

Simon Davis

From: Chris Lawrence <[REDACTED]>
Sent: 27 January 2014 17:07
To: Simon Davis
Subject: Re: AL/73/13 Sack lane
Attachments: Evergreen Cottage legal Opinion.pdf

Dear Mr Davis

I attach a copy of the challenge papers and a legal opinion which addresses DEV2 and the NPPF for your information. I am sure the Council's solicitor will endorse all the comments contained in them.

Yours sincerely

Liz Lawrence

On Friday, 24 January 2014, 11:46, Chris Lawrence <[REDACTED]>

Dear Mr Davis,

As discussed earlier today my clients QC has confirmed that the Evergreen Cottage Appeal decision is lawfully unsound and has prepared challenge papers. However it will be quicker and less expensive to apply to have the agricultural occupancy condition lifted and so we will not challenge the decision.

At the same time the QC has advised that the Inspectors interpretation of the NPPF and para 55 is incorrect and that policy DEV2 is not consistent with para.55. He will be preparing a legal opinion on the matter, which I will forward to Delwyn Jones in due course. He will no doubt advise you whether he agrees with the opinion and the weight you may wish to give it.

In view of this I would be most concerned if you determined the above application prior to viewing the challenge papers and legal opinion. Particularly if you were considering refusing the application due to conflict with policy DEV2 or on sustainability grounds. Indeed up until the Evergreen Cottage decision you had raised no concerns whatsoever in relation to policy DEV 2. The only concern you raised was in relation to detailed design, which has been addressed.

Earlier today you suggested that you had concerns regarding the extent of the garden area. I have spoke to you various times over the past 6 months and no such concerns have been raised at all. However, if you would prefer a smaller curtilage can you please advise me which parts you would like excluded and I will revise the site plan. As I am sure you will appreciate It would be most unreasonable at this stage and having regard to previous discussions, to introduce curtilage as a totally unnecessary reason for refusal.

I look forward to hearing from you.

Regards

Liz Lawrence



From: Daniel Vick
Sent: 17 December 2013 14:02
To: Simon Davis
Subject: RE: Planning Inspectorate: Ref 2199053: Evergreen Cottage, Sack Lane, Lidsey, PO22 9PE

We will discuss.

REFUSE

Dan

-----Original Message-----

From: Simon Davis
Sent: 17 December 2013 09:39
To: Daniel Vick
Subject: RE: Planning Inspectorate: Ref 2199053: Evergreen Cottage, Sack Lane, Lidsey, PO22 9PE

Dan,

Having read that, and on the basis that my Sack Lane application does not include a marketing assessment, I think we have to refuse on the grounds of non-compliance with DEV2 and there being no material planning considerations.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control Arun District Council (First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF)
Telephone: +44 (0)1903 737874
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-----Original Message-----

From: Daniel Vick
Sent: 17 December 2013 09:28
To: Simon Davis; Susan Leeson
Subject: FW: Planning Inspectorate: Ref 2199053: Evergreen Cottage, Sack Lane, Lidsey, PO22 9PE

-----Original Message-----

From: Juan Baeza
Sent: 17 December 2013 09:23
To: Paul Bowley
Cc: Daniel Vick
Subject: FW: Planning Inspectorate: Ref 2199053: Evergreen Cottage, Sack Lane, Lidsey, PO22 9PE

Juan Baeza | Team Leader – Development Control East Area, Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37765 | External: +44 (0) 1903 737765 | E-mail: juan.baeza@arun.gov.uk Visit Arun's web site at www.arun.gov.uk P Save the environment - think before you print.

-----Original Message-----

From: Lindell, Erin [mailto:erind@clearswift.com] On Behalf Of Despatch_Admin
Sent: 17 December 2013 09:03
To: Juan Baeza
Subject: Planning Inspectorate: Ref 2199053: Evergreen Cottage, Sack Lane, Lidsey, PO22 9PE

<<COVERDL2 17_12_2013.pdf>> <<DECISION.pdf>> <<COSTS DECISION.pdf>>

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Simon Davis

From: Chris Lawrence <[REDACTED]>
Sent: 04 December 2013 12:12
To: Simon Davis
Subject: Re: Planning Consultation on: AL/73/13/

Hi Simon

The architect is on it already so it should not be a problem.

