

Simon Davis

From: Simon Davis
Sent: 02 November 2022 12:34
To: Adrian Burrows
Cc: Tania Tindale
Subject: RE: queensway BR/238/22/PL
Attachments: S106 Table Extract.docx

Dear Adrian,

Please see attached which is an extract of my own summary table. I am presently awaiting advice from Rachel Alderson (our principal landscape officer) regarding where the POS & Play monies will go to and also re details of contributions to outdoor sports (playing fields). In addition, WSCC Infrastructure are yet to respond.

The current requests are entirely in line with our policy as set out in the Open Space SPD and you may wish to note that we have refused flatted schemes previously where the applicant would not agree to the provisions – for example, BR/298/20/PL (10 flats) & BR/267/21/PL (24 flats). On the other hand, the proposed flats at the former Beach Hotel site at Waterloo Square (BR/244/20/PL – 10 flats) were approved with a s106 referencing the same provisions (as the applicant agreed with these).

If you wish to challenge the level of contributions then you can request a viability review. Our website states:

“The provision of affordable housing on a site at less than 30% or an alternative site or by way of a commuted sum will only be allowed in very exceptional circumstances and if supported by robust evidence including, where appropriate, viability evidence. In these cases we will use an independent assessor, Dixon Searle Partnership, to appraise the evidence provided. This will be at the cost of the applicant. Please note that we may publish developer viability appraisals in full on our website if the application fails to meet our affordable housing policy requirements.”

Whilst this refers to Affordable Housing, we have in the past allowed such viability reviews for other contributions (such as for the afore mentioned BR/298/20/PL which was then refused because the viability evidence was not accepted).

As I am not a planning solicitor, I am unsure re the Unilateral Undertaking approach but we have accepted these instead of a s106 on other applications and tend to allow these for appeals so I don't see why not. Ultimately, it will be for our solicitor to comment when we have instructed them (the instruction will be done when the outstanding consultations have been received).

Kind Regards

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<https://www1.arun.gov.uk/planning-application-finder>





From: Adrian Burrows <[REDACTED]>
Sent: 01 November 2022 19:22
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Tania Tindale <[REDACTED]>
Subject: queensway

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hi simon,

i note that on line today dated 1st nov 2022 the green space has been published including a provision for circa 150k, which seems an extraordinary amount.

1. is this double costing with the Strategic Projects dated 17th oct 2022?
2. would you be able to provide a table to show all the contributions and where the money will be allocated so there is no overlapping/ double counting;
3. this will enable our solicitor to finalise the UU which is increasingly urgent please;
4. please can you confirm if you are happy for the contribution in respect of the new application to be secured by UU? I believe you may have already confirmed this in respect of the ongoing apple.

many thanks,

a

Adrian Burrows
[REDACTED]