

From: Anita Gardner
Sent: 10 December 2018 11:42
To: Mark Warwick
Subject: FW: FG/162/18/PL- 58 Ferringham Lane

Mark,
Please see agent's response below.
Would it be possible to arrange a site meeting as requested? Would you be happy with the suggested amended wording?
Thanks
Anita

Anita Gardner | Principal Planner, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Simon Bareham [REDACTED]
Sent: 10 December 2018 11:21
To: Anita Gardner
Subject: RE: FG/162/18/PL- 58 Ferringham Lane

Hi Anita

Further to email below, I have heard back from our clients. They are generally happy with the new condition, but would like to stress that the need for an early meeting with the tree officer is paramount. Are you able to forewarn him so that our tree consultant can make arrangements to meet on site ASAP?

Also, given that the site visit might then require some tweaks - perhaps change the wording of the middle part of the condition from

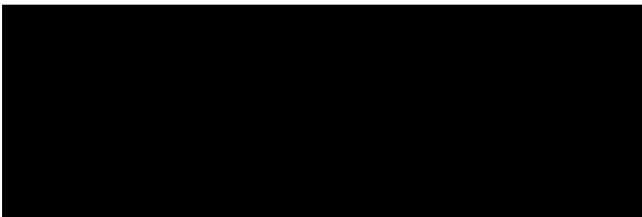
A PRE-COMMENCEMENT Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Consultant representing the site owners -- at this meeting all protective fencing will be inspected along with ground protection measures -- they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan Ref: NJCL 214 B-2 -- 19.09.2018

To

A PRE-COMMENCEMENT Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Consultant representing the site owners -- at this meeting all protective fencing will be inspected along with ground protection measures -- they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned in accordance with the details shown on the Tree Protection Plan Ref: NJCL 214 B-2 -- 19.09.2018

Kind Regards

Simon Bareham
Lewis and Co Planning South East Limited
2 Port Hall Road
Brighton
BN1 5PD



Lewis & Co Planning
town planning consultants

From: Anita Gardner <Anita.Gardner@arun.gov.uk>

Sent: 10 December 2018 10:43

To: Simon Bareham

Subject: RE: FG/162/18/PL- 58 Ferringham Lane

Hi Simon,

Our tree officer is suggesting the following condition:

1. All demolition & construction works are to be carried out in strict accordance with:- Arboricultural Method Statement Report Ref: NJCL 214 and Tree Protection Plan ref: NJCL 214 B-2 -- 19.09.2018

2. Prior to any demolition or construction works taking place or the introduction of machinery and plant to the site the following issues must be resolved to the complete satisfaction of Arun District Council :-

A PRE-COMMENCEMENT Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Consultant representing the site owners – at this meeting all protective fencing will be inspected along with ground protection measures – they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan Ref: N1CL 214 B-2 – 19.09.2018

IF there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

REASONS :

To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and amenity of the area.

Would you agree to this pre commencement condition wording?

Regards

Anita Gardner

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From: Simon Bareham
Sent: 07 December 2018 08:49
To: Anita Gardner
Subject: RE: FG/162/18/PL- 58 Ferringham Lane

Hi Anita

It would need to say no development other than demolition – otherwise we'll be back to square one with time delays

Kind Regards

Simon Bareham
Lewis and Co Planning South East Limited
2 Port Hall Road
Brighton
BN1 5PD

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town planning consultants

From: Anita Gardner <Anita.Gardner@arun.gov.uk>

Sent: 06 December 2018 14:39

To: Simon Bareham [REDACTED]

Subject: RE: FG/162/18/PL- 58 Ferringham Lane

Hi Simon,

That does make sense, but would delay the determination of this application. I am still awaiting for the comments of the environmental health officer on the Construction Management Plan even though I have sent reminders.

The decision has been issued regarding condition 10 in relation to FG/27/18/PL so an application to discharge the condition would need to be resubmitted in any case and the Construction Management Plan could be added to that application.

I have re-consulted the tree officer and asked if is agreeable to rewording the condition as follows

No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority FOLLOWING erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy DDM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the retained trees are protected during construction.

He is out of the office today, but hopefully I will have a response to consider by Monday.

Given the above, would you agree to imposition of these pre-commencement conditions on the basis of the revised wording of the tree protection condition ?

Regards

Anita Gardner

[Anita Gardner](#) | Principal Planner, Directorate of Place, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Simon Bareham [REDACTED]

Sent: 06 December 2018 12:57

To: Anita Gardner

Subject: RE: FG/162/18/PL- 58 Ferringham Lane

Hio Anita

To a degree we can agree to this, with a couple of points that need to be considered:

For condition 7, we have an application already in with the Council for approval of the CEMP. This has been with the Council since 26 September. Surely this condition can be approved by the Council, and then the decision notice can refer to approved details rather than details required for approval. That will be simpler for everyone.

