

From: Simon Davis
Sent: 22 May 2019 10:28
To: Robert Tutton [REDACTED]
[REDACTED]

Subject: RE: Planning Decision on BR/317/18/PL : 86 Annandale Avenue

Dear Mr Tutton,

You are quite correct that issue was not raised on the first application. The officer report noted that the site was a 'Building of Character' but there was no mention of the relevant policies or discussion of the impact on heritage assets. This was an oversight on our part. However, having realised the error, we could not, second time around, simply ignore the guidance within the NPPF on heritage assets particularly paragraph 189 which requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting.

We have also recently (April 2019) had a directive from our Group Head of Planning that when determining heritage impacts we have to follow the guidance within the NPPF. This directive has come about following a Judicial Review of a decision made for a large housing site in Pagham (App ref P/140/16/OUT). As such, all decisions where there is a heritage asset are now subject to assessment against the relevant paragraphs of the NPPF.

Notwithstanding, it is our view that should this go to appeal that the Inspector would be duty bound to consider the impact of the proposal on the heritage asset and in doing so have regard to the guidance within the NPPF.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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Save the environment - think before you print.

From: Robert Tutton [REDACTED]
Sent: 22 May 2019 08:02
To: Simon Davis <Simon.Davis@arun.gov.uk>

[REDACTED]
Subject: Planning Decision on BR/317/18/PL : 86 Annandale Avenue

Dear Simon Davis

Our clients are naturally disappointed to receive a negative determination of their application and particularly puzzled by the citation of Reason for Refusal 3, bearing in mind that a similar charge was not set down in respect of their previous proposal (BR/42/18/PL). As '*...the absence of a Heritage Statement*' was not previously cited as a Reason for Refusal, it could not be appreciated that such a statement would be required to accompany a revised submission.

As the SPD re 'Buildings or Structures of Character' had been adopted in September 2005, why was it not a factor in your consideration of the previous application and why was no reference made to the SPD in your email to this office at 1243 hours on 1st May 2019?

We would respectfully submit that you have **not** '*...acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant*' and that the 'Informative' on the decision notice is inaccurate and misleading. Indeed, your late introduction of the Heritage Statement issue could be seen to constitute unreasonable behaviour, should this matter become the subject of an appeal.

Our clients would welcome an explanation for your handling of their application in this way. Thank you.

Kind regards,

Robert Tutton
Director

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From: planning.responses@arun.gov.uk <planning.responses@arun.gov.uk>

Sent: 13 May 2019 15:21
[REDACTED]

Subject: Planning Decision on BR/317/18/PL : 86 Annandale Avenue
