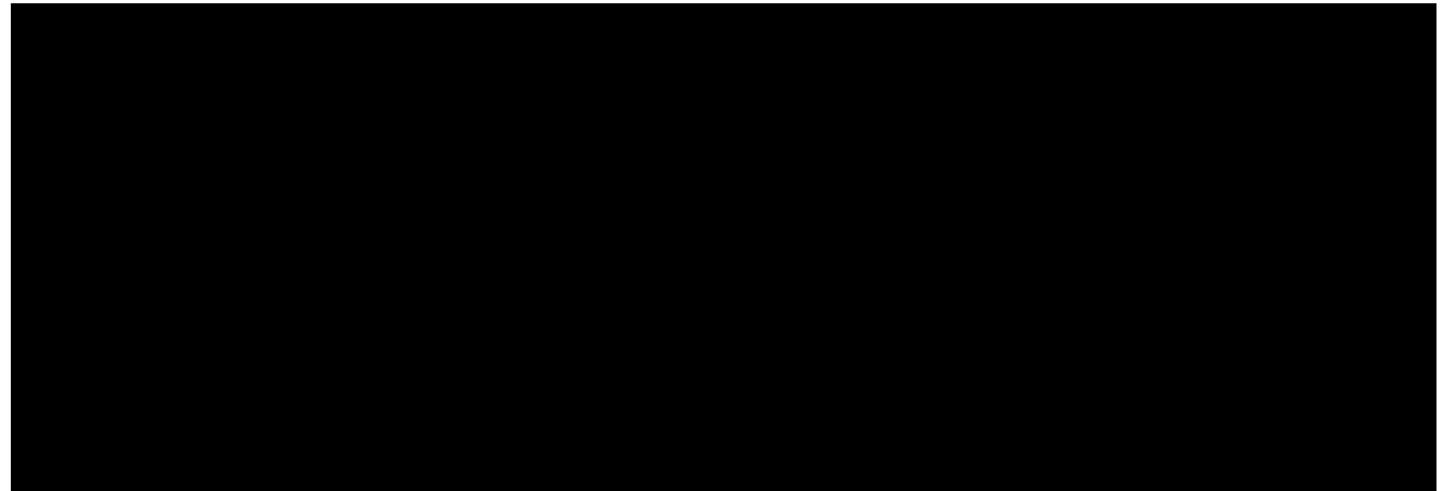




From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 06 November 2020 11:37
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Please upload the email trail below onto Ocella. It is a consultation response from the **Local Highway Authority** to PO application **LU/164/20/PO** at Hampton Park.

Thanks,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk

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From: Tim Townsend [REDACTED]
Sent: 06 November 2020 11:10



[REDACTED]
Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Hi Michael,

For your information and seeing the exchange of emails between you and Rob Clark, I thought it might help you by saying that the Highway Authority does not have an in-principle objection to the planning application for the Southern By-Pass trigger being changed from 350 to 450. This is supported by the traffic impact assessment undertaken by consultants on behalf of Persimmon which did not raise any particular issues on a technical level.

The point that I was trying to make in earlier correspondence this week is that any final DoV must demonstrate a logical and legally binding sequence for the highways works to be completed. The current DRAFT does not do this. It is also worth pointing out that the conversation solely focussed on the Southern By-pass (SBP) and Fitzalan Link Road (FLR) works whereas there will, of course, be the need to ensure that any other outstanding highway infrastructure obligations that Persimmon has within the existing S106 are also properly considered alongside any new triggers for the SBP and FLR in any planning permission going forward (as has already been stated in previous correspondence). As you know, the original S106 and subsequent DoV's are written in a very specific way and so it will be important that Persimmon demonstrate within any new DoV that ALL triggers properly align.

I hope this helps you.

Regards,

Tim

Tim Townsend, MCIHT

Principal Planner, County Highways Team – Highways, Transport and Planning

West Sussex County Council, Ground Floor Northleigh, County Hall, Chichester PO19 1RQ

[REDACTED]

From: Michael Eastham [<mailto:Michael.Eastham@arun.gov.uk>]

Sent: 05 November 2020 09:23

To: Clark, Robert

Cc: Tim Townsend; SU Local Development

Subject: FW: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Rob,

Please could you amend the wording of the draft Deed of Variation to set out precisely how things are intended to work in practice, to ensure that the Deed of Variation is binding in legal terms.

Kind regards,

Michael

Michael Eastham

Principal Planning Officer,

Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Tim Townsend [REDACTED]

Sent: 04 November 2020 09:16

To: Michael Eastham <Michael.Eastham@arun.gov.uk>
[REDACTED]

Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Dear Michael,

The comments about how things are intended to work in practice found in Rob's email to you of 3rd November are, in principle, helpful (thank you Rob). However, the current DRAFT Agreement is not written like that. In my view, to use Rob's intended build programme in the Agreement suggests that part of the SBP works (the roundabout) needs to be split from the SBP description and added to the FLR works description in the Agreement. Therefore, it is important to ensure that this is properly reflected in any final DoV to ensure that it is binding in legal terms.

Regards,

Tim

Tim Townsend, MCIT

Principal Planner, County Highways Team – Highways, Transport and Planning

West Sussex County Council, Ground Floor Northleigh, County Hall, Chichester PO19 1RQ
[REDACTED]

From: Michael Eastham [<mailto:Michael.Eastham@arun.gov.uk>]

Sent: 03 November 2020 19:50

To: Tim Townsend

Cc: Laura Floodgate; SU Local Development; Clark, Robert

Subject: FW: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Tim,

I have received the following email from Rob Clark at Persimmon Homes in which he explains that the programme had to change because of Covid-19, so the order suggested by you will not work.

Could we use the amended programme in the Deed of Variation?

