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Save the environment - think before you print.

From: Raymond Cole <Raymond.Cole@arun.gov.uk>

Sent: 24 August 2020 12:40

To: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: F/4/20/OUT & F/5/20/PL Land at Ford Airfield, Ford

Importance: High

Please could you upload the e-mail below to the application folders F/4/20/OUT & F/5/20/PL as correspondence from the agent? The e-mail includes an agreed extension of time until 4 November 2020.

Thank you

Raymond Cole

Principal Planning Officer
Directorate of Place

T: 01903 737598

E: raymond.cole@arun.gov.uk



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From: Betty Choi [REDACTED]
Sent: 21 August 2020 16:22
To: Raymond Cole <Raymond.Cole@arun.gov.uk>
Subject: (On behalf of Robin Shepherd) Ford Airfield
Importance: High

Hi Raymond,

I trust all is well. Thank you for your email. Please see our comments and response below.

Consultation Responses:

Transport – Our transport consultants (i-Transport) submitted the further information required on 12th August to Stephen Gee at WSCC. I have attached the email which includes a Sharepoint link to download the documents. Let me know if you are not able to access this.

Ecology – You will be aware following the request of your Ecology Officer that our ecology consultants were seeking to prepare a site-wide mitigation strategy, but have realised that without more details which would only be available at the Reserved Matters stage, the strategy did not add further details to the proposals than those already submitted. They have therefore engaged with the Ecology officer (see attached email) and their understanding is that there isn't anything the Ecology Officer is specifically looking to have at this outline application stage. Unless you have anything to add, we would suggest a condition which would ensure these more detailed aspects are addressed through Reserved Matters submissions on a phase by phase basis. It would be good to discuss this further with yourself.

Environmental Health – Thank you for following up re our odour response. As far as we are concerned, the odour issues are now resolved by virtue of a condition as suggested previously. In terms of the EHO's issues with noise, our noise consultants are seeking to engage with EHO this week and a response will therefore follow. If you could encourage your EHO to respond as quickly as possible, this would be much appreciated.

Relationship with the Grundon Site – I note your request for us to engage with Grundons in relation to their proposal. We are meeting with them again on Thursday 3rd September. However, in our opinion, such discussions are unlikely to resolve any of the objections they have made against our proposals, for the following reasons:

Who was there first:

Grundons are of the opinion that their waste allocation was first (ie before the Neighbourhood Plan and Local Plan) and therefore their allocation carries greater weight. As a consequence, they are requesting that we amend the Local Plan proposals to provide them with a "buffer", so as to enable their proposals to proceed. I am sure you are aware, as a matter of law, this is an incorrect position for them to be taking, where S38(5) of the Planning & Compulsory Purchase Act 2004 states that:

"If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan" (my emphasis).

Safeguarding:

The objection from Grundon suggests that the mixed use development cannot prejudice their proposals, on the presumption that Policy W2 of the Waste Local Plan safeguards the site. This again is an incorrect interpretation of policy. The inference by Grundons is that the WLP allocation policy effectively gives them carte blanche to secure consent for whatever proposal they see fit, suggesting that it is for the mixed use allocation to be amended to mitigate against their significant impacts, so as to enable their development to proceed.

The Waste Local Plan actually safeguards against existing sites and infrastructure, something that has been proven to be possible by virtue of the waste consents that have already been granted since 2014 when the WLP was adopted.

It is also worth noting that the applicants made comments and objections to the Arun Local Plan and the Neighbourhood Plan. These objections were duly considered as part of the respective Examination processes, where the Inspector and Examiner both concluded that the waste allocation and the mixed use allocation could effectively co-exist. Had it been considered that the mixed use allocation would prejudice the waste allocation, the Local Plan would not have been found sound, or revisions to the allocation secured.

Grundon therefore misinterpret Policy W2 of the Waste Local Plan.

No grounds for their objection:

In suggesting we need to distance the proposals from their site boundary in order for them to proceed with their latest proposals, they set no reasons as to why this is necessary. I would suggest that such a request would need to be evidenced with matters as to why such a buffer may be necessary, for example: odour, noise or amenity. However, no such reasons are provided.

