

From: Simon Davis

Sent: 25 March 2019 15:39

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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Save the environment - think before you print.

Sent: 13 March 2019 16:40

To: Simon Davis <Simon.Davis@arun.gov.uk>

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 councils 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

Philip Dudley
Director



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