

From: Fiona Fitzgerald
Sent: 23 November 2018 13:39
To: 'Simon Grubb'; Planning.Responses
Cc: Michael Eastham; Colin Giddings
Subject: FW: Land east of Tye Lane - AQ

Dear Simon,

I have now had time to read through the documentation on this.

In my opinion the condition is very clear that an Air Quality Assessment must be submitted and approved in writing by the LPA. This was a condition placed on the Outline planning permission (WA/44/17/OUT) and needs to be complied with.

We look forward to receiving the Air Quality Assessment in due course.

Regards

Fiona

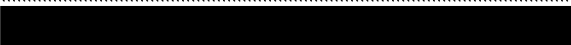
From: Fiona Fitzgerald
Sent: 21 November 2018 10:17
To: 'Simon Grubb'
Subject: RE: Land east of Tye Lane - AQ

Hi Simon,

Sorry for not replying, I am up to my neck in a prosecution case. However I am hopeful that I will get the final bits off to legal tomorrow, so I will should get to this one on Friday. I'm sorry for the radio silence though, I know it's frustrating when you're waiting for someone to get back to you.

Regards

Fiona

From: Simon Grubb 
Sent: 21 November 2018 10:05
To: Fiona Fitzgerald
Cc: Colin Giddings
Subject: Re: Land east of Tye Lane - AQ

Hi Fiona,

Sorry to chase so soon. However, I was just wondering when you would be able to come back to me on this?

I am available upon the mobile should you wish to discuss.

Kindest regards,
Simon

----- Original Message -----

From: "Simon Grubb"

To: "Fiona Fitzgerald"

Sent: 16/11/2018 11:07:52

Subject: Re: Land east of Tye Lane - AQ

Dear Fiona,

As you might be aware from a few emails over the last few weeks which your colleague Colin Giddings CC'ed you into I have been tasked with looking at the air quality element of planning condition no.23 (Ref: WA/44/17/OUT):

"No development shall begin until an Air Quality Assessment and a Noise Impact Assessment have been submitted and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved schemes and any subsequent amendments shall be approved in writing by the Local Planning Authority."

I initially spoke to Colin to ascertain what level of assessment he would expect to see to discharge the air quality element of the planning condition, as I had concerns over the condition. These concerns relate to the appropriateness of requesting for an air quality assessment for an already approved planning application, as the principal of the development has been agreed, and this should have been considered during the initial planning process. A review of the EPUK & IAQM (2017) *Land-use Planning & Development Control: Planning for Air Quality* guidance also confirms this:

"Outline applications may be approved subject to reserved matters. In some circumstances conditions or the reserved matters require an air quality assessment prior to commencement of site works or occupation/use of a development. This is not good practice as it is unlikely that major changes will take place to mitigate any impacts at this late stage in the design of a new development."

I assume this wasn't requested during the initial planning process as no Air Quality Management Area's are declared within Arun, which indicates no exceedances of the air quality objectives, and therefore no existing residential receptors are being adversely impacted by air quality?

Further to above, the location of the development and size it is not anticipated that the development would adversely impact the current air quality concentrations and a full assessment wouldn't be of benefit as the scheme itself could not be changed due to its approval.

On this basis, could the air quality element of planning condition be remove / discharged?

Kind regards,

Simon Grubb

Director

Lombard House, Great Charles Street, Birmingham, B3 3LG

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----- Original Message -----

From: "Colin Giddings" <[REDACTED]>
To: "Simon Grubb" <[REDACTED]>
Cc: "Fiona Fitzgerald" <[REDACTED]>
Sent: 16/11/2018 10:01:20
Subject: RE: Land east of Tye Lane - AQ

Hi again Simon,

Thanks for getting back on this. In view of your comments I have checked the history of the site this end and note that the AQ concerns were raised at the time of the initial application: WA/44/17/OUT in correspondence dated 18 August 2017. In fact it was my colleague Fiona who dealt with this matter at the time (you may already be in touch regarding the noise side of things?) and it may be best if your comments below are put to her for agreement. I am happy that she is able to revise, amend or otherwise my own observations if necessary.

Kind regards,
Colin

Normally working Thursdays, Fridays and alternate Wednesdays

Colin Giddings | Snr. Environmental Health Officer, [Arun District Council](#) | Location: Third Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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Visit Arun's web site at www.arun.gov.uk/eh



Save the environment - think before you print.

From: Simon Grubb <[REDACTED]>
Sent: 16 November 2018 09:33
To: Colin Giddings
Subject: Re: Land east of Tye Lane - AQ

Dear Colin,

Thanks for getting back to me a few weeks ago.

I tried to give you a call regarding this yesterday, but I just got your answerphone (I appreciate you are probably busy) . I have given this planning condition some further thought, and I am not convinced that

the air quality assessment of the condition it is appropriate for the already approved planning application, as the principal of the development has been agreed, and this should have been considered during the initial planning process. A review of the EPUK & IAQM (2017) *Land-use Planning & Development Control: Planning for Air Quality* guidance also confirms this:

"Outline applications may be approved subject to reserved matters. In some circumstances conditions or the reserved matters require an air quality assessment prior to commencement of site works or occupation/use of a development. This is not good practice as it is unlikely that major changes will take place to mitigate any impacts at this late stage in the design of a new development."

I assume this wasn't requested during the initial planning process as no Air Quality Management Area's are declared within Arun, which indicates no exceedances of the air quality objectives, and therefore no existing residential receptors are being adversely impacted by air quality?

Further to above, the location of the development and size it is not anticipated that the development would adversely impact the current air quality concentrations and a full assessment wouldn't be of benefit as the scheme itself could not be changed due to its approval.

If I was to provide a note to this effect would it be enough to remove / discharge this element of the planning condition?

Kind regards,

Simon Grubb



Director

Lombard House, Great Charles Street, Birmingham, B3 3LG

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----- Original Message -----

From: "Colin Giddings" [REDACTED]

To: "'Simon Grubb'" [REDACTED]

Sent: 02/11/2018 15:52:12

Subject: Land east of Tye Lane - AQ

Dear Simon,

with regard to planning condition 23: *No development shall begin until an Air Quality Assessment and a Noise Impact Assessment have been submitted and approved in writing by the Local Planning Authority. Thereafter, the*

development shall be carried out in accordance with the approved schemes and any subsequent amendments shall be approved in writing by the Local Planning Authority.

Although no AQMAs have been declared in Arun, the most recent government publications highlight the concerns relating to health impacts of PM10s and, in particular, PM2.5s at any exposure level. The impacts of NOx pollution have also been re-assessed and recognised as having wider significance, particularly among the vulnerable (e.g. young children, the elderly and those with pre-existing conditions such as asthma and COPD).

The Sussex Air 2013 guidance is currently being revised and updated. With this and the above in mind I suggest an AQ Assessment using the IAQM 2017 guidance with mitigation measures reflecting the most recent research. I would expect to see proposals to maximise electric vehicle charging provision as a minimum.

Kind regards, Colin

Normally working Thursdays, Fridays and alternate Wednesdays

Colin Giddings | Snr. Environmental Health Officer, [Arun District Council](#) | Location: Third Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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