Their objection also incorrectly states that the EIA we have submitted does not consider the presence of the Ford CTP (current and future operations) and the Ford CTP in terms of odour (only the WWTW). We can confirm:

- The scope of ES was agreed through scoping opinion and subsequent e-mail correspondence with ADC (on scope of cumulative assessment and highways/trips matters) in Feb and April 2019.
- The Scoping Opinion didn't mention odour at all, but the scope of the odour assessment undertaken was agreed with Colin Giddings, Senior EHO at ADC in May 2018. Correspondence on this matter is appended to the ES. Also appended to the ES are details of consultation with Southern Water and ADC over the scope of the odour assessment.
- The odour assessment did not consider the waste operations by virtue of these operations and consents stating that they did not emit any odour through its environmental permit (as referenced in paragraph 11.58 of the air quality ES chapter). Given this, the consented waste proposals were granted on the premise that there would no be noise or odour issues. The EIA we have provided as part of the application takes account of the consented schemes in all other respects.

We therefore see no basis for their objection. If the premise of their objection is to enable their recently submitted scheme to proceed, then it is, in my opinion, for them to demonstrate how they have mitigate the impacts of their proposals, rather than seeking to amend other schemes.

Waste Allocation:

Policy W10 of the WLP allocates land at Ford for waste purposes, with the associated requirement to (very clearly) consider the impacts of any waste proposals on the surrounding area. This policy is relied upon by Grundons in requesting the mixed use development is set back from the waste allocation land. However, such a position is not supported by this policy, which requires the waste proposals to consider its impacts and mitigate accordingly.

In addition, paragraph 7.1.3 of the WLP also states very clearly that for those sites allocated, all planning applications must be judged on their merits; and that the allocation itself does not mean they are automatically granted planning permission – they must be acceptable in their own right.

Conclusion:

Therefore, whilst we will continue to engage with Grundons, the suggestion we should reach a mutually agreeable position is not a realistic outcome, as their proposals are simply unacceptable (I would draw your attention to their application EIA where they state that they have not mitigated against any impacts on residents); and there are no policy grounds for their objection.

As mentioned to Claire previously, I would be interested in your opinion as to how you consider we could potentially reach a position where we can reach a mutually acceptable way forward with Grundons latest proposals, in a way that still delivers the aspirations and objectives of the Arun and Ford allocations.

Healthcare Provision – Please find attached the email correspondence between ourselves and Avisford Medical Facility. Hopefully this clarifies their position. On this basis, we would suggest that there is no need for a medical facility at Ford. Should they wish to utilise the community hub in the future, then that would be a matter for them to arrange through the management arrangements set up for this facility.

Masterplan:

Please find attached revised Masterplan document for submission, which addresses your latest comments. Also attached is our response on how we have addressed your comments on the masterplan document. Of note:

- Point 7 - The existing sports pitches are currently owned, operated and controlled privately, currently managed by Arun Sports. As discussed with your predecessor, the existing sports pitches are to made publicly available with a management agreement put into place, thereby allowing these pitches to be used for public open space purposes.
- Point 9 – We are currently considering how custom build could potentially be incorporated into the proposals. To help this, it appears that the register online is somewhat out of date. Could you therefore

please confirm how many outstanding households currently are requesting custom build homes in Arun? I am aware that people can register in multiple districts and therefore an accurate picture of need would be welcomed. I would also appreciate you confirming how many custom build plots have been provided to date since the Local Plan was adopted.

On this basis, notwithstanding our disagreement with the approach you are taking for the masterplan, we are working to the timetable you have set out and see no reason why this needs to be delayed further. As stated above, subject to being able to discuss the matter with your EHO, we anticipate the outstanding information in terms of Noise will be submitted to you next week.

We are very keen to ensure the applications are determined without further delay, which will require both priority and momentum by all involved in addressing any outstanding matters. It would therefore be very helpful if we could arrange a meeting with you for this coming week, in order that we can capture any outstanding issues and agree a timetable from here to ensure the determination of these applications in good time. Subject to the above, I can therefore confirm our agreement to extending the time period for determination of the applications until the 4th November.

I therefore look forward to hearing from you shortly.

