

Delwyn Jones

From: Anita Gardner
Sent: 25 May 2011 09:11
To: 'Marguerite Whitehurst'
Cc: Delwyn Jones
Subject: RE: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Ms Whitehurst,

I have discussed the open space with Mr Russell-Wells and can confirm that the reason this is referred to in the S106 is to ensure access to the wider public and the space does not become a 'private' public open space. Accessibility is identified in PPG 17 as being one of 5 key attributes for all open space. Therefore the open space should remain accessible to the general public.

I trust this information is of assistance.

Yours sincerely

Anita Gardner
Principal Planner

From: Marguerite Whitehurst [mailto:Marguerite.Whitehurst@thomaseggar.com]
Sent: 20 May 2011 14:58
To: Anita Gardner
Cc: Delwyn Jones; Barry Boxall
Subject: FW: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Anita,

As I understand you may be the correct person to contact, please see below my e.mail to Delwyn regarding the above site.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

From: Marguerite Whitehurst
Sent: 20 May 2011 14:52
To: 'Delwyn Jones'
Cc: 'Barry Boxall'
Subject: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Delwyn,

You may recall that I am instructed by Barry Nicholas Boxall, the owner of the above site, which is currently being developed pursuant to planning consent A/114/04.

The first houses are nearing completion and I am preparing the paperwork for the sales. Clause 5 of the s.106 agreement dated 13th February 2006 as varied by the deed of variation dated 3rd March 2011 requires the provision of a "Public Open Space". Clause 5.4 requires that space to be transferred to your Council, as your Council may direct, or, subject to ADC's agreement, to a residents management company.

A management is to be created in the next few weeks. Each owner of a property on the estate will be a shareholder in that company which will maintain the common areas on the estate. It is envisaged that the "Public Open Space" will be included in the definition of Common Areas and that on completion of the development, all the Common Areas will be transferred to the Management Company who will thereafter be responsible for their maintenance. The Management Company will be a party to the transfers of the various units to individual purchasers in order to covenant to maintain the common areas and each purchaser will be placed under an obligation to contribute a share of the costs.

It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company.

Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public". However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear.

I would be very grateful for your views on this. As mentioned above it is hoped to start marketing these units in the next three or four weeks so that preparation of the paperwork for the disposals needs to be put in hand as soon as possible.

I look forward to hearing from you.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Belmont House Station Way

Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number 991259583)

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Delwyn Jones

From: Delwyn Jones
Sent: 01 June 2011 09:51
To: 'Marguerite Whitehurst'; Anita Gardner
Cc: Hazel Aldington; Joe Russell-Wells
Subject: RE: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Marguerite ,

I have some additional information from the Planning Officer about this .

They await details of the management company to confirm its acceptability.

The Planning Officer wishes the Public Open Space to remain open to the general public without restriction as the original planning obligation requires.

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
 Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: Delwyn Jones
Sent: 31 May 2011 16:51
To: 'Marguerite Whitehurst'; Anita Gardner
Cc: Hazel Aldington; Joe Russell-Wells
Subject: RE: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear All ,

I refer to Marguerite's e mails dated 20 May 2011 sent to Anita and me .

I assume you will action these and I will take no action .

Usually ,and in this case ,I request instructions from Planners and other on these matters ---so I will forward the e mails to you with some observations :-

1.TRANSFER TO MANAGEMENT COMPANY

" It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company."

I await observations on this proposal from others.

I believe others will need to agree it --Im not sure who at this time.

If you agree it please e mail Marguerite direct.

2. CHANGING THE DEED TO AMEND ACCESS TO GENERAL PUBLIC TO ACCESS TO RESIDENTS AND THEIR GUESTS ONLY

"Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public".

However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear."

The essence of this paragraph is set out in the title above.

I think the proposal may defeat the whole object of a PUBLIC Open Space ---but I await the views of otehrs which please share with Marguerite.

I also observe that I am not at all sure how access could be limited to residents only ----which may require barriers or fences which may be in breach of conditions or need planning permission on which the Planning Officer can advise.

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: Marguerite Whitehurst

Sent: 20 May 2011 14:58

To: Anita Gardner

Cc: Delwyn Jones; Barry Boxall

Subject: FW: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Anita,

As I understand you may be the correct person to contact, please see below my e.mail to Delwyn regarding the above site.

Kind regards

Marguerite Whitehurst

Manager (Associate Status)

for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

From: Marguerite Whitehurst
Sent: 20 May 2011 14:52
To: 'Delwyn Jones'
Cc: 'Barry Boxall'
Subject: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Delwyn,

You may recall that I am instructed by Barry Nicholas Boxall, the owner of the above site, which is currently being developed pursuant to planning consent A/114/04.

