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From: paul collins[redacted]
Sent: 21 November 2021 15:12
To: Karl Roberts <Karl.Roberts@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>

[redacted]

Subject: Yapton SD8 and Y/92/17/OUT. Y/49/21/RES and as yet undecided applications ,Y/141/21/PL,Y/153/21/DOC and Y/156/21/DOC, :

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Dear All

I act for no one in this matter but for what it is worth I support this allocation and wish to see it successfully implemented but my concern is that based on the minutes at Agenda 4 on the agenda for Planning Committee on 24 November 2021 it has the potential to become the pigs breakfast that all other Strategic allocations in the western part of Arun District are becoming or have become as a result of the failings of Officers.

For your files and the record the facts are :

Y/92/17 OUT was an Outline Planning permission with all matters except access reserved for later approval. It was submitted/validated on 20-12-17 and OPP was finally granted by ADC subject to numerous conditions and a S106 Agreement some 17 months later on 31-05-19 and an application or applications for reserved matters had to be made by no later than 31/5/2021 or the OPP would expire.

An application for the reserved matters was made on 19/4/21 (within the statutory deadline for same) under ref: Y/49/21 RES but on inspection of same and reading the minutes I note that it does not appear to have been a legally valid application for reserved matters because it did not match the terms of the OPP its , conditions or the S106 Agreement and also included reference to matters other than those which had been reserved at outline stage which could not be considered by ADC.

Furthermore these problems were compounded when ADC granted approval to the reserved matters application subject to conditions which do not relate to those reserved matters and are therefore unlawful and unenforceable.

Therefore for the avoidance of any doubt the resulting bottom line is this. The site benefits from an OPP but the time limit for submitting reserved matters applications has now expired so that no further reserved matter applications may be submitted . The reserved matter approval granted is not a planning permission and it is subject to unlawful and unenforceable conditions and the development of the site with 300 houses may only lawfully commence in accordance with the OPP and its conditions and the S106 and a lawful Reserved matters approval. Therefore if the developer wishes to lawfully implement their obviously changed proposals for the development of the site they would be well advised to make a fresh detailed planning application for same and seek a deed of variation to the S106 Agreement accordingly.In my view this is the only way in which ADC can prevent this suitable site for major and much needed housing development becoming the same debacle that so many others in the district have or are in danger of becoming.

All of what I say in this regard is supported by the relevant legislation and PPG so I am at a complete loss to understand why it is that ADC Officers choose to advise the Committee differently.

Thank you for reading this representation and please it and any response given on the relevant files and please take this e mail as my consent for any recipient tocirculate and/or use its contents as they see fit.

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

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