Kind regards,

Robin

Robin Shepherd
Partner



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From: Raymond Cole <Raymond.Cole@arun.gov.uk>
Sent: Wednesday, August 12, 2020 6:48 pm
To: Robin Shepherd
Cc: Karl Roberts; Neil Crowther; Claire Potts
Subject: Ford Airfield

Dear Robin

I refer to your e-mail sent on 24 July 2020 with which you attached a revised version of the Masterplan Document and to your e-mail sent yesterday evening. I apologise for being unable to respond to you sooner as I needed time to review the document and I also wanted to be able to confirm arrangements for the forthcoming consultation.

I have reviewed the Masterplan Document dated July 2020 in light of the matters that were discussed during our video conference on 1 July 2020 and I attach some comments for your attention. Ideally, these matters should be addressed in a revised version of the document, which will then be the subject of a three week period of consultation. Claire advised you of the need for the consultation in an e-mail sent on 22 July 2020.

Following the same process as the Masterplans for other strategic allocations, there will be a 3 week public consultation following submission of the document to the Council. Arrangements are currently being put in place to enable the consultation period to run from 24 August 2020 to 14 September 2020. The responses will be considered and a report will be prepared for the Development Control Committee meeting to be held on 30 September 2020.

Application Issues

Transport – In your e-mail sent on 21 July 2020, you said that two Technical Notes, a Travel Plan and Road Safety Audits were being prepared and that they would be submitted by the end of the month. None of these documents have yet been received by Arun District Council.

Ecology – In your e-mail sent on 21 July 2020, you explained that site-wide mitigation measures were being prepared and again that these details would be submitted by the end of the month. Nothing has yet been received by Arun District Council.

Environmental Health – On 30 July 2020, you sent me a response to the Environmental Health Officer's comments regarding odour. This took the form of a letter from your consultants, Hoare Lea, dated 27 July 2020. I was already aware of this and had asked the Environmental Health Officer, in an e-mail on 28 July 2020, whether it had

addressed her concerns to the point where odour was no longer a ground for objection. I have yet to receive a response, but will follow-up the matter next week when she returns from leave.

Relationship with the Grundon Site – In her e-mail sent on 22 July 2020, Claire explained why the onus falls to both parties to demonstrate that sufficient safeguards are in place to avoid negative impacts on future residents and the operation of waste facilities. In your e-mail sent on 24 July 2020, you said you would continue to engage with Grundon & Viridor. It would be helpful if you could provide me with an update on any discussion that you've had with them since.

In the meantime, you will be aware that a special meeting of the Advisory Group is scheduled to take place on 25 August 2020 to discuss the application that has been made to West Sussex County Council. You and your clients have been invited to attend. I have been asked to prepare a report for the Development Control Committee to approve the comments that are sent to West Sussex County Council. The report will be considered at the meeting scheduled to be held on 2nd September 2020. The agenda will be published on the Council's website (<https://democracy.arun.gov.uk/mgCommitteeDetails.aspx?ID=137>) in the week beginning 24th August 2020.

Healthcare Provision – In your e-mail sent on 21 July 2020, you said you would forward the correspondence with two local GP practices. No correspondence has yet been received.

The notes of our meeting held on 1 July 2020 end with the statement: *"Agreed that next meeting would be following the submission of further information (allowing time for ADC to gather views of consultees on that information) and following meeting with WSCC/ Grundon on waste matters."* With the exception of the Masterplan that will go out to consultation shortly and the letter sent to the Environmental Health Officer, I'm unaware of any further information having been submitted or any meeting having taken place with WSCC, Grundon and Viridor.

Please could you let me know (i) when you are likely to be able to submit a further revised version of the Masterplan Document and (ii) when you are likely to submit the other information identified above?

Subject to the Masterplan being agreed by the Development Control Committee on 30 September 2020 and the outstanding issues associated with the applications being satisfactorily addressed by the same date, reports could be prepared to enable the two applications to be considered by the Development Control Committee on 28 October 2020. With that date as a target to work towards, perhaps we could agree an extension of the time period within which to determine the applications until 4 November 2020. Please let me know if your clients agree to this.

I look forward to hearing from you shortly.

Regards

Raymond Cole
Principal Planning Officer
Directorate of Place



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