

Nicola Spencer

From: Nikolas Antoniou
Sent: 25 February 2014 12:55
To: Nicola Spencer
Cc: Simon Davis; 'tim@rodwayplanning.co.uk'
Subject: FW: Ref AL/95/13/ Land West of Oaktrees

Nicola

Please can you invalidate the application. When the FRA is received can you start the clock again.

Thanks

Nikolas Antoniou | Head of Development Control, Planning & Housing Strategy, Arun District Council |
Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37799 | External: +44 (0) 1903 737799 | E-mail: nikolas.antoniou@arun.gov.uk Visit Arun's
web site at www.arun.gov.uk ♻️ Save the environment - think before you print.

From: Tim Rodway [mailto:tim@rodwayplanning.co.uk]
Sent: 25 February 2014 12:34
To: Nikolas Antoniou
Cc: Daniel Vick; Simon Davis; 'mike duggin'; 'Andrew Fuller'; [REDACTED]
Subject: RE: Ref AL/95/13/ Land West of Oaktrees

Dear Nik,

I refer to our telephone discussion of earlier today, following my receipt of the email below from the case officer, Simon Davis.

Rather than refuse the application, I can confirm that our clear preference would be for the Council to invalidate the current planning application, AL/95/13, due to the lack of sufficient supporting information in the form of a Flood Risk Assessment (FRA). As you know, we have now instructed EAS to prepare the necessary FRA, but as they are in the hands of the Environment Agency in respect of the provision of required data relating to flood levels, it is unlikely that we will be able to provide you with a copy of the FRA until the end of next week.

Therefore if the application can be invalidated in the meantime, this will allow us the sufficient time to provide you with the required information. Once we have furnished you with the FRA, it is understood that the application 'clock' would re-start and there may be some additional consultation required, which itself could take a few weeks. Following the expiration of this further consultation period, Officers would then be in a position to issue their decision.

I look forward to receiving your confirmation that the above approach is acceptable to you.

Best regards,

TIM RODWAY
[REDACTED]



RODWAY PLANNING
CONSULTANCY

RODWAY PLANNING CONSULTANCY [REDACTED]

CONFIDENTIALITY & DISCLAIMER NOTICE: This e-mail is intended only for the addressee named above and the contents should not be disclosed to any other party. If you have received this e-mail in error, please notify the sender and delete the e-mail and any attachments from your system. Although this email has been scanned for viruses, I advise you to carry out your own virus checks before opening any attachment as I cannot accept liability for any damage sustained as a result of any software viruses or other malicious code

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 25 February 2014 12:02
To: 'Tim Rodway'
Cc: Daniel Vick
Subject: RE: Ref AL/95/13/ Land West of Oaktrees

Dear Tim,

Daniel Vick and I spoke with Nikolas Antoniou yesterday but the outcome was that we will have to refuse the application. At the end of the day, whilst I acknowledge that errors have been made on our side, the purpose of the validation checklist is to ensure applicants are aware of the information that they need to submit in order to (a) ensure validation and (b) minimise requests for further information during the determination period – and as such minimise the risk of a refusal on the grounds of insufficient information. The submitted validation checklist/application form stated that there was no need for a flood risk assessment on the grounds that the site was not in a flood risk zone. This was clearly wrong and ultimately it was this error that has resulted in the current situation.

I have now written the report up for refusal on this issue and have today passed it through to Daniel Vick for checking.

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
Visit Arun's web site at www.arun.gov.uk
P Save the environment - think before you print.

From: Tim Rodway [REDACTED]
Sent: 21 February 2014 16:06
To: Simon Davis
Cc: [REDACTED]
Subject: RE: Ref AL/95/13/ Land West of Oaktrees

Hi Simon,

Thank you for keeping me informed on this.

As I mentioned yesterday, there would evidently be no benefit to ADC or to my client if we were to withdraw the application, given that the application has already well exceeded the target 8 week date for a decision; and the need for the FRA should have, in my opinion, been flagged up to us when we submitted the application, or at the very least when the Environment Agency's comments were received.

We have instructed Environmental Assessment Services (EAS) to provide a FRA as soon as possible. Your patience in this matter would be greatly appreciated whilst the required work is completed. I can confirm that you will receive the FRA within 2 weeks of today's date.

If either Nik Antoniou or Daniel Vick wish to discuss this matter, then please ask either of them to ring me.

Best regards,

TIM RODWAY



RODWAY PLANNING CONSULTANCY

CONFIDENTIALITY & DISCLAIMER NOTICE: This e-mail is intended only for the addressee named above and the contents should not be disclosed to any other party. If you have received this e-mail in error, please notify the sender and delete the e-mail and any attachments from your system. Although this email has been scanned for viruses, I advise you to carry out your own virus checks before opening any attachment as I cannot accept liability for any damage sustained as a result of any software viruses or other malicious code

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: 21 February 2014 15:50
To: 'Tim Rodway'
Subject: RE: Ref AL/95/13/ Land West of Oaktrees

Dear Tim,

Just so you know, Dan and I will speak with Nikolas about this one on Monday and let you know the outcome afterwards. I assume you are proceeding to organise the FRA regardless as it will be required either way.

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
Visit Arun's web site at www.arun.gov.uk
P Save the environment - think before you print.

From: Simon Davis
Sent: 20 February 2014 13:18
To: Tim Rodway
Subject: Ref AL/95/13/ Land West of Oaktrees

Dear Mr Rodway,

It has come to my attention that contrary to the answers in your application form, part of the site falls within Flood Zone 2 and that the part affected includes the site of some of the new dwellings. On this basis, I must follow the Environment Agency's standing advice (attached for your information) which requires that a Flood Risk Assessment is submitted. I am unable to make a decision on the application unless I have received this and assessed it against the standing advice.

I am aware that the application has already gone past the time period and I am under pressure to make a decision on it. The best thing all round is for the application to be withdrawn and resubmitted with the additional document. Otherwise I believe I would be guided to refuse the application.

I look forward to hearing from you.

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
Visit Arun's web site at www.arun.gov.uk
P Save the environment - think before you print.

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