The first houses are nearing completion and I am preparing the paperwork for the sales. Clause 5 of the s.106 agreement dated 13th February 2006 as varied by the deed of variation dated 3rd March 2011 requires the provision of a "Public Open Space". Clause 5.4 requires that space to be transferred to your Council, as your Council may direct, or, subject to ADC's agreement, to a residents management company.

A management is to be created in the next few weeks. Each owner of a property on the estate will be a shareholder in that company which will maintain the common areas on the estate. It is envisaged that the "Public Open Space" will be included in the definition of Common Areas and that on completion of the development, all the Common Areas will be transferred to the Management Company who will thereafter be responsible for their maintenance. The Management Company will be a party to the transfers of the various units to individual purchasers in order to covenant to maintain the common areas and each purchaser will be placed under an obligation to contribute a share of the costs.

It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company.

Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public".

However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear.

I would be very grateful for your views on this. As mentioned above it is hoped to start marketing these units in the next three or four weeks so that preparation of the paperwork for the disposals needs to be put in hand as soon as possible.

I look forward to hearing from you.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership,
Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT
number 991259583)

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information
about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and
Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent
standing and qualifications. A list of the members of the LLP is displayed in all of our offices,
together with a list of those non-members who are designated partners.

Delwyn Jones

From: Hazel Aldington
Sent: 01 June 2011 09:25
To: Delwyn Jones; Anita Gardner; Joe Russell-Wells
Subject: RE: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear All

With respect to the question of restricting access of the public to areas of public open space Karl Roberts has asked that the principle of provision of public open space with access for the public be upheld and that the request for amendment to the terms of the Section 106 agreement to compromise the intended meaning of allowing public access to the public open space be declined.

Anita/Delwyn/Joe please can you relay this to Marguerite Whitehurst and ensure that as part of the transfer of land to the Management Company that the details set out in the articles of association make it clear that public access is not to be restricted.

Hazel

From: Delwyn Jones
Sent: 31 May 2011 16:51
To: 'Marguerite Whitehurst'; Anita Gardner
Cc: Hazel Aldington; Joe Russell-Wells
Subject: RE: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear All ,

I refer to Marguerite's e mails dated 20 May 2011 sent to Anita and me .

I assume you will action these and I will take no action .

Usually ,and in this case ,I request instructions from Planners and other on these matters ---so I will forward the e mails to you with some observations :-

1.TRANSFER TO MANAGEMENT COMPANY

" It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company."

I await observations on this proposal from others.
I believe others will need to agree it --Im not sure who at this time.
If you agree it please e mail Marguerite direct.

2. CHANGING THE DEED TO AMEND ACCESS TO GENERAL PUBLIC TO ACCESS TO RESIDENTS AND THEIR GUESTS ONLY

"Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space

approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public".

However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear."

The essence of this paragraph is set out in the title above.

I think the proposal may defeat the whole object of a PUBLIC Open Space ---but I await the views of otehrs which please share with Marguerite.

I also observe that I am not at all sure how access could be limited to residents only ----which may require barriers or fences which may be in breach of conditions or need planning permission on which the Planning Officer can advise.

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: Marguerite Whitehurst [mailto:Marguerite.Whitehurst@thomaseggar.com]

Sent: 20 May 2011 14:58

To: Anita Gardner

Cc: Delwyn Jones; Barry Boxall

Subject: FW: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Anita,

As I understand you may be the correct person to contact, please see below my e.mail to Delwyn regarding the above site.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

From: Marguerite Whitehurst
Sent: 20 May 2011 14:52
To: 'Delwyn Jones'
Cc: 'Barry Boxall'
Subject: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Delwyn,

You may recall that I am instructed by Barry Nicholas Boxall, the owner of the above site, which is currently being developed pursuant to planning consent A/114/04.

The first houses are nearing completion and I am preparing the paperwork for the sales. Clause 5 of the s.106 agreement dated 13th February 2006 as varied by the deed of variation dated 3rd March 2011 requires the provision of a "Public Open Space". Clause 5.4 requires that space to be transferred to your Council, as your Council may direct, or, subject to ADC's agreement, to a residents management company.

A management is to be created in the next few weeks. Each owner of a property on the estate will be a shareholder in that company which will maintain the common areas on the estate. It is envisaged that the "Public Open Space" will be included in the definition of Common Areas and that on completion of the development, all the Common Areas will be transferred to the Management Company who will thereafter be responsible for their maintenance. The Management Company will be a party to the transfers of the various units to individual purchasers in order to covenant to maintain the common areas and each purchaser will be placed under an obligation to contribute a share of the costs.

It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company.

Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public".

However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear.

I would be very grateful for your views on this. As mentioned above it is hoped to start marketing these units in the next three or four weeks so that preparation of the paperwork for the disposals needs to be put in hand as soon as possible.

