

[REDACTED]

From: paul collins [REDACTED]
Sent: 27 January 2022 17:28
To: Simon Davis <Simon.Davis@arun.gov.uk>

[REDACTED]

Subject: P/6/22/PL - Material change of use of 7.5 hectares of agricultural land to a public park -Land South Of Summer Lane Pagham

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 Davis

Please note the following arising from the Validation letter attached and other correspondence for the file.

Based on experience I know that you will either ignore and/or disagree with me but I want these matters recorded at the outset of your consideration of my application for future reference if required.

The Description of my application

The validation letter describes my application as being *Material change of use of 7.5 hectares of agricultural land to a public park comprising public allotments and open space. This application is a Departure from the Development Plan, affects a Public Right of Way and is in CIL Zone 5 (Zero Rated) as other development.*

And the Validation letter states that *On receipt of this letter, if you have any concerns about the way that the Council has described your application you should contact Mr S Davis, the case officer who is dealing with your application* and this e mail is that contact.

The Application is not a departure from the development plan as the proposal is in fact in accordance with all relevant and material development plan policies for all the reasons set out in my supporting statement and none of those responsible for validating my application are qualified nor able to make that assertion at this stage and you are not able to do so either because you have not yet begun to consider my application or the evidence I provide to support my version of the facts .

The proposals do not affect a public right of way as stated for the reasons stated on the submitted forms and in the supporting statement so see above.

The statutory publicity and consultation period

The validation letter states *Your application cannot be determined until the end of the statutory publicity and consultation periods which is 3rd March 2022.* This is incorrect as the statutory publicity and consultation period for these purposes expires on 18 February 2022 and not 3 March 2022.

Also I note that there are no statutory consultations required in order to determine this application.

The power to decline to determine the application under S70 A of the Act

Whilst I do not dispute that this power exists in this case I do and will dispute (if required) that Officers can reasonably conclude that this application is similar to P/I/21PL for these purposes (particularly as I have not claimed the fee exemption that would otherwise apply) for all those reasons set out in my supporting statement as guided by the relevant planning practice guidance quoted. However if Officers disagree then please do so quickly so that we can all stop wasting any more time on the application itself and I can then focus on seeking the appropriate legal advice with a view to challenging such a decision by way of the only route available which is by way of a JR

This is a valid planning application that should be determined by ADC on or before the expiry of the statutory determination period which is 13 weeks i.e. on or before 28/4/22) and I invite ADC Officers and/or Members to do so.

Please place this e mail and any response on the file.

Thankyou

Paul Collins BA (Hons) DipTP

