

[REDACTED]

From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 06 November 2019 09:56
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Salt Box - BE/110/19/DOC - Revised Foul and Surface Water Drainage Strategy - Saltbox, Bognor

Please upload the email trail below from Southern Water onto Ocella for BE/110/19/DOC.

Thanks,

Michael

From: Arfon Hughes [REDACTED]
Sent: 04 November 2019 14:46
To: Luis Da Silva [REDACTED]
Cc: Arfon Hughes [REDACTED]; Michael Eastham <Michael.Eastham@arun.gov.uk>; Mike Griffin [REDACTED]; Roger Spencer <Roger.Spencer@arun.gov.uk>; Nia Russell [REDACTED]; Mr Will Marsh <[REDACTED]>; Keith Sarchett [REDACTED]; Chris Thrippleton <[REDACTED]>; Edevane, Joff [REDACTED]
Subject: Re: Salt Box - BE/110/19/DOC - Revised Foul and Surface Water Drainage Strategy - Saltbox, Bognor

Dear Luis

Thank you for your response.

Just to be clear, I understand that that your statutory duties preclude you from objecting to this discharge of condition and therefore your comments are therefore ones of concern for the Council to have regard to, not of objection. This is an important distinction and I am grateful that you have provided this explanation.

In terms of the infrastructure concerns that you have raised and the comments you have made, I would highlight that the submissions upon which you have been consulted comprise a single B8 distribution warehouse unit plus the associated roads and landscaping infrastructure. This single unit will be constructed just as soon as the discharge of condition issue is resolved and indeed is presently planned for the end of this year. This forms the "full" aspects of the consented hybrid planning permission at the Saltbox allocation.

There are subsequent phases to the development of the Saltbox allocation that form the 'outline' aspects of this hybrid application. These subsequent phases of the development could not be progressed without the discharge of further and separate planning conditions placed on the outline aspects of the scheme. No doubt you will be consulted on those at the appropriate time. The timing for these aspects is very much dependent on getting this first unit 'over the line', something that the current consultation response on foul water is, unfortunately, causing us difficulties with.

In the context of the above and the comments that you have made " that it may be possible for some dwellings/ units to connect pending network reinforcement" I trust that on reflection you agree that this single distribution warehouse unit falls within this scope and ought reasonably not to have any material concerns for network capacity.

I would be most grateful for your soonest response confirming this as the discharge of this remaining condition is the only thing standing in the way of securing the commitment by the proposed tenant and the jobs and investment that goes with this proposal.

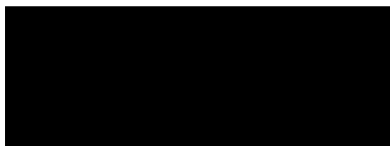
Once we have resolved this key 'gateway' aspect of the development then our team will be in touch with you to ensure that the planning of subsequent phases is understood and programmed in the context of the available infrastructure.

Thank you for your assistance.

Kind regards

Arfon Hughes

Arfon Hughes BSc(Hons) LLB(Hons) DipEngLaw MRTPI
Managing Director
Mango Planning & Development Limited
Number Two Waterton Park
Waterton, Bridgend
CF31 3PH



On 4 Nov 2019, at 13:54, DaSilva, Luis [REDACTED] wrote:

Dear Arfon,

Thank you for your email.

I can confirm that the letter I referred to was dated 04.03.2019 and not 04.10.209. This was a typo mistake.

Southern Water is legally required to provide water and wastewater services to all new developments that take places within our operational area.

This means that we cannot refuse to connect new customers to our network and we are unable to object to new development as this would be contrary to our statutory duties. However, we continue to advise local authorities about any possibility of flooding due to new developments.

We are fully committed to providing the right infrastructure in the right place and in the right time in collaboration with the planning authority, neighbourhood plan groups and developers. Planning policies and planning conditions attached to the planning permissions would facilitate the provision of local infrastructure required to serve a development.

As stated in our response it may be possible for some dwellings/ units to connect pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required.

Please see attached a build-up rate form to be filled by the developer/ applicant and returned to us.

