

Nicola Spencer

From: Daun Johnson
Sent: 14 January 2021 08:21
To: Nicola Spencer
Subject: FW: Bonhams Field, Main Road, Yapton - S106 Agreement
Attachments: Application to Mod Plg Obligation (signed form).pdf; 20062 - S101b Site Location Plan.pdf

seaward

Daun Johnson
Technical Support Unit Assistant, Planning

T: 01903 737762
E: daun.johnson@arun.gov.uk

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From: Daun Johnson
Sent: 09 December 2020 09:34
To: Planning Scanning <Planning.Scanning@arun.gov.uk>
Subject: FW: Bonhams Field, Main Road, Yapton - S106 Agreement

Please upload email to Y/143/20/PO as confidential

Daun Johnson
Technical Support Unit Assistant, Planning

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E: daun.johnson@arun.gov.uk

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From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Sent: 08 December 2020 14:11
To: Technical Support Unit Staff <TechnicalSupportUnitStaff@arun.gov.uk>
Cc: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: FW: Bonhams Field, Main Road, Yapton - S106 Agreement

This is a new PO application to be registered to Simon. The description should read along the lines of 'Application to remove obligation for approval and provision of a children's play area'

Thanks

Ros Bentley

Planning Contributions and Data Analysis
Officer, Planning Department

T: 01903 737636

E: rosalind.bentley@arun.gov.uk



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From: Ian Johnson [REDACTED]
Sent: 08 December 2016 11:05
To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Cc: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: Re: Bonhams Field, Main Road, Yapton - S106 Agreement

Dear Ros

Further to Simon's email I suggest I revise the attached draft to cover just the removal of the on-site play area requirement from the S.106 and then for our respective solicitors to agree on a separate DoV.

Are you happy with this approach?

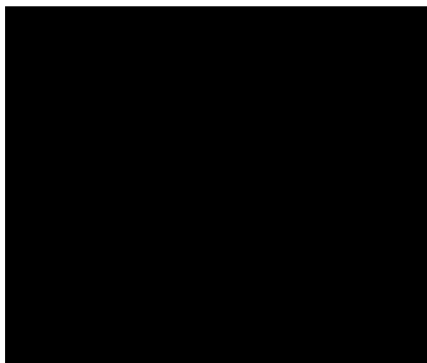
Regards

Ian

Ian Johnson MRTPI
Managing Director
Luken Beck mdp Ltd
30 Carlton Crescent
Southampton
Hampshire SO15 2EW

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LinkedIn:
Website:





From: Simon Davis <Simon.Davis@arun.gov.uk>
Date: Monday, 7 December 2020 at 18:53
To: Ian Johnson [REDACTED]
Cc: Solomon Agutu <Solomon.Agutu@arun.gov.uk>, Nicola Gooch [REDACTED],
Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>, Nicola Bascombe
[REDACTED] David West [REDACTED]
Subject: RE: Bonhams Field, Main Road, Yapton - S106 Agreement

Dear Ian,

I write further to Ros Bentley's email below which was prompted by a conversation I had with her. I am sorry to mess you around but I think we actually do need you to submit the PO application after all.

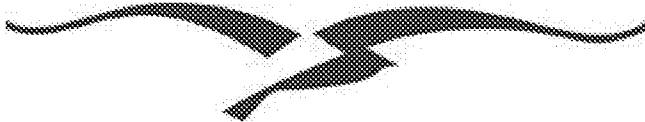
It was my thinking that there was no need for the PO as the change required in respect of removal of the on-site play area requirement from the S.106 could be included in the Deed of Variation (DoV) required in connection with Y/99/20/PL (that adds in a S.73 clause to enable the original S.106 to also apply to the variation of conditions application). However, having now considered this further, I don't consider that we can tag this onto Y/99/20/PL as this application has not been advertised as amending the S.106 to remove the on-site play requirement so neither the Parish Council nor interested residents will have had the opportunity to consider this. To do that would require the readvertisement of Y/99/20/PL which we are not prepared to entertain.

