

[REDACTED]

From: Simon Davis
Sent: 23 April 2019 10:32
To: Planning Scanning
Subject: FW: Conditions - Villa Maria BR/111/19/DOC

[REDACTED]

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Please note that I typically work from home on Thursdays when I am unreachable on my work phone

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From: Simon Davis
Sent: 03 April 2019 17:20
To: Laura Gibbons [REDACTED]
Subject: FW: Conditions - Villa Maria BR/270/16/PL & BR/138/18/DOC

Hi Laura,

Can you comment on the points below regarding the capacity check. Thanks

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: [REDACTED]
Sent: 25 March 2019 21:04
To: Simon Davis [REDACTED]
Subject: RE: Conditions - Villa Maria BR/270/16/PL & BR/138/18/DOC

Simon

Thank you for your email clarifying matters. I would comment as follows.

Drainage

I appreciate that Laura wants a capacity check done however it is not the fact that my client doesn't want the cost. I do not see the point of a capacity check in relation to the proposed development. As part of the submission to Southern Water we provided full calculations from a drainage engineer which proved that there is no increase in the flow rate into the public sewer resulting from the proposed development. Therefore why ask for a capacity check? We have not made the situation any worse than the existing situation where all foul and surface water went into the public sewer!!! If we do a capacity check and Southern Water say there is no capacity for the existing flow rate then

that is not my clients problem and is not a result of the proposed development. Therefore it is not a material consideration in the planning process as the proposed development has not increase the flow rate to what was already going into the sewer before my client acquired the building.

Trees

Again I appreciate your tree officers position however my client employed an independent qualified tree consultant to attend site and monitor the works and write a report. Your tree officer choses not be believe what he says so what do you expect my client to do? I can get my tree consultant to speak to your tree officer but initially he has said there is not much more he can provide so the situation just rumbles on.

We seem to be hitting a brick wall and getting to a situation where we cannot provide any more info than we have so the conditions will just remain outstanding which they have been now for over 2 years since the building has been occupied and operating in this time. It just seems we are performing a paperwork exercise which is total unreasonably and unnecessary.

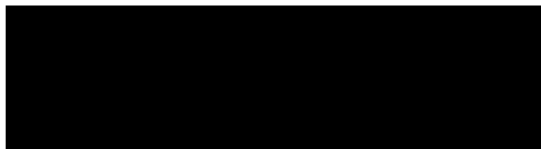
Regards

Philip Dudley
Director



ARCHITECTURAL DESIGN & PLANNING SERVICES

The Barn, Calcot Mount Business Park, Calcot Lane, Curdridge, Southampton, Hampshire, SO32 2BN



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From: Simon Davis <[REDACTED]>
Sent: 25 March 2019 15:39
To: '[REDACTED]'
Subject: RE: Conditions - Villa Maria BR/270/16/PL & BR/138/18/DOC

Dear Phillip,

Thank you for your email. I have sought further advice from our drainage engineer and tree officer and can therefore responds as follows:

Drainage

I understand that Laura wrote to you in early March to advise that she requires confirmation from Southern Water that a capacity check has been satisfactorily completed. She has said that she cannot sign-off on the proposals

until/unless she has seen this. I also note that Southern Water's approval letter does say that their approval for discharge into the public foul sewer does not confirm that capacity is available for the proposed development and that a lack of capacity may increase the risk of flooding and that this is a material planning consideration for the Local Planning Authority to consider. I am advised that the costs associated with the capacity check are not particularly high (I believe less than £500) so would your client not be prepared to undergo this process?

Trees

Our Tree Officer, Mark Warwick has advised that he has had no communication from you since the last application.

He advises that *"whenever development proceeds prior to required agreements being in place, then retrospective submissions have to be comprehensive and leave no doubt that all concerns were addressed and effective measures put in place and in a timely manner – otherwise there can be no confidence that the trees were adequately protected."*

You may wish to instruct your arboriculturist to make contact with our tree officer and see if there is scope for a revised submission to overcome the current objection. I note that our Tree Officer's consultation comments on BR/138/18/DOC stated that *"While there is a possibility that work within the RPA has been undertaken in a satisfactory manner I cannot be confident that this has been the case, so am not in a position to recommend we 'sign off' on this condition."* I would suggest that your clients take every step they can to demonstrate that the work was undertaken in a satisfactory manner.

Kind Regards

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From: [REDACTED]

Sent: 13 March 2019 16:40

To: Simon Davis <[REDACTED]>

Subject: Conditions - Villa Maria BR/270/16/PL

Hi Simon

I am trying to resolve these 2 outstanding conditions for the above site. These relate to the drainage and the tree works. Conditions 3 and 4 respectively.

I am having real difficulty in dealing with the councils drainage officer and tree officer and we don't seem to be getting any closer to sorting it out. My client is extremely frustrated and we need urgent action on this.

To clarify.

Drainage – We have been arguing with Laura Gibbons for several months about this drainage and we feel she is being totally unreasonable. We got to a stage where we agreed that it was impossible to put soakaways in. Therefore as requested by her we applied to Southern Water to connect to the public sewer with both foul and surface. Having done battle with them and after providing comprehensive drainage calcs we proved that the increase in combined flow rate was no worse than existing. Southern Water accepted this and granted consent. Laura still won't accept this and is requesting capacity checks which are totally unnecessary as there is no increase in flow rate to the sewer as we have proved.

Trees – My client employed a qualified independent tree consultant to undertake supervision of the excavation works and provided a report. This concluded that we simply took away the existing slab that was built under the tree and kept the existing foundations already constructed and build the new stuff around. There is therefore no more damage to the tree than what had possibly been done by the existing building. The council's tree officer still won't accept this report. Do not know what else my client can do having spent money on an experienced tree consultant.

On both conditions the information we have provided clearly satisfies both conditions. I accept that my client did the works without the discharge of conditions and is sorry that we are now in this position. However the building has now been complete for nearly 2 years and we are simply arguing a paperwork exercise. Both council officers are being extremely unhelpful in resolving these issues. At present we cannot provide any more information that what have provided which the council officers do not accept. This will mean the conditions will just remain undischarged and will continue to be so as my client is not willing to do anymore.

I would appreciate your views as there needs to be a common sense approach to these 2 issues which is not being provided by the council officers.

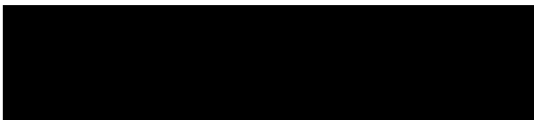
Regards

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