

Application for the Modification or Discharge of a Section 106 Planning Obligation

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

FOR OFFICE USE ONLY

APPLICATION NO.

DATE REGISTERED

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 THE MSDC WEB SITE

1a Name and Address of Applicant

Ken Allen

BLOOR HOMES LIMITED (Company Number 02162561)
whose registered office is at Ashby Road, Measham,
Swadlincote, Derbyshire, DE12 7JP

Tel. No.



.....
1b Name and Address of Agent (if any)

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

.....
Name for contact

.....
Tel. No.

.....

2. Address of the Site

Land at Station Road, Long Melford

3. Description of Planning Obligation - please give sufficient information to enable the identification of the Planning Obligation you wish to modify or Discharge

Amendments to the Section 106 Agreement (Unilateral Undertaking) dated 02nd July 2019 between (1) Pauline Mary Cutler (2) Carolyn Frances Wilkinson and Elizabeth MacLeish as trustees of the will of David Westropp Cutler Deceased and (3) Gladman Developments Limited:

- Include a definition of Net Capital Receipts
- Paragraphs 2.10 and 3.8 of schedule 4
- The definition of Chargee at clause 1.1.10

- The Mortgagee in Possession clauses at paragraph 4.7 of schedule 2 and paragraph 1.5 of schedule 6

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

- Definition of Net Capital Receipts - to allow the Registered Provider to deduct their mortgage and costs as has been agreed previously for site Barton Road, Thurston, Bury St Edmunds, Suffolk (700).
- Paragraphs 2.10 and 3.8 of schedule 4 - have been amended to exclude Shared Ownership units until they have staircase to 100% as the Registered Provider's residents will not have any direct communication with the management company until they own 100% of the unit.
- The Mortgagee in Possession clauses and definition of Chargee - have been amended to an acceptable clause by all lenders. This will ensure that this site is fully fundable for the Registered Provider.

5. Please provide any additional information that you consider relevant to the determination of this application. Attach additional sheet if necessary

Please see attached the Section 106 Agreement (Unilateral Undertaking) and the proposed Deed of Variation.

4. Please state the nature of the applicant's interest in the land.

Landowners

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 an ownership certificate (either certificate A, B, C or D as appropriate) and attached it to this application.

Ken Allen
 Authorised Signatory

Signed
 On behalf of
 (insert applicant's name if signed by agent)
 Date 26th August 2021

Guidance notes

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

Your completed application will comprise:-

- I. **Six** copies of the completed application forms. Please sign all the copies.
- II. **Six** copies of all plans submitted with the site edged in red.
- III. **One** copy of either Certificate A, B or 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 of paper.

Notes to assist completing the Application form

Address of the Site : Describe precisely the location of the land to which this application relates and attach **six** copies of an Ordnance Survey based plan showing the boundary of the land in red.

Description of the section 106 Obligation : please give sufficient information to enable the planning authority to identify the Section 106 which the applicant wishes to have modified or discharged.

Notes to assist completing the Certificate and Notice

An application for the modification or discharge of a Section 106 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 Section 106 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 Section 106 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 Section 106 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 21day period immediately preceding the application, publish notice of the application in a local newspaper.

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

RETURN TO COUNCIL

**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 somebody other than the applicant

SIGNED Ken Allen

DATE 26th August 2021

*

Authorised Signatory

On behalf of *Good Homes*

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 Section 106 to which the application relates was enforceable, as listed below:

Name of person:

Address at which notice was served

Date on which notice served

SIGNED

DATE

*

On behalf of

NOTES

*

Delete where inappropriate

RETURN TO COUNCIL

**Town and Country Planning Act 1990 (Section 106A)
Town and Country Planning (Modification and Discharge of Planning Obligations)
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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 Section 106 to which the application relates was enforceable.

Name of person

Address at which notice was served

Date on which
whom notice served
served
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

SERVE ON INDIVIDUAL(S) BY APPLICANT

Notice of an Application to Modify or Discharge a Section 106 Planning Obligation

I GIVE NOTICE that (a)

is applying to MID SUFFOLK DISTRICT COUNCIL to MODIFY / DISCHARGE

*

The section 106 planning obligation described below (a) :

Section 106 planning obligation description :(b)

Address of site: (c)

Section 106 planning obligation date : (d)

Any person against whom the Section 106 planning obligation is enforceable who wishes to make representations about this application should make them in writing to The Professional Lead Officer – Planning Services, Mid Suffolk District Council, 131 High Street, Needham Market, IP6 8DL

by:

(e) _____

Signed _____

Date _____

*

On behalf of _____

NOTES

(a)

Insert name of applicant.

(b)

Insert a brief description of the Section 106 which the applicant wishes to modify or discharge

(c)

Insert address or location of land to which the Section 106 relates.

(d)

Insert date that the Section 106 was entered into

(e)

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

*

Delete where inappropriate.

TO BE PUBLISHED IN A NEWSPAPER BY APPLICANT

**Town and Country Planning Act 1990 (Section 106A)
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Address of site: (c)

Section 106 obligation date : (d)

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by:

(e) _____

Signed _____

Date _____

*On behalf of _____

NOTES

(a)

Insert name of applicant.

