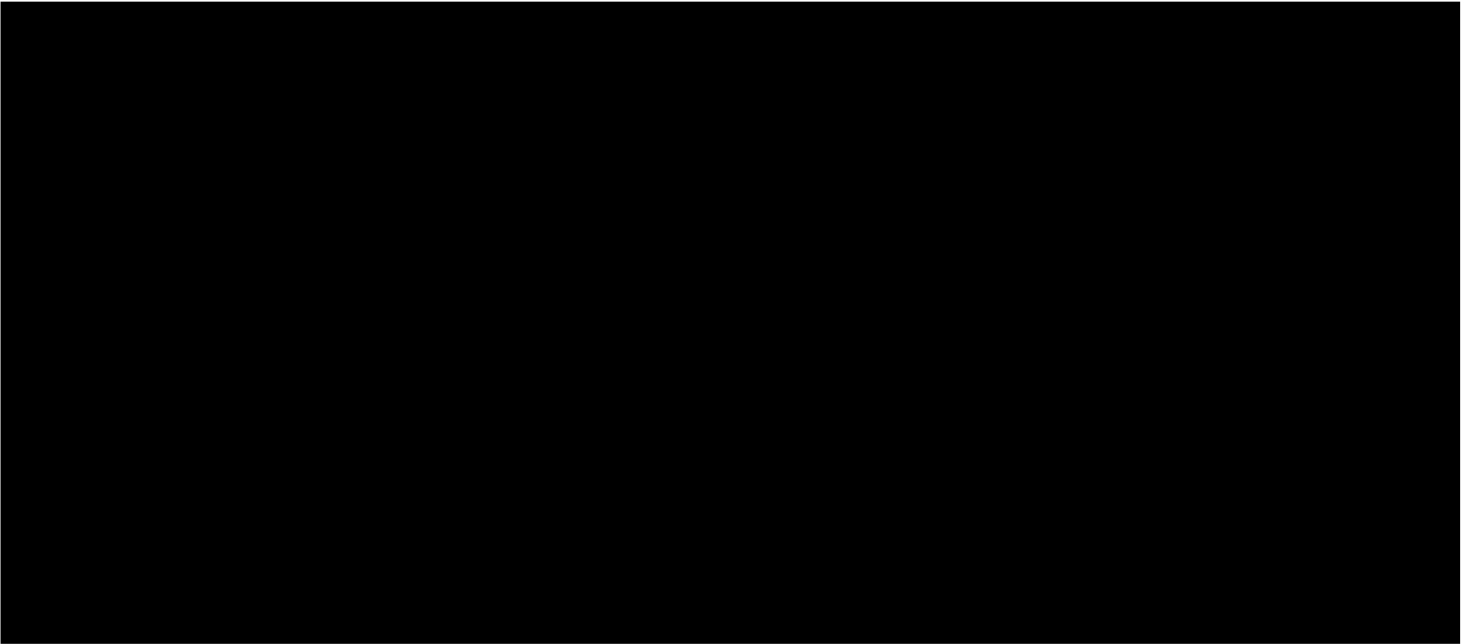




From: Richard Goodall [REDACTED]
Sent: 31 July 2018 10:11
To: Simon Davis
Subject: Fwd: Application for Discharge of Conditions PP-06874522 Your ref: N/A

FYI. Sorry I meant to send yesterday.

Reghards

----- Forwarded message -----

From: Richard Goodall [REDACTED]
Date: 5 June 2018 at 14:49
Subject: Re: Application for Discharge of Conditions PP-06874522 Your ref: N/A
To: planning.responses@arun.gov.uk

I understand that the original case officer (Richard Temple) is no longer dealing with this DOC application and the latest case officer Ross Leal may also have handed this on to another officer. In any event I have no e-mail address for the second case officer and therefore am using the general Development Management e-mail address.

I accordance with sections 28 and 29 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 as amended I would like to exercise my client's rights to have application P/43/18/DOC determined via the rights contained within these sections.

Specifically S. 28 requires me to provide a deemed discharge notice. There is no formal means of serving this and therefore please accept this email as this Notice.

The requirements for a deemed discharge notice are set out in Section 29 and are as follow:-

- (2) A deemed discharge notice may not be given unless—
- (a) at least 6 weeks have elapsed beginning with the day immediately following that on which the application under article 27 is received by the local planning authority; or
 - (b) such shorter period as may be agreed in writing between the applicant and the local planning authority for serving a deemed discharge notice has elapsed.

(3) The deemed discharge notice must—

- (a) provide details of the application submitted under article 27 and identify the planning condition to which it relates;
- (b) where the period referred to in article 27 has elapsed, confirm that no appeal has been made under section 78 of the 1990 Act⁵⁰; and
- (c) specify the date on which deemed discharge is to take effect.

(4) The date specified under paragraph (3)(c) must be no earlier than—

- (a) the date the period referred to in article 27 elapses, or
- (b) 14 days after the day immediately following that on which the deemed discharge notice is received by the local planning authority, whichever is later.

Against these requirements the following should be noted:

- 2. (a) the DOC was valid on the made 6/4/18. Six weeks have clearly elapsed since that date.
- (b) no shorter period has been agreed

3(a) The details of the DOC application P/43/18/DOC are as originally submitted and are therefore with you, and relate to condition 11.

3(b) No appeal has been made

3(c) the effective date for deemed discharge will be 2/6/18 or 4/6/18 if it relies in working days.

4 (a) and (b) noted.

In addition the condition is not a Schedule 6 condition. Specifically the constructed wetland is closed system and is therefore not related to flooding or flood risk. The conditions relating to flooding and flood risk are separate.

Please could you confirm safe receipt of this email and acknowledge its contents in terms of it constituting a formal Deemed Discharge Notice.

I look forward to hearing from you by return.

Regards

--

Richard Goodall
Advoco Planning

14 Oak Hill, Alresford, Hampshire, SO24 9LB

Registered in England and Wales

No. 7539531

Registered Office:

Bennett House, The Dean

Alresford, Hampshire, SO24 9BH

On 25 April 2018 at 09:33, <planning.responses@arun.gov.uk> wrote:

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

NLPG UPRN 100062237016

DX 57406 Littlehampton

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--

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