



**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:	29/05/2025

2. Applicant Name & Address

Title:	Mr	First name:	A
Last name:	Rutherford		
Company (optional):			
Address 1:	Rowfold Lodge		
Address 2:	Coneyhurst Road		
Address 3:			
Town:	Billingshurst		
County:	West Sussex		
Postcode:	RH14 9DD		
Tel. No:	c/o Agent		
E-mail:	c/o Agent		

3. Agent Name and Address (if any)

Title:	Mrs	First name:	Charlotte
Last name:	Catton-Giltinane		
Company (optional):	Batcheller Monkhouse		
Address 1:	Stratton House		
Address 2:	57 Lower Street		
Address 3:			
Town:	Pulborough		
County:			
Postcode:	RH20 2AZ		
Tel. No:			
E-mail:			

4. Address of the Site

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

Building at Rowfold Lodge, Coneyhurst Road, Billingshurst, West Sussex, RH14 9DD

5. Description of Planning Obligation

Please provide the information requested:

S/106 number:

CT/12164

Related Planning Permission Ref:

DC/24/0304 and HRA/24/0014

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

Name:

Mr Andrew Phillip Rutherford

Name:

Horsham District Council

Name:

Name:

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

We are seeking the discharge of the Section 106 agreement associated with planning permission DC/24/0304 and HRA/24/0014 because Natural England has withdrawn its position statement requiring developments within the Sussex North Water Supply Zone to achieve water neutrality. As this requirement is no longer supported by current legislation or planning policy, the S106 obligation has become unnecessary and should therefore be discharged.

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.

Applicant of Planning Application DC/24/0304 and HRA/24/0014 and owner

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

On behalf of Mr A Rutherford

(insert applicant's name if signed by agent)

Date 20/11/2025

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



DATE

20/11/2025

*On behalf of Mr A Rutherford

OR

CERTIFICATE B

I certify that:

1. 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.