

From: Richard Temple
Sent: 09 January 2018 15:42
To: Planning.Responses
Subject: FW: Wandleys Lane WA/73/17/OUT

Please scan as email from Group Head of Planning to agent. Please also scan attachments.

Thank you

Richard Temple | Senior Planning Officer, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Neil Crowther
Sent: 09 January 2018 12:45
To: Huw James [REDACTED]
Cc: Juan Baeza; Richard Temple
Subject: Wandleys Lane

Mr James

Land East of Wandleys Lane, Fontwell – WA/73/17/OUT

I write in response to your letter dated 20 December 2017.

I am obviously not aware of the specific details of the discussion that you had with Mr Baeza following the pre-app advice the Council issued in August 2017. As the officer who provided that pre-application advice and, as the Team Leader who will have to agree any officer report, I aware that he has now spoken to you to discuss the Council's pre-app response and the current application.

I understand that you are seeking to respond to the comments of West Sussex County Council and have requested an extension of time up to 29 January 2018. Mr Temple has agreed to this. My only comment would be that this does not leave very much time at all to get your response re-submitted and for WSCC to comment on these details.

The approach of the whole of the department is that, where a pre-app has been submitted and there has been a meeting and that pre-app advice has not been followed, that the application will be determined as submitted without any further meetings. I am aware that in this instance the pre-application response was very negative. As I'm sure you are aware, the Council is under strict performance criteria and applicants are encouraged to front-load addressing issues. I am entirely satisfied that the Council are justified in following such an approach.

I will not comment on the merits of the proposals and the matters you have raised in your letter as I do not have sufficient knowledge of the application proposals, the submission details or the advice of consultees or the planning officer.

Regards, Neil

Neil Crowther | Group Head of Planning, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Neil Crowther
Sent: 14 December 2017 14:40
To: Huw James [REDACTED]
Cc: Richard Temple; Juan Baeza
Subject: Walberton App

Huw,

You have left me a couple of voicemails.

I'm not sure what you want to talk about on this application and you haven't said. Also, at this stage I've not had a conversation with either the officer or his team lead leader.

Please can you direct any queries you have to them in the first instance and matters that cannot be addressed through those channels, I may get involved in. However, I cannot start to get involved in individual applications at the request of applicants as I have too much other work to be doing. Therefore, please contact Richard and Juan to progress matters.

Regards, Neil

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From: Huw James [REDACTED]
Sent: 20 December 2017 18:31
To: Karl Roberts; Neil Crowther
Cc: Ben Daines; Juan Baeza; Richard Temple; Alice Brighton
[REDACTED]
Subject: WA/73/17/OUT: Land East of Wandleys Lane, Fontwell
Attachments: P1393i Land East of Wandleys Lane Fontwell WA7317OUT 201217.pdf
Importance: High

Dear Mr Roberts,

Please find a letter submitted on behalf of Welbeck Strategic Land II LLP, the applicants of the above application.

We await hearing from you.

Kind Regards

Huw James MRTPI
Director

ECE Planning

Wishing you, your family & friends a very Merry Christmas and a Happy & Prosperous New Year.

Our offices will be closed from 1pm on Friday 22nd December until Tuesday 02 January. The office will also be closed on Thursday 04 January for our annual staff meeting. As previous years we are not sending cards but instead will continue to support The Chestnut Tree, a children's hospice in Sussex.



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Karl Roberts
Director of Place
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

20 December 2017
Ref: BD/Let/P1393i

Dear Mr Roberts

Land East of Wandleys Lane, Fontwell – WA/73/17/OUT

Outline Planning with some matters reserved for up to 157 No. residential dwellings including 30% affordable

We write on behalf of our clients, Welbeck Strategic land II LLP (“the Applicants”), Regrettably, we are obliged to raise significant concerns in relation to performance and service from the Council’s Officers in the handling of the above planning application.

A summary of actions and progress to date is set out below for context. On behalf of the Applicants we submitted a Pre Application enquiry on 16 May 2017 regarding a development of 170 homes on this site. A written response was received (PAA/114/17) on 12 July 2017 from Neil Crowther (Group Head of Planning) which addressed a number of matters including concerns regarding the sustainability of the site in relation to the suitability of Wandleys Lane for pedestrians and cyclists.

In line with Council preference and following receipt of this response, the professional team then met with Juan Baeza (Area Team Leader) on 8 August 2017 to discuss the proposal in more detail. It was explained that the Applicants were proposing to widen Wandleys Lane outside the site access to 6 metres and provide a 1.8 metre wide footpath as well as provide a cycle/pedestrian access adjacent to the adjacent Dandara site (WA/22/15/OUT). Mr Baeza acknowledged the change in context and considered that this was ‘moving in the right direction’. The Applicants moved forward on the basis that the Council’s sustainability concerns could be overcome through appropriate mitigation and the recognition of the change in context. These discussions are reflected in the minutes of this pre-application meeting sent to Mr Baeza for comment/agreement shortly after the meeting.

Directors

Chris Barker MATP MRTPI Managing Director
Huw James MRTPI
Adam King RIBA

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The Applicants also worked extensively with West Sussex County Council prior to submission of the planning application to ensure that the County had no concerns regarding the safety of road users on Wandleys Lane (confirmed by West Sussex's consultation response of 11 August 2017).

