

[REDACTED]

From: paul collins [REDACTED]

Sent: 17 June 2022 13:31

To: Simon Davis <Simon.Davis@arun.gov.uk>; Planning <Planning@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>

Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>; Chief.executive <Chief.executive@arun.gov.uk>; Cllr. June Hamilton <Cllr.June.Hamilton@arun.gov.uk>; Cllr. David Huntley <Cllr.David.Huntley@arun.gov.uk>; [REDACTED]

Cllr. Hugh Coster <Cllr.Hugh.Coster@arun.gov.uk>; Cllr. Terence Chapman <Cllr.Terence.Chapman@arun.gov.uk>

Subject: RE: P/159/21 and P/L 253-255 INGLENOK HOTEL, PAGHAM ROAD, PAGHAM PO21and

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Dear Mr Davis

I refer to our correspondence below and now write as promised in my e mail dated 29 March 2022.

In your e mail dated 29 March you advised me that "*Committee resolved to approve the application subject to the updated conditions and the signed Deed of Variation*" On reading the minutes of the meeting now published I note that this was untrue as the minutes of the Committee actually state: *The Committee RESOLVED That the application be delegated to the Head of Planning to approve subject to the completion of a Deed of Variation.* Under the Councils constitution the application either has to be determined by Mr Roberts or Mr Cowther under powers delegated to them by the Full Council or by the Committee or by the Committee under the powers delegated to them by the Full Council and it is not in the Committees gift to delegate those responsibilities to the Head of Planning as they resolved. However based on previous correspondence on other matters I note that this point is beyond your pay grade as the case officer so I will leave that one with those are copied in to address who are responsible for such matters.

In respect of those matters which are within your remit I note that the minutes also state that : *The Planning Team Leader confirmed that planning law allowed for retrospective applications and the NPPF supported this also, therefore there was no justification for members to refuse the application. Should members be minded to refuse it would be likely to be lost at the appeal stage.* This advice is also untrue and misdirects Members and the Committee.

The application was invited by officers and made under s73a of the Act retrospectively in an effort to resolve the many breaches of planning control taking place on the site due to non-compliance with pre commencement and other conditions on the planning permission for the site granted on appeal under ADC Ref: P/58/19/PL and the law (s73a) and relevant planning practice guidance (Paragraph: 012 and 013 Reference ID: 17b-012-20140306 – copy attached for ease of reference) are very clear about how such applications should be considered/determined and the advice offered by the Planning Team leader is totally at odds with same.

Finally it is also relevant to note the following:

- According to the minutes of the committee meeting on 2/2/22 the application was deferred FOR THE REASONS SPECIFIED IN THE MINUTES and not for those reasons specified by Officers, the chairman and/or the Interim Legal Advisor in the minutes of the meeting on 2 March
- P/ 165/21 PL approved by the Committee on 2 February 2022 as part of a package of measures to resolve the breaches of planning control cannot be lawfully implemented because the developer does not own or control the land necessary to do so
- No permission has yet been granted in respect of P/159/22 PL, NO DEED OF VARIATION HAS BEEN AGREED AND NO CIL PAYMENTS APPEAR TO HAVE BEEN MADE
- The development continues on site unlawfully and DOC applications continue to be made and determined to no legally binding effect and breaches of planning control continue unresolved and with no resolution likely or possible

In view of all the foregoing can I politely suggest that those with the authority to do so copied in on this e mail take appropriate steps to stop the development proceeding and place a report before the committee so that members may be afforded a proper opportunity to consider and determine what steps are available to them so as to Please place this e mail as a representation on all relevant files and I hereby give my consent to all those receiving same to use or not its contents as they wish including passing same to the residents of Spinnaker View

Thank you

Paul Collins BA (Hons) DipTP

From: paul collins [redacted]
Sent: Tuesday, March 29, 2022 1:22 PM
To: 'Simon Davis' <Simon.Davis@arun.gov.uk>
Cc: 'Daniel Vick' <Daniel.Vick@arun.gov.uk>; 'Neil Crowther' <Neil.Crowther@arun.gov.uk>
Subject: RE: P/159/21/PL

Dear Mr Davis

Thank you for your response which is noted.

I note that the minutes remain unpublished and no decision has yet been issued so I will correspond further once they have as based on what I have seen to date I believe ADC is proceeding unlawfully and breaches of planning control are taking place on site.

Thank you

Paul Collins BA (Hons) DipTP

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: Tuesday, March 29, 2022 11:38 AM
To: paul collins [redacted]
Subject: RE: P/159/21/PL

Dear Mr Collins,

Committee resolved to approve the application subject to the updated conditions and the signed Deed of Variation. The decision will be issued when the DoV has been completed.

29 March 2022 29 March 29 March

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



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From: paul collins [REDACTED]
Sent: 24 March 2022 16:57
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: P/159/21/PL

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Simon

I note that this application was considered at PC on 2/3/22 but the minutes are not published at this date and the application remains undetermined according to your records. Please can you advise what the PC resolved to do please.

Thanks

Paul Collins BA (Hons) DipTP



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