will respond.

In terms of the emergency access and ecological enhancements, I look forward to receiving further feedback/submissions in due course.

Kind regards

Richard Brown

Post Approval Implementation and Monitoring Officer, Planning

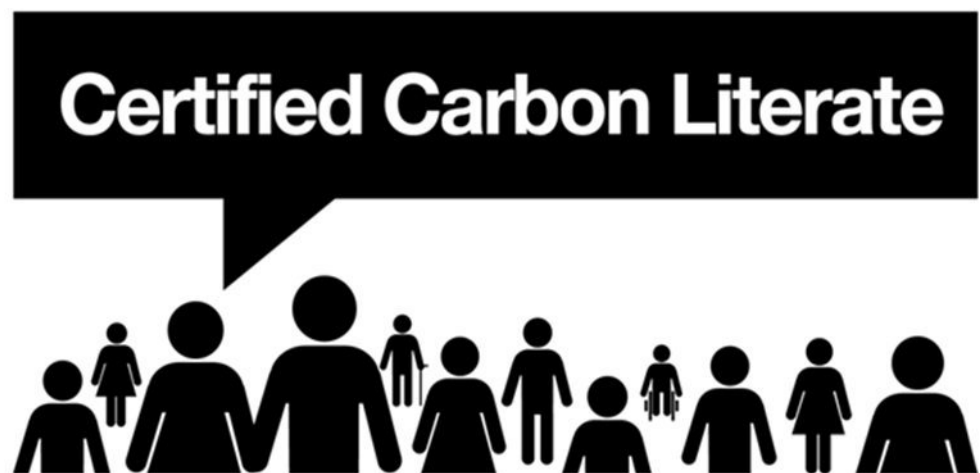
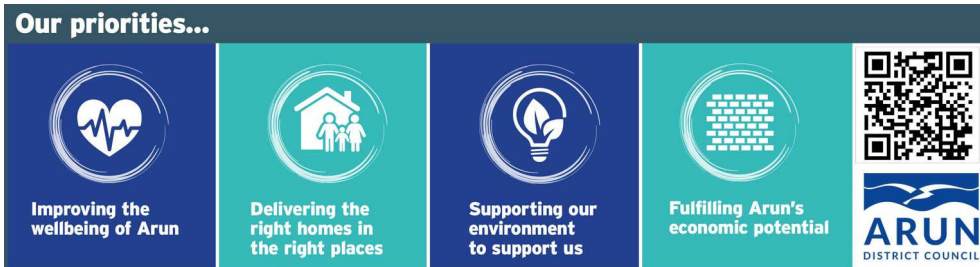
T: 01903 737928

E: richard.brown@arun.gov.uk

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From: Chris Hughes <[REDACTED]>
Sent: 19 March 2025 16:14
To: Richard Brown <Richard.Brown@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>; Kathryn Welch <Kathryn.Welch@arun.gov.uk>
Cc: Andy Wilford <[REDACTED]>; James Daughtry <[REDACTED]>
Subject: RE: AB/135/20/OUT Land at Ford Road, Arundel

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Hi Richard,

To keep you in the loop I have responded with the below commentary.
Once I know more – I will come back to you.

Kind regards,
Chris

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From: Richard Brown <Richard.Brown@arun.gov.uk>

Sent: 28 February 2025 15:30

To: Chris Hughes <[REDACTED]>

Cc: Kathryn Welch <Kathryn.Welch@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Subject: AB/135/20/OUT Land at Ford Road, Arundel

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Good afternoon, Chris

Thank you for your call back today – much appreciated.

As discussed, I conducted a monitoring site visit today (28.02.25) to conduct a check on the emergency access and the provision of ecological enhancements as per the approved LEMP. I noted 2 occupations (plots 2&5).

1. Emergency Access onto Dalloway Road

- The works completed appear compliant with approved plans. However, the landscaping around the access (including the area of the post box and notice board) is incomplete.
- As discussed, you will ensure this is attended to. Thank you in advance. **Yes, I have a site visit organised for 27th March to go and review this area although would note that I have heard some internal discussions between senior members of the team regarding this.**

2. Ecological provisions

- No ecological provisions had yet been installed. I was informed that “ecology boxes” were present on site but not yet installed as per the on site build programme.
- As discussed, we look forward to the installation of these in due course. You're welcome. **This will happen; we have made a commitment to install so they will be installed.**

3. Swift bricks

- A concern was the apparent lack of installation of the 7no 1bstock Eco-habitat for Swifts on plots 1-10.
- As you explained, the cladding on these units is not compatible with the installation and the location of these habitats will be moving to other plots to ensure the correct number are installed.
- As discussed, please could you provide written confirmation from the appointed ecologist confirming they are satisfied with this relocation. The Planning Officer will determine if a further submission is required to amend the LEMP. **This is with our project ecologist. Once they have replied formally I will send it over. The intention remains as we discussed.**

4. Public Open Space Specification see JD email

- AB/5/25/AOO was refused 25.02.25 (Decision Notice attached)
- With 2 occupations, this prior to occupation obligation is now in breach.
- Please advise a timeline for envisaged resubmission.

Enjoy your weekend.

Kind regards

Richard Brown
Post Approval Implementation and Monitoring Officer, Planning

T: 01903 737928
E: richard.brown@arun.gov.uk

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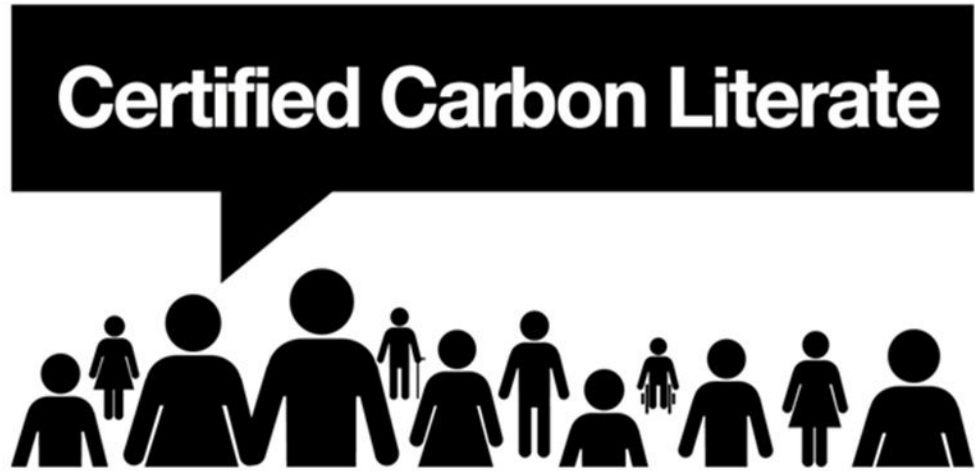
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