

From: Simon Davis
Sent: 12 February 2021 17:53
To: Planning Scanning
Subject: FW: P/1/21PL AND P/97/20 PL Summer Lane Pagham,

Application Correspondence – pls add to both P/1/21/PL AND P/97/20/PL

From: Simon Davis
Sent: 12 February 2021 17:51
To: paul collins [REDACTED]
Subject: RE: P/1/21PL AND P/97/20 PL Summer Lane Pagham,

Dear Paul,

Thank you for your prompt response.

You state that *“no doubt they (Shoosmiths) and/or you will ensure that this is passed on to all those with a notifiable interest in our application site”*.

I haven't had any advice from Shoosmiths as to whether they can pass on to the Notice to their client, Drew Smith but would assume this satisfies the requirement. However, can you confirm that you will be sending the Notice to the Langmead representatives and not that you are expecting Shoosmiths (who act for Drew Smith) or myself to do this.

I will speak with Neil Crowther next week and then I should be in a position to confirm how ADC intends to determine the application by the due date.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: paul collins [REDACTED]
Sent: 12 February 2021 16:24
To: Simon Davis <Simon.Davis@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Karl Roberts <Karl.Roberts@arun.gov.uk>; Nigel Lynn <Nigel.Lynn@arun.gov.uk>
Cc: [REDACTED] Cllr. James Walsh <[REDACTED]> Cllr. Martin Lury

[REDACTED] Cllr. Jamie Bennett <[REDACTED]> Cllr. David Huntley
>; Cllr. June Hamilton <[REDACTED]> 'Nicola Swann'
<[REDACTED]>

Subject: FW: P/1/21PL AND P/97/20 PL Summer Lane Pagham,

Dear Mr Davis

Thank you for your e mail below enclosing the letter from Shoosmiths LLP attached.

My clients and I are also keen to ensure that ADC makes a lawful decision in this case and any other application pertaining and we will also be watching carefully to ensure that they do.

The certificate C attached to the original application was correct because following an appropriate Land Registry Search and a search of the Councils records it was very unclear to us who did or did not own the application site or parts of it and there is, in any case, an ongoing dispute as to ownership and other interests relating to same. As to the non-service of the appropriate notice we can only assume that the problem there is the result of the poor quality postal service that we all have to endure in these times.

However the Land Registry title documents to which the letter author refers are attached and from these it is clear that Drew Smith Limited and the Langmead Family do not have a sole freehold interest in all of the application site as Arun District Council and others also have registered ownership interests and it would also seem to be unclear as to whether or not Drew Smith Limited have the sole freehold interest in all the land that is the subject of the OPP granted under ADC ref: P/58/15 OUT or indeed that under P/97/20 PL as they have previously claimed. You are also aware that the construction works being undertaken at the site by Drew Smith Limited are the subject of ongoing ombudsman complaint investigations under refs: 31437,32095 and a Corporate complaint investigation by Arun District Council under Ref: C20-217 so that whilst the progress of their alleged unauthorised works at the site and the further application they have made under ref: P/97/20 PL may be affected by those complaint investigations the progression of our application under P/1/21 PL is not.

Notwithstanding the foregoing and in the interests of clarity I now attach a completed certificate b and notice number 1 completed in accordance with the request made by Shoosmiths LLP and no doubt they and/or you will ensure that this is passed on to all those with a notifiable interest in our application site to ensure that no one can subsequently claim that they have been prejudiced by these uncertainties and a lawful decision can be made by ADC in respect of P/1/21 PL by the due date of 9/3/21.

As you know the making of a lawful decision or not is the responsibility of Arun District Council alone as unlawful decisions can be the subject of legal challenge by any party with an interest and not just part owners of the application site like Drew Smith Ltd.

In this regard I will be commenting separately with regard to the planning policy matters at paragraphs 10 – 27 of the Shoosmiths LLP letter as I am a Town Planner rather than a Solicitor so am better placed to comment on same. I am also instructed to maintain a watching brief in respect of this Application and will also be taking an interest in how this application is to be determined by Arun District Council.

In this regard I would be grateful if you could confirm how ADC does intend to determine the application by the due date of 9/3/21 by return

Please place this e mail trail and the attachments together with any responses on the files P/1/21 PL and P/97/20 PL

Thanks

Paul Collins BA (Hons) DipTP
[REDACTED]

From: Simon Davis [<mailto:Simon.Davis@arun.gov.uk>]
Sent: Friday, February 12, 2021 1:43 PM
To: paul collins [REDACTED]
Subject: P/4/21PL Summer Lane Pagham

Dear Mr Collins,

We have today received the attached objection to your application from (on behalf of) Drew Smith. I write to seek your comments in respect of paragraphs 4 to 9 of the letter in respect of land ownership matters. Please can you provide me with your comments on this matter so we can ensure that any decision that is made on the application is lawful.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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E: simon.davis@arun.gov.uk



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