

Juan Baeza

From: Juan Baeza
Sent: 12 May 2017 16:04
To: [REDACTED]
Cc: Andrew Wood
Subject: RE: FG/198/16/PL

Apologies. Thank you for pointing this out. Corrected version below.

Regards

Juan Baeza Area Team Leader – Planning Department, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
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Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: sally henderson [REDACTED]
Sent: 12 May 2017 15:56
To: Juan Baeza
Subject: Re: FG/198/16/PL

Good afternoon Juan,

Are you aware that you have copied and pasted the same response to the first 2 issues you replied to ?

Regards,

Sally

Sally Henderson

[REDACTED]



On 12 May 2017, at 15:47, Juan Baeza <Juan.Baeza@arun.gov.uk> wrote:

Dear Ms Henderson

I will respond to your 31 March email below with underlined bold italics. I can also confirm that the consultation period for this application will be extended to June 2nd 2017 and 3 new site notices will be posted today to that effect. Your email of the 31st of March together with this response will be scanned in today.

Regards

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Save the environment - think before you print.

From: sally henderson [REDACTED]
Sent: 31 March 2017 22:48
To: Juan Baeza
Subject: FG/198/16/PL

Dear Juan,

I wanted to confirm our telephone conversation of yesterday, Thursday 30th March with regards to the above planning application for the demolition of the existing chalet bungalow and the construction of a block of 8 flats next door to me at 1 Sea Drive, Ferring.

As you know from our conversation, i have huge concerns and strongly object to the proposal itself, but that aside (and i will try to fully list all of my objections once final plans are available), I have found the planning procedure to date to be procedurally conflicted. I've been told contradictory things by Andrew Woods and then yourself, during our conversation yesterday.

I told you that i was very disturbed that Andrew Woods had already decided that his recommendation would be to approve since he feels the proposal meets his policies and yet, we understand that there are further revisions to come which nobody has seen yet - so how can he say that it meets policy and he will recommend approval ? You seemed shocked that Andrew had told me that - you said that decision hadn't been made, it was not at that stage yet and that it wasn't just Andrew's decision as he would have to have a meeting with you about it and you would need to agree / sign his report. You also said all representations would be considered right up to the night before the committee.

However, none of that takes away the fact that Andrew Woods stated specifically to me in a telephone conversation of 10th March (of which i have my contemporaneous notes) that he would be recommending approval of the proposal as he believe it meets policy. I challenged that with him since he had already told me there were further plans to be uploaded in the next few days (which STILL haven't been uploaded, there are still only the 2 revised plans showing underground parking and 2 accesses from Sea Drive) and he said he hadn't got them yet, so i asked how he knew he would approve if he hadn't seen the final plans, and he confirmed again that with the revisions it meets policy.

It seems the officer allocated to this application has already made up his mind to recommend approval of this proposal, without the process having been carried out and therefore that he won't take any further representations into account, despite what you told me about representations being taken into account until the night before committee.

Case officers are entitled to provide a without prejudice opinion on how they view a particular application at a given point. However, it is always the case that no decision is made on an application until it is either signed off by managers under delegated powers or where, delegated

powers do not apply, it goes to Councillors of the Development Control Committee (DDC) to make a final decision. I have spoken to Mr Wood and he acknowledges that he did contact you expressing his view that a recommendation to approve was the likely outcome but that if that was to be the case the final decision would be by the members of the DCC. Having said that Mr Woods was well aware of his responsibility that, if the application was to go to DCC, all third party views needed to be taken into account right up until his report was prepared and beyond that up until the DCC date.

During our conversation, you were also surprised that the revised plans (albeit not complete, contradictory to the developers email and with further revisions to come) had not been subject to notification. You said all major revisions would be and when we discussed the change to underground parking and 2 accesses from Sea Drive, you said we would receive notification when plans for that were available. I had to tell you that they already were on the website and there had been no notification - just the jungle drums in the neighbourhood. You were initially, again, surprised, and then said that Andrew Woods must have decided these changes were "enhancements" not requiring notification, however any MAJOR revisions would be notified...i explained that i consider these revisions major !! Again, Andrew Woods has made a decision that a MAJOR change to a proposal is an enhancement to it, without notifying, let alone consulting the public.

