

14 July 2026

Project/File: 333102644/A3

via Planning Portal

Jason Hawkes
Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex
RH12 2GB

Dear Jason,

**APPLICATION FOR DISCHARGE OF S106 OBLIGATIONS SCH.2 CLAUSES 3.1 & 3.2
(BIODIVERSITY GAIN PLAN & HMMP) FOR MOWBRAY EMPLOYMENT ROAD
LPA REF. DC/25/1543**

We write on behalf of Legal & General (Strategic Land North Horsham) Ltd ('L&G') in relation to our application seeking the discharge of s106 obligations requiring approval of a Biodiversity Gain Plan and Habitat Monitoring and Management Plan ('HMMP') prior to the commencement of works approved pursuant to the full planning permission for the Employment Road and associated infrastructure at Mowbray (LPA ref. DC/25/1543).

Context

Full planning permission ('the Permission') was granted on 2 July 2026 for:

'Construction of Primary Road from the Left-In, Left-Out junction with the A264 (constructed pursuant to Outline Planning Permission DC/16/1677) to Bush Lane (Bridleway 1585), footpaths and cycleways, foul and surface water drainage including a SUDS basin and foul pumping station, landscaping, substations and associated infrastructure.'

The Permission is required by the Environment Act 2021 to deliver a minimum of 10% net gain in biodiversity ('BNG'). The requirement for 10% BNG is captured in a s106 agreement (dated 30 June 2026; 'the s106') that accompanies the Permission.

This application seeks to discharge the following obligations within the s106 (contained within Sch.2):

- 3.1 *To submit the Biodiversity Gain Plan and the HMMP to the District Council for its approval in writing prior to the Commencement of Development;*
- 3.2 *Not to Commence Development until the Biodiversity Gain Plan and the HMMP have been approved in writing by the District Council (such approval not to be unreasonably delayed or withheld);*

The following definitions within the s106 are relevant to this submission:

“Biodiversity Gain Plan”	the plan substantially in the form published by DEFRA, as may be updated from time to time, to be completed and submitted to the District Council for approval in writing in accordance with this Schedule, such approval not to be unreasonably delayed or withheld, and as may be amended pursuant to paragraphs 3.8 and 3.9 of this Schedule;
“Habitat Management and Monitoring Plan (HMMP)”	the document titled ‘Habitat Management and Monitoring Plan’ for the creation and/ or enhancement of habitat to achieve the Biodiversity Net Gain, and subsequent management and maintenance thereof, to be prepared in accordance with the approved Biodiversity Gain Plan, to include: a) a non-technical summary; d) details of the roles and responsibilities of the people or organisation(s) delivering the HMMP; d) details of the planned habitat creation and/ or enhancement works to create and/ or enhance habitat to achieve the Biodiversity Net Gain in accordance with the approved Biodiversity Gain Plan; d) the management measures to be put in place to maintain the habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from Practical Completion; and d) the monitoring methodology and frequency in respect of the created or enhanced habitat, to be completed and submitted to the District Council for approval in writing in accordance with this Schedule and as may be amended pursuant to paragraphs 3.8 and 3.9 of this Schedule;

The enclosed Biodiversity Gain Plan and HMMP have been prepared to accord with the above definitions and capture the means by which 10% BNG will be achieved, monitored and managed for the requisite 30-year period.

Submission

This application comprises the following:

- Application Form (dated 14 July 2026)
- Covering Letter (dated 14 July 2026)
- Biodiversity Gain Plan (dated 13 July 2026)
- Habitat Monitoring and Management Plan (26 June 2026; Version 1) prepared by CSA Environmental
- Statutory Biodiversity Net Gain Metric

The decision notice for the Permission contains the mandatory condition for approval of the Biodiversity Gain Plan prior to commencement of development. As such, the same Biodiversity Gain Plan submitted to discharge the s106 obligations through this submission will also be submitted to discharge the mandatory condition.

We would be grateful if you could confirm receipt of this application, and we look forward to receiving formal notification of validation in due course.

Please do not hesitate to contact the writer at this office if you require further information or have any further queries.

Sincerely,

Stantec UK Limited

[Redacted]

Alex Jones
Director

[Redacted]
[Redacted]

stantec.com/uk

cc. James Taylor (Stantec)
Robert Thompson (L&G)