Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
S106/24/0010
Land North of Horsham, Horsham, West Sussex,

DESCRIPTION:
Discharge S106 obligation (DC/16/1677) relating to Schedule 3, Part 6 in relation to the Custom and Self Build housing

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
DC/19/0984	Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward	Application Permitted on 12.06.2019
DC/21/0181	Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans.	Application Permitted 12.03.2021

PLANNING ASSESSMENT
Outline Planning Permission was granted for the for development of the North of Horsham sites in March 2018. Permission was granted subject to conditions and a s.106 Agreement.

Schedule 3, Part 6 of the s.106 Agreement requires:
"*1.1 Prior to Commencement of Development of Phase 2 to submit in writing to and obtain the approval in writing from the District Council to the precise location and size of the Phase 2 Custom and Self Build Housing Land whose location shall accord with the approved RM Parcel Plan for Phase 2 and be situated on Liberty Land AND in submitting such information the Owners shall provide sufficient evidence to the District Council that such land is freely accessible and capable of accommodating 20 houses together with ancillary gardens, garages and car parking spaces*."

Phase 2 Custom and Self Build Housing Land is defined in the S106 Agreement as: "*the land to be located within Phase 2 of sufficient size as to accommodate 20 houses together with ancillary gardens, garages and car parking spaces which shall be marketed for Phase 2 Custom and Self Build Housing purposes*".

The submission includes a plan of RM Area 18 with 20 plots for custom / self build units shown. This includes sufficient space for car parking and gardens. The accompanying details state that, '*whilst the Custom and Self Build Housing Land is currently not easily accessible a temporary road could be provided off Wimland Road utilising the existing track, however, in due course infrastructure RM's will*

come forward providing a primary road to the south and west of the Custom and Self Build Housing Land, thereby facilitating easy access.'

Half of the site sist on Liberty Land with the other half appearing to sit on the Mickel Land, which is understood is now under the control of L&G (according to S106/24/0004). Schedule 3, Part 6 of the S106 requires the plots for custom / self build to be on Liberty Land, principally to ensure the site is deliverable in the event any of the third party land could not be secured. To cover this issue, the applicant has submitted details to confirm that they do now own the Mickel Land such that the entire site for the custom and self-build housing is under the control of the developer. In this regard the land ownership is secured for this housing.

North Horsham parish have stated that they have no comments on this proposal.

The above is considered acceptable and the requirements of the Schedule 3, Part 6, para 1.1 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: S106/24/0010
(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
Plans	RM18 Boundary with Custom & Self Build Polt	02-727 B	05.06.2024
Supporting Statement	Covering Letter		05.06.2024

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 20.09.2024

Authorising Officer sign/initial Adrian Smith Date: 20/09/2024