From: Peter Barnett
Sent: 28 January 2015 11:09
To: 'James Breckell'
Cc: Darren Baker
Subject: RE: 6 High St - AWDM/1127/14

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Dear James/Darren

There has been a recent change in Government advice regarding S106 Agreements, as set out below:

"Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions."

WSCC have confirmed that they will not now require the collection of the transport contribution for schemes of 10 dwellings or less.

The planning permission will therefore be issued shortly without the s106 being required.

Regards

Peter

Peter Barnett - Principal Planning Officer, Development Management | Adur & Worthing Council Services
Location: Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Internal: 1310 | External: 01903 221310 | E-mail: peter.barnett@adur-worthing.gov.uk
Follow us on Facebook and Twitter - or search Adur and Worthing

Please think before you print this and save paper

From: James Breckell [mailto:James@breckell.co.uk]
Sent: 12 January 2015 15:37

To: Peter Barnett
Cc: Darren Baker
Subject: RE: 6 High St - AWDM/1127/14

Dear Peter,

The section 106 agreement should be agreed between your legal department and the applicants Solicitor. I have forwarded your email below to Mr Darren Baker so that he is aware of the Local Authorities desire to get the section 106 resolved.

Regards

James

JAMES BRECKELL ARCHITECTS
The Adur Business Centre
Little High Street
Shoreham
BN43 5EG

Office: Tel 01273 467 621
Mobile: Tel 07733 268 297

Email: james@breckell.co.uk
Website: www.breckell.co.uk

This communication contains information which is confidential and may also be privileged. It is for the exclusive use of the intended recipient(s). If you are not the intended recipient(s) please note that any distribution, copying or use of this communication or the information in it is strictly prohibited. If you have received this communication in error please notify us by e-mail or by telephone (+44 (0)1273 467 621) and then delete the e-mail and any copies of it.

From: Peter Barnett [mailto:Peter.Barnett@adur-worthing.gov.uk]
Sent: 12 January 2015 13:18
To: James Breckell
Subject: RE: 6 High St - AWDM/1127/14

Dear James

With reference to the above application and to my email below, would you please update me on the progress of the S106?

Thanks

Peter

Peter Barnett - Principal Planning Officer, Development Management | Adur & Worthing Council Services
Location: Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Internal: 1310 | External: 01903 221310 | E-mail: peter.barnett@adur-worthing.gov.uk
Follow us on Facebook and Twitter - or search Adur and Worthing

Please think before you print this and save paper

From: Peter Barnett
Sent: 21 November 2014 10:05
To: 'james@breckell.co.uk'
Subject: RE: 6 High St - AWDM/1127/14

James

We had talked about you just paying the contribution without the S106 but I have since discussed this with our solicitor and she has advised that this is not acceptable.

S106 provides the mechanism and legal authority for the LPA to obtain monies in connection with issuing planning permissions. The Council would not be able to hold money without a legal agreement as there would no deed. There would be no legal basis for the LPA having that money and stating how they should spend that money. You could ask for the money back and still have the benefit of a permission as we would have no legal basis for refusing to hand back the monies.

I shall be grateful therefore if you would proceed with the preparation of the S106.

Thanks

Peter

Peter Barnett - Principal Planning Officer, Development Management | Adur & Worthing Council Services
Location: Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Internal: 1310 | External: 01903 221310 | E-mail: peter.barnett@adur-worthing.gov.uk
Follow us on Facebook and Twitter - or search Adur and Worthing

Please think before you print this and save paper

From: Louise Greene
Sent: 21 November 2014 09:50
To: 'james@breckell.co.uk'
Cc: Peter Barnett
Subject: FW: 6 High St - AWDM/1127/14

Dear James

On reviewing my files I note that I have not heard from you on this matter, if I can assist please call me.

Kind regards
Louise

From: Louise Greene
Sent: 30 October 2014 16:00
To: 'James Breckell'
Subject: RE: 6 High St - AWDM/1127/14

Dear James

I have attached the standard template for s106 transport contributions that needs completing and returning to me please.
All those with an interest in the land need to be a party.
Please deduce title to the land in the form of land registry office copies, to include the title register and title plan.
The deed must be sent to me to check together with the land registry office copies, that must be dated the same date as when you complete the deed.
Furthermore, please note the Council's legal costs are payable for checking the s106 and title to the land, so please provide a cheque payable to Adur District Council for £250.

If it would assist you I can carry out the land registry searches however you would need to pay the Council's disbursements for this in addition to the legal fee of £250. This would be approx.£9.

I would be happy to complete the attached template for you and send to you to print off and arrange for the deed to be signed and dated should you wish.

If you need any clarification as to what is required please let me know.

Kind regards
Louise

From: Peter Barnett
Sent: 28 October 2014 12:08
To: James Breckell (James@breckell.co.uk)
Cc: darren@warwickbaker.co.uk; Louise Greene
Subject: 6 High St - AWDM/1127/14

James

Further to the Committee resolution to grant permission last night, can you please progress the completion of the S106 undertaking to pay the sustainable transport contribution of £2,400 and send it to Louise Greene in our legal section (copied in to this email). The permission will be issued on completion of the agreement.

Thanks

Peter

Peter Barnett - Principal Planning Officer, Development Management | Adur & Worthing Council Services
Location: Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Internal: 1310 | External: 01903 221310 | E-mail: peter.barnett@adur-worthing.gov.uk
Follow us on Facebook and Twitter - or search Adur and Worthing

Please think before you print this and save paper

Important Information and Disclaimer. Please do not print this e-mail unless necessary.

The domain from which this e-mail is sent is not indicative of the Council on whose behalf it is sent. The author will indicate in the body of the e-mail on whose behalf it is sent.

The information contained in this email may be subject to public disclosure under the Freedom of Information Act 2000.

Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email.
This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you have received this communication in error please return it to the sender and delete the material from any computer and destroy any printed copy.

Adur District Council and Worthing Borough Council cannot guarantee that this message or any attachment is virus-free or has not been intercepted or changed.
The views of the author may not necessarily reflect those of either Adur District Council or Worthing Borough Council. Any opinions or other information in this message that do not relate to the official business of Adur District Council
and / or Worthing Borough Council are neither given nor endorsed by them.

Click here to report this email as spam.