Please note that the capacity assessment carried out for this development is correct and the word 'dwellings' is just a Southern Water's standard comment to illustrate lack of capacity.

Kind regards

Luis Silva
Planning Co-ordinator
For Sussex

From: Arfon Hughes [REDACTED]
Sent: 01 November 2019 14:08
To: Michael Eastham <Michael.Eastham@arun.gov.uk>; DaSilva, Luis [REDACTED]
Cc: Mike Griffin [REDACTED]; Roger Spencer <Roger.Spencer@arun.gov.uk>; Nia Russell [REDACTED]; Mr Will Marsh [REDACTED]; Keith Sarchett [REDACTED]; Chris Thrippleton <[REDACTED]>
Subject: Re: Salt Box - BE/110/19/DOC - Revised Foul and Surface Water Drainage Strategy - Saltbox, Bognor

Dear Michael/Luis

I have just had sight of Southern Water's ("SW") comments below, although we are not aware of the previous response from them to which Luis refers. We understand it was intended to refer to the response provided in respect of the discharge of the similar condition on the previous application BE2/19 of 4th March. I attach a copy of that letter for your information.

From the outset, I would note that SW has no right of objection to this proposal in respect of capacity. There is a statutory right for this development to connect to the foul sewer system, irrespective of capacity. The only matter upon which SW has any statutory responsibility concerns the technical acceptability of the form of connection. That is not at question in this case. In this regard I do not see value the consultation response of SW offers to this discharge of condition in any event.

Notwithstanding the above, SW's 4th March objection letter illustrates that it has given no real consideration of this proposal at all. It is no more than a generic 'cut and paste' response as seen in response to almost every major application in the area. It even gets the type of development wrong, referring to development of 'initial dwellings' when there are none in this proposal.

Had SW considered the site properly as it ought, it would have noted that this is not a housing site and recognised that it is an allocated site for employment development in an up to date Local Plan. It would have recalled that this site has been in the plan for many years and was previously part of the draft LDO upon which SW was a consultee. SW would also have recognised that it has a duty to provide the infrastructure required to serve such allocated development. It would also have noted that SW has no power to hold up or prevent development of such sites and would not want to be seen as holding up the creation of up to 1000 jobs in Bognor. As the submissions have shown, SW would also have noted that the foul water requirements of this development are very different to those for a residential development, and significantly less material.

In our view, SW's current response, such as it is, is not relevant and should be given no weight.

By copy of this email to Luis Da Silva I invite SW first to review its consultation response to make sure it is considering the correct development; and secondly, to withdraw its objection to this discharge of condition.

If it does not do so, we will be making a formal complaint to the highest levels of SW about this matter.

It is of course within the Council's authority to set aside this response and discharge Condition 10 in any event.

On a final note I understand there is no technical objection to Condition 9 concerning surface water drainage and I would ask that you encourage a consultation response from Roger on this matter as soon as possible so this condition can be discharged irrespective of your views on Condition 10.

Many thanks

Kind regards
Arfon.

Click [here](#) to report this email as spam.

This e-mail is intended solely for the person or organisation to which it is addressed. It may contain privileged and confidential information. If you are not the intended recipient, you are prohibited from copying, disclosing or distributing this e-mail or its contents (as it may be unlawful for you to do so) or taking any action in reliance on it. If you receive this e-mail by mistake, please delete it then advise the sender immediately. Without prejudice to the above prohibition on unauthorised copying and disclosure of this e-mail or its contents, it is your responsibility to ensure that any onward transmission, opening or use of this message and any attachments will not adversely affect your or the onward recipients' systems or data. Please carry out such virus and other such checks as you consider appropriate. An e-mail reply to this address may be subject to monitoring for operational reasons or lawful business practices. This e-mail is issued by Southern Water Services Limited, company number 2366670, registered in England and having its registered office at Southern House, Yeoman Road, Worthing, BN13 3NX, England. In sending this e-mail the sender cannot be deemed to have specified authority and the contents of the e-mail will have no contractual effect unless (in either case) it is otherwise agreed between Southern Water Services Limited and the recipient.

This message has been scanned for malware by Websense. www.websense.com

<Growth Build Info Request Letter BAU.docx>