

[REDACTED]

From: paul collins [REDACTED]
Sent: 25 June 2019 16:52
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: LU/133/19/PL - Site of Inglecroft Barn Close Littlehampton West Sussex BN17 6JU

Anita

Please may I have the response and confirmation I have requested in my e mail below.

Please can you also provide me with a copy of the photographs attached to your e mail to Stephanie dated 19 June 2019.

To assist and in view of the e mail from the Stephanie Evans dated 24 June 2019 on file I must point out that:

- The applicant is the owner of the site and he is entitled to clear the site and demolish buildings under permitted development rights. No bats or any other protected species were present or affected when he undertook the site clearance works and as a responsible landowner had they been he would of course followed all relevant legislation relating to the protection of same and there is no evidence that he did.
- The condition suggested fails all the relevant tests set out in NPPG at Paragraph: 003 Reference ID: 21a-003-20140306 and should not and cannot be imposed even if we did agree to it.
- There are no statutory consultees in this case and all commenting are doing so as non *statutory consultees* (i.e they are only commenting because you chose to consult them) . *NPPG Paragraph: 028 Reference ID: 15-028-20140306 states: "The decision to grant or refuse a planning application ultimately rests with the local planning authority taking in to account all relevant planning considerations, and not just the advice from one consultee. Local Authorities should be aware of the need to be able to justify a decision taken, including where it is contrary to a statutory consultee's view"*.

The clock is ticking so I look forward to an early response.

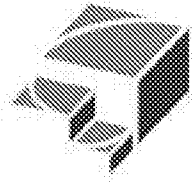
Thanks

Paul Collins BA (Hons) DipTP MRTPI

[REDACTED]



From: paul collins [REDACTED]
Sent: Thursday, June 20, 2019 5:34 PM
To: 'Anita Gardner' <Anita.Gardner@arun.gov.uk>
Subject: FW: LU/133/19/PL - Site of Inglecroft Barn Close Littlehampton West Sussex BN17 6JU



RTPI

Chartered Town Planner

From: paul collins [REDACTED]
Sent: Thursday, June 20, 2019 5:33 PM
To: 'Anita.Gardner@arun.gov.uk.' <Anita.Gardner@arun.gov.uk.>
Cc: 'Daniel.Vick@arun.gov.uk' <Daniel.Vick@arun.gov.uk>; 'Neil Crowther' <Neil.Crowther@arun.gov.uk>; 'Planning.Responses@arun.gov.uk' <Planning.Responses@arun.gov.uk>
Subject: LU/133/19/PL - Site of Inglecroft Barn Close Littlehampton West Sussex BN17 6JU

Anita

Our previous correspondence refers.

In the absence of any confirmation regarding a decision timescale as requested and/or a written request/explanation as to the need for an Extension of time I must advise you that my instructions are to lodge an appeal against your council's failure to determine the application within the statutory determination period however I have and continue to do all that I can to avoid that scenario.

You are aware that I have requested that the application be placed before the DCC at its meeting on 10 July 2019 with a recommendation of approval and I attach a number of additional statements designed to assist you to do so. Please note these and the previous advice offered regarding conditions and confirm that this is your intention by return.

In this regard you will be aware that the relevant PPG at Paragraph: 049 Reference ID: 16-049-20140306 states: *Local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this (amongst others) include:*

- *preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations and*
- *imposing a condition that is not necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects, and thus does not comply with the guidance in the National Planning Policy Framework on planning conditions and obligations.*

I look forward to receiving the confirmation requested.

Paul

Paul Collins BA (Hons) DipTP MRTPI



RTPI

Chartered Town Planner