

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

REF NO: A/187/25/AOO

LOCATION: Land at Water Lane
Angmering

PROPOSAL: Application to discharge Schedule 5 Clauses 1.3, 1.4, 1.5 & 1.6 on the Section 106 dated 27-08-19 related to A/40/18/OUT (as amended) to confirm the employment land has been marked in accordance with the approved marketing plan.

SITE AND SURROUNDINGS

DETAILS OF DECISION

The Council has considered the details you have submitted in order to satisfy obligations 1.3, 1.4, 1.5 and 1.6 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 1.3 to 1.6 requires the following:

1.3 Prior to Occupation of the 351st (three hundred and fifty-first) Housing Unit to have marketed the Employment Land in accordance with the approved Marketing Plan.

1.4 Not to cause, allow or permit the Occupation of the 351st (three hundred and fifty-first) Housing Unit until the Employment Land has been marketed in accordance with the approved Marketing Plan.

1.5 Prior to the Occupation of the 150th (one hundred and fiftieth) Housing Unit to provide the Services, roads and footways to the Employment Land.

1.6 Not to cause, allow or permit the Occupation of the 150th (one hundred and fiftieth) Housing Unit until the Services, roads and footways have been provided to the Employment Land.

The Marketing Plan (Marketing Plan and Marketing Summary - Vail Williams dated 07/10/25) was approved under A/155/25/AOO, satisfying obligation 1.1-1.2. Chapter 5 of this plan sets out the Marketing Timeline, illustrating the marketing initiatives undertaken between May 2022 and December 2024. This document also includes a Marketing Summary, confirming that the Employment Land has been marketed in accordance with the objectives, strategies and timelines set out within the Plan.

As of 11/11/25, it has been confirmed that the site has 194 occupations. Therefore, it is accepted that the Employment Land has been marketed in accordance within the Marketing Plan, prior to the Occupation of the 351st Housing Unit. This satisfies obligations 1.3-1.4 of Schedule 5.

In respect of obligation 1.5-1.6, it has been confirmed within the Cover Letter (dated 16/12/25) accompanying this application that the services, roads and footways works for the Employment Land are all complete. A monitoring Site Visit (02/07/2025) by the ADC Monitoring Officer confirmed that the roads and footways for the Employment Land were complete.

Monitoring records show that as of 30/09/25, there were at least 142 confirmed occupations. This was two months following the confirmation of the roads and footways being in place by the ADC Monitoring Officer; satisfying the requirement for these to be provided prior to 150th Occupation. This evidence is considered to be sufficient to accept that the services, roads and footways works for the Employment Land are all complete, and were finalised prior to 150th Occupation. As such, it is accepted that obligations 1.5-1.6 have been complied with.

The following details are accepted, and it is confirmed that these satisfy Schedule 5 Clauses 1.3, 1.4, 1.5 and 1.6:

- Cover Letter (CALA dated 16th December 2025)
- Marketing Plan and Marketing Summary (Vail Williams dated 07/10/25)

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 1.3, 1.4, 1.5 and 1.6 to market the Employment Land in accordance with the approved Marketing Plan (as approved under A/155/25/AOO) prior to 351st Occupation; and to have provided the services, roads and footways for the Employment Land prior to 150th Occupation. 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/155/25/AOO	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).	Approve 03-12-25
A/27/25/AOO	Application for approval of details required under 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.	Refused 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