

[REDACTED]

[REDACTED]

From: Bowie, David [REDACTED]

Sent: 17 October 2017 18:35

To: 'Tim Wall'

Cc: Cleaver, Elizabeth; Planning SE; Franklin, Richard; Van Laun, Jordan; Baker, Meryl; [REDACTED] Michael Eastham

Subject: RE: Highways England's response to outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Tim,

Broadly speaking I am agreeable although there are a couple of matters we probably need to give some consideration to in regards to the mitigation. In the unlikely event that the scheme at Fontwell Roundabout does not go ahead the £400K will need to be used to mitigate the impact of the development on the existing junction along with whatever else comes forward that may affect it at the appropriate time. I'm not sure what this would be but the contribution could be needed to be used for an alternative scheme. In addition, normally if we don't use the contribution by a set period (usually 7 years) we hand any contributions back but in this case the Land East of Fontwell Avenue roundabout improvements would be expected to be delivered by end of plan period 2031. So the agreement will need to last up until that point at least. HE will need to consider what might be needed as an interim scheme if required.

I've suggested to Michael Eastham that all that is needed for the s106 is a clause which requires your client to enter into a s278 for said works prior to commencement of the development. This would then give plenty of time to resolve these matters and any others and include them in the s278 (which your client will be required to enter into in any event)? Once the s278 was agreed the condition could be discharged as with any other. I've adopted this approach elsewhere and this seems to have worked well thus far.

I hope the above makes sense and confirms our in principle agreement subject to some finer detail/thought.

Regards

David

David Bowie

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://www.highways.gov.uk>

From: Tim Wall

Sent: 17 October 2017 18:07

To: Bowie, David

Cc: Cleaver, Elizabeth; Planning SE; Franklin, Richard; Van Laun, Jordan; Baker, Meryl; Michael Eastham

Subject: Highways England's response to outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Importance: High

David,

Further to our discussion earlier, Wates Developments are prepared to accept the terms proposed for the S106 obligations, namely that:

A27 / A29 Fontwell Avenue / Arundel Road

- A contribution of £400,000 is to be paid in lieu of the additional improvement works (as shown on Drawing ITB11324-GA-015 Rev C). The contribution is to be paid within two months of receipt of a Payment Notice, which itself is to be served only after development has commenced and at a point two months ahead of the programmed commencement of the improvement works to the A27 / A29 Fontwell Avenue / Arundel Road junction required under planning permission WA/22/15/OUT.

A27 / Yapton Lane

- Improvement works (right-turn Lane extension - as shown on Drawing ITB11324-GA-014 Rev C) to be carried out by the Developer prior to the occupation of the 90th dwelling; and
- In the event the works become superfluous (i.e. that Option 5a of the Arundel Bypass is to be pursued) then a contribution of £180,000 (equivalent to the cost of the improvement works) is to be paid in lieu of the works and used towards improvement of the A27 corridor.

I trust this allows HE to confirm its position now to ADC so that the Section 106 can be concluded and permission issued.

Kind regards

Tim Wall BA (Hons) MSc MCiHT CMILT

Associate Partner

for i-Transport LLP

Basingstoke Office: Grove House, Lutyens Close, Chineham Court, Basingstoke, RG24 8AG

13 brave souls from i-Transport will be running the Great South Run in memory of our colleague Chris Snazell. We will be raising money for the Evelina London Children's Hospital who have provided care and support to one of her sons over the last 17 years. Our sponsorship page can be found at: <https://www.justgiving.com/teams/i-Transport>



We use the word "partner" to refer to a member of i-Transport LLP or an employee or consultant with equivalent standing and qualifications.

Please note that **the information in this e-mail is confidential** and unless you are (or authorised to receive it for) the intended recipient, you must not disclose, copy, circulate or in any way use the information it contains. **If you have received this e-mail in error** please inform us and immediately delete all copies from your system. Whilst it is believed that this e-mail and any attachments are free of any virus or other defect, it is your responsibility to ensure that your computer or IT system are not affected and we accept no responsibility for any loss or damage arising.

i-Transport LLP is a limited liability partnership Registered in England under number OC311185. Registered Office: 3rd Floor, One London Square, Cross Lanes, Guildford, Surrey, GU1 1UN. A list of members is available upon request.

This email may contain information which is confidential and is intended only for use of the recipient/s named above. If you are not an intended recipient, you are hereby notified that any copying, distribution, disclosure, reliance upon or other use of the contents of this email is strictly prohibited. If you have received this email in error, please notify the sender and destroy it.

Highways England Company Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF |
<https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk

Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

Consider the environment. Please don't print this e-mail unless you really need to.