

Application Correspondence "Extension of Time until 14/01/22"

From: Kerry Simmons [REDACTED]
Sent: 10 January 2022 13:05
To: Simon Davis <Simon.Davis@arun.gov.uk>; Brett Moore [REDACTED]
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/126/21/PL Ryefields Farmhouse

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Hi Simon,

Thank you for your additional comments.

Please accept this email as agreement to the extension of time until 14th January 2022 as requested.

I am seeking instructions from the applicant on whether to withdraw the application and will revert back in the next couple of days.

Kind regards,
Kerry

Kerry Simmons MA MRTPI
Partner



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From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 07 January 2022 15:06
To: Kerry Simmons [REDACTED] Brett Moore [REDACTED]
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/126/21/PL Ryefields Farmhouse

Hi Kerry,

Please see my comments in red under your points in your email.

Simon.

From: Kerry Simmons [REDACTED]
Sent: 07 January 2022 13:55
To: Simon Davis <Simon.Davis@arun.gov.uk>; Brett Moore [REDACTED]
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/126/21/PL Ryefields Farmhouse

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Hi Simon,

Thank you for sending these over – they are the same as the previous reasons for refusal, yet the current application was specifically prepared to address the concerns previously raised. On that basis I would like to ask that you provide us with some clarification on the following points:

Reason 1: please can you set out what elements of the scheme do not accord with the ADC's Design Guide. We reviewed the layout in detail against the guidance and understood that the proposals do reflect the guidance. The layout, orientation and siting of the dwellings remains the same as per the refusal on AL/81/21/PL.

Reason 2: we have provided a footpath as requested in the previous appeal (as attached). The Inspector is quite clear on his opinions regarding the master planning exercise – please refer to the attached decision letter. There remain no details as to how the site provides for sustainable & non-motorised forms of connection to the future services contained on the BEW site so this RfR still applies. The proposal includes a length of pavement along the site frontage but this was shown on the previous scheme and was not considered then to be sufficient to overcome the stated concerns.

Reason 3: we understood that we had complied with all requests previously made by Mark Warwick. Please can you provide us with a copy of the Council's Tree Officer comments as these are not available on the Council's online file. Mark has not commented, this refusal reason is based on my observations and concern the RPA intrusion under the TPO Oak and also the amount of other tree felling across the site.

Reason 4: it is our understanding that the Council's drainage officer accepts the principle of the proposed drainage strategy and has recommended suitable conditions. I can also confirm that the applicant is agreeable to incorporating permeable surfacing as recommended. The application does not provide a Drainage Impact Assessment as referred to in the previous reason so there remains a policy conflict and the RfR still applies in part.

Reason 5: the applicant is agreeable to amending the housing mix to increase the number of 3 beds dwellings. We will provide substitute plans on this basis. The proposed housing mix is the same as before so this RfR still applies. We are not prepared to allow further changes to be made as such changes should have been made before submission as it was clear from the previous RfR what the concerns were.

Reason 7: the Council's ecologist is satisfied with the ecological enhancements and recommends that the details can be dealt with under the landscaping strategy plan – which be conditioned in the usual way. Have I understood this consultation response correctly? The issue is in respect of the tree loss and the replacement planting. We require replacement planting on a 2:1 ratio to demonstrate BNG but the proposal either states 6 or 13 new trees depending on whether you look at the plan, the DAS or the tree report.

The applicant is agreeable to an extension of time but given the above queries and our request for a meeting with Daniel Vick or yourself would it be appropriate to extend the extension until later in the month? Overall, I found this

submission to be very unclear as to how it responded to the previous refusal (i.e. there was no specific response anywhere and instead I had to review each RfR against the submitted documents to see what had changed) and it quickly became clear that some aspects of the scheme were the same as before with no arguments as to why the previous RfR should not still apply. Therefore, there was no reason not to impose the same refusal reasons. On this basis, we are not prepared to allow time for further submissions or to have a meeting about the application. I accept if you won't agree an EoT to allow us to determine this in an agreed time frame but please advise whether you will take the refusal or instead withdraw.

Happy to speak on the phone next week if easier to run through the above points. Let me know your availability.