I still believe it makes no sense to agree one DoV for one change and then shortly thereafter have to agree another DoV but we are not prepared to agree to a delay in the determination of Y/99/20/PL. Also, given that this is a contentious site with some very vociferous objectors, it makes sense to keep the changes separate.

I am away Tuesday but free on Wednesday should you wish to discuss.

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place



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

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From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Sent: 03 December 2020 13:52

To: Ian Johnson [REDACTED] Planning <Planning@arun.gov.uk>

Cc: Solomon Agutu <Solomon.Agutu@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Nicola Gooch [REDACTED]; Nicola Bascombe [REDACTED] <[REDACTED]@arun.gov.uk>; David West [REDACTED]

Subject: RE: Bonhams Field, Main Road, Yapton - S106 Agreement

Dear Ian,

Sorry, I had not appreciated that you already had a Deed of Variation being worked on in conjunction with the S73 - Y/99/20/PL, so having asked you to submit a separate PO application & DoV to get the play area obligations removed we now think it is not necessary and would be much simpler to include their removal as part of the current Deed of Variation to run with Y/99/20/PL.

Hope that is ok with you and sorry for any inconvenience.

Ros Bentley

Planning Contributions and Data Analysis
Officer, Planning Department



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From:
Ian
Johnson

[REDACTED]
Sent: 03 December 2020 10:54

To: Planning <Planning@arun.gov.uk>

Cc: Solomon Agutu <Solomon.Agutu@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>; Nicola Gooch [REDACTED]; Nicola Bascombe [REDACTED] <[REDACTED]@arun.gov.uk>; David West [REDACTED] <[REDACTED]@arun.gov.uk>; Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Subject: Bonhams Field, Main Road, Yapton - S106 Agreement

Dear Technical Support Unit

Please find attached a completed 'Modification or Discharge of Planning Obligation' application form and Location Plan, as requested in the email from Ros of 27th November 2020 (below).

Please could the attached be formerly registered as part of our application to vary the S106 Agreement associated with the outline approval at the above site (ADC ref. Y/1/17/OUT).

Regards

Ian

Ian Johnson MRTPI
Managing Director
Luken Beck mdp Ltd
30 Carlton Crescent
Southampton
Hampshire SO15 2FW



From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Date: Friday, 27 November 2020 at 09:01

To: Ian Johnson [REDACTED]

Cc: Solomon Agutu <Solomon.Agutu@arun.gov.uk>, Simon Davis <Simon.Davis@arun.gov.uk>

Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Ian,

Thanks, I have tracked the DoV down to one of our Solicitors. You are required to complete and submit the 'Removal of Planning Obligation' application form which will run alongside the DoV process.

Please could you send the completed form and supporting details to planning@arun.gov.uk so our Technical Support Unit can register it.

Many thanks

Ros Bentley
Planning Contributions and Data Analysis
Officer, Planning Department



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From: Ian Johnson <[REDACTED]>
Sent: 26 November 2020 17:45
To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Cc: Nicola Gooch <[REDACTED]>; David West <[REDACTED]>
Subject: Re: Bonhams Field, Main Road. Yapton - S106 Agreement [REDACTED]

Hi Ros

Thank you for the email. I understand the District Solicitor is communicating directly with Nicola Gooch, Irwin Mitchell on the DoV. Do you still require us to complete the attached form? If so, no problem of course.

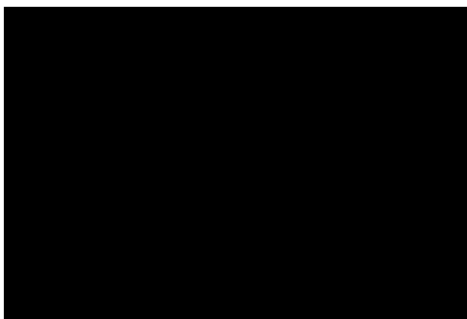
Regards

Ian

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From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Date: Thursday, 26 November 2020 at 15:39
To: Ian Johnson [REDACTED]
Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Ian,

I can confirm that I agree with your contribution amounts (for Arun) but advise they will be subject to indexation at the time they are payable. You need to liaise with West Sussex County Council regarding the payments to be paid to them.

