Horsham District Council

Mr Mark Iveson
Devine Homes Plc
St Michaels House
111 Bell Street
Reigate
Surrey
RH2 7LF

Application Number: S106/26/0040

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

On behalf of: Devine Homes Plc

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

Discharge of planning obligations pursuant to planning permission DC/25/0523 relating to the Affordable Housing Scheme (Schedule 2, Clause 2.2) and the BNG Plan (Schedule 4, Clause 3.2).

Land North of East Street, Rusper, West Sussex

The requirements of Schedule 2, clause 2.2 are hereby discharged in accordance with the details listed below:

Plan Type	Description	Drawing Number	Received Date
Plans	Affordable Housing Plan	PL-02 REV C	21.08.2026

The requirements of Schedule 4, clause 3.2 are not discharged for the following reason:

1. A number of issues have been identified with the submitted Biodiversity Gain Plan and Habitat Management and Monitoring Plan which have not been addressed by the applicant.

Emma Parkes
Head of Development and Building Control

Date: 09/11/2026

ADDITIONAL INFORMATION

Right of Appeals

If you are aggrieved by the Council's refusal to modify or discharge the planning obligation, then you can appeal to the Secretary of State under Section 106B of the Town and Country Planning Act 1990.

You must appeal within 6 months of the date of the decision notice. 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