I look forward to hearing from you.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP



Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number 991259583)

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Delwyn Jones

From: Delwyn Jones
Sent: 31 May 2011 16:51
To: 'Marguerite Whitehurst'; Anita Gardner
Cc: Hazel Aldington; Joe Russell-Wells
Subject: RE: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear All ,

I refer to Marguerite's e mails dated 20 May 2011 sent to Anita and me .

I assume you will action these and I will take no action .

Usually ,and in this case ,I request instructions from Planners and other on these matters ---so I will forward the e mails to you with some observations :-

1.TRANSFER TO MANAGEMENT COMPANY

" It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company."

I await observations on this proposal from others.
 I believe others will need to agree it --Im not sure who at this time.
 If you agree it please e mail Marguerite direct.

2. CHANGING THE DEED TO AMEND ACCESS TO GENERAL PUBLIC TO ACCESS TO RESIDENTS AND THEIR GUESTS ONLY

"Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public". However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear."

The essence of this paragraph is set out in the title above.

I think the proposal may defeat the whole object of a PUBLIC Open Space ---but I await the views of otehrrs which please share with Marguerite.

I also observe that I am not at all sure how access could be limited to residents only ----which may require barriers or fences which may be in breach of conditions or need planning permission on which the Planning Officer can advise.

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: Marguerite Whitehurst [REDACTED]
Sent: 20 May 2011 14:58
To: Anita Gardner
Cc: Delwyn Jones; Barry Boxall
Subject: FW: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Anita,

As I understand you may be the correct person to contact, please see below my e.mail to Delwyn regarding the above site.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

[REDACTED]
Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

From: Marguerite Whitehurst
Sent: 20 May 2011 14:52
To: 'Delwyn Jones'
Cc: 'Barry Boxall'
Subject: Land at Lansdowne Nursery, Mayflower Way, Angmering, Reference A/114/04

Dear Delwyn,

You may recall that I am instructed by Barry Nicholas Boxall, the owner of the above site, which is currently being developed pursuant to planning consent A/114/04.

The first houses are nearing completion and I am preparing the paperwork for the sales. Clause 5 of the s.106 agreement dated 13th February 2006 as varied by the deed of variation dated 3rd March 2011 requires the provision of a "Public Open Space". Clause 5.4 requires that space to be transferred to your Council, as your Council may direct, or, subject to ADC's agreement, to a residents management company.

A management is to be created in the next few weeks. Each owner of a property on the estate

will be a shareholder in that company which will maintain the common areas on the estate. It is envisaged that the "Public Open Space" will be included in the definition of Common Areas and that on completion of the development, all the Common Areas will be transferred to the Management Company who will thereafter be responsible for their maintenance. The Management Company will be a party to the transfers of the various units to individual purchasers in order to covenant to maintain the common areas and each purchaser will be placed under an obligation to contribute a share of the costs.

It would be very helpful if, subject to you seeing, and being happy with, the memorandum and articles of association of the Company and the terms of the proposed transfers, the Council could confirm for the purposes of clause 5.4 of the s.106 agreement, their agreement to the transfer of the Public Open Space to the Management Company.

Also, I am instructed that there are a number of play areas, including a skate board park to the south of the property, about two hundred yards from the boundary, a wide open space approximately 300 yards to the north of the site, where the community hall is at the north end of Nursery Road, and my Client understands there is another play area to the North West. At the moment, the s.106 agreement requires that the open space be available to the "general public".

However, if the public open space is to be transferred to the Management Company, so that the residents of the estate will bear the costs associated with it, and in view of its very close proximity to the houses themselves, we think it would be reasonable if the Open Space were to be retained for the benefit of the people living on this estate, rather than the general public and the residents should be entitled to exclude the general public from outside the estate should they so wish. In the circumstances would the Council be willing to confirm, for the avoidance of doubt, that the "general public" envisaged by the wording of the s.106 was intended to be a reference to people living on the estate and their visitors, and vary the s.106 to make this clear.

I would be very grateful for your views on this. As mentioned above it is hoped to start marketing these units in the next three or four weeks so that preparation of the paperwork for the disposals needs to be put in hand as soon as possible.

I look forward to hearing from you.

Kind regards

Marguerite Whitehurst
Manager (Associate Status)
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership,
Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number [REDACTED])

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Delwyn Jones

From: Delwyn Jones
Sent: 13 May 2010 12:35
To: Anita Gardner
Subject: RE: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

In view of the offer to pay us money I suggest you get Nik or Karl to agree the decision

Are we going to turn down money ?

