

From: Richard Temple
Sent: 11 July 2017 08:36
To: Planning.Responses
Subject: FW: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

Please scan email and attachment as 'West Sussex County Council comments'.

Thank you

Richard Temple | Senior Planning Officer, Planning & Economic Regeneration, Arun District Council | Location: First Floor, Arun Civic Centre,
Maitravers Road, Littlehampton, BN17 5LF
Internal: 37591 | External: +44 (0) 1903 737591 | E-mail: Richard.temple@arun.gov.uk

Please note this information is given without prejudice and represents the informal view of the officer and not an official opinion of Arun District Council.

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From: Laura Floodgate [REDACTED]
Sent: 10 July 2017 16:21
To: Delwyn Jones; 'Buczynskyj, David'
Cc: 'Jude Rodrigues'; Richard Temple
Subject: RE: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

Dear both

Thank you for your emails on this matter. I look forward to receiving a draft D of V for consideration. I have received the attached consultation reply from my client effectively advising that there is now to be a contribution in lieu of works of £80,503.40. I have enquired as to the specific scheme to which it is intended to be put.

I estimate fees at £500 and will require a costs undertaking expressed to be paid whether or not the matter proceeds to completion please.

Regards,

Laura Floodgate | Solicitor | West Sussex County Council

Please note that I work part time and my working days are Monday to Wednesday 8am to 4pm.

Address: Room 202, County Hall, West Street, Chichester, West Sussex, PO19 1RQ. DX: 157410 Chichester 8



The Legal Services of Brighton and Hove City Council, East Sussex County Council, Surrey County Council and West Sussex County Council working in partnership

From: Delwyn Jones [<mailto:Delwyn.Jones@arun.gov.uk>]
Sent: 07 July 2017 10:00
To: 'Buczynskyj, David'
Cc: Laura Floodgate; 'Jude Rodrigues'; Richard Temple
Subject: RE: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

Jude,

Please send me and WSCC your draft DoV in due course

I trust you have all you need to do this already but if you require anything from me, let me know and I will try to oblige

D

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer, Legal Services, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF DX 57406 Littlehampton
Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk
Visit Arun's web site at www.arun.gov.uk  Save the environment - think before you print.

From: Buczynskyj, David
Sent: 07 July 2017 08:42
To: Delwyn Jones
Cc: 'Laura Floodgate'; 'Jude Rodrigues'
Subject: RE: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

Dear Delwyn,

Thank you for both emails yesterday. Jude – Please note the email below at 1718 on 6th July 2017 with comments from Delwyn in red.

I can confirm my Solicitor for this matter is:

Mr. Jude Rodrigues
Head of Planning, Highways and Environmental Law
Davies and Partners Solicitors

[REDACTED]

I have received the first draft from Jude which I will review today, as such you should receive a draft deed shortly. I have a cheque for £450 in order for Arun to consider the deed and I will post this to you today.

Kind regards,

Dave

Dave Buczynskyj
Senior Development Planner

Persimmon Homes South Coast
Parkview House
100 Wickham Road
Fareham
PO16 7HT

[REDACTED]

www.persimmonhomes.com

From: Delwyn Jones [<mailto:Delwyn.Jones@arun.gov.uk>]
Sent: 06 July 2017 17:24
To: Buczynskyj, David
Cc: 'Laura Floodgate'
Subject: FW: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

David

Ps

If you wish to send your solicitors contact details ,name of fee earner and firm , and email address I can make contact with them

D

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer , Legal Services, [Arun District Council](http://www.arun.gov.uk) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF DX 57406 Littlehampton

Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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From: Delwyn Jones
Sent: 06 July 2017 17:18
To: 'Buczynskyj, David'
Cc: Richard Temple; 'Laura Floodgate'
Subject: RE: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

David

I believe I acknowledged and replied to yours dated 20 June earlier but just "to be sure ,to be sure" , and because out file opening was delayed , I confirm in red text below :-

The specific clause that requirement varying related to the Highway Works referred to within paragraph 6.1 of the agreement are currently being arranged and implemented. Persimmon has been liaising with West Sussex County Council to finalise and enter into an appropriate s278 agreement. Technical approval has been granted but WSCC highways no longer want the cycleway improvements stated within the s106 to be included as part of the S278 works. As such, the s106 agreement needs to be subject to a Deed of Variation to be in line with the proposed s278 agreement. The variation will need to enable a contribution of £80,503.40 to be paid in lieu of the Cycleway works – this has been accepted by Mark Akmenkalns via email 08.05.17 and is attached. Noted and WSCC copied in to confirm

