

Julia Mills

From: Anna Gillings <[REDACTED]>
Sent: 16 July 2018 10:58
To: Juan Baeza
Cc: Timothy Bloomfield; Sam Rous; Emma Patchell
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Juan

Just further to my voicemail – would you mind looking into this response below? If we can discharge this condition in advance of the tree condition, that would be great.

Thanks very much

Anna Gillings

Managing Director
Gillings Planning


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From: Anna Gillings
Sent: 06 July 2018 12:48
To: 'Juan Baeza' <Juan.Baeza@arun.gov.uk>
Cc: 'Timothy Bloomfield' <Timothy.Bloomfield@arun.gov.uk>; 'Sam Rous' <samrous@frontier-estates.com>; Emma Patchell <emma@gillingsplanning.co.uk>
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Tim

I understand the highways response has been received and has no objection to the discharge of the condition, subject to a condition survey of the highway before and after construction (a condition survey would not be relevant for the demolition of a single house and would be entirely onerous).

However, we have no objection to a condition survey prior to construction, and hereby commit to undertaking a condition survey of the highway adjacent to the site (Dappers Lane and Water Lane) prior to commencement of construction and to invite a Member of WSCC Area office to attend. Should any damage to the highway occur that is caused by activities associated with the construction we understand the Highways Authority will look for these to be addressed.

I hope you now concur this condition can be discharged on the basis of this statement and the original CMP.

In terms of timescale we have agreed the application will stay live until the tree protection measures are installed and inspected. We expect this to be in place by 31s July and hence I agree an extension until that time. However confirmation now that the CMP condition is discharged will be welcome.

Kind Regards

Anna Gillings

Managing Director
Gillings Planning


Gillings
Planning

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From: Anna Gillings
Sent: 06 July 2018 12:34
To: 'Juan Baeza' <Juan.Baeza@arun.gov.uk>
Cc: Timothy Bloomfield <timothy.bloomfield@arun.gov.uk> Emma Patche <emma.patche@arun.gov.uk>
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Juan

Please could we have an update on the CMP condition?

Assuming highways were consulted on 13th June, they should have responded by Wednesday this week?

Could you advise please?

Thanks very much

Anna Gillings

Managing Director
Gillings Planning


Gillings
Planning

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From: Juan Baeza <Juan.Baeza@arun.gov.uk>
Sent: 13 June 2018 11:23
To: Anna Gillings <anna.gillings@arun.gov.uk>
Cc: Timothy Bloomfield <timothy.bloomfield@arun.gov.uk> Mark Warwick <Mark.Warwick@arun.gov.uk>; Sam

Rous <[REDACTED]>; Emma Patchell <[REDACTED]>
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Anna

On this basis I will keep this part of the DOC application alive until I hear back from Mark. I'm still waiting for comments from highway re construction management condition.

Regards

Juan Baeza Area Team Leader – 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



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From: Anna Gillings [REDACTED]
Sent: 13 June 2018 11:07
To: Juan Baeza
Cc: Timothy Bloomfield; Mark Warwick; Sam Rous; Emma Patchell
Subject: Re: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Juan

Thanks very much, we are very happy to do the works and then get the sign off, it's just the condition wording was a bit odd which leads to the confusion. I will instruct the works on the basis of the plan and liaise with Mark to confirm sign off of the works when it's done.

On this basis shall we agree an extension for a week or so, until next Friday to allow this process to happen?

Thanks very much

Anna Gillings

Director
Gillings Planning
[REDACTED]

On 13 Jun 2018, at 10:52, Juan Baeza <Juan.Baeza@arun.gov.uk> wrote:

Hi Anna

This is the response from the tree officer. I feel comfortable in standing by his advice and would suggest that his recommendation that a DOC on the tree protection measures is made once you are in a position to introduce them when he would be happy to check that they go in as previously approved.

Let me know if you have any comments before I instruct that this condition discharge be refused.

Thanks

Juan Baeza Area Team Leader – Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF



om: Mark Warwick

Sent: 13 June 2018 10:05

To: Juan Baeza

Cc: Timothy Bloomfield

Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Juan

The provision (and subsequent agreement by the LPA) of a suitable Tree Protection Plan (TPP) is not of itself sufficient to discharge the condition. This has always been MY approach and one I am familiar with having been followed by experienced practitioners of BS5837:2012.

Any tree protection measures must be in place before heavy plant access, soil movement, demolition or construction occurs. The prior installation of an effective 'Construction Exclusion Zone' and any specified ground protection measures must be inspected by and be to the satisfaction of the LPA (Tree Officer) before the appropriate condition can be discharged. Anything less and we are facilitating the occurrence of potentially irreversible damage to those trees identified for retention.

I do not understand why the developer would seek a DOC at this stage (a first for me), as I see no practical benefit to discharging it at this stage. Furthermore, I see no additional constraint on them arising from waiting until the TPP measures have been correctly installed.