I can then if necessary prepare the necessary legal work if you give me the file with the final clear decision

Karl has delegated authority see Const page 115 1/6/10

Planning Solicitor
T 01903 737737
F 01903 716019
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN 17 5LF
DX 57406 Littlehampton

From: Anita Gardner
Sent: 12 May 2010 14:15
To: Delwyn Jones
Subject: FW: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Delwyn,
I have now spoken to the agent who is suggesting either an addendum to the Section 106 or payment of monies in full and written confirmation no further payments will be requested. Which would be the most appropriate and expedient way forward.
Anita

From: Anita Gardner
Sent: 04 May 2010 12:21
To: Delwyn Jones
Subject: FW: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Delwyn,
Please can you advise how the current application should be progressed with regard to the need for and procedure for a supplemental 106
Thanks
Anita

From: Ian.Gledhill@westsussex.gov.uk [mailto:Ian.Gledhill@westsussex.gov.uk]
Sent: 04 May 2010 12:16

To: Adam King
Cc: Anita Gardner; 'Martin Bates'
Subject: Re: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Adam, apologies for the delay in responding. From discussions with my colleague who undertakes the s106 contribution calculations and internal consultation, it's been agreed that the contributions secured from the 21 dwelling scheme would be sufficient to cover the needs from this 12 unit scheme. Hence no additional contributions would be sought. There is the added complication that 50% of the contribution has been paid and there is the remaining half to be paid. It would seem that a supplemental s106 is required to cover this remaining 50% and to tidy up who is responsible for paying this. The precise mechanics of this would need to be agreed with Arun DC.

Best regards

Ian Gledhill

Ian Gledhill | Development Control Assistant, Local Development Group, West Sussex County Council

Location: First Floor, Northleigh, County Hall, Chichester, PO19 1RH

Internal: 56767 | External: 01243 756767 | E-mail: ian.gledhill@westsussex.gov.uk

Adam King <aking@michaelcookassociates.co.uk>

04/05/2010 08:23

To: "Ian.Gledhill@westsussex.gov.uk" <Ian.Gledhill@westsussex.gov.uk>
 cc: "Anita.Gardner@arun.gov.uk" <Anita.Gardner@arun.gov.uk>, 'Martin Bates' <martin-bates@jwstratton.co.uk>
 Subject: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Hi Ian,

Further to my email of last week, could you please confirm where we are with the Section 106 contributions on the Nursery Close, East Preston Planning Application? Thanks.

Kind regards,

Adam King BA (Hons) BArch RIBA

Associate | Michael Cook Associates

Brooklyn Chambers | 11 Goring Road | Worthing | West Sussex | BN12 4AP

www.michaelcookassociates.co.uk

Tel 01903 248777 | Fax 01903 248666

Michael Cook Associates are supporting Chestnut Tree House Children's Hospice. Please click [HERE](#) for further details.

Michael Cook Associates Limited is registered in England under the Companies Act 1985 No. 02360025. Our registered office is 15 Grafton Road, Worthing, West Sussex. BN11 1PQ [Privacy and Confidentiality Statement](#)

From: Adam King
Sent: 26 April 2010 15:13

To: Ian.Gledhill@westsussex.gov.uk
Cc: Anita.Gardner@arun.gov.uk; Martin Bates
Subject: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Dear Ian,

Further to Martin's email below, have you been able to confirm the most appropriate route forward for the Section 106 contributions on the Nursery Close, East Preston Planning Application? We hope to be able to confirm a solution as soon as possible to allow the application to be advanced.

Please feel free to contact me should you wish to discuss.

Kind regards,

Adam King BA (Hons) BArch
Associate Director | Michael Cook Associates
Brooklyn Chambers | 11 Goring Road | Worthing | West Sussex | BN12 4AP
www.michaelcookassociates.co.uk
Tel 01903 248777 | Fax 01903 248666

Michael Cook Associates are supporting Chestnut Tree House Children's Hospice. Please click [HERE](#) for further details.

Michael Cook Associates Limited is registered in England under the Companies Act 1985 No. 02360025. Our registered office is 15 Grafton Road, Worthing, West Sussex. BN11 1PQ [Privacy and Confidentiality Statement](#)

From: Martin Bates [REDACTED]
Sent: 13 April 2010 15:10
To: Ian.Gledhill@westsussex.gov.uk
Cc: Adam King; Anita.Gardner@arun.gov.uk
Subject: 12 Dwellings, Nursery Close, East Preston, (5408/B01)

Dear Ian

I hope you do not mind me contacting you directly, but I understand Anita Gardner is on leave this week.

Further to our conversation yesterday and previous e-mails between yourself, Anita Gardner and Adam King regarding the S106 contribution for this development, please see the attached schedule of accommodation which identifies any changes between the current application (EP/21/10) and the earlier approved application (EP/95/08).

You will note that the number and type of property in the new application remains the same as the original - 12 detached 3/4 bed houses - but internal replanning has in fact resulted in the loss of 1 bedroom overall, or the equivalent of 4 bed spaces.

The redesign does, however provide us with far more practical and 'user friendly' layouts than the original, making each plot more functional as well as attractive and, therefore, more saleable.

