

Nicola Oktay

From: Amanda Scholes on behalf of Planning.Responses
Sent: 07 September 2018 08:19
To: Planning Scanning
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering
Attachments: Tree Protection as Built CAD 2010-B16005.101.pdf

From: Anita Gardner
Sent: 06 September 2018 15:16
To: Planning.Responses
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Please can this plan be added to the application, together with the e-mail

Anita Gardner | Principal Planner, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltrovers Road, Littlehampton, BN17 5LF

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From: Anna Gillings [REDACTED]
Sent: 04 September 2018 15:04
To: Anita Gardner
Cc: Sam Rous; Emma Patchell
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Anita

For the avoidance of doubt, both this and the original plan should be approved as part of the application. The first plan relates to the tree protection measures in place for the construction of the final scheme, while the attached plan relates to that for the demolition phase. It is perfectly acceptable to have two plans, and reflects the fact that demolition is taking place while dormice survey continue and as a responsible developer, the measures are in place to protect both the (potential) dormice and trees.

The application can be determined on this basis.

I would welcome your confirmation.

Kind Regards

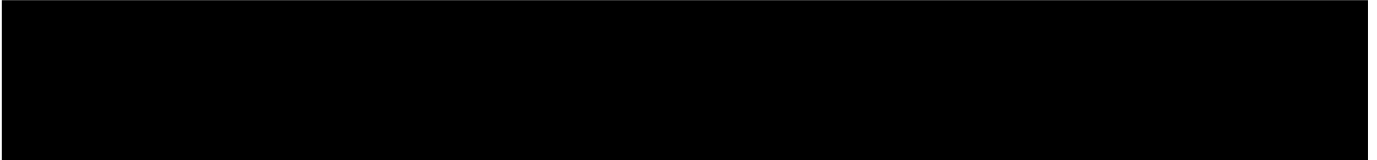
Anna Gillings

Managing Director
Gillings Planning

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From: Anna Gillings

Sent: 20 August 2018 15:43



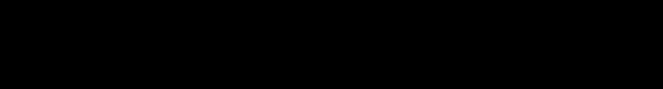
Dear Mark and Anita

Following previous discussions, we have now undertaken the tree protection measures on the site, as shown on the photos below. I would highlight that as there is a current dormouse survey ongoing the tree protection measures are slightly more than that originally submitted, as we didn't want to disturb the shrub at this time. I attach a plan of the measures, which can be used for the purpose of discharge of the condition. In essence the trees are now protected to an even greater degree.

I would also highlight that the works were overseen by our arb consultant (the same company who are undertaking the dormouse survey) -

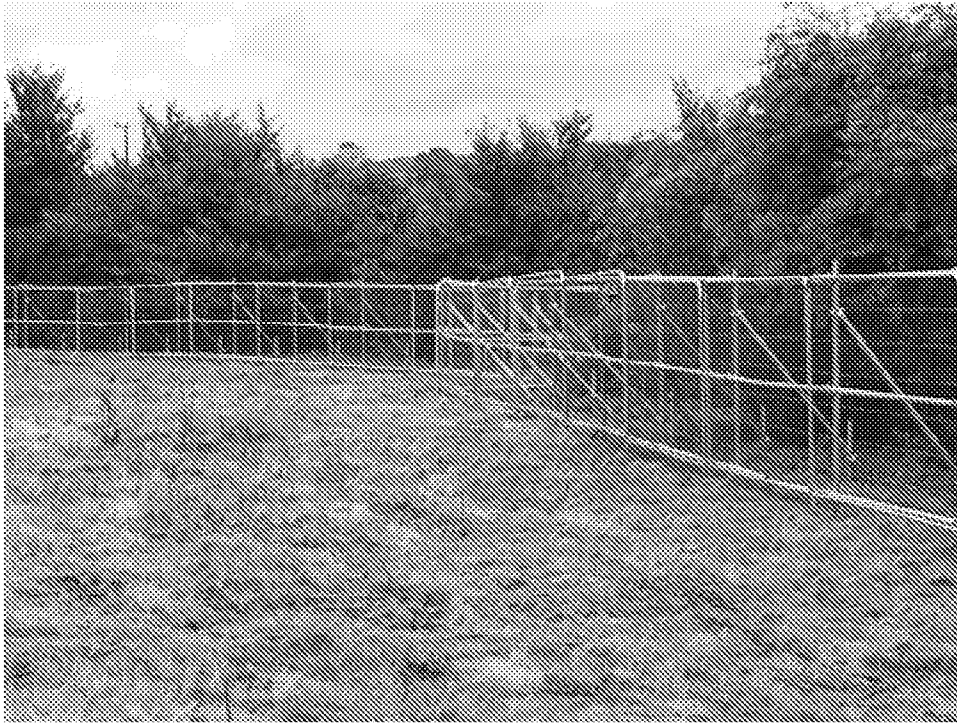
Michael Roseveare
Associate Director

The Landscape Partnership



Mark - Could I ask you to pop over to the site to confirm this is acceptable (although I attach a couple of photos for ease) and then both conditions can be discharged. We are keen to commence in early September with the demolition and hence a sign off this week or next would be most helpful.

