



The Secretary of State for Transport  
National Transport Casework Team  
Tyneside House  
Skinnerburn Road  
Newcastle Business Park  
Newcastle Upon Tyne  
NE4 7AR

Our Ref: CP0334/AJ

Your Ref:

01 July 2021

Sent by email only to: nationalcasework@dft.gsi.gov.uk

Dear Sirs

**West Sussex County Council (A284 Lyminster Bypass (North)) Compulsory Purchase Order 2020**

**Clients: T & L Crawley No. 2 LLP**

**Plot Numbers: 10a and 10b of Table 1 PLUS 9a and 9b of Table 2**

We refer to our letter of objection dated 26 October 2020 in respect to the abovementioned Order and Clients.

T&L Crawley continue to support the principle of the proposed bypass however they remain concerned as to the lack of planned mitigation measures and West Sussex County Council's (the Council) failure to engage on this point. Accordingly, our original letter of objection still stands.

Notwithstanding the original objection, T&L Crawley have continued their attempts to engage with the Council to identify a solution which would enable the Council to deliver the bypass as proposed whilst also protecting T&L Crawley's future position. Unfortunately, these efforts have been very much one sided.

Consequently, in addition to the original objection, we would like to highlight the following:

**Deed of Covenant with Persimmon**

When T&L Crawley purchased the land in May 2019, it was subject to a Deed of Covenant (the Deed) with Persimmon. This Deed requires Persimmon to undertake various works to the land to ensure it is fully capable of being developed, be that for the uses permitted under the extant planning permission, or such other uses(s) for which planning permission has been secured or is being sought. The Works Completion Date is no later than the 31 December 2021. Accordingly, by no later than the end of this year, T&L Crawley will have a site which is 'oven ready' for development.

The works of enablement of the land are being undertaken by Persimmon under the obligations provided within the Deed but the consideration that T&L Crawley paid for the land encapsulated its value and costs attributed to enabling it ready to be developed for uses including residential. The Council's proposed temporary use of T&L Crawley's land after 31 December 2021 will inevitably carry a very real and significant risk of its enabled state being negatively impacted.

T&L Crawley require provisions to be put in place to ensure that the land it gets back after the temporary use has ended is in all respects the same as existed prior. We have requested ingoing assessments/surveys, an agreed protocol for the operational use of the land and a suite of assessments/surveys prior to the land being returned. To avoid prolonged dialogue or dispute a financial bond has also been requested.

The Council and their advisors have failed to engage on any of the above despite repeated requests. Accordingly, T&L Crawley intend to vigorously contest the Council having access to any of their land for any purpose.

In summary, it remains T&L Crawley's view that the CPO should not be confirmed by the Secretary of State.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'A. Juszczak', written over a light yellow rectangular background.

**Angela Juszczak BA (Hons) MSc MRICS**

**Director**

**For and on behalf of**

**ROGER HANNAH**

Direct line: 0161 817 3395

Email: [angelaj@roger-hannah.co.uk](mailto:angelaj@roger-hannah.co.uk)