We do not appear to have received the deed of variation for removing the play area. It should be submitted with an application form for Amending or Removal Planning Obligations (as attached).

Thanks

Ros Bentley
Planning Contributions and Data Analysis
Officer, Planning Department



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From:
Ian
Johnson

[REDACTED]
Sent: 24 November 2020 18:13
To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Subject: Re: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Ros

Further to your agreement of our affordable housing and open space compliance (attached) hopefully you have received from our client's solicitor a draft Deed of Variation to remove the play area obligation.

With regard to other outstanding S106 matters are you able to confirm whether you agree with the calculation of financial contributions towards NHS, off-site play, fire & rescue, education and libraries, as set out in the letter from Natalie Fellows of 25th September?

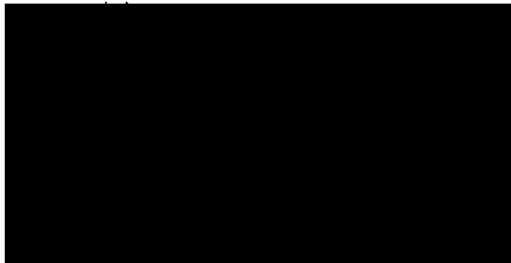
Kind regards

Ian

Ian Johnson MRTPI
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Luken Beck mdp Ltd
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Hampshire SO15 2EW

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From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Date: Thursday, 29 October 2020 at 11:29

To: Ian Johnson [REDACTED]

Cc: Natalie Fellows [REDACTED], Simon Davis <Simon.Davis@arun.gov.uk>

Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Ian,

Following our conversation earlier I can inform you that the landscaping plan ...P10A is now acceptable to our landscapes team so I will follow this up with a formal approval letter in order to satisfy clauses 2.1-2.2

I can confirm that clauses 3.1-3.5 concerning approval and provision of a play area on site are an error as a contribution to an off-site play area was added in lieu of providing on site. Unfortunately these obligations will show as outstanding on my records until they are formally removed by deed but you can apply to get them removed using the form attached and ask for a modification to the original S106.

Simon and I don't think its necessary to have any further meeting on this but please let us know if you have any further queries.

Kind regards

Ros Bentley

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Officer, Planning Department



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From: Rosalind Bentley
Sent: 21 October 2020 11:41
To: Natalie Fellows [REDACTED]
Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Natalie,

Thanks for your response, Simon or myself will get back to you in due course to advice or if we think it's necessary to have a meeting.

In the meantime can you please provide those further details of the orchard trees (number of species and location) as you suggested.

Thanks

Ros Bentley
Planning Contributions and Data Analysis
Officer, Planning Department



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Sent: 21 October 2020 10:22
To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Cc: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement
Importance: High

Hi Ros,

From:
Natalie
Fellows

Thank you for your email regarding the S106 agreement at Bonhams Field, Yapton received earlier today. Also the separate correspondence confirming that the affordable housing (obligation 1.2 Schedule 1) have been satisfied, which is good news.

In relation to open space, landscaping and play areas - Many of these details have been approved at Reserved Matters stage. Please see planning reference Y/63/19/RES and the associated documents.

The Council have confirmed that further details relating to landscaping conditions (number 6 of the original outline Y/1/17/OUT) are not required as already covered in the RM above. Please see discharge of conditions application references Y/59/20/DOC for details. Our client is just required to implement in accordance with these details to ensure compliance.

