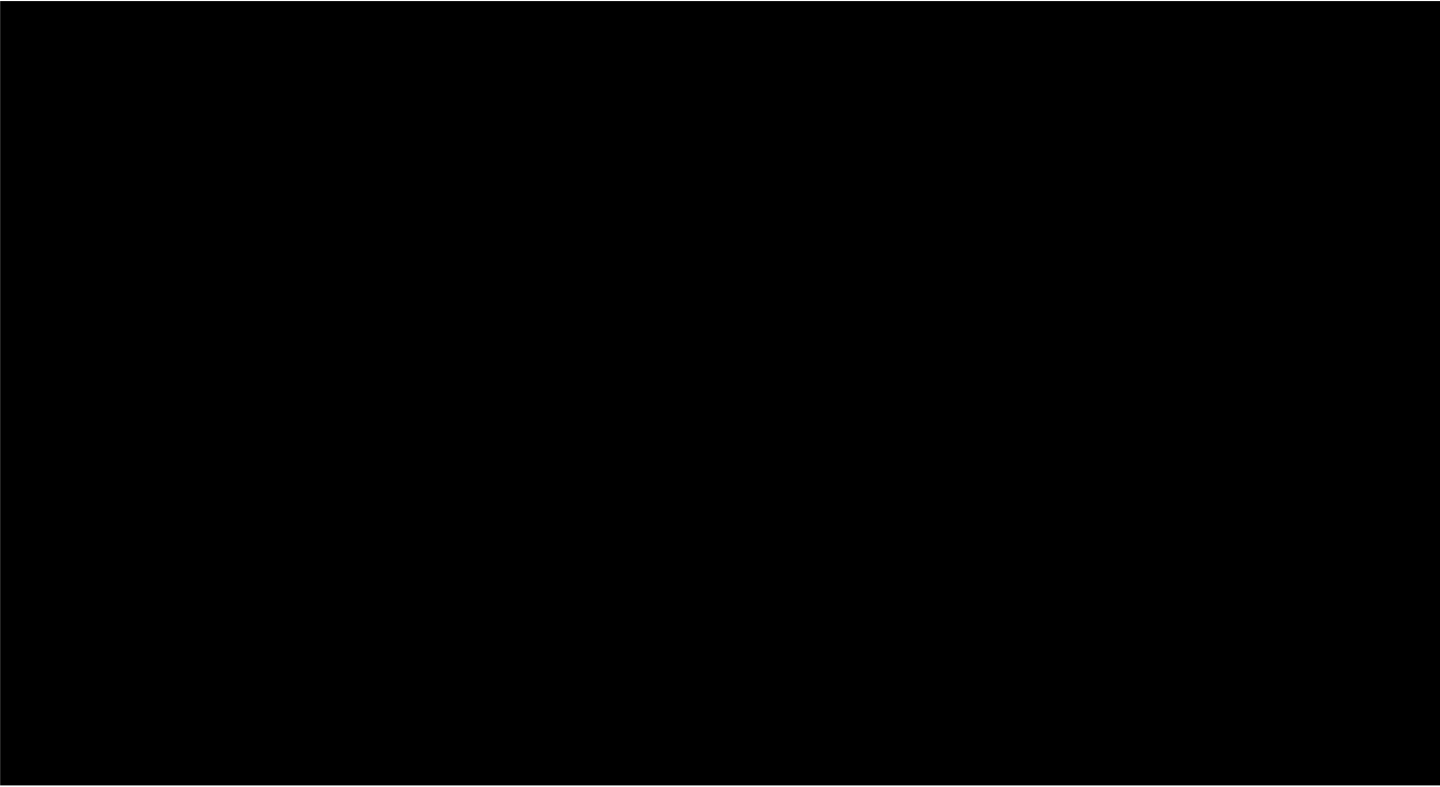




From: Paul Collins [REDACTED]
Sent: 27 February 2014 17:19
To: Cian Cronin
Subject: FW: Y/99/13

Dear Mr Cronin

Further to my previous e mails and my last below I have now received the attached letter notifying us of your intention to take a report recommending refusal to the next DC Committee on 12 March.

As you are aware there are a number of consultees who have made requests for further information and I have indicated that my client is prepared to provide that information so that the Council can make a more informed decision. Therefore for the record please can you confirm whether or not the Council is prepared to allow us time to provide that information for your consideration before the application is determined on 12 March. If not please can you provide me with an outline of the refusal reasons you will be recommending so that my client might consider same.

It would also be helpful if you could provide a response to the questions I put in my e mail below.

Thanks

Paul Collins BA (Hons) DipTP MRTPI

Associate Planner
Strutt & Parker LLP
31 North Street
Chichester
West Sussex PO19 1LY





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From: Paul Collins
Sent: 26 February 2014 16:26
To: 'Cian Cronin'
Subject: RE: Y/99/13

Dear Mr Cronin

Thank you for your response.

Please can you confirm that it is still your intention to recommend refusal to the DCC on 12 March 2014 and if so outline your recommended reasons for refusal. Also whilst I understand that your report is not available for publication please can you confirm that it has in fact been written and if so when it will be available for publication.

I will discuss your suggested heads of terms for any S106 with my clients tomorrow but in the meantime please could you confirm the following as this will assist that discussion:

- a) How and why you can be so definite regarding the need to "Upgrade status of footpaths PROW routes 357, 358, 359 and 363 to bridleway to enable use by cyclists and the Highways works to Ford Lane/ North End Road Junction and any other highway works as identified by WSCC or the Highways Agency" given that the applicants Highways consultant is still in discussion with both WSCC Highways and the HA (neither of whom have raised an objection and both of whom have requested further information) regarding what it is that they say they will require? Also in this regard please can you confirm why this needs to be dealt with by way of a S106 and why it cannot be dealt with by condition?
- b) Which development plan policy or adopted SPG or SPD specifies the need for a contribution towards Swimming Pools, Sports Halls and Pitches and how this should be quantified
- c) On what do you base the need for a Healthcare contribution and how this would be quantified
- d) Why the delivery of onsite open space and play cannot be addressed by way of a condition given that landscaping is a reserved matter ?

