



Received On

13 MAR 2019

By Planning Services

St. Osyth Priory

St. Osyth
Essex
CO16 8NZ

Work: 01279 818965 Fax: 01279 817883

12 March 2019

Ref: TRS/hp

Ms C Bicknell
Tendring District Council
Thorpe Road, Weeley
Clacton, CO16 9AJ

Dear Cath

Under the March 2018 Westfield & Park s106, we are able to re-sequence (whenever subject to conditions - Schedule 1 Part 1 Restoration 2.1.1) and re-prioritise the Restoration Scheme (annually on anniversary - Schedule 1 Part 1 Business Plan clause 2.5).

We would like to propose the re-sequencing of Restoration Scheme as set-out below:

1. The cost of works were calculated and broken down in the CIL note that accompanied the permission as follows so that a schedule against the restoration works could be identified, as below:

Residual Land Value Table				
Appeals	Residual Land Value	Less Funds to Escrow towards Grant 'Match' Funding	Remaining Residual Land Value	55.89% of Remaining Residual Land Value
Appeals AA & BB	£7,408,002	-£1,200,000	£6,208,002	£ 3,469,652

CALCULATED VALUE OF RESTORATION WORKS REQUIRED

2. This then translated into the current s106 repair priorities as per the CIL Note, below:

CURRENT S106 / REPAIR PRIORITIES									
Phase	Costs of works plus prelims in each Phase as identified by Section references in CBG Condition Survey 2009 and McBalms Cooper March 2012 Costplan Updated May 2013	Costs of works in each Phase LESS 15% in line with BHP Paribas Report Nov 2016	Costs of Works with BCIS Indexation Nov 14 to Aug 16 PLUS 9%	Costs of Works with Deterioration PLUS 2%	Cumulative Costs of identified works	Cumulative difference in £ costs PROPOSED v. CURRENT	Prior to Completion of the Xth dwelling (Trigger Point)		
	St. Osyth Priory S.106 Restoration Works (18 November 2016) Appeal AA (Westfield 5) and Appeal BB (park 2) (Less HLF)								
	Payment into the Escrow Account for BPT to be in two tranches namely £800,000 on completion of floor slab of the four units within the park that the family are occupying with the balance (£400,000) to be paid prior to the commencement of development of West Field 5 or at such earlier date or dates as the Owner may at its sole discretion determine.								
a.	Gatehouse Central Roof 4.1.2.1a to 4.1.2.1, Central South Wall 4.1.2.2a to 4.1.2.2z, Central North Wall 4.1.2.4a to 4.1.2.4b, Central Archway 4.1.2.6a to 4.1.2.6h, Interior 4.1.2.7 to 4.1.2.7g and Interior 4.2.2-4	£ 1,655,049	£ 1,406,792	£ 1,533,403	£ 1,564,071	£ -	25		
b.	Gatehouse - completion of ALL improvement/ new works to central, west and east ranges. (Items 1A to 6D)	£ 474,000	£ 402,900	£ 439,161	£ 447,944	£ -	41		
c.	Darcy House West Wing (including Abbots Lodging). (West Wing roof 2.1.2.1a to 2.1.2.1b, West Wing South Wall 2.1.2.2a to 2.1.2.2i, Abbots Lodgings South Wall 2.1.2.3a to 2.1.2.3i, West Wing West Wall 2.1.2.4a to 2.1.2.4b, West Wing North Wall 2.1.2.5a to 2.1.2.5g, Abbots Lodgings North Wall 2.1.2.6a to 2.1.2.6d, Interior West Wing & Abbots Lodgings 2.1.2.7a to 2.1.2.7b)	£ 870,030	£ 739,526	£ 806,083	£ 822,205	£ -	52		
d.	Darcy House West internal fit out/improvement works (excluding Abbots Lodgings). (Items 1A to 6D proportioned on a square footage basis based)	£ 368,066	£ 312,856	£ 341,013	£ 347,833	£ -	73		
e.	Darcy House East Wing Roof - condition survey works 2.2.2.1	£ 280,914	£ 238,777	£ 260,267	£ 265,472	£ -	82		
					TOTAL COST OF CURRENT S106 WORKS AS PER CIL NOTE				
					£ 3,447,525				

3. However, we would like to propose the following re-sequencing, which you will see results in a net enhancement in value of works carried out along with the other beneficial advantages we highlight further below. There is no change overall in what works are being delivered under the s106 and the values of works proposed being carried out at each trigger point are in the vast majority better than the current s106.

