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 [X] Discharge of Planning Obligations [ ] (please tick one)

Is the Obligation more than 5 years old?:	Yes	No	Date Obligation was signed:
	[ ]	[X]	18/01/2024

2. Applicant Name & Address

Title:	
First name:	
Last name:	
Company (optional):	Stonewater Limited
Address 1:	Suite C, Lancaster House
Address 2:	Grange Business Park
Address 3:	Enderby Road, Whetstone
Town:	Leicester
County:	
Postcode:	LE8 6EP
Tel. No:	
E-mail:	

3. Agent Name and Address (if any)

Title:	Ms
First name:	Charlotte
Last name:	Westwood
Company (optional):	Clarke Willmott LLP
Address 1:	Blackbrook Gate, Blackbrook Park Avenue
Address 2:	
Address 3:	
Town:	Taunton
County:	Somerset
Postcode:	TA1 2PG
Tel. No:	0345 209 1424
E-mail:	charlotte.westwood@clarkewillmott.com

4. Address of the Site

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

Land North of The Rise, Partridge Green

5. Description of Planning Obligation

Please provide the information requested:

S/106 number: CB/003168

Related Planning Permission Ref: DC/22/0301

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

Name: Horsham District Council

Name: John Cornelius Sullivan & Chantry Holdings Limited

Name: Rydon Homes Limited

Name:

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

The s106 Agreement is to be amended to remove the requirement to provide First Homes, and the tenure mix shall be amended to be the provision of 22 Affordable Dwellings, 15 to be Affordable Rented Units/Social Rented Units and 7 to be Shared Ownership Units. In addition, a Mortgagee Exemption Clause shall be included for the Social Rented Units to align with the NHF standard wording and amended for the Shared Ownership Units; reference to RPI shall be replaced with CPI; any Open Market Dwellings used as additional Affordable Housing, but will not be bound by the terms of the s106 Agreement; and the mortgagee release clause within the specimen Nominations Agreement shall be amended to align with the NHF standard wording.

In addition to modifying the s106 Agreement detailed above, the s106 Unilateral Undertaking dated 8 January 2024 between (1) Horsham District Council, (2) John Cornelius Sullivan and Chantry Holdings Limited and (3) Rydon Homes Limited, which was entered into to secure water neutrality measures, is to be discharged on the basis that the Council no longer require the parties to comply with the terms of the s106 Unilateral Undertaking.

Attach an additional sheet if necessary

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

Attach an additional sheet if necessary

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

The applicant is the registered provider and has exchanged contracts with Macar Homes (Southern Home Counties) Limited for the purchase of the land, subject to a purchase by Macar Homes (Southern Home Counties) Limited from Chantry Holdings Limited.

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 [redacted]

On behalf of STONEWATER LIMITED / CLARKE WILLMOTT LLP
(insert applicant's name if signed by agent)

Date 02.10.2026

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulatins1992

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
MACAR HOMES (SOUTHERN HOME COUNTIES) LIMITED	Foundation House, 42-48 London Road, Reigate, England, RH2 9QQ	10/09/2026
CHANTRY HOLDINGS LIMITED	2nd Floor, 3 Philip Street #10-02 Royal Group Building, Singapore, 048693	10/09/2026

SIGNED [redacted] DATE 02.10.2026

*On behalf of STONEWATER LIMITED / CLARKE WILLMOTT LLP

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

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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.