

Nicola Spencer

From: [REDACTED]
Sent: 24 June 2020 12:43
To: Nicola Spencer
Cc: Anita Gardner; Juan Baeza; Neil Crowther
Subject: RE: LU/210/19/PL - Implementation and Condition Compliance Statement

Dear All

What has been submitted for your written approval or otherwise is the landscaping scheme as required by condition 4 and no planning fee is required. I have referred you to the relevant provisions in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) that govern how you should deal with the application made and the relevant PPG that guides how these provisions should be applied.

The approach you now suggest as to how you intend to deal with the submitted landscaping scheme is in direct conflict with those Regulations and the related PPG and I have advised my client that he is entitled to proceed with his development accordingly.

In the meantime I do not intend to waste my time and his money trying to educate you further and you must proceed as you see fit.

Paul Collins BA (Hons) DipTP
[REDACTED]

From: Nicola Spencer [mailto:Nicola.Spencer@arun.gov.uk]
Sent: Monday, June 22, 2020 5:05 PM
To: paul collins [REDACTED]
Cc: Anita Gardner <Anita.Gardner@arun.gov.uk>; Juan Baeza <Juan.Baeza@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: RE: LU/210/19/PL - Implementation and Condition Compliance Statement

Dear Mr Collins

I refer to your submission of the landscaping scheme in accordance with condition 4 and your covering email. We understand that you are not asking for confirmation or approval merely submitting the scheme for filing. Please note that as you are not asking for approval we must assume that there must be other information still to come and the time limited for discharging has not started to run. Kindly let us know when you want us to consider the submission. We would like to draw your attention that the condition is only discharged when it has been approved in writing by the Local Planning Authority. As you are not asking for an approval we would be acting prematurely to decide whether the condition is now discharged. When you are ready for us to consider the submission please ensure that you enclose the relevant fee. In the meantime, no development above DPC level can take place.

Yours sincerely

Nicola Spencer

Nicola Spencer
Technical Support Manager

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E: nicola.spencer@arun.gov.uk



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: paul collins [REDACTED]
Sent: 18 June 2020 13:59
To: Nicola Spencer <Nicola.Spencer@arun.gov.uk>
Subject: RE: LU/210/19/PL - Implementation and Condition Compliance Statement

Thank you

Paul Collins BA (Hons) DipTP



From: Nicola Spencer [<mailto:Nicola.Spencer@arun.gov.uk>]
Sent: Thursday, June 18, 2020 11:50 AM
To: paul collins [REDACTED]
Subject: RE: LU/210/19/PL - Implementation and Condition Compliance Statement

Dear Mr Collins

I apologise for the fact that this notification was returned to you with the request to submit via the planning portal. We can receive this type of notification via email. I confirm that we have received it.

Yours sincerely

Nicola

Nicola Spencer
Technical Support Manager

T: 01903 737500 ext 37446
E: nicola.spencer@arun.gov.uk



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From: paul collins <[REDACTED]>
Sent: 17 June 2020 15:07
To: Daun Johnson <Daun.Johnson@arun.gov.uk>
Cc: Anita Gardner <Anita.Gardner@arun.gov.uk>; Nicola Spencer <Nicola.Spencer@arun.gov.uk>
Subject: RE: LU/210/19/PL - Implementation and Condition Compliance Statement

Mrs Johnson et al

Thank you for your e mail.

The e mail, statement and information provided simply provides information required by condition in accordance with article 27 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as guided by the relevant PPG at Paragraph: 032 Reference ID: 21a-032-20140306.

Article 27 states :

27.—(1) Subject to paragraph (3), an application for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission must—

(a) be made in writing to the local planning authority and must give sufficient information to enable the authority to identify the planning permission in respect of which it is made; and

(b) include such particulars, and be accompanied by such plans and drawings, as are necessary to deal with the application.

(2) The authority must give notice to the applicant of their decision on the application within a period of 8 weeks beginning with the day immediately following that on which the application is received by the authority, or such longer period as may be agreed by the applicant and the authority in writing.

(3) Paragraphs (1) and (2) do not apply to an application for approval—

(a) of reserved matters(1); or

(b) under Schedule 2 to the Permitted Development Order(2).

And the referenced PPG states:

How can a developer seek to discharge conditions attached to a planning permission that require local planning authority approval of further details?

Requests for approval of further details required by conditions must be made to the local planning authority in writing, enclosing any relevant details.

I note that ADC has decided (unilaterally) that it will no longer accept applications made in accordance with the relevant regulation and the related PPG and you must proceed as you see fit but the applicant considers that the application is lawfully made and that the LPA is duty bound to determine same and will proceed in accordance with articles 28 – 30 of the same Order should this not, in due course, happen.

Please note that the applicant does not (at this stage) seek written confirmation of the discharge of conditions or written confirmation that one or more of the conditions imposed on a grant of planning permission have been satisfied so that no written compliance fee is payable. (See Fee regulations and PPG at Paragraph: 033 Reference ID: 21a-033-20140306).

I look forward to receiving the Council's written approval of the information (where applicable) lawfully submitted in due course.

Thanks

Paul Collins BA (Hons) DipTP

From: Daun Johnson [<mailto:Daun.Johnson@arun.gov.uk>]

Sent: Wednesday, June 17, 2020 2:16 PM

To: [REDACTED]
Cc: Anita Gardner <Anita.Gardner@arun.gov.uk>; Nicola Spencer <Nicola.Spencer@arun.gov.uk>

Subject: FW: LU/210/19/PL - Implementation and Condition Compliance Statement

Mr Collins,

Is this a Discharge of Conditions application? If it is, we no longer accept applications via email. If you are discharging conditions, you will need to apply on the planning portal.

Thank you
Mrs Johnson

Daun Johnson | Technical Support Unit Assistant, Directorate of Place, Arun District Council | Location: GroundFloor, Phoenix House,
Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37762 | External: +44 (0) 1903 737762 | E-mail: daun.johnson@arun.gov.uk

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Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: paul collins [REDACTED]
Sent: 17 June 2020 [REDACTED]
To: Anita Gardner <Anita.Gardner@arun.gov.uk>; Juan Baeza <Juan.Baeza@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: LU/210/19/PL - Implementation and Condition Compliance Statement

Dear All

Please see attached on behalf of the developer for your action and file as you see fit.

Thanks

Paul Collins BA (Hons) DipTP
[REDACTED]

<http://www.arun.gov.uk>

DX 57406 Littlehampton

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