

Nicola Spencer

From: Nicola Spencer
Sent: 28 February 2022 20:03
To: [REDACTED]
Cc: Anita Gardner
Subject: RE: LU/359/21/PL

Dear Mr Waitt

Thank you for your email which has been passed to me for response. I apologise for the delay in responding.

I have looked at the application and can see that within the planning and heritage statement section 6.4 there was information relating to a flood risk assessment submitted which was sufficient to meet the initial validation criteria. The decision on whether what has been provided meets the technical requirements to determine the application is made by the case officer as part of determining it. I have checked with Mrs Gardner and she has confirmed that whilst some information was provided on the flood risk, it was not detailed enough to constitute a Flood Risk Assessment in accordance with the Environment Agency's guidance for this specific development within flood zones 2 and 3. I attach a link to the Environment Agency website which provides more detail of what is required [Flood risk assessments if you're applying for planning permission - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/flood-risk-assessments-if-youre-applying-for-planning-permission)

No mistake was made at validation and therefore we will not be waiving the fee for any subsequent application that is submitted. Ultimately it is the agent's responsibility to submit all the information required for the application to be treated as a valid application and to provide all the information that is necessary to enable it to be determined. In this case, the information was unfortunately not sufficient to enable the application to be determined. It should also be noted that the lack of the Flood Risk Assessment was only one of the reasons given for refusal, there were two others.

I realise that this is not the response you would have hoped for but I hope at least it clarifies our position.

Yours sincerely

Nicola Spencer

Nicola Spencer
Technical Support Manager,
Planning Services

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



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From: Ashley Waitt [REDACTED]
Sent: 27 January 2022 15:00
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: LU/359/21/PL

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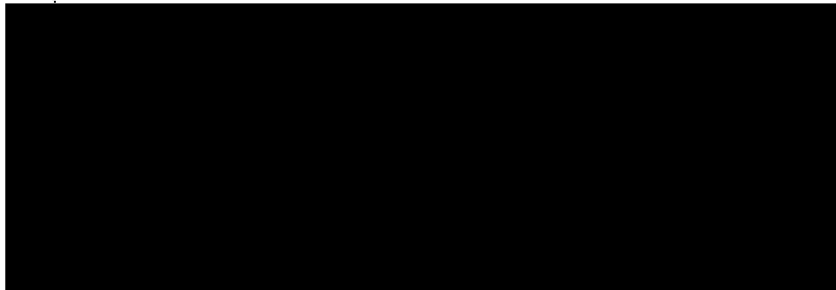
Dear Anita,

The responsibility of validating the submission lies with the council. The council should not have validated the application in line with section 11 and therefore we would have had one carried out before and have not used our free submission?! You have admitted in a previous email that the error is that from the validation team and myself/the client cannot fully understand why Arun council is being difficult in this sense. We are starting to believe there is a bias against my client and this particular application and as such you are trying to charge my client extra fees?

All we are simply requesting is that the council waiver the fee for the error in communication with myself and validation in the first place. We have accepted that the application will now take a further few months (due to this error) which is incurring additional costs for my client, (which were not stipulated from the previous planning officer, who supported our application based upon the information submitted before). Please could you listen to our request and make a logical decision to waiver the fee due to administration errors on behalf of the council. I know it was not your fault for this Anita, however there has clearly been an error (not from us).

Best wishes,

Ashley Waitt Director | Architect



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On Thu, Jan 27, 2022 at 11:34 AM Anita Gardner <Anita.Gardner@arun.gov.uk> wrote:

Dear Ashley,

I have discussed your request with my Team Leader. We can't agree to waiver the fee for the next application.

The responsibility for submission of all the necessary information lies with the applicant/agent. The application form at section 11 clearly sets out the need for submission of an FRA.

