

From: Simon Davis
Sent: 10 September 2019 13:03
To: 'James Hutchison' [REDACTED]
Subject: RE: Y/32/19/RES - Land adj Lake Barn, Maypole Lane

Dear James,

My colleague was able to start the report yesterday and has advised that he will update me early next week as to a timescale for the decision to be ready.

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
Internal: 37874 | External: +44 (0) 1903 737874 | E-mail: simon.davis@arun.gov.uk
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: 09 September 2019 15:50
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: RE: Y/32/19/RES - Land adj Lake Barn, Maypole Lane

Simon,

Thank you for your e-mail and I am glad that a decision can be arrived at, as you say, 'soonest', however my client has been waiting a considerable period of time now on the basis of promises made, and notwithstanding your response on Friday is, from his perspective, not tangibly any closer to receiving a decision.

I feel that it would be appropriate given the circumstances for you or your colleague to carefully consider the application and your workflows, and let my client know for definite when a report can be written for the application, and when a decision can be arrived at by the Local Planning Authority.

If this is credible, and a decision can be delivered within a reasonable timeframe for you or your colleague, then my client maybe agreeable to a further E of T, however we only ask that this be done properly.

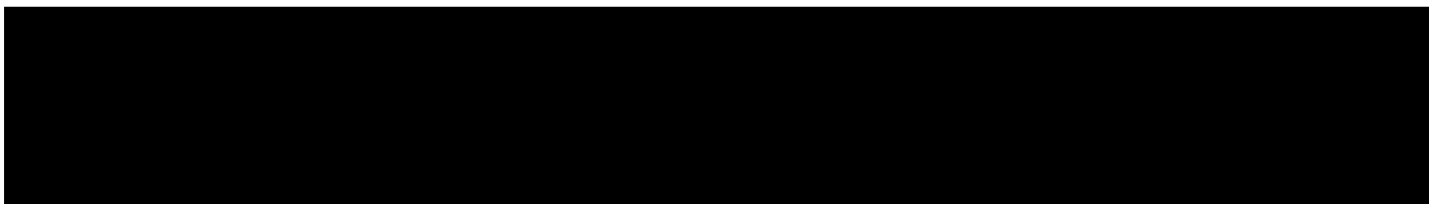
Please confirm the expected decision date in order that I can update my client?

Thank you

Kind Regards,

James

James Hutchison MRTPI
Planning Director



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From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 06 September 2019 10:21
To: James Hutchison [REDACTED]
Cc: Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: RE: Y/32/19/RES - Land adj Lake Barn, Maypole Lane

Dear Mr Hutchison,

Thank you for your email.

I am sorry that you are disappointed with my handling of your application. However, rest assured that I have not washed my hands of your case. A colleague of mine has the capacity to do this application quicker than I am able to do in the context of my other case load which as explained to your previously contains a number of much older and thus more urgent cases. He is able to take the application from me next week and I will fully brief him of the details and of your desire to have a decision soonest.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, [Arun District Council](#) |
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Save the environment - think before you print.

From: James Hutchison [REDACTED]
Sent: 04 September 2019 10:45

To: Neil Crowther <Neil.Crowther@arun.gov.uk>

Cc: Simon Davis <Simon.Davis@arun.gov.uk>; Cllr. Jamie Bennett [REDACTED] Cllr. Martin Lury [REDACTED]

Subject: Y/32/19/RES - Land adj Lake Barn, Maypole Lane

Dear Mr Crowther,

I am writing to you in respect of the above application seeking reserved matters approval for a new dwelling house at Land adj Lake Barn in Maypole Lane, Yapton. My reason for contacting you is because of the lack of progress that has been made on the application to date and the current situation with the application whereby it appears to have now stalled and fallen into an abyss between planning officers.

The application was made valid on 21 May 2019 following a protracted validation period, and in part, an error on the validation by the LPA. The application was scheduled to be determined by 16 July 2019 with an extension of time being requested on 19 June 2019 by the case officer (Mr Simon Davis) for the reason that it was not possible for a decision to be issued on the application prior to 16 August 2019. On the basis of a complete lack of any work having been undertaken at the time of the request for an extension of time having been made, we declined to accept the request for an extension of time.

On 15 July 2019 (the day before the 8 week expiry date on the application), after chasing the planning officer for an update and recommendation, we were again informed that no work had been undertaken on the application, to the effect that for the whole statutory application period the file had apparently not been touched by the planning officer. Mr Davis again requested an extension of time to 16 August 2019. We declined for the reason that he was not making any progress and could not provide a way forward or recommendation.

