

Karen Garner

From: Delwyn Jones
Sent: 30 October 2013 15:56
To: Planning.Responses
Cc: Simon Davis; Peter Cleveland
Subject: RE: Planning Consultation on: BR/248/13/PO
Attachments: DoVar 4TH 1 10 13 - WSCC comments-200813.doc

Simon and Peter,

Thanks for the email dated 14/10/13 and consulting about this Planning Obligation.

I am sure that you have discussed it, and Simon as case officer, now has the full background.

BACKGROUND JUSTIFICATION

The economy affects developers. The DCLG recognises this by Growth and Infrastructure Act 2013 and DCLG Guidance issued in April 2013.

Many are seeking staged payments. DCLG encourages LPAs to be pro active and understanding.

This developer has sought staged payments. I assume the economy is the reason, though I haven't seen the application in full. Also, in this case the developer has threatened court action about the validity of the deed and an agreed solution is preferable to expensive and risky litigation.

TERMS OF DEED OF VARIATION ATTACHED

I attach a copy of the [almost agreed and signed] Deed of Variation. Previously the Planning Obligation provided for lump sum payments. The parties agree to stage or instalments payments at start and finish of the development. See attached. This is soon to be signed.

CONCLUSION

The application should be granted in the terms of the Deed of Variation attached.

Delwyn

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer, Legal Services, [Arun District Council](http://www.arun.gov.uk) | 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: 14 October 2013 14:32
To: Delwyn Jones
Subject: Planning Consultation on: BR/248/13/PO

To: Planning Solicitor, Delwyn Jones

NOTIFICATION FROM ARUN DISTRICT COUNCIL

The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (As Amended)

Removal of a Planning Obligation

APPLICATION NO: BR/248/13/PO

Registered: 2nd October 2013

Site Address: 55 & 57 Victoria Drive and land to the rear. Bognor Regis

Grid Reference: 492898 99307

Description of Works: Application to discharge planning obligation dated 19th September 2007 under planning reference BR/217/07

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 14-NOV-13.

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 so please do not insert personal details or signatures on your reply.

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

The application will be determined having regard to the development plan policies (if any are relevant) and other material considerations. The development plan can be accessed via the website as can the leaflet which deals with material planning considerations.

Should the application go to appeal the Planning Inspectorate will publish any comments made to the Council on their website:

www.planningportal.gov.uk/planning/appeals/ but they will protect personal details.

The officer dealing with this application is Mr S Davis who can be contacted on telephone number 01903 737874.

Regards
Planning Officer

consultee_email
