

[REDACTED]

From: Simon Davis
Sent: 20 August 2019 12:21
To: Planning Scanning
Subject: FW: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

[REDACTED]

From: Simon Davis
Sent: 20 August 2019 12:21
To: James Hutchison [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

Sorry for the delay in replying. As previously stated, I had a lot to do last week. In order to achieve those targets, I had to avoid emails for a week.

I am sorry but I have given this matter more thought and I am unable to work on the report this week as it is unfair on other applicants who have been waiting far longer than yourself. I will instead be passing this application to a colleague who will work on it in September under agreed overtime arrangements.

I have also now received the advice of our Barrister regarding the issue of the access. I am not able to share this opinion with you but the conclusion is that unless it is argued that the new design of the access is a part of the "Layout" then the Council is not being asked to consider or make a decision in relation to the access and that the Council is able to determine the RMA without approving the block plan and, therefore, amending the OP in relation to the Access. It is therefore, our proposal to make it clear in the plans condition that although the block plan is approved it is only approved insofar as it relates to the reserved matters (so not the amended access).

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Please note that I typically work from home on Thursdays when I am unreachable on my work phone

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From: James Hutchison <[REDACTED]>
Sent: 16 August 2019 10:56
To: Simon Davis <[REDACTED]>
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear Simon,

Please can I have a response to this e-mail?

Kind Regards,

James

James Hutchison MRTPI
Planning Director

E-Mail:

Tel:

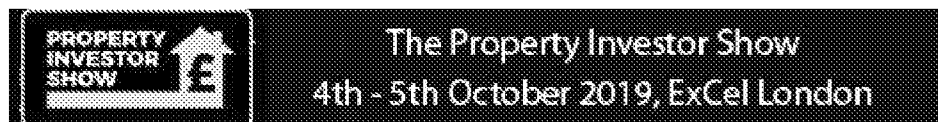
Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West
Sussex, BN17 6AW



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From: James Hutchison
Sent: 08 August 2019 12:29
To: 'Simon Davis'
Subject: RE: Y/32/ daypole Lane, Yapton

Dear Simon,

This is clearly disappointing news for my client.

We are somewhat reliant on timescales being met, particularly in view of the extent to which the application is already over its statutory 8 week expiry date notwithstanding our agreed E of T. I understand that you will instead be working on the report for our application the following week (wk commencing Monday, 19 August 2019), however my client will be more interested in the date by which a decision will be arrived at by the Local Planning Authority. Please can you therefore put in place a revised and definite timeframe to demonstrate progress to be made and a revised date for the decision to be issued?

As I have said before, the matter of whether or not the means of access to the site has changed in the reserved matters application can be readily answered by a planning officer's judgement as to whether or not the change to the access and driveway is significant enough to be considered as material. If the change is not material (and for the avoidance of any doubt we contend that it is not), then the legality of the answer to the question of whether or not the means of access can be changed from an outline consent which considered the same is simply not relevant.

I would be grateful if you could please confirm whether or not you consider the changes made to the access and driveway to be so significant as to be material in this application? This is particularly having in mind the fact that the position and siting of the access point onto the public highway is no different to the outline application, that there has never been any objection or concerns in respect of the geometry of the access point with the highway, and that the marginally enlarged width of the access and driveway only creates a betterment to highway safety.

The matter of the access and driveway does not, in our view, require your borough solicitor's consideration. It should be capable of being resolved by planning officer judgement alone. It should not therefore form a block or

delay to the swift and timely determination of the reserved matters application. I await the receipt of your views on this matter.

In the worst-case scenario, my client could simply amend the site plan to show the width of access and driveway approved at outline stage, and make the change as a s.96A application after the approval of the reserved matters. However, you will appreciate that for both my client and the Local Planning Authority, this is not a particularly expedient or efficient manner in which to deal with the situation. I would be grateful therefore, if this matter could be dealt with in a proactive and positive manner.

I look forward to hearing from you shortly.

Kind Regards,

James

James Hutchison MRTPI
Planning Director

E-Mail:

Tel:

Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West Sussex, BN17 6AW



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From: Simon Davis [REDACTED]
Sent: 06 August 2019 16:56
To: 'James Hutchison' [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

I am sorry but I will not be able to make a decision by the 16th August. I had not appreciated that next week is Committee closing and I have to focus instead on the reports due to go to that Committee. I will instead resolve to work on the report in the following week.

