

[REDACTED]

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**From:** paul collins [REDACTED]

**Sent:** 07 September 2018 13:26

**To:** Neil Crowther; Michael Eastham; Karl Roberts

[REDACTED] Cllr. Richard Bower; Cllr. Derek Ambler; Cllr. John Charles;  
Cllr. Stephen Haymes

**Subject:** FW: CM/1/17 OUT & CM/13/18/OUT - Land west of Church Lane & south of Horsemere Green  
Lane, Climping, West Sussex, BN17 5RY

Dear Mr Eastham

Further to my last below I now note from other correspondence that CM/13/18 OUT is now to be determined either at DCC on 3 October or 14 November. Confirmation of which it is to be would be helpful.

I also note that a S106 Agreement has now been signed in respect of CM/1/17 OUT and its related appeal (on 3 September 2018) which only serves to demonstrate the points I (and I note) Littlehampton Town Council make. The S106 signed not only fails to deliver the infrastructure requirements specified in the adopted ADLP Policies I highlight for this specific site (See extract from PEDP5 ARUN ICSDP Phase 2 Infrastructure Delivery and Phasing Plan 1.3.pdf attached) but also seeks district wide and other infrastructure contributions in advance of the forthcoming (but still distant CIL 123 Charging Schedule (contrary to ADLP Policy INF 1) and in a way that is not compliant with the statutory tests in Regulation 122 of the Community Infrastructure Regulations 2010. Therefore such a S106 should not, therefore, be taken into account in the determination of the appeal and cannot form the basis for a S106 in respect of application CM/13/18 OUT either.

Notwithstanding compliance with the law I would have thought that given the recent adoption of the ADLP, Arun District Council would be keen to demonstrate the efficacy of the Plan and its policies but this remains to be seen in this case.

Please place this e mail on your files and report my views and representation to your DCC in due course.

Thank you

Paul Collins BA (Hons) DipTP  
[REDACTED]

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**From:** paul collins [REDACTED]  
**Sent:** Tuesday, September 4, 2018 12:13 PM  
**To:** 'Neil Crowther' <Neil.Crowther@arun.gov.uk>; 'Michael Eastham' <Michael.Eastham@arun.gov.uk>  
[REDACTED]

**Subject:** FW: CM/13/18/OUT - Land west of Church Lane & south of Horsemere Green Lane, Climping, West Sussex, BN17 5RY

Dear Michael

Please place the email exchange below and this e mail on the file for CM/13/18 OUT.

I note that this application has now been under consideration by ADC for some 5 months and that the last extension of time agreed with the applicants expires on 7 September 2018 with the suggestion being that the application was to be determined at the DCC on 5 September 2018 but it is not on the agenda for that meeting and the next meeting is not until 3 October 2018.

In my view any decision to grant permission in respect of the application would be premature at this time pending the outcome of the following work:

- The making (or otherwise) of the Ford Neighbourhood Development Plan in accordance with the recommendations of the Examining Inspector
- The receipt and consideration of an application for the implementation of Strategic Allocation Ford SD 8
- A review of the NPPF 2018 and the implications of the revised Presumption in favour of sustainable development at paragraph 11 and the Achieving sustainable development, Plan-making, Decision-making, Delivering a sufficient supply of homes, Promoting sustainable transport and Annex 1: Implementation sections for the ADLP 2018 and its housing strategy
- The Council's annual monitoring process with regard to housing delivery, emerging Neighbourhood Plans or reviews of made Neighbourhood Plans and the non-strategic sites allocations DPD processes set out in ADLP 2018 Policy H SP1 The Housing Requirement and its supporting text
- The production/adoption of a Community Infrastructure Levy (CIL) Charging Schedule as proposed in the Local Development Scheme
- Such reviews and processes might reveal an increase or decrease in the district wide requirement figure and determine the need or otherwise for the Strategic Allocation SD10, its phasing and infrastructure requirements and/or could trigger the need for a review or partial review of the ADLP sooner than the statutory 5 year review date.

However if the Council does wish to determine the application in advance of this work my view would be that the application should be refused for the following reasons relating to the principle of what is proposed:

1. The applicants have failed to demonstrate that the proposed development can be undertaken alone and/or in conjunction with other proposed development in accordance with the requirements of Policies SD SP1a Strategic Approach, GI SP1 Green Infrastructure and development, H SP2 Strategic Site Allocations and H SP2c Inland Arun Yapton Climping SD10
2. The applicant has failed to demonstrate that the proposed development will alone and/or in combination with other proposed development provide for the relevant infrastructure requirements for the SD10 allocation as specified in Arun District Local Plan 2018 Policies INF 1, INF 2 and the associated Infrastructure Delivery Plan.
3. The development as proposed is not in accordance with material development plan policies and there are no material considerations that indicate the decision should be taken otherwise than in accordance with those policies.

As you are aware a decision to refuse the application for these reasons could be made by Officers acting under delegated powers.

Please bring my concerns and comments to the attention of the DCC if Officers do choose to recommend the application for approval.

Thank you

Paul Collins BA (Hons) DipTP

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**From:** Boulton, Mark [REDACTED]  
**Sent:** Tuesday, September 4, 2018 8:18 AM  
**To:** paul collins [REDACTED]  
**Cc:** 'Neil Crowther' <Neil.Crowther@arun.gov.uk> [REDACTED] Salter, Tim [REDACTED]  
**Subject:** RE: Undetermined Planning Appeal 3187601 - Land west of Church Lane & south of Horsemere Green Lane, Climping, West Sussex, BN17 5RY

Mr Collins

Thank you for your message which we will discuss with the Inspector. A response will be sent as soon as possible.

