

From: Amanda Scholes on behalf of Planning.Responses
Sent: 07 January 2021 10:56
To: Planning Scanning
Subject: FW: AW/318/20/DOC - Former Ship Inn

Amanda Scholes | Receptionist, Department, [Arun District Council](#) | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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Save the environment - think before you print.

From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 06 January 2021 15:22
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: AW/318/20/DOC - Former Ship Inn

Further WSCC Highways Advice

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



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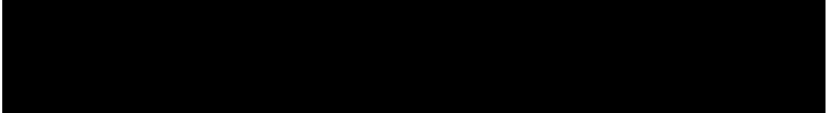
From: Alison Meeus [REDACTED]
Sent: 06 January 2021 13:31
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: AW/318/20/DOC - Former Ship Inn

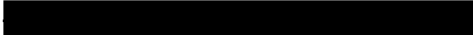
Hi Simon,
I have spoken with the relevant people and the works are acceptable from a s278 point of view.

We would require the wording of the time scale to be changed as it needs to be more specific. We feel it would be reasonable if the applicant changed this to within 3 months of approval of the TRO, as this would allow time to book road space.

At present it is the TRO and booking of road space which is outstanding.

Kinds rgds
Alison

Alison Meeus | Senior Transport Planner (Development Management); County Highways
Team; Planning Services
West Sussex County Council
Location: Ground Floor, Northleigh, County Hall, Chichester, PO19 1RQ


From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 05 January 2021 18:29
To: Alison Meeus 
Subject: FW: AW/318/20/DOC - Former Ship Inn

Hi Alison,

Can you comment on whether the proposed works are likely to be acceptable?

Also, the agent has said that "the implementation of the works will commence shortly following conclusion of the TRO and s.278, having a timescale of 5-7 working days at site."

Assuming the scheme is acceptable, we could then discharge the condition.

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
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From: Daniel Vick <Daniel.Vick@arun.gov.uk>
Sent: 05 January 2021 16:57
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: 'alison.meeus' 
Subject: RE: AW/318/20/DOC - Former Ship Inn

Simon,

We must make the decision by 14/01 (I have been reminded by Senior management today that there are too many expired items on our list).

The condition states:-

“Within 2 months of the variation of condition planning permission hereby granted, the applicant shall enter into negotiations with the local planning authority to identify a scheme of pedestrian improvements on Aldwick Street in the vicinity of the application site and once the scheme has been agreed in writing with the local planning authority, the applicant is required to enter into a Section 278 agreement with the local highway authority and implement the works in full within a timescale to be agreed. “

Within 2 months of the variation of condition planning permission hereby granted, the applicant shall enter into negotiations with the local planning authority to identify a scheme of pedestrian improvements on Aldwick Street in the vicinity of the application site – they have complied with this part

and once the scheme has been agreed in writing with the local planning authority, the applicant is required to enter into a Section 278 agreement with the local highway authority and implement the works – are the works likely to be acceptable? We could agree the plan currently submitted.

and implement the works in full within a timescale to be agreed. Have they suggested a timescale e.g. six months from the completion of the TRO? We could agree a date such as this and then it allows the TRO process to go through and then they can conclude the works later.

I note the lack of requirement for the works to be done prior to opening. If we approve the scheme as submitted and it does not pass the TRO process they could resubmit another DOC that matches the agreed TRO. Would this cause a problem?

-

Dan

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

Sent: 05 January 2021 16:33

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

Cc: 'alison.meeus' [REDACTED]

Subject: FW: AW/318/20/DOC - Former Ship Inn

Importance: High

Hi Dan,

See below email. I had suggested refusing the DOC and for them to reapply nearer completion of TRO/S.278. How do we feel about delaying a decision on the DOC until the TRO process is concluded? Current expiry is 14/01/21 so it would be a long delay. The agent also suggests that we could determine the DOC now as they have fulfilled the requirements however, I disagree as I can't see how we can agree a scheme in writing before the TRO process has concluded as there could yet be changes. However, I don't believe the wording of the condition prevents them from opening the store.

I have copied to Alison Meeus for her info.

From: Pierre Langlois [REDACTED]

Sent: 05 January 2021 16:17

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

Subject: RE: AW/318/20/DOC - Former Ship Inn

Importance: High

Dear Simon, Yes, back in work now, and Happy New Year.

Thanks for the below email, albeit, the content is somewhat disappointing, as the whole basis of us issuing the DOC was with the knowledge of the time that is often taken to conclude s.278 works, therefore with an expectation that the decision notice would be delayed until a time when all matters are concluded.

In this regard, and as per our previous discussions, it was therefore accepted and agreed between us, that the DOC for Cond 8 would be delayed until its conclusion. I am surprised therefore that your suggested course of action is to refuse the application, requiring a re-submission when all matters are concluded. Could we not simply keep the current DOC submission 'live', having a delay until the outcome of the s.278, in March, especially considering that Technical Approval of the highway proposals is already granted (please see attached)?

