

[REDACTED]

From: Amanda Scholes on behalf of Planning.Responses
Sent: 19 November 2018 08:46
To: Planning Scanning
Subject: FW: P/134/16 OUT

From: paul collins [REDACTED]
Sent: 17 November 2018 16:06
To: Karl Roberts; Neil Crowther; David Easton; Claire Potts
Cc: Planning.Responses
Subject: P/134/16 OUT

Dear All

I note that an EOT to issue a decision in respect of the above has been agreed until 30 November 2018.

I also note that there seems to be a lack of clarity as to who does and does not own the site. In the revised application form dated 21/6/17 the agent completed Certificate C which states that the applicant (Taylor Wimpey UK Ltd) did not know who some of the landowners were but the agent was unable to confirm what reasonable steps had been taken to identify the owners and Notice was served on those owners who were known (owner/occupier 80 Rose Green Road, WSCC Highways and a Mr. Dellicot). However at the DCC on 13 November a representative of Taylor Wimpey UK Ltd stated that they owned the site and I note that the Officers report states that for the purposes of any S106 the Full name(s) of the Freeholders/Leaseholders was Taylor Wimpey UK Ltd but no recent Land Registry Document is provided.

It therefore seems to me that there are two possibilities. 1. That TW UK Ltd purchased all the site after June 2017 in which case they should have no difficulty in providing a recent Land Registry document demonstrating this and revising/updating the Application forms accordingly or 2. That the forms dated 21/6/17 are correct in which case it is the owners that must sign the Draft S106 and not TW UK Ltd. Further signatories should also include any Bank or Building Society that holds a mortgage on the property and TW UK Ltd should advise via the land registry.

Either way these matters must be clarified before any decision is issued or a S106 is completed (any S106 unsigned by all those with a registered interest in the land is not enforceable) and I would suggest the DCC will need to reconsider the matter in the event that clarification results in any changes in material circumstances.

I also note that the WW2 infantry section post and the Scout Hut are to be demolished but the PP required for such demolition does not form part of the application and this should be clarified, included in the application if that is intended and the description revised and advertised to reflect same as should the ownership and tenancy of the Scout Hut land. Have the Pagham and Aldwick Scouts been consulted?

Also I note that in his Consultation response the Council's Archaeology advisor states : *"The WW2 infantry section post, which should be considered to be a non-designated heritage asset, is of at least local significance. It seems that it is 'to be removed prior to development' despite being 'within an area not intended for residential development but to be retained as a natural green space, with a road crossing through it.' In the circumstances its demolition should only be considered if its loss is outweighed by some benefit - and it isn't clear what this might be. If demolition proves necessary a full record should be made as part of the programme of archaeological work"* but the Officers report makes no further reference to it and no benefits to outweigh its loss are identified.

Once again it seems to me that this is another material consideration that needs to be considered and addressed by the DCC before any decision is issued.

Please put this e mail on the file for future reference if required.

Paul Collins BA (Hons) DipTP MRTPI

