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From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 05 October 2026 15:02
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Fw: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcraft Lane

Hi Team,

Please can you upload this email for the EOT on 14th October.

Thanks

Simon

From: Ballam, Rachel [REDACTED]
Sent: 02 October 2026 17:15
To: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>; Madeleine Begg [REDACTED]
Subject: RE: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcraft Lane

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Good afternoon Simon,

I agree an extension to 14th October.

Kind regards,



Rachel Ballam
She/Her
Planner
BDW Southampton
[REDACTED]
[REDACTED]

BDW Southampton | Tollbar House | Tollbar Way
Hedge End | Southampton SO30 2UH

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 30 September 2026 09:33
To: Ballam, Rachel [REDACTED] Madeleine Begg [REDACTED]
Subject: Re: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcraft Lane

Good morning Rachel,

I wanted to email to let you know that legal have not been able to provide the DOV for BE/48/26/DOV so I'm afraid we won't be able to issue the decisions for BE/17/26/S73 and BE/48/26/DOV today as planned

I have spoken to our lawyer and he said that he would be able to provide the document within 14 days. Can I therefore ask for a final EOT for **14/10/26** for both applications.

I'm very sorry for this additional delay.

Kind regards

Simon

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: Friday, September 25, 2026 07:58
To: Ballam, Rachel [REDACTED] Madeleine Begg [REDACTED]
Subject: Re: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcroft Lane

Hi Rachel,

I have spoken to legal and have been told that I should receive the DOV before the 30th so all being well we should be able to issue the decisions by this date.

If anything changes, I will let you know.

Kind regards

Simon

From: Ballam, Rachel [REDACTED]
Sent: Thursday, September 24, 2026 17:26
To: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>; Madeleine Begg [REDACTED]
Subject: RE: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcroft Lane

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Good afternoon both,

Just checking in to see if there has been any movement with the Deed of Variation? Are we OK to proceed to signatures?

Kind regards,



Rachel Ballam
She/Her
Planner
BDW Southampton
[REDACTED]
[REDACTED]

BDW Southampton | Tollbar House | Tollbar Way
Hedge End | Southampton SO30 2UH

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 14 September 2026 16:01
To: Ballam, Rachel [REDACTED]
Subject: Re: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcroft Lane

Dear Rachel,

I'm afraid I haven't yet received a draft DOV from our legal team. I have emailed them to chase up for this to be provided.

Kind regards

Simon

From: Ballam, Rachel [REDACTED]
Sent: 11 September 2026 12:56
To: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Subject: RE: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcroft Lane

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Good afternoon Simon,

I was wondering if you'd had any update from the legal team regarding BE/48/26/DOV. To my knowledge, all undertakings have been paid and documents provided.

Kind regards,



Rachel Ballam
She/Her

Planner

BDW Southampton
[REDACTED]
[REDACTED]

BDW Southampton | Tollbar House | Tollbar Way
Hedge End | Southampton SO30 2UH

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 27 August 2026 08:56
To: Ballam, Rachel [REDACTED]
Subject: *EXTERNAL:BE/17/26/S73 and BE/48/26/DOV- Chalcroft Nurseries, Land at Chalcroft Lane

Dear Rachel,

I wanted to update you on your two applications. I'm afraid the Deed of Variation for BE/48/26/DOV has not been completed by our legal team which means that we can't determine BE/17/26/S73 or BE/48/26/DOV. I have chased up the legal team again and asked that this be prioritised.

Could I therefore ask for a further EOT for these two applications for **30/09/26**?

Please accept my apologies for this delay.

Kind regards

Simon

From: Ballam, Rachel [REDACTED]
Sent: 04 August 2026 16:47
To: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Subject: RE: *EXTERNAL:BE/17/26/S73- Chalcroft Nurseries, Land at Chalcroft Lane

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Hi Simon,

Yes I am happy to agree to a determination date of 27th August.

