

FW: East Northdown

From: James Squier (James.Squier@bidwells.co.uk)

To: TDH@furleypage.co.uk

Cc: friend.northdown@btinternet.com

Date: Friday, 1 February 2019, 10:03 GMT

For your info...James

From: James Squier
Sent: 01 February 2019 10:03
To: 'Peter Miles' <prmiles@hotmail.co.uk>
Subject: RE: East Northdown

Dear Peter,

When William returns I will ask him about the permissions relative to the plans, as he will know which ones fit the uses now on the site.

My point to you was that the permissions and their documents, including the plans to each, are all available for public view on the website and that we could avoid the cost of my pedantically going through each and having them superimposed on the farm plan that I sent to you.

When we spoke about this I thought that you had said that this public record was not complete, but on inspection myself I found that it does indeed appear to be complete, going back 20 years

I do understand that you may not have been informed directly by the LPA in each case but this is not their statutory duty (I think they will say); however they do normally inform neighbours to support the statutory publication of all applications.

With regard to the commercial uses, I should have made it clearer that there are currently no plans to change the existing uses beyond those for which planning permission has been granted. I don't see the current uses being an encumbrance to the development of your land, as we have discussed.

I have done a lot of Injurious affection valuation work in my professional life, working on the HS1 railway for example, and it's surprising how little house prices are affected by the construction nearby of a major railway line, which is why I think that you should not be concerned about the current uses on the East Northdown Farm site. And of course the uses have been granted planning permission, when these concerns will have been reviewed.

One of the items within the proposed agreement is for each party to be informed of any planning applications, before submission, so this should reassure you that the LPA would not have to be relied upon to do this.

I am wondering if we should prepare some simple Heads of Terms, for the proposed agreement, to include the proposed protection for each of your properties. This would at least isolate any areas of remaining concern. Would you be happy for me to draft something, for your consideration?

I look forward to hearing from you

Regards

James

[\[http://www.bidwells.co.uk/assets/mailimages/logo.png\]](http://www.bidwells.co.uk/assets/mailimages/logo.png)

James Squier

Consultant

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From: Peter Miles <pr Miles@hotmail.co.uk<mailto:pr Miles@hotmail.co.uk>>
Sent: 01 February 2019 09:25
To: James Squier <James.Squier@bidwells.co.uk<mailto:James.Squier@bidwells.co.uk>>
Subject: Re: East Northdown

Dear James,

Thank you for your email.

I must say that I am somewhat surprised that you now refer to a cost for providing what you yourself offered.

My point as you say, is that you refer to your industrial planning permissions, which I am unable to identify on the LPA's web site. I have certainly never received any notifications of the submission of any such applications from the LPA. Unfortunately that is nothing unusual for Thanet. If you are now saying at this late stage that there are extant industrial permissions and that you will be constructing an industrial estate in the centre of a rural conservation area and in close proximity to Grade II listed buildings, mine included, that now puts the entire concept of the agreed high end residential development on my land alone in jeopardy. I am sure you will agree that no-one would purchase whilst overlooking such a development. In any event, had understood the purpose of our 'negotiations' and subsequent agreement which included the local plan submission, was to promote a joint residential development that would remove at least some of your nuisance activities.

In reverse order, the permissions shown on the LPA's web site dating back to November 2005 are:-

1. F/TH/18/0784
2. F/TH/17/1076
3. FH/TH/16/1243
4. F/TH/16/1193
5. PN/08/TH/16/0716
6. F/TH/16/0717
7. F/TH/14/0269
8. F/TH/16/0717
9. F/TH/15/1272
10. F/TH/15/1272
11. F/TH/15/0221
12. F/TH/14/0782
13. F/TH/14/0583
14. F/TH/14/0269
15. F/TH/12/0524
16. F/TH/07/0218
17. L/TH/06/0599
18. F/TH/06/0086
19. L/TH/06/0087
20. F/TH/05/1485

I can find no extant planning permissions for industrial use under the above. Of course without scrutinising the statutory planning register, I cannot be sure that the LPA's published list is complete. If you would please now urgently identify the planning permissions which you state authorise the industrial use shown on you plan, that would assist greatly.

Finally, when we met, you requested a list of issues which I provided to you. Are you able to give me an update regarding those matters please, or am I to assume that none are resolved.

Kind regards,

Peter

From: James Squier <James.Squier@bidwells.co.uk<mailto:James.Squier@bidwells.co.uk>>
Sent: 31 January 2019 15:28
To: Peter Miles
Subject: RE: East Northdown

Dear Peter,

Thank you for your email. I have read this, later, email.