Construction of the 'affordable' phase of the original consent (plots 1 - 9) is already well advanced and is, I understand, being constructed for Worthing Homes in accordance with the original design.

As no increase in the number of bedrooms/bed spaces is proposed over the original approval (in fact a decrease is evident) I would hope that the calculations for the existing S106 would still stand. A new agreement would necessarily include the original applicants and require a recalculation and redistribution of monies already paid and would, I believe, be unduly complicated for what is essentially the same design.

As you know, 50% of the sum (£54,817) has already been paid by Wilmington Homes. In order to avoid further complications and delays I would be willing to pay the balance of the contribution (£54,817) immediately, to discharge our responsibilities under the current approval (EP/95/08) and negate the requirement for a new S106 agreement under the new application.

I trust you will find this approach to be in order, but please do not hesitate to contact me if you require any additional information.

Yours sincerely

Martin Bates
Managing Director
J W Stratton Ltd
01273 453578

Important: This information contained in the e-mail is intended for the above named only and is confidential. If this has been sent to you in error you must take no action based on it, nor must you copy it or show it to anyone: please telephone us immediately or return it to us by e-mail quoting the name of the sender and the addressee. Your co-operation is appreciated. Please then delete it from your system.

Viruses: please note that we do not, to the extent permitted by law, accept any liability (whether in contract, negligence or otherwise) for viruses and it is your responsibility to scan the attachments (if any).

_____ Information from ESET NOD32 Antivirus, version of virus signature database 5025
(20100413) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 5083
(20100503) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 5083
(20100503) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

—
This e-mail and any attachments are confidential and intended solely for the persons addressed. If it has come to you in error please reply to advise us but you should not read it, copy it, show it to anyone else nor make any other use of its content. West Sussex County Council takes steps to ensure e-mails and attachments are virus-free but you should carry out your own checks before opening any attachment.

This e-mail has been scanned for all viruses by Star. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit: <http://www.star.net.uk>

Delwyn Jones

From: Delwyn Jones
Sent: 04 May 2010 15:40
To: Anita Gardner
Subject: RE: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

You need to :-

1. provide me with the file
2. a copy of the original deed ----if not on the original file or details sufficient to find it ie date ,reference and parties
3. details of how you want the original deed changed
4. details to confirm that the current owner has agreed to these changes and any other interested parties
- 5 I can then circulate a draft supplementary deed

By the way ADP&HS has authority to agree or renegotiate these deeds so Karl should agree point 3 See Const page 115

Planning Solicitor
T 01903 737737
F 01903 716019
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN 17 5LF
DX 57406 Littlehampton

From: Anita Gardner
Sent: 04 May 2010 12:21
To: Delwyn Jones
Subject: FW: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Delwyn,
Please can you advise how the current application should be progressed with regard to the need for and procedure for a supplemental 106
Thanks
Anita

From: Ian.Gledhill@westsussex.gov.uk [mailto:Ian.Gledhill@westsussex.gov.uk]
Sent: 04 May 2010 12:16
To: Adam King
Cc: Anita Gardner; 'Martin Bates'
Subject: Re: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Adam, apologies for the delay in responding. From discussions with my colleague who undertakes the s106

contribution calculations and internal consultation, it's been agreed that the contributions secured from the 21 dwelling scheme would be sufficient to cover the needs from this 12 unit scheme. Hence no additional contributions would be sought. There is the added complication that 50% of the contribution has been paid and there is the remaining half to be paid. It would seem that a supplemental s106 is required to cover this remaining 50% and to tidy up who is responsible for paying this. The precise mechanics of this would need to be agreed with Arun DC.

Best regards

Ian Gledhill

Ian Gledhill | Development Control Assistant, Local Development Group, West Sussex County Council

Location: First Floor, Northleigh, County Hall, Chichester, PO19 1RH

Internal: 56767 | External: 01243 756767 | E-mail: ian.gledhill@westsussex.gov.uk

Adam King <aking@michaelcookassociates.co.uk>

To: "Ian.Gledhill@westsussex.gov.uk" <Ian.Gledhill@westsussex.gov.uk>

cc: "Anita.Gardner@arun.gov.uk" <Anita.Gardner@arun.gov.uk>, 'Martin Bates' <martin-bates@jwstratton.co.uk>

04/05/2010 08:23

Subject: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Hi Ian,

Further to my email of last week, could you please confirm where we are with the Section 106 contributions on the Nursery Close, East Preston Planning Application? Thanks.

Kind regards,

Adam King BA (Hons) BArch RIBA

Associate | Michael Cook Associates

Brooklyn Chambers | 11 Goring Road | Worthing | West Sussex | BN12 4AP

www.michaelcookassociates.co.uk

Tel 01903 248777 | Fax 01903 248666

Michael Cook Associates are supporting Chestnut Tree House Children's Hospice. Please click [HERE](#) for further details.

