

[REDACTED]

From: Rosie Foreman [REDACTED]
Sent: 20 December 2018 14:22
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Pierre Dowsett [REDACTED]
Subject: Re: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane (ref Y/92/18/DOC)

Hi Simon

Thank you for reviewing the options with your colleagues. However, I would ask that you reconsider the verification report option. Although the conditions did not explicitly make reference to a verification report, this could be wrapped up in the drainage strategy. If the Council were to approve a drainage strategy which includes a requirement for the drainage infrastructure to be inspected once constructed, and verification report to be submitted and agreed by the Council before the glasshouse progresses beyond slab level, the developer would need to comply with this requirement or face being in breach of condition.

There are other standard conditions that may entail subsequent approvals and consents not explicitly referred to in the condition. For example a condition requiring a contaminated land remediation scheme or Travel Plan. The documents eventually approved by the Council pursuant to these conditions might commit the developer to stopping works and submitting a revised remediation strategy in the event that unexpected contamination is found on site, or a commitment to submit periodic monitoring reports to assess whether the modal split of travel to the is improving.

Please note that our Offices close from the end of Friday 21st December, reopening on 2nd January and I am then on leave for the first two weeks of January. However, in my absence, my colleague Pierre Dowsett [REDACTED] will be the main contact for this case.

Kind regards,

Rosie Foreman
BSc (Hons) MSc MRTPI
Senior Planner

[REDACTED]

DOWSETTMAYHEW Planning Partnership
63a Ship Street | Brighton | BN1 1AE

dowsettmayhew
Planning Partnership

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

Date: Tuesday, 18 December 2018 at 12:01

To: Rosie Foreman [REDACTED]

Subject: RE: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane (ref Y/92/18/DOC)

Dear Rosie,

I have spoken with Laura and with my Team Leader and I am afraid that my/our position does not change. If there was more time before your permission expires then I'm sure this could all be resolved. We do not consider that pre-commencement conditions can be part discharged in such a way as to allow commencement to start. We also do not consider that a verification report solution would be achievable as we cannot discharge a pre-commencement condition on the basis of further work to be done. This would only work if there was a condition requiring a validation report.

You are welcome to submit a S.73 application. However, I do not believe that there is now time to determine such an application before the 27th January – and to implement before then would put you in breach of condition. For a start, due to the size and complexity of my caseload, I am determining applications at least 5 weeks late and we would need exceptional reasons to bump an application ahead of older applications. Furthermore, we have now run our final weekly list before Xmas. I have just had a brief conversation with our head of planning admin and it is her suggestion that any application submitted now would not go on the weekly list to Parish Council/be advertised in the paper until the 10th January which would mean a no decision before by date of the 8th February.

I am sorry but I do feel that unless you are able to supply the details requested to satisfy our engineers, then you may be looking at having to apply again for planning permission (at which point we can agree the wording of the conditions that will help you out at the discharge stage).

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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Rosie Foreman [REDACTED]

Sent: 17 December 2018 17:23

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

Subject: Re: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane

Hi Simon

Further to our conversation just now, I understand that Laura is comfortable with the principle of the proposed drainage strategy, but is seeking additional infiltration testing and detailed construction drawings. Our drainage consultants will endeavour to gather additional infiltration data in time to submit in early January. However, at this stage, drawings to the level of detail sought have not been prepared, as a contractor to build the reservoir and drainage infrastructure has not been appointed. The applicant intends to make a material start on site by constructing a stretch of access road in the first instance, and appointing specialist contractors for the reservoir and

glasshouse later in the year. I have therefore been considering options which would allow our client to lawfully implement the extant planning permission.

It would be helpful if you could discuss the requirements with Laura and identify which parts of the conditions the detailed construction drawings relate to, as we may be able to identify areas where conditions could be part discharged with outstanding details to be submitted prior to construction of the glasshouse and/or reservoir as appropriate.

