Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
S106/25/0011
Mowbray, Land North of Horsham, Old Holbrook, Horsham, West Sussex,

DESCRIPTION:
Discharge of Schedule 4, Part 17, paragraphs 1.3 and 1-1.3.3 (Residential Management Company) to application DC/16/1677.

RELEVANT PLANNING HISTORY:

DC/16/1677	Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure	Application Permitted on 01.03.2018

The National Planning Policy Framework (NPPF):

Horsham District Planning Framework (HDPF 2015)
Policy 1 - Strategic Policy: Sustainable Development
Policy SD1 - Strategic Policy: Land North of Horsham
Policy 33 – Development Principles

RELEVANT NEIGHBOURHOOD PLAN
The site is within Rusper and North Horsham Parish. North Horsham Parish voluntarily withdrew their parish from the Neighbourhood Development Plan process on 30 July 2018. The relevant policies in the Rusper Parish Neighbourhood Plan are as follows:

- Policy RUS1: Spatial Plan
- Policy RUS8: Community Facilities

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
None received.

Parish Comments:
None received.

Representations:
None received.

HUMAN RIGHTS
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Outline Planning Permission was granted for the development of the North of Horsham site in March 2018 (ref: DC/16/1677). Permission was granted subject to conditions and a s.106 Agreement. Consent is sought to discharge the details required by Schedule 4, Part 17, paragraphs 1.3.1-1.3.3.

Schedule 4, Part 17, paragraph 1.3:

1.3. For the period from the establishment of the Residential Management Company to Occupation of the final Housing Unit to be occupied the Owners of the Residential Managed Land shall:

1.3.1. Prior to the start of each calendar year (or such other annual date as may be agreed in writing by the District Council):

(a) Provide to the District Council the Residential Management Company's budget for the following 12 months showing anticipated income from estate charges and anticipated expenditure, together with evidence satisfactory to the District Council of such anticipated income and anticipated expenditure;

(b) Submit for approval to the District Council and gain approval from the District Council of the contribution (if any) to be paid to the Residential Management Company and the date or dates for payment to cover any shortfall between anticipated income and the anticipated expenditure.

1.3.2 Following approval of the contribution (if any) pursuant to paragraph 1.3.1(b) above to pay the contribution (if any) to the Residential Management Company within 15 working days of the agreed date or dates for payment;

1.3.3 Provide to the District Council the Residential Management Company's quarterly management accounts within 15 working days of the end of each quarter.

To comply with the requirements of the condition, the applicant has submitted the following:

- Mowbray Estate Budget 2022-2025
- Horsham Estate – Notes of Explanation 2022-2025

The details include the Residential Management Company's budget and anticipated expenditure for 2025, as required by the obligation. The details state that the Company is not currently requesting the full annual charge from residents. This is because very little open space areas or amenities have so far been delivered on site. Therefore, the full amount is not required at this time. This is to be reviewed for the second half of 2025.

The only tangible amenity space now delivered is the East – West Greenspace, which has recently been opened to the public (May 2025). As such, there is no requirement at this time for a payment from the owner for a contribution from the owner to the Residential Management Company.

The requirements of the Schedule have been satisfied.

Recommendation: Application Permitted

NOTE TO APPLICANT

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.

Plans list for: S106/25/0011
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Notes of Explanation to Accompany the Estate Service Charges Budgets		20.05.2025
Supporting Docs	Financial Report 01.01.2024 - 31.12.2024		20.05.2025
Supporting Docs	Annual Charge Period 2022-2025		20.05.2025
Supporting Docs	Income Expenditure Report to 31.03.2025		20.05.2025

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 24.06.2025

Authorising Officer sign/initial Adrian Smith Date: 25/06/2025