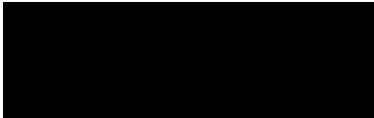




Thanks very much

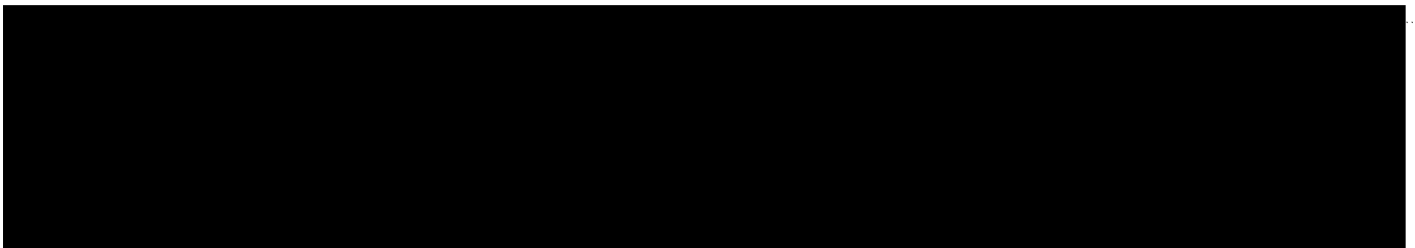
Anna Gillings

Managing Director
Gillings Planning



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

Dear Emma

I can confirm that the application file has been made up and was passed on yesterday to the technician to check that it is complete. It is hoped that subject to all being in order the application will be formally registered and passed on to Anita Gardner, the case officer, by the end of next week.

Regards



From: Emma Patchell

Sent: 16 August 2018

To: Juan Baeza

Cc: Neil Crowther; Anita Gardner; Mark Warwick; Anna Gillings

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

Importance: High

Dear Juan

Further to my email below of 31st July.

Can you please advise if the condition application for Broadlees has now been registered? This was submitted on the 23rd July, over three weeks ago. In terms of condition 7 and the CMP, highways have already advised that the details are acceptable. Please can this be registered and a decision issued asap?

For your information, the protective tree fencing is currently being erected on site and should be complete tomorrow. Therefore inspection can take place early next week.

Kind regards

Emma Patchell
Senior Planner

Gillings Planning

**Gillings
Planning**

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From: Emma Patchell

Sent: 31 July 2018 16:35

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

Dear Juan

Thank you for the update.

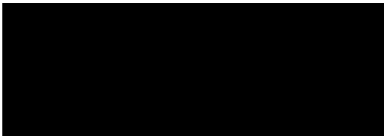
Given that the CMP submitted is now considered acceptable from the Highway Authority could we please get the application registered this week and a decision issued for condition 7?

I appreciate that the tree protection works are yet to be undertaken for condition 19 but as advised this will take place in the next few weeks and we will of course contact Mark to arrange a suitable time to inspect the site once this has been completed.

Kind regards

Emma Patchell
Senior Planner

Gillings Planning



Gillings
Planning

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From: Juan Baeza [REDACTED]
Sent: 31 July 2018 10:44

[REDACTED]

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

Dear Emma

The resubmitted DOC application is awaiting registration and it is hoped that this will take place by the end of next week. I am aware now that Highways are satisfied with the details submitted. As agreed with Anna Mark Warwick the Council's tree officer is awaiting to be contacted once the tree protection measures are in place so that he can visit and advice regarding their acceptability.

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: Emma Patchell [REDACTED]
Sent: 31 July 2018 10:35
To: Juan Baeza
Cc: Neil Crowther
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Juan

Further to my email of 23rd July regarding the re-submission of condition details.

Can you advise if the approval of conditions application has been registered?

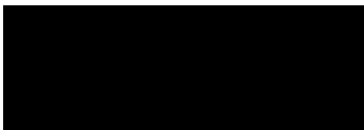
I have received the email below from Steven Shaw who advises that the CMP details submitted are acceptable. Please can you confirm this and issue a decision for this aspect of the application?

