

From: Simon Davis
Sent: 17 November 2017 13:19
To: 'Alyson Van Koolbergen'
Subject: RE: Application_Ref_No=BE/79/17/PL

Dear Mrs Van Koolbergen

Thank you for your email and I am sorry that you have ongoing concerns with the application process. Please see my comments in red next to your points:

- (1) I can now see the recent documentation regarding the above planning application on the ADC portal. Noted.
- (2) I would like to begin that the delegated powers that be would bear in mind the ecological reports written by Arbeco are taken into consideration when determining the outcome of this planning application and that of residents' concerns regarding the application as a whole.

Ecology/Species Protection are material planning considerations and must be taken into account in determining the application.

Concerns from residents where material will also be taken into account. See attached DCLG guidance note on what is material and what isn't.

- (3) It is incredibly shameful that Bersted Parish Council have decided on a no objection vote which I will be taking further.

Noted.

- (4) I would also like to point out that an email dated 18th August 2017 from Fiona Fitzgerald, Environmental Health (EH) Team, has stated that "I would recommend refusal of the application based on insufficient information. Further Ms Fitzgerald asks for a scheme to be submitted for provisions to be made for the control of noise emanating from the site.

Noted. EH are currently considering the information submitted by the agent on 18/08/17 and will be making further comment. This should be on our website early next week and no decision will be made until this has been received.

- (5) There is no measure in place to mitigate noise from skips being moved on and off site nor the vehicles being operative up and down what is now a quiet lane.

Noted. This will be considered as a material planning consideration in the officer report.

- (6) The offered hours of operation would be restricted to 0800-1800 Monday to Friday and 0800-1300 Saturday. However it is noted that at the current site of operation of applicant are continually abusing the hours set by operating earlier and earlier with floodlights on as early as 0630.

Noted but we cannot refuse an application just because of anecdotal evidence of non-compliance with conditions at another site, particularly one outside of the Arun district. Planning conditions on working hours would be enforced under Arun DC powers.

- (7) It has been documented within this planning application that as of your email dated 18th August to Mr Phil Brown you have misread the hours proposed by Fiona Fitzgerald and said that they will be 0700-2300 daily and this would be within WHO guidelines on night time noise.

I do not understand what I have misread. I have asked EH to clarify in their forthcoming response.

- (8) I would suggest you re-visit the WHO guidelines on what level of noise within agreed timescales is permitted on a residential and local area.

It states that night time is defined as being between 11pm and 7am. Therefore operations should not commence before 7am.

- (9) I now refer you to your email to Mr Phil Brown dated 24th August regarding the first report by Arbeco in which you say "I am not able to recommend the application for approval with these surveys. I note from your submitted report that further surveys should be undertaken between 1st March-31st October (optimally surveys should be undertaken in April, May and September).

- (10) A report was taken in September. Reptiles found and have to be mitigated before any works are undertaken.

We have taken advice from our Ecologists who raise no objection subject to conditions. Please see their responses online (23/08/17 & 12/10/17).

- (11) I note that the landlord of the proposed site has begun clearing and burning of material found on site.

We cannot prevent a land owner from carrying out works not defined as development. You can however report this to Sussex Police Wildlife officer as it may be a criminal offence if species are being harmed.

<https://sussex.police.uk/advice/protect-your-neighbourhood/rural-crime/wildlife-crime/>

- (12) You further state in the same email dated 24th August that ".....if surveys can be carried out solely in September. If so, then we could agree to an Extension of Time to cover this period. If longer time is needed then you would need to withdraw or we would refuse".

- (13) I can see that the recent Arbeco report requests further surveys are taken in April and May.

- (14) I do question the delay from August until November for an extension of time to be submitted.

- (15) Why is it that you waited for the second Arbeco report before requesting such extension?

We had requested an Extension in August but the agent did not respond on that point. I am sorry but I did not chase this up due to other work commitments.

(16) This is vastly outside of the 'comments by..... date set at 21st August 2017'. I do assume that if anyone else had commented after the closed comments date set these would have been taken into consideration too?

We are required to take account of all comments received prior to the decision being issued. Therefore residents may comment further if they so wish.

(17) I would like to know why documents sourced after the 'closing date' have been taken into consideration from Mr Brown and Arbeco.

We had requested further information from the applicant. The 'closing date' is there to ensure we process applications in a timely manner. We can exceed it and in this case, we had to resolve the ecology & other issues (and the applicant agreed to it being exceeded)

(18) The residents of Babsham Lane are awaiting an invitation to give their voice before the application is determined.

Residents may comment further if they so wish.

(19) It is also further noted that the applicant is currently storing excess skips at Springfield Park, off the A259. The skips being stacked are in excess height allowance of those being proposed at Babsham Farm. It is assumed that this has been permitted by Chichester District Council as change of use within that site and that they have set their own guidelines for use.

Noted but this is within the Chichester District and you should contact CDC if you wish to complain.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37874 | External: +44 (0) 1903 737874 | E-mail: simon.davis@arun.gov.uk

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



Save the environment - think before you print.

From: Alyson Van Koolbergen [REDACTED]
Sent: 16 November 2017 22:54
To: Simon Davis
Subject: Re: Application_Ref_No=BE/79/17/PL

Dear Mr Davis

Thank you for your email replies.