Can you clarify your point concerning the commercial developments. My point was a simple one: all of the approvals are on the public record. Are you wanting me to put these on the plan, so that you know which permission relates to each individual part of East Northdown Farm? If so why, as this will incur a cost, which I think I can only justify to obtain approval to do this if it helps us to move towards a settlement.

Regards

James

From: Peter Miles <prmiles@hotmail.co.uk<mailto:prmiles@hotmail.co.uk>>
Sent: 31 January 2019 09:39
To: James Squier <James.Squier@bidwells.co.uk<mailto:James.Squier@bidwells.co.uk>>
Subject: FW: East Northdown

Dear James,

Thank you for your email. The email just sent was incomplete, please read this mail.

You provided your plan identifying the area which you state has planning permission for industrial use and now state is defined as such. You then offered to superimpose the industrial planning permissions on to that map. You now state that I can find the permissions myself, that the commercial uses will not move into the areas which are defined as residential landscape or garden use, and that this is the area of most concern to me, being nearest to my property.

I am unaware of the planning permissions you state exist and with the greatest of respect, your views are certainly not mine. The industrial building currently under construction where there was previously permission for a polytunnel, is directly opposite to my land. This is where you agreed was the site of the proposed joint residential development that you now confirm will not be proceeding. Will you please identify your industrial permissions and confirm your future plans please, including for the green wedge land. I can find no relevant commercial permissions on the LPA's web site,

and note that further land is now in the process of being fenced off and a new access onto the highway created. I am unclear what you are meaning when you refer to more information.

Perhaps when replying, you would also now send your proposed terms for allowing to access to my Orchard land which you state are necessary.

Regards,

Peter

From: James Squier <James.Squier@bidwells.co.uk<mailto:James.Squier@bidwells.co.uk>>
Sent: 30 January 2019 19:02
To: Peter Miles
Subject: RE: East Northdown

Dear Peter,

I was wondering how we could assemble this information on a plan format; but then I logged into the Council website and within the 'planning' portal , if you type in 'application search' , and then 'East Northdown Farm' , this brings up (ignoring the one or two which are not William's farm but have the same key address) all of the applications / approvals over the last twenty years at East Northdown Farm, plus their detailed documents.

You may have done this but with reference to historic approvals, are you asking for more information than this archive provides; if so what?

With respect to future development, the plan that I have provided gives areas within which the defined activities are to take place, using planning approvals already confirmed, or as may be approved in the future, possibly to replace existing permissions. I am, however, not aware of any current proposals to change an historic approval.

What William is prepared to confirm in an agreement is that the commercial uses will not move into the areas which are defined as residential, landscape or garden use. This I suggest is the area of most concern to you, being nearest to your property, even if your wider concern includes areas beyond this.

With respect to the residential development of his land, it is I suggest unreasonable for William to be asked to rule out the residential development of any of his land, including the land now in commercial use. Who can say what might happen in 30 years' time? However William does not have a current wish to develop any of his land for residential use.

The exception to this is that he is prepared to work with you to enable the residential development of your land, subject of course to agreeing the terms and your being granted planning permission for this. If this happens then a small parcel of William's land will become a residential access, so in residential use

Regards

James

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From: Peter Miles <prmiles@hotmail.co.uk<<mailto:prmiles@hotmail.co.uk>>>
Sent: 30 January 2019 10:33
To: James Squier <James.Squier@bidwells.co.uk<<mailto:James.Squier@bidwells.co.uk>>>
Subject: East Northdown

Dear James,

It is now ten days since I accepted your offer to provide your previous plan showing all of the commercial permissions that you stated have been granted by the LPA, and when I requested that additionally you disclose your future plans and intentions for East Northdown Farm.

If for any reason you are unable to now provide that information, will you please confirm this to me by return.

It would also be helpful if you would now also confirm that you no longer intend proceeding with any residential development proposals for your clients land.

Regards,

Peter

From: Peter Miles <prmiles@hotmail.co.uk<mailto:prmiles@hotmail.co.uk>>
Sent: 24 January 2019 20:54
To: James Squier
Subject: Re: East Northdown

Dear James,

Are you able to confirm the commercial permissions yet.

Kind regards

Peter

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From: Peter Miles <prmiles@hotmail.co.uk<mailto:prmiles@hotmail.co.uk>>
Sent: Sunday, January 20, 2019 12:36
To: James Squier
Subject: East Northdown

Dear James,

Thank you for your further email of today which I will consider jointly with your email of the 18th.

It would greatly assist if you would provide a copy of your previous plan showing all of the individual commercial planning permissions which have been granted (including commercial buildings and commercial access) for all of your clients land, together with all planned commercial uses and buildings please.

It is unfortunate that the LPA's on-line record is woefully incomplete (ie with no D&A statements being shown), and cannot be relied upon.

Regards,

Peter Miles

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