

Daniel Vick

From: Sheila Green [REDACTED]
Sent: 15 January 2013 10:16
To: Daniel Vick
Cc: sandra_daniells@o2.co.uk; Glenna Frost; adam@bognorcinema.co.uk
Subject: RE: BR/228/CLE

Importance: High

Dear Daniel

Having discussed this matter further we have now decided that perhaps it would be best to withdraw the application for the time being in order to collate further information.

Should we decide to re-apply at a later date, perhaps the planning dept. could liaise with us and assist in making sure the application is correct before being fully submitted.

Can you please inform the relevant people that we will not be attending the hearing and withdraw the application on our behalf.

Should there be any queries can you please contact me before 11.00 this morning as I will then be out of office.

Regards

Sheila

*Sheila Green
Project & Street Scene Support Officer
Bognor Regis Town Council*

[REDACTED]

heila

From: Daniel Vick [REDACTED]
Sent: 14 January 2013 17:39
To: Sheila Green
Cc: [REDACTED]
Subject: RE: BR/228/CLE

Sheila,

Thanks for your e-mail.

I agree there does appear to be confusion.

The onus of proof is firmly with the applicant when it comes to making a determination for A CLE. In this case s8 of your form describes the use as "Flat has been in situ for more than 20 years" – there is no mention of your application being for a flat ancillary to the cinema (or to it being independent).

S9 of the form is ticked "The use began more than 10 years before the date of this application". If you were applying for an ancillary use I suggest you would have ticked the "other" box as an ancillary use does not require permission (rather than as your form suggests a development which may be immune from the passage of time).

This seems to be supported by the next section which again mentions "over 20 years".

The evidence provided again discussed length of time the flat has been there. Whilst it does mention occupation by managers there is no evidence to say why the use is ancillary.



From: Daniel Vick [REDACTED]
Sent: 14 January 2013 12:39
To: Sheila Green
Subject: FW: BR/228/CLE

From: Daniel Vick
Sent: 14 January 2013 11:43
To: [REDACTED]
Cc: Susan Leeson
Subject: BR/228/CLE

Sheila,

Thanks for the e-mail you sent to Susan – she is currently out of the office until Wednesday.

Based on the information contained in the CLE submitted by you we have concluded that the application should be refused. As far as I can see nothing in the application is specific to it being for an ancillary use – the evidence provided talks of a flat but does not cover the last 4 years.

You may wish to consider withdrawing your application and i) resubmitting making it clear you believe the use is ancillary to the rest of the building and providing any appropriate evidence or ii) do not re-submit on the basis that we decided to take no action under the enforcement investigation.

Daniel Vick

Daniel Vick | Team Leader DC West, Planning Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Visit Arun's web site at [REDACTED]  Save the environment - think before you print.

[REDACTED]

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.

[REDACTED]

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for

viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.
