

Nicola Spencer

From: Adrian Burrows [REDACTED]
Sent: 16 May 2018 00:48
To: Nicola Spencer; Karl Roberts; Neil Crowther; Anita Gardner
Cc: Town Clerk
Subject: Fwd: AHA! 14 fitzalan Rd arundel: non valid application

Dear Nicola,

further to the below email, I note that, according to arun's webs site , the planning application was received on 30th march 2018 and validated on 30th march 2018.

I presume this is incorrect? can you clarify when precisely it was received and when precisely it was validated and could the record be amended on line pls. This is not pedantic. This has a huge bearing on the dates representations must be submitted by the public and on the ultimate decision date so it is most important to get this correct otherwise the public and stat reps will be unable to know when to have their say. as things currently stand people believe they have missed the opportunity to object and are in a state of shock and bewilderment.

additionally, the decision date is stated to be 25th May 2018 (ie NEXT WEEK). Again, I presume this is incorrect. pls can you confirm the decision due date pls bearing in mind this is , presumably, a major application?

the above confusions and inaccuracies all lend weight to my argument stated in my email dated 15th may 2018 which requested that the whole application must surely be struck out and started again owing to the lack of accurate particulars which are putting the public at a disadvantage and are assisting the developers.

I look forward to hearing from you on all of these matters at an early moment pls.

many thanks,

Adrian.

Begin forwarded message:

From: Adrian Burrows [REDACTED]
Subject: Re: AHA! 14 fitzalan Rd arundel: non valid application
Date: 15 May 2018 at 18:00:00 BST
To: Nicola Spencer <Nicola.Spencer@arun.gov.uk>, Town Clerk [REDACTED]
Cc: Juan Baeza <Juan.Baeza@arun.gov.uk>, Neil Crowther <Neil.Crowther@arun.gov.uk>, Karl Roberts <Karl.Roberts@arun.gov.uk>

Dear Nicola,

thank you very much for your email.

IM sorry to apply pressure on this, we also wish to work with Adc wherever possible and I know the Adc is under great pressure, but I am deeply concerned by your email which in my professional opinion flies in the face of the democratic planning process .

you state inter alia:

" as we have realised that there was information that should have been provided before it was validated."

evidently, ADC accept that the application should not have been validated. This is precisely what I was hoping to avoid. An incorrect validation. If the application should not be validated, the clock should not have started ticking in respect of the statutory determination date or circa 12 weeks. further the application should not have a number nor a case officer allocated.

the reason this is so important, is because the developers are now potentially benefitting from a secret period of time to prepare documents behind the scenes which the public and statutory consultees are not party to. this is against the concept of an open and democratic planning process.

the consequence is that the public and consultees will have less time to assess, scrutinise and comment on the correct and valid submission (which will presumably appear sporadically online over the next few weeks which is deeply unhelpful) before the end of the determination deadline.

this is a matter of great importance to arundel and the wider community.

You further state that:

"The local validation criteria has to be applied proportionately and we have asked for the information that is required to enable us to determine the application."

presumably you accept that what might be deemed proportionate to the LPA might not be proportionate to neighbours? or is the LPA now deciding on that too? It is my case that the LPA cannot decide what is proportionate because it has not been to site, measures up nor assessed matters yet. there are a great number of issues raised by this planning consent and it is clearly vital that the rate paying public have correct , valid plans , correctly published on line at the correct time so they can understand the application fully in accordance with the National and Local Validation Requirements. I dont think this is an unreasonable request.

If such validation requirements can be applied sporadically/ proportionately and at the discretion of the LPA we are left wondering what their purpose is. presumably the LPA's position now is that they re a guide only- nothing more? certainly, I have not benefitted from any flexibility in the application of the requirements over the last 20 years. I have recently had an application for 24 units non validated owing to a missing window. another, where floor plans have not precisely tallied up with elevations etc.

It is currently my position that the validity of the application must be challenged and the current application must be set aside until it complies fully with the local and national validation requirements.

please can you confirm this will now be done or will we have to constantly raise this at every level of objections and then ultimately seek to have the application reviewed on the basis that the public did not have access to scrutinise all the documents necessary to make a valid application?

Nicola, I appreciate this email goes beyond what you may be asked to comment on and please excuse our campaign group for emailing you in circumstances where I suspect you are just doing your job as professionally as possible , but the email is predominantly addressed to the head of planning so Im sorry you are in between matters.

thanks,

Adrain

On 15 May 2018, at 11:53, Nicola Spencer <Nicola.Spencer@arun.gov.uk> wrote:

Dear Mr Burrows

Thank you for your emails.

The application has been validated but we have not advertised the application or carried out any consultations yet as we have realised that there was information that should have been provided before it was validated. We have contacted the agent and explained this to them and they will be providing the missing information. Once it has been received the application will be advertised and the site notice displayed

The local validation criteria has to be applied proportionately and we have asked for the information that is required to enable us to determine the application. We have not asked for all the information that you have identified.

I trust this has clarified matters
Yours sincerely

Nicola Spencer

Nicola Spencer | Technical Support Manager, Planning Department, Arun District Council | Location: First floor, Arun Civic Centre,
Maitravers Road, Littlehampton, BN17 5LF
Internal: 37446 | External: +44 (0) 1903 737500 ext 37446 | E-mail: nicola.spencer@arun.gov.uk
Visit Arun's web site at: www.arun.gov.uk  Save the environment - think before you print.