PROPOSED S106 / REPAIR PRIORITIES AS AT 14/3/19									
Phase	St. Oyth Priory S.106 Restoration Works (18 November 2016) Appeal AA (Westfield 5) and Appeal BB (park 2) (Less HLP)	Costs of works plus prelims in each Phase as identified by Section references in CBG Condition Survey 2009 and McBains Cooper March 2012 Costplan Updated May 2013	Costs of works in each Phase LESS 15% in line with BNP Paribas Report Nov 2016	Costs of Works with BCIS Indexation Nov 14 to Aug 16 PLUS 9%	Costs of Works with Deterioration PLUS 2%	Cumulative Costs of Identified works	Cumulative DIFFERENCE in Costs PROPOSED v. CURRENT	Prior to Completion of the Xth dwelling (Trigger Point)	
	Payment into the Escrow Account for BPT to be in two tranches namely £800,000 on completion of floor slab of the four units within the park that the family are occupying with the balance (£400,000 - PAID) to be paid prior to the commencement of development of West Field 5 or at such earlier date or dates as the Owner may at its sole discretion determine.								
A	Darcy House West Wing (including Abbots Lodgings). (West Wing Roof 2.1.2.1a to 2.1.2.1b, West Wing South Wall 2.1.2.2a to 2.1.2.2i, Abbots Lodgings South Wall 2.1.2.3a to 2.1.2.3i, West Wing West Wall 2.1.2.4a to 2.1.2.4b, West Wing North Wall 2.1.2.5a to 2.1.2.5g, Abbots Lodgings North Wall 2.1.2.6a to 2.1.2.6d, Interior West Wing & Abbots Lodgings 2.1.2.7a to 2.1.2.7b), AND	£ 870,030	£ 739,526	£ 806,083	£ 822,205	£ 1,574,335	£ 10,264	25	
	Darcy House West Internal fit out/improvement works (excluding Abbots Lodgings). (Items 1A to 6D proportioned on a square footage basis based), AND	£ 368,066	£ 312,856	£ 341,013	£ 347,833				
	Darcy House East Wing Roof - condition survey works 2.2.2.1, AND	£ 280,914	£ 238,777	£ 260,267	£ 265,472				
	Erect Scaffold to Central Gatehouse - North, South & Roof.	£ 146,900	£ 124,865	£ 136,103	£ 138,825				
B	Gatehouse Central Roof 4.1.2.1a to 4.1.2.1).	£ 581,936	£ 494,646	£ 539,164	£ 549,947	£ 2,124,282	£ 112,267	41	
C	Gatehouse Central North Wall 4.1.2.4a to 4.1.2.4d, AND	£ 262,843	£ 223,417	£ 243,525	£ 248,396	£ 2,844,275	£ 10,055	52	
	Gatehouse South Wall 4.1.2.2a to 4.1.2.2z.	£ 499,028	£ 424,174	£ 462,350	£ 471,597				
D	Gatehouse Central Archway 4.1.2.6a to 4.1.2.6h, Interior 4.1.2.7 to 4.1.2.7g and Interior 4.2.2.4.	£ 311,257	£ 264,568	£ 288,379	£ 294,147	£ 3,138,422	£ -43,631	73	
E	Gatehouse - completion of ALL improvement/ new works to central, west and east ranges. (Items 1A to 6D).	£ 474,000	£ 402,900	£ 439,161	£ 447,944	£ 3,586,366	£ 138,841	82	
TOTAL COST OF PROPOSED S106 WORKS									

DIFFERENCE in COST OF WORKS PROPOSED v. CURRENT :	£ 138,841	BETTER
AMOUNT PROPOSED COST OF WORKS EXCEEDS THAT REQUIRED :	£ 116,714	BETTER

The reasons for the change are:

- I. The roof on Darcy House is in very poor condition with many leaks that had already necessitated the erection of a scaffold roof over the Darcy West Wing, whereas the Gatehouse roof is in much better condition in comparison. There are real risks of water ingress, which would damage historic fabric to the roofs/areas not restored.
- II. The historic interiors and features in Darcy House are of a higher quality and of a more fragile nature, and if damaged would mean the costs are far greater than those associated with the Gatehouse that had largely been refurbished in the 1950's when De Chair acquired the property. The Gatehouse interiors are more modern and generally hold less heritage significance.