Regards

Liz

On Wednesday, 4 December 2013, 9:27, Simon Davis <Simon.Davis@arun.gov.uk> wrote:
Liz,

Thanks,

Is there any chance you could submit them the week beginning 16th December so I have the opportunity to show to Dr Wightman on the Tuesday that he is usually in and hopefully write the report before the 20/12 expiry.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
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From: Chris Lawrence <[REDACTED]>
Sent: 03 December 2013 17:27
To: Simon Davis
Subject: Re: Planning Consultation on: AL/73/13/

Hi Simon

I will get revised plans.

Regards

Liz

On Tuesday, 3 December 2013, 13:23, Simon Davis <Simon.Davis@arun.gov.uk> wrote:
Dear Liz,

I have received the attached consultation response from our Historic Buildings Adviser. As you will, read, he is unable to support the application unless further changes are proposed in respect of the floor plans and elevations. I thought I would issue these to you now and see if your client is willing to make any or all of the amendments?

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control

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Simon Davis

From: Simon Davis
Sent: 01 November 2013 12:40
To: 'Iftikhar Maniar'
Subject: RE: Application AL/70/13 - Nyton Stables, Nyton Road, Aldingbourne

Dear Mr Maniar,

I completely understand your client's position. I haven't 100% decided on the recommendation but yes I will be working towards presenting the application at the December 18th Committee and as such I will be drafting the report week commencing 25/11/13 (the deadline for report submission being the Wednesday afternoon)

On the matter of the application going 'over time', I wonder if your client would agree to an extension of time to the 20th December (i.e. the day of the Ctte + 2 days)? If so, could you state your agreement by email reply.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control
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From: Iftikhar Maniar [mailto:i.maniar@cunnanetownplanning.co.uk]
Sent: 01 November 2013 11:30
To: Simon Davis
Subject: RE: Application AL/70/13 - Nyton Stables, Nyton Road, Aldingbourne

Dear Mr Davis

Thank you for your email below. Our client does not want a further temporary consent. I do not wish to repeat what I said in my letter of 04 September 2013, but the application site is suitable, available and sustainable site for Travelling Showpeople. There would be a clear advantage to grant permanent permission for the site to meet the applicants' own needs as well as meeting the identified needs of additional pitches within the Arun District.

The other matters of details which the Parish Council refer to are negotiable.

From your email earlier, I understand that if our client refuses to consider a further temporary permission, this application will be determined by a planning committee on 18th December with your recommendation for approval. Could you please confirm this is correct?

Kind regards

Ifti
Iftikhar Maniar
BArch, MSc, MA, MRTPI
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From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]

Sent: 01 November 2013 09:21

To: 'Iftikhar Maniar'

Subject: RE: Application AL/70/13 - Nyton Stables, Nyton Road, Aldingbourne

Dear Mr Maniar,

I have spoken with our Policy team and my understanding is that the sites document will be considered by the Coastal West Sussex and Greater Brighton Strategic Planning Board in January 2014. Only then can we begin the reg 18 (first step) consultation process. From that point on it will be at least a year before it can be adopted. However, we have published that we have a need and therefore all applications in sustainable locations should be approved up to our established need (which is broken down in to private and public pitches).

I spoke to your client on Tuesday (he rang me) and he did made it clear that he doesn't want a temporary consent. But of course you need to speak to him yourself.

Kind Regards

Simon J Davis MRTPI, Senior Planning Officer, Development Control

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From: Iftikhar Maniar [REDACTED]

Sent: 30 October 2013 17:34

To: Simon Davis

Subject: RE: Application AL/70/13 - Nyton Stables, Nyton Road, Aldingbourne

Dear Mr Davis

Thank you for your email below.

I tried to call you this afternoon, but was unsuccessful. Please provide me with the current timescale (in the LDS) for the completion of the site allocations Local Plan documents for Gypsy and Travellers. On receipt of the above information, I will take our clients instructions.

I look forward to hearing from you.

Kind regards

Ifti

Iftikhar Maniar

BArch, MSc, MA, MRTPI