



From: David Easton
Sent: 08 January 2018 09:12
To: Planning.Responses
Subject: RE: A/131/16/OUT : Application to remove a planning obligation

Yes please figured it should be uploaded in order to keep a record.

From: Amanda Scholes **On Behalf Of** Planning.Responses
Sent: 08 January 2018 09:11
To: David Easton
Subject: RE: A/131/16/OUT : Application to remove a planning obligation

Hi David
Is this a rep ?
Mandy

From: David Easton
Sent: 05 January 2018 13:37
To: Planning.Responses
Subject: FW: A/131/16/OUT : Application to remove a planning obligation

Could this please be uploaded to A/187/17/PO.

Many thanks,
David

From: [REDACTED]
Sent: 11 December 2017 14:06
To: David Easton
Subject: RE: A/131/16/OUT : Application to remove a planning obligation

Hello David,

Thank you for your message and explanation.

For and on behalf of
Save Angmering Village

Robin McDonald

From: David Easton [<mailto:David.Easton@arun.gov.uk>]
Sent: 11 December 2017 13:25

To: 'Save Angmering Village'

Subject: RE: A/131/16/OUT : Application to remove a planning obligation

Dear Mr McDonald,

We have advised that an application for a variation of the planning obligation is required and this application has been made. The Council as yet have not determined the application for the variation of the s106 agreement.

Arun's affordable housing policy is now somewhat out of date following the order of the Court of Appeal dated 13th May 2016, which gave effect to the policy set out in the written ministerial statement of the 28th November 2014. Paragraph 031 ref ID: 23b-031-20161116 of the National Planning Policy Framework states that;

"contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area)"

It should be highlighted that a lower threshold of 5-units or less can be applied in rural areas as described under Section 157(1) of the Housing Act 1985 which include National Parks and Areas of Outstanding Natural Beauty. The site in this case would not be classified as rural in accordance with Section 157(1) of the Housing Act 1985. It should also be noted that these contributions (from developments of 6 and 10-units) should be in the form of cash payments.

Given that national policy has superseded the Council's Affordable Housing Strategy we have no legal basis on which to require the provision of affordable housing contributions from developments of 10-units or less. During the determination of this application the applicant was made aware that there was no legal requirement to provide affordable housing and the report presented to Development Control Committee included the following comment;

"The proposed development makes the provision of 3 No. affordable units which exceeds the requirements of Emerging Plan Policy SP9. However, it must be considered that there is no legal requirement to provide affordable housing on developments of 10 units or less - therefore, the proposed affordable housing provision if delivered is considered to further enhance the sustainability (social) of the scheme in accordance with Paragraph 7 of the National Planning Policy Framework."

Therefore, in this case there is no need for the developer to justify the loss of the affordable units as the LPA have no basis on which to require their provision. However, as stated above this application for the variation of the planning obligation remains undetermined and until a decision is issued the position of the LPA has not been confirmed.

I hope this information is of assistance but please do not hesitate to contact me should you have any further questions.

Yours Sincerely,
David Easton

David Easton MSc | Principal Planning Officer, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: [REDACTED]
Sent: 09 December 2017 17:11
To: David Easton
Subject: RE: A/131/16/OUT : Application to remove a planning obligation

Reminder

Good morning David,

Have you had the meeting with your team leader and if so please advise the outcome?

Fowlers are still advertising the site with "the affordable housing provision, the District Council has agreed this can be omitted, with a revised s106 agreement to reflect this".

It would be good to know if Fowlers statement is in fact true and that the council have already acquiesced to the developer's request in A/187/17/PO

For and on behalf of
Save Angmering Village

Robin McDonald

From: [REDACTED]
Sent: 21 November 2017 17:15
To: 'Save Angmering Village'
Subject: RE: A/131/16/OUT : Application to remove a planning obligation

Dear Mr McDonald,

It is presumed that you are referring to A/187/17/PO. I am due to discuss this application with my team leader in the next few days and will provide an update following this meeting.

Please do not hesitate to contact me should you have any further questions.

Yours Sincerely,
David Easton

David Easton MSc | Senior Planning Officer, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: [REDACTED]
Sent: 20 November 2017 16:02
To: David Easton
Subject: A/131/16/OUT : Application to remove a planning obligation

Reminder

Good afternoon Mr Easton

We write in regard to the above subject application, i.e. Application to remove a planning obligation dated 21st December 2016 under planning reference No. A/131/16/OUT relating to Affordable Housing Provisions in the Section 106 agreement.

From our understanding of Arun's affordable housing policy it is a requirement that "developments of 1 to 14 units an affordable housing provision of 15% be sought district wide, subject to further research to ensure this is financially viable".

As yet there appears to be no justification from the developer, financial or otherwise, for this obligation to be removed despite having signed an S106 agreement with the Council.

On what grounds will the Council agree to this request if granted?

For and on behalf of
Save Angmering Village

Robin McDonald

<http://www.arun.gov.uk>

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