(b)

Insert description of Section 106 which the applicant wishes to modify or discharge

(c)

Insert address or location of land to which the Section 106 relates.

(d)

Insert date that the Section 106 was entered into

(e)

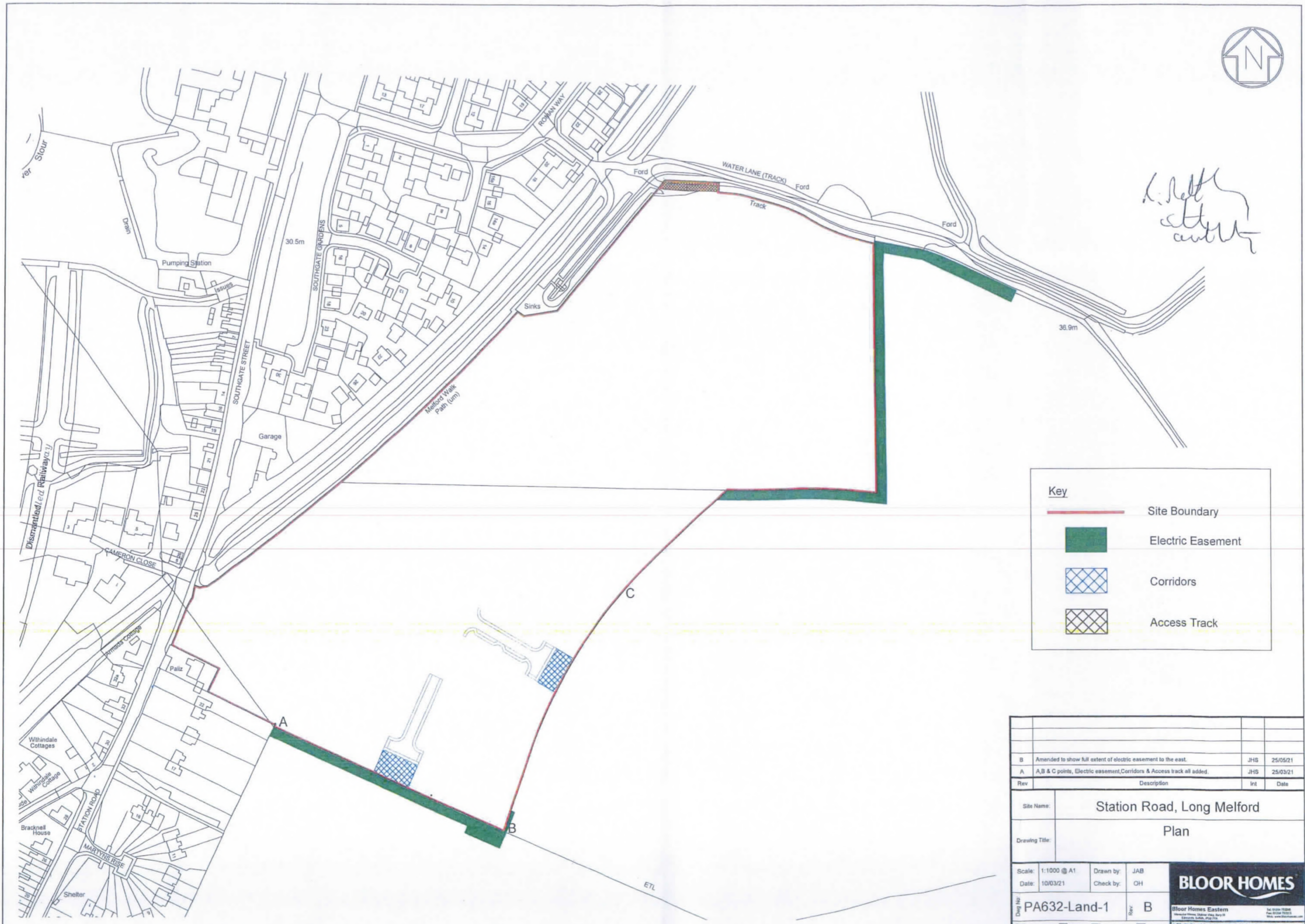
Insert date giving a period of 21 days beginning with the date of publication of this notice





*


Delete where inappropriate.



*L. Bell
City Centre*



Key	
	Site Boundary
	Electric Easement
	Corridors
	Access Track

Rev	Description	Int	Date
B	Amended to show full extent of electric easement to the east.	JHS	25/05/21
A	A, B & C points, Electric easement, Corridors & Access track all added.	JHS	25/03/21
Site Name: Station Road, Long Melford		Drawing Title: Plan	
Scale: 1:1000 @ A1	Drawn by: JAB		
Date: 10/03/21	Check by: OH		
Dwg No: PA632-Land-1	Rev: B	<small>Bloor Homes Eastern Bloor Homes Eastern, Station Road, Long Melford, Norfolk, NR25 2JH Tel: 01508 70288 Fax: 01508 70223 Web: www.bloorhomes.com</small>	
<input type="checkbox"/> Information <input type="checkbox"/> Tender <input type="checkbox"/> Construction <input type="checkbox"/> AsBuilt		<small>This drawing and the building works contained on the copyright of Bloor Homes Eastern and may not be reproduced or altered in any way without permission. The liability shall be accepted for amendments made by client parties.</small>	