Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
S106/25/0002
Croudace Development Site, Downsview Avenue, Storrington, West Sussex,

DESCRIPTION:
Discharge of Clause 5 to Schedule 6 of the S.106 Agreement attached to ref: DC/19/2015, to enable an occupancy greater than 50% of the approved Open Market Units following the payment of a commuted sum to be agreed with the Local Planning Authority to a Management Company assuming responsibility for the maintenance of approved Open Amenity Space.

RELEVANT PLANNING HISTORY:

DC/19/2015	Outline planning application for the erection of up to 62 residential units and the creation of a new vehicle access, all matters reserved except for access (updated red line plan, 06.12.2019)	Application Permitted on 15.05.2020

BACKGROUND AND RELEVANT PROVISIONS:

This application concerns the discharge of a planning obligation contained at Clause 5 to Schedule 6 of the S.106 agreement accompanying the grant of outline planning permission pursuant to ref: DC/19/2015.

Clause 5 to Schedule 6 of the relevant S.106 agreement provides:-

> 5. Not to Occupy or cause or allow the Occupation of more than 50%of the Open Market Units within the Development until the Owner has paid to the Management Company a commuted sum the amount of which is to be agreed by the Council as part of the Reserved Matters Approvals as a contribution towards the future costs of the proper maintenance of the Open Amenity Space and LAP within the relevant Phase subject to budgets and costings being made available to the Council to verify the maintenance costs

As agreed within the reserved matters approval (ref: DC/23/0290) the approved development delivers the following public open space typologies and amounts, which are to fall to the future responsibility of the Management Company

Green Corridors	3,357m^2
Informal Green Space	2,214m^2
Sustainable Drainage Systems (SuDS)	240m^2

In support of this application the applicant advances a figure of £5,991 to be paid to the appointed Management Company for maintenance of open spaces for a six-month period. As explained within the

supporting covering letter future residents will be liable to pay service charges upon the handover of open spaces to the Management Company, which occurs upon substantial completion.

A period of 6-months between 50% occupation and substantial completion is considered reasonable by officers.

According to the Council's latest Open Spaces commuted sum calculator, it is expected that the maintenance of open-spaces of the scale and typology agreed would total £145,162 over a period of 20 years subsequent to initial establishment. A period of 6-months is equivalent to 2.5% of the total 20-year period addressed by the Council's commuted sum calculator. If reduced to an equivalent percentage the £145,162 (20 year) amount is reduced to £3,626.

The 'pre-charge' sum of £5,991 offered by the applicants, therefore, would appear to exceed the Council's own calculations of expected maintenance costs for the relevant 6-month period. This may prove attributable in part to additional costs incurred as any initially planted soft-landscaping fails and stands to be replaced, though, is nonetheless deemed to remain sufficient for the short period of time between 50% occupation and full completion which Clause 5 to Schedule 6 anticipates.

It is, therefore, considered that the component of Clause 5 of Schedule 6, to the extent that this necessitates the approval of the Council, can be discharged. The pre-charge payment would remain due to the Management Company upon 50% occupation as Clause 5 stipulates.

Recommendation: Application Permitted

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

DELEGATED

Case Officer sign/initial Giles Holbrook Date: 05.08.2025

Authorising Officer sign/initial Adrian Smith Date: 05/08/2025