Horsham District Council

Mr Joseph Pearson
Lewis and Co Planning
2 Port Hall Road
Brighton
BN1 5PD

Application Number: S106/24/0002

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

On behalf of: Mr Ed Deedman, Violeta Ltd

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:

Modification/ Discharge of Planning Obligations to approved application DC/20/0717 to remove the requirement to provide an affordable housing contribution.

Vineyards, Old London Road, Washington, Pulborough

REASONS FOR REFUSING MODIFICATION(S)/DISCHARGE:

1 The request to modify the planning obligations imposed by the S.106 agreement attached to ref: DC/20/0717 is made in advance of the expiry of the relevant period stipulated within S.106A(4) of the Town and Country Planning Act 1990 and, as such, is not made pursuant to the provisions of S.106A(3) of the Town and Country Planning Act 1990. In light of the circumstances in which the financial contribution secured at Schedule 2 to the S.106 was offered by the applicant, and given the contribution remains necessary in lieu of the delivery of onsite affordable housing, the Local Planning Authority does not agree to the removal of the obligation securing this contribution by way of agreement pursuant to S.106A(1).

Emma Parkes
Head of Development and Building Control

Date: 05/08/2025

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.