



From: Ross Leal
Sent: 30 July 2015 10:26
To: 'Rob Huntley'
Subject: RE: The Poplars Plots 5 and 6

Rob,

Thank you for your email and I have noted what you advise.

Regarding the new application, uploaded this morning before 10:00hrs. This has been submitted as an application for full planning permission. If the application is complete/valid, then the start date will be today. If not then the start date will be the date upon which all material making the application complete was/is received.

I am advised that at the present time, applications are being checked for validity approximately 14 days after receipt. There is a backlog due to numbers of applications and lack of technical staff.

In respect of the application, due to the need to publicise for 21 days and consult (21 day period), it is unlikely that a decision would be made within 14 days of it appearing on the Council's website.

You refer to Article 34(9)(c), this says:

(9) A local planning authority must not determine an application for planning permission where any notice of, or information about, the application has been—

(a) given by site display under article 13 or 15, before the end of the period of 21 days beginning with the date when the notice was first displayed by site display;

(b) served on—

(i) an owner of the land or a tenant of an agricultural holding under article 13;

(ii) an adjoining owner or occupier under article 15; or

(iii) an infrastructure manager under article 16, before the end of the period of 21 days beginning with the date when the notice was served on that person; or

(c) published in a newspaper under article 13 or 15 or on a website under article 15, within the period of 14 days beginning with the date on which the notice or information was published, and the periods in this paragraph are periods prescribed for the purposes of section 71(1) of the 1990 Act (consultations in connection with determinations under section 70)(a).

It does not say what you seem to conclude in your email – that a decision must be made within 14 days of the application appearing on the Council's website. In addition, there are other requirements in the Order relating to consultation and publicity, which as far as I am aware also still apply.

The Council will deal with your application as quickly as is possible. The application has not yet been allocated to an officer, since it has yet to be validated.

I have asked that your email and this one be placed on the file.

I hope that this email assists.

Regards,

Ross

From: Rob Huntley [REDACTED]
Sent: 30 July 2015 09:53
To: Ross Leal
Subject: The Poplars Plots 5 and 6

Ross,

As you know, an appeal has been lodged against your Council's refusal of the S73 application relating to the reorientation of Plots 5 and 6. As we discussed, I have now made a new application for full permission for Plots 5 and 6. This has been uploaded today to the Planning Portal. For convenience, I attach a copy of the Covering Letter and the Planning Portal confirmation that the application has reached Arun Council today.

The application now submitted involves the re-orientation of Plots 5 and 6 from the previously approved position, together with the slight adjustment to the position of the garage on the flank wall of Plot 4. All other aspects of the development of the 6 houses at The Poplars remain as permitted by LU/125/14/PL, implementation of which has previously commenced. For those reasons, those parts of the site are not included in the current application site. As the refusal of application LU/106/15/PL was not for any reason related to Plots 5 and 6 (or the garage to plot 4), and your Report made clear that these aspects of the development were wholly satisfactory, there can be no reason to withhold or delay the granting of planning permission on the application now submitted.

I would be grateful if you would confirm that a decision on this application will be issued at the earliest date permitted by the legislation. As you will know, this is 14 days after the publication of the details of the application on the Council's website (Article 34(9)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015).

RHPC
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