



**Horsham
District
Council**

For Official Use Only

App No

Date

Fee

Planning Department
Horsham District Council
Park Side, Chart Way
Horsham
West Sussex RH12 1RL

Tel: (01403) 215187
e-mail: planning@horsham.gov.uk

Application for the Modification or Discharge of Planning Obligations

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

Publication of applications on planning authority websites:

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using BLOCK CAPITALS and in black ink

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. What are you applying for?

Modification of Planning Obligations ☐

Discharge of Planning Obligations ☒ (please tick one)

Is the Obligation more
than 5 years old? ☐ Yes ☒ No

Date Obligation was signed: 03/02/26

2. Applicant Name & Address

Title: MR First name: MARK

Last name: IVESON

Company (optional): DEVINE HOMES PLC

Address 1: ST MICHAELS HOUSE

Address 2: 111 BELL STREET

Address 3:

Town: REIGATE

County: SURREY

Postcode: RH2 7LF

Tel. No:

E-mail:

3. Agent Name and Address (if any)

Title: First name:

Last name:

Company (optional):

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode:

Tel. No:

E-mail:

4. Address of the Site

Please describe the precise location of the land or building(s) to which this application relates:

LAND NORTH OF EAST STREET, RUSPER, WEST SUSSEX

5. Description of Planning Obligation

Please provide the information requested:

S/106 number:

DSM/12500

Related Planning Permission Ref:

DC/25/0523

Names of all parties to the Obligation (continue on another sheet if necessary):

Name:

DEVINE HOMES PLC

Name:

WEST SUSSEX COUNTY COUNCIL

Name:

HORSHAM DISTRICT COUNCIL

Name:

6. Please state why you are applying for the modification or discharge of the planning obligation identified above.

TO DISCHARGE THE FOLLOWING PLANNING
OBLIGATIONS CONTAINED WITHIN THE S106
AGREEMENT (DATED 3 FEBRUARY 2026 RELATING TO
PERMISSION FOR THE ERECTION OF 18 DWELLINGS ON
LAND NORTH OF EAST STREET, RUSPER (DC/25/0523)
- SCHED 2 - CLAUSE 2.2 - AFFORDABLE HOUSING SCHEME
- SCHED 4 - CLAUSE 3.2 - BIODIVERSITY GAIN PLAN AND HMMP

Attach an additional sheet if necessary

7. Please provide any additional information that you consider relevant to the determination of this application.

SEE ATTACHED COVERING LETTER.

Attach an additional sheet if necessary

8. Please state the nature of the applicant's interest in the land.

DEVELOPER

9. Declaration TO BE COMPLETED BY ALL APPLICANTS

I/we hereby apply for the modification or discharge of a planning obligation under section 106A of the Town & Country Act 1990 in accordance with the details above, and the submitted plan(s) and documents

I/we have completed a certificate (either certificate A, B, or C as appropriate) and attached it to this application.

Signed

On behalf of

DEVINE HOMES PLC

(insert applicant's name if signed by agent)

Date

21/08/26

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

Notice of an Application to Modify or Discharge a Planning ObligationI GIVE NOTICE that (a) DEVINE HOMES PLCis applying to HORSHAM DISTRICT COUNCIL to ~~modify~~/ discharge* the planning obligation described below:PLANNING OBLIGATION

Obligation description: (b)

- SCHEDULE 2 - CLAUSE 2.2 - AFFORDABLE HOUSING SCHEME
 - SCHEDULE 4 - CLAUSE 3.2 - BIODIVERSITY GAIN PLAN
 AND HMMP

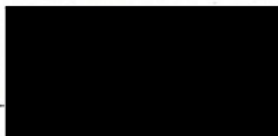
Address of site: (c) LAND NORTH OF EAST STREET, RUSPER,
WEST SUSSEX

Obligation date: (d) 03/02/26

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should make them in writing to the Planning Department, Horsham District Council, Alberty House, Springfield Road, Horsham, West Sussex, RH12 2GB by:

(e) 11/09/26

Signed



Date

21/08/26

*On behalf of

DEVINE HOMES PLC.NOTES

- (a) Insert name of applicant.
- (b) Insert a brief description of the planning obligation which the applicant wishes to modify or discharge
- (c) Insert address or location of land to which the planning obligation relates.
- (d) Insert date that the obligation was entered into
- (e) Insert date giving a period of 21 days beginning with the date of service of this notice

* Delete where in appropriate.

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

CERTIFICATE UNDER REGULATION 4

CERTIFICATE A

I certify that:

1. On the day 21 days before the date of the accompanying application the planning obligation to which the application relates was enforceable against nobody other than the applicant

SIGNED



DATE

21/08/26

*On behalf of

DEVINE HOMES PLC

OR

CERTIFICATE B

I certify that:

1. I have / The applicant has* given the required notice to everyone else against whom, on the day 21 days before the date of the accompanying application the planning obligation to which the application relates was enforceable, as listed below:

Name of person on
whom notice served

Address at which notice was
served

Date on which
notice was served

SIGNED

DATE

*On behalf of

NOTES

* Delete where inappropriate

OR

(P.T.O.)