

[REDACTED]

From: Simon Davis
Sent: 15 June 2022 17:52
To: Planning Scanning
Cc: Caroline Pattenden
Subject: FW: ENF/84/22, P/116/19/OUT,P/147/21/RES,P/15/22/DOC,
P/14/22/DOC,P/58/22/DOC,P/71/22/DOCP/70/22/DOC - Land adjacent to Sefter
School House Sefter Road Pagham-

[REDACTED]

From: paul collins [REDACTED]
Sent: 15 June 2022 15:02
To: Simon Davis [REDACTED]; Karl Roberts [REDACTED]; Neil Crowther
[REDACTED]; Daniel Vick [REDACTED]; Planning.Responses
[REDACTED]
Cc: Chief.executive [REDACTED]; Cllr. Terence Chapman [REDACTED];
Cllr. June Hamilton [REDACTED]; Cllr. David Huntley [REDACTED].
Hugh Coster [REDACTED]
Subject: RE: ENF/84/22, P/116/19/OUT,P/147/21/RES,P/15/22/DOC,
P/14/22/DOC,P/58/22/DOC,P/71/22/DOCP/70/22/DOC - Land adjacent to Sefter School House Sefter Road Pagham-

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Further to my last below please see attached my e mail dated March 2022 in similar terms to which I received no reply.

Paul Collins BA (Hons) DipTP
[REDACTED]

From: paul collins [REDACTED]
Sent: Wednesday, June 15, 2022 2:52 PM
To: 'Simon Davis' [REDACTED]; 'Neil
Crowther' [REDACTED]; 'Daniel Vick' [REDACTED];
[REDACTED]
[REDACTED]
Cc: 'Chief.executive' [REDACTED]; 'Cllr. Terence Chapman'
[REDACTED]; 'Cllr. June Hamilton' [REDACTED] 'Cllr. David Huntley'
[REDACTED]; 'Cllr. Hugh Coster' [REDACTED]
[REDACTED]
Subject: ENF/84/22, P/116/19/OUT,P/147/21/RES,P/15/22/DOC,
P/14/22/DOC,P/58/22/DOC,P/71/22/DOCP/70/22/DOC - Land adjacent to Sefter School House Sefter Road Pagham-

Mr Davis
My representations regarding the above applications are as follows:

The development commenced unlawfully in February 2022 in breach of all relevant pre commencement conditions on the OPP and continues on site unlawfully and is the subject of an ongoing Enforcement Investigation that has not been commenced let alone completed (see attached acknowledgement letter). The conditions on the reserved matters approval are not relevant for these purposes because a reserved matters approval is not a planning permission and the only PP that currently exists for the site is that granted under ref: P/116/19 OUT.

Pre commencement conditions may not be discharged retrospectively as the current applications propose particularly as the applications made do not provide the information required so as to lawfully discharge those conditions in any case.

The breaches of planning control arising are anything but trivial or technical as the conditions were imposed on the basis that the development proposed should be considered to be unacceptable in planning terms if they were not imposed and complied with and the developers failure to comply with same has and will cause serious material harm or adverse impact on the amenity of the site and the surrounding area as well as contravention of environmental protection legislation, the wildlife and countryside Acts, and relevant protection of Habitat Regulations . I also note that the developer appears not to have complied with the related S106 Agreement and/or made the payments required under CIL.

As you are or should be aware such breaches of Planning Control may only be satisfactorily resolved by way of formal and appropriate Enforcement action and/or by way of retrospective applications under S73a of the Act (see PPG Paragraph: 011 - 13 Reference ID: 17b-011-20140306) and not by way of unlawful retrospective discharge consents as you and the developer and their agents clearly and somewhat cosily (based on the e mail correspondence on the file) seem to intend.

As you are aware the Officers failings on this site are systemic and are a repeat of your failings in respect of other housing sites in Pagham and throughout the district generally despite the clear legal, practice guidance and representations to the contrary . The currently undetermined applications should be refused so that the developer can exercise their appeal rights if aggrieved by the decisions and ADC can properly consider the appropriate enforcement action necessary to remedy the BOPC that have and continue to arise in the same way as any other LPA in West Sussex and the Country would.

Please place this e mail and any response on all the files and take them into account when determining the current applications for future reference if required as a result of officers choosing to ignore and/or refusing to act on same.

Thank you

Paul Collins BA (Hons) DipTP

[Redacted signature block]