

FW: FG/14/26/DOC

From Harry Chalk <Harry.Chalk@arun.gov.uk>
Date Thu 02/04/2026 08:50
To Planning.Responses <Planning.Responses@arun.gov.uk>

 1 attachment (2 MB)
AndaluciaFerring.pdf;

[REDACTED]

Harry Chalk, MSc
Senior Planning Officer, Development Management

T: 01903 737577
E: harry.chalk@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk



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 Improving the wellbeing of Arun	 Delivering the right homes in the right places	 Supporting our environment to support us	 Fulfilling Arun's economic potential	 
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From: Jack Tompkin [REDACTED]
Sent: 30 March 2026 10:17
To: Harry Chalk <Harry.Chalk@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: Re: FG/14/26/DOC

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Hi Harry,

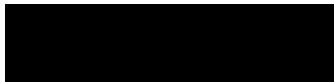
Thank you for your email and for your considered view regarding the timing of the commencement of development. This is helpful in understanding the Council's current position.

I will discuss with the client the potential submission of a Lawful Development Certificate to formally confirm commencement, and will revert on this in due course.

In the meantime, please find attached the updated information from the air conditioning contractor in support of the discharge of the condition. We trust this addresses the outstanding points raised, but please do let us know if anything further is required.

Many thanks,

Jack Tompkins
Harp & Bright Ltd.



On 26 Mar 2026, at 11:28, Harry Chalk <Harry.Chalk@arun.gov.uk> wrote:

Hi Jack,

We are minded agreeing, without prejudice, that on the evidence provided it is likely that the development (use) was commenced prior to the expiry of the permission. This is not a formal confirmation of the commencement, as this cannot be confirmed without the submission, formal consideration, and determination of a Lawful Development Certificate to that effect. However, we are willing to proceed to determine this DOC, or any further DOC in pursuit of this condition should this one ultimately need to be refused.

I apologise for not coming back to you within the 7 days I outlined previously, I'm simply quite busy at the moment. Considering this, we are willing to allow a further week for the submission of amended details in pursuit of the discharge of this condition.

I note you stated that you were seeking to acquire these in your prior email. If we can receive the updated information **by 02/04/26**, we will issue one re-consultation under this application to have them checked.

Kind regards,

Harry Chalk, MSc
Senior Planning Officer, Development Management

T: 01903 737577

E: harry.chalk@arun.gov.uk

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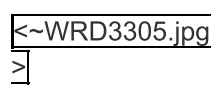
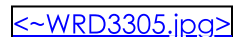
From: Jack Tompkin [REDACTED]
Sent: 25 March 2026 13:13
To: Harry Chalk <Harry.Chalk@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: Re: FG/14/26/DOC

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Hi Harry,

I just wanted to check in, please could I have an update?

Many thanks,

 	Jack Tompkins Harp & Bright Ltd. [REDACTED]
--	--

On 17 Mar 2026, at 12:29, Jack Tompkins
[REDACTED] > wrote:

Hi Harry,

Please see attached evidence that displays commencement prior to the applications expiry on 21/07/24.

Regarding the concerns raised by Environmental Health, the air conditioning contractor is putting together revised information.

Many thanks,

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<~WRD3305.jpg>

Jack Tompkins

Harp & Bright Ltd.

<Andalucia.pdf>

<APP_6029 1272024 CBC IN3 - Initial Notice Acceptance Letter (RBCA) 43585.pdf>

<Statement of Lawful Commencement of Development at Andalucia Ferring.pdf>

<WhatsApp Image 2026-03-10 at 10.29.32 (1).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33 (1).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33 (2).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33 (3).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33 (4).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33 (5).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33 (6).jpeg>

<WhatsApp Image 2026-03-10 at 10.29.33.jpeg>

On 11 Mar 2026, at 09:30, Harry Chalk
<Harry.Chalk@arun.gov.uk> wrote:

Dear Jack,

Having discussed the matter with my Line Manager, we request that you provide as much evidence as possible (invoices, photos, evidence of contractor involvement etc.) that demonstrates the works to implement FG/19/21/PL prior to its expiry on 21/07/24 **within 7 days**.

Subject to the Local Planning Authority being able to conclude that the permission was materially commenced before the expiry, we will subsequently, allow **a further 7 days** for the submission of appropriate revised details to address the concerns raised by Environmental Health and re-consult in an effort to discharge the condition under this application.