The outline planning application (with the layout reduced to 157 homes) was submitted on 9 October 2017 with a determination date of 8 January 2018. Following expiry of the consultation period in November 2017, my colleague, Ben Daines, contacted the named Case Officer Mr Michael Eastham whereupon Mr Eastham informed Mr Daines that he was no longer the case officer and that the application had been passed to Mr Baeza and then to Mr Richard Temple. Mr Daines then phoned Mr Temple on 22 November who informed him that he was in no position to discuss the application at this stage as it had only just been passed to him, more than 6 weeks after it had been validated.

Mr Daines emailed Mr Temple on 23 November requesting a meeting as soon as possible to discuss the planning application. Mr Temple declined a meeting in a return email on 23 November but stated that a meeting might be beneficial once he had chance to fully assess the application.

On 13 December 2017, Mr Daines sent an email to Mr Temple to understand whether the planning application would be taken to the Planning Committee in January 2018. Mr Temple responded by stating that the planning application would not be heard at the January Committee as it was very likely to be refused under delegated powers on 'sustainability' grounds. He commented: *'no amount of negotiation at this stage will change our stance on the development's acceptability. This view is supported by my Team Leader and Group Head of Planning.'*

This response from Mr Temple was extremely disappointing given the relatively positive tenor of the Pre Application meeting and the proactive attempts by the applicant team to engage with Officers. It followed a number of requests to various Officers to discuss and receive feedback including the 13 December request to meet to discuss the merits of the planning application and any matters arising. Multiple phone messages have been left since 13 December for Mr Temple, Mr Baeza and also Mr Neil Crowther but these have not been returned. Furthermore, no substantive email responses with meaningful feedback, discussion of the application or addressing any clear reason for refusal have been provided to justify the Council's position.

Nevertheless, we managed to speak to Mr Baeza on 18th December who indicated that the main sustainability concern regarding the site was the safety of pedestrians and cyclists on Wandleys Lane. This issue has been addressed however through the following measures:

- The provision of a new 1.8m wide footway from the site access to the junction to the junction with Walberton Lane to encourage pedestrian movements from the site;

- The provision of a cycle/pedestrian access at the application site, directly opposite the cycle/pedestrian access proposed at the adjacent Dandara site, to encourage pedestrian and cycle movements from the application site to and through the Dandara site. It should be noted that the approved Dandara development will improve the sustainability of the application site as it will provide A class uses as well as new employment floorspace;
- Significant contributions to public transport services in the area.

With regard to that part of Wandleys Lane south of the site access, no mitigation measures are currently proposed as the majority of traffic from the site will travel north and any increase in traffic travelling along the southern section of Wandleys Lane will be barely perceptible, resulting in 1 additional vehicle every 2 minutes as confirmed by transport consultants PBA. West Sussex County Council as the highway authority has no stated concerns regarding safety.

In terms of the general sustainability of the site it is immediately adjacent to the proposed Dandara site allocation (site SD6) which has recently been granted planning permission via the Secretary of State for 400 homes, employment and A class development (WA/22/15/OUT). The sustainability of the location was accepted as common ground in the Secretary of State's decision letter of 13 July 2017 and the emerging Arun Local Plan describes Fontwell as a 'large sustainable inland village' which clearly suggests that it is an appropriate location for housing growth.

Therefore, in light of the above, the development is in a sustainable location as supported by the emerging Arun Local Plan and the Secretary of State. There is no evidence to demonstrate that the proposed development will have an unacceptable impact on the safety of pedestrians and cyclists using Wandleys Lane. Should safety concerns still persist however, we are willing to consider further measures along Wandleys Lane that may alleviate such concerns.

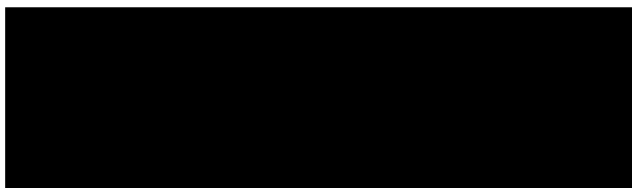
At the heart of our complaint is the denial of any opportunity for the Applicants to engage with Officers over the merits of the case or to address any technical or environmental issues. Insofar that there has been "feedback" it is apparent that any concerns of the Council can be clearly met through existing or additional supporting information and appropriate mitigation. In terms of service it is unacceptable for Officers neither to return phone calls nor to provide substantive written correspondence. Indeed, the approach taken by the Council to this planning application, to date, is clearly far from the positive, proactive approach required by paragraph 187 of The Framework.

Accordingly, we need to meet urgently with you and your Officers to discuss progress and the merits of the case. It is unacceptable having gone through an open Pre Application and planning application process (involving payment of significant fees to the Council) for the Applicants to be dealt with as they have been to date. They need the opportunity to review and discuss the Council's concerns and also to seek to address any outstanding technical matters prior to determination. Should an Appeal be necessary it would be beneficial for both parties to seek agree on outstanding matters.

We await hearing from you.

Yours sincerely

ECE Planning



Huw James MRTPI
Director