I have attached the landscaping plans already approved for ease of reference, which includes planting plans. This specifies the mix of fruit trees approved. Please see the approved drawings 2076-TF-00-00-DR-L-1001-P10 General Arrangement Plan and 2076-TF-00-00-DR-L-3001-P10 Planting Plans. This is labelled as community orchard and unequipped play area scheme. I can confirm that we intend on providing the community orchard which will be accessible to both residents and the wider public. The planting plan includes a list of mixed fruit varieties chosen for biodiversity and heritage reasons. They include:

Fruit Trees

Mixed fruit varieties for biodiversity and heritage

Apple - Sussex Forge, Corston, Harry 12L, 15-18m ht CG

Pear - Barney, invisible for pollination 11.5L, 15-18m ht CG

Plum - Angelina Burst, Woburn Black 12L, 15-18m ht CG

Quince - Delmar's, Bradley's King, Merryweather 12L, 15-18m ht CG

Cherry - Black Oliver, Stella for pollination 11.5L, 15-18m ht CG

Quince - Vierge, Meech's profile 12L, 15-18m ht CG

As per the attached planting plan attached. If you would like us to annotate the plan for the orchard area further, please let me know or I can indicate how many of each of the fruit varieties listed will be planted in the locations shown which may be easier.

In relation to the provision of a LAP, I think this text relating to an equipped play area was left in the agreement as a mistake. The Parish did not want an equipped play area delivered on site but a naturalistic swathe of open space. Instead financial contributions are payable which will be spent on an existing play area in Yapton instead (as per the definitions set out in the S106). The inclusion of a community orchard was again provided at the request of the local community. Please also note that Stakes Farm is providing a LAP to the north, so it makes sense that monies go to improve an existing play area rather than create another so close. This was sought by the parish and local residents that adjoin the boundary of the site.

In relation to SUDs this is not a requirement of the S106 agreement. There is an approved drainage strategy with further details subject to condition. This is something that has been designed and the Council has made comments on but awaits additional site infiltration data to confirm that this is appropriate. See reference Y/59/20/DOC.

I note that Simon was copied in as the original planning officer, but I would hope he would be able to provide the some assistance in relation to the history of the site and negotiations held during the course of the planning applications.

May I suggest as a way forward, we arrange a meeting on Microsoft Teams to make sure everyone knows the site's planning history and bottom out if any additional information is required beyond that already supplied to discharge the s106 clauses to allow commencement (aside from planning conditions outstanding).

I hope the above assists and look forward to hearing from you both.

Kind regards, Natalie.

Natalie Fellows BA (Hons) MSc MRTPI
Associate Director
Luken Beck

30 Carlton Crescent
Southampton
Hampshire SO15 2EW

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From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Sent: 20 October 2020 14:47
To: Natalie Fellows
Cc: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Natalie,

Sorry for the delay in responding. I have now had comments back from the Greenspace team and Affordable Housing Manager on the matters of the Affordable Housing Scheme and Public open space scheme approvals.

The affordable housing scheme is acceptable and a formal letter will follow to confirm that.

Under the terms of the S106 you should be providing public open space (POS) and a play area. It appears you are intending to provide a community orchard within the POS as indicated on the approved plans but can you confirm this? (as is required by the POS obligation)

On the assumption that you are providing an orchard, Landscapes team have confirmed that the details submitted to date are not sufficient to approve the POS detail due to non-confirmation of areas proposed and lack of detailed drawings detailing the community orchard species mix (no ornamental species mix planting detail has been submitted for the plot areas) and no detail of location and content of the LAP. No SuDS are indicated either.

I would advise that commencement should not start until these obligation details are approved.

Please provide further information.

Thanks

Ros Bentley
Planning Contributions and Data Analysis
Officer, Planning Department



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From:
Natalie

Fellows [REDACTED]

Sent: 12 October 2020 13:07

To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Ros,

I was wondering if you have given the above any further thought since WSCC have agreed our calculations are correct for their element of the S106.

I was hoping for an update if possible.

Many thanks, Natalie.