Please note that the tree works are not going to be started on site now until the 13th August and should hopefully be complete by 29th August. I will keep you updated regarding this.

Kind regards

Emma Patchell
Senior Planner

Gillings Planning



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Planning

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From: Steven Shaw [REDACTED]
Sent: 31 July 2018 08:54
To: Emma Patchell [REDACTED]
Subject: FW: URGENT - RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Emma,

Sorry for not responding sooner to your email I have been on annual leave.

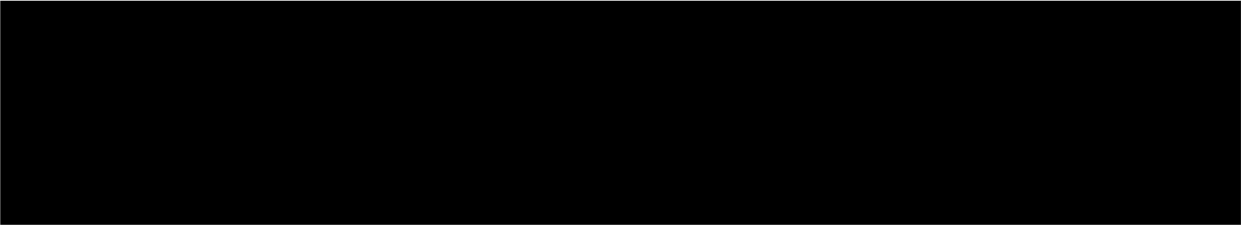
I can now confirm that my colleague Stephen Gee has responded to Juan Baeza and confirmed that the CMP, given it now includes a commitment to undertake a condition survey, is acceptable to WSCC as Highway Authority. I'm not sure why the application was refused as we responded to the consultation request on 2nd July within our 21 day deadline.

If you have any questions then please do ask.

Regards

Steven Shaw BA (Hons) MSc MCIHT
County Highways (Development Management) Team Manager
Economy, Planning, and Place Directorate
West Sussex County Council, Ground Floor, Northleigh, County Hall, Chichester PO19 1RH





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

Dear Juan

Further to our telephone conversation this morning. Please note that I have submitted the condition details again today through the Planning Portal for further consideration.

As you may be aware, Anna is on leave for a few weeks so please could any queries be copied to me. I have left a telephone message with Steven Shaw at the County Council to determine if the CMP submitted is sufficient and that the condition can now be discharged. I will also be in touch with Mark Warwick once the tree works have been completed on site, which are anticipated to be completed by 31st July.

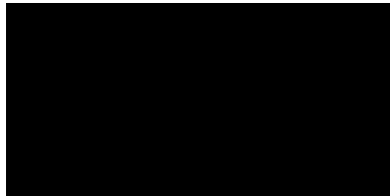
As you can understand this is very frustrating as it was our understanding that a time extension had been agreed and that we were working to a positive decision. I would therefore appreciate that the application is validated as soon as possible and a decision is issued within the next three weeks.

Kind regards

Emma Patchell

Senior Planner

Gillings Planning

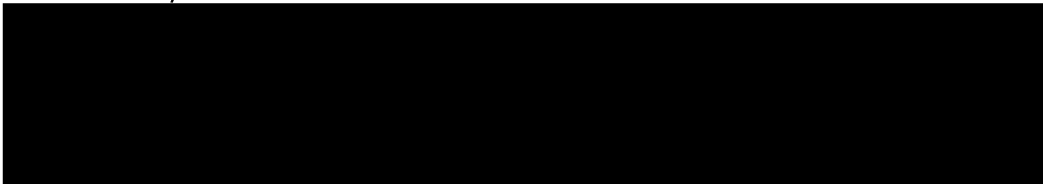


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.....
From: Anna Gillings

Sent: 20 July 2018 09:43



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 we would 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

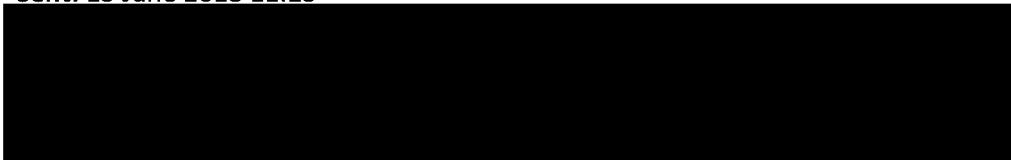
Anna Gillings

Managing Director
Gillings Planning



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From: Juan Baeza <[redacted]>
Sent: 13 June 2018 11:23



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 5LE

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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] 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 5LE

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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



Over to you for this one.

Dear Mr Crowther

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

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.