At the time of speaking to you there had previously been submitted plans showing a proposed underground car parking area. These were placed on the website marked supplementary plans and were not put out for general consultation. The reason for not doing so was that we were awaiting comments from the highways section which would have possibly required changes to be made. Changes were indeed made and it was these plans that have been reconsulted upon.

The other concern i raised was about the new height - following the stipulations of the Environment Agency re ground floor levels above datum which would necessitate the entire building being raised up around 1m like Bluewaters was, we therefore need to see elevations of what would actually be built if planning was given. You said that if it went to committee, all the councillors would definitely want to see what it would actually look like if built, so you agreed that accurate elevations of the building as it would NEED to ACTUALLY be built are essential. However, though you said this, given that Andrew said he has already made his decision, i am concerned that he will not request revised elevations from the developer to take the Environment Agency's stipulations into account, and i would therefore be very grateful if you would confirm this will definitely be done.

All of Bluewater's (ex Sealands, 2 Sea Drive) planning application drawings showed the development built at ground floor level, however the Environment Agency put a similar stipulation on building with ground floor to be set at 6.1m AOD, and this became condition 1 of the planning permission. Despite the fact that this information was available to the council and the developer early in the planning process, nobody was told what this meant nor shown a realistic elevation drawing, there were no minor amendments or new planning applications, it was simply approved with a condition that effectively changed the whole building and its effect on the neighbours. We are now overlooked at ground floor level from 1m high balconies and floor to ceiling glass up to approx 3.4m above ground floor level. The first we knew of this was when it was built, and i only now now the reason for it having spent an entire morning at the council offices scouring the microfiche from that 2007 application.

I am extremely concerned the same is likely to happen this time if action is not taken now to raise these issues and ensure that ALL the relevant information is available to everyone at the earliest opportunity.

As I understand it you have had an opportunity to comment on latest up to date plans which show in detail what is proposed. The environment agency have commented on these plans and full consideration will be given to their advice.

As you know, there have also been inconsistencies in the way my communications have been handled and information i have been given about the specifics of the process. When i spoke to Andrew on 10th March, he told me that he was hoping to get the proposal onto the agenda for the committee meeting on 25th April, and that LETTERS would be POSTED to notify interested parties and invite people to speak. There would be 5 slots - first come first served. I confirmed these would be letters sent in the post and re reiterated, so i explained that we would be on holiday in April and i was worried we may miss the post and therefore the opportunity to speak. He suggested i send him an email to state this and ask for a slot to be reserved. I sent an email to Andrew Wood on 13th March to confirm our conversation on 10th with respect to the new consultation period, committee and slots to speak, stating as we discussed that i would be on holiday in April. This was uploaded to the website immediately and without checking if i wanted it uploaded. Since i did not want everyone to know that my house would be empty in April, i would not have wanted that uploaded !!!

When i next sent an email to Andrew, then to planning, forwarded twice due to no response, on 27th March, written so as to be published, it was not uploaded, nor replied to, until after 2 forwards, you telephoned me. You said that it would not be uploaded - emails would only be published once the sender had confirmed their assent to this. I explained this was not what happened with my last email, much to my dismay !! You were confused again, but agreed to remove the email giving my holiday dates from the site.

I apologise that this email was put on the web site and as soon as you informed I ensured that the sensitive information was redacted. Normal practice is that all emails and correspondence with a reference to a planning application are normally filed and scanned. When scanning documents the standard procedure is that email addresses and signatures are redacted. Any other information is redacted on a common sense and precautionary basis.

On discussion of my concerns over the posting of letters in this day and age, you said that notifications would in fact be by email. This was in contradiction to what I (and others) had been told by Andrew, so you checked and came back to say that it would be posted to those who had written in with comments, emailed to those who had commented digitally. Hopefully this third interpretation of the process is accurate !!

Where people have not given an email address but rather a home address then they are contacted by post.

I apologise for sending such a long email but i felt it was important to cover all the points as to the discrepancies in the process to date in the hope that we can ensure that this application does not result in a decision that is tainted by a flawed procedure.

Please confirm receipt of this email.

Thanks and Regards,

Sally

Sally Henderson

