
INTEROFFICE MEMORANDUM

TO: DR. IAN WHITEMAN
FROM: DAMIAN SULLIVAN
SUBJECT: WA/19/14/DOC SMUGGLER'S STEPS, WALBERTON
DATE: 23RD JUNE 2014

Dear Ian,

Mr. Rowley would like some additional direction on the agreed advice for production of the third sample panel please. His e-mail and the two points of interest have been set out below.

Many thanks and kind regards,

Damian

Damian Sullivan

Senior Planner.

Dear Mr. Sullivan,

Thank you for your email, which I shall consider in detail and respond next week.

Before I do so I would be grateful if you would please explain precisely what is meant by the expressions that the flints need to be

(a) tighter and

(b) more distinctly coursed.

I also need to instruct the contractor by how much the flint excessively protrudes so that he can adjust his future work accordingly, should we decide to go that route.

You will appreciate that we and the contractor are doing all we humanly can to meet the demands of someone who is unwilling either to visit the site or even speak to me over the telephone. As I have previously told you, when we applied to extend the property no such obstacle was put in our way.

Basic principles of openness and fair-dealing to a long-standing Walberton resident and council taxpayer (since January 1995) mean that we should be given a full and proper explanation of what the Adviser requires rather than being forced to engage in an extended process that appears to have all the hallmarks of a lottery, but without our knowing in advance what the rules are.

I therefore look forward to receiving a full and coherent explanation of what is meant by each of the above expressions, and details of the perceived excessive protrusions of the flints.

Yours sincerely,

Keith Rowley

INTEROFFICE MEMORANDUM

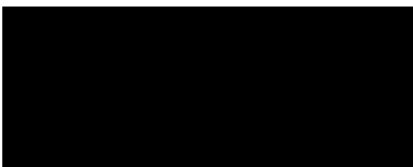
TO: DR. IAN WHITEMAN
FROM: DAMIAN SULLIVAN
SUBJECT: WA/19/14/DOC SMUGGLER'S STEPS, WALBERTON
DATE: 11TH JUNE 2014

Dear Ian,

Further to our e-mail exchange (set out below by way of a refresher), do you think that the sample panel is satisfactory given that the loose formation of bricks are found near the base of the wall? I think the owner has worked hard to achieve a good representation and whilst the bricks are not joined together, it does provide an idea about workmanship and the reclaimed nature of the work.

However, the decision obviously rests with you and Martyn and I would be grateful if you could give me a formal decision on the DOC so I can either approve or refuse it.

Kind Regards,


Damian Sullivan

Senior Planner.

Hi Ian,

I think that the sample panel is reflective of the lower half of the wall (please see attached) where the bricks are more sporadic in layout. The owner took on board your advice about the two half bricks and

18.VI.14
Dear Damian,

Further to discussions, I can confirm that the sample Aint panel does not meet the required standards to recommend discharge.

The Aints need to be tighter and more distinctly coursed.

Kind Regards

Ian

IAN WHITEMAN

HISTORIC BUILDINGS

ADVISER

CONFIRMED WITH IAN WHITEMAN THAT HE

IS SATISFIED THAT GUYMANS 3 & 5 CAN

BE DISCHARGED.

DAMIAN SULLIVAN 18/09/14

sample but probably concentrated on the lower half as didn't want to dominate the sample with bricks. I am happy if you are?

Thanks,

Damian.

From: Ian Wightman [REDACTED]

Sent: 12 June 2014 13:00

To: Damian Sullivan

Cc: Martyn White

Subject: RE: Smuggler's Steps, Walberton

Hi Damian,

Thanks for the photos. I am afraid the flints and bricks in the new panel appear to be floating and are not tight together as in the original wall. Do you agree?

Have re-attached two photos to demonstrate.

Thanks

Ian

URGENT MATTER !

INTEROFFICE MEMORANDUM

TO: DR. IAN WHITEMAN
FROM: DAMIAN SULLIVAN
SUBJECT: WA/19/14/DOC SMUGGLER'S STEPS, THE STREET,
WALBERTON
DATE: 27TH MAY 2014

Dear Ian,

Sample panel for the wall at Smuggler's Steps, The Street, Walberton

Perhaps we can have a brief chat about this when you arrive in the office.

I have agreed with Juan to extend the life of this application to secure a new sample panel so it can be expediently discharged due to the wall being very unstable.

Mr. Rowley accepts that the new sample panel should include flints of the type used in the existing panel but more randomly arranged. However, he asks about the bricks which vary widely in character and have been added to over the years as part of the process of patching up the wall as and when necessary. Mr. Rowley asks whether a typical one metre square section of the wall might include (i) a row of bricks, or (ii) some random part-bricks or (iii) no bricks at all. He makes the point that to include a row of bricks in the panel would be a wholly inaccurate representation of the present wall and, far from achieving a replica of the wall, would instead depart fundamentally from its existing appearance.

If you can provide some direction on this point it would be appreciated so a new sample panel can be produced and we can hopefully discharge the condition. Mr. Rowley said he is equally happy to talk this through on Tel:

Mr. Rowley wishes it to be known that the two larger areas of brickwork towards the northern end of the wall were added as recently as the early 1980s when the adjacent property, Little Croft, was constructed following demolition of, and on the site of, the old Walberton Village Hall. The height of the wall in

this area was raised at this time so as to offer privacy to what became the rear garden of Little Croft. These brick areas are by no stretch of the imagination part of the original flint wall. This would be readily apparent from an onsite inspection but may not be so obvious from a photograph.

