

[REDACTED]

From: paul collins [REDACTED]

Sent: 14 July 2021 17:54

To: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>

[REDACTED]

Subject: RE: Agenda Item 5 Full Council tonight

Importance: High

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Mr Roberts

Please can I have a reply to my e mail below or do you intend to reply at tonight's Full Council meeting? when presenting your report regarding the Petition at Agenda Item 5?. If so perhaps you can also explain/and or answer the following questions that I am sure that any sensible and diligent member will also be minded to ask (if they have time to do so in the ludicrously allotted 3 min slot they have been given by Officers):

1. How can the Council lawfully resolve not to consider the issue of revocation or modification of these Opps further (as you recommend)? As you know or should know a LPA may lawfully revoke or modify any planning permission up to the date when the approved development is lawfully completed and surely even you can see that such a resolution would fetter the discretion of the Planning Committee to reconsider the matter in the light of changed circumstances? Are you seriously suggesting that once granted an opp may not be changed or revoked regardless of circumstances and that the Planning Committee has no discretion to do so?
2. Your recommended resolutions in each case would (if passed) also rule out any further consideration of the possibility of modifying these OPPs but you provide no evidence whatsoever in your report to support such a conclusion. Do you seriously suggest that there is and never will be any planning case to be made for either the site promoters and/or ADC modifying the terms, content , conditions of these OPPs (with all matters except access reserved) and/or their related S106 Agreements?

3. At paragraphs 1.21 – 1.29 of your report you blatantly misdirect members as to what the relevant policies of the development plan say and also (disingenuously) avoid making any reference to the fact that all those policies are in fact out of date and under review by ADC. Can you explain why the fact that these policies are out of date and under review is not a material consideration in this case and why you fail to mention same?
4. At Paragraph 1.30 you ludicrously and ineptly assert that : *One of the implications of revoking one or all of the permissions is that this will worsen the Council's five-year land supply position.* As you aware (or should be aware) the Council's AMR makes it clear that none of these sites can be or are included in the Council's 3.3 year supply of deliverable housing sites because it is abundantly clear that none of them can or will in fact deliver the housing proposed within the next 5 years so that their revocation or modification would have no effect whatsoever on the 5 year land supply position.
5. Turning to the issue of compensation where is the independent legal and valuation advice necessary to support your ludicrous assertions regarding the financial implications of revocation/modification for the council and how is it possible for you to calculate the level of compensation in each case based on Plot values when these are OPPs with all matters (except access reserved, none of the reserved matters have been approved and the final number of dwellings in each case has yet to be determined)?
6. Given that Full Council has (under the new Constitution and Committee system) delegated all decision and policy making under the planning acts to the newly formed Planning Policy and Planning Committees why are the issues raised by the Petitioners not matters for those committees to resolve rather than Full Council as you assert?

In my view your report is seriously flawed in these and many other respects and you are being inept, disingenuous and/or dishonest in presenting same to your members and they and the Community they serve deserve and should expect better from their Director of Place. Obviously the issue of whether or not to revoke or modify any planning permission is a discretionary judgement for members to make but they cannot reasonably or lawfully make such a decision unless Officers (and in this case you) provide them with the correct information and facts and sound planning advice and your report does not do so.

Please place this e mail and any response on all relevant public files

Paul Collins BA (Hons) DipTP

From: paul collins

Sent: Tuesday, July 6, 2021 5:07 PM

To: 'Karl Roberts' <Karl.Roberts@arun.gov.uk>; 'Neil Crowther' <Neil.Crowther@arun.gov.uk>; 'Raymond Cole' <Raymond.Cole@arun.gov.uk>; 'Planning.Responses' <Planning.Responses@arun.gov.uk>

Subject: P/50/21/PL/P/132/20/RES/P/79/21/RES -Land North of Hook Lane Hook Lane Pagham

Gentlemen

As you are aware

P/132/20 RES was submitted on 8/1/21 by the applicant (Hallam Land Management) and is described on your web site as being an application for the *Approval of reserved matters following P/30/19/OUT for 300 No. new homes, internal roads, footpaths & cycleways, car parking & landscaping.* and is undecided with no Committee date known.

P/79/21 RES was submitted on 26/5/21 by the Applicants (Hallam Land Management and Bellway) and is described on your web site as being an application for the *Approval of reserved matters following P/30/19/OUT for 300 No. new homes, internal roads, footpaths & cycleways, car parking & landscaping (resubmission of P/132/20/RES)* and is undecided with no Committee date known

As you are also aware neither Hallam Land Management nor Bellway Homes own the site and their asserted interests in the site are reliant on option agreements with the landowners the details of which are unknown.

P/50/21/PL was submitted by me as the applicant on 27-03-21 and is for the *Change of Use of Agricultural Land to Public Open Space*. and this is also undecided with no committee date known. I too do not own the site but I have served the requisite notice on those that do and since the statutory determination period for this application expired on 26 June 2021 and no reason or explanation for this delay in the determination of my application has been given I have now lodged an appeal in this regard.

If (as you have constantly and consistently claimed and advised) the development of this site can be effectively and lawfully implemented in accordance with a lawfully adopted Local Plan and controlled by way of the conditions and S106 attached to the Outline Planning Permission granted under Ref P/30/19 OUT, ADC has an agreed masterplan for the development of the site in accordance with that OPP and I and others should not worry because you know what you are doing, perhaps you would care to explain to all our readers what it is you are doing, what your master plan is, and why it is that Officers have taken some 6 months and counting to determine a Reserved matters application that should (if your claims and advice are correct) have been straightforwardly determined positively back in April.

You may also care to explain , why you have failed to determine my application and what the purpose of the resubmitted reserved matters application is and on what basis it has been submitted by the new applicants. Is P/132/20 RES refused or have you indicated that it will be refused? Is it withdrawn or have the applicants submitted an appeal against non-determination? If not why have they made a resubmission and what are their intentions in having two identical reserved matter applications running at the same time?

You are also aware (or should be) that these matters are all relevant to the Full Council's consideration of the Petition on 14 July 2021 and are material considerations that Members should take into account when considering that Petition and the recommendations made by Mr Roberts and yet the report prepared by Mr Roberts makes no mention of same.

Please place this e mail and any reply you deign to give on the relevant files cited and recipients of this e mail are hereby authorised to circulate same to any persons they see fit.

Thank you

Paul Collins BA (Hons) DipTP

