

[REDACTED]

From: Simon Davis
Sent: 15 June 2022 15:11
To: Planning Scanning
Subject: FW: Y/186/21/PL - Bonhams Field, Yapton

[REDACTED]

From: Ian Johnson [REDACTED]
Sent: 12 April 2022 09:56
To: Simon Davis [REDACTED]
Cc: Daniel Vick [REDACTED]; Thomas Roberts [REDACTED];
[REDACTED] Lucy Brown [REDACTED] Neil Crowther
[REDACTED] Sejal Patel [REDACTED]
Subject: Re: Y/186/21/PL - Bonhams Field, Yapton

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Dear Simon

Thank you for the email in Dan's absence.

I note you are away next week, which is the earliest we have availability. Would it possible to check Dan's availability for a meeting at your offices on 19th April, late morning or after 3pm?

With regard to Dan's request on Friday for some further detail on the re-plan applications in Chichester, please see attached the decision notices and officer reports for the following:

17/00540/FUL – Erection of 12 no. semi detached dwellings to replace 8 no. dwellings approved under outline consent TG/12/01739/OUT and reserved matters consent TG/15/00918/REM: Land on East Side of Meadow Way, Tangmere, West Sussex

- Proposal stemmed from lack of demand for larger units and need for smaller more affordable market units.
- DOV submitted to reduce relevant S106 contributions where the CIL regime would provide necessary contributions (i.e. sports and leisure and community facilities sums) i.e. avoid 'double-dipping'.

O/15/03720/OUT - Additional 85 dwellings on land with outline approval for 500 dwellings under reference O/11/05283/OUT: North Side Of Shopwhyke Road Shopwhyke, West Sussex

- Officers considered there was a clear strategic incentive to locate a large new housing development on the application site, building on previously developed brownfield land with an extant permission for housing development, thus avoiding the need to find new greenfield sites on the edge of the City.
- Approval recommended subject to S106 to, where relevant, link the development back to the requirements in the S.106 on the main site under outline planning permission O/11/05283/OUT.

For your convenience I have attached again the draft DOV and legal opinion.

Best regards

Ian

Ian Johnson BSc (Hons) MA PG UD MRTPI
Managing Director

30 Carlton Crescent, Southampton, Hampshire SO15 2EW



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From: Simon Davis [REDACTED]
Date: Monday, 11 April 2022 at 18:29
To: Ian Johnson [REDACTED]
Cc: Daniel Vick [REDACTED] Thomas Roberts [REDACTED]
Subject: RE: Y/186/21/PL - Bonhams Field, Yapton

Dear Ian,

I have discussed with Neil Crowther and can confirm that we do not have our own legal advice on this subject although even if we did we would not be able to release it. However, we maintain that our view is correct. In particular, we maintain that you cannot submit a Deed of Variation to the previous s106 through a new full application for a part of the previous site area.

I note that Dan has indicated that a meeting can be accommodated so please send through your dates. However, please note that he is away this week and I am away next.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

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From: Ian Johnson [REDACTED]
Sent: 11 April 2022 09:03
To: Daniel Vick [REDACTED]
Cc: Neil Crowther [REDACTED]; Simon Davis [REDACTED] >
Subject: FW: Y/186/21/PL - Bonhams Field, Yapton

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Hi Dan

During our telephone conversation on Friday you mentioned your legal advisors did not consider the principle of a re-plan application was possible on this site. You also requested some examples of consented re-plan applications.

Would it be possible to email me a copy of the legal advice as this is contrary to the legal advice my client has received and which we have shared with the Council?

With regard to the examples of re-plan consents, we have obtained numerous house substitutions at Felpham for BDW in Arun DC and there are examples elsewhere. It is inevitable that re-plan applications will need to deal with CIL as the original consents may well pre-date the introduction of CIL in Arun in April 2022. The draft DOV and legal advice we have submitted clearly sets out how the two applications would be delivered alongside the required S106 and CIL obligations.

I understand you agree that a meeting could be helpful and we shall send you some examples of re-plan applications in advance or some dates for the meeting.

Best regards

Ian

Ian Johnson BSc (Hons) MA PG UD MRTPI
Managing Director

[REDACTED]
30 Carlton Crescent, Southampton, Hampshire SO15 2EW



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