Michael Cook Associates Limited is registered in England under the Companies Act 1985 No. 02360025. Our registered office is 15 Grafton Road, Worthing, West Sussex. BN11 1PQ [Privacy and Confidentiality Statement](#)

From: Adam King

Sent: 26 April 2010 15:13

To: [REDACTED]

Cc: Anita.Gardner@arun.gov.uk; Martin Bates

Subject: 12 Dwellings, Nursery Close, East Preston, (5408/C01)

Dear Ian,

Further to Martin's email below, have you been able to confirm the most appropriate route forward for the Section 106 contributions on the Nursery Close, East Preston Planning Application? We hope to be able to confirm a solution as soon as possible to allow the application to be advanced.

Please feel free to contact me should you wish to discuss.

Kind regards,

Adam King BA (Hons) BArch

Associate Director | Michael Cook Associates

Brooklyn Chambers | 11 Goring Road | Worthing | West Sussex | BN12 4AP

www.michaelcookassociates.co.uk

Tel 01903 248777 | Fax 01903 248666

Michael Cook Associates are supporting Chestnut Tree House Children's Hospice. Please click [HERE](#) for further details.

Michael Cook Associates Limited is registered in England under the Companies Act 1985 No. 02360025. Our registered office is 15 Grafton Road, Worthing, West Sussex. BN11 1PQ [Privacy and Confidentiality Statement](#)

From: Martin Bates [REDACTED]
Sent: 13 April 2010 15:07
To: [REDACTED]
Cc: Adam King; Anita.Gardner@arun.gov.uk
Subject: 12 Dwellings, Nursery Close, East Preston, (5408/B01)

Dear Ian

I hope you do not mind me contacting you directly, but I understand Anita Gardner is on leave this week.

Further to our conversation yesterday and previous e-mails between yourself, Anita Gardner and Adam King regarding the S106 contribution for this development, please see the attached schedule of accommodation which identifies any changes between the current application (EP/21/10) and the earlier approved application (EP/95/08).

You will note that the number and type of property in the new application remains the same as the original - 12 detached 3/4 bed houses - but internal replanning has in fact resulted in the loss of 1 bedroom overall, or the equivalent of 4 bed spaces.

The redesign does, however provide us with far more practical and 'user friendly' layouts than the original, making each plot more functional as well as attractive and, therefore, more saleable.

Construction of the 'affordable' phase of the original consent (plots 1 - 9) is already well advanced and is, I understand, being constructed for Worthing Homes in accordance with the original design.

As no increase in the number of bedrooms/bed spaces is proposed over the original approval (in fact a decrease is evident) I would hope that the calculations for the existing S106 would still stand. A new agreement would necessarily include the original applicants and require a recalculation and redistribution of monies already paid and would, I believe, be unduly complicated for what is essentially the same design.

As you know, 50% of the sum (£54,817) has already been paid by Wilmington Homes. In order to avoid further complications and delays I would be willing to pay the balance of the contribution (£54,817) immediately, to discharge our responsibilities under the current approval (EP/95/08) and negate the requirement for a new S106 agreement under the new application.

I trust you will find this approach to be in order, but please do not hesitate to contact me if you require any additional information.

Yours sincerely

Martin Bates
Managing Director
J W Stratton Ltd
[REDACTED]

Important: This information contained in the e-mail is intended for the above named only and is confidential. If this has been sent to you in error you must take no action based on it, nor must you copy it or show it to anyone: please telephone us immediately or return it to us by e-mail quoting the name of the sender and the addressee. Your co-operation is appreciated. Please then delete it from your system.

Viruses: please note that we do not, to the extent permitted by law, accept any liability (whether in contract, negligence or otherwise) for viruses and it is your responsibility to scan the attachments (if any).

Information from ESET NOD32 Antivirus, version of virus signature database 5025
(20100413) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Information from ESET NOD32 Antivirus, version of virus signature database 5083
(20100503) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Information from ESET NOD32 Antivirus, version of virus signature database 5083
(20100503) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

—
This e-mail and any attachments are confidential and intended solely for the persons addressed. If it has come to you in error please reply to advise us but you should not read it, copy it, show it to anyone else nor make any other use of its content. West Sussex County Council takes steps to ensure e-mails and attachments are virus-free but you should carry out your own checks before opening any attachment.

This e-mail has been scanned for all viruses by Star. The service is powered by MessageLabs. For more information on a proactive anti-virus service working around the clock, around the globe, visit:
<http://www.star.net.uk>

Delwyn Jones

From: James Clark [james.clark@thomaseggar.com]
Sent: 11 October 2011 12:46
To: Delwyn Jones
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY
Attachments: telogo.jpg; RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Delwyn,

Thank you for your email - I will prepare 3 engrossments for execution by our client and the mortgagee, which once executed I will return to you with a cheque for your fees for the Council to seal and complete.

