

Application for the Modification or Discharge of Planning Obligations Town and Country Planning Act 1990

Planning application forms are public documents and all information contained on them will be placed for public inspection on the Authority's website.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Application Type

Please tick

Are you applying to **modify** planning obligation(s)?

☐

Are you applying to **discharge** a planning obligation(s)?

☒

2. Applicant Name and Address

Title: First Name:

Last Name:

Company (optional): Vistry Homes Limited

Unit: House Number: House Suffix:

Address 1: C/O ECE Planning

Address 2: 64-68 Brighton Road

Address 3: Worthing

Town:

County: West Sussex

Country:

Postcode: BN11 2EN

Telephone Number: 01903 248777

Mobile Number:

Email: cbarker@eceplanning.com

3. Agent Name and Address

Title: Mr First Name: Chris

Last Name: Barker

Company (optional): ECE Planning

Unit: House Number: House Suffix:

Address 1: 64-68 Brighton Road

Address 2: Worthing

Address 3:

Town:

County: West Sussex

Country:

Postcode: BN11 2EN

Telephone Number: 01903 248777

Mobile Number:

Email: cbarker@eceplanning.com

4. Address (to which obligation relates):

Unit: House Number: House Suffix:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

5. Nature of Applicant's Interest in Land

Freehold Owner: ☒

Lessee: ☐

Other (Please Specify):

6. Other Parties with Interest in Land:

Name	Address	Nature of Interest
DAVID WILSON HOMES (SOUTHERN) LIMITED	Barratt House Cartwright Way, Forest Business Park Bardon Hill, Coalville, Leics, LE67 1UF	Landowner (BDW parcels)
West Sussex County Council Highways and Transport Department	West Sussex County Council, County Hall, West Street, Chichester, PO19 1RQ	Landowner (Highways land)
West Sussex County Council Education Department	West Sussex County Council, County Hall, West Street, Chichester, PO19 1RQ	Landowner (School land)

7. Details of Planning Application:

Application reference:

Date of Decision:

Description of Application:

Hybrid planning application seeking 1) outline planning permission for a mixed use development comprising up to 550 dwellings (Use Class C3), a care village of up to 150 dwellings (Use Class C2), land for a 2 form entry primary school (including early years provision and special needs education provision), mixed use neighbourhood centre, allotments, landscaping and sustainable urban drainage; and 2) full planning permission for playing fields, new sports pavilion, and running track associated with Imberhorne Secondary School, a Suitable Alternative Natural Greenspace (SANG) with associated car park, access from Imberhorne Lane, internal road to the SANG, pedestrian/cycle link from Imberhorne Lane and associated landscaping and infrastructure.

8. Details of Planning Obligation(s) to be Modified or Discharged:

Schedule 3, Paragraph 1-1.3 – SANG Management Entity and SANG Landscape Maintenance and Management Plan

9. Reason for Modification or Discharge of Planning Obligation(s):

Obligation must be discharged prior to commencement.

10. Certificates

Certificate under Regulation 4

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

Supporting Notes:

An application for the modification or discharge of a planning obligation shall be accompanied by a certificate, either Certificate A, B or C.

Certificate A – to be completed where 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.

Certificate B – to be completed where the applicant gives notice of the application to any person (other than the applicant) against whom, 21 days before the date of the application, the planning obligation to which the application relates was enforceable; and whose name and address is known to the applicant.

Certificate C – to be completed where the applicant needs to give notice of the application to any person (other than the applicant) against whom, 21 days before the date of the application, the planning obligation to which the application relates was enforceable; **but where names and addresses of all such persons NOT known to the applicant after he/she has taken reasonable steps to ascertain the information.** The applicant shall during the 21 day period immediately preceding the application, publish notice of the application in a local newspaper.

Certificate A

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:

On behalf of:

Date:

Certificate B

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 was service

Address at which notice was served

Date on which notice was
served

DAVID WILSON HOMES (SOUTHERN)
LIMITED

Barratt House Cartwright Way, Forest Business Park Bardon Hill,
Coalville, Leics, LE67 1UF

18/09/2026

West Sussex County Council Highways
and Transport Department

West Sussex County Council, County Hall, West Street,
Chichester, PO19 1RQ

18/09/2026

West Sussex County Council Education
Department

West Sussex County Council, County Hall, West Street,
Chichester, PO19 1RQ

18/09/2026

Signed:

Chris Barker of ECE Planning

On behalf of:

Vistry Homes Limited

Date:

18/09/2026

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 planning obligation to which the application relates was enforceable

Name of person on whom Notice was service	Address at which notice was served	Date on which notice was served

Signed:

On behalf of:

Date:

1. 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 (describe steps taken)

Notice of the application, as attached to this application, has been published on the

Date of publication:

Name of newspaper in which the notice was published:

Signed:

On behalf of:

Date:

Notice of an application to modify or discharge a planning obligation
Town and Country Planning Act 1990 (Section 106A)
Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

I GIVE NOTICE that (name of applicant)

Vistry Homes Limited

is applying to MID SUSSEX DISTRICT COUNCIL to modify/discharge the planning obligation described below:

Obligation description:

(Insert a brief description of the planning obligation which the applicant wished to modify or discharge)

SANG Management Entity and SANG Landscape Maintenance and Management Plan

Address of site:

(Insert address or location of land to which the planning obligation relates)

Land South And West Of Upper Imberhorne School Imberhorne Lane East Grinstead West Sussex

Obligation date:

(Insert date that the obligation was entered into)

22/12/2025

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should send them to Mid Sussex District Council, by no later than:

09/10/2026

Insert date giving a period of 21 days beginning with the date of service of this notice

Signed:

Chris Barker of ECE Planning

On behalf of:

Vistry Homes Limited

Date:

18/09/2026

12. Declaration:

I/We hereby apply for the modification or discharge of a planning obligation under Section 106A of the Town and Country Planning Act 1990 in accordance with the details above, and the submitted plan(s) and documents.

1/We have completed an ownership certificate (either certificate A, B or C as appropriate) and attached it to this application.

Signed:	Chris Barker of ECE Planning
On behalf of:	Vistry Homes Limited
Date:	18/09/2026

13. Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

	Submitted
Two copies of a completed and dated application form.	☒
Two copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North.	☒
Two copies of other plans and drawings or information necessary to describe the subject of the application.	☒
A copy of the press notice if appropriate for a certificate	☒