From: Carlos Hone
Sent: 29 July 2009 11:18
To: 'AJS&S'
Subject: RE: 42 Leconfield Road, Lancing.

Dear Mr Salter,

RE: Outline application for redevelopment of site with 7 two-bedroom houses with new access and driveway and parking area.
ADC/0250/09

In reply to your email of 27 July.

It is usual that at Adur a s.106 agreement is required for outline applications. The West Sussex County Council Parking Standards Methodology clearly states that TAD contributions (Total Access Demand) relates to occupancy figures and parking spaces. Whilst the application is in outline with all matters reserved an approval would still be granted permission for 7 two bed-room dwellings with 7 parking spaces, with the exact siting and arrangement of those space to be determined in a 'Reserved Matters' application.

I have spoken with Peter Devonport at Worthing who ensures me that they administer their s.106 agreements in exactly the same way.

To confirm Adur will not be able to recommend the application for approval unless a s.106 agreement is in place, and as stated this does not prejudice the final decision which still may be a refusal.

I am still to do my full site inspection, however there have been some resonses from the official consultees which are summarised below, and I would be grateful of any comments you might have regarding their recommendations.

WSCC Highways. - A pedestrian visibility splay is shown on the plan which goes over third party land to the south. This 2m x 2m splay would require a reduction in the height of the existing 2m high brick wall down to 0.6m for the 2m splay length. A condition would usually require this visibility to be created and maintained. Would your client accept such a condition given the wall appear to be in the ownership of No.33 Hurstfield? Cycle storage should be provided in each of the individuual dwellings, this would usually take the form of a shed or specifically designed bike shelter. The main point of Highways concern is the location of the passing point within the drive. They feel that it should be brought closer to the access. Clearly this would mean reducing the number of dwellings as already House No.3 appears very close to the drive.

Other conditions proposed are 9Ai - standard kerb crossing to be constructed in accordance with WSCC specification; C8Biv - parking and access to be provided in accordance with details to be provided and approved; C9F visibility splays; C9Kii - existing access to be stopped up.

Waste Services - Notwithstanding the WSCC highways comments, Waste services require 2x 660 litre bins for units 4-7 (inside the bin store) and 2x 140 ltr bins per dwelling for units 1-3. They mention bin cupboards to the front of units 1-3, which I think will not be acceptable due to how close to the road the dwellings are proposed to be sited. For collection of the waste a path is required for health and safety reasons, alongside house number 3.

Environmental Health - Whilst the issue of contaminated land has been covered the EHO feels that the assessment and methodology is not sufficient, and recommends a condition that will require (prior to development starting) a) a desktop study to be carried out; b)A site investigation to be designed covering a risk assessment, refinement of conceptual model, and development of a method statement; c) Site investigation to have been undertaken; d)A method statement detailing remediation requirements etc. and report to be submitted varifying works completed in accordance with the above. All in accordance with B.S. 10175:2001.I would be grateful if you could let me know if further work is proposed on the issue of contaminated land at this stage, or that the planning condition proposed by the EHO will be acceptable.

Should you have any specific questions regarding the EHO comments I will gladly pass them on to Bruce Reynolds, however should you wish to chat to him regarding the matter his email is bruce.reynolds@adur.gov.uk

I will atempt to make a site visit into the site sometime this week, and will be in contact if there are further comments to be made.

Yours sincerely

Carlos Hone

Carlos Hone – **Planning Officer** | Planning Regeneration and Wellbeing, Adur District Council
Location: Civic Centre, Ham Road, Shoreham-by-Sea, West Sussex BN43 6PR
Internal: 63216 | External: 01273 263216 | E-mail: carlos.hone@adur.gov.uk

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From: AJS&S [mailto:ajsalterandson@hotmail.com]
Sent: 27 July 2009 11:21
To: Carlos Hone
Cc: Keith Morgan
Subject: Re: 42 Leconfield Road, Lancing.

Dear Mr. Hone

Thank you for your e-mail and attachments of last week, I have today issued them to our client.

I must object though, to the need for the Section 106 agreement at this stage. The application form says with all matters reserved. Our clients are going to have to fork out £230 for your legal department to check the Section 106, and then you can turn round and turn the plans down! How would you feel at wasting that amount of money?. Surely the 106 should be signed and dealt with at the Full planning stage, where there is no doubt that it is required.

Yours is the only council that deals with 106's in this way. Worthing Borough, with whom you are 'twinned' will not issue an approval until the agreement is signed, should you not be both reading from the same hymn sheet?

I would appreciate a response at some time, as I am sure my clients will expect to know the reasons why!

Regards

Ivan Salter

cc Keith Morgan

From: Carlos Hone
Sent: Friday, July 24, 2009 2:17 PM
To: ajsalterandson@hotmail.com
Subject: 42 Leconfield Road, Lancing.

Dear Mr Salter,

RE: Proposed redevelopment of site for 7 houses (outline).
ADC/0250/09

Please find attached a copy of my letter sent to you today via mail which details the requirements of the s.106 agreement that would be required should permission be granted. I have put in the letter a deadline of 21 August 2009 for recieving the completed agreement and I ask that you adhere to the date as best you can.

I have attached the copy template for the agreement, and the comments made by West Sussex County Council for your attention.
(Please note I have pointed out inaccuracies to the Highways officer in his comments regarding No. of existing accesses, south side boundary treatment, and lack of 2mx2m vis. splays, and recommended he look at them again).

Yours sincerely

Carlos Hone