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Clark, Robert [REDACTED]
Sent: 03 November 2020 19:34
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Hi Michael

Because of Covid the programme had to change so the order suggested by Tim (below) will not work.

This is how it is going to work in practice:

The Fitzalan Link and the A259 roundabout will be completed by May 2021; and the southern section of the Lyminster Bypass will be completed by December 2021.

The above is based on NR's possession date for the southern section of the Lyminster Bypass. The wording suggested in the latest DoV does work and is based on the latest programme.

Kind Regards

Rob

Robert Clark
Land and Planning Director
Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
GU15 3TQ
[REDACTED]

From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 03 November 2020 16:21
To: Clark, Robert [REDACTED]

Subject: FW: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Importance: High

Hi Rob,

I have spoken to Tim on the phone and he has explained that the wording in the Deed of Variation needs to be amended to read:

The southern section of the Lyminster Bypass will be delivered first, then the delivery of the roundabout on the A259 will result in the completion of the northern section of the Fitzalan Link Road.

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Tim Townsend

Sent: 03 November 2020 12:30

Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Dear Michael,

Thank you for your email of 2nd November 2020 found below.

The County Council's position with the submission is that the wording of the current DRAFT S106 DoV does not provide a suitable mechanism to secure the required infrastructure in an appropriate way. Although the inclusion of 'back-stop' dates are in-principle welcomed in the text of the Agreement, the overall wording does not demonstrate how the Fitzalan Link Road can be completed in advance of the Southern By-Pass works. This is because Fitzalan requires connection to the roundabout on the A259, the latter a requirement forming part of the Southern By-Pass works.

This matter has long been known to the applicants and even with repeated requests for them to address it, we still have not received the necessary information.

If the Local Planning Authority is still minded to determine the application on the 6th November, it is in full knowledge of the comments raised above.

Regards,

Tim

Tim Townsend, MCIHT

Principal Planner, County Highways Team – Highways, Transport and Planning

West Sussex County Council, Ground Floor Northleigh, County Hall, Chichester PO19 1RQ

From: Michael Eastham [mailto:Michael.Eastham@arun.gov.uk]

Sent: 02 November 2020 16:06

To: Clark, Robert; Tim Townsend

Cc: Laura Floodgate; Solomon Agutu; Hicks, Adrian

Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Hi Rob,

Thanks for the update.

Tim – does the Local Highway Authority require the submission of any further information from Persimmon Homes for the **PO application LU/164/20/PO**. If you do not require any further information from Rob and his Team at Persimmon Homes, could you submit your final consultation response to PO application LU/164/20/PO as a matter of urgency?

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Clark, Robert

Sent: 02 November 2020 15:28

[REDACTED]
Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Hi Michael

I have sent the updated draft Deed of Variation to Laura for review and hope to hear soon.

Kind regards

Rob

Robert Clark
Land and Planning Director
Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
GU15 3TQ
[REDACTED]

From: Michael Eastham [REDACTED]

Sent: 30 October 2020 14:56
[REDACTED]

Subject: RE: LU/164/20/PO – Hampton Park – DEED OF VARIATION

Dear Rob and Tim,

Further to my email of Monday 26th October 2020, it would be good if we could finalise the Deed of Variation to the Section 106 Agreement for Hampton Park by **Friday 6th November 2020**.

I understand that wording throughout the Section 106 Agreement needs to be amended to enable the occupation triggers to be increased from the 350th to the 450th dwelling for the completion of the highway works; and that these changes in the wording of the S106 Agreement will be picked up in the Deed of Variation.

Tim – does the Local Highway Authority require the submission of any further information from Persimmon Homes for the **PO application LU/164/20/PO**. If you do not require any further information from Rob and his Team at Persimmon Homes, could you submit your final consultation response to PO application LU/164/20/PO as a matter of urgency?

Once the Deed of Variation has been signed and issued, the Local Planning Authority will determine the **PO application LU/164/20/PO** and issue the Decision Notice.

I look forward to receiving your replies.

Kind regards,

Michael

Michael Eastham

Principal Planning Officer,
Planning Department



T: 01903 737772

E: michael.eastham@arun.gov.uk

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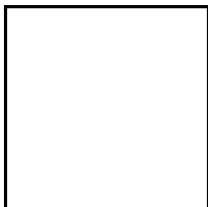
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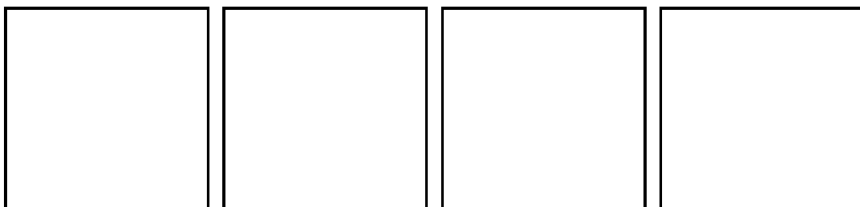
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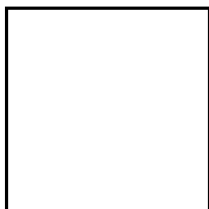
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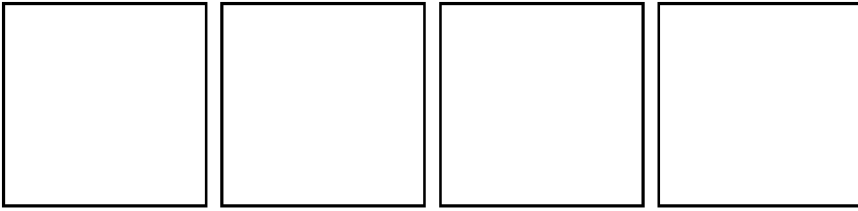
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