

From: Simon Davis
Sent: 16 January 2019 11:25
To: [REDACTED]
Subject: BR/90/18/PL Westside Supplies

Dear Tony,

I write to apologise for making an error on this application in that I instructed our solicitor to seek, as part of the proposed Section 106 Agreement, a contribution towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area. The requested contribution was £12,194. I have since realised that the application site falls outside of the 5km zone within which contributions are sought. This was an oversight on my part. Therefore, the only requirements for the S.106 are:

1. £86,750 (5% of scheme GDV) to be held in a ring-fenced account to support the delivery of additional affordable housing in the Arun District;
2. £6,251 to be spent on additional equipment at Bersted Green Primary School;
3. £6,727 to be spent on additional equipment at The Regis School;
4. £1,576 to be spent on additional equipment at The Regis School Sixth Form;
5. £3,003 to be spent on additional stock at Bognor Regis Library; and
6. £283 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Bognor Regis.

I note that this is some £26,136 less than the total amount requested by the previous application (this being as a result of a reduction in the Education/Library/Fire contributions).

Although you had previously indicated that your client would agree to the Section 106 Agreement, I am advised by our solicitor that your clients solicitors have not been in contact since 09/11/18 when our solicitor provided them with justification for the level of contributions. This suggests to me that your client may not be in agreement with the requested contributions.

On this basis, I have written the application up for refusal. However, having now realised that I made an error in asking for £12,194 for Pagham, I would now like to provide your client with a short period to indicate whether they will now agree or not agree to the terms of the Section 106 Agreement. I would therefore be grateful if you would ensure that this email is provided to your client and his solicitors. If your client is unable to state that they agree to the requested contributions as set out in points (1) to (6) above by the 23rd January then I will have to refuse the application under delegated powers.

I would also be grateful if you agree to an extension of time until the 25th January 2019.

Kind Regards

Simon J Davis MRTPI | Principal Planning Officer, Planning Department, Directorate of Place, Arun District Council |
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