Could you advise on the protocol for drafting of the agreement; I am happy for my Solicitor to draft the agreement and can have this turned around within a week or so I am also and happy to place the Council in funds to check the DoV. Alternatively, I am happy for Arun or WSCC to draft the DoV, provided this is done expediently, and I am happy to cover the reasonable cost of this. please can your solicitor draft and submit a draft DoV and submit to me and WSCC if its already sent ,please send me another copy and/or tell me who sent it and when so I can trace in my emails and comment on it to you

If WSCC or Arun would like to undertake the drafting of the DoV, could you advise of potential cost and how much I would need to raise a cheque for to place you in funds. ADC fees whoever drafts are £450 not VATable , and WSCC will raise their own separate fees

Additionally, given the DoV only relates to s278 works, I consider only Persimmon Homes and WSCC need to be party to the DoV. Agreed and WSCC notified

D

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer , Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF DX 57406 Littlehampton
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From: Buczynskyj, David [REDACTED]
Sent: 20 June 2017 14:54
To: Delwyn Jones
Cc: Richard Temple
Subject: FW: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

Dear Delwyn,

Thank you for taking my call earlier during which we agreed I would email the details of the proposed amendment to you for consideration of how the matter is to proceed.

The specific clause that requirement varying related to the Highway Works referred to within paragraph 6.1 of the agreement are currently being arranged and implemented. Persimmon has been liaising with West Sussex County Council to finalise and enter into an appropriate s278 agreement. Technical approval has been granted but WSCC highways no longer want the cycleway improvements stated within the s106 to be included as part of the S278 works. As such, the s106 agreement needs to be subject to a Deed of Variation to be in line with the proposed s278 agreement. The variation will need to enable a contribution of £80,503.40 to be paid in lieu of the Cycleway works – this has been accepted by Mark Akmenkalns via email 08.05.17 and is attached.

Could you advise on the protocol for drafting of the agreement; I am happy for my Solicitor to draft the agreement and can have this turned around within a week or so I am also and happy to place the Council in funds to check the DoV.

Alternatively, I am happy for Arun or WSCC to draft the DoV, provided this is done expediently, and I am happy to cover the reasonable cost of this.

If WSCC or Arun would like to undertake the drafting of the DoV, could you advise of potential cost and how much I would need to raise a cheque for to place you in funds.

Additionally, given the DoV only relates to s278 works, I consider only Persimmon Homes and WSCC need to be party to the DoV.

Kind regards,

Dave

Dave Buczynskyj
Senior Development Planner

Persimmon Homes South Coast
Parkview House
100 Wickham Road
Fareham
PO16 7HT



www.persimmonhomes.com

From: planning.responses@arun.gov.uk [mailto:planning.responses@arun.gov.uk]
Sent: 20 June 2017 13:34
To: Buczynskyj, David
Subject: Acknowledgement of Planning Application: Y/35/17/PO : Land at Goodhew Close

<http://www.arun.gov.uk>
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**WEST SUSSEX COUNTY COUNCIL
PLANNING SERVICES CONSULTATION**

DATE: 29th June 2017

**FROM: Ian Gledhill TO: Arun District Council
FAO: Richard Temple**

SUBJECT: Y/35/17/PO - Application to modify planning obligation approved under reference Y/81/10 relating to West Sussex County Highways providing a payment in-lieu of Cycle Way.

Land at, Goodhew Close, Yapton, Arundel, West Sussex

RECOMMENDATION:

**Advice
Objection**

**Modification
No Objection**

X

**More Information
Refusal**

As background, as part of Y/81/10, details were proposed by the applicant for the creation of various cycle way works along Burndell Road into Yapton village centre. At that time, it was agreed that those works were indicative, of limited benefit, and that a more comprehensive scheme of cycle improvements should instead be delivered from the development towards Barnham. This requirement was not however included in the s106 agreement. Instead, the obligation made reference to the delivery of those indicative cycle way improvements alongside Burndell Road.

Notwithstanding this, the cycle way improvements have been taken forwarded to detailed design, where a number of significant safety issues were raised. It's therefore apparent that the cycle way works cannot be implemented. Given also the overall limited benefit as raised through the formal consultation response issued in 2010, the LHA are satisfied that the existing s106 obligation can be varied to a contribution in lieu of works.

The contribution (of £80,503.40) has been derived from the costs of the proposed cycle way works. This contribution, which will be used towards local highway improvements, is acceptable.

There would be no objection to the variation of the s106 obligation.

**Ian Gledhill
Planning Services**