I have also not yet heard from Legal.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LE

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From: Simon Davis
Sent: 31 July 2019 17:03
To: James Hutchison [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

I agree that your proposed condition is a sensible way of future proofing the new dwelling. I will ask admin to substitute the existing plan for this new one.

I have not yet heard from Legal.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]
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From: James Hutchison <[REDACTED]>
Sent: 31 July 2019 11:08
To: Simon Davis <[REDACTED]>
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear Simon,

Please find attached to this e-mail an amended site plan to show the retention of the existing landscaping along the street frontage.

With regards to the car charging point, we have shown this next to one of the parking spaces in the site's frontage, but we were wondering how the LPA wishes this to be conditioned in terms of compliance as my client is going to be the occupant of the property (they are relocating from Lake Barn to the new house when completed) and will not require the car charging point. It will therefore sit idle for the time that my client occupies the property, and subsequently unless the occupant of the property owns a compatible vehicle for the car charging point that my client would otherwise be forced to install (we would point out that not all charge points are universal).

It would make sense for my client to provide an outdoor power point in this location thereby enabling a car charging point to be installed by the owner / occupant of the property at a given time in the future when a vehicle so requires. It is inevitable that the power supply will in the future of the development be used for the charging of an electric vehicle (owing to the phasing out of ICE vehicles over the next decade or so), however in the meantime it will mean that the power supply will at least be of use to the occupant for the time being and until an electric car is owned by our client or subsequent occupant.

If you are minded to accept an interim situation whereby the use of the power supply is not dedicated to a car charging point until required, may I suggest a condition worded as follows:

Prior to the occupation of the development hereby approved the outdoor power supply shown on drawing no. A(S3)02 rev A shall be installed and made operable. The power supply is to be retained in perpetuity and with the intention of it being in situ to future proof the installation of a car charging point when so required by the occupant of the property at that time.

We believe that such a condition will enable the use of the outdoor power supply in the interim time before it is required for an electric car and will ensure that a car charging point and facility does not sit idle and unused for a lengthy period of time before actually being required. It also avoids any abortive and unnecessary costs for the applicant at the construction stage.

We look forward to hearing from you on this point.

In addition, please can you confirm whether you have received a response from your legal team yet in respect of the access?

Kind Regards,

James

James Hutchison MRTPI
Planning Director

[REDACTED]
Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West Sussex, BN17 6AW
[REDACTED]



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From: Simon Davis [REDACTED]
Sent: 26 July 2019 10:55
To: James Hutchison [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

Thank you for the photographs – very helpful

On that basis, would it be fair to assume that you are not proposing any planting to this hedge? If correct, then it would be helpful to amend the plan to state retention of existing hedge rather than proposed new hedge. However, if additional planting to the hedge is proposed then I will still require details as previously set out.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, [Arun District Council](#) |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: James Hutchison <[REDACTED]>
Sent: 26 July 2019 10:45
To: Simon Davis <[REDACTED]>
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear Simon,

Please find attached photographs of the existing landscaping along the Maypole Lane street frontage. I assume that you are happy to condition the retention of the same. If so, please let me know what further information, if any, you require in respect of the landscaping?

I understand that you are seeking legal advice in respect of the materiality of the changes we have made to the access, and that these comments will be received within the next week or so, and will not hold up the issuing of a decision within the timeframe of the application you have provided – 16 August 2019. On that basis, we are agreeable to extending the time limit until then.

In respect of the consultation with your legal team, I trust that full details will be provided to them showing what was approved at appeal, as well as what is now being proposed. The essential point being that we are not materially changing the means of access from the site onto the highway, and that it is inherent within the RM application that minor non-material changes can be made to the access point (by condition or otherwise) and that with layout withheld in the granting of outline consent, the internal road/driveway would always be liable and subject to some degree of change. It is at the discretion of officers whether they are willing to consider the changes being proposed as material, and for this reason it is our contention that it is not so much a legal matter, as a matter to be addressed using planning judgement. We await your comments.

In the meantime, we will send you the amended plan with the car changing point shown within the next week.

