

[REDACTED]

From: Ian Johnson [REDACTED]
Sent: 18 March 2022 12:52
To: Simon Davis <Simon.Davis@arun.gov.uk>
Cc: Nicola Gooch [REDACTED] Daniel Vick <Daniel.Vick@arun.gov.uk>; Thomas Roberts [REDACTED] Neil Crowther <Neil.Crowther@arun.gov.uk>; Steve Culpitt [REDACTED] Lucy Brown [REDACTED] David West [REDACTED]
Subject: Re: Y/186/21/PL - Bonhams Field, Yapton

Dear Simon

Further to the email from Tom on Tuesday (with attached Irwin Mitchell legal opinion) we have undertaken a review of other re-plan applications in Arun. We have identified two examples of where approval has been granted and either a Deed of Variation or a new S106 Agreement has been considered acceptable mechanisms for securing changes to previously agreed planning obligations.

I expect there are other examples in Arun and of course in other LPA areas, including in neighbouring Chichester which Luken Beck have secured consent for. As the two examples referred to below are from within Arun and the case officer was Claire Potts, Team Leader we felt these would be most relevant. In summary:

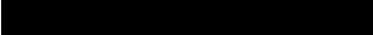
- **Site 6, Felpham FP/102/16/PL** – approval of re-plan for additional 33 dwellings, comprising a greater proportion of 3 bed dwellings. The original S106 was subject to DOV and affordable housing was agreed to be provided off-site by financial contribution.
- **Nyton Nursery AL/3/19/PL** – approval of re-plan for additional 23 dwellings, comprising a greater proportion of smaller dwellings and a non policy compliant split of affordable tenure 69:31. The resolution was to grant consent subject to completion of a S106, which was to include additional planning obligations created by the re-plan element.

I hope this email provides helpful background for your forthcoming response to Tom's email. Please can you also contact the County Council again to request their consultation response regarding any obligations they wish to have included in the legal agreement. We trust the submitted draft Deed of Variation covers the other planning obligations associated with this application.

Regards

Ian

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