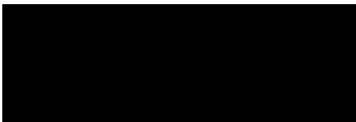
A tree protection plan was submitted which has been considered acceptable by the tree officer but is required to be implemented with a follow up pre-commencement meeting to take place on site (see attached comments). While the client is agreeable to erecting the fencing and organising a pre-commencement 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 prevent site access, and therefore access to the site to erect protective fencing, prior to any agreement in writing, would breach the condition. However, your clarification on this point would be appreciated.

You will note that I have agreed a time extension until 13th June but in the interim I would very much appreciate a conversation with Officers, to determine a positive way forward. I look forward to hearing from you.

Kind regards

Anna Gillings

Managing Director
Gillings Planning



<image001.jpg>

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From: Anna Gillings
Sent: 08 June 2018 19:07
To: Timothy Bloomfield <[redacted]>
Cc: Emma Patchell [redacted]
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Tim

As you will appreciate this is frustrating for my client on the basis of the length of time the conditions have been submitted.

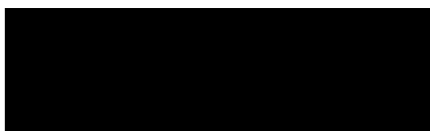
I therefore agree an extension until next Wednesday 13th June, but please could you contact us to discuss in advance of that. My colleague Emma will be available if I am not.

We look forward to speaking.

Regards

Anna Gillings

Managing Director
Gillings Planning



<image002.jpg>

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From: Timothy Bloomfield [REDACTED]
Sent: 07 June 2018 12:10
To: Emma Patchell [REDACTED]
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Emma,

Further to my email to Anna Gillings dated 23/5/18 condition 19 has not been complied with at this stage and the Consultant Arboriculturalist is unable to sign it off.

I have chased highways on condition 7 and asked them to expedite their response.

I suggested an extension of time to 29/6/18 which represents a more realistic timescale to discharge the relevant conditions.

Kind regards,
Tim Bloomfield
Senior Planning Officer
Arun District Council
[REDACTED]

From: Emma Patchell [REDACTED]
Sent: 07 June 2018 10:42
To: Timothy Bloomfield
Cc: Sam Rous; Anna Gillings
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Timothy

Further to my previous email of 31st May, Anna's email of 25th May and my telephone message this morning. Please could you advise of any update regarding the status of the conditions? I understand from Anna's previous email that a time extension has been agreed but only until Friday 8th June.

The condition details have been submitted for some time and so it would be good to resolve as quickly as possible please.

I look forward to hearing from you.

Kind regards

Emma Patchell
Senior Planner

Gillings Planning
[REDACTED]

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From: Emma Patchell
Sent: 31 May 2018 15:11
To: Timothy Bloomfield [REDACTED]
Cc: Sam Rous [REDACTED]; Anna Gillings <[REDACTED]>
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Tim

Further to Anna's email below, are you able to please provide an update to the queries raised?

Kind regards

Emma Patchell
Senior Planner

Gillings Planning
[REDACTED]

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From: Anna Gillings
Sent: 25 May 2018 14:59
To: Timothy Bloomfield [REDACTED]
Cc: Sam Rous [REDACTED]; Emma Patchell [REDACTED]
Subject: RE: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Hi Tim

Thanks for picking this up.

I attach an email train between myself and Ross, and the tree officer. Our reading of the condition was that if the details are acceptable, they do not need to be inspected on site, and the revised details submitted on the 26th April should resolve any detailed concerns. Ross indicated he had re-consulted the Tree Officer. Do you know this the case?

On the CMP, could you chase the highways team again please? Its not a controversial document and they have had it since submission back in March so Im hopeful it should be a quick response now.

Would it be possible to chase them along please? As they conditions have been in for some time, I suggest we agree an extension until Friday 8th June 2018.

Please do give either myself or my colleague Emma a call with any queries. We look forward to hearing from you.

Kind Regards

Anna Gillings

Managing Director
Gillings Planning



<image004.jpg>

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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
(01903 737598)

ARUN DISTRICT

From: Anna Gillings [REDACTED]
Sent: 23 May 2018 10:29
To: Timothy Bloomfield
Cc: Sam Rous
Subject: A/23/18/DOC - Broadlees, Dappers Lane, Angmering

Dear Mr Bloomfield

I understand you are now the case officer for the above conditions, and would be grateful if you could give me a quick call to discuss?

The conditions have been in for a little while – and have now gone beyond the 25th April 2018 deadline so it would be good to resolve as quickly as possible please.

I look forward to hearing from you

Kind Regards

Anna Gillings

Managing Director
Gillings Planning

[REDACTED]
<image005.jpg>

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