Kind Regards,

James

James Hutchison MRTPI
Planning Director

[REDACTED]
Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West Sussex, BN17 6AW
[REDACTED]



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From: Simon Davis <[REDACTED]>
Sent: 23 July 2019 14:41
To: James Hutchison <[REDACTED]>
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

I do not consider that any additional landscaping is required (and am happy to allow the occupant to do what they will in their garden), we just need to be sure of what is being proposed on the other parts of the site. I note that you talk about the retention of vegetation along Maypole Lane. Do you have any photos of the existing hedge? I have not been to site recently and the photos we took for the outline show very little in the way of a hedge to the Maypole Lane frontage.

We are unsure of whether the access specification can be changed or not and we need to seek advice from our legal team to be able to say whether we require it to be changed back or left as shown. This advice may take some time (1-2 weeks) to be provided.

I have no further issues. As regards timescales, I would refer you back to my previous request for an extension until the 16th August. In all likelihood, this will mean that your application is dealt with quicker than others in my existing caseload. If you can agree to this, then I will keep to it unless there is further delay due to the need to resolve the access issue.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LE

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From: James Hutchison <[REDACTED]>
Sent: 23 July 2019 11:57
To: Simon Davis [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear Simon,

Thank you for your e-mail.

I respond accordingly:

1. We will submit an additional site plan to encompass more detail in the form of a landscaping scheme, however essentially, with limited visibility to the public realm owing to the retention of vegetation along the boundary with Maypole Lane, we have left it largely to the discretion of the applicant how they wish to design the gardens to their property. The position of new hedgerows are shown on the plan (we will provide more information as you have required) and the areas of hard and soft landscaping (driveways, paths, grassed areas) are readily identifiable on the site plan.

Please advise whether you are looking for more planting on the site than that shown, or whether you just want more information on the planting already shown?

2. With regards to the proposed block plan, as you have stated, the block plan submitted with the outline application was indicative only. The important matter (as you have also noted) is that the redline on the location plan matches between the outline and reserved matters application – the extent of the application site is therefore the same. Additional architectural and survey work reflected in the reserved matters application shows the final proposed block plan from which all reserved matters details can be assessed against.

As far as means of access is concerned, the siting of the access onto the public highway is the same as the outline scheme, with the only change being a slightly wider access and driveway being included under the

reserved matters submission. We note that at no point in the outline application was there any concerns raised in respect of highway safety or capacity by WSCC Highways, and with the access only being marginally widened (and re-assessed again at RM by the same consultee without objection), there has been no material impact arising from the change. We therefore contend that this change is immaterial in the context of the site and proposal, and the widened access/driveway can readily be conditioned as part of the RM consent.

Please can you confirm whether:

- (a) You would like us to reduce the width of the access and driveway to strictly follow the outline consent; or
- (b) You are satisfied to proceed with the access as shown on the current plan and condition the same for compliance?

3. I will ask the architect to confirm this detail (car charging points) in a non-material revision to the floor plan.

I trust that the above responses to your e-mail are sufficient to enable you to grant permission subject to following being received before a decision is issued:

- (i) More detail on the landscaping scheme / proposed block plan;
- (ii) Car charging point shown on the proposed floor plan.

Please confirm whether there is anything else that you need in order for you to recommend approval?

Please also confirm your timescales for the same?

Thank you

Kind Regards,

James

James Hutchison MRTPI
Planning Director

[REDACTED]
Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West Sussex, BN17 6AW
[REDACTED]



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From: Simon Davis [REDACTED]
Sent: 22 July 2019 16:02
To: James Hutchison [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

I have looked through the application today. I now recall when I first looked at it upon my receipt and I remember noting that the footprint/design/scale was not materially different to what was indicated at outline. I note that the appeal Inspector had no concerns with the impact of a single storey dwelling on local character/appearance. Therefore, I see no reason why we wouldn't find any harm with scale, appearance or layout. The landscaping also seems generally fine. However there is no detailed scheme to allow us to make a proper assessment or have any certainty as to what landscaping will be implemented/is being approved. As Landscaping is a reserved matter, I do not think that this can be conditioned and I would suggest that you provide a scheme now which includes species, actual quantities proposed, planting density and size at time of planting. Please can you also confirm the other boundary treatments (I assume these are remaining as is).

