

PLANNING OBLIGATION INSTRUCTION FORM

Please complete this form and submit it to Mid Sussex District Council along with your planning application.

Please ensure you refer to the [Apply for Planning Permission](#) webpage to download the latest version of this form.

If you have any queries relating to the planning obligations your development proposal would attract, please contact the Development Management team on 01444 477566.

The District Council's adopted Development and Infrastructure Supplementary Planning Document can be accessed via the following link: <https://www.midsussex.gov.uk/planning-building/development-contributions/>.

If your planning application relates to development within 7km of Ashdown Forest, you are also advised to refer to the following link for details of the mitigation requirements:

<https://www.midsussex.gov.uk/planning-building/protecting-ashdown-forest/>

If your planning obligation relates to biodiversity net gain, you are also advised to refer to the following link for further information:

<https://www.midsussex.gov.uk/planning-building/biodiversity-net-gain/>

It is important that you complete the form fully, correctly and accurately as this template will form the instructions for the District Council's Legal Services to draft the Planning Obligation and incorrect and/or incomplete information will delay this being issued. Please complete sections 1 to 8. The planning case officer will complete sections 9 and 10 once the application has been received.

YOU ARE ADVISED TO SEEK INDEPENDENT LEGAL ADVICE BEFORE ENTERING A PLANNING OBLIGATION.

Legal Fees:

Please note that the District Council will expect its reasonable legal costs to be met (whether or not the Planning Obligation proceeds to completion). A Solicitor's Undertaking will be sought by Legal Services at the outset of the matter.

Monitoring Costs:

The District Council will levy a fee for monitoring costs in accordance with the Development and Infrastructure Supplementary Planning Document, please refer to the following link for up-to-date information on planning obligation monitoring fees:

<https://www.midsussex.gov.uk/planning-building/development-contributions/>

Monitoring fees for biodiversity net gain can be found at:

<https://www.midsussex.gov.uk/planning-building/biodiversity-net-gain/>

1. Location of proposed development (Address and Postcode of the site)

If there is **no** postal address, please give a clear and accurate description of the site location.

Borde Hill Garden
Borde Hill Lane
Haywards Heath
West Sussex
RH16 1XP

2. Title number

If the land is registered at the Land Registry the District Council will require up-to-date Official Copies of the Register of Title and Title Plan. Please provide the Official Copies with this form. If the land is not registered at the Land Registry, please state 'Unregistered'.

WSX240177 and WSX240177

3. Description of proposal

Please provide an accurate, detailed description of the proposed development (including bedroom numbers).

Variation of planning conditions 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14 and 18 relating to planning application DM/24/0433

4. Applicant

Please provide name, address and contact details for applicant.

Borde Hill Garden Charity
Borde Hill
Borde Hill Lane
Haywards Heath
West Sussex, RH16 1XP

5. Landownership details

The District Council will require all parties with an interest in the land comprised within the application site to be a party to the Planning Obligation.

Please note that if there are multiple landowners, additional details are to be provided in section 6.

Full name(s) of owner(s):

Borde Hill Garden Limited (Lessee)

Address:

Borde Hill, Borde Hill Lane, Haywards Heath, West Sussex, RH16 1XP

Telephone:

[REDACTED]

E-mail:

[REDACTED]

6. Additional landowners

Provide details of any additional landowners and those with any interest in the land not included in section 5 and contact details in the field below.

Freehold in the process of being transferred to RNSC Trustee Company Limited

7. Name and address of legal representative

Complete if you have appointed or intend to appoint someone to act on your behalf in connection with the Planning Obligation.

Name:	Lee May (DMH Stallard)
Address:	Origin One, 108 High Street Crawley West Sussex RH10 1BD
Telephone:	
E-mail:	

8. Mortgagee

If any part of the property is charged or subject to mortgage and you do not wish to satisfy all contributions upon the completion of the Planning Obligation, your mortgage provider will need to be a signatory to the Planning Obligation. Please note it is likely that the mortgage provider would also charge legal fees for approving and executing the Planning Obligation.

