

Anita Gardner

From: Anita Gardner
Sent: 22 September 2011 14:56
To: Planning Responses
Subject: FW: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Attachments: BS5837 - Waterford House - ATC TPP 01 20-09-11 (A1).pdf

Please can the attached plan be printed and returned to me

Thanks
Anita

Sent: 22 September 2011 15:51

To: Anita Gardner
Cc: michael.hartnett@mjh-homes.co.uk
Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Ms Gardner

I refer to your request for the provision of a Tree Protection Plan (TPP) in respect of the Waterford House development to supplement the Landscape Condition information submitted and our subsequent exchange of e-mails in clarification.

Please find attached a pdf format copy of the TPP drawing prepared by ARBTECH Consulting Limited on our clients behalf.

Should you require hard paper copies to be submitted as well or have any further requestes or queries please do not hesitate to contact me.

Yours sincerely

Sent: 13 September 2011 09:06
To: Graham Middle
Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Mr Middle,
I would confirm that I will not determine the DOC before the 23-09-2011.
Yours sincerely
Anita Gardner

From: Graham Middle [mailto:clocktowerhouse@btconnect.com]
Sent: 09 September 2011 17:57
To: Anita Gardner
Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Ms Gardner

Thank you for clarifying matters.

I would however seek one further point of clarification:

Your first e-mail of today advised "I look forward to receiving these details within 2 weeks of the date of this e-mail" and this latest e-mail advises "unless tree protection measures are submitted by the end of next week the DOC will be determined on the basis of the information available".

Please advise which is correct, you will appreciate a full Tree Protection Plan is not a quick drawing to prepare.

Regards

Sent: 09 September 2011 12:19

To: Graham Middle

Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Mr Middle,

You do have 2 current applications relating to this site.

I have only been corresponding with you in relation to CL/11/11/DOC.

You submitted the DOC for determination and therefore I need to consider it and issue a decision. As it currently stands I will be refusing the DOC in relation to condition 6 unless satisfactory tree protection details are submitted. I e-mailed you to try and avoid this and prevent you paying another fee at a later stage and resubmitting the information as a second DOC to discharge condition 6. Therefore unless tree protection measures are submitted by the end of next week the DOC will be determined on the basis of the information available.

Yours sincerely

Sent: 09 September 2011 10:29

To: Anita Gardner

Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Ms Gardner

Thank you.

I do not wish to be difficult but I remain unclear as to what is occurring?

It is my understanding we have two separate applications, where application 1 (Ref. CL/11/10) is approved with conditions and application 2 (Ref. CL/11/11/DOC) is yet to be determined.

Application 1

It is my understanding the imposed conditions are required to be discharged prior to commencement and/or occupation of the approved scheme for a replacement dwelling and ancillary building?

It is also my understanding that the Council are aware that due to the dilapidated and dangerous nature of the existing ancillary buildings our client demolished them and cleared the debris from the site and having done so proceeded to construct the replacement ancillary building, but did not discharge the relevant conditions prior to commencing the building works.

It is also my understanding that the Council have been advised in writing that our client has intention of commencing construction of the replacement dwelling in the current financial state of the Country.

Accordingly I am unclear as to why the Council are pressing for the imposed condition and/or conditions to be discharged at this time?

Application 2

It is my understanding that given our clients actions in demolishing the ancillary buildings and proceeding to construct the replacement ancillary building the Council required a separate planning application be submitted for consideration to regularise the planning position?

It is also my understanding that our client wishes to tidy the site area around the new ancillary building and implement a landscaping scheme in respect of which he has appointed the award winning designer Philip Nash who has submitted his proposals to the Council for approval.

It is also my understanding that included within the proposals raised with the Council Philip advised the removal of Leylandii trees to the North Eastern corner of the site together with the proposals to replace them for which the Council sought LMA's consent to accept and requested an amended drawing indicating the trees in question which we provided. In addition to which we advised our clients intention to replace all of the Leylandii trees along the Eastern boundary in due course which we included in the submitted drawing.

I would confirm I am not instructed to progress any design matters relating to application 1. I am however instructed to progress design matters relating to application 2.

Therefore if you are requesting tree protection information which relates to application 2 only please confirm together with any additional information you may require.

Yours sincerely

Graham Middle

Sent: 09 September 2011 08:59

To: Graham Middle

Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Mr Middle ,

The plan has been added to the DOC application relating to landscaping not the planning application. Condition 6 does still exist and requires discharge and cannot be fully addressed without the submission of tree protection details. It relates to the whole site. I therefore require details of tree protection for the whole site. Even though the ancillary building has been constructed I would expect to see tree protection works retained on site during the course of development and complete implementation of the original planning application (CL/11/10). I trust this clarifies the situation.

Yours sincerely

Anita Gardner
Principal Planner
Direct line 01903 737529

Sent: 09 September 2011 08:22

To: Anita Gardner

Subject: RE: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Ms Gardner

Thank you for the update.

However it leaves me a little confused on the following basis and I would therefore seek clarification.

You advise the plan has been added to the new application relating to the ancillary building which is under consideration and to be determined. However you then advise " Condition 6 cannot be fully discharged"?

Forgive my confusion but if application CL/11/11/DOC has not been determined I suggest condition 6 cannot exist in relation to this application?

With regard to the issue of "Tree Protection" and given the building has been completed please confirm if you are seeking a written confirmation of what was done to protect the trees during the works or for a retrospective Tree Protection Plan?

Should you wish to discuss the above matters please do not hesitate to contact me.

Yours sincerely

Graham Middle

Sent: 08 September 2011 09:17

To: clocktowerhouse@btconnect.com

Subject: Landscaping condition - Merrie Gardens, Patching CL/11/11/DOC

Dear Mr Middle,

Thankyou for your letter dated 22-08-2011 and the attached plan, I am arranging for it to be substituted for the original.

The method of tree protection remains outstanding and condition (no.6) cannot be fully discharged without this information.

I look forward to receiving these details within 2 weeks of the date of this e-mail or the discharge of condition will be determined on the basis if the information submitted .

Yours sincerely

Anita Gardner
Principal Planner

Anita Gardner | Principal Planner, Planning Department, Arun District Council | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37529 | External: +44 (0) 1903 737529 | E-mail: anita.gardner@arun.gov.uk

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DX 57406 Littlehampton

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