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4th January 2021

Angela Broughton
Elm Barn
Main Road,
BN18 0DX

Case Officer: Mr S Davis
Telephone: 01903 737874
Email: Simon.Davis@arun.gov.uk

Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No: Y/99/20/PL
Site Address: Bonhams Field Main Road Yapton BN18 0DX
Description of works: Variation of conditions following Y/1/17/OUT to reword conditions 12, 14 & 16 as set out in the application covering letter in order to allow for the proposed access works to be implemented separately to the rest of the planning permission.

Thank you for your internet representation made on 4th January 2021 which has been recorded as an objection with the comments as follows:

OWPC32507

My name is Angela Broughton. I live in the Grade 2 Listed Elm Barn immediately adjacent to this housing development and to its proposed new access road.

I have three objections

1. There is no approved surface water drainage system and storage area for this housing estate. Councillors stated this needed to be approved before any works commenced on site. Approving the building of 3.9 metres of access road without a drainage plan being agreed for the whole site is a very unusual and an unprecedented approach.

The developers had 3 years to get approved a surface water drainage system but failed to do so.

This last minute variation of conditions to get round the previous Council decision is underhand and should not be supported.

2. Although the drainage engineer recently withdrew her previous objection, the proposed revised wording (new numbers 4, 5 and 6) do not fully meet her stated concerns.

Her concerns about the possible future requirement to redesign the access road are only dealt with as an Informative (Number 9), which is not in any way enforceable by the Council.

3. The Planning Report states that there will be an accompanying amendment to the Section 106 Agreement between the Council and the developers if these variations of conditions are approved this afternoon.

Nowhere in the Report does it set out the precise wording in this Deed of Variation to the legal agreement, or its implications.

Reading between the lines your Officers seem to be suggesting that the developers can now commence works without serving the required Commencement Notice, and that as a result their commencement obligations in the signed Planning Agreement will not be enforced when they do so.

Why should the developer be allowed to keep their existing planning permission 'live' by commencing

development through limited access works, but not be obliged to comply with providing the details of the public benefits as required prior to commencement, such as agreeing the final calculations for payments for off-site play, library and education provision, and also for fire and rescue contributions, as well as receiving formal approval for an Open Space and Landscaping Scheme.

I urge you to refuse this variation of condition application, or at the very least defer it to a future meeting to allow time to seek further information and reassurances, in particular on the implications of the proposed Deed of Variation to the existing S106 Planning Agreement.

Your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments including your name and address on the website. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the website or on the file you will need to confirm this by emailing to planning@arun.gov.uk and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at [:https://www.arun.gov.uk/planning-decision-process](https://www.arun.gov.uk/planning-decision-process).

Some applications will be determined by the Development Control Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/weekly-lists>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Development Control Committee.

Regardless of how the application is determined I will notify you of the decision.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.