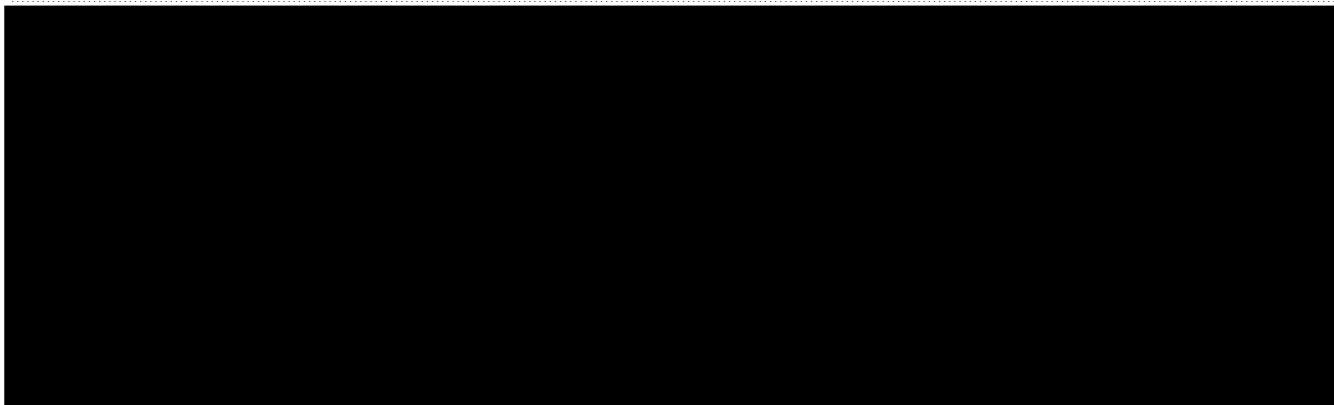


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From: Juliet [REDACTED]
Sent: 03 September 2021 16:29
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: A/159/21/PL - Mill House Croft, Angmering Day Nursery

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Dear Anita,

Thank you for looking into this for me and giving your advice.

Although I am sure you understand how infuriating this is for me having gone so far down this road, I do understand that a set procedure must be followed. After all I must work in the most 'regulation driven' industry in the country.

I must admit to have never actually laid eyes on the document you have just sent through. I have no record of it and it doesn't seem to be on the portal which would've maybe helped this issue.

I am happy to withdraw my current application and submit a revised one based on your suggestion. Do I have to pay for another submission under the circumstances?

Thank you again

Juliet Willett-Best

Director

Angmering Day Nursery

On 03/09/2021 15:41, Anita Gardner wrote:

Dear Juliet,

I have now had an opportunity to do some research regarding the appeal decision which I attach for your information.

You have implemented planning permission A/10/08 by increasing the number of children attending the nursery at any one time to 24. On this basis since planning permission A/10/08 contained condition 4 restricting outside play times then it is this condition which you should be seeking to remove.

Condition 4 stated

'Other than for 1 1/2 (half) hours in total between 0800 hours and 1300 hours and for 1 1/2 (half) hours in total between 1300 hours and 1800 hours there shall be no outside play or other outside use of the premises and no more than six children shall be outside the building at any one time.'

Although A/10/08 was a variation of condition application the Inspector in the 'Preliminary Matter' part of the Decision Letter (attached) acknowledges the appeal was made under Sec 73 and the other conditions imposed on the original decision were not in dispute. He states in allowing the appeal and granting planning permission for the development he has reimposed the original conditions (with some modifications) for the purposes of clarity and modified condition 2 to allow for 24 children.

I also note that the description of the above planning application reads 'Continuance of use without compliance with condition 3 imposed under A/110/05/ relating to hours and number of children for outside use/play.' However on the submitted form removal of the condition is sought which is not clear from the description.

Therefore for the reasons set out above the application cannot progress in its current form and should be withdrawn. There is no point determining the current application since it is not reflective of the current use of the premises.

A new application should be submitted with the following suggested amended description 'Removal of condition 4 of planning permission A/10/08 to allow for the continuation of use without restrictions on the hours and number of children for outside use/play.'

I await your written request to withdraw the current application.

Regards
Anita

Anita Gardner
Principal Planner

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From: Juliet Best [REDACTED]
Sent: 02 September 2021 15:07
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: A/159/21/PL - Mill House Croft, Angmering Day Nursery

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Dear Anita,

I would appreciate that thank you. The only records I have are the same as on the planning portal. The last document being the Officers report on granting the appeal dated 27/03/2008.

Hopefully you will be able to check this out for me tomorrow.

Kind regards,

Juliet

On 02/09/2021 14:42, Anita Gardner wrote:

Dear Juliet,

Do you have a copy of the appeal decision for A/10/08? If not I will try and access the office tomorrow to scan a copy so that I can clearly see what was allowed and then I will come back to you.

