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**Emma Parkes
Horsham District Council
Albery House,
Springfield Road
Horsham RH12 2GB**

14th August 2026

Dear Ms Parkes

Re: Request for Deed of Variation to Section 106 Agreement

**Site: Land To The West of Smock Alley, South of Little Haglands, West Chiltington
Planning Permission Ref: DC/24/1619**

I write to request that Horsham District Council agrees to enter into a Deed of Variation to the Section 106 Agreement relating to the above development.

The purpose of the proposed variation is to amend the affordable housing obligations to allow the affordable homes to be delivered as Discount Market Sale (DMS) dwellings, rather than requiring their transfer to a Registered Provider.

This request is made because the current affordable housing mechanism has proved unachievable in practice, meaning the planning permission cannot be implemented in its approved form.

The Discount Market Sale model would ensure that the homes remain available to eligible purchasers at a defined discount from Open Market Value, secured through the Section 106 Agreement in perpetuity. The affordable homes would therefore continue to meet an identified housing need within the district, whilst removing the current delivery barrier associated with Registered Provider acquisition.

The applicant is not seeking to reduce either the number of affordable dwellings or the level of affordability. The proposed amendment relates solely to the delivery mechanism, replacing a route that has proved incapable of implementation with one that can realistically be delivered.

We therefore respectfully request that the Council agrees, in principle, to enter into a Deed of Variation to amend the affordable housing provisions of the Section 106 Agreement. We would be pleased to work collaboratively with the Council's planning and legal officers to agree appropriate drafting that secures the Discount Market Sale units, including eligibility criteria, discount levels, mortgagee protection provisions and any other requirements the Council considers necessary.

The applicant will meet the Council's reasonable legal costs associated with preparing the Deed of Variation.

Yours sincerely,



Michael P. Stephens

Director

Castle Properties (Southern) Limited

Attachments

- Planning Statement
- Section 106A of the Town and Country Planning Act 1990.
- Letters from developers
- Application to Modify a Section 106 Planning Obligation Fee £586