[redacted]

From: Simon Davis
Sent: 11 November 2019 12:33
To: 'paul collins' [redacted]
Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: P/125/14/PL - 251 Pagham Road & Land R/O Pagham PO21 3QB & P/70/19 RES Land North of Summer Lane Pagham PO21 4NG

Dear Mr Collins,

To answer your queries:

P/125/14/PL

My colleague Rosemarie Dannatt is dealing with this matter and I have notified her of your email.

P/70/19/RES

I can confirm that the applicant is not seeking to discharge conditions through the Reserved Matters application (and that in any case, we would not allow such to take place). I accept that condition 08 does require the approval of details prior to commencement and therefore must be discharged through our discharge of conditions application. However, I confirm, that we will not allow the discharge of this condition through this process. In respect of the other conditions (6, 9, 12, 15, 18, 20, 24, 25, 26), these are all worded *"Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to Condition no1 shall include …. "* and therefore, they are only included in the description for information as to the content of the submission.

We are awaiting a submission of some further details and amendments to the plans. Once these are received, we will be issuing a consultation request to the Parish and also re-advertising the application by way of new site notices.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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Please note that I typically work from home on Thursdays when I am unreachable on my work phone

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From: paul collins [redacted]
Sent: 07 November 2019 16:35
To: Simon Davis <Simon.Davis@arun.gov.uk>; Claire Potts <Claire.Potts@arun.gov.uk>

Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: P/125/14/PL - 251 Pagham Road & Land R/O Pagham PO21 3QB & P/70/19 RES Land North of Summer Lane Pagham PO21 4NG

Dear Mr Davis

I act for PPC in this matter.

P/125/14 PL

You will be aware of the outstanding correspondence regarding compliance or otherwise with conditions on this implemented planning permission and confirmation of compliance or otherwise with the S106 Planning obligations. The resolution or otherwise of these potential breaches of planning control are relevant and material to your current deliberations with regard to P/70/19 RES and any further representations that PPC may choose to make regarding the planned alterations to that submitted but not yet determined application so may we ask that ADC respond with an answer or confirm when we might receive one.

P/70/19 RES

Firstly it is noted that the description of this application now reads: *Approval of reserved matters following outline consent P/58/15/OUT for 90 No. dwellings. Also seeking to address the terms of planning conditions 6 (Phasing), 8 (ecology), 9 (Surface Water), 12 (Vehicular Access), 15 (Parking), 18 (Travel Plan), 20 (Landscape Management), 24 (Parking Control), 25 (Dwelling Parking) and 26 (Materials*)

As you are no doubt aware the reserved matters in this case are (a) Layout; (b) Scale; (c) Appearance; and (d) Landscaping and the
reserved matter applications and condition discharge consents are two separate matters which are subject to two separate and different development management procedures and determination timescales under Parts 4,5 and 6 The Town and Country Planning (Development Management Procedure) (England) Order 2015 and therefore different appeal rights in the event of any disputes. The determination of these separate matters is also guided by different PPG and different legal requirements. i.e. section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 apply to the determination of reserved matter applications and appeals but do not apply to discharge consent applications. Given that the reserved matter application is pursuant to an outline planning permission granted some 3 years ago contrary to the then development plan but now falls to be determined in accordance with the development plan as it now stands or will stand at the date of determination and the matter has already been under consideration for some 4 months and disputes are arising it seems to PPC that it would be lawfully proper for the discharge consent applications to be separated from the reserved matter application so that each may then be determined appropriately.

Secondly you will be aware that the site is subject to two S106 Planning Obligations which seek to achieve the delivery of similar and symbiotic obligations with P/125/14PL above. You are also aware that PPC is seeking to ensure that the two schemes are compatible and sympathetic with each other as part of a planned approach to the delivery of this important housing site and that PPC is currently negotiating changes to the Land Transfer arrangements with Joe Russel Wells of ADC regarding the area to be set aside as ANOGS under the S106. Therefore PPC requests that when you are negotiating and agreeing changes to any of the reserved matters as part of the reserved matter applications with the applicant you a) ensure that such changes do not prejudice the ability to enforce the S106 Obligations and b) ensure that PPC is kept fully involved and given the opportunity to comment before any decisions are made.

Happy to meet with you if you think it would be useful but otherwise would be grateful if I could receive a response asap so that I can advise my clients further as they are committed to preparing and submitting a Development Management NP to ADC in January 2020 and these matters are relevant to their deliberations in this regard.

Thanks
Paul Collins BA (Hons) DipTP
[redacted]

ARUN DISTRICT COUNCIL P/125/14/PL