

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

REF NO: A/155/25/AOO

LOCATION: Land North of Water Lane
Angmering

PROPOSAL: Application to approve details required under the S106 dated 27/08/2019 in relation to A/40/18/OUT (as varied by A/248/21/PL) for the submission and approval of the marketing plan for employment land (Schedule 5, Clauses 1.1 & 1.2).

SITE AND SURROUNDINGS

DETAILS OF DECISION

The Council has considered the details you have submitted in order to satisfy an obligation under Schedule 5 Clause 1 Employment Land contained in the Section 106 agreement dated 27/08/2019 which relates to planning permission A/40/18/OUT.

Schedule 5 Clause 1.1-1.2 Prior to 101st occupation a marketing plan for the employment land must be submitted and approved. A Marketing Plan must include the methodology, timescales and delivery of the marketing of the Employment Land.

A/27/25/AOO was previously submitted to satisfy the obligation under this clause, but was refused for the following reason:

'The marketing strategy proposed for the use is insufficient. Whilst the plan sets out the methodology, timescales and delivery, it fails to sufficiently account for or attempt to overcome the issues which have been identified to have hindered the success of marketing.'

Within A/27/25/AOO, it was raised that the Council would wish to see evidence that the Site Constraints at Chapter 8 have been explored and investigated to determine whether there are any physical changes that could be made to the site to overcome any of the identified issues, and improve the prospect of receiving a successful offer(s).

A revised Marketing Plan and Marketing Summary (Vail Williams dated 07/10/25) has been submitted to satisfy Clause 1.1-1.2, and overcome the previous reason for refusal.

Chapters 3 to 5 contain the marketing strategy which was undertaken for the employment land up to December 2024.

This includes details of the marketing initiatives including a brochure, marketing boards, advertisements across five website platforms (Vail Williams Website, Rightmove, EACH, Loopnet and Agents Society), direct targeted marketing, local and regional agents, mailshots and emailing. Through Vail Williams, it is understood a contact base of around 300 parties has been engaged. Details of the brochure and marketing board have been provided in the appendix. Rationale for the pricing of the site at £3,000,000, reduced to £2,000,000 in February 2023, has also been provided, explaining why this price was chosen and influence from other nearby sites.

In addition to the marketing initiatives, a timeline showing how the employment land has been marketed for each month between May 2022 and December 2024, totalling approximately 135 weeks of marketing. This demonstrates a substantial increase in the length of the marketing campaign, over the original 16 (potentially +8) weeks submitted under A/63/22/AOO, which was concluded to be insufficient. This time period for marketing is therefore far more acceptable.

Chapter 7 of the Marketing Audit and Summary includes the list of interest, enquiries and feedback which details engagement with core targets and parties. This demonstrates reasonings as to why offers have not been put forward to the owner for each interested party.

Chapter 8 provides a Site Constraints Summary. This includes a number of reasons, such as being a restrictive use class, lack of immediate road visibility, transport infrastructure and costs. In addition, the proximity to residential housing and access are identified as major constraints, with a number of prospective parties not moving forward due to concerns surrounding:

- Hours of use restrictions.
- Traffic.
- Movement of HGV vehicles.
- Parking.
- Concerns over complaints from neighbours.

Information has been incorporated with this chapter, providing further justification to explain the constraints:

Lack of immediate road visibility:

'A B1 Use Class is considered to require less visibility/passing footfall than a retail unit and therefore this issue is not believed to be particularly prohibitive to the right occupier. Access is gained from a main A Road and therefore links to the wider locality are well established.'

Transport:

'The site includes space for appropriate car parking and access by motor vehicle, the layout for which would need to be submitted for approval.'

Proximity to Residential Access:

'Whilst none of this is considered to be insurmountable, concerns have been raised by interested parties nonetheless. In response, we explain that B1 uses i.e. office space, often operate in residential areas at minimal impact to the wider locality. The site is located close to a busy A Road and therefore whilst there may be 'pinch points' in the morning and after work, the wider road network is able to accommodate traffic generated as part of the commercial use. Similarly parking requirements can be accommodated within the site and detailed as part of a commercial scheme.

Regarding concern about interaction between residents and commercial uses, residents will be aware of the commercial element of the allocation/original planning permission and recognise that commercial uses are not new. The restrictions placed upon B1 uses means that potential conflict is kept to a minimum.'

This additional clarification is considered sufficient to address the issues raised under A/27/25/AOO. It is therefore determined that it would be unreasonable to request any further information on this matter, and as such the 'Marketing Plan and Marketing Summary' (Vail Williams; 07/10/25) is accepted. These details satisfy Schedule 5 Clauses 1.1 and 1.2.

REASON FOR DECISION

The information has been reviewed by Hannah Kersley (Principal Planning Officer of Arun District Council) and meets the requirements of Schedule 5, Clause 1.1 and 1.2 that Prior to 101st occupation a marketing plan for the employment land must be submitted and approved. The details submitted are in compliance with the information previously approved in respect of A/40/18/OUT (and subsequent applications).

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

A/27/25/AOO	Application for approval of details required under	Refused
REPORT_1011(ODB)		

Schedule 5 Clause 1 of the Section 106 agreement
dated 27/08/2019 (as amended), relating to A/40/18/OUT
(as amended) - Marketing plan for the employment land. 18-09-25

A/63/22/AOO	Application to approve the Employment Land Marketing Strategy as required under obligation 1.1 Schedule 5 of the Section 106 agreement dated 27-08-19 linked to planning permission A/40/18/OUT.	Refused 08-12-23
A/40/18/OUT	Outline application with some matters reserved for the development of up to 525 residential dwellings (Class C3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping.	App Cond with S106 27-08-19

DEVELOPMENT PLAN POLICIES

RECOMMENDATION

APPROVE