



**Horsham
District
Council**

Mrs Ellen Pearce
Senior Living (Durrants) Limited
Unit 3
Edwalton Business Park
Landmere Lane
Nottingham
NG12 4JL

Application Number: S106/25/0007

TOWN & COUNTRY PLANNING ACT, 1990 (Section 106A)
TOWN & COUNTRY PLANNING (Modification & Discharge of Planning Obligations) Regulations 1992

On behalf of: Senior Living (Durrants) Limited

In pursuance of their powers under the above-mentioned Act and Regulations, the Council hereby notify you that they REFUSE the following, that is to say:

Amendment to legal agreement approved under reference: DC/08/0316 to remove the obligations in relation to library access, a community bus and a medical facility

Durrants Village, Faygate Lane, Faygate, West Sussex

REASONS FOR REFUSING MODIFICATION(S)/DISCHARGE:

- 1 Insufficient evidence has been submitted to demonstrate that the obligations at Schedule 1, Part 5 of the Unilateral Undertaking signed in respect of planning permission DC/08/0316 to provide a surgery/medical centre within the development no longer serves a useful purpose as required under s.106A(6)b of the Town and Country Planning Act.
- 2 On the basis of the information submitted it is not considered that access to the Library Service for residents of Faygate was provided on reasonable terms or that the Community Bus Service was provided for in accordance with the express requirements of Schedule 1 Parts 4 and 5, and Schedule 3, of the s106 Unilateral Undertaking signed in respect of planning permission DC/08/0316. In the absence of the Library Service and Community Bus Service having been properly provided, it cannot be agreed that the obligations seeking their provision no longer serve a useful purpose as required under s.106A(6)b of the Town and Country Planning Act.

Emma Parkes
Head of Development and Building Control

Date: 07/08/2026

ADDITIONAL INFORMATION

Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.