

Jones, Michael

From: info@nelsonplanthire.co.uk
Sent: 09 February 2023 18:15
To: 'Tanner, Matt'
Cc: Jones, Michael
Subject: RE: Whitehouse Field

Importance: High

Matt,

so let me get this straight.

You have contacted the LPA as far back as Nov 2022. To date you have not had any type of response from them to the very simple questions that you posed. The extent of the obligation is clear in that we cannot satisfy the enforcement notice or finally complete the scheme leaving us open to further enforcement action. You have seen the evidence and do NOT need further verification of this from the LPA. Please therefore Stop creating issues and allow us to move forward.

In the interim we are waiting patiently (so far for 2 years since the last hearing). We have now attended a meeting with the LPA in person who failed to agree that you had been in contact and actually confirmed that you hadn't been in touch.

Clearly someone is not telling the truth !! I would like some answers so Please confirm who in the LPA you have been liaising with ?

It appears that the inability between the EA and the LPA to communicate productively and cross reference some very simple data are affecting us adversely and have prejudice our commercial position and will continue to do so until this is resolved.

Perhaps it's a ploy to keep us waiting as long as possible ? The LPA are keen to see the enforcement notices complied with and currently these antics are stopping progress.

I note your letter gives us 2 options which in simplified terms mean the following.

1. Adhere to the extended date that the EA keep purposely moving backwards whilst supposedly liaising with the council.
2. Start an appeal and potentially lose our application fee.
3. Withdraw the application.
4. I am not sure that you are correct when you state that if we apply to PINS then you will determine the application, this is tantamount almost to bribery !!! (the power of determination will then be afforded to the inspectorate by way of appealing your decision should you finally decide to determine the application)

Whilst you are clearly taking instructions from personnel above you within the EA, its plain to see that you are trying to on the face of matters to look reasonable (no doubt for the benefit an inspectorate), however, It is clear to any outside person looking at matters in the round that we are being messed around and purposely delayed.

The schedule 5 notice that you sent us has been complied with the exception of the bits that are outside of our control and reliant on 2 authorities communicating with each other (i.e the EA and the LPA) and confirming some very simple data. This now seems to have hit a stumbling block and either you have or you haven't been communicating with the LPA ? please confirm the following because.

1. If you have been communicating with the LPA then clearly the LPA aren't telling the truth !!

2. If you haven't been communicating with the LPA then clearly the EA aren't telling the truth !!

Which one is it Matt ? Please confirm.

It can only be one or the other cant it ?? I expect you will say that you have been communicating with the LPA in order to avoid paying costs if we end up in front of an inspectorate which is looking increasingly more likely due to this UNREASONABLE behaviour.

It is not a case of whether anyone would accept a lesser scheme because it is our right to complete the planning permission that we currently have approved, therefore in this regard and in relation to the planning permission it has been demonstrated that we are using the minimum amount of waste needed to complete the scheme. This has been confirmed with the LPA previously and the information was included within our waste recovery plan submission. This aligns with both planning inspectors findings to date so I fail to see how you can state that this isn't clear within the submission and our waste recovery plan.

We have exhausted all conversations with the LPA and have agreed what needs to be done to complete the works which is detailed clearly within our submissions, the last hearing and inspectorate determined this and also clarified that if we applied again we would likely be granted a permit once it had been agreed with the LPA what needed to be done. This was all given in evidence under oath Matt. We have now applied again and got to the point once again where the EA/LPA are creating obstacles to stop progress. You were appointed 6 months ago to streamline this process because the EA were putting obstacles in the way, so far your not really streamlining anything Matt just finding limp excuses to delay us further and trying to muddy the waters.

I expect that this is a dual pronged and pre-planned approach by both authorities that has been taken in an attempt to stymie the works being completed.

Nevertheless we cannot wait infinitely and need to act quickly now in order to bring this matter to its conclusion and to enable us to complete the works & satisfy the enforcement notices and the LPA without our commercial position being prejudice as it is currently.

I trust this is clear and we will not wait until the date in March that you have proposed. We have been patient, reasonable and all you and the LPA do is try your best to find a reason to stop us completing the scheme. Companies and their staff are struggling like never before and its easy to see why this is the case when we are met with this type of pre-meditated resistance from authorities which are supposed to be assisting and streamlining applications like this, we have done everything as you have asked for and I cannot understand why both authorities would be so obstructive to stop a company finishing a scheme off which brings lots of benefits throughout construction and thereafter. Is there little wonder the country is in such a state ?

Enough is enough.

Please answer the questions that I have asked you above clearly so that we can establish who is responsible for the delays and why.

Kind regards,

Simon Nelson



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