



Friday, 07 August 2026

**Mid Sussex District Council
Planning Department
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS**

Tom Davies MRTPI
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Dear Sir/Madam,

Application for Discharge of S106 Obligation (Countryside Open Space Detailed Specification & Management Plan) – DM/25/1129

Land at Foxhole Farm, Foxhole Lane Bolney, West Sussex.

On behalf of CALA Management Ltd ("CALA"), please find an application to discharge the Countryside Open Space Detailed Specification & Management Plan pursuant to the Third Schedule Paragraph 1.2 of the signed S106 Agreement (dated 18th November 2025) in respect of Land at Foxhole Farm, Foxhole Lane, Bolney ("the site").

Background

Outline planning permission (OPP) (DM/25/1129) was granted on the 18th November 2025 for *Outline application (appearance, landscaping, layout and scale reserved), for the erection of up to 200 residential dwellings, including affordable housing; a community building (use class F1) encompassing land for education provision, together with associated access, ancillary parking and landscaping; the creation of a vehicular access point from the A272 Cowfold Road, and pedestrian and cycle only access to The Street; and creation of a network of roads, footways, and cycleways through the site; together with the provision of countryside open space, children's play areas, community orchard, and allotments; sustainable drainage systems and landscape buffers.*

The OPP was subject to conditions and was accompanied by a S106 Agreement dated 18th November 2025. Schedule Three, Paragraph 1.2 requires 'To submit to the District Council for its written approval (such approval not to be unreasonably withheld or delayed) the Countryside Open Space Detailed Specification and Management Plan for approval at the same time as but not necessarily as part of the relevant Reserved Matters in respect of the Land'.

The S106 Agreement defines the Countryside Open Space Detailed Specification and Management Plan as:

means the detailed specification for the establishment and future management and maintenance of the Countryside Open Space which shall include the basis of sharing costs of maintenance and management between Dwellings and methodology for recovery of costs from the Dwellings and/or the formation of the Management Company with responsibility to perform such obligations including, in the event of a transfer of the Countryside Open Space to a Management Company, details of how the Management Company will be properly funded and able to undertake the ongoing maintenance/management of the Countryside Open Space;

The Proposal

The Countryside Open Space will be managed and maintained by a Management Company, with funding obtain from service charge, full details of the structure Management Company are contained below:

The proposal is to incorporate a company as an entity which has a separate legal personality from its owners and managers. It has limited liability status which means that, other than in certain specific circumstances, liability for the company's debts and obligations remains with the company rather than the individuals behind it.

At the outset of the incorporation, Cala will appoint a Managing Agent. This Agent will manage the site, and its personnel will be appointed as Directors of the Management.

The company will eventually be owned by its members, but it is run by its directors who have control over the day-to-day activities and management of the company.

Generally, the members do not take part in the management of the company (in their capacity as members) and this is delegated to the directors.

The company is a separate legal person and cannot act for itself. It can only act through its directors. The directors are agents of the company and have power to act and take decisions which affect the company's assets and interests. The overriding duty is that directors must act in the best interests of the company for the benefit of its members as a whole.

Each company has a set of articles of association. These are basically the company's internal rules and regulations setting out how the members agree the company is to operate, as well as the rights and obligations of the members. These are a matter of public register, registered at Companies House.

The company will be a residents property management company limited by Guarantee.

A management agreement will be put in place between Cala, the residents management company and the managing agent setting out the following (list is not exhaustive):

- Term
- Areas of management
- Insurance
- Remit of directors
- AGM's



To ensure transparency for all parties, a contract will be entered into at the outset between Cala and the Management Company setting out:

- That the wider land will be transferred post completion
- Requiring Cala to complete the development

The developer (Cala) will retain control of the management company until the last plot is sold, and when the last plot is sold, the residual land will be transferred to the residents. This will take place once all obligations on site have been satisfied (planning etc). Post registration of this at Land Registry control is handed over to the residents, the current directors resign appointing resident directors and the developer hands over the management company.

The purpose of the incorporation of a Management Company is to take ownership of the wider communal areas that are not being adopted by the Local Authority or transferred to a third party. This transfer of land would take place before the company is handed over as above.

Once the developer has completed its obligations on site the land is transferred to the Management Company to maintain. The owners on site are members and have the ability to vote at annual meetings on matters affecting the site and management going forward.

The appointment of the current managing agent could be terminated or continued (provided the terms of the Management Agreement are followed).

This application has satisfied the requirements of this obligation and therefore can be discharged.

I would be grateful if you could confirm receipt of this application and I look forward to receiving formal notification of validation in due course.

Thank you

Your Sincerely

A solid black rectangular box used to redact the signature of Tom Davies.

Tom Davies MRTPI
Planning Manager
Cala Homes (South Home Counties)