

From: Daun Johnson
Sent: 02 February 2021 11:40
To: Planning Scanning
Subject: FW: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement
Attachments: Written submission to the ADC Development Control Committee in respect of Agenda Item 13.pdf

Please upload attachment as a rep to F/4/20/OUT and F/5/20/PL

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From: Raymond Cole <Raymond.Cole@arun.gov.uk>
Sent: 01 February 2021 20:42
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement

Please could you upload the correspondence below and the attachment to the application folders F/4/20/OUT and F/5/20/PL as a representation letter objecting to the proposed development?

Thank you

Raymond Cole
Principal Planning Officer
Directorate of Place

T: 01903 737598
E: raymond.cole@arun.gov.uk

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From: Karl Roberts <Karl.Roberts@arun.gov.uk>

Sent: 30 January 2021 16:24

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

Cc: Claire Potts <Claire.Potts@arun.gov.uk>

Subject: FW: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement

From: paul collins [REDACTED]

Sent: 29 January 2021 17:12

To: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Nigel Lynn <Nigel.Lynn@arun.gov.uk>; Carley Lavender <Carley.Lavender@arun.gov.uk>; Cllr. James Walsh [REDACTED]

Cc: Cllr. Jamie Bennett [REDACTED]; Cllr. Isabel Thurston [REDACTED]

Cllr. Billy Blanchard-Cooper [REDACTED]; Cllr. Richard Bower

[REDACTED] Cllr. John Charles [REDACTED] Cllr. Hugh Coster

Cllr. David Edwards [REDACTED]; Cllr. June Hamilton

[REDACTED]; Cllr. Paul Kelly [REDACTED] Cllr. Martin Lury

Cllr. Jacky Pendleton [REDACTED]; Cllr. Grant Roberts

[REDACTED]; Cllr. Will Tilbrook [REDACTED]; Cllr. Jeanette Warr

[REDACTED]; Cllr. Gill Yeates [REDACTED]

Subject: FW: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement

Dear All

I attach my written submission and representations regarding this item for the DCC on 3 February 2021. It is my understanding that this will need to be read out to the committee but I attach a copy so that members may be aware of same regardless of whatever the latest protocol is.

Anyway do with it as you wish as frankly I do not care.

This is just the latest in a very long list of decisions that this committee gets asked to make unlawfully by Officers and whether or not the DCC does endorse the Masterplan will have no bearing on the fact that the current applications under REFS F/4/20/OUT AND F/5/20/PL will eventually have to be determined in accordance with S38(6) and the PIF of sustainable development in the NPPF 2019 as submitted and not against this Masterplan in any case.

Please place this e mail and the attachment on the case files referenced.

Thank you

Paul Collins BA (Hons) DipTP

From: paul collins [REDACTED]

Sent: Thursday, January 28, 2021 5:45 PM

To: 'Karl Roberts' <Karl.Roberts@arun.gov.uk>; 'Neil Crowther' <Neil.Crowther@arun.gov.uk>; 'Nigel Lynn' <Nigel.Lynn@arun.gov.uk>

Cc: 'Cllr. James Walsh' [REDACTED] 'Cllr. Jamie Bennett' [REDACTED]

[REDACTED] Cllr. Henry Jones' [REDACTED] 'Cllr. Amanda Worne'

[REDACTED] Cllr. Martin Lury' [REDACTED] 'Cllr. Tony Dixon'

[REDACTED] 'Claire Potts' [REDACTED]

Subject: RE: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement

Dear Mr Roberts

One last go but with no expectation or hope of a sensible reply (god loves a tryer!).

Please advise by reference to the Councils constitution where I can find the explicit authority by which the Development Control Committee is authorised by Full Council to consider any matter other than Planning Applications, Appeals and Planning Contraventions ;let alone masterplans and other such matters of policy.

Paul Collins BA (Hons) DipTP

[REDACTED]

From: Karl Roberts [mailto:Karl.Roberts@arun.gov.uk]

Sent: Thursday, January 28, 2021 5:12 PM

To: paul collins [REDACTED]; Neil Crowther <Neil.Crowther@arun.gov.uk>; Nigel Lynn <Nigel.Lynn@arun.gov.uk>

Cc: Cllr. James Walsh <[REDACTED]>; Cllr. Jamie Bennett <[REDACTED]>; Cllr. Henry Jones <[REDACTED]>; Cllr. Amanda Worne <[REDACTED]>; Cllr. Martin Lury <[REDACTED]>; Cllr. Tony Dixon <[REDACTED]>; Claire Potts <Claire.Potts@arun.gov.uk>

Subject: RE: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement

Dear Mr Collins,
Thank you for your email.

I have been asked to respond on behalf of the Council.

Whilst we note your opinion on the matters you list we do not concur with your interpretation.

Firstly, we do not see there any impediment to the Committee being ask to consider the masterplan prepared by the promoters of the Ford allocation at the Committee meeting on the 3rd February.

