

Nicola Pettifer
Horsham District Council (Planning)
Albery House
Springfield Road
Horsham
RH12 2GB

Submitted via the Planning Portal
2nd February 2026

Dear Nicola,

RE: Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough, Section 73 application to amend Condition 1 to planning permission DC/24/1081.

We have today submitted via the Planning Portal a Section 73 application under reference **PP-14672239** seeking amendment to Condition 1 attached to planning permission (Reference DC/24/1081), granted 4th October 2024 for ***(Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) amendment to the affordable housing plans and to the approved site layout to include a sub-station.***

Since 2023 we have been seeking offers for the 26 no. S106 affordable units, and to date we have approached over 20 Registered Providers (RP). Currently we have only one conditional offer from Landspeed Homes Ltd. As below, we have set out the timeline and history of seeking offers:

March 2023: First round of seeking offers from 6 Registered Providers:

- Aster Housing/HSPG/Raven/Sage/Saxon Weald/Worthing Homes

We obtained 3 offers from:

- Aster Housing/HSPG/Raven/Sage

As a result of market conditions, we received only one suitable offer from Aster Homes that was conditional upon an amendment to the affordable mix. This amendment was approved under a S73 application on the 4th October 2024 (Application Number: DC/24/1081), and a Deed of Variation dated 14th July 2025.

Notwithstanding changes to the mix, the overall provision remained as 26 affordable units with a 70%/30% split between Affordable Rented (18 units) and Shared Ownership (8 units). This offer from Aster Housing was subsequently withdrawn. Underbidders were approached but all confirmed the site was no longer of interest. All correspondence with RP's can be issued if requested.

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June 2024: Second round of seeking offers from 16 Registered Providers:

- Saxon Weald/Raven HT/ Moat Housing /Flint/Worthing Homes/Town & Country/English Rural/Hastoe/Sovereign/Guinness/Hyde/Rentplus/Sage/HSPG/Landspeed Homes Ltd/Aster Housing

We obtained 3 offers from:

- Raven/Rent Plus/Moat Housing

We accepted an offer from Moat Housing and subsequently progressed the legal agreement. Moat Housing then withdrew their offer and underbidders confirmed the site was no longer of interest. All correspondence with RP's can be issued if requested.

October 2025: Third and final round of seeking offers:

As above and also including:

- A2/Horsham/LQ Group/Orbit/Places for People/Southdown

We received no offers for the S106 affordable housing units. All correspondence with RP's can be issued if requested.

Landspeed Homes Offer:

Landspeed Homes Ltd has submitted an offer for all 26 affordable dwellings on the condition all units are Intermediate Housing tenure. This offer is subject to a S73 approval to amend the specific tenure listed on the approved drawings, and a Deed of Variation to amend the Affordable Housing tenure as set out the S106. The number of affordable units, unit type, overall mix and size of units will remain unchanged.

This site is currently under construction, and the affordable housing delivery is imperative to the site's overall viability and delivery. To unlock uncontracted and unsold S106 units, and ensure they are made available to families who need them, the government published Policy Guidance on the 28th January 2026 which sets out the expectation that LPAs should apply flexibility where developers can demonstrate they have made all reasonable endeavours to find an RP buyer on the basis of the affordable housing requirement set out in the original S106 agreement, but have been unsuccessful. In such circumstances, they expect all LPAs to take advantage of existing planning flexibilities to renegotiate S106 agreements and allow the tenure of homes to be varied in order to secure a buyer.

S73 Application:

This S73 application seeks to remove specific affordable tenure of 'Affordable Rent' and 'Shared Ownership Homes' from the approved drawings and replace solely with the definition of 'Affordable Housing'. A further Deed of Variation will be sought to amend the tenure in the S106 to reflect the proposed 26 x Intermediate housing units.



Condition1: As approved

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

- Floor plan Flat ground (plots 9-11 and 16-18), as proposed 7071-PL-57 A
- Floor plan Flat first (plots 12-14 and 19-21), as proposed 7071-PL-58 B
- Floor plan Flat second (plot 15 and 22), as proposed 7071-PL-59 A
- Floor plan Type 5 (plot 32-35), as proposed 7071-PL-40 A
- Elevation plan Type 5 (plot 32-35), as proposed 7071-PL-41 A
- Elevation & Floor plan Type 11 (plot 27), as proposed 7071-PL-49 C
- Site plan 7071-PL-03 G
- Elevation plan Type 2 and 3, (plots 67-69), as proposed 7071-PL-23 A
- Floor plan Type 2 and 3, (plots 67-69), as proposed 7071-PL-24 B
- Floor plan Type 2 and 5 (plots 23-26), as proposed 7071-PL-29 A
- Elevation plan Type 2 and 5 (plots 23-26), as proposed 7071-PL-30 A

Condition1: As proposed:

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

- Floor plan Flat ground (plots 9-11 and 16-18), as proposed 7071-PL-57 **B**
- Floor plan Flat first (plots 12-14 and 19-21), as proposed 7071-PL-58 **C**
- Floor plan Flat second (plot 15 and 22), as proposed 7071-PL-59 **B**
- Floor plan Type 5 (plot 32-35), as proposed 7071-PL-40 **B**
- Elevation plan Type 5 (plot 32-35), as proposed 7071-PL-41 **B**
- Elevation & Floor plan Type 11 (plot 27), as proposed 7071-PL-49 **D**
- Site plan 7071-PL-03 **H**
- Elevation plan Type 2 and 3, (plots 67-69), as proposed 7071-PL-23 **B**
- Floor plan Type 2 and 3, (plots 67-69), as proposed 7071-PL-24 **C**
- Floor plan Type 2 and 5 (plots 23-26), as proposed 7071-PL-29 **B**
- Elevation plan Type 2 and 5 (plots 23-26), as proposed 7071-PL-30 **B**

We trust the information provided is sufficient for you to validate the application, but please do not hesitate to contact me should you require any further information.

Yours sincerely,

Michael

Michael Maskew MRTPI | Head of Planning | Elivia Homes Eastern
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