

From: Peter Youatt [REDACTED]
Sent: 12 May 2021 14:50
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Re: Planning Consultation on: WA/93/20/PL

Dear Mr Eastham,

I refer to your email below in which you informed me that an amendment had been lodged and invited further comments.

My previous comments (referenced - OWPC32952) apply equally to the amended application but I would also make a further point:

This is an application for 'Alternative' access. Alternative means one of two mutually exclusive things; it does not mean the same as 'additional'. West Sussex County Council, for example, acknowledged this when in their Consultation document dated 29.04.21. (posted by ADC on 04.05.21.), commenting on the inaccuracy of the baseline data used, they stated '*As the planning application would only be implemented should the Arundel Bypass be approved...*'

If therefore ADC were to grant permission on this application prior to a decision enabling the construction of the Arundel Bypass on a final route that would totally prevent the use of the existing access to this site from Yapton Lane (which at the moment HE have indicated they will maintain) it would be necessary for ADC to seek to impose 'Grampian' type conditions (presumably following the Neighbourhood Planning Act 2017 with the consent of the applicant?) in an attempt to prevent the implementation of the permission prematurely or for an 'additional' access. Such conditions could it seems, notwithstanding the applicant's agreement, be open to later challenge should they be considered unreasonable or unenforceable and therefore an 'additional' access might be constructed without that in Yapton Lane being closed.

The NPPF, states in paragraph 55:

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. [my underlining]

The eventual route of any Arundel bypass has not yet been approved. With the need for governmental financial prudence following the pandemic and the change in government emphasis following the recent elections perhaps it never will be. The presently, so called, 'preferred' route (or indeed the whole scheme) may be rejected as 'not value for money' which it clearly is not. The developer went ahead and started this development before it needed to. It could have

awaited the settling of the route of any Arundel Bypass. There is therefore no justification for a permission with conditions at this time and to grant it would be contrary to the NPPF and this application should simply be refused.

Yours sincerely,

Peter Youatt

Lansdown House

Walberton

Arundel

BN18 0PG



On 5 Apr 2021, at 12:19, planning.responses@arun.gov.uk wrote:

To: **Peter Youatt**

NOTIFICATION FROM ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Application No:	WA/93/20/PL
Registered:	30th March 2021
Site Address:	Land East of Tye Lane Walberton BN18 0LU
Grid Reference:	497404 106234
Category:	Plan Applicat'n
Description of Works:	Alternative vehicular access off Tye Lane & emergency access off Avisford Park Road, along with minor highway works following WA/95/18/RES. This site is in CIL Zone 2 (Zero Rated) as other development.

I am able to inform you that I have received an amendment to the above application dated 5th April 2021 relating to:- amended Location plan and additional plans

[Click here to view the plans and documents](#)

If you should wish to make further representations as a result of this amendment you should click the link below and then click on 'Enter comment'.

[Click here to make further comments](#)

Please make any further comment by **14th May 2021**.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments including your name and address on the website. We will aim to redact signatures, telephone numbers and email addresses but please help us by not incorporating them in the body of your text. Please make sure that you only include information that you are happy will be published in this way. If you supply information belonging to a third party, you must make sure you have their permission to do so.

Yours sincerely

Michael Eastham

Planning Case Officer- Arun District Council

Telephone: 01903 737772

Email: michael.eastham@arun.gov.uk

PLPECCN (ODD) 2018

<http://www.arun.gov.uk>

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.