Secondly, we do not believe that the Committee being asked to consider the masterplan and effectively note it, in any way fetters the discretion of the Committee when (and if) it comes to consider the applications to which you refer.

Regards
Karl Roberts

From: paul collins [REDACTED]

Sent: 27 January 2021 17:58

To: 'Carrie O'Connor' <Carrie.OConnor@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Nigel Lynn <Nigel.Lynn@arun.gov.uk>

Cc: Cllr. James Walsh <[REDACTED]>; Cllr. Jamie Bennett <[REDACTED]>; Cllr. Henry Jones <[REDACTED]>; Cllr. Amanda Worne <[REDACTED]>; Cllr. Martin Lury <[REDACTED]>; Cllr. Tony Dixon <[REDACTED]>

Subject: Development Control Committee 3/2/2021 - Agenda item 13 SD 8 Ford Masterplan Endorsement

Dear Carrie

I write to you as the relevant committee manger with regard to the above item

The item should be withdrawn from the agenda without discussion for the following reasons:

- The report requires that the Development Control Committee discuss and decide upon matters which fall outside of its terms of reference and beyond its powers delegated to it by the Full Council as it is not a Planning Application, Appeal or Planning Contravention matter
- Any consideration of the item and any decision made (favourable or otherwise) would prejudice the Committees position to lawfully determine the current applications pending consideration under Ref: F/4/20/OUT and F/5/20/PL and would in effect fetter their discretion to determine those applications on their planning merits in due course and potentially render any decision that they did subsequently make in respect of same (approve or refuse) unlawful.

If the applicants and agent for the main application under ref: F/4/20 OUT wish to effect changes to adopted development plan policy (ADC LP Policy SD8 and Ford Neighbourhood Plan Policy SA1 Ford Airfield) as they do in effect propose in this agenda item the right and proper course of action is to endeavour to do so via the review of the Arun district local plan and the Ford Neighbourhood Plan and such matters are for the Full Council of Arun District Council to discuss and not the Development Control Committee. They are, incidentally also not matters that can be discussed by Planning Policy Sub Committee either as that Committee only has delegated authority from full Council to make recommendations regarding the implementation of current policy and not make decisions or recommendations to change it.

Please can you confirm that this agenda item has been withdrawn from the agenda or otherwise by return please.

Paul Collins BA (Hons) DipTP



Paul Collins BA (Hons) DipTP



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DX 57406 Littlehampton

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Written submission to the ADC Development Control Committee in respect of Agenda Item 13:

SD8 - Ford Strategic Site Allocation, Masterplan Document Endorsement Report SD8 FORD

The Officers report states that *Officers are reporting this Masterplan Document to Members for endorsement* and the recommendation is that *Subject to the receipt of a substitute plan for Figure 23 that clearly demonstrates improved provision for pedestrians, cyclists and equestrians, it is recommended that "The Landings" Masterplan Document November 2020 should proceed to formal endorsement.*

On any plain reading therefore this committee is being asked to make a determination which is to endorse the said masterplan

By e mail correspondence I have asked the Committee Chairman and the Director of Place Karl Roberts to confirm by what authority this Committee is being asked to make this determination outside of its terms of reference by reference to any specific authority in the Council's constitution and at the date of writing this submission (29 January 2021) I have received no reply other than by way of unreferenced assertion and confirmation that the item remains on the agenda.

Notwithstanding, therefore, I now write to correct a number of erroneous matters in the officers report so that the Committee may properly make a determination as they are being asked to do.

The SD8 - Ford Strategic Site Allocation in the Arun Local Plan 2018 was adopted on 18 July 2018 and the proposed masterplan does not accord with that allocation as worded.

The site is also allocated in the Ford Neighbourhood Plan by way of Policy SA1 Ford Airfield which became part of the development plan when it was made on 9th January 2019 and this allocation conflicts with Policy SD8 in the ALP 2018 and the proposed masterplan does not accord with Policy SA1 Ford Airfield as worded.

Section 35 of Planning and Compulsory Purchase Act 2004 states *"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"*

it therefore follows that this determination is to be made against FNP Policy SA1 and not ALP 2018 SD8 as stated in the officers report.

Section 38(6). Of the same act states: *"if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".*

Regard is to be had to the development plan in making the requested determination and the Masterplan is not to a greater or lesser extent and as a matter of fact in accordance with Policy SA1 Ford Airfield and no material considerations are offered in the Officers report or by the site promoter in order to indicate or justify why the Committee should make the requested determination otherwise than in accordance with the development plan.

Therefore if this committee does decide to consider and make this determination contrary to its terms of reference it is required by law to make that determination in accordance with the development plan and should therefore decline to endorse the Masterplan submitted due to its conflict with FNP Policy SA1.

Paul Collins BA (Hons) DiP TP - 29 January 2021

