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From: paul collins [REDACTED]

Sent: 27 March 2021 11:49

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

Cc: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>; Cllr. Martin Lury

[REDACTED] Cllr. Jamie Bennett [REDACTED] Daniel Vick

<Daniel.Vick@arun.gov.uk>; Cllr. Hugh Coster <[REDACTED]> Cllr. David Huntley

[REDACTED] Cllr. June Hamilton [REDACTED] Cllr. Tony Dixon

Subject: FW: P/1/21PL and P/35/21PL - Material change of use of land from agricultural use to use for open space. - Land at Summer Lane, Pagham

Dear Planning Responses

Please place this e mail trail on the file for P/35/21PL as it is directly relevant to the Councils consideration and determination of that application.

Thank you

Paul Collins BA (Hons) DipTP

[REDACTED]

From: paul collins [REDACTED]
Sent: Saturday, March 27, 2021 11:44 AM
To: 'Karl Roberts' <Karl.Roberts@arun.gov.uk>
Cc: 'Neil Crowther' <Neil.Crowther@arun.gov.uk>; 'Simon Davis' <Simon.Davis@arun.gov.uk>; 'Daniel Vick' <Daniel.Vick@arun.gov.uk>; 'Cllr. Martin Lury' [REDACTED] 'Cllr. Jamie Bennett' [REDACTED] 'Daniel Vick' <Daniel.Vick@arun.gov.uk>; 'Cllr. Hugh Coster' [REDACTED]; 'Cllr. David Huntley' [REDACTED] 'Cllr. June Hamilton' [REDACTED]; 'Cllr. Tony Dixon' [REDACTED]

Subject: RE: P/1/21PL and P/35/21PL - Material change of use of land from agricultural use to use for open space. - Land at Summer Lane, Pagham

Dear Mr Roberts

As you are aware the Council has already unnecessarily delayed the validation of my clients application under ref P/35/21 PL by 10 days for the sole reason of the lack of an expressly displayed north point on an OS Plan but has now by letter dated 24 March 2021 formally acknowledged that the application is valid and will be determined by the Council within the statutory determination period. If as you suggest that one of your colleagues is going to write to me saying something different please can I suggest that they do so as a matter of urgency rather than 'in due course' as you suggest.

Whether you like it or not the applicant has prescribed statutory rights as to how their application must be validated, considered and determined by the Council and they are entitled to expect that these are met.

Thank you

Paul Collins BA (Hons) DipTP

[REDACTED]

From: Karl Roberts [mailto:Karl.Roberts@arun.gov.uk]
Sent: Friday, March 26, 2021 6:36 PM
To: paul collins [REDACTED]
Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>; Cllr. Martin Lury [REDACTED] Cllr. Jamie Bennett [REDACTED]

Subject: RE: P/1/21PL and P/35/21PL - Material change of use of land from agricultural use to use for open space. - Land at Summer Lane, Pagham

Dear Mr Collins,
One of my colleagues will be writing to you in due course.

The remainder of your correspondence is noted.

Regards

Karl Roberts

From: paul collins [REDACTED]
Sent: 26 March 2021 16:44
To: Karl Roberts <Karl.Roberts@arun.gov.uk>
Cc: Cllr. Martin Lury [REDACTED]; Cllr. Jamie Bennett [REDACTED]; Neil Crowther <Neil.Crowther@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>; Cllr. Hugh Coster [REDACTED]; Cllr. David Huntley [REDACTED]; Cllr. June Hamilton [REDACTED]; Cllr. Tony Dixon [REDACTED]

Subject: RE: P/1/21PL and P/35/21PL - Material change of use of land from agricultural use to use for open space. - Land at Summer Lane, Pagham

Mr Roberts

Response noted. The Council has written to me in respect of the resubmission. (Copy of letter attached). If you know that the Council is going to write to me again differently as you suggest please could you take this opportunity to tell me why?

