

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: AMPLIUS LIVING.....
Address:
.....K2, TIMBOLD DRIVE, KENT HILL, MILTON KEYNES.....
..... Post Code MK7 6BZ
Tel. No: 071205204478.....

2 Agent (if any)

Name: Freeths LLP.....
Address: 80 Cumberland Place, Mount Street, Nottingham.....
..... Post Code NG1 6HH
Tel. No: 03450305349.....

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 of Lime Walk, Long Sutton, Spalding, Lincolnshire - please see 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 :

Relating to planning obligation agreement dated 23 September 2024 made between (1) Rebecca Elizabeth Butt and Victoria Alice Sneath and (2) the South Holland District Council

See paragraph 1.11 on the appended draft deed of variation.

Replace the Affordable Housing Plan to reflect the 12 Rented Dwellings that are now being provided.

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

The mortgagee in possession clause needs to be updated to reflect the National Housing Federation standard clause to be acceptable to lenders to achieve lending against the full market value.

See comments within the draft deed of variation. Without this amendment Amplius will not be able to secure full funding for the affordable units they are seeking to provide.

Amplius are providing 12 Rented Dwellings secured by the S106, therefore the Affordable Housing Plan needs to be updated to reflect this.

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: Freeths LLP

[on behalf of] Amplius Living

(insert name of applicant if signed by agent)

Date 06 November 2025

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 L.Sturges.....

[on behalf of] Amplius Living.....

Date 06 November 2025.....

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

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.

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(d):

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.