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From: paul collins

Sent: 21 November 2021 12:34

To: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Michael Eastham
<Michael.Eastham@arun.gov.uk>

Subject: Fontwell Strategic Allocation Local Plan policy H SP2c (SD6), and applications WA/22/15/OUT,WA/1/19/PL,,WA/48/19/RES, BN/57/19/RES, BN/18/21/RES', WA/63/21/PL

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Dear All

I act for no one in this matter.

This is yet another pigs breakfast due to a complete failure by ADC officers under the management of the Group Head of Planning and the Director of Place to follow the law and/or relevant PPG when discharging their DM responsibilities. Therefore my e mail should be read alongside the others I have and will be sending in respect of major developments where similar issues are arising for the same reasons all over the district, Hence my circulation to all ADC Members of the ADC Planning Committee to whom Messrs Crowther and Roberts report and are responsible.

This case and the Officers involvement and errors in it (for which Messrs Roberts and Crowther are ultimately responsible/accountable) puts me in mind of those people that insist of trying to put together a complicated flat pack without properly reading and/or ignoring the clear instructions provided and then wonder why the resulting article of furniture collapses in a big heap the moment that any weight is applied.

The OPP granted on appeal by the Secretary of State under WA/22/15 OUT following a lengthy and expensive Inquiry provided a clear set of instructions but these have not been followed by ADC Officers or the developers and it has not, as a result, been and cannot now be lawfully implemented.

The Reserved Matters applications submitted under ,WA/48/19/RES and BN/57/19 RES were not lawfully made, considered and/or determined by ADC and the time limit for submitting reserved matter applications expired on 23/2/21.The reserved matter application made under ADC Ref: BN/18/21/RES was not lawfully made, considered and/or determined by ADC (it did not match the OPP granted, was validated as a reserved matter application on 9/3/21 outside of the time limit for the submission of such applications and was approved conditionally on 28/10/21 with unlawful and therefore unenforceable conditions) so that the OPP granted has now expired without lawful implementation and any development allegedly pursuant to that OPP now taking place on the site is unauthorised and does not benefit from that planning permission or the conditions to which it was subject,

The current application made under ADC Ref: WA/63/21/PL purports to be for a *Proposed alternative vehicular accesses off Tye Lane and emergency access off Avisford Park Road, along with minor highway works following WA/95/18/RES (resubmission following WA/93/20/PL)*. but is in reality and fact an application to regularise retrospectively the unauthorised development of this site with Housing that has been taking place and should be treated as such. Treated in this way ADC is entitled to reconsider the principle of developing the site afresh and may refuse or approve such a retrospective application in the light of current material considerations unfettered by the terms of the original OPP and may choose to replace the unimplemented OPP with a new one with conditions that can be enforced going forwards and/or give proper consideration to using the available enforcement powers to remedy the ongoing breaches of planning control taking place. (see also my e mail re WA/44/17 OUT)

Frankly all of this could have been avoided if only Messrs Crowther and Roberts had done their jobs properly and ensured that the correct DM law, procedures and practice had been followed from the outset of this debacle.

Please place this e mail on the relevant files and ensure that it is treated as being a representation duly made in respect of the current application WA/63/21 PL and all recipients have my permission to circulate and use my e mail as they see fit

Thank you

Paul Collins BA (Hons) DipTP Independent Town Planner (Retired)