Kind regards,



Rachel Ballam
She/Her

Planner

BDW Southampton
[REDACTED]
[REDACTED]

BDW Southampton | Tollbar House | Tollbar Way
Hedge End| Southampton S030 2UH

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 04 August 2026 13:25
To: Ballam, Rachel [REDACTED]
Subject: RE: *EXTERNAL:BE/17/26/S73- Chalcroft Nurseries, Land at Chalcroft Lane

Dear Rachel,

In order that the determination date for this S73 is the same as the deadline for the Deed of Variation application (BE/48/26/DOV), please can you agree to an EOT for **27/08/26?**

Thanks

Simon

From: Ballam, Rachel [REDACTED]
Sent: 15 June 2026 09:40
To: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Cc: Allison, Gregg [REDACTED] David Easton <David.Easton@arun.gov.uk>
Subject: RE: *EXTERNAL:BE/17/26/S73- Chalcroft Nurseries, Land at Chalcraft Lane

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Good morning Simon,

I agree to the below Extension of Time.

Kind regards,



Rachel Ballam

She/Her

Planner

BDW Southampton

[REDACTED]
[REDACTED]

BDW Southampton | Tollbar House | Tollbar Way
Hedge End | Southampton S030 2UH

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 12 June 2026 13:18
To: Ballam, Rachel [REDACTED]
Cc: Allison, Gregg [REDACTED] David Easton <David.Easton@arun.gov.uk>
Subject: RE: *EXTERNAL:BE/17/26/S73- Chalcroft Nurseries, Land at Chalcraft Lane

Dear Rachel,

As a s73 is a new permission, without the appropriate clause in the s106 agreement, this new permission would not be bound by this s106.

We have consulted with our legal team and they have confirmed that with the absence of this clause you will need a Deed of Variation before we can determine this s73.

Please can you agree to an extension of time for **7th August** for BE/17/26/S73.

I look forward to receiving your Deed of Variation application so we can resolve this matter.

Kind regards

Simon

From: Ballam, Rachel [REDACTED]
Sent: 11 June 2026 11:34
To: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Cc: Allison, Gregg [REDACTED]
Subject: RE: *EXTERNAL:BE/17/26/S73- Chalcroft Nurseries, Land at Chalcroft Lane

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Good morning Simon,

Apologies for missing your call. I appreciate the below update.

I understand there is case law establishing that a S73 consent was not bound by S106 permissions where it was found that the varied consent was implemented, not the original, and therefore the S106 was not binding on the implemented scheme.

However, we are seeking to reword a condition trigger, not amend the scheme in anyway, so I believe we are still implementing the scheme bound by the S106 Agreement.

Of course I will defer to the conclusions of our respective legal teams on this though and seek advice from our solicitor.

I await confirmation of your position and will be happy to agree to a formal of extension time to allow for this to be firmed up.

Kind regards,



Rachel Ballam
She/Her
Planner
BDW Southampton
[REDACTED]
[REDACTED]

BDW Southampton | Tollbar House | Tollbar Way
Hedge End| Southampton S030 2UH

From: Simon Brooksbank <Simon.Brooksbank@arun.gov.uk>
Sent: 11 June 2026 11:10
To: Ballam, Rachel [REDACTED]
Subject: *EXTERNAL:BE/17/26/S73- Chalcroft Nurseries, Land at Chalcroft Lane
Importance: High

Hi Rachel,

I tried calling you, but wanted to give you an update on your S73 application:

Variation of condition 20 following approval of BE/148/20/OUT relating to rewording of condition.

Unfortunately we were not able to issue the decision for your application yesterday because when we reviewed the s106 agreement, we could not see a clause which allowed future S73 application to be determined under this agreement. In the absence of this, a deed of variation would be required.

I will confirm our position on this shortly, but wanted to update you in the interim.

Thanks

Simon Brooksbank
Principal Planner
Planning

T: 01903 737881
E: Simon.Brooksbank@arun.gov.uk

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