TOWN AND COUNTRY PLANNING ACT 1990, sect. 106A

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

For the Council's use only
Application No.....
Date received .....

APPLICATION FOR THE MODIFICATION OR DISCHARGE OF PLANNING OBLIGATIONS

1 Applicant *(in block capitals)*

Name: ASHWOOD HOMES LIMITED, FORMERLY ASHLEY KING (DEVELOPMENTS) LIMITED

Address: 1 GOODISON ROAD, LINCS GATEWAY BUSINESS PARK, SPALDING

.....

..... Post Code PE12 6FY

Tel. No: 01406 490 590

2 Agent *(if any)*

Name: .....

Address: .....

.....

..... Post Code .....

Tel. No: .....

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

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

LAND TO THE EAST OF CHAFFINCH WAY, HOLBEACH, SPALDING.

LOCATION PLAN ATTACHED.

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 :

S106 H09-0613-21 DATED 28/02/2022

AMENDMENTS TO REMOVE THE REQUIREMENT TO PROVIDE AFFORDABLE HOUSING AND FINANCIAL CONTRIBUTIONS.

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

VIABILITY.

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)*

PLEASE FIND OUR VIABILITY ASSESSMENT ATTACHED.

SHOULD SHDC REQUIRE AN INDEPENDENT EXPERT TO REVIEW OUR REPORT, PLEASE CONSIDER THIS APPLICATION AS OUR COMMITMENT TO COVER THE REASONABLE EXPENSE OF DOING SO.

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: [redacted]

[on behalf of] ASHWOOD HOMES LIMITED.

(insert name of applicant if signed by agent)

Date 08/10/2024.

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 [redacted]

[on behalf of] ASHWOOD HOMES LIMITED.

Date 08/10/2024.

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*
N/A.		

Signed .....

[on behalf of] .....

Date .....

Cross out any words in square brackets which do not apply

CONTINUED OVERLEAF

Certificate C

I certify that

[I] [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*
N/A.		

]

[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.