Is there a mortgage on any part of the land? (Please tick as appropriate)	Yes	
	No	X

If 'yes', do you wish your mortgage provider to be a signatory to the Planning Obligation or do you intend to pay all monies upon completion of the Planning Obligation? Please note that if the Planning Obligation is to include obligations other than financial contributions (e.g. the provision of affordable housing) all mortgagees will need to be a party to the Planning Obligation. Please tick as appropriate.

Mortgage provider to be a signatory to the Planning Obligation	
All monies to be paid upon completion of the Planning Obligation	

If you wish your mortgage provider to be a signatory to the Planning Obligation please provide the name and registered office of the mortgage provider in the box below.

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Sections 1 to 8 completed by (insert full name):

Signed: Kai Penny (planning agent)

Date: 27/04/2026

9. Instruction details

FOR INTERNAL USE ONLY – PLANNING CASE OFFICER TO COMPLETE

Instructing officer:

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Date of validation:

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Date of instruction:

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Target decision date:

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Planning application reference number:

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Determination: (Committee / Delegated)

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Type of planning application:
(Full / Outline / REM / BNG condition)

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Planning case officers should ensure Legal Services are provided with copies of the following:

- Application form
- A red line plan of the application site
- If applicable, identify the location of the affordable housing land on either the same or on a separate plan
- Copies of all consultation responses relevant to the Planning Obligation
- Any relevant decision notice and officer delegated report
- Any relevant committee report and minutes
- Any previous s106 planning obligations

In relation to biodiversity net gain and significant on-site enhancements and/or off-site gains, the following will also need to be provided:

- Biodiversity Gain Plan
- Completed statutory biodiversity metric in an editable Excel format
- Habitat Management and Monitoring Plan (HMMP)
- Pre-development and post-development plans showing the location of on-site habitat

10. Planning Obligation (Heads of Terms)*

*These heads of terms are subject to the completion of formally executed legal documentation and authorisation by the relevant Planning Committee or delegated powers. All planning obligations must comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

For internal use only – planning case officer to complete and provide details of matters to be included in the Planning Obligation. Officers should make it clear where further instructions will follow.

HEADS OF TERMS

Financial Contributions	Tick if required	If applicable, the amount of contribution (£)	Comments
Education (Early Years)			
Education (Primary)			
Education (Secondary)			
Education (Sixth Form)			
Library			
Fire & Rescue			
Total Access Demand			
Formal Sport			
Playspace			

Financial Contributions	Tick if required	If applicable, the amount of contribution (£)	Comments
Kickabout			
Community Building			
Local Community Infrastructure			
Recycling/Waste			
Health			
SANG			
SAMM			
Affordable Housing			
Other Financial Contribution(s) (please specify)			

Affordable Housing (Tick if required on site)	Total % or no. of Affordable Units	Details of Affordable Housing Scheme	Is the location of the affordable units known?
			Yes / No If yes, provide a plan identifying the location of the affordable units and associated land (please indicate if a plan is attached or will follow) Plan attached / to follow

On-site SANG (tick if required)	Provide full details	If the obligation relates to a transfer of land, provide a plan identifying the relevant area	Provide details of any commuted maintenance sums

Highway / Transport Obligations (tick if required)	Provide full details

Property Obligations (tick if required)	Provide full details	If the obligation relates to a transfer of land, provide a plan identifying the relevant area	Provide details of any commuted maintenance sums

Other matters	Provide full details

Type of biodiversity net gain (tick if applicable)	Provide full details
On-site BNG – Non-significant	
On-site BNG – Significant	
Off-site BNG – Linked site	
Off-site BNG – Habitat bank	
Statutory credits	

BNG monitoring fee required		
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Case Officer (print name):

Case Officer (signature):

Signature of authorised officer*:

Print full name of authorised officer:

Date:

* Assistant Director for Planning and Sustainable Economy or officer with delegated authority.