In respect to Condition 5, the heights of the wall are included at the bottom of the photograph (I didn't see these!) and the additional requested photographs are not part of the requirements of the Statement of Detail as stated in the condition so not sure we can request these? If you are satisfied with this reasoning, perhaps Condition 5 can be discharged?

Many thanks and kind regards,

Damian.

Damian Sullivan

Senior Planner.

Damian Sullivan

From: Keith Rowley QC <[REDACTED]>
Sent: 27 May 2014 13:07
To: Damian Sullivan
Subject: RE: WA/19/14/DOC

Dear Ian,
FYI.

Dear Mr. Sullivan,

Thank you for your email, the first paragraph of which was welcome news; it is plainly in everybody's interests to resolve this matter as soon as possible.

I should add that the contractor and I scrutinised the wall very carefully together on Sunday morning and, in the hope that it may clarify matters as respects the possible inclusion of bricks in the panel, the current appearance of the wall is as follows.

- (a) The only substantial areas of brickwork are those which were added in the 1980s using modern (and not particularly attractive) red bricks, when the wall was raised towards its northern end to afford some privacy to the garden of the newly constructed neighbouring property, Little Croft (please see my email below about this). Far from adding to the character of the wall, these areas of modern brickwork positively detract from it, as a site inspection would immediately reveal.
- (b) There is a narrow single course of thin red bricks at the top of the flint work, immediately below the coping stones. The coping stones will be salvaged and reused (please see paragraph 5 of the submitted statement of detail), and it has always been our intention to reproduce this single course in the rebuilt wall.
- (c) The above apart, there are just a very few random pieces of brick that have been inserted as part of the patching up of the wall.
- (d) Large areas of the wall in excess of 1 metre square contain no brick at all and a panel without bricks would be a faithful depiction of those original areas.

I hope the above assists the Adviser in better understanding the position and why including any bricks in the sample panel would not achieve a faithful reproduction of the wall as it presently is. At the risk of repeating myself, photographs are really not an adequate substitute for inspecting the wall itself.

As to your second paragraph, I have to confess that I am a little concerned by its contents, as I had understood that you and I had reached an agreed position on condition 5 when we spoke last week.

Just to rehearse the recent history:

- Permission was granted on 17 January 2014.
- I had a very helpful and informative conversation with your colleague, Mr. Cronin, on 5 March 2014 in which he explained precisely what needed to be done in order to comply with conditions 4 (sample panel) and 5 (statement of detail).
- As regards condition 5, Mr. Cronin certainly did not say that either photographs or a measured drawing were required under condition 5, nor is either mentioned in condition 5. I have a manuscript note of Mr. Cronin's very clear explanation of that condition which I made as we spoke.
- The material I submitted on 7 April 2014 accorded exactly with what Mr. Cronin said was required under condition 5 and does, as you agreed when we spoke, include details of the precise heights of the wall at its different points.
- Without wishing to be argumentative, it is now 27 May 2014, more than seven weeks after submission of the application. The material I provided on 7 April 2014 was submitted in good faith and in reliance on what I was told by Mr. Cronin. I emphasise that I am not intending in any way to criticise Mr. Cronin: what he told me to do reflected the terms of condition 5 which, however, now appear to be being either expanded or over-looked altogether.

With respect, it is not permissible now to seek retrospectively to include in condition 5 requirements for either photographs or a measured drawing which do not form a part of that condition. If either was required, the condition would clearly have said so.

- Finally, I note from Section 8 of the Application form which I submitted on 7 April 2014 that the application would have been deemed to be invalid if I had failed to submit all the information that was required. As you told me last week that the application was validated on 8 April 2014, I conclude that this can only mean that all information required was submitted, including information required under condition 5, otherwise the application would not have been validated as it was. The information required under condition 5 did not either photographs or a measured drawing.

Again and at the risk of repeating myself once more, if the Adviser is still unwilling to undertake a site inspection (and I would be happy to meet him on site if he wished, though I would need a little notice as I live and work in London during the week), then I do feel a conversation between him and me tomorrow would be very valuable.

Thank you for your continued assistance.

Yours sincerely,

Keith Rowley

From: Damian Sullivan [REDACTED]
Sent: 27 May 2014 11:13
To: Keith Rowley QC
Subject: RE: WA/19/14/DOC

Dear Mr. Rowley,

I have spoken to my Team Leader about extending the life of the application given extenuating circumstances. It has been agreed that once Dr. Whiteman provides further direction tomorrow, two further weeks will be allowed to produce the sample panel. A further week will be added to re-consult Dr. Whiteman meaning that a decision will be issued either way on 18th June. I trust that this is an equitable solution in the interests of both parties due to our need (which has changed since 1997) to determine applications quickly.

I will speak with Dr. Whiteman tomorrow about the sample panel and relay the information to you. I will extend your invitation for him to call you before 2.30pm should he prefer this. I will also discuss the requirements of Condition 5 with him and again contact you regarding this matter.

Yours Sincerely,
Damian Sullivan

Planning Department
Arun District Council.

From: Keith Rowley QC [REDACTED]
Sent: 23 May 2014 07:56
To: Damian Sullivan
Subject: WA/19/14/DOC

Dear Mr. Sullivan,

Thank you very much for your time on Wednesday afternoon.

If I spoke somewhat forcefully then I hope you will excuse me, but we are thoroughly exasperated by the whole process, as also our are retired elderly neighbours, Mr. and Mrs. Tooth, into whose property the wall will collapse if it gives way.

Just to recap the points we discussed, if I may (and adopting the numbering in our previous emails):