These proposals will better restore and secure the future of these buildings and fall within Clause 2.1.1.b in our opinion -

"The condition or state of any part of the identified Listed Buildings necessitating urgent works or so as to prioritise works otherwise than in accordance with the scheme"

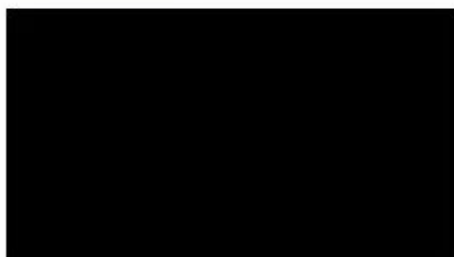
The Council is under an obligation to not to unreasonably delay or withhold approval. Can you please confirm your acceptance.

The Owner feels that this request is properly made under Clause 2.1.1 of the Restoration provisions and amounts to re-sequencing only, and therefore the Council has 20-working days.

However, to cover off all eventualities we would like to bring to the Council's attention within the Business Plan provision Clause 2.5 they would have 3 months to approve or otherwise a re-prioritisation that which affects the Business Plan. However, if the Council looks at the Business Plan (currently submitted and being considered by the planning committee on 12-3-19) on page 10 clause 2.2 you will see that The Gatehouse and Darcy House West, Abbots Lodgings and Darcy House East Wing Roof are all in phase 1a. Thus, the Business Plan is unaltered by this proposed change and hence the 20-working days applies rather than 3 months.

Please can you confirm receipt and acknowledge the above request will be processed within this 20-working day timeframe as time is of the essence.

Yours sincerely



Tim Sargeant
For Messrs. Sargeant & St. Osyth Priory Estate Ltd.

Current s106 Appendix 1

Appendix 1

Phase	St Osyth Priory S.106 Restoration Works (18 November 2016) Appeal AA(West Field 5) and Appeal BB (Park 2) (Less HLF).	
	Payment into the Escrow Account for BPT to be in two tranches namely £800,000 on completion of floor slab of the four units within the park that the family are occupying with the balance (£400,000) to be paid prior to the commencement of development of West Field 5 or at such earlier date or dates as the Owner may at its sole discretion determine.	
a.	Gatehouse complete East and West. (Central Roof 4.1.2.1a to 4.1.2.1, Central South Wall 4.1.2.2a to 4.1.2.2z, Central North Wall 4.1.2.4a to 4.1.2.4o, Central Archway 4.1.2.6a to 4.1.2.6h, Interior 4.1.2.7 to 4.1.2.7g and Interior 4.2.2.4)	Prior to Completion of the 25 th dwelling
b.	Gatehouse - completion of ALL improvement/ new works to central, west and east ranges. (Items 1A to 6D)	Prior to Completion of the 41 st dwelling
c.	Darcy House West Wing (including Abbots Lodging). (West Wing Roof 2.1.2.1a to 2.1.2.1b, West Wing South Wall 2.1.2.2a to 2.1.2.2i, Abbots Lodgings South Wall 2.1.2.3a to 2.1.2.3l, West Wing West Wall 2.1.2.4a to 2.1.2.4b, West Wing North Wall 2.1.2.5a to 2.1.2.5g, Abbots Lodgings North Wall 2.1.2.6a to 2.1.2.6d, Interior West Wing & Abbots Lodgings 2.1.2.7a to 2.1.2.7b)	Prior to Completion of the 52 nd dwelling
d.	Darcy House West Internal fit out/improvement works (excluding Abbots Lodging). (Items 1A to 6D proportioned on a square footage basis based)	Prior to Completion of the 73 rd dwelling
e.	2.2 Darcy House East Wing Roof - condition survey works	Prior to Completion of the 83 rd dwelling