Best regards,

James Clark
Solicitor
for and on behalf of Thomas Eggar LLP

 Thomas Eggar

Direct Dial: +44 (0)1293 742845
Reception: +44 (0)1293 742700
Direct Fax: +44 (0)1293 742998

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is a limited liability partnership registered in England and Wales under registered number OC326278 whose registered office is at The Corn Exchange, Baffin's Lane, Chichester, West Sussex, PO19 1GE.

The word 'partner' refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed at the above address, together with a list of those non-members who are designated as partners.

Authorised and Regulated by the Solicitors Regulation Authority. Lexcel and Investors in People accredited.

Delwyn Jones

From: Delwyn Jones
Sent: 11 October 2011 12:19
To: 'James Clark'
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

James,
 Thanks for your e mails received when I was away on holiday.
 The Deed of Variation as amended by you sent on 20 September is acceptable to the Council.
 The fee at £400 is agreed.
 I await completion and expect you to send me three engrossed deeds. The Council already has authority to sign.

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre,
 Maltravers Road, Littlehampton, BN17 5LF

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: James Clark [redacted]
Sent: 20 September 2011 14:19
To: Delwyn Jones
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Good afternoon Delwyn,

Further to your email dated 14 September, I attach an amended draft deed of discharge which is also approved by the mortgagee.

I would be grateful if you could let me know whether the amendments are approved and I will then issue engrossments for execution.

Best regards,

James Clark
 Solicitor
 for and on behalf of Thomas Eggar LLP

☒ Thomas Eggar

Thomas Eggar LLP
 Belmont House Station Way
 Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
 make sure you really need to...

The information in this email is confidential and may be legally privileged. It is

intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number [REDACTED])

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Delwyn Jones

From: James Clark [REDACTED]
Sent: 28 September 2011 09:37
To: Delwyn Jones
Subject: FW: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY
Attachments: telogo.jpg; RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Dear Delwyn,

Further to my email of 20 September (copy attached), I would be grateful if you could let me know whether the amendments to the agreement are approved so that I can issue engrossments to my client for execution.

Best regards,

James Clark
Solicitor
for and on behalf of Thomas Eggar LLP

 Thomas Eggar

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number [REDACTED])

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.



Delwyn Jones

From: James Clark [REDACTED]
Sent: 20 September 2011 14:19
To: Delwyn Jones
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY
Attachments: telogo.jpg; RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY; DoD -Lansdowne nursery.doc-r.doc

Good afternoon Delwyn,

Further to your email dated 14 September, I attach an amended draft deed of discharge which is also approved by the mortgagee.

I would be grateful if you could let me know whether the amendments are approved and I will then issue engrossments for execution.

Best regards,

James Clark
Solicitor
for and on behalf of Thomas Eggar LLP

 Thomas Eggar

[REDACTED]
Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number 991259583)

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.



Delwyn Jones

From: James Clark [REDACTED]
Sent: 04 October 2011 10:00
To: Delwyn Jones
Subject: FW: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY
Attachments: telogo.jpg; FW: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Good morning Delwyn,

Please could you let me know whether the amendments to the deed of discharge (sent to you on 20 September) are approved?

Best regards,

James Clark
Solicitor
for and on behalf of Thomas Eggar LLP

 Thomas Eggar

[REDACTED]
Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number [REDACTED])

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.



Delwyn Jones

From: Delwyn Jones
Sent: 14 September 2011 15:25
To: 'James Clark'
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY-COSTS £400

Dear James ,

Thanks for your e mail attached .

The Council's legal costs are £400 .

I await completion.

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: James Clark [REDACTED]
Sent: 14 September 2011 14:50
To: Delwyn Jones
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Dear Delwyn,

Thank you for your email. I note that clause 4 of the draft deed makes provision for the Council's legal costs. Please could you let me know what you anticipate those costs may be so that I can inform my client?

Best regards,

James Clark
Solicitor
for and on behalf of Thomas Eggar LLP

**Thomas
Eggar**

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number [REDACTED])

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Delwyn Jones

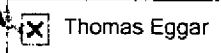
From: James Clark [mailto:james.clark@thomaseggar.com]
Sent: 14 September 2011 14:50
To: Delwyn Jones
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY
Attachments: telogo.jpg; RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Dear Delwyn,

Thank you for your email. I note that clause 4 of the draft deed makes provision for the Council's legal costs. Please could you let me know what you anticipate those costs may be so that I can inform my client?