From: Adrian Burrows [REDACTED]
Sent: 15 May 2018 09:26
To: Nicola Spencer; Juan Baeza; Karl Roberts; Neil Crowther
Cc: Town Clerk; Richard Hart; Peter Dean; John Munro; Jean Fraser; Victoria Holland; Nigel Cull; Gill Farquharson; Gil Janson; michael; Lee Marks
Subject: AHA! 14 fitzalan Rd arundel: non valid application

Dear Juan & Nicola,

I would be most grateful for a full and fairly urgent response to both the below emails dated 26th April 2018.

As previously stated, the aha campaign group is gravely concerned that the previous planning application by Renaissance was validated in circumstances when we firmly believe, and were expressly advised by our planning consultants, that the application breached the National (and Local) Validation Requirements.

We sincerely do not wish to find ourselves in a dispute with Arun in the event the latest application is incorrectly validated because you will appreciate that once an application has been validated, it will be very hard to unwind the clock and determine it is invalid (without inadvertently exposing ADC) . Consequently, an incorrectly validated application might regrettably result in some form of judicial review which all parties would wish to avoid.

I believe it vital that precisely the correct validation process is adopted at this early stage . **Please will you now confirm that the developers will be asked to comply with each and every requirements including but not limited to the ones I have listed in my email dated 26th April 2018 (below).**

thank you very much in advance,

Adrian Burrows.

CC to the neighbourhood coordinators and consultants who are spear heading the aha! campaign throughout Arundel and the South.

Begin forwarded message:

From: Adrian Burrows [REDACTED]
Subject: AHA! 14 fitzalan Rd arundel
Date: 26 April 2018 at 10:25:17 BST
To: nicola.spencer@arun.gov.uk
Cc: Juan Baeza <juan.baeza@arun.gov.uk>, clerk Town [REDACTED]

Dear Nicola,

I represent the AHA! campaign group which has over 2000 members and supports appropriate development in Arundel but does not support the current plans.

I understand from David Eatson that you are likely to be dealing with the Validation of the above site.

I sent david the below email today.

I understand david is no longer dealing with this area and so I cc juan (who i understand may be in charge of this case) .

please could you confirm that you will be systematically applying each of the validation requirements in respect of this site because without each requirement being adhered to, statutory representative and members of the public cannot really truly and fully understand and assess the site and cannot therefore formulate proper objections/ reps. consequently the whole planning procees is prejudiced.

we make this point at this early stage because the previous application was, in my view, incorrectly validated (there were no plans and elevations for the existing buildings!)

many thanks in advance,

Adrian

Adrian Burrows
[REDACTED]

Dear David,

I hope this email finds you well.

I have been informed by Renaissance homes that they have submitted a new planning application for 14 Fitzalan rd which you might recall was withdrawn in jan 2018 under ref AB/77/17/PL.

The developer have shown me the plans.

Prior to starting a new major campaign objecting to the development in the strongest possible terms, which we will, I thought I would object to the applications being validated in the form in which I have seen it.

If I understand correctly, The National Validation Requirements state, inter alia, that an application must show :

1. the position of boundaries accurately shown ; (not shown)
2. distances to boundaries annotated with measurements; (not shown)
3. Distances to adjoining property annotated with measurements; (not shown)
4. relevant windows in adjoining property show and measured; (missing south /east facing windows in Riverside House 2 fitzalan rd)
5. other important and relevant features such as but not limited to :
 - a) trees; (2 under TPO's have the development within their RPA are not shown)
 - b) accesses/dropped curbs; (one dropped curb at riverside house not shown)
 - c) topography.(the plans incorrectly show a steep incline between riverside house and martlets court which does not exist and consequently all of the elevation plans and measurements must be queried and accurately re surveyed)
6. plans showing the EXISTING and PROPOSED structures . (there are no plans of the Heritage Asset at 14 Fitzalan RD nor the house that is being demolished which is utterly extraordinary)
7. land contamination statement; (is required due to the previous use of the site)
- 8 economic development statement : (is required due to loss of employment generating structures)
- 9 . landscaping strategy statement; (is required)
10. Lighting assessment; (is required due to lights over 2m from ground level)
- 11 noise extraction assessment; (should be required do to the vast bins store, mass of boiler flues and heating systems for the communal areas in close proximity to neighbours)
12. bin storage statment ; (to include recycling bins)
13. planning application summary; (if the application is over 100 pages)
14. transport assessment (due to over 100, 2 way vehicle movements per day- which seems probable);
- 15 Historic Environment Record search (for developments over 10 units) ;

please would you be kind enough to let me know that the application will not be validated until the application complies fully with the National Validation Requirements and Local Validation Requirements in every respect.

These were, in our planning consultants opinion , breached during the validation process of AB/17/77/PL and it would have been and will be our intention to "Call-in" any application that breaches the requirements which would , of course, be an enormous waste of public money and time and unhelpful for all parties. For example, having spent the last 20 years submitting planning applications within Arun I remain completely perplexed and deeply concerned that the previous application failed to show existing elevations and floor plans of a Local Heritage Asset the application intended to demolish.

thanks you for your time at this early stage.

kind regards,

Adrain

Adrian Burrows

Adrian Burrows

<http://www.arun.gov.uk>
NLPG UPRN 100062237016
DX 57406 Littlehampton

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.

Adrian Burrows

Adrian Burrows