

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

PLANNING APPLICATION FORMS ARE PUBLIC DOCUMENTS AND ALL INFORMATION CONTAINED ON THEM WILL BE PLACED ON DEPOSIT FOR PUBLIC INSPECTION BOTH IN THE COUNCIL OFFICES AND ON A WEB SITE

1a Name and Address of Applicant

.....

Tel No

Email

1b Name and Address of Agent (if any)

.....

Tel No

Email

2 Address of the Site*

.....

3 Description of Planning Obligation** Please give sufficient information to enable the identification of the Planning Obligations you wish to modify or discharge

.....

Date of the original Obligation

Date of any subsequent amendments to the original Obligation

Reference number of the application to which the obligation relates

.....

4 Please explain the manner in which the applicant proposes to modify or discharge the obligation (This can be completed on a separate sheet if necessary)

.....
.....
.....
.....
.....
.....

5 Please explain the reasons for applying for the modification or discharge of the obligation (This can be completed on a separate sheet if necessary)

.....
.....
.....
.....
.....
.....

6 Please state the nature of the applicant's interest in the land

.....
.....
.....

7 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 Planning Act 1990 in accordance with the details above, and the submitted plan(s) and documents.

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

Signed

On behalf of
(insert applicant's name if signed by agent)

Date

Guidance Notes

Your completed application will comprise:

- I **Three** copies of the completed application forms. Please sign all copies
- II **Three** copies of all plans submitted with the site edged in red
- III **One** copy of either Certificate A, B, C (and one copy of the press notice if appropriate)
- IV If you wish to bring other matters in support of your application to the attention of the Council please provide it in writing either on the application form or use an additional sheet. **Three** copies will be required

Notes to assist in completing the Certificate and Notice

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 the names and addresses of all such persons are 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.

PLEASE SUBMIT THREE COPIES OF THIS FORM, PLANS AND ALL ACCOMPANYING DOCUMENTS

Town and Country Planning Act 1990 (Section 106A)

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

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

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
.....
.....
.....
.....
.....

SIGNED DATE

*On behalf of

NOTES

* Delete where inappropriate

Town and Country Planning Act 1990 (Section 106A)

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

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 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
.....
.....
.....

- 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 (a)

.....

Notice of the application, as attached to this application, has been published on the (b) in the (c)

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 notice was published

Town and Country Planning Act 1990 (Section 106A)
Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

Notice of an Application to Modify or Discharge a Planning Obligation

I GIVE NOTICE that (a)

is applying to NORTH SOMERSET COUNCIL to modify/discharge* the planning obligation described below:

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 send them by email¹ to North Somerset Council at this address dccomments@n-somerset.gov.uk by no later than:

(e).....

SIGNED DATE

*On behalf of

NOTES

* Delete where inappropriate

- (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 inappropriate

¹ Or by post to North Somerset Council, Town Hall, Weston-super-Mare, Walliscot Grove Road BS23 1UJ

Town and Country Planning Act 1990 (Section 106A)
Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

Notice of an Application to Modify or Discharge a Planning Obligation

I GIVE NOTICE that (a)

is applying to NORTH SOMERSET COUNCIL to modify/discharge* the planning obligation described below:

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 send them by email² to North Somerset Council at this address dccomments@n-somerset.gov.uk by no later than:

(e).....

SIGNED DATE

*On behalf of

NOTES

* Delete where inappropriate

- (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 inappropriate

² Or by post to North Somerset Council, Town Hall, Weston-super-Mare, Walliscot Grove Road BS23 1UJ