Natalie Fellows BA (Hons) MSc MRTPI
Associate Director
Luken Beck
30 Carlton Crescent
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Hampshire SO15 2EW

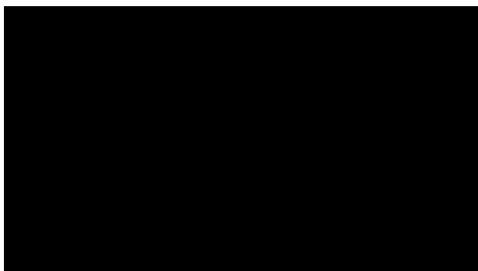
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Website:



From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>
Sent: 25 September 2020 13:37
To: Natalie Fellows [REDACTED]
Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Natalie,

Thanks for that update, that's really helpful to me.

Ros Bentley
Planning Contributions and Data Analysis
Officer, Planning Department



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From:
Natalie
Fellows

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Sent: 25 September 2020 12:54
To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Ros,

I have been in dialogue with WSCC regarding their financial contributions relating to the above site. We have reduced the contribution towards Higher Education as approximately 54% of pupils go on to Sixth Form, so this has been amended in the calculation provided. The remaining calculations are correct as originally indicated.

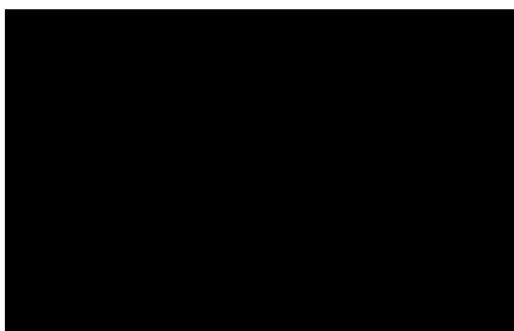
Please see the updated cover letter attached with the above amendment. We note that this will be index linked at the appropriate time.

Kind regards, Natalie.

Natalie Fellows BA (Hons) MSc MRTPI
Associate Director
Luken Beck
30 Carlton Crescent
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Hampshire SO15 2EW

Office:
Email:

LinkedIn:
Website:





From: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>

Sent: 24 September 2020 10:23

To: Natalie Fellows <Natalie.Fellows@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>

Subject: RE: Bonhams Field, Main Road. Yapton - S106 Agreement

Hi Natalie,

Thank you for sending all these details through. I will check though everything and confirm regarding the pre-commencement obligations requiring approval in due course.

If you would also contact West Sussex County Council who will be glad to receive these details – please email

[REDACTED]

Kind regards

Ros Bentley

Planning Contributions and Data Analysis
Officer, Planning Department



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From:
Natalie
Fellows

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[REDACTED]

Sent: 23 September 2020 14:48

To: Rosalind Bentley <Rosalind.Bentley@arun.gov.uk>; Simon Davis <Simon.Davis@arun.gov.uk>

Cc: Planning <Planning@arun.gov.uk>

Subject: Bonhams Field, Main Road. Yapton - S106 Agreement

Dear Simon and Rosalind,

I write to you on behalf of my client Seaward Properties in respect of their land interests at Bonhams Field, Yapton.

They are in the process of discharging their pre-commencement conditions in relation to the Outline (Y/1/17/OUT) and subsequent Reserved Matters (Y/63/19/RES) approval at the site.

Prior to commencing the development, there are also a number of obligations attached to the Outline permission by way of a S106 Agreement. I have attached this for ease of reference.

I have provided a cover letter and accompanying plans which seek to provide details in accordance with the S106 agreement, in order for my client to start works on site (once all pre-commencement conditions are discharged). We hope that ADC can approve these details given they are the same as those approved at the Reserved Matters stage.

I am also required to liaise with West Sussex on the financial contributions and calculations provided, therefore if you have a direct contact details this would assist. Otherwise I will write to their general planning inbox and provide a hard copy in the post too.

I look forward to hearing from you to confirm safe receipt and the next steps.

Kind regards, Natalie.

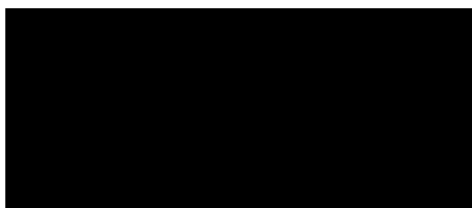
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