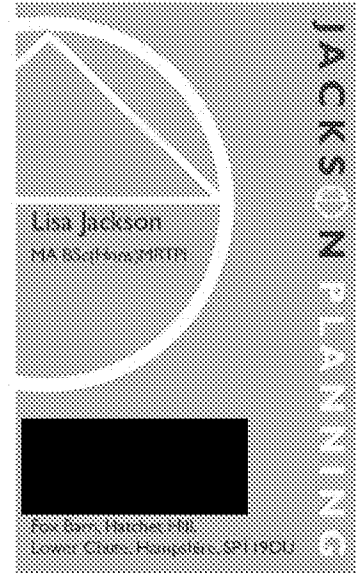


By email only

Copies to Andrew Tice, Landlink and Simon Davis, Anita Gardner
ADC

May 17, 2019

Neil Crowther
Arun District
Council Offices
Maltravers Road
Littlehampton
West Sussex
BN17 5LF



Dear Neil,

Planning Application Y/103/18/PL and CM/4/19/PL Crematorium Proposals

I refer to the above applications submitted by Southern Co-op Ltd on land south of the A259 reference CM/4/19/PL and by client Landlink Estates Ltd reference Y/103/18/PL.

I spoke to Simon Davies on Friday and understand that the Landlink application has been held back from the Development Control committee agenda on 5th June because the application by the Southern Co-op is not ready to be considered at committee on the 5th of June. I believe Simon has everything he needs to progress our application to that committee. I can see no good planning reason to delay my client's application because a rival application is not ready for determination. Neither proposal is part of the adopted development plan, and each application must be determined on its merits as caselaw dictates.

Given the Council are proposing to support the proposal, you must consider that it constitutes sustainable development as the applicants have demonstrated a need for the proposal and that there are no residual harms from the development that are not outweighed by the benefits and mitigation provided by the scheme. You are directed by the national planning policy framework to approve applications for sustainable development where ever possible, therefore, to delay the decision so that it may be considered on the same agenda as an alternative proposal is not acceptable and not supported by either your development plan policy framework or planning caselaw.

Furthermore, there are serious issues of planning policy that would point to a recommendation of refusal in relation to the Southern Co-op proposal application. There may of course be other factors we are not sighted on but to date we have highlighted to the case officer for CM/4/19/PL the issue of the 'sequential test' in relation to flood risk. It would be counter to your adopted Local Plan, and national advice in the NPPF and NPPG to support the Southern Co-op proposal whilst knowing that the Landlink proposal could meet the need for the facility outside flood zones 2 and 3.

The other potential major impediment to the Southern Co-op proposal is its location within a strategic gap, unlike my client's proposal. Whilst it is not the role of planning authorities to prevent competition between private entities, as set out by the Courts, it is possible and legitimate that a use that would be contrary to planning policies designed to protect the particular characteristic of the locality should prevail if the need could be met by another proposal.

Given the need for an additional single crematorium can be met by the Landlink Estates proposal there is no need to approve development within the strategic gap, and criteria c of policy SD SP3 cannot be met and indeed it would be irrational to support the Southern Co-op proposal knowing that the Landlink Estates proposal could meet the need for the facility outside the strategic gap. Furthermore, the size of the development and extent of site coverage of the Southern Co-op proposal would result in the integrity and objectives of the settlement gap being compromised in conflict with (a,b and d of the policy).

We believe there are clear and compelling reasons to reject the Southern Co-op proposal when judged against the policies of the Adopted Arun Local Plan. In light of this the applicant requests that you determine the Landlink application in advance of the Southern Co-op proposal as there is no reason to delay the consideration and in any event each application must be determined on its merits so there is no legitimate planning reason for both proposals to be considered at the same committee.

I look forward to your response and confirmation that the Landlink application will be determined at 5th June Development Control Committee as previously advised.

Yours sincerely

Lisa Jackson MA BSc MRTPI