



**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:

2. Applicant Name & Address

Title:	Mr & Mrs	First name:	Daniel & Tina
Last name:	Wenman		
Company (optional):			
Address 1:	Lavender Cottage		
Address 2:	Brooks Green		
Address 3:			
Town:	Horsham		
County:	West Sussex		
Postcode:	RH13 0BB		
Tel. No:	07958 121516		
E-mail:	info@oaklandsparkhomes.co.uk		

3. Agent Name and Address (if any)

Title:	Ms	First name:	Rachel
Last name:	Rowles Davis		
Company (optional):	Rowles Davis LTD		
Address 1:	37 Salisbury Street		
Address 2:			
Address 3:			
Town:	Taunton		
County:			
Postcode:	TA2 6NA		
Tel. No:	07500 928016		
E-mail:	rrd@rowles-davis.co.uk		

4. Address of the Site

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

Deer Fields Park
(AKA Land to the North of Hill Top Country Park)
Emms Lane
Brooks Green
Horsham
West Sussex RH13 0TR

5. Description of Planning Obligation

Please provide the information requested:

S/106 number: Legal Ref: 003378

Related Planning Permission Ref: DC/23/1235

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

Name: Daniel Wenman and Tina Wenman (Owners)

Name: Horsham District Council (Local Planning Authority)

Name:

Name:

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

This application is made pursuant to the suggestion of the Council's Principal Planning Officer, Robert Hermitage, in order to consolidate the planning paperwork following the recent change in national and local policy relating to water neutrality. We understand that the Council will consider this application despite the Section 106 agreement being fewer than five years old due to the change in policy and the need for clarity with regard to ongoing planning obligations and conditions.

The Section 106 Agreement secures compliance with an outdated Water Neutrality Policy, which has been superseded by the Council's standard condition.

The Applicants are also submitting a separate Section 73 Application to vary Planning Permission DC/23/1235 which involves the removal of references in conditions 1 and 5 to the Water Neutrality Statement submitted and replacement of condition 5 in its entirety with the Council's new standard condition relating to its water neutrality policy (relating to Part G of the Building Regs).

Attach an additional sheet if necessary

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

This application is made pursuant to email discussions with the Council's Principal Planning Officer, Robert Hermitage (Reference DC/23/1235, November 2025). Mr Hermitage has confirmed that the Council will consider this application despite the Section 106 obligation being fewer than five years old.

Attach an additional sheet if necessary

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

Owner and 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 *Rachel Rowles Davis*

On behalf of DANIEL AND TINA WENMAN (OWNERS AND APPLICANTS)

(insert applicant's name if signed by agent)

Date 2 DECEMBER 2025

Town and Country Planning Act 1990 (Section 106A)

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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 *Rachel Rowles Davis* DATE 2 DECEMBER 2025

*On behalf of DANIEL AND TINA WENMAN (OWNERS AND APPLICANTS)

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.)

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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

-
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)

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

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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) _____

Address of site: (c) _____

Obligation date: (d) _____

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 _____

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.