Kind Regards

Mark Boulton  
Inquiries and Major Casework Manager  
The Planning Inspectorate  
Room 3/J Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

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**From:** paul collins [REDACTED]  
**Sent:** 03 September 2018 12:23  
**To:** Boulton, Mark; Salter, Tim  
**Cc:** 'Neil Crowther'; [REDACTED]  
**Subject:** Undetermined Planning Appeal 3187601 - Land west of Church Lane & south of Horsemere Green Lane, Climping, West Sussex, BN17 5RY  
**Importance:** High

Dear Mr Boulton

I note that this appeal was heard at a 3 day Inquiry starting 10 July 2018 but no decision has yet been issued. I was not party to the appeal and did not make third party representations whilst the appeal was in progress. However, I am interested in the outcome of the appeal (which will be the first relating to a major development in Arun District since the Arun District Local Plan 2018 was adopted and the publication of the NPPF 2018) and it is, therefore, a

matter of some concern to me that none of the parties to the appeal or those who did make representations appear to have alerted the Inspector to a number of changes in material circumstances since the closure of the Inquiry and their implications for the Inspectors decision. These are as follows:

- The adoption of the Arun District Local Plan 2018 on 18 July 2018 with particular regard to Policies SD SP1 Sustainable development, SD SP1a Strategic Approach, SD SP2 Built-up Area Boundary, C SP1 Countryside, GI SP1 Green Infrastructure and development, H SP1 The Housing Requirement, H SP2 Strategic Site Allocations, Policy H SP2c Inland Arun Climping (SD10), INF 1, INF2 and the related Infrastructure delivery Plan (PEDP5 ARUN ICSDP Phase 2 Infrastructure Delivery and Phasing Plan dated February 2017). This now forms part of the development plan for the purposes of Section 38 (6) of the Act and the adopted policies cited are all materially different from those that were emerging when the parties evidence to this appeal was presented so that the merits of the appeal proposals against same have not been assessed.
- The publication of the NPPF 2018 on 24 July 2018 and the implications of the revised Presumption in favour of sustainable development at paragraph 11 and the Achieving sustainable development, Plan-making, Decision-making, Delivering a sufficient supply of homes, Promoting sustainable transport and Annex 1: Implementation sections on the relevant adopted ADLP Policies and the merits of the appeal proposals
- The consideration and determination of the following Planning applications by ADC CM/24/18/PL, CM/16/18/PL, CM/10/18/OUT, CM/13/18/OUT, Y/91/17/OUT and Y/92/17 OUT and their cumulative implications for the Transport evidence and proposals presented by the parties in respect of the A259 junctions.

My concern is that the Inspector may not be in a position to make a lawful decision on this appeal unless and or until he has received further evidence from the parties on these material considerations either in writing and/or by way of a reopened Inquiry.

Regards  
Paul Collins

**Paul Collins BA (Hons) DipTP**

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| Type                  | Project                                                                                                                                                                                                                                                                                                                                                                                       | Significance | Cost (£)                                | Funding Secured (£) | Proposed Funding Arrangement                         | Phasing Period                                  | Notes                                                                           |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------|---------------------|------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------|
| <b>CLIMPING</b>       |                                                                                                                                                                                                                                                                                                                                                                                               |              |                                         |                     |                                                      |                                                 |                                                                                 |
| <b>Education</b>      | Provision of a 1FE primary school expandable to 2FE to serve Climping.                                                                                                                                                                                                                                                                                                                        | E            | £6,000,000<br>Plus 2Ha land             |                     | s106                                                 | 2018-2021                                       |                                                                                 |
|                       | Contributions to 10FE Secondary School to serve development in the district                                                                                                                                                                                                                                                                                                                   | E            | £2,198,000                              |                     | s106                                                 | 2017-2020 and 2023 to 2025 (dependent on phase) | Will require land equalisation calculation to take account of land contribution |
|                       | Contributions to 100 new nursery places to serve Yapton, Ford, Climping.                                                                                                                                                                                                                                                                                                                      | HP           | £651,000                                |                     | s106                                                 | In line with development                        | Will require land equalisation calculation to take account of land contribution |
| <b>Social/Leisure</b> | Provision of new Tier 7 library facility. To include shelving and a self-service terminal.                                                                                                                                                                                                                                                                                                    | HP           | £100,000<br>Plus land/<br>accommodation |                     | S106                                                 | In line with development.                       |                                                                                 |
|                       | Contributions to 3G Pitch provision to serve new development in east of District                                                                                                                                                                                                                                                                                                              | HP           | £50,550                                 |                     | S106                                                 | In line with development.                       | Will require land equalisation calculation to take account of land contribution |
| <b>Health Care</b>    | Contributions to new GP practice or renovation/addition to practice (potential of relocation of Health Centre and Services) to serve Yapton, Ford, Climping and LEGA. Current lease terms of GP Practice (as with other sites) will need to be worked through to obtain best economic use of funds. However, there is the local hospital/health centre sites to bring into the health estate. | E            | £662,000                                |                     | s106 for built facilities<br>NHS for operating costs | 2023-2025                                       | Will require land equalisation calculation to take account of land contribution |

|                                              |                                                                                                                |   |                    |  |                              |                           |  |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------|---|--------------------|--|------------------------------|---------------------------|--|
| <b>Utilities</b>                             | Contributions to off-site reinforcements to mains water supply to support development at Ford/Yapton/Climping. | C | £509,000           |  | s106/<br>Portsmouth<br>Water | In line with development. |  |
| <b>Transport</b>                             | Contributions to A259/B2187 Littlehampton West – Tesco (Roundabout Improvement)                                | E | £36,260            |  | S106                         | In line with development. |  |
| <b>Indicative contributions to be sought</b> |                                                                                                                |   | <b>£10,206,810</b> |  |                              |                           |  |