

Recommendation Report for Application for Approval of Details To Satisfy An Obligation

REF NO: AL/126/25/AOO

LOCATION: Woodgate Centre
Oak Tree Lane
Woodgate
PO203GU

PROPOSAL: Application for the approval of safeguarded land specification and affordable housing as required under obligation set out in the Section 106 agreement dated 9.10.23 in relation to planning application AL/107/21/PL, under schedule 1, Paragraph 2.2.1 and Schedule 2, Paragraph 1.1.

SITE AND SURROUNDINGS

DETAILS OF DECISION

The Council has considered the details you have submitted in order to satisfy obligations under Schedule 1, Paragraph 2.2.1 (E-W Link) and Schedule 2, Paragraph 1.1 (Affordable Housing) contained in the Section 106 agreement dated 9th October 2023 which relates to planning permission AL/107/21/PL (Woodgate Centre).

The details you have supplied comply with the following clauses:

Schedule 1 Para 2.2.1: The Owner covenants with the County Council and the District Council that it shall... '2.2.1. submit the Safeguarded Land Specification to the County Council and the District Council prior to Commencement of Development and shall not Occupy any of the Dwellings until the Safeguarded Land Specification has been approved by the District Council'

'Safeguarded Land' means 'the part of the Land that is to be safeguarded for the delivery of the E-W Link and shown shaded blue on Plan 6 or such amended area as may be agreed between the District Council and the Owner (in consultation with the Adjoining Landowner) from time to time.'

'Safeguarded Land Specification' means 'the specification to be submitted to the District Council and the County Council by the Owner pursuant to paragraph 2.2.1 of Schedule One which shall specify an appropriate landscaping scheme (which shall take into account the obligation under paragraph 2.2.2 of Schedule One) for how the Safeguarded Land will be retained to ensure that the Safeguarded Land will be safeguarded so as not to allow any building or structure to be erected on the Safeguarded Land or the carrying out any other works which would impede the ability for its future use as part of the E-W

Link and the approved Safeguarded Land Specification may be amended or substituted from time to time provided that the District Council first agree to such amendment or substitution in writing'

A Safeguarded Land Specification Plan (K480060-LVL-XX-XX-W-1010 Rev A) has been submitted, showing the safeguarded land for the E-W Link shaded in blue. Though it is noted that the plans have some discrepancies regarding the final landscape design of the POS to the east of the site (where this safeguarded land is located) due to the final design scheme being yet to be approved as of 05/02/26; it is clear that the Safeguarded Land is to be located in an area designated for Public Open Space. The landscaping for this location would therefore comprise green open spaces and pedestrian pathways. This is appropriate, as it clearly demonstrates that the land will not be compromised by any future buildings or structures, and will be safeguarded as part of the POS for the site. This would not impede its availability for future use, and ensures that this link can be facilitated. This specification is approved.

Schedule 2 Para 1.1. concerns delivery of Affordable Housing requiring the Owner 'not to Commence the Development until such a time as an Affordable Housing Plan has been submitted to and approved in writing by the Council'

'Affordable Housing Plan' means 'a plan to be submitted to the Council for approval and identifying the location of the Affordable Rent Units, the First Homes and the Shared Ownership Units and which shall be based upon the the locations of the Affordable Housing Units as set out in the Accommodation Schedule (or such revision of the plan as may be approved by the Council in writing from time to time)'

'Accommodation Schedule' means 'the accommodation schedule listed as an approved document to the Planning Permission (reference 6781 K01/-REV H) or such other accommodation schedule approved by the Council from time to time through formal amendment to the Planning Permission.'

The S106 requires the following Tenure Mix for Affordable Provision:

- Affordable Rent Unit: 36 Dwellings
- First Home: 13 Dwellings
- Shared Ownership Units: 4 Dwellings

An Affordable Housing Plan (K480070-LVL-XX-XX-DR-Z-1001 Rev A) has been submitted to satisfy this obligation. This shows the location of all Affordable Housing Provision, with

the tenure mix shown to align with that set out within the S106. The location of the Affordable Housing Provision has been checked against the Accommodation Schedule (6781 K01/-REV H) as approved under AL/107/21/PL, and it is confirmed that the plan aligns with the plot numbers / locations defined within this Schedule. As such, given the plan aligns with the required Tenure Mix as set out within the S106 and the approved Accommodation Schedule, the Affordable Housing Plan accords with the requirements of Para 1.1 and is approved.

REASON FOR DECISION

The information has been reviewed by Hannah Kersley (Principal Planning Officer of Arun District Council) and meets the requirements of Schedule 1, Paragraph 2.2.1 to provide the Safeguarded Land Specification for submission and approval by the District Council; and Schedule 2, Paragraph 1.1 to provide an Affordable Housing Plan for submission and approval in writing by the Council'. The details submitted are in compliance with the information previously approved in respect of AL/107/21/PL (and subsequent applications), and accord with the S106.

To fully comply with the obligation the development must be completed in accordance with the above details. If subsequent changes are required, amended details will need to be submitted and approved again. Please note this letter does not constitute a formal legal deed of discharge under Section 106A of the Town and Country Planning Act 1990 however the obligation status has been noted in the Planning Obligation Monitoring Records for any future enquiries.

RELEVANT SITE HISTORY

AL/134/25/AOO	Application for the approval of Public Open Space Scheme of Works and Play Areas Scheme of Works as required under obligations set out in the Section 106 agreement dated 9/10/23 in relation to planning application AL/107/21/PL, under Schedule 3 Paragraph 1.1 and Schedule 3 Paragraph 3.1a.	
AL/122/25/AOO	Application for the approval of estate road works scheme, highway works scheme and highway works agreement as required under obligation set out in the Section 106 Agreement dated 9/10/23 in relation to planning application AL/107/21/PL, under schedule 1 clauses P1.2, P4.2, P4.4.	Withdrawn 09-01-26
AL/168/23/AOO	Application for approval of Schedule 1 - Estate Road and	Withdrawn

Works Scheme (part 1.2, 2.2.1, 3.1.1, 4.2 and 4.4) and Schedule 3 - Public Open Space Scheme (part 1.1 and 3.1) of the S106 agreement dated 9/10/2023 relating to planning application AL/107/21/PL. 15-12-23

AL/107/21/PL Demolition of the Woodgate Centre buildings (including 3 No. residential dwellings) & the construction of 180 No. residential dwellings with the creation of new vehicular access with footways and cycleways, ancillary road infrastructure, emergency access arrangements, associated parking, public open space, including children's play space, landscape planting, surface water attenuation & drainage & other associated infrastructure. This site is in CIL Zone H SP2, BEW Strategic Site and is not CIL Liable. App Cond with S106 03-05-23

DEVELOPMENT PLAN POLICIES

RECOMMENDATION

APPROVE