Kind regards,

Harry Chalk, MSc
Senior Planning Officer, Development Management

T: 01903 737577
E: harry.chalk@arun.gov.uk

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Littlehampton, West Sussex, BN17 5LF
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From: Harry Chalk
Sent: 09 March 2026 15:22
To: 'Jack Tompkin' [REDACTED]
Subject: RE: FG/14/26/DOC

Hi Jack,

I'm not in a position to discuss the matter just yet. In any event, I expect this will come down to a judgement based on the evidence before us. So, I am unsure how a call may assist. If you have any particular questions for me now, then send them through and I will get back to you as quickly as I can.

Kind regards,

Harry Chalk, MSc
Senior Planning Officer, Development Management

T: 01903 737577
E: harry.chalk@arun.gov.uk

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From: Jack Tompkin [REDACTED] >
Sent: 09 March 2026 14:32
To: Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: Re: FG/14/26/DOC

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Hi Harry,

Is it possible to arrange a call to discuss further, maybe tomorrow or Wednesday?

Many thanks,

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<image005.jpg>

Jack Tompkins

Harp & Bright Ltd.



On 9 Mar 2026, at 14:27, Harry Chalk
<Harry.Chalk@arun.gov.uk> wrote:

Dear Jack,

In the submission's current state, following environmental health's comments, it is likely it would be refused. However, in the first instance, I need to confirm whether we can lawfully discharge this condition. With changes of use, it is not so simple to ascertain whether the development has commenced within its given time where the use hasn't commenced. The permission did not appear to include any physical works that would themselves have required planning permission (internal works only), so it falls into a bit of a grey area as if the approved use did not commence before the permission expires, then the 'development' that was approved may not have either. This is why I sought evidence from yourself previously. I need to investigate this matter further and conclude as, of course, if we cannot lawfully discharge the condition because the permission to which it is attached has lapsed, then seeking amended details in pursuit of the discharge of the condition may be fruitless at this time.

If you have any further evidence of the works that took place prior to the expiry, I suggest sending them over as although they may be internal works only, we currently have a limited basis to suggest the permission is extant.

Kind regards,

Harry Chalk, MSc
Senior Planning Officer, Development
Management

T: 01903 737577

E: harry.chalk@arun.gov.uk

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From: Jack Tompkin [REDACTED]
Sent: 09 March 2026 13:39
To: Harry Chalk <Harry.Chalk@arun.gov.uk>
Subject: Re: FG/14/26/DOC

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Hi Harry,

Please can you provide an update on the application following your email and my response?

I note environmental healths comments regarding the noise assessment submitted and can seek to obtain a more suitable version.

Many thanks,

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[<~WRD1457.jpg>](#)

Jack Tompkins
Harp & Bright Ltd.



On 5 Mar 2026, at 14:51, Jack Tompkins
[REDACTED] > wrote:

Hi Harry,

Thank you for your email.

The condition does not appear to be worded as a pre-commencement condition. On that basis, it is my understanding that the condition may be discharged at any point prior to the premises being brought into use for its intended purpose.

As works commenced before the permission's expiration date, the consent has been lawfully implemented and therefore remains extant. Accordingly, the condition could be discharged after the expiration date, provided this occurs before the premises are brought into use as a bar.

I have attached an email from the client regarding the commencement of strip out works, adjustments to electrical services in addition to plumbing and heating works also commencing on this date.

Many thanks,

<~WRD1457.jpg

>

<~WRD1457.jpg>

Jack Tompkins

Harp & Bright Ltd.

<60 Ferring street.pdf>

On 5 Mar 2026, at
12:20, Harry Chalk
<Harry.Chalk@arun.gov.uk> wrote:

Dear Mr Tompkins,

I note the wording of the
condition in question

(Condition 3) states 'Prior to first use of the premises' and that the original permission was granted on 21/07/21. This means the permission would have expired on 21/07/24.

The application form states that the development had commenced 30/06/24 but I am unclear how the approved use of the first-floor unit can have lawfully commenced on 30/06/24 when this condition would have remained outstanding.

Have you any evidence of the commencement of works to enable the change of use that pre-date 21/07/24? (Dated photos of works etc.) If we cannot conclude that the development had commenced before the expiry, the change of use permission will have expired, and we cannot, therefore, lawfully determine this application to discharge the condition.

Kind regards,

Harry Chalk, MSc
Senior Planning
Officer, Development
Management

T: 01903 737577

E:

harry.chalk@arun.gov.uk

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