



**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](mailto: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:

#### 2. Applicant Name & Address

Title:  First name:   
Last name:   
Company (optional):  NORTHGATE STRATEGIC LAND LTD  
Address 1:  6  
Address 2:  NORTHGATE  
Address 3:   
Town:  CHICHESTER  
County:  WEST SUSSEX  
Postcode:  PO19 1BA  
Tel. No:   
E-mail:

#### 3. Agent Name and Address (if any)

Title:  MR First name:  JAMES  
Last name:  SMITH  
Company (optional):  JAMES SMITH PLANNING LAW SERVICES  
Address 1:  30A  
Address 2:  UPPER HIGH STREET  
Address 3:   
Town:  THAME  
County:  OXFORDSHIRE  
Postcode:  OX4 3EX  
Tel. No:   
E-mail:  James@thejsplanninglaw.co.uk

#### 4. Address of the Site

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

LAND AT HILLAND HOUSE, NEW ROAD, BILLINGSHURST, WEST SUSSEX,  
RH14 9AA

5. Description of Planning Obligation

Please provide the information requested:

S/106 number:

AGREEMENT DATED 16th JUNE 2025

Related Planning Permission Ref:

DC/24/0749 / APP/23825/W/25/3361285

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

Name:

NORTHGATE STRATEGIC LAND LIMITED, BILLINGWOOD LIMITED

Name:

HANDELSBANKEN PLC

Name:

WEST SUSSEX COUNTY COUNCIL

Name:

HORSHAM DISTRICT COUNCIL

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

SEEKING SUBSTITUTION OF PLAN TO EXCLUDE PLOT OF EXISTING  
DWELLING TO BE RETAINED

Attach an additional sheet if necessary

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

PLEASE SEE ACCOMPANYING LETTER

Attach an additional sheet if necessary

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

OWNER OF PART OF THE SITE

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.

VARIATION BY AGREEMENT. NOT APPLICABLE

Signed

On behalf of

NORTHGATE STRATEGIC LAND LIMITED

(insert applicant's name if signed by agent)

Date

27/11/25

**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 \_\_\_\_\_

\*On behalf of \_\_\_\_\_

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

n/a

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

\*On behalf of \_\_\_\_\_

**NOTES**

\* Delete where inappropriate

OR

(P.T.O.)

**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 C**

I certify that:

1. I / The applicant\* cannot complete a Certificate A or B in respect of the accompanying application;
2. I have / The applicant has\* given notice to the persons listed below, being persons against whom, on the day 21 days before the date of the accompanying application the planning obligation to which the application relates was enforceable.

Name of person on  
whom notice served

Address at which notice was  
served

Date on which  
notice was served

n/a

- 
3. I have / The applicant has\* taken reasonable steps to ascertain the name and address of every person whom, on the day 21 days before the date of the accompanying application, the planning obligation to which the application relates was enforceable and who has not been given notice of the application: These steps were as follows: (a)

n/a

Notice of the application to modify or discharge a planning obligation has been published on the (b)

In the (c)

(attach a copy of the notice).

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

\*On behalf of \_\_\_\_\_

**NOTES**

\* Delete where inappropriate

- (a) description of steps taken
- (b) date of publication
- (c) name of newspaper in which the notices was published

**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 Obligation**

I GIVE NOTICE that (a) \_\_\_\_\_

is applying to HORSHAM DISTRICT COUNCIL to modify / discharge\* the planning obligation described below:

**PLANNING OBLIGATION**

Obligation description:

(b) \_\_\_\_\_

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Address of site: (c) \_\_\_\_\_

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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, Park North, North Street, Horsham, West Sussex, RH12 1RL by:

(e) \_\_\_\_\_

\_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_

\*On behalf of \_\_\_\_\_

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**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.