It may also allay Laura's concerns if the Applicant commits in the drainage strategy to having the final scheme independently inspected and a verification report submitted to and approved by the Council prior to the construction of the glasshouse beyond slab level. I understand that this is a common requirement for surface water drainage schemes, to ensure that infrastructure is constructed as approved. Fully detailed construction drawings could be provided at the verification stage if still required.

We have also been considering the use of a s73 application to re-word the relevant conditions to prevent construction of the reservoir and/or glasshouse as appropriate until further detail has been provided. Although s73 cannot change the time limit for implementation, if the Applicant were to submit a s73 application and make a start on the access track before the original time limit has expired, the work would have commenced prior the original time limit for implementation, thereby complying with the original time limit for implementation. We would need to submit such an application in the next few days, so I'd appreciate your view on this option as soon as possible.

I look forward to hearing from you,

Rosie Foreman
BSc (Hons) MSc MRTPI
Senior Planner

DOWSETTMAYHEW Planning Partnership
63a Ship Street | Brighton | BN1 1AE

dowsettmayhew
Planning Partnership

www.dowsettmayhew.com

This email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of the information herein. If you have received this email in error please contact us immediately. DOWSETTMAYHEW PLANNING PARTNERSHIP LTD will accept no liability for the mis-transmission, interference or interception of any email and you are reminded that email is not a secure method of communication.

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

Date: Monday, 17 December 2018 at 11:30

To: Rosie Foreman

Subject: RE: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane

Dear Rosie,

My position is that I follow the advice of our engineers who know what they are talking about in this field. I would not want to start directing them as to what they can and can't ask for as I would not be confident of the impact this would have on the eventual scheme. Furthermore, I would be extremely uncomfortable about discharging a

condition without their agreement. However, I will pass your comments to our engineer who may wish to comment on the specific points raised.

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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Rosie Foreman [REDACTED]
Sent: 12 December 2018 16:33
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Re: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane

Hi Simon

Further to the voicemail I left earlier, I thought I'd follow up with a little more detail in an email as I am out of the office when you return on Friday.

The Council's drainage team have fed back to our client's drainage and flood risk consultants regarding the design of the surface water drainage scheme and reservoir. We can deal with many of the points raised, but one of the requests is for detailed construction drawings of the development. Although this level of detail may be useful to support the drainage scheme, the conditions do not explicitly require construction drawings.

For example, condition 12 requires the detailed design of the reservoir to be approved, but does not advise what level of 'detail' the 'design' needs to provide, nor whether this should be provided in drawings or through a written statement. The original planning application drawings provided plans and cross sections of the reservoir, and the conditions application is accompanied by details of the lining of the reservoir and supporting information detailing the measures which will be taken to ensure that the reservoir has sufficient capacity to attenuate a worst case scenario stormwater event. This ensures that the reason for the condition is addressed, i.e. to prevent flooding by ensuring the satisfactory storage of surface water from the site.

We understand that the Council's drainage engineers would like certainty about bringing the reservoir into the Reservoirs Act. I have been advised by our consultants that as a result of the capacity of the reservoir, it will need to be registered with the EA. This process requires EA-approved engineers to be appointed for construction, supervision (to monitor the reservoir and produce annual statements) and inspection (every 10 years). We have confirmed in our covering letter accompanying the application that the reservoir will come under the requirements of the Reservoirs Act, and will be subject to these design approvals, construction monitoring and operational monitoring/inspection by the EA.

In our view, sufficient information has been submitted to demonstrate an acceptable surface water drainage scheme can be delivered on site which reduces the risk of flooding both on and off site, and therefore to meet the requirements of the conditions.

The final design and build drawings have not yet been prepared to the level of detail being sought. The first work on site to implement the permission is intended to be laying a part of the access road surfacing, carried out by general building contractors, with work on the reservoir/drainage infrastructure starting later in the year, led by specialist engineers and contractors.

Should any details of the reservoir/drainage infrastructure require amendment following appointment of a contractor for construction of the reservoir/drainage infrastructure and the preparation of the final construction

drawings, then the amended scheme will require approval pursuant to conditions. The Council therefore retain full control over the delivery of the development.

