



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

Application for the Modification or Discharge of a Planning Obligation

This form is only to be used to apply to modify or discharge an obligation which is over 5 years old (from the of the obligation)

Please complete this form and return it with any relevant documentation to planning.validation@shropshire.gov.uk, or Planning Validation Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND.

Please note all applications for planning permission and other related matters will be placed on deposit for public inspection at both the Council offices and on the Council's website.

1. Applicant Name: Glynis Sheppard	2. Agent Name:.....
Address 42 HighCross Avenue, Cross Houses Shrewsbury	Address:.....
Postcode SY5 6LJ	Postcode:.....
E-mail: [REDACTED]	E-mail:.....
Tel: No: [REDACTED]	Tel: No:.....
3. Address and Postcode or Location of the land to which the application relates: 42 HighCross Avenue, Cross Houses Shrewsbury SY5 6LJ	
A location plan (at a suitable scale should also be provided.	

4. Applicant's interest in the land:

Home Owner

5. Details of the Planning Obligation to be modified or discharged:

Date of obligation 10th September 1992

.....
Parties

Glynis Sheppard

The removal or Section 106 on property

The Shrewsbury and Atcham Borough Council (The Council) and Fletcher Homes (Shropshire) Limited (The Developer)

Planning permission reference number:

S/90/227/61/90

S/90/1102/61/90

Description of Development Erection of 54 low cost houses in as state "the proposed development" at Cross Houses in the County of Shropshire"

.....
Please provide a copy of the Planning Obligation

6. This application is for (please tick one of the boxes)

YES Discharge of the obligation or

NO Modification of the obligation

7. Application for a modification of the obligation only

N/A

8. Please state your reasons for applying for the modification or discharge of the planning obligation:

I am writing to formally request the removal of the Section 106 agreement currently imposed on my property. This agreement mandates that I sell my house at 20% below the market value. However, I believe that circumstances have substantially changed since the agreement's inception.

Recent years have witnessed numerous new housing developments in the village where my property is located, resulting in markedly higher house prices. Given the prevailing market conditions and heightened demand for properties in the area, I assert that I should be afforded the opportunity to sell my property at its true market value.

I have made significant enhancements to my property, including the addition of central heating, a log burner, a new bathroom, double glazing, and an extension with a new kitchen/diner. Additionally, extra rooms have been created downstairs due to the extension. Despite the considerable investment in these improvements, I anticipate recouping only 80% of the expenditure due to the Section 106.

Eliminating the Section 106 agreement would enable me to realize the full potential value of my property, empowering me to make well-informed decisions about its future. I respectfully request that you consider my appeal for the removal of the Section 106 agreement and provide guidance on the necessary steps to proceed with this request.

Please provide copies of any evidence or documentation that you have referred to above

Section 106 document attached

9. Declaration (To be completed by all applicants)

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

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

Signed



Print Name Glynis Sheppard

On behalf of (if submitted by an agent).....
.....
.....

Date
04/03/2024

NOTES

- The application may be made only by a person(s) against whom the planning obligation is enforceable.
- A period of five years must have expired (from the date on which the planning obligation was entered into) before submitting an application
- A proposed modification of a planning obligation may not impose an obligation on any other person against whom the obligation is enforceable
- You must give notice (model notice is given at PART 1) of this application to any person against whom on the day 21 days before the date of the application, the planning obligation is enforceable and whose name and address is known to the applicant. If you do not have this information, you must take reasonable steps to ascertain the name and address of every such person. If you are unable to ascertain this information you must during the 21 day period immediately preceding the application publish notice (in a prescribed form obtainable from the Local Planning Authority) in a local newspaper circulating in the locality of the land to which the application relates.
- You must complete and submit a copy of CERTIFICATE A,B, OR C (see Part 2 of this application form)
 - Certificate A – to be completed where on the day 21 days before the date of the accompanying application the relevant planning obligation was enforceable only against the applicant and no one else.
 - 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 relevant planning obligation 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 relevant planning obligation was enforceable.
- There is currently no fee for this application

PART 1

Regulation 4(5)

NOTICE OF AN APPLICATION TO MODIFY OR DISCHARGE A PLANNING OBLIGATION UNDER SECTION 106A OF THE TOWN AND COUNTRY PLANNING ACT 1990

(to be published in a newspaper or to be served on any person(s) against whom the planning obligation is enforceable)

(Notice to be given by applicant)

I give notice that (a) Glynis Sheppard Is applying to Shropshire Council to modify/discharge the planning obligation described below

Removal of Section 106 at 42 High Cross Avenue, Cross Houses, Shrewsbury SY5 6LJ

Planning Obligation

Obligation: (b).....
Land to which the obligation relates: (c).....
Date on which obligation was entered into: (d).....

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to Planning Validation Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND or email planning.validation@shropshire.gov.uk by (e)

Signed
Print Name.....
On behalf of (if appropriate).....
Date.....

NOTES

Insert –

- (a) Name of applicant
- (b) Brief description of the planning obligation which the applicant wishes to have modified or discharged
- (c) Address or location of land
- (d) Relevant date
- (e) Date giving a period of 21 days, beginning with the date of service or publication of the notice, as the case may be.

PART 2

Regulation 4(5)

Town and Country Planning Act 1990(section 106A)

Town and Country Planning (Modification and Discharge of planning Obligations) Regulations 1982

**CERTIFICATE OF COMPLIANCE WITH THE NOTIFICATION REQUIREMENTS IN
REGULATION 4**

CERTIFICATE A

I certify that on the day 21 days before the date of the accompanying application, the planning obligation to which this planning application relates, was enforceable against nobody other than the applicant.



Signed

Print Name Glynis Sheppard

Date 04/03/2024

CERTIFICATE B

I certify that the applicant has given notice to everyone else against whom on the day 21 days before the date of the accompanying application, the planning obligation to which this planning application relates, was enforceable, as listed below.

**Person on whom
notice was served:**

Address at which notice was served:

**Date on which notice
was served:**

Signed:.....

Print Name.....

On behalf of (if applicable).....

Date:.....

CERTIFICATE C

I certify that –

- The applicant cannot issue a certificate A or B in respect of the accompanying application
- The applicant has given notice to the persons listed below, being persons, against whom on the day 21 days before the date of the application, the planning obligation, to which the application relates, was enforceable (delete if not appropriate)

Person on whom notice was served:

Address at which notice was served:

Date on which notice was served:

Signed:.....

Print Name.....

On behalf of (if applicable).....

Date:.....

- The applicant has taken reasonable steps to ascertain the name and address of every person against whom on the day 21 days before the date of the application, the planning obligation, to which the application relates was enforceable and who has not been given notice of the application. The steps were as follows –

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- Notice of the application, as attached to this certificate, has been published in a local newspaper.

Name of local newspaper.....

Date of publication.....

Signed.....

Print Name.....

On behalf of (if applicable).....

Date.....