Regards
Anita Gardner

Anita Gardner
Principal Planner

T: 01903 737529

E: anita.gardner@arun.gov.uk

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www.arun.gov.uk

From: Juliet Best

Sent: 02 September 2021 14:38

To: Anita Gardner <Anita.Gardner@arun.gov.uk>

Subject: Re: A/159/21/PL - Mill House Croft, Angmering Day Nursery

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Dear Anita,

I'm afraid I also cannot see online what you are referring to. When I look at the officers result of the appeal in 2008 I cannot see a condition 4 relating to the numbers in the garden. There is a condition 3 that echos the 2005 permission but the wording is slightly different from those you have just quoted in your email.

I cannot understand why it is not clear as to which condition my application refers to. It is the original condition set in 2005 that was not changed in 2008 so surely this still stands.

Does re-submitting mean I have to go through the whole process again with public consultation etc? The whole situation has been extremely stressful and to add to this I have today found out that one of the objectors has sent anonymous letters around the neighbourhood making further disparaging suggestions about myself and the nursery. My only glimmer of positivity this morning was that there was only a few weeks left for the decision to be made and the nursery (and I) could move forward.... now this.

If I have to resubmit then that is what I have to do, but would prefer some clarification about why I have made a mistake that the planning authority will not see for what it is.

Kind regards,

Juliet

Angmering Day Nursery

On 02/09/2021 14:04, Anita Gardner wrote:

Dear Juliet,

My concern is that if you have implemented planning permission A/10/08 by increasing the number of children attending the nursery at any one time to 24 then since planning permission A/10/08 contained condition 4 restricting outside play times then it is this condition which you should be seeking to remove.

Condition 4 stated

'Other than for 1 1/2 (half) hours in total between 0800 hours and 1300 hours and for 1 1/2 (half) hours in total between 1300 hours and 1800 hours there shall be no outside play or other outside use of the premises and no more than six children shall be outside the building at any one time.'

Unfortunately because I am based at home I can only go into the office once a week and can't view the appeal decision in full, but from the information I have access to on line it appears that the appeal decision effectively superseded the original permission.

Regards

Anita

Anita Gardner
Principal Planner

T: 01903 737529
E: anita.gardner@arun.gov.uk

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www.arun.gov.uk

From: Juliet Best [REDACTED]
Sent: 02 September 2021 13:42
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: A/159/21/PL - Mill House Croft, Angmering Day Nursery

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Good afternoon Anita,

I am not currently seeking to increase the number of children attending the nursery which currently stands at 24, so I'm a bit puzzled by your email. Increasing the number of children in attendance was indeed the subject of the permission back in 2008 but it is the condition 3 on A/110/05 that I am looking to change regarding number/ times in the garden.

I can see from one of the objectors that they are querying the number of children allowed on our Ofsted report. Maybe this is where the confusion is. I know that says 30, but Ofsted set their own maximum using a calculation of floor space. That is completely

different to the conditions set by the planning authority which of course still stands. Perhaps someone from the planning department would contact them to explain why this appears to be contradictory.

If you could get back to me to clarify, I would be most grateful.

Kind regards,

Juliet Willett-Best

Angmering Day Nursery

On 02/09/2021 13:13, Anita Gardner wrote:

Dear Mrs Willett-Best,

I am the case officer dealing with your planning application. Having had a brief look at the planning history for the site I believe that you have made an application to vary a condition on the wrong planning permission.

Please can you advise of the number of children currently attending the nursery?

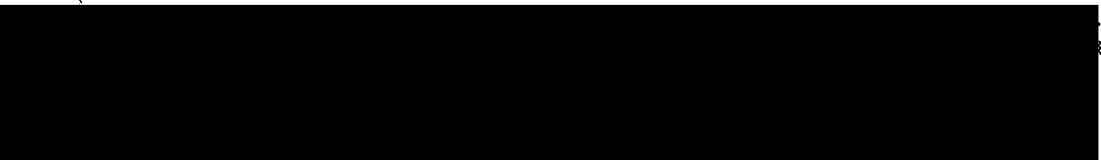
I assume that you are probably operating the premises on the basis of planning permission A/10/08 which increased the number of children accommodated within the premises at any one time to 24. On that basis I believe you should be seeking removal of condition 4 of planning permission A/10/08 not condition 3 of planning permission A/110/05. Accordingly I would suggest that the current planning application is withdrawn and a new amended application submitted in due course. There is little point in the current application being determined since it is not reflective of the current use of the premises.

Please can you respond to this e-mail within the next 7 days and confirm withdrawal in writing.

Regards

Anita Gardner

Anita Gardner
Principal Planner



T: 01903 737529

E: anita.gardner@arun.gov.uk

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