Please can you also explain why there is a difference between the dimensions of the access that was approved and the access now shown on your block plan? I note that the access and the access driveway are both shown to be wider. As it stands, the access shown is at odds with the Outline planning permission. I also note that there is a difference between the red edges on the new block plan versus the indicative block plan. However, as the indicative block plan did not form part of the outline approval and as the corresponding location plans match, this is in itself not an issue.

Please note that a condition will be imposed requiring a strategy for the provision of electric charging facilities. Our standard condition is as follows: *Prior to occupation of the new dwellings, a strategy for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition. Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.*

You may wish to avoid this by supplying a strategy/scheme now for consideration by our Environmental Health Officers.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: James Hutchison [REDACTED]
Sent: 19 July 2019 11:16
To: Simon Davis [REDACTED]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn, Maypole Lane, Yapton

Dear Simon,

Thank you for your e-mail.

I have discussed the matter with my client, and we would firstly like to express our dismay both at the length of time it is taking for the application to be determined, and the inability so far for at least a view to be taken on the likely recommendation. The application was validated on 21 May 2019, and regardless of the continuous resourcing issues at Arun, should by now have been determined.

The matter is not a complex one with outline approval already having been granted by appeal, and whilst I can understand your need to determine applications fairly and in turn, this should not mean that no work is undertaken in the assessment of any other application in your caseload until the point at which the application is written up for decision near to the end date.

It would appear that all that has happened on our application to date, is the receipt of consultation responses, with either no other work having been undertaken on our case to date, or the results of this work not being shared with my client in terms of a likely view on the recommendation.

On the basis that you have dealt with approximately 15 applications since we last communicated 4 weeks ago, you may understand that we are sceptical that our application (now being 36th or thereabouts in line for determination) will be put up for a decision in another 4 weeks' time.

We are not willing to grant the Local Planning Authority extensions of time on the basis of seemingly unrealistic timeframes, and when it is evident that no work is being undertaken on the application in the meantime. This is simply a mis-use of the extension of time limit legislation.

If it is your intention to determine our application in chronological order then please can you advise me as to why my client should agree to the extension of time?

The purpose of an extension of time would seem to have no material effect on the time it is taking the Local Planning Authority to issue a decision, and to agree extensions of time simply for the purpose of maintaining the Council's stats would only mask what it is evidently a serious problem at Arun DC.

I would reiterate my previous point that my client would only agree to an extension of time if it were in exchange for some work being undertaken on our application, and a clear intention for the recommendation on the application to be given to my client now, and in order that some form of progress can be seen to have been undertaken.

I look forward to hearing from you shortly.

Kind Regards,

James

James Hutchison MRTPI
Planning Director

Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West Sussex. BN17 6AW



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From: Simon Davis [redacted]
Sent: 15 July 2019 11:43
To: James Hutchison [redacted]
Subject: RE: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear James,

We are missing consultation responses from the Councils Tree and Environmental Health Officers but these are not in my mind necessary to enable a decision to be made. All responses can be reviewed on our website.

No further work has been carried out since our last conversation.

I had previously advised that your application was 51st oldest of my caseload of 60. It is now 36th oldest of my 58 applications. Therefore, I would still like to request an extension of time of a month until 16th August 2019. If you are able to agree this despite there being older applications ahead of yours, then I will set some time in my calendar between now and then to write the report.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: James Hutchison [REDACTED]
Sent: 12 July 2019 11:46
To: Simon Davis [REDACTED]
Subject: Y/32/19/RES - Land Adj Lake Barn. Maypole Lane, Yapton

Dear Mr Davis,

I write requesting an update on the above referenced planning application for reserved matters.

The application is due for determination next Tuesday, 16 July 2019, and there have been no further comments or documents added to the public register since our last correspondence on 21 June 2019.

Please can you advise as to whether any work has been carried out on my client's case since then?

Please can you also advise on your current timescales for a decision to be reached?

I look forward to hearing from you shortly please.

Kind Regards,

James

James Hutchison MRTPI
Planning Director

[REDACTED]
Address: Suite 2, Littlehampton Business Centre, Gratwicke House, 10 East Street, Littlehampton, West
Sussex, BN17 6AW
[REDACTED]



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