

# Application of the modification or discharge of planning obligations



Town & Country Planning Act 1990 (Section 106A)

Town & 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 for public inspection on the council's website.

## **Q1a Name and address of applicant**

Name

Address

Town

Post code

Telephone

Email

## **Q1b Name and address of agent (if any)**

Name

Address

Town

Post code

Telephone

Email

## **Q2 Address of site**

## **Q3 Description of the Planning Obligation**

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

Date of the original Obligation

Date of any subsequent amendments to the original Obligation

Reference no. of the application to which the Obligation relates

**Q4 Please explain the manner in which the applicant proposes to modify or discharge the obligation**

**Q5 Please explain the reasons for applying for the modification or discharge of the obligation**

**Q6 Please state the nature of the applicant's interest in the land**

**Q7 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

(Type name if completing form online)

On behalf of

(Insert applicants name if signed by agent)

Date

# Certificate under Regulation 4

Town & Country Planning Act 1990 (Section 106A)

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## 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 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.

## 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

Signed

On behalf of

Date

## 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



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I GIVE NOTICE that (name of applicant)

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

## Obligation description:

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

## Address of site:

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

## Obligation date:

(Insert date that the obligation was entered into)

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should send them to North Somerset Council using the **contact us form**, by no later than:

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

Signed

(Type name if completing form online)

On behalf of

Date

## Privacy notice

North Somerset Council is registered with the Information Commissioner's Office for the purposes of processing personal data. The information you provide will be held and used in accordance with UK and European data protection law and will not be used for any other purpose.

For further details on how we use your personal information in the delivery of the planning service, please read our full **privacy notice**. If you have any concerns about how your personal data is handled, please contact the Data Protection Officer at **dpo@n-somerset.gov.uk**

I have read and understand how my details will be used \*

## Submit form

Email your completed form to **planning.support@n-somerset.gov.uk**. Please remember to attach any additional documents required to support this application

## What you will need to include with this form:

1. Copies of all plans submitted with the site edged in red  
(two copies are required if NOT submitting electronically) Submitted
2. A copy of the press notice if appropriate for a certificate Submitted
3. 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.  
(two copies are required if NOT submitting electronically) Submitted
4. Where a charge was required or an exemption granted under the Community Infrastructure Levey (CIL) in relation to the original application, to which the agreement you know wish to amend relates, you need to include with this application to modify the agreement a completed and updated copy of the Communalilty Infrastructure Levey (CIL) Additional Information form, which is available from the **Planning Portal**. Submitted