

BIRMINGHAM
BRISTOL
CAMBRIDGE
CARDIFF
EBBSFLEET
EDINBURGH
GLASGOW
LEEDS
LONDON
MANCHESTER
NEWCASTLE
READING
SOUTHAMPTON

**BARTON
WILLMORE**

bartonwillmore.co.uk
The Observatory
Castle Hill Drive
Castle Hill
Ebbsfleet Valley
Kent
DA19 1EE

Raymond Cole
Principal Planning Officer
Arun District Council
Directorate of Place
First Floor, Arun Civic Centre
Maltravers Road
Littlehampton
BN17 5LF

PLANNING PORTAL REF: PP-08880353

20928/A3/HH/sh
10 July 2020

Dear Raymond

LAND NORTH OF SEFTER ROAD, PAGHAM
SUBMISSION OF DISCHARGE OF CONDITION APPLICATION PURSUANT TO OUTLINE
PLANNING PERMISSION REF. P/134/16/OUT

On behalf of the applicant, Taylor Wimpey UK Ltd, we are pleased to enclose an application to discharge planning condition 15 pursuant to planning permission ref. P/134/16/OUT.

Condition 15 requires that:

"Prior to the commencement of development of any preparatory works an Ecological Protection & Enhancement Plan shall be submitted to and agreed in writing by the Council. The Plan shall be based on the mitigation measures proposed in Ecological Appraisal dated December 2016 prepared by Aspect Ecology and will include a programme of ecological monitoring to inform the long term management of the site. The Ecological Protection & Enhancement Plan shall include a full mitigation strategy for reptiles and a work programme with clear timelines for each mitigation measure to be carried out. The mitigation measures shall be implemented in accordance with the timescales set out in the agreed plan."

This submission is accompanied by an application form and Ecological Protection and Enhancement Plan.

Background

A submission of Condition 15 pursuant to Outline planning permission ref. P/134/16/OUT was refused on 26 June 2020 under submission ref. P/40/20/DOC. This submission was refused for the following reason:

"The Ecological Protection and Enhancement Plan dated 27 February 2020 contains plans (3697/EPEP2 Ecological Protection Measures, 3697/EPEP3 Reptile Mitigation Plan and 3697/EPEP4 Ecological Enhancement Measures) that are required to be read in conjunction with and based upon



ARUN DISTRICT COUNCIL P/6720/DOC



F10 2000

Registered in England
Number: 06342912

Barton Willmore Ltd
Registered Office:
The Arcade
61-63 High Street
Reading
RG1 1HT
Tel: +44 (0)118 950 0001

a Planning Layout (CB_84_139_001) that is considered unacceptable to the local planning authority and has been refused on an application for approval of reserved matters (P/24/20/RES)."

No opportunity for amendments to the Ecological Protection and Enhancement Plan were provided prior to the decision notice being issued.

Following the Council's decision, the Applicant and Planning Consultant have discussed a way forward with Arun District Council (ADC) for seeking a timely discharge of this condition.

ADC Officers have confirmed the principle of re-submitting details in relation to Condition 15 with a revised Ecological Protection and Enhancement Plan showing a high-level layout within the enhancement strategy rather than a detailed layout. A similar approach has been taken for planning submission ref. WA/25/20/DOC at 'Land to the East of Fontwell Avenue, Fontwell' which sought discharge of Condition 17 pursuant to Outline planning permission WA/22/15/OUT, which required that:

"Prior to the commencement of construction works on each phase of the development or any preparatory works, a detailed ecological enhancement scheme based on the recommendations within the supporting ecological statement, which shall include the installation of bat boxes throughout the site, shall be submitted to and approved by the local planning authority. All approved details shall then be implemented in full and in accordance with the agreed timings and details."

This Condition was discharged by ADC on 7 May 2020, prior to the approval of a detailed layout for the Site. The requirements of this Condition are similar to the details required to be discharged under Condition 15 pursuant to Outline planning permission ref. P/134/16/OUT. Accordingly, we consider that it is valid that a similar level of detail should be required to discharge this Condition. Furthermore, the wording of Condition 15 does not require the approval of a detailed layout before this Condition can be discharged.

The principle of this approach has also been discussed with the Council's Environment Officer who has previously been consulted on the acceptability to the previously submitted details in respect of Condition 15. No objection to this approach has been raised by the Environment Officer. It is important to note that the Environment Officer was content with the details provided within the first submission of this Condition.

The discharge of condition application fee has been paid through the Planning Portal.

I trust the enclosed information will enable Condition 15, pursuant to the above conditions, to be discharged promptly but please do not hesitate to let me know should you require any additional information at this stage.

Yours sincerely,

HARDEEP HUNJAN
Senior Planner