Best regards,

James Clark
Solicitor
for and on behalf of Thomas Eggar LLP

 Thomas Eggar

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number 991259583)

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Delwyn Jones

From: Delwyn Jones
Sent: 14 September 2011 14:16
To: 'James Clark'
Cc: Peter Cleveland
Subject: RE: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY
Attachments: DoD -Lansdowne nursery.doc

Dear Mr Clark,

Thanks for yours dated 12 September .

Please can you approve the attached Deed of Discharge .Clauses which mention a mortgagee may need deletion .These are Front page ,Clauses (3) ,2.2 ,4.3 and the execution clauses.

Please then produce a final engrossment ,arrange signature by the owner and then send two copies to me for this Council to seal and then return one copy to you.I will copy in Local Land Charges .

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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



Save the environment - think before you print.

From: Andrea White [REDACTED] **On Behalf Of** James Clark
Sent: 12 September 2011 16:26
To: Delwyn Jones
Subject: Application reference A/117/11/PO: Lansdowne Nursery, Mayflower Way, Angmering, West Sussex BN16 4AY

Dear Mr Jones

I was pleased to note that our application to discharge the Section 52 Agreement dated 7 June 1983 has now been granted under a Decision Notice issued by the Council on 7 September 2011. I should be grateful if you would confirm to me once reference to this agreement has been removed from the Local Land Charges Register.

In the meantime, please let me know if there is any further information you need from me.

Yours sincerely

James Clark
 Solicitor
 for and on behalf of Thomas Eggar LLP

Thomas
 Eggar

Thomas Eggar LLP
Belmont House Station Way
Crawley West Sussex RH10 1JA
www.thomaseggar.com



Before printing this message please
make sure you really need to...

The information in this email is confidential and may be legally privileged. It is intended for the use of the addressee only. If you are not the addressee you must not use, copy or disclose the information contained in it. Please contact us immediately and delete the email from your computer system and destroy any hard copies you may have made.

Thomas Eggar LLP is registered in England and Wales as a Limited Liability Partnership, Registered No. OC326278.

Registered office: The Corn Exchange, Baffin's Lane, Chichester, West Sussex PO19 1GE (VAT number [REDACTED])

Thomas Eggar LLP is regulated by the Solicitors Regulation Authority. You can find information about the rules and regulations at www.sra.org.uk/solicitors/code-of-conduct. Lexcel and Investors in People accredited.

The word "partner" refers to a member of the LLP, or an employee or consultant with equivalent standing and qualifications. A list of the members of the LLP is displayed in all of our offices, together with a list of those non-members who are designated partners.

Julie Grieves

From: Angmering Parish Council [redacted]
Sent: 11 August 2011 11:57
To: Planning.Responses
Subject: A/117/11/PO - Lansdowne Nursery - Discharge of Planning Obligation

A/117/11/PO – Lansdowne Nursery, Mayflower Way, Angmering

Further to my telephone conversation today with your admin section, I would like to submit the following comment on the above application:

No Objection.

Please acknowledge formal receipt for my records. Marilyn Burt
Assistant Parish Clerk
Angmering Parish Council
The Corner House
The Square
Angmering
West Sussex BN16 4EA
Telephone: 01903 772124
www.angmeringparishcouncil.gov.uk



Delwyn Jones

From: Delwyn Jones
Sent: 22 August 2011 14:43
To: Planning.Responses
Cc: Peter Cleveland
Subject: RE: Planning Consultation on: A/117/11/PO
Attachments: memo landsdowne 22 8 2011.doc; 20110822142156385.pdf; povar.doc

Delwyn Jones | Planning Solicitor, Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre,
 Maltravers Road, Littlehampton, BN17 5LF
 Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk  Save the environment - think before you print.

From: planning.responses@arun.gov.uk [<mailto:planning.responses@arun.gov.uk>]
Sent: 08 August 2011 14:33
To: Delwyn Jones
Subject: Planning Consultation on: A/117/11/PO

To: Planning Solicitor- Delwyn Jones

NOTIFICATION FROM ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: A/117/11/PO

Registered: 25-JUL-11
Site Address: Lansdowne Nursery Mayflower Way Angmering BN16 4AY

Grid Reference: 507056 103553

Category: Plan Obl.Old pre1992

Description of Works: Application to discharge a Planning Obligation dated 07/06/1983 under Planning application reference A/114/04/ relating to occupation of the land

The Council have received the above planning application. I shall be pleased to receive any observations you may wish to make.

Click here to view the application details

Should you have any comments to make, these should be sent by replying to this email by 01-SEP-11. You can also monitor the progress of this application through the Council web site:

www.arun.gov.uk/planning

Please be aware that any comments you may make will be available on our website

In the absence of a reply within the period stated, I shall assume that you have no observations to make.

The officer dealing with this application is Mr P Cleveland who can be contacted on telephone number 01903 737500 x 37370.

Thanking you in anticipation

Regards
 Planning Case Officer

consultee_email
