

[REDACTED]

From: Simon Davis
Sent: 24 June 2021 14:12
To: Daniel OShea [REDACTED]
Subject: Summer Lane Pagham - P/69/21/CLP

Dear Daniel,

I'm afraid that we have had our own legal advice that advises that the haul road is not capable of being permitted development and so we cannot grant the CLP. I am not able to share this advice with you but I have written the report up which refers to the reasons why this does not accord with the GPDO so once my report is reviewed, you will be able to see our reasons in full on the website. However, in brief, the issue is that Article 3(4) of the GPDO states that nothing in the Order shall permit development contrary to any condition imposed by any planning permission and we consider that there are conflicts with conditions 12, 13 & 16 from P/58/15/OUT and also 14 from P/70/19/RES.

I appreciate the reasons for the application are to improve the situation for local residents but I am afraid that if you wish to pursue this, you will need to apply for planning permission instead.

I believe we will be able to approve the CMP discharge of condition application (and so have recommended that this be discharged) but that will not bite unless you have the temporary haul road in place.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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