Finally, and after pushing the planning officer further, Mr Davis finally looked at the application, and then raised queries on 22 July 2019 with some of the information that had been submitted. Whilst we did not consider that it was appropriate to only raise queries with the application after the statutory determination period for the application had passed, we have since worked overcome all outstanding issues.

On 23 July 2019, Mr Davis promised that if we agreed the extension of time to 16 August 2019, that he would keep to that timescale:

"... 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."

On 26 July 2019, we replied to Mr Davis and agreed the extension of time to 16 August 2019.

On 06 August 2019, Mr Davis reversed his promise of sticking to the timescales we had agreed on the basis that he forgot that he had to write committee reports. He then said that he would write up the delegated report the following week. This did not happen and in the intervening time before the next communication from Mr Davis (20 August 2019) the access issue was resolved thereby enabling a decision to be made.

On 20 August 2019, Mr Davis replied to state that inexplicably he had changed his mind on writing up our report to enable a decision to be issued, and that he would instead hand the application to a colleague to deal with in September. Since this e-mail, neither Mr Davis has confirmed who the new case officer is for the application, the officer details have not been changed online, and we have not been contacted by anyone with a view to providing an update on the application. Without any explanation to the contrary, it would appear that Mr Davis has wiped his hands of the application, and now the file has been placed back onto the shelf.

In the meantime, and during the month of August, my client has had to proceed with the exchange and subsequent completion on their property at Lake Barn, without having the benefit of the certain knowledge that the application had been dealt with and reserved matters approved for their new house on the land adjacent. Mr and Mrs Payne are now living in rented accommodation in Arundel, and are unable to commence the build of their new home,

solely for the reason that Mr Davis has walked away from the application and no-one seems to have picked it up in his absence.

Our concerns with the way in which this application has been dealt with to date are as follows:

- (i) It is unacceptable for any planning officer not to work on the application during the determination period of the application, instead only opening the file and raising queries with the proposed scheme after the application has already passed its statutory expiry date;
- (ii) It is frustrating and inappropriate for the planning officer to be seeking to agree extensions of time and making promises on timescales with no regard to the feasibility of being able to stick to the timeframes he sets with the knock-on effect that it causes costs and unnecessary distress to those applicants that have been let down by his failure;
- (iii) It is wholly unacceptable for a planning officer, after failing to meet the timeframes and promises he has made, to then off-set the concerned application onto another planning officer and seemingly do nothing to ensure that there is a smooth handover in which the applicant is kept aware of progress and any future progress.

I have personally spent a considerable time working in local authority DM departments, including more lately those that have been stretched because of resourcing issues, and I am all too aware of the pressures that planning officers find themselves under when trying to balance caseloads. However, frankly, there is no excuse for simply not looking at an application within its 8 week statutory period and only raising queries after an application should have already been determined. Equally, an extension of time limit is supposed to be considered in terms of a proper framework and timeframe for moving an application towards a defined decision date, and an extension should not be arbitrarily proposed and then failed on account of reasons that are evidently known and can be planned for in the officer's workflow. There is certainly no excuse for the application to be seemingly cast aside in the manner in which our client's application has, and where in the knowledge that they require a decision to be made, no progress or update is given.

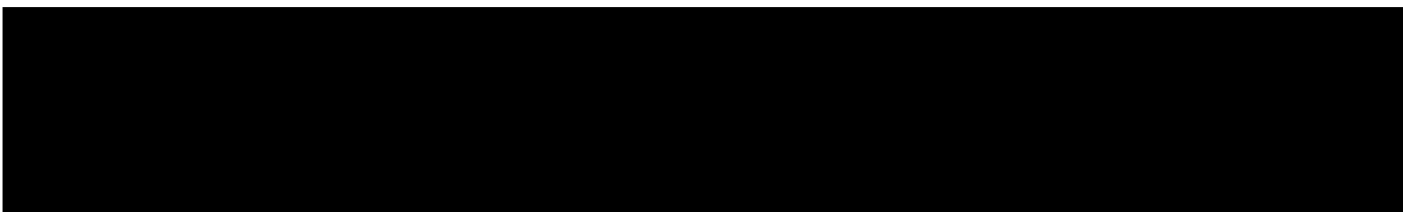
I am aware that my client has made separate enquiries with District Councillors regarding the problems that we are encountering with this application, and I would respectfully ask for your intervention with a view to providing my client with some clarity over who is now responsible for his application, and when he may now expect to receive a decision.

I hope to hear from you shortly please.

Kind Regards,

James

James Hutchison MRTPI
Planning Director



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