

[REDACTED]

From: Julie Molloy [REDACTED]
Sent: 08 November 2019 11:10
To: Nicola Spencer [REDACTED]
Subject: FW: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

Nicola

Further to our recent conversation concerning the above mentioned property, I attach a completion Application for Modification or Discharge of Planning Obligation.

If the original form is required then please can you advise where I should send this to.

Kind regards

Julie Molloy
Chartered Legal Executive

Bromley Clackett Law LLP
74-76 Aldwick Road
Bognor Regis
West Sussex
PO21 2PE

[REDACTED]

[REDACTED]
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From: Julie Molloy [REDACTED]
Sent: 22 October 2019 09:35
To: 'Nicola Spencer' [REDACTED]
Subject: RE: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

Nicola will legal require an undertaking from us for the costs or can this be settled by our client.

Julie Molloy
Chartered Legal Executive

Bromley Clackett Law LLP
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Bognor Regis
West Sussex
PO21 2PE

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From: Nicola Spencer [REDACTED]
Sent: 22 October 2019 09:05
To: [REDACTED]
Subject: RE: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

Legal have said depending on the complexity of the deed, the cost will be between £350 and £500.

Nicola Spencer | Technical Support Manager, Planning Department, Arun District Council | Location: First floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

[REDACTED]

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



Save the environment - think before you print.

From: Nicola Spencer
Sent: 18 October 2019 18:18
To: Julie Molloy [REDACTED]
Subject: RE: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

I have forwarded this to our legal section for a response as I do not know.

Nicola Spencer | Technical Support Manager, Planning Department, Arun District Council | Location: First floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

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From: Julie Molloy [REDACTED]
Sent: 18 October 2019 16:49
To: Nicola Spencer [REDACTED]
Subject: RE: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

Dear Nicola

Thank you for your email and I note what you say.

I will need to advise my client of the fees; are you able to let me know how much these will be please.

Yours sincerely

Julie Molloy
Chartered Legal Executive

Bromley Clackett Law LLP
74-76 Aldwick Road
Bognor Regis
West Sussex
PO21 2PE

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From: Nicola Spencer [REDACTED]
Sent: 18 October 2019 16:45
To: Julie Molloy [REDACTED]
Subject: RE: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

Thank you for your email.

No we are not able to give a letter confirming we would not take action. You will need to make an application to vary or remove a planning obligation. There is no planning fee as such but you will have to pay the Council's legal fees. I attach the necessary forms.

Yours sincerely

Nicola Spencer | Technical Support Manager, Planning Department, Arun District Council | Location: First floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF

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From: Julie Molloy [REDACTED]
Sent: 18 October 2019 13:12
To: Nicola Spencer [REDACTED]
Subject: Section 52 Agreement - Flat 1, Anglesea Court, 11 Victoria Road South, PO21 2NA

Dear Nicola

I am acting for my client in their sale of the above property.

I am in receipt of a copy of an email from Kelly Mitchell at SMR Solicitors concerning your correspondence with her of the 28th June 2019.

It seems that the Section 52 Agreement dated 6/4/87 states that the property is "...not to be occupied by persons of less than state pensionable age.."

Our clients buyer is in their 60s but would not satisfy todays state pensionable age. I note that the planning obligation was discharged for another flat in 2011 (as attached).

I presume that a letter from the council stating that they would not seek to take enforcement action could not be given? We understand that the other freeholders at Anglesea Court do not have an objection to the potential buyer due to her age.

We understand that the buyer is still very keen to purchase the property and if the latter cannot be provided then please can you outline what is required to move this forwards together with any costs?

Thank you for your assistance.

Yours sincerely

Julie Molloy
Chartered Legal Executive

Bromley Clackett Law LLP
74-76 Aldwick Road
Bognor Regis
West Sussex
PO21 2PE

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