For condition 10 we have already exchanged correspondence with you on this point. We have no objection to tree protection measures being put in place (and they are being erected today). The problem comes that the condition is worded that we need the councils' approval of the design of the tree protection measures before installing, but no one at the council is prepared to sign this off without the tree protection measures being put in place. The condition as worded as created a Catchh22 position – which actually invalidates the condition. If you want to impose the condition, perhaps you should delete the sentenced that refers to prior approval of the design of the protection measures (which are the same as already approved in any event) , and instead say that the council must approve once the measures are in place. We're bot trying to be difficult here, I really do think no one has properly considered how the condition is worded.

Kind Regards

Simon Bareham
Lewis and Co Planning South East Limited
2 Port Hall Road
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BN1 5PD

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town planning consultants

From: Anita Gardner <Anita.Gardner@arun.gov.uk>

Sent: 06 December 2018 12:34

To: Simon Bareham [REDACTED]

Subject: RE: FG/162/18/PL- 58 Ferringham Lane

Dear Simon,

As I am sure you are aware from 1 October 2018 section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

In accordance with section 100ZA(5) I would appreciate your written agreement, as soon as possible, preferably today, to the imposition of the pre-commencement conditions which were also imposed on planning permission FG/27/18/PL as conditions 7: Construction Management Plan and 10: Tree Protection Measures.

Regards
Anita Gardner

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From: Simon Bareham [REDACTED]
Sent: 06 December 2018 09:51
To: Anita Gardner
Subject: RE: FG/27/18/PL- 58 Ferringham Lane

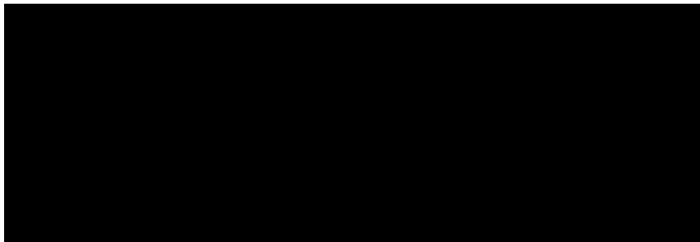
Hi Anita

That seems like a fair compromise. Please accept this email as agreement to 14 December 2018 deadline

Thanks

Kind Regards

Simon Bareham
Lewis and Co Planning South East Limited
2 Port Hall Road
Brighton
BN1 5PD



Lewis & Co Planning
town planning consultants

From: Anita Gardner <Anita.Gardner@arun.gov.uk>
Sent: 06 December 2018 09:13
To: Simon Bareham [REDACTED]
Subject: RE: FG/27/18/PL- 58 Ferringham Lane

Hi Simon,

I will do my best. I and will record the EOT until 12-12-2018, but it may not be possible to provide the decision by that date since that is DC Committee date and there is limited sign off availability at the beginning of next week and I am not in after today until Monday. Can you agree to the 14-12-2018 to give us a bit more flexibility?

Regards

Anita

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From: Simon Bareham [REDACTED]
Sent: 06 December 2018 08:24
To: Anita Gardner
Subject: RE: FG/27/18/PL- 58 Ferringham Lane

Hi Anita

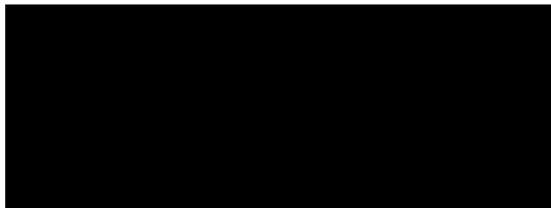
Thank you for your email: great news that you can change the wording on the conditions to allow for demolition.

Our client has to sign his demolition contracts by the 12 December – this means he is taking a huge risk if you cannot release the decision notice by this date.

Can we therefore agree an extension of time until the 12 December instead?

Kind Regards

Simon Bareham
Lewis and Co Planning South East Limited
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BN1 5PD



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town planning consultants

From: Anita Gardner <Anita.Gardner@arun.gov.uk>
Sent: 05 December 2018 13:02
To: Simon Bareham [REDACTED]
Subject: FW: FG/27/18/PL- 58 Ferringham Lane

Dear Mr Lewis,

I have received the comments of our drainage engineer

She states 'The applicant has provided details of the existing drainage arrangements, attached. As stated I am happy for the condition to be varied to allow demolition before the discharge of the condition regarding surface water drainage design'.

Please can you confirm that you are happy for these details to be added to the application documents. I would also appreciate your agreement to an extension of time on the application until 19-12-2018 to allow for writing up and signing off of my officer report.

Regards

Anita

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From: Laura Gibbons
Sent: 23 November 2018 11:43
To: Anita Gardner
Subject: FG/27/18/PL- 58 Ferringham Lane

Anita,

The applicant has provided details of the existing drainage arrangements, attached. As stated I am happy for the condition to be varied to allow demolition before the discharge of the condition regarding surface water drainage design.

Kind Regards,

Laura Gibbons, MEng, GMICE
Engineer (Drainage & Coastal)

Laura Gibbons | Engineer (Drainage & Coastal), Engineering Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
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