

MID SUSSEX DISTRICT COUNCIL

3RD JULY 2026

BURGESS HILL LEYLANDS / BURGESS HILL DUNSTALL / DOWNLAND VILLAGES /
CUCKFIELD, BOLNEY & ANSTY

DM/25/0578

**SITE OF FORMER RED CROSS HALL, 29 PADDOCKHALL ROAD, HAYWARDS HEATH
WEST SUSSEX, RH16 1HQ**

**REQUEST TO MODIFY EXISTING S106 AGREEMENT RELATING TO PLANNING
APPLICATION DM/18/4841 TO ALLOW FINANCIAL CONTRIBUTIONS TO BE MADE
PAYABLE UPON COMPLETION AND TO AMEND WORDING REFERRING TO THE
PROVISION OF AFFORDABLE HOUSING TO INSTEAD REFER TO FIRST HOMES AND
THE PARAMETERS THAT FIRST HOMES ARE REQUIRED TO ADHERE TO.**

GILLIAN WINCH

WARD MEMBERS: Cllr Abdul Bashar/ Cllr Paul Lucraft

CASE OFFICER: Joseph Swift

Purpose of the report

1. To consider and agree the proposed variations to the Legal Agreement secured as part of the Planning Permission (DM/18/4841, as subsequently amended by S73 permission DM/22/0805) on Red Cross Hall, 29 Paddockhall Road, Haywards Heath.

Summary

2. Winch and Boag Developments have requested changes to the provision in the S106 legal agreement, to unlock the scheme, that has commenced but has been stalled for a significant period due to issues with funding and finding a registered provider for the affordable housing.
3. The variations proposed to the legal agreement are all minor in nature and are considered reasonable. None of the changes unacceptably alter the quality or quantity of infrastructure provided, and the infrastructure will still be delivered at an appropriate rate in relation to housing delivery, in order to mitigate the impact of the development.
4. The changes do not materially affect the planning considerations assessed at the time of the original decision.

Recommendation: That the proposed variations to the Legal Agreement are approved.

Proposal

5. The site is known as the Red Cross Hall is rectangular in shape and measures 0.6 hectares. It is located between Oaklands Road to the southwest, Boltro Road to the southeast and Paddockhall Road to the northwest.

6. Permission was granted under DM/18/4841 for the demolition of existing buildings and erection of no. 8 dwellings comprising of 5 x 3 bedroom houses with attached garages and a flat block of 3 x 2 bedroom flats. Includes creation of cycle store/ refuse storage building, with associated car parking, landscaping works and changes to access onto Oaklands Road. Works had started on this in accordance with the original consent (as amended), but has since stalled on site for a significant period.
7. The application seeks a number of changes which are set out below along with the justification, issues/implications for the development and officer recommendations.

Obligation	Existing Trigger	Proposed Amendment	Rationale	Officer Recommendation
Financial infrastructure contributions	Prior to commencement	Prior to occupation	Unlocks the development with has stalled due to cash flow and has left the site half finished and unsightly.	Acceptable, does not affect the level of contributions to be provided and will still be provided ahead of occupation.
Affordable housing	N/A	Change affordable housing from a registered provider to be delivered instead as first homes	Despite efforts for approximately 4 years to get a RSL (Registered Social Landlord) to take on the units, all attempts have been unsuccessful due to the small number of units.	Acceptable, the first homes are still considered affordable homes, and the change to First Homes will allow the scheme to move forward.

Equality Implications

8. None of the proposed amendments have any equalities implications and the conclusions of the original Planning Application report in relation to equalities remain.

Conclusion

9. Whilst the above amendments alter the type of affordable housing provided and the trigger for the infrastructure payments, they do not alter the overall conclusions of the original planning report.
10. None of the changes unacceptably alter the quality or quantity of infrastructure provided, and the infrastructure will still be delivered at an appropriate rate in relation to housing delivery, in order to mitigate the impact of the development.
11. As such, it is recommended that the proposed amendments be accepted.