I can now see the recent documentation regarding the above planning application on the ADC portal.

I would like to begin that the delegated powers that be would bear in mind the ecological reports written by Arbeco are taken into consideration when determining the outcome of this planning application and that of residents concerns regarding the application as a whole.

It is incredibly shameful that Bersted Parish Council have decided on a no objection vote which I will be taking further.

I would also like to point out that an email dated 18th August 2017 from Fiona Fitzgerald, Environmental Health Team, has stated that "I would recommend **refusal** of the application based on **insufficient**

information. Further Ms Fitzgerald asks for a scheme to be submitted for provisions to be made for the control of noise emanating from the site.

There is no measure in place to mitigate noise from skips being moved on and off site nor the vehicles being operative up and down what is now a quiet lane.

The offered hours of operation would be restricted to 0800-1800 Monday to Friday and 0800-1300 Saturday. However it is noted that at the current site of operation of applicant are continually abusing the hours set by operating earlier and earlier with floodlights on as early as 0630.

It has been documented within this planning application that as of your email dated 18th August to Mr Phil Brown you have misread the hours proposed by Fiona Fitzgerald and said that they will be 0700-2300 daily and this would be within WHO guidelines on night time noise.

I would suggest you re-visit the WHO guidelines on what level of noise within agreed timescales is permitted on a residential and local area.

I now refer you to your email to Mr Phil Brown dated 24th August regarding the first report by Arbeco in which you say "I am not able to recommend the application for approval with these surveys. I note from your submitted report that further surveys should be undertaken **between 1st March-31st October (optimally surveys should be undertaken in April, May and September).**"

A report was taken in September. Reptiles found and have to be mitigated before any works are undertaken.

I note that the landlord of the proposed site has begun clearing and burning of material found on site.

You further state in the same email dated 24th August that ".....if surveys can be carried out solely in September. If so, then we could agree to an Extension of Time to cover this period. If longer time is needed then you would need to withdraw or we would refuse".

I can see that the recent Arbeco report requests further surveys are taken in April and May.

I do question the delay from August until November for an extension of time to be submitted.

Why is it that you waited for the second Arbeco report before requesting such extension?

This is vastly outside of the 'comments by..... date set at 21st August 2017'. I do assume that if anyone else had commented after the closed comments date set these would have been taken into consideration too?

I would like to know why documents sourced after the 'closing date' have been taken into consideration from Mr Brown and Arbeco.

The residents of Babsham Lane are awaiting an invitation to give their voice before the application is determined.

It is also further noted that the applicant is currently storing excess skips at Springfield Park, off the A259. The skips being stacked are in excess height allowance of those being proposed at Babsham Farm. It is assumed that this has been permitted by Chichester District Council as change of use within that site and that they have set their own guidelines for use.

Sincerely
Alyson van Koolbergen

On 15 Nov 2017, at 13:19, Simon Davis <Simon.Davis@arun.gov.uk> wrote:

Dear Mrs van Koolbergen,

I am sorry as I gave you incorrect advice in my email of the 13th November (below).

The Parish Council have not objected and therefore there is no reason to take this to our Development Control Committee regardless of our recommendation. This will therefore be recommended under officer delegated powers and residents will be notified of the planning decision.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37874 | External: +44 (0) 1903 737874 | E-mail: simon.davis@arun.gov.uk

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From: Simon Davis
Sent: 13 November 2017 11:44
To: 'Alyson Van Koolbergen'
Subject: RE: Application_Ref_No=BE/79/17/PL

Dear Mrs van Koolbergen,

I have asked our planning admin team to fix the issue with the email not showing up correctly on the website. This should be rectified by tomorrow.

It is my intention to recommend this application for approval at the Development Control Committee. I was not able to get it on the agenda for the November meeting and so am instead taking it to our 13th December meeting. This is why there is an agreed extension of time.

You and fellow residents who have objected will be notified of the committee meeting and be invited to register to speak.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37874 | External: +44 (0) 1903 737874 | E-mail: simon.davis@arun.gov.uk

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From: Alyson Van Koolbergen [REDACTED]
Sent: 12 November 2017 18:34
To: Simon Davis
Subject: Application_Ref_No=BE/79/17/PL

Dear Mr Davis

I note further correspondence on the above planning application.

I would like to know, in the first instance, why it is that a decision that was meant to have been made in **August 2017** was given a leeway by Arun District Council without any documentation for an extension.

I would like to know why it is only on 1st November 2017 that an “Agreed Extension of Time” has been granted and this is vastly outside of any time scope allowable by your own planning application standards.

There has been no correspondence provided or given to anyone commenting on this planning application without them having to have searched on the planning.

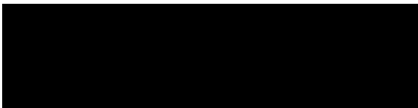
Given the timespan I assume you are hoping that the persons who have either objected or raised concerns about this planning have assumed that this would be refused.

The document dated 1 November on the planning portal of Arun District Council comes up with a notification that ‘CCube Solutions Ltd - file not found’. See photo screenshot below as evidence.

I look forward to your reply.

Sincerely
Alyson van Koolbergen

<image001.jpg>



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