Regards

Anita

Anita Gardner

Principal Planner



T: 01903 737529

E: anita.gardner@arun.gov.uk

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From: Ashley Waitt [REDACTED]
Sent: 26 January 2022 17:57
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: LU/359/21/PL

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Dear Anita,

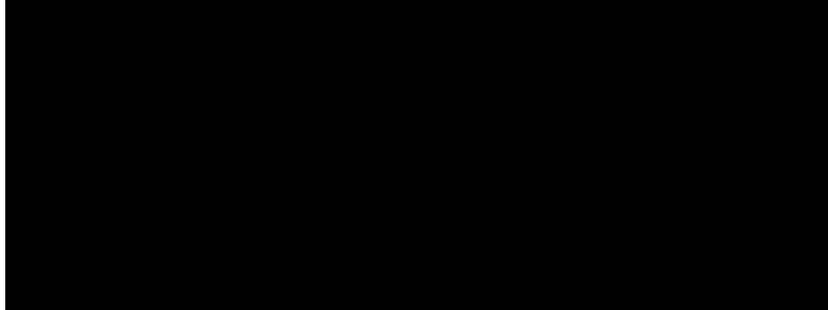
Due to the error of the council's validation team, would it be possible to waiver the new planning submission fee, for our next application?

We will be resubmitting with a Flood Risk Assessment carried out and the other two points addressed.

Best regards,

...

Ashley Waitt Director | Architect



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On Fri, Dec 24, 2021 at 11:57 AM Anita Gardner <Anita.Gardner@arun.gov.uk> wrote:

Dear Ashley,

I acknowledge receipt of your response. I will do my best to respond to you today, but need to discuss with other officers before I can advise you further.

Regards

Anita

Anita Gardner

Principal Planner



T: 01903 737529

E: anita.gardner@arun.gov.uk

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From: Ashley Wait [REDACTED]
Sent: 24 December 2021 11:08
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: LU/359/21/PL

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Dear Anita,

Thank you for bringing this to my attention. I would like to raise the following:

- 1) Back in 2018 and 2007 two independent flood risk assessments were carried out for accommodation on the ground floors. These applications were both approved by the council. I have attached these reports.
- 2) As we have not been made aware of this until now, we decline the refusal or withdrawal and would ask for an extension of time, should the two reports attached be not sufficient.

As we have already withdrawn the application in the past, due to the HMO requiring technical detailing of window stoppers etc at the planning stage (which is far too in depth for a planning stage), however we listened to the previous planning officer in this decision and instead of going to committee, we have resubmitted with further information in the drawings.

The current building has flood evacuation plans, assembly points and plans pinned up around for all internal to see. These were signed off by the council. For this invalidation point to be raised now and not previously, within

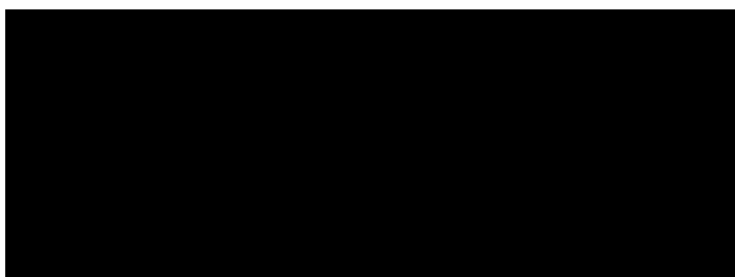
the withdrawn submission or until now, is not sufficient grounds to warrant a refusal status. As you are aware my client will have to pay for a new application and this whole process has been going on for over a year now. We have provided more than enough information to apply with conservation, ecological, civil, transport, HMO and now flood.

I ask again whether you could review these documents before the 14th January 2022 (determination date) and we could please receive a granted planning application? If we need to provide further flood information, we ask for an extension of time (like usual procedures) rather than a withdrawn application or refusal due to the error of the council's processing department.

I trust you will respond today, so I can let my now extremely worried client know.

Kind Regards,

Ashley Waitt Director | Architect



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On Fri, Dec 24, 2021 at 9:49 AM Anita Gardner <Anita.Gardner@arun.gov.uk> wrote:

Dear Ashley,

I have looked through the submitted information and can advise that there is no Flood Risk Assessment as required. Given there is habitable accommodation at ground floor and part of the site is within flood zones 2 and 3 this will form a reason for refusal.

