

FILE 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. H14-0287-15

Date received 24.3.15

APPLICATION FOR THE MODIFICATION OR DISCHARGE OF PLANNING OBLIGATIONS

1 Applicant (in block capitals)

Name: MR AMERIGO DOMENICO FRAGALE + MRS JOELL FRAGALE

Address: 78 BACKGATE, COWBIT NR SPALDING
Lincs

Post Code PE12 6AP

Tel. No: 01406-381022 (07947 872272)