Thank you

Paul Collins BA (Hons) DipTP MRTPI

Associate Planner

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From: Cian Cronin [<mailto:Cian.Cronin@arun.gov.uk>]

Sent: 26 February 2014 15:31

To: Paul Collins

Subject: RE: Y/99/13

Dear Mr Collins,

Thank you for your email of 17th February. I note the contents and comments contained therein.

A planning obligation would include the following;

- Upgrade status of footpaths PROW routes 357, 358, 359 and 363 to bridleway to enable use by cyclists.
- Highways works to Ford Lane/ North End Road Junction and any other highway works as identified by WSCC or the Highways Agency.
- Affordable Housing
- Libraries Contribution
- Fire & Rescue Contribution
- Swimming Pools, Sports Halls and Pitches Contribution
- Delivery of Open Space/Play Space on site (1.4 hectares).
- Healthcare Contribution

Unfortunately the committee report is not yet available for publication.

Kind regards,

Cian Cronin

Cian Cronin MRTPI | Senior Planner (Strategic Development), Planning, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37776 | External: +44 (0) 1903 737776 | E-mail: cian.cronin@arun.gov.uk

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



Save the environment - think before you print.

From: Paul Collins [REDACTED]
Sent: 26 February 2014 13:59
To: Cian Cronin
Subject: FW: Y/99/13

Dear Mr Cronin

I am due to meet my client (the applicant) and his Team tomorrow afternoon so that we can assess the position regarding the application and the comments received via you to date.

Therefore, please can I have a response to my e mail below together with (if possible) a copy of your intended Committee Report and any (without prejudice) comments you wish to make regarding heads of terms for a S106 and conditions.

Thank you

Paul Collins BA (Hons) DipTP MRTPI
Associate Planner
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From: Paul Collins
Sent: 17 February 2014 14:06
To: 'Cian Cronin'

Subject: Y/99/13

Dear Mr Cronin

Outline application for 10.5 hectares of residential development (comprising up to 250 dwellings (30% to be affordable) together with ancillary open space and landscaping), 14.9 hectares of public open space development to be laid out as public parkland and landscaped green corridors, vehicular access from Ford Lane (The means of access) -Y/99/13: Land North & East of St Marys Church, North End Road, Yapton.

I wish to record our disappointing telephone conversation this morning in respect of the above for future reference as necessary. Please place this e mail on your web file.

During our conversation you confirmed that you had now received consultation responses from those recorded on the Councils web file (at this date) and provided me with copies of two responses (WSCC Landscapes and WSCC

Ecology not yet uploaded onto your web site) A response from English Heritage dated 6 February 2014 (but not uploaded onto your web site until 14 February 2014) was provided to me by e mail on 14 February 2014.

You then advised that it was your intention to recommend that the application be refused at the next available Development Control Committee (12th March 2014) and that your report would be written up for this Friday (21 February 2014) but would not become available to me until 5/6th March 2014.

Further, when asked, you advised me that your recommendation of refusal would be based on “matters of principle” but were unable to provide any further detail.

I also asked whether or not you were prepared to allow us an opportunity to address those Consultee responses where further information was being requested (Highways Agency, WSCC Highways Authority, English Heritage and WSCC Landscapes) prior to making your recommendation but you declined to do so. Given that discussions with WSCC Highways, the Highways Agency and Network Rail are already underway and discussions with English Heritage and WSCC Landscapes will start shortly this is disappointing.

Further I also asked whether or not you were prepared to undertake any “without prejudice” discussions regarding “heads of Terms” for a possible S106 and/or conditions as I can see that a number of consultees were simply asking that such matters be addressed by this means rather than raising any objections and that it was possible that some of the concerns raised by other Consultees could also be satisfied in this way. However, you stated that this would be a “waste of time” although when pressed you did agree to provide me with “Heads of Terms” for a S106 that ADC may suggest and would consider any conditions put to you by us in order to address any refusal reasons recommended in your report.

Given the foregoing, the outline nature of this application and the mix of housing and open space proposed as well as the clear opportunities (highlighted by Natural England in their Consultation response) to enhance Green Infrastructure, Priority Habitats and Biodiversity as well as the opportunity to mitigate any perceived impacts on landscape and/or the setting of the Parish Church, the applicant and I find that the Councils reluctance to allow us time to address further information requests and/or enter into “without prejudice” discussions on technical Highway matters and or points of detail relating to heritage impact and the mitigating effect of the proposed open space and landscaping to be both surprising and unacceptable given paragraphs 186/187 of the Framework.

I would suggest that, notwithstanding any differences that there may be regarding “matters of principle”, the Applicant has a right to expect that the Council will participate in positive discussions which seek to resolve as many matters as is possible prior to any decision being made and it is very disappointing that you do not seem to be like minded.

The applicant remains willing and able to undertake detailed discussions in an effort to resolve any outstanding matters which stand between you and a positive recommendation to your members and I invite you (once again) to engage in such a dialogue.

However, based on what you said today it would seem that this is unlikely so please can you, at least, provide a copy of your report and the promised Heads of Terms for a S106 at the earliest opportunity.

Paul Collins

Paul Collins BA (Hons) DipTP MRTPI

Associate Planner

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[REDACTED]

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