I also attach emails clarifying the cause of the delay. It is apparent from the attached emails, that we have undertaken all action in a timely manner, with the application being initially made less than one week after the issuing of the planning approval. My understanding of the cause of the delay is mostly surrounding the WSCC legal team. One assumes that this is due to a backlog of applications. Also, for a very small highway variation, they have insisted upon a three month consultation window, further causing the delay. All these matters are hampering the conclusion of the s.278 and on-site works.

With regard to your final comment regarding your view of potential enforcement action, should the store open prior to implementation of the highway works, would you please clarify your position by reply. I only ask, as motions are already in place regarding occupation of the building. Please also refer to the attached email, and I have below a snip extraction from your highways team, whom have no issue with the occupation of the store prior to s.278 conclusion...

From: Lee Moses [REDACTED]
Sent: 16 December 2020 15:20
To: Phil Faulkner [REDACTED]
Cc: David Woods [REDACTED]; Vince Carpenter [REDACTED]
Subject: RE: Works at The Former Ship Inn - Aldwick

This is what planning said to me a few weeks back – I will double check and get them to put it in writing for you.

From: Phil Faulkner [REDACTED]
Sent: 16 December 2020 15:19
To: Lee Moses [REDACTED]
Cc: David Woods [REDACTED]; Vince Carpenter [REDACTED]
Subject: RE: Works at The Former Ship Inn - Aldwick

Lee

So the store can open without the TRO in place and without a signed S278 Agreement?

Regards

Phil Faulkner EngTech MICE
Project Engineer
Archibald Shaw
One Little London
Chichester
West Sussex
PO19 1PP

[REDACTED]

Finally, the condition wording is below:

- 8 Within 2 months of the variation of condition planning permission hereby granted, the applicant shall enter into negotiations with the local planning authority to identify a scheme of pedestrian improvements on Aldwick Street in the vicinity of the application site and once the scheme has been agreed in writing with the local planning authority, the applicant is required to enter into a Section 278 agreement with the local highway authority and implement the works in full within a timescale to be agreed.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

Within the context of the above, we have adhered to all aspects, as follows:

Within 2 months – we commenced this less than 1 week after receipt of the variation of condition planning permission, and have therefore adhered with this aspect...

...shall enter into negotiations with the local planning authority to identify a scheme of pedestrian improvements on Aldwick Street – this aspect has been adhered with, and technical approval has already been granted...

...and once the scheme has been agreed in writing with the local planning authority, the applicant is required to enter into a Section 278 agreement with the local highway authority – this aspect has been adhered with, technical approval has already been granted, and s.278 is in progress with WSCC...

...and implement the works in full within a timescale to be agreed. – The implementation of the works will commence shortly following conclusion of the TRO and s.278, having a timescale of 5-7 working days at site.

One could argue that all aspects are adhered with, and you may therefore discharge the condition at this moment.

I look forward to your response, particularly relating to para 4, the underlined section.

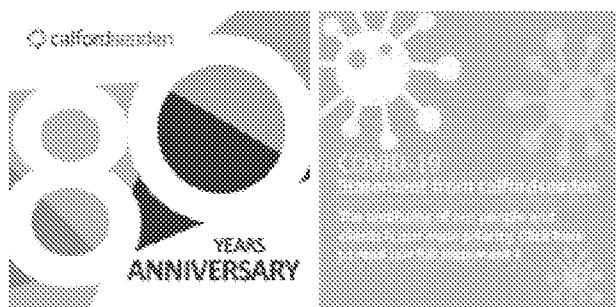
Take care, thanks & regards,
Pierre

Pierre Langlois BSc(Hons) MRICS
Associate

for and on behalf of calfordseaden LLP:



Stewart Court, 214a Hagley Road, Edgbaston, Birmingham, B16 9PH



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

Sent: 04 January 2021 13:32

To: Pierre Langlois [REDACTED]

Subject: AW/318/20/DOC - Former Ship Inn

Dear Pierre,

I hope you have a good break and are enjoying being back at work.

Alison Meeus at WSCC has highlighted to me that there is an outstanding issue on AW/318/20/DOC. The s278 agreement linked to this application, has come to a halt for reasons relating to the TRO. I understand that the TRO team have advised Lee Moses, at WSCC, who is dealing with the s278 that the TRO is being progressed but it won't be completed until March 2020.

We can't keep the DOC live until March so I think on this basis, I will need to refuse AW/318/20/DOC and you should then resubmit it again at such a time that ensures that the expiry is after the TRO completion/s278 approval. Alison has also asked that you provide a timescale for delivery to discharge condition 8.

In the meantime, we cannot give you any assurances about opening the store without the highway improvement works being in place and if this store does open then we would need to take a view on this if an enforcement case arose.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place



T: 01903 737874

E: simon.davis@arun.gov.uk

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