Do give me a ring if you need to discuss the matter, as we are keen to work with you and your colleagues to allow approval be issued in advance of the time limit for determination expiring and allow a material start to be made.

I look forward to hearing from you,

Kind regards,

Rosie Foreman
BSc (Hons) MSc MRTPI
Senior Planner

DOWSETTMAYHEW Planning Partnership
63a Ship Street | Brighton | BN1 1AE

dowsettmayhew
Planning Partnership

www.dowsettmayhew.com

This email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of the information herein. If you have received this email in error please contact us immediately. DOWSETTMAYHEW PLANNING PARTNERSHIP LTD will accept no liability for the mis-transmission, interference or interception of any email and you are reminded that email is not a secure method of communication.

From: Simon Davis <Simon.Davis@arun.gov.uk>
Date: Monday, 26 November 2018 at 15:36
To: Rosie Foreman [REDACTED]
Subject: RE: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane

Dear Rosie,

Thanks for your email. The application has not yet arrived on my desk. I understand that it will likely be looked at by our admin team tomorrow and they will then be in touch.

I will of course forward any responses to you as soon as I receive them.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
Location: Planning, First Floor, Arun Civic Centre, Maltrovers 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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Rosie Foreman [REDACTED]
Sent: 26 November 2018 11:43

To: Simon Davis

Subject: Conditions pursuant to Y/92/15/PL- Land at Longacre, Maypole Lane

Dear Simon,

Further to our telephone conversation at the end of October, we submitted an application for approval of details pursuant to conditions via the Portal on Friday, which I understand was transferred to the Council from the Portal this morning. The Portal reference is PP-07443490.

The Applicant has only recently reached a position (both in practical, site management terms and in terms of their financial planning) where they are able to implement the permission and instruct consultants and contractors to address the pre-works requirements. Unfortunately, this has come at quite a late stage in the time period for implementation, and we are therefore now only about 8 weeks away from the expiration of the three year time limit for implementation, on 26 January 2019. The Applicant's transport and drainage consultants have liaised throughout the process of preparing information to address the pre-commencement conditions of Y/92/15/PL with the relevant Officers at the District and County Council, to ensure that the submitted information addresses their requirements.

The Applicant would like to implement the current permission, and make a material start on site prior to the expiration of the current planning permission. In the event that the permission expires, the submission of a fresh full planning application for an identical scheme would generate further work for both the Applicant and the Council, which we would like to avoid by agreeing details pursuant to conditions of Y/92/15/PL in timely manner to allow the Applicant to implement the extant permission.

The Applicant has instructed contractors who are able to be on site at short notice and make a material start on works to implement the permission. It would be very helpful if approval of details pursuant to these conditions could be issued as soon as possible, and we would like to work with you to expedite the determination of this application. Therefore, do please let us know if your consultees have any early feedback or require additional information. However, as set out above, we are not expecting any significant issues to be raised given the pre-application engagement with highways and drainage officers.

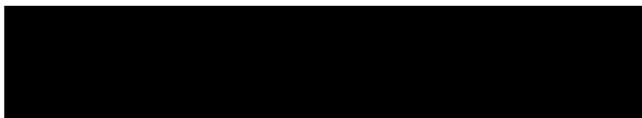
I look forward to receiving confirmation that the application has been validated, and progressing to a timely decision on the matter.

Kind regards,

Rosie Foreman

BSc (Hons) MSc MRTPI

Senior Planner



DOWSETTMAYHEW Planning Partnership
63a Ship Street | Brighton | BN1 1AE



www.dowsettmayhew.com

This email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of the information herein. If you have received this email in error please contact us immediately. DOWSETTMAYHEW PLANNING PARTNERSHIP LTD will accept no liability for the mis-transmission, interference or interception of any email and you are reminded that email is not a secure method of communication.

<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.

<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.

<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.