You say you see no sound planning reason to invite the committee to reconsider its decision but you may like to reconsider that position in the light of the relevant PPG relating to appeal costs *What type of behaviour may give rise to a substantive award against a local planning authority* Paragraph: 049 Reference ID: 16-049-20140306 first 4 bullet points (all of which we say apply in this case) and bullet point 13 which reads *not reviewing their case promptly following the lodging of an appeal against refusal of planning permission (or non-determination), or an application to remove or vary one or more conditions, as part of sensible on-going case management.*

However, those circulated will note that you have no intention of doing so despite the risk of a successful award of costs against the authority that your refusal to do so creates.

Please ensure that this e mail trail is placed on both the files identified and in the meantime I will proceed as instructed.

Thank you
Paul Collins BA (Hons) DipTP

From: Karl Roberts [mailto:Karl.Roberts@arun.gov.uk]
Sent: Friday, March 26, 2021 4:17 PM
To: paul collins [REDACTED]
Cc: Cllr. Martin Lury [REDACTED]; Cllr. Jamie Bennett [REDACTED]; Neil Crowther <Neil.Crowther@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>
Subject: RE: P/1/21PL and P/35/21PL - Material change of use of land from agricultural use to use for open space. - Land at Summer Lane, Pagham

Dear Mr Collins,
Thank you for your email.
I have considered the contents of your letter but I see no sound planning reason to invite the Committee to reconsider its original decision.

I understand the Council will be writing to you shortly in respect of the resubmission.

Regards
Karl Roberts

From: paul collins [REDACTED]
Sent: 25 March 2021 15:43
To: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Daniel Vick <Daniel.Vick@arun.gov.uk>
Cc: Cllr. June Hamilton [REDACTED] Cllr. David Huntley [REDACTED]
Cllr. Martin Lury <[REDACTED]>; Cllr. Hugh Coster [REDACTED]; Cllr. Jamie Bennett [REDACTED]
Subject: P/1/21PL and P/35/21PL - Material change of use of land from agricultural use to use for open space. - Land at Summer Lane, Pagham

Mr Roberts

For the record and future reference if required.

As you are aware the application made under ADC Ref: P/121 PL was refused by the DCC on 3 March 2021 as recommended by officers acting under your authority for the following reasons:

- 1. The proposed change of use of the land to use for open space does not accord with policies H SP1, H SP2 and H SP2a of the Arun Local Plan 2011-2031 and would prejudice delivery of the Local Plan housing strategy, contrary to paragraph 59 of the National Planning Policy Framework.*
- 2. The proposal fails to provide safe and suitable access to the site for all users, contrary to policies T SP1 and T DM1 of the Arun Local Plan 2011-2031, paragraph 108(b) of the National Planning Policy Framework and part F of the Arun Design Guide Supplementary Planning Document January 2021.*

That decision is now at appeal and you have been provided with the appellants Full Statement of Case and advance notice of their intention to make an application for their costs in having to pursue the matter at appeal on the basis that on any plain reading of the policies cited ADC Officers have not and could not provide credible evidence to substantiate the conflict with same as stated in each reason for refusal.

You are also aware that the Appellants have now submitted a repeat application under ADC Ref: P/35/21 PL and invited Arun District Council to review their case promptly following the lodging of the appeal as part of sensible (in the circumstances here) on-going case management but thus far you have point blank refused to do so.

For one final time I urge you to reconsider your approach and formally provide the DCC at its meeting on 31st March 2021 with the opportunity to review their decision and indicate whether or not they do wish to defend this appeal as if not the repeat application submitted could of course be approved under delegated powers thereby negating the need for the appeal to proceed.

Please advise as a matter of urgency whether or not you will act on this request as if not I am instructed to finalise and submit an application for costs against the authority as part of the appeal process.

Thank you

Paul Collins BA (Hons) DipTP
[REDACTED]

<http://www.arun.gov.uk>

DX 57406 Littlehampton

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