You can withdraw the application or it will proceed to refusal on this basis in the New Year. I apologise that this was not addressed at validation stage, but the application form clearly sets out the need for submission of an FRA.

Regards

Anita Gardner

Anita Gardner

Principal Planner



T: 01903 737529

E: anita.gardner@arun.gov.uk

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From: Ashley Waite [REDACTED]
Sent: 23 December 2021 11:04
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: Re: LU/359/21/PL

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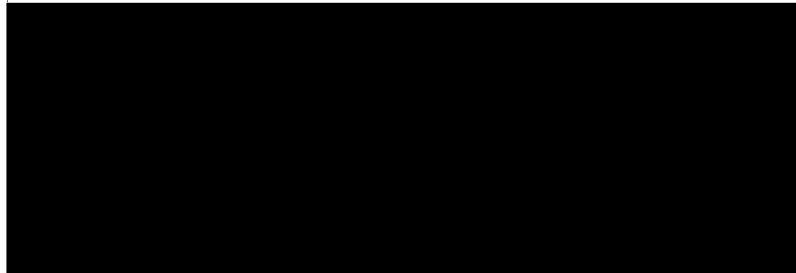
Dear Anita,

Many thanks for your response. I appreciate your honesty and look forward to hearing from you in the new year.

Have a great break.

Best wishes,

Ashley Waitt Director | Architect



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On Thu, Dec 23, 2021 at 10:59 AM Anita Gardner <Anita.Gardner@arun.gov.uk> wrote:

Dear Ashley,

I haven't had an opportunity to discuss the application with my Team Leader, but I am aware of the planning history. I would hope to be in a position to move the application forward in the New Year when I return from leave on 10-01-2022.

If there is any more information required I will come back to you. Given the 'no objection' comment from the Town Council the application will be dealt with under delegated powers.

Regards

Anita

Anita Gardner

Principal Planner



T: 01903 737529

E: anita.gardner@arun.gov.uk

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From: Ashley Waitt [REDACTED]
Sent: 23 December 2021 10:41
To: Anita Gardner <Anita.Gardner@arun.gov.uk>
Subject: LU/359/21/PL

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Dear Anita,

I would like to write on behalf of my client for the Sui Generis HMO application made at 18-22 East Street Littlehampton, planning reference: LU/359/21/PL.

As this is our second application, I wanted to check in with you, to make sure everything is proceeding as it should be? I was advised during the previous application by the case officer to withdraw and resubmit with the support of the HMO department within the council. This is exactly what we have done, whereby we have updated the drawings whilst liaising with the HMO department.

As this was the only previous issue, and the nature of this HMO is still to support reforming alcoholics and drug abusers through rental with a community center approved through a different application referenced in the drawings. Will the council be granting planning permission?

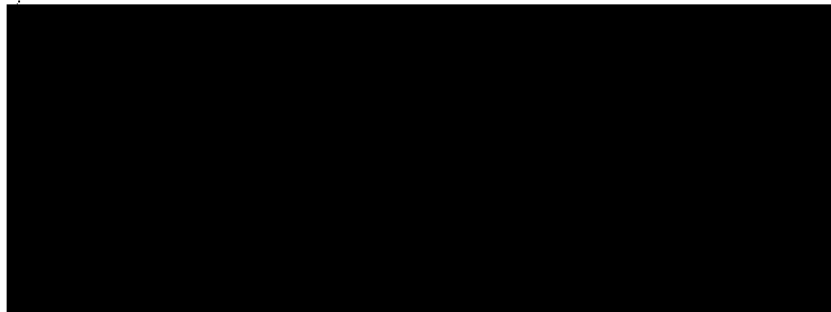
The scheme has been sensitively designed to maintain the existing characteristics of the conservation area etc.

Really looking forward to hearing from you.

Best wishes,

.. ..

Ashley Waitt Director | Architect



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