

[REDACTED]

From: Kathryn Welch
Sent: 16 October 2026 13:32
To: Planning Scanning
Subject: FW: BR/217/25/PL

[REDACTED]

[REDACTED]

Kathryn Welch
Senior Planning Officer, Planning Department

Please note: My working hours are currently split between Development Management and ADC Engineers, which may result in extended response times. **Development Management:** Tuesdays and Thursdays **ADC Engineers:** Mondays, Wednesdays, and Fridays

T: 01903 737789
E: kathryn.welch@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk



From: James Hutchison [REDACTED]
Sent: 16 October 2026 12:46
To: Kathryn Welch <Kathryn.Welch@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: Re: BR/217/25/PL

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Dear Kathryn

I can confirm that a completed UU was hand-delivered to your offices first thing yesterday morning.

Please kindly confirm receipt.

I would also be grateful to have an update on your likely recommendation.

Thanks

Kind Regards,

James Hutchison MRTPI
Planning Director

[REDACTED]
[REDACTED]

W: www.corbilplanning.co.uk



Company Registration No: 09991331

From: James Hutchison [REDACTED]
Sent: 07 October 2026 16:23
To: Kathryn Welch <Kathryn.Welch@arun.gov.uk>
Cc: Daniel Vick <daniel.vick@arun.gov.uk>
Subject: Re: BR/217/25/PL

Dear Kathryn

Thank you for your email.

Attached is a copy of the unsigned UU.

The final copy is with our client for signing and witnessing. Once this is done, we will submit the engrossed version to the LPA along with the OCE titles.

This will be with you within the next 7 working days.

It is noted from the public register that comments are due on the application up until 15 October 2026, and so taking into account the above, the LPA is not in a position to determine the application before they will be in receipt of the signed UU. The application also does not expire until 30 October 2026.

Furthermore, if, at the time of the LPA making a decision on this application, a signed UU has not been received, and that is the sole outstanding matter, then it would be unreasonable behaviour for the LPA to not enter into an extension of time limit to enable the UU to be received.

The LPA would be forcing an appeal on a matter that could have been readily resolved through using its powers to enter into an extension of time limit. This is especially the case where the LPA is in receipt of the unsigned UU and they have received confirmation that the applicant is in the process of signing and completing the UU.

If this is the sole reason for refusal, then that would be both unreasonable behaviour, and it would have caused unnecessary and wasted costs on the appellant and Planning Inspectorate in having dealing with an appeal that could have otherwise been avoided by the LPA using the powers entrusted to it under s.34 of the DMPO.

There is a lengthy record of successful costs awards at appeal whereby LPAs have refused on a matter capable of being resolved by a planning obligation, and we trust that the LPA will enable our client the time required to complete the signing process and submit the completed version of the UU.

I would also raise the fact that the LPA cannot rely on any request made for a completed UU to be submitted prior to the validation of the current application, as this would be contrary to the explicit guidance contained in the PPG which directs LPAs not to seek a completed legal obligation at the validation stages of the application.

The reason why a completed legal agreement should not be submitted prior to the application being validated is that it prejudices the future determination of the application. There can only be one s.106 agreement attached to a planning permission, and should an unexpected matter come to light during the course of the application (e.g. the need to secure landscaping off-site by means of a s.106), then this could not be incorporated into the legal agreement if it had already been completed pre-validation.

The proper manner in which LPAs should deal with the matter of obligations is to seek to agree a heads of terms with the applicant as near to the start of the planning application as possible, and work to complete the legal agreement during the currency of the planning application, thereby encapsulating all of the required obligations.

To date, under the current application (and until your email of 30 September), the LPA has not sought to agree heads of terms or the contents of the UU at all. Indeed, there has been no contact in respect of this application since validation.

We therefore consider that it is less than acceptable for you to require a completed UU within 7 days of the initial request /contact under the current application to confirm the heads of terms / contents of the planning obligations being sought by the LPA.

Setting this aside, and otherwise, we would also be grateful to receive your wider views on the acceptability of our application prior to a recommendation being made.

Should you have any queries in the meantime then please do not hesitate to contact me.

Thank you

Kind Regards,

James Hutchison MRTPI
Planning Director

[REDACTED]
[REDACTED]

W: www.corbilplanning.co.uk



Company Registration No: 09991331

From: Kathryn Welch <Kathryn.Welch@arun.gov.uk>
Sent: 30 September 2026 09:47
To: James Hutchison [REDACTED]
Subject: BR/217/25/PL

Dear James,

I hope you are well.

I am writing to introduce myself as the new case officer for application BR/217/25/PL – Land Rear of 86 Annandale Avenue, following Harry Chalk's departure from the Council.

Having reviewed the application file and previous correspondence, I note your confirmation of 10 July 2026 that your client was willing to enter into a Unilateral Undertaking to secure the required contribution towards mitigation of recreational impacts on the Pagham Harbour SPA. Now that the application has been validated and is live, I would be grateful if the completed and signed Unilateral Undertaking could be submitted without delay. To allow the application to progress, please provide the signed document no later than **7 October 2026**. Please be aware that, in the absence of a completed legal agreement securing the required mitigation, the Council may be unable to conclude that the development would not adversely affect the integrity of the Pagham Harbour SPA. This may result in the application being refused on that basis.

Given the historic correspondence on this matter and the applicant's previous indication that they were willing to complete the agreement, I should also make clear that an extension of time will not be granted for this reason alone subject to the deadline being met above.

If you have any queries regarding the submission of the Unilateral Undertaking, please let me know.

Kind regards,

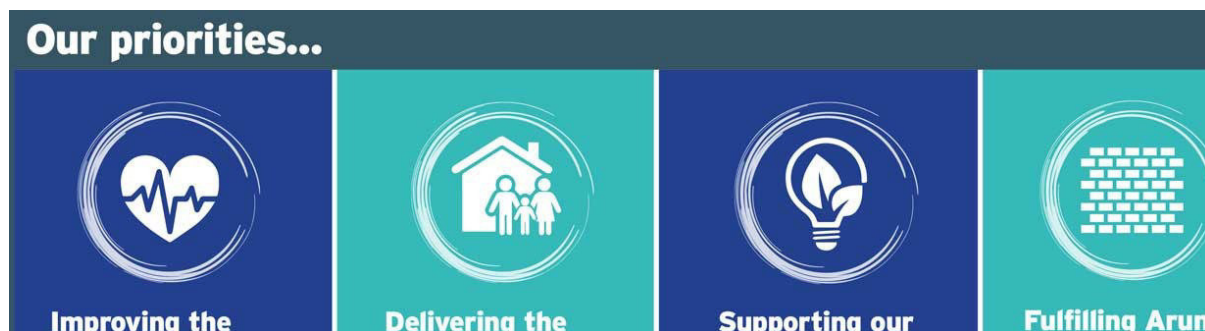
Kathryn Welch
Senior Planning Officer, Planning Department

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