

Jay Singh

From: Skinner, Helen <HELEN.SKINNER@planninginspectorate.gov.uk>
Sent: 10 February 2023 07:55
To: Max Howarth
Cc: Pritpal Swarn; Marianne IRONSIDE; Legg, John; Tara Maizonnier; Jay Singh
Subject: RE: Planning Appeal in relation to land at Kidderminster Rd Hampton Lovett Droitwich Spa W/22/00201/OUT [ACS-ACTIVE.FID4939848]

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Good morning,

The Inspector notes the timescales and will await the executed deed of variation before issuing a decision as requested, provided it is received no later than **01 March 2023**.

Kind regards

Helen

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<https://www.gov.uk/government/organisations/planning-inspectorate> | @PINSgov

From: Max Howarth <Max.Howarth@anthonycollins.com>
Sent: 09 February 2023 16:53
To: Legg, John <John.Legg@planninginspectorate.gov.uk>
Cc: Pritpal Swarn <pritsw@bexleybeaumont.com>; Marianne IRONSIDE <Marianne.Ironside@footansteys.com>
Subject: Planning Appeal in relation to land at Kidderminster Rd Hampton Lovett Droitwich Spa W/22/00201/OUT [ACS-ACTIVE.FID4939848]

Dear Mr Legg

I refer to your email to the local planning authority dated the 8th February 2023 where you requested that the parties indicate how long it will take to execute the Deed of Variation.

I have been informed by the appellant's solicitor that the landowner will be unable to execute the Deed until the 18th February 2023. My client has confirmed that they will be able to execute the Deed next week. I have copied this email to the local planning authority's solicitor so that they can advise whether it would be possible for the local planning authority to execute the Deed prior to the 18th February.

In the meantime I would respectfully request that the inspector consider delaying the target date for issuing their decision in order to provide the parties with sufficient time to complete the Deed of Variation. I would suggest the 1st March. Clearly if the Deed is executed before this date the parties will inform PINS accordingly and provide a scanned copy of the completed Deed. Alternatively, and in the event that the inspector is minded to allow the appeal I would request that the inspector consider the imposition of a Grampian Condition to secure the Deed in the following terms:

"No development shall take place on the land bound by the deed under Section 106 of the Town and Country Planning Act 1990 (as amended) between (1) Wychavon District Council (2) James Henry Tempest and Mark Jonathan Musgrave and (3) Worcestershire County Council dated 26 January 2023 ("the Section 106 Agreement") unless and until all parties with any legal or equitable interest (including but not limited to mortgagees and chargees) in the land bound by the Section 106 Agreement have entered

into a Deed under Section 106A of the Town and County Planning Act 1990 (as amended) in a form approved by the Council to amend the purpose for the Bus Infrastructure Contribution (as defined in the Section 106 Agreement) to provide for its use toward funding an extension of the bus service serving the Development and to make amendments to the numbering of Schedules which have been misnumbered.” I have been advised by the local planning authority that this wording has been agreed with the appellant. I have copied this email to the appellant’s solicitor so that they can confirm.

I look forward to hearing from you.

Kind regards

Max Howarth
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