

ECE Planning
ECE Planning
64-68 Brighton Road
Worthing
BN11 2EN

Date: 18th February 2026

Please ask for: Hannah Kersley
Tel: 01903 737856

Your Ref:

Our Ref: AL/134/25/AOO

Dear Mr Chan,

Section 106 Town and Country Planning Act 1990
Application for Approval of Details to Satisfy an Obligation

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.

Woodgate Centre Oak Tree Lane Woodgate PO20 3GU

Arun District Council hereby REFUSE the detail pursuant to S106 obligations for the following reasons.

This application seeks approval of the Public Open Space Scheme of Works and Play Areas Scheme of Works as required under obligations set out in the Section 106 agreement dated 09/10/23 in relation to planning application AL/107/21/PL, under Schedule 3 Paragraph 1.1 and Schedule 3 Paragraph 3.1(a).

Schedule 3 Paragraph 1.1 requires 'not to Commence Development unless the POS Scheme of Works has been submitted to and approved in writing by the District Council'

POS Scheme of Works means a scheme of works to include the means for the formation, laying out and provision of the POS, which must include:

- (a) specifications and building materials;
- (b) drainage, surfacing and boundary treatment;
- (c) if applicable, any street furniture, signage, lighting, provision of bins and any other proposed structures or sculptures; and
- (d) any other details reasonably required by the District Council.

Schedule 3 Paragraph 3.1(a) requires 'to submit a Play Areas Scheme of Works prior to Commencement of Development and not to Commence Development until that Play Areas Scheme of Works has been approved in writing by the District Council.'

Play Areas Scheme of Works means a scheme of works to include the means for the formation, laying out and provision of the Play Areas, which must include:

- specifications and building materials;
- drainage, surfacing and boundary treatment;
- street furniture, lighting, provision of bins and any other proposed structures or sculptures; and
- details of the play equipment to be located in the Play Areas.

A number of plans and documents pertaining to landscaping, planting, paving, furniture and play have been submitted to satisfy the obligations above. These have been subject to consultation with the ADC Parks and Landscape Officer. An objection has been received from the Landscape Officer, as a result of the details submitted under this application differing from that submitted within AL/133/25/DOC. It is recommended that this AOO not be approved until Condition 32 under AL/133/25/DOC is discharged.

AL/133/25/DOC has also received an objection as a result of the details being insufficient to satisfy the requirements of condition 32. This application is still active, and amended details are expected and due to be re-assessed by the ADC Landscape Officer. However, as the details submitted under the DOC are yet to be approved, this AOO cannot be approved as the details will need to tally with those approved under the condition.

As such, until the details pertaining to the POS and Play under Condition 32 of AL/107/21/PL have been approved, the Council are unable to approve the obligations under Schedule 3 Paragraph 1.1 and 3.1(a).

The information has been reviewed by Hannah Kersley, Principal Planning Officer, and has been found to be insufficient to discharge the obligations under Schedule 3 Paragraph 1.1 and 3.1(a).

The details pertaining to the POS and Play must align with that approved under Condition 32. At this time, Condition 32 remains undischarged, and as such it is premature to approve the details pertaining to the Scheme of Works for the POS and Play before the details for these aspects have been agreed and approved by the Council.

If you have any queries please do not hesitate to contact the above case officer.

Yours sincerely



Neil Crowther
Group Head of Planning