COPY

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. H 20/0440/03
Date received 13 MAY 2003

APPLICATION FOR THE MODIFICATION OR DISCHARGE OF PLANNING OBLIGATIONS

1 Applicant *(in block capitals)*

Name: MR C. CLIFTON

Address: "CLIFTONVILLE" JARVIS GATE, SUTTON ST JAMES
NR. SPALDING. LINCOLNSHIRE.

Post Code PE12 0ET.

Tel. No:

2 Agent *(if any)*

Name: MESSRS HX + SON

Address: 28 CHURCH STREET, HOLBEACH
NR. SPALDING. LINCOLNSHIRE.

Post Code PE12 7LL.

Tel. No:

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

"CLIFTONVILLE", JARVIS GATE, SUTTON ST JAMES. NR SPALDING. LINCOLNSHIRE. PE12 0ET.

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

A PLAN IS ATTACHED HERETO SHOWING THE LAND TO WHICH THE PLANNING OBLIGATION RELATES EDGED IN BLUE.

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 :

A COPY OF THE SECTION 106 PLANNING OBLIGATION IS ATTACHED HERETO.

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

(1) THE PLANNING OBLIGATION INCLUDES THE RESIDENCE "CLIFTONVILLE" AND GARDEN GROUND. CLIFTONVILLE DOES NOT FORM PART OF THE NURSERY HOLDING AND HAS A SEPARATE VEHICULAR ACCESS FROM JARVIS GATE. THE PROPERTY IS SHOWN EDGED RED ON THE ATTACHED PLAN.

(2) THE APPLICANT AND IS THE OCCUPIER OF "CLIFTONVILLE" IS RETIRING FROM HORTICULTURE AND HIS SON AND IS THE OCCUPIER OF "NOAHS" WILL BE RESPONSIBLE FOR THE NURSERY AND LAND.

(3) THERE IS NO LONGER AN ECONOMIC LIVING FOR TWO (2) FAMILIES FROM A NURSERY HOLDING OF THIS SIZE AND TYPE.

(4) MR C. CLIFTON (THE APPLICANT) NOW WISHES TO MOVE AWAY FROM THE HOLDING AND SELL HIS HOUSE WHICH HE IS AT PRESENT UNABLE TO DO DUE TO THE PLANNING OBLIGATION

---

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)

(SEE S. 6 ABOVE)

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: (SGD) HIX & SON

[on behalf of] MR C. CLIFTON
(insert name of applicant if signed by agent)

Date 29TH APRIL 2003.

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*

]

[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.

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 .....

[on behalf of] .....

Date .....

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*
MR M.A. CLIFTON AND MRS L. CLIFTON	"NEXUS", JARVIS GATE SWAN ST JAMES NR SPALDING. LINCS.	29TH APRIL 2003

Signed (SGD) HIX & SON

[on behalf of] MR C. CLIFTON

Date 29TH APRIL 2003.

Cross out any words in square brackets which do not apply