Many thanks and kind regards,
Kerry

Kerry Simmons MA MRTPI
Partner



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From: Simon Davis <Simon.Davis@arun.gov.uk>

Sent: 07 January 2022 10:55

To: Kerry Simmons [REDACTED] Brett Moore [REDACTED]

Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>

Subject: RE: AL/126/21/PL Ryefields Farmhouse

Hi Kerry,

These have not yet been agreed by my Team Leader but are the proposed refusal reasons. Some are the same or similar to those on the previous refusal:

1 The development fails to accord with the contents of the adopted Arun District Council Design Guide in reference to the layout, orientation and siting of the dwellings. The development results in an incongruous form of development in contrast to the existing defined character of the area and will overdevelop the site. The development is contrary to policies D SP1 and H SP2c of the Arun Local Plan, policy H3 of the Aldingbourne Neighbourhood Development Plan, the endorsed BEW Framework Masterplan, adopted Arun District Council Design Guide and the NPPF.

2 The development fails to demonstrate how the site provides for sustainable, non-motorised forms of connections, to the future services contained on the BEW allocation. The development is contrary to the masterplan led approach required by policies T SP1, T DM1 and H SP2 of the Arun Local Plan, policy GA1 of the Aldingbourne Neighbourhood Development Plan, the endorsed BEW Framework Masterplan, adopted Arun District Council Design Guide and the NPPF.

3 The development results in unnecessary and undue harm to protected trees, the removal of several other trees without proper justification, fails to appropriately mitigate for their loss and is contrary to policy ENV DM4 of the Arun Local Plan and policy EH6 of the Aldingbourne Neighbourhood Development Plan.

4 The proposal fails to provide a Drainage Impact Assessment that takes account of the individual and cumulative impact upon foul water disposal; flood storage capacity and surface water drainage within the Lidsey Wastewater Treatment Catchment Area contrary to policy W DM1 of the Arun Local Plan.

5 The housing mix would result in a dominance of 4 bedroom properties in a District that has an identified and demonstrable need for 2-3 bedroom properties. The development fails to accord with policy H DM1 of the Arun Local Plan, the 2016 "Updated Housing Needs Evidence - Arun District Council" report and it is also unclear how it complies with Aldingbourne Neighbourhood Development Plan policy H2.

6 The applicant has not provided a draft s106 Agreement, nor any indicative Heads of Terms, to enable the Local Planning Authority to enter into a s106 Agreement to secure the necessary infrastructure relating to the development; contrary to policies H SP2, H SP2c and INF SP1 of the Arun Local Plan.

7 The proposal fails to demonstrate biodiversity net gain with a wholly inadequate amount of replacement tree planting to compensate for that to be lost and therefore is in conflict with Arun Local Plan policy ENV DM5 and Aldingbourne Neighbourhood Development Plan policy EH6.

Simon

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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From: Kerry Simmons [REDACTED]
Sent: 07 January 2022 09:47
To: Simon Davis <Simon.Davis@arun.gov.uk>; Brett Moore [REDACTED]
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: AL/126/21/PL Ryefields Farmhouse

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Dear Simon,

Thank you for your email. I would be grateful if you could outline the 7 reasons for refusal in order that we can fully inform the applicant so that he can then make an informed decision about taking the refusal or withdrawing the application.

I look forward to hearing from you.

In the meantime Daniel please can we arrange a phone appointment as this is the second application that we have made on this site and both have been poorly handled in terms of timings and reallocating Officers midway through the application; as a result there has been no meaningful feedback provided – please let me know when you have some availability to speak on the phone.

Kind regards,
Kerry

Kerry Simmons MA MRTPI
Partner



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From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 06 January 2022 16:27
To: Brett Moore [REDACTED]
Cc: Kerry Simmons [REDACTED] Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: AL/126/21/PL Ryefields Farmhouse

Dear Brett,

I would like to request an Extension of Time to the 14th January 2022. This being because when I was reallocated the application on the 9th December, it became clear that the site notices had not been posted so the application had not been properly advertised. This meant that the application could not be determined until the 3rd of January which was after the expiry date and also during the period when the Council was closed for Xmas. Having said that, I would also inform you that the application is being recommended for refusal for 7 reasons and we will not be allowing any changes to be made.

Therefore, please either agree to the EoT, confirm that you don't agree or you can withdraw.

I look forward to hearing from you.

Simon.

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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