

Simon Davis

From: Peter Cleveland <[REDACTED]>
Sent: 24 August 2022 08:37
To: Simon Davis
Cc: James Snelgar; David Linton-Clowes ([REDACTED]); Emily Raine
Subject: RE: Y/53/22/DOC

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Hi Simon

We have now reviewed the comments from Herrington Consulting and provide the below responses to the 5 points made:

1. We discussed this matter under the previously refused application following comments from Laura. The point raised last time was that we are not able to get another engineer to complete the verification report. Odyssey have been the engineers involved throughout the scheme and are best placed to confirm the completion of the drainage scheme in accordance with the approved details. We would ask what is the Council's definition of independent – Dandara have interpreted this as using an external consultant rather than their in house engineers. As the design is fixed and Dandara would still be paying for the service, another person completing the report would be no less independent than Odyssey. We are using chartered engineers, external to Dandara and the report is prepared as such under their Chartership so feel it meets the requirements of the Condition.
2. The letter provided confirms from those completing it, that it has been done so to match the design, liability would therefore fall to them to correct if there was any untruth. The verifier could not provide this unless they were present at all times of each construction which is not a realistic approach.
3. The photo evidence shows the inclusion of the crates and doesn't show a finished product which would have been corrected as completed. The letter mentioned above would give clarification of this.
4. Drawing revision C4 is what was used for construction purposes, Revision C5 was simply moving detail from another drawing over to have all details in one place – no changes made just information moved between drawings.
5. Noted – no comments to make.

I would be grateful if you could pass on the above comments for review by Herrington Consulting and we would also welcome a discussion with them if that would assist to try and move things on.

Kind regards,
Peter

From: Simon Davis [mailto:Simon.Davis@arun.gov.uk]
Sent: 22 August 2022 12:25
To: Peter Cleveland <[REDACTED]>
Subject: RE: Y/53/22/DOC

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Hi Peter,

Final comments attached FYI in case you haven't seen them on the website already. We can allow one opportunity to respond but please ensure that you do so by the 2nd September 2022.

Best

Simon.

Simon J Davis MRTPI

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From: Peter Cleveland <[REDACTED]>

Sent: 17 August 2022 13:53

To: Simon Davis <Simon.Davis@arun.gov.uk>

Subject: FW: Y/53/22/DOC

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Hi Simon

Hope all is well.

We have had the below comments on the above DOC for Dandara. Some bits to respond on but we think we can do this quickly. Given the circumstance, is there some flexibility to allow us to address these comments in advance of a decision?

Kind regards.

Peter

From: Sarah Burrow [<mailto:Sarah.Burrow@arun.gov.uk>]

Sent: 17 August 2022 11:25

To: Peter Cleveland <[REDACTED]>

Hi Peter,

I have a response but Paul hasn't had a chance to review the second draft. I have copied it below so that you have an update, but until Paul has passed the final response to planning to be uploaded to the application this must be assumed to be a DRAFT and there may still be amendments to the consultation.

*The construction does not appear to have been carried out in accordance with the design, in addition there are still elements of the construction which are wholly reliant on the contractor's information rather than an independent verifier. As a result, **we would not recommend Discharge of Conditions** until the following information has been provided and following points have been addressed and approved in full.*

- 1) As previously stated, "Condition 17 requires the verification report to be completed by an independent engineer, the report provided has been completed by the designer and therefore does not meet the requirements of this condition." Nonetheless, we now permit anybody who is independent of the contractor (including but not limited to the engineer undertaking the original design) to undertake the assessment due to the difficulties our original approach can cause. Notwithstanding this, any deviation from the approved condition would need to be approved with the planner. We would like to stress that if acceptable to the planners, the only change from the original conditions wording, would be to permit the design engineer to conduct the verification investigation and report and that this change would not extend in any way to permitting contractors or the developer to verify any elements of the scheme or design.*
- 2) Even if point 1 is addressed and approved by the planners, the Verification report is still reliant on information from the client and contractor who are not independent. Section 2.1.1 of the verification report absolves the verifier of responsibility for the correctness of information provided by the client and contractor and as such, the conclusions of the verification report are reliant on the client and contractor having provided correct and true information, which is not considered independent verification. We require confirmation that the elements of the scheme which are reliant on client information be confirmed by an independent 3rd party verifier. We suggest this is undertaken by completing as built drawings, based on a combination of CCTV drainage surveys, lifting some of the permeable pavers, and constructing trial holes due to the current absence of independent information.*
- 3) Some of the installation seen in photographs provided as part of the application does not appear to match the design drawings, and in some cases contains clear issues that need remediating or checking (as part of point 2). These include but are not limited to:*
 - Checking the membrane and gravel surround to some of the soakaways / infiltration blankets to ensure there is a membrane between the crates and gravel surround. This appears not to be the case in one of the photographs although it is unclear if this was simply a photograph showing the system prior to or post of the membrane being laid. Checking this was installed correctly and as designed will be essential.*
 - Checking and remediation of the poorly constructed sediment traps (assuming they are installed as photographed). The sediment traps should be installed as per the submitted drawings. These photographs show several defects in construction including square cut outs used to house round pipes, cracked rims and plastic, the use of unapproved materials within their construction, rubble filling the base (which visually cannot be confirmed to have been lined) and concrete which appears to have been used as a sealant and is partially blocking one pipe outlet. None of this appears on any of the approved drawings.*
 - A proposal for remediating these issues should be submitted.*
- 4) The letter submitted detailing all of the drawings refers to YAP-180-31 REV C4 however, the submitted planning drawing is Revision C5. The applicant will need to confirm which drawing the contractor was working off and confirm that the scheme was not constructed to an earlier design.*

- 5) *We also acknowledge significant differences in the levels for the base of the permeable surfacing, and appreciate the revised calculations showing that this will only result in minor flooding in one area of the site. This is noted to occur but is not significant enough to warrant remediation as the volumes are small and flooding only occurs infrequently (based on the model results).*

Kind regards

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From: Peter Cleveland <[REDACTED]>
Sent: 17 August 2022 11:18
To: Sarah Burrow <Sarah.Burrow@arun.gov.uk>
Cc: David Linton-Clowes <[REDACTED]> Paul Cann <Paul.Cann@arun.gov.uk>
Subject: RE: Y/53/22/DOC

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Dear Sarah

I hope you are well.

Please could you provide an update on the below please as we are few weeks on from being at the top of the list?
Could I ask which company you are using?

Many thanks,
Peter