

23/7/18
A/11/18/DOC

Julia Mills

From: Charlotte Burrows
Sent: 26 July 2018 15:35
To: Julia Mills
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering
Attachments: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Julia,

Please print this off and upload when you get to the application. It is PP-07153047 - awaiting download from 23.07.2018.

Thanks
Charlie

From: Juan Baeza
Sent: 26 July 2018 13:08
To: Charlotte Burrows
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Charlie

The above DOC was recently refused and I am told that the applicant has resubmitted. Is it possible for this comment from highways to be added to the file when it is made up?

Thanks

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

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From: Stephen Gee [REDACTED]
Sent: 26 July 2018 12:13
To: Juan Baeza
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Juan,

On the basis of the attached email and the applicant giving an undertaking to the measures required within the WSCC previous responses I can confirm no objection is raised to the discharge of condition.

Regards
Stephen

From: Emma Patchell [REDACTED]
Sent: 25 July 2018 22:13
To: Juan Baeza
Cc: Stephen Gee
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Juan/Stephen

Please see email of 20th July and the attachment referred to.

Hope this helps but let me know if you require any further information.

Kind regards

Emma Patchell
Senior Planner

Gillings Planning

[REDACTED]

Gillings
Planning

Please note that my working days are Monday – Thursday

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From: Anna Gillings
Sent: 20 July 2018 09:43
To: Juan Baeza [REDACTED]
Cc: Timothy Bloomfield [REDACTED]
[REDACTED]

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

Dear Neil, Juan and Tim

Further to my voicemail messages yesterday, I was somewhat surprised to receive a refusal on the CEMP and tree protection measures conditions submitted, given that we had agreed an extension until 31st July.

Tree protection – we had agreed that the condition would remain live until Mark had inspected the works (as per your email below). I advised the measures are going up next week, in accordance with the agreed plan. Hence, there was no justification for a refusal.

Highways – As attached, I provided a full response to the County response, and followed up by email to confirm it was acceptable. Again, on the basis we accepted the comments from County I am frustrated to find a refusal.

I would therefore be grateful if you could agree a revised course of action. If we are required to resubmit the applications, which seems a waste of resources, we would welcome confirmation they will be approved within 3 weeks, noting that the original applications were submitted in February, and it has taken 5 months to get to this point. If we are to submit, we will do so on Monday and expect a swift registration.

I would be grateful for a response please. If I am unavailable, please speak to my colleague Emma Patchell, copied in above and on the same telephone number.

Kind regards

Anna Gillings

Managing Director
Gillings Planning

Gillings
Planning

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From: Juan Baeza - [REDACTED]
Sent: 13 June 2018 11:23
To: Anna Gillings [REDACTED]
Cc: Timothy Bloomfield [REDACTED]
[REDACTED]

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

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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 [REDACTED]

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 instruct that this condition discharge be refused.

Thanks

Juan Baeza Area Team Leader - Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maitravers Road, Littlehampton, BN17 5LF
[REDACTED]

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From: 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

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From: Juan Baeza
Sent: 12 June 2018 10:12
To: Mark Warwick
Cc: Timothy Bloomfield
Subject: FW: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Mark

As you can see Brian provided a very literal comment on this DOC. Can you please take a look at it please addressing the applicants comments about their interpretation of the condition.

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

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

From: Neil Crowther
Sent: 12 June 2018 09:20

From: Anna Gillings [mailto:anna@gillingsplanning.co.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 been 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 <Timothy.Bloomfield@arun.gov.uk>
Sent: 23 May 2018 14:27
To: Anna Gillings <anna@gillingsplanning.co.uk>
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



ARUN DISTRICT

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

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