The Planning Inspectorate

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Your Ref: AWDM/1942/17
Our Ref: APP/Y3805/W/18/3217578

Mrs D Johnson
Adur District Council
Planning & Development Services
Department
Civic Centre
Ham Road
Shoreham By Sea
West Sussex
BN4 6PR
13 May 2019

Dear Mrs D Johnson,

Town and Country Planning Act 1990
Appeal by Mr Anthony Bell (Representing the Executors of the Will of the Grandfather of the Late Mr Derek Bell)
Site Address: Land north of 20 - 40 Firle Road, LANCING, BN15 0NZ

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me. I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant asked for this appeal to be dealt with by the Hearing procedure. However, we have applied the criteria and considered all representations received, including the appellant preferred choice. We consider that the Written representations procedure is the most suitable for this appeal for the following reason:

The issues raised by this case are very straight forward and will readily be capable of being assessed on the basis of the parties' written submissions and the undertaking of a site visit. Although a large number of representations were made at the application stage it seems, from reading the appellant's request for a Hearing, that many of those representations have raised other matters beyond the realms of the issues raised and I do not consider that the Council's receipt of representations not covered in its reason for refusal justifies the holding of a Hearing.

We therefore intend to determine this appeal by this procedure.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is https://www.gov.uk/appeal-planning-inspectorate.

If emailing documents, please use the email address above. If posting documents (other than the Questionnaire) please send 2 copies of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at: https://www.gov.uk/government/publications/planning-appeals-procedural-guide.

Timetable

The following documents must be sent within this timetable.

By 20 May 2019

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, by 17 June 2019. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;

ii) when and where the appeal documents will be available for inspection;

iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);

iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Written representations' either free of charge from you, or on GOV.UK https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal; and

v) that the decision will be published on GOV.UK.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me.

By 17 June 2019

Please send me your statement of case if the appeal questionnaire does not give full details of your case. Please include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant(s) a copy of any comments received from other interested persons or organisations and I will also send a copy of your statement to the appellant(s).

By 01 July 2019

The appellant(s) must send me any final comments they have on your statement. Both you and the appellant(s) may comment on any representations received from interested persons or organisations. No new evidence is allowed at this stage. I will send you a copy of any final comments received from the appellant(s).

Site visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied or an 'access required' site visit can be made, you will not be informed in advance. Inspectors will not accept any documents or discuss the merits of the appeal(s) at the site visit.

Planning obligations - section 106 agreements

If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - https://www.gov.uk/government/publications/planning-appeals-procedural-guide. A certified copy must be submitted to me no later than 7 weeks from the date of this letter.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs – http://planningguidance.communities.gov.uk/blog/guidance/appeals/. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - https://www.gov.uk/government/publications/planning-appeals-procedural-guide. I recommend that you read the relevant guidance.

Yours sincerely,

Judith Birch
Judith Birch