I have read the condition (19) several times. It is clear and instructive from the outset but does become a little contradictory the more you read. This is somewhat unfortunate as conditions should be explicit and not leave any room for doubt as to what is being demanded. That said, I do not feel there is sufficient ambiguity to successfully challenge the essence of it, nor justification to do so.

I refer back to Bernie Harverson's report to Ross Leal (A/23/18/DOC), dated 15th March 2018. Following my site inspection yesterday I can confirm there has been no progress on site since Bernie's visit. I therefore stand by his report in full and would now place emphasis on his ADVISORY notes.

Once those measures are in place, I would be happy to make a prompt inspection and then hopefully be in a position to promptly 'sign off' their application for a DOC.

Kind regards,

Mark

Mark Warwick | Tree Officer, Greenspace, Arun District Council | Location: Bognor Regis Town Hall, Clarence Road, Bognor Regis, West Sussex, PO21 1LD

Internal: 37974 | External: +44 (0) 1903 737974 | E-mail: mark.warwick@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk



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Look forward to hearing back from you.

Thanks

Juan Baeza Area Team Leader – 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



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From: Neil Crowther

Sent: 12 June 2018 09:20

To: Juan Baeza

Subject: FW: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Over to you for this one.

Bearing in mind the history of this, we need to be sorting this one out positively.

Neil Crowther | Group Head of Planning, Arun District Council | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

Internal: 37839 | External: +44 (0) 1903 737839 | E-mail: neil.crowther@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk



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From: Anna Gillings [mailto:anna.gillings@arundel.gov.uk]
Sent: 11 June 2018 16:45
To: Neil Crowther
Cc: Emma Patchell; Timothy Bloomfield; Planning
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Mr Crowther

I refer to the trail of emails below regarding an application for the approval of details reserved by condition at the site of Broadlees, Dappers Lane (A/23/18/DOC). Unfortunately, despite several emails and voice messages to the Planning Officer, Timothy Bloomfield, we have been unable to enter into any helpful discussions. As you can appreciate this is very frustrating for my client especially given the amount of time the conditions have been submitted. I therefore write to you, as the Group Head of Planning – however if my query would be more appropriate directed elsewhere, I would be grateful if you could advise.

I set out below a summary of the position.

Details in relation to condition 7 (Construction Management Plan) and 19 (Tree Protection Measures) were originally submitted in February 2018 with later details provided in April 2018. I am also concerned by the way condition 19 has been interpreted thus far (by the Planning Officer and the Arboriculturalist) and would appreciate a discussion regarding this matter. It is my understanding that previous Arboricultural comments have not been followed up by the current case officer in relation to tree protection measures.

For reference a copy of condition 19 is detailed below:

No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

My reading of the condition is that it requires details to be submitted in writing, and then adherence, for the purposes of discharge rather than physical inspection of these measures in place. However the tree officer's advice is that as no vegetation clearance has taken place and no protective fencing has been erected, the condition has not be complied with.

A tree protection plan was submitted which has been considered acceptable by the tree officer but is required to be implemented with a follow up pre-commencement meeting to take place on site (see attached comments). While the client is agreeable to erecting the fencing and organising a pre-commencement meeting, this is not a requirement of the condition. The wording of the condition only requires it to be agreed in writing and there is no requirement for the fencing to be inspected on site. In any case, the wording of the condition also seems to

From: Timothy Bloomfield [REDACTED]
Sent: 23 May 2018 14:27
To: Anna Gillings [REDACTED]
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Anna,

Thank you for your email. I have recently taken over this application and can provide the following update.

With regard to condition 19 the following comments have been received from the Council's Consultant Arboriculturist:

" This site is overgrown and in a wild and impenetrable state with dense vegetation surrounding many of the trees that are to be retained.

At the present time NO vegetation clearance has taken place and NO protective fencing has been erected.

Conclusions:

In the absence of general vegetation clearance and erection of Protective Fencing the Condition has not been complied with and I am therefore unable to sign it off at this time.

ADVISORY:

I note that the applicant has submitted a Tree Protection Plan Ref: Plan 3A – the measures set out on this plan are acceptable but will need to be implemented and then a Pre-Commencement Meeting can take place [at a mutually convenient time] between the applicants representative and the Arun DC Tree Officer to agree that the Protective Fencing complies with BS5837 recommendations and is 'Fit For Purpose' and that it has been erected exactly as shown on Plan 3A".

You may wish to contact the Arboriculturist direct to discuss in more detail.

Regarding condition 7 the highway authority has been consulted and their comments are awaited.

As the application has gone beyond the 25/4/18 deadline I would be grateful if we could agree an extension of time to 29/6/18.

Kind regards,
Tim Bloomfield

Planning Officer
Arun District Council
[REDACTED]

ARUN DISTRICT

From: Anna Gillings [REDACTED]
Sent: 23 May 2018 10:29
To: Timothy Bloomfield