

[REDACTED]

[REDACTED]

From: Michael Lucas [REDACTED]
Sent: 24 August 2017 12:59
To: Andrew Wood
Subject: FW: Attached Image

Dear Andrew,

Please find attached letter in relation to 1, Sea Drive, Ferring (FG/198/16/PL)

I have now taken legal advice from TWM Solicitors, who in line with your own legal team, have advised me that matters outside of parking are not to be discussed at the committee today. I would strongly urge you to take the attached correspondence very seriously as if the committee were to discuss matters outside of parking Lucas Design may lodge an application for costs.

Yours sincerely

Michael Lucas

Michael T Lucas BSc (Hons)
Director Land & New Homes



11A West Street
Reigate
RH2 9BL



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Sent: 24 August 2017 12:51

To: Michael Lucas 

Subject: Attached Image

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24th August 2017

Andrew Wood
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

LAND & DEVELOPMENTS

Brook House, 11a West Street,
Reigate, Surrey RH2 9BL
TEL: 01737 243340
EMAIL: info@lucas-design.co.uk

Dear Sir,

Re: 1 Sea Drive, Ferring
FG/198/16/PL
Development Control Committee meeting – 24th August 2017

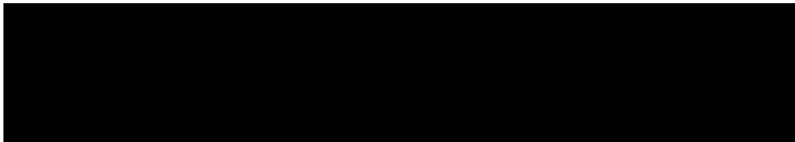
Having regard to the consideration of the above application by the Development Control Committee later today and in the light of the internal legal advice that has been posted on the Council's website relating to the application, I would like to make the following comments in respect to the application:

The Development Control Committee considered the application referenced FG/198/16/PL on 21st June. At that meeting the committee resolved to defer the application on a single issue relating to car parking to enable officers to negotiate with the applicant an improved provision. This was the only outstanding issue, other matters having been considered and accepted.

Advice to the case officer from the Council's legal team (by email dated 23rd August) confirms that the committee is bound by its decision in the June Committee meeting and that the only matter that the committee can now consider is the parking issue. In this respect the applicant has responded positively and rapidly to the request and every previous request from the Council to address matters since the application was registered. Those amendments have related to design, layout, levels and more recently to parking and highways matters. The latest amendments directly address the request made by the Development Control Committee in June. The changes to the parking layout and details of provision have since been considered by your officers and by WSCC Highways and found to be acceptable as set out in the officer's report to committee.

In the light of the clear advice from the Council's legal team, it is respectfully pointed out that any consideration of matters other than parking could render the Council open to a legal challenge in respect of a decision and that were an appeal to follow, the applicant would give serious consideration to a costs application based on the Council acting unreasonably in ignoring its own internal legal advice.

Yours Faithfully


Michael Lucas