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From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 15 February 2021 19:08
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: WA/93/20/PL

Please upload onto Ocella the email below which is a letter of objection to **WA/93/20/PL**.

Thanks,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: **michael.eastham@arun.gov.uk**

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From: Michael Davis [REDACTED]
Sent: 15 February 2021 11:25
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: WA/93/20/PL

Dear Mr Eastham

I wish to upload the following comments to WA/PL/20/PL but the planning portal is rejecting them as over length. Please would you upload them manually as an Objection.

The character count seems fine. If there is something I am doing wrong in trying to use the online submission form, please let me know what it is.

With thanks

Dr Mike Davis
The Street, Walberton BN18 0PJ

This Addendum includes further comments to those I submitted on 12.01.21 (OWPC32785). It also serves as a record of correspondence with West Sussex County Highways Authority (CHA) between 21.12.20 and 10.02.21.

The application omits important pre-application advice given by CHA on 19.11.20. CHA advised the applicant and case officer that it would demand a condition to be included on the permission that it would only be implemented if Grey were to proceed.

This advice is not disclosed on the Application Form or in the Planning Statement and Transport Assessment Addendum.

The advice was given verbally. Contrary to Part 5 Section 3 para 6.2 of the WSCC Constitution, the CHA did not keep a written note. However, the CHA has since confirmed in writing that a) the advice was given and b) the condition will be included in any final recommendation submitted by CHA to Arun DC.

In consequence, whereas the CHA, Arun DC and applicant have since November 2020 enjoyed a common understanding that permission may be sought and may be granted on a conditional basis, this information has not been disclosed to the public. Furthermore, the condition is not mentioned in the CHA's initial response dated 5 January 2021 so is undiscoverable from the documents on Arun DC's planning portal.

The condition is a material feature of the pre-application advice and hence of the application itself. Regrettably, the level of information provided is in marked contrast with the detailed disclosure of pre-application advice made in the original application (WA/44/17/OUT, Transport Assessment, Appendix C). This is despite the present situation being more complex and subject to probable and significant change. As statutory consultees to the A27 Arundel Bypass, both planning authorities may also now or in the future be party to relevant information not in the public domain and both authorities may also be in a position to influence the preliminary design of the preferred route.

I therefore object to:

- a) the withholding of key pre-application advice from the public
- b) the underlying principle of planning consent being granted on a conditional basis before it is needed or before relevant facts about the preliminary design are made public
- c) the potential for conflicts of interest to arise unless better avoided by deferring the application to later

The applicant does not require permission for alternate access at the present time and should not need it in the future. If Highways England meets its commitment to "maintain access to Avisford Grange during construction and upon completion of the scheme" (Director of Major Projects to Arun DC, 3 December 2020), access via the southern end of Tye Lane or any other village thoroughfare is completely unnecessary. The accepted responsibility is therefore with Highways England to maintain access when it has finalised the route alignment, not with the developer to preemptively find an inferior alternative that previously it did not ask for.

Under these circumstances, the condition amounts to an insurance policy for the applicant should Highways England fail to meet the assurances it has given. The condition also appears to offer Highways England a low or no cost fall back position from its assurance to maintain site access. This may influence its choice of the final route alignment.

The CHA condition would also offer the applicant the certainty of a future method of site access that has been rejected for an adjacent development on the opposite side of Tye Lane (WA/68/20/OUT). On this basis, the condition appears fundamentally flawed.

Furthermore, at the time of writing, the Road Investment Strategy as a whole is subject to challenge. As a committed scheme within RIS2, the A27 Arundel Bypass may itself become subject to delay or modification.

For all these reasons, conditional permission is not justified and the application should be withdrawn or refused. The applicant should wait to see what happens and only re-submit an application if and when the Secretary of State has issued a decision on the A27 Arundel Bypass demanding that alternate access be found. Until then, use of the current site access will be unimpeded, the need for any alternate access is a conjecture and any application made or permission granted will be premature.