

From: Simon Davis
Sent: 18 November 2020 10:56
To: Planning Scanning
Subject: FW: P/97/20/PL- Land To North Of Summer Lane Pagham

Application Correspondence

From: Simon Davis
Sent: 18 November 2020 10:53
To: 'Daniel OShea' [REDACTED]
Subject: RE: P/97/20/PL- Land To North Of Summer Lane Pagham

Dear Daniel,

The S.106 would be required for the affordable housing (4 x rented & 1 x shared ownership) and the Pagham Harbour mitigation measures (£13,065 being 15 x £871). Everything else would be CIL and would also cover the approved 21 dwellings. You may therefore need a Deed of Variation to the original 106 to reduce the contributions but I would suggest that this should be applied for separately to this application (although this view does not reflect any legal advice).

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

T: 01903 737874
E: simon.davis@arun.gov.uk



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
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From: Daniel OShea [REDACTED]
Sent: 17 November 2020 16:11
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: P/97/20/PL- Land To North Of Summer Lane Pagham

Dear Simon,

Thanks for your email.

I think that the purpose of my discussion with Sofina Ahmed has been misinterpreted as we simply enquired as to whether Sofina knew if the LPA was minded to approve the current application, and if her instructions extended to deal with a variation of the S106 agreement which ran with the extant consent; a variation that would presumably be necessary to ensure that there was no double counting now that CIL has been adopted by the Council.

Given the holding objection of the Council's engineers and the outstanding response from NE it may be prudent to hold progression of the agreement. Also, before instructions are provided for drafting of the agreement it would be helpful to receive and agree Heads of Terms for the matters to be secured.

I look forward to hearing from you.

Thanks.

Kind regards,

Daniel O'Shea
Planning Manager

Drew Smith Limited
Drew Smith House, Mill Court, The Sawmills, Durley,
Southampton, Hampshire, SO32 2EJ



www.vistrypartnerships.co.uk
www.drewsmithhomes.co.uk



From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 16 November 2020 12:52
To: Daniel O'Shea [REDACTED]
Subject: FW: P/97/20/PL- Land To North Of Summer Lane Pagham

NOTE: Email originated outside of Vistry Group.

Dear Daniel,

Please see comments below from our Drainage Engineers raising a holding objection.

I understand that you have told our solicitor that you will not instruct solicitors re the legal agreement unless you know that the application is to be recommended for approval.

I cannot confirm our position at this time. We were happy with the layout but the objection from engineers on the amount of crossings changes this. Further, the principle of development will also be subject to a separate assessment of the impact upon the Pagham Harbour SPA. The Pagham Harbour developer contribution is just one part of this, we also need to carry out an Appropriate Assessment under the Habitat Regs to determine if there are other impacts on the Harbour and if other mitigation measures are required. This is in accordance with the recent *People Over Wind* Ruling by the Court of Justice of the European Union. I am likely to require your assistance (from your ecologist) with this task. I was awaiting the Natural England response before I wrote to you to seek your assistance on this matter.

Lastly, please note that if you do not agree to the preparation of the S.106, then that will attract additional refusal reasons.

Kind Regards

Simon

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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