

APPLICATION FOR THE MODIFICATION OR DISCHARGE OF PLANNING OBLIGATIONS

FILE COPY

1 Applicant (in block capitals)

Name: IAN AND JOANNE BATES

Address: 10 A RISEGATE ROAD, EOSBOLTON RISEGATE, SPALDING, LINCOLNSHIRE, PE

Post Code PE11 4E2

Tel. No: 01775 750253

2 Agent (if any)

Name: GRANT SHACKLETON - MAPLES SOLICITORS LLP

Address: 23 NEW ROAD, SPALDING, LINCOLNSHIRE

Post Code PE11 1DH

Tel. No: 01775 722261

3 Address or exact location of the land to which this application relates:

LAND AT 10 A RISEGATE ROAD, EOSBOLTON RISEGATE, SPALDING, LINCOLNSHIRE

Describe here and enclose a map identifying the land to which the obligation relates.

SEE ENCLOSED COPY SECTION 106 AGREEMENT WITH A PLAN.

THE LAND IN QUESTION IS IDENTIFIED BY THE ENCLOSED O/S MAP AND IS EDGED IN RED.

4 Nature of applicant's interest in the land (eg owner, lessee, occupier):

OWNER

5 Please give sufficient information to enable the authority to identify the planning obligation which you wish to have modified or discharged:

OR MODIFICATION

THE APPLICANT REQUIRES THE DISCHARGE OF THE PLANNING OBLIGATION IN THE SECOND SCHEDULE OF THE SECTION 106 AGREEMENT ENCLOSED AND DATED

24/10/92

6 Please state your reasons for applying for the modification or discharge of the planning obligation identified in paragraph 5 above:

PLEASE SEE CERTIFICATE OF LAWFUL USE DATED
21/12/09 ENCLOSED.

THE DWELLING AT 10 A RISEGATE ROAD, COSBARTON
RISEGATE CAN NOW BE OCCUPIED BY SOMEBODY
NOT EMPLOYED IN AGRICULTURE ETC, SINCE FOR
OVER 10 YEARS IT WAS OCCUPIED BY SOMEBODY
NOT PRIMARILY INVOLVED IN AGRICULTURE.
AS A RESULT IT IS NO LONGER APPLICABLE TO HAVE
THE SURROUNDING LAND AS OCCUPIED BY SOMEONE IN
AGRICULTURE, AS THE DWELLING IS TIED IN TO THAT
SURROUNDING LAND. IT NO LONGER SERVES A USEFUL PURPOSE

7 Please give the following information, which the authority considers necessary to enable it to determine the application, namely:

8 Please give any other information you consider relevant to the determination of this application
(continue on a separate sheet if necessary)

I/We hereby apply for the modification or discharge of a planning obligation under section 160A of the Town and Country Planning Act 1990 in respect of an existing planning obligation described in this application and the documents and map which accompany it. I/We have completed the Certificate A, B or C, attached to this application, as appropriate.

Signed:  GRANT SHACKLETON

[on behalf of] IAN AND JOANNE BATES
(insert name of applicant if signed by agent)

Date 3/2/10

Certificate A

I certify that 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 [Signature]

[on behalf of] IAN AND JOANNE BATES

Date 3/2/10

Certificate B

I certify that [I have] [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 the 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

[on behalf of]

Date

Cross out any words in square brackets which do not apply

CONTINUED OVERLEAF

Certificate C

I certify that

[] [the applicant] cannot issue a Certificate A or B in respect of the accompanying application;

[] [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 application, the planning obligation to which the application relates was enforceable.

*Person on whom
notice was served*

*Address at which
notice was served*

*Date on which
notice was served*

[] [I have] [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 but has been unable to do so. These steps were as follows (a)

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

on(c)

Signed

[on behalf of]

Date

Cross out any words in square brackets which do not apply

(a) description of steps taken

(b) name of local newspaper in which the notice was published

(c) date of publication.

TOWN AND COUNTRY PLANNING ACT 1990, sect. 106A

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

Notice of an Application to Modify or Discharge a Planning Obligation

under section 106A of the Town and Country Planning Act 1990

(Notice to be given by applicant)

I give notice that (a)
is applying to the (b)
to [modify][discharge] the planning obligation described below

Planning Obligation

Obligation(c):

Land to which obligation relates(d):

Date on which obligation was entered into(e):

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to the Council at (f)

by (g)

(Members of the public will be invited to make representations when the application has been submitted to the Council)

Signed

[On behalf of]

Date

NOTES

Delete words in square brackets where inappropriate

- (a) name of the applicant
- (b) name of local planning authority to whom the application will be made
- (c) brief description of the planning obligation which the applicant wishes to have modified or discharged
- (d) address or location of the land
- (e) relevant date
- (f) address of the local planning authority
- (g) date giving period of 21 days beginning with the date of service or publication of the notice, as the case may be.