

SECTION 106A TOWN AND COUNTRY PLANNING ACT 1990

Application for Modification or Discharge of Planning Obligation

1a. Applicant:	
Name	Robert Clark
Address	Persimmon Homes. Thames Valley, Persimmon House, Knoll Road, Camberley, Surrey
Post Code	GU15 3TQ
Tel No	01276 808080
Email	robert.clark@persimmonhomes.com
1b. Agent:	
Name	
Address	
Post Code	
Tel No	
Email	

2. Address or location of the land to which this application relates:
Hampton Park, Toddington Lane, Littlehampton
The application must be accompanied by a location plan with the site edged red

3. Please state the nature of the applicant's interest in the land (i.e. landowner, leaseholder, prospective purchaser):
Landowner

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4. Type of Application	
Application to discharge obligation	NO
Application to modify obligation	YES

5. Planning Agreement									
Date Planning Agreement was entered into	23 rd January 2013 and the subsequent Supplemental Planning Obligation dated 11 th September 2018.								
Reference of relevant Planning Permission	LU/47/11 and LU/346/14/PL and LU/182/15								
Obligation to be discharged/amended	(i) Schedule 10 (Highways), Paragraph 8, of the original s106 Agreement, reads: “The owners covenant with the District Council and County Council not to occupy more than 350 dwellings until it has first Completed: (a) the Southern Bypass and Bridge Works and (b) the Internal Distributor Road.” To note: Schedule 10 Paragraph 8 was replaced by Deed of Variation 11/9/18. (ii) Paragraph 7 and 8 of Part 1 of Schedule 3 of the Original Agreement relating to the timing of the provision of LEAP 2. (iii) The definition of Affordable Housing Scheme in the Original Agreement shall be amended by an amendment to table at (e) as follows: Deletion of 4 bedroom houses, so the table reads: <table border="1"> <tr> <th>Type of Dwelling</th><th>%</th></tr> <tr> <td>3 bedroom houses</td><td>35%</td></tr> <tr> <td>2 bedroom houses</td><td>29%</td></tr> <tr> <td>2 bedroom flats (including 12 wheelchair accessible flats)</td><td>36%</td></tr> </table> In addition, the following wording will be added to allow flexibility for each phase: “unless it can be demonstrated to the LPA as part of a reserved matters application that: ○ an alternative mix of sizes and types of housing is acceptable for that phase, and ○ any shortfall or overprovision of a particular size or type of housing in one phase will be compensated for in future phases to ensure that the scheme as a whole accords with the percentages in the table above.”	Type of Dwelling	%	3 bedroom houses	35%	2 bedroom houses	29%	2 bedroom flats (including 12 wheelchair accessible flats)	36%
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6. Brief outline of reasons for applying to discharge/amend the obligation:

- (i) Removal of 4 bed affordable units: because of affordability thresholds, there is no requirement for 4 bedroom shared ownership or rented properties, as agreed with Arun District Council;
- (ii) Occupation Threshold: Change in threshold for the delivery of the southern section of the Lyminster Bypass from 350 occupation to 450 occupations to enable occupations between July 2020 and Dec 2021 because of unexpected delays in the delivery of the bypass due to the Coronavirus. Please see accompanying Planning Statement;
- (iii) LEAP: delay in the delivering the last 10 homes in Phase 2 including the LEAP because of technical considerations on this parcel and the fact that completion of these units will take us over 350 unit occupations. LEAP 2 will now be provided by the 26th February 2021.

7. Please state any other information considered relevant to this application

The request to change the occupation threshold is accompanied by two reports:

1. Planning Statement formally requesting the occupation threshold is increased from 350 units to 450 units; and
2. Technical Note by Brightplan (May 2020).

9. Are you, or the person you are acting for, related to any member of staff or Elected member of the Council? If yes please specify details:

No

I/We hereby apply for the approval of the planning obligation.

Signed

Robert Clark

On behalf of (insert applicants name if signed by agent)

Date:

9.7.20

Certificates – This application must be accompanied by a completed ownership certificate A or B (whichever is appropriate) and if Certificate B applies a Notice* must also be served on the Owner(s)

*Separate Notice attached to the end of this form

Data Protection

The information collected from this form will be used by Arun District Council only for purposes as indicated on our Privacy Notice <https://www.arun.gov.uk/planning-privacy-statements>

CERTIFICATE A

I certify that on the day 21 days before the date of the accompanying application, the planning obligation to which the application relates was enforceable against nobody other than the applicant.

Signed: *Robert Clark*

(If appropriate) On behalf of: Persimmon Homes (Thames Valley) Ltd.....

Date: 9.7.20

CERTIFICATE B

I certify that the applicant has given notice to everyone else against whom, on the day 21 days before the date of the accompanying application, the planning obligation to which the application related was enforceable as listed below:

Person on whom notice served	Address it was served	Dated it was served

Signed

(If appropriate) On behalf of:

Date:

Cont...

NOTICE

Notice of an application to modify or discharge a planning obligation under Section 106a of the Town and Country Planning Act 1990

I give notice that *(insert name of applicant)*:

Is applying to Arun District Council to modify/discharge the planning obligation described below *(enter brief description of the planning obligation which the application wishes to have modified or discharged)*:

Land to which the obligation relates *(enter the address or location of the land)*:

Date on which the obligation was entered into:

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to the Planning Department, Arun District Council, The Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5SS by *(enter date giving a period of 21 days beginning with the date of service or publication of the notice as the case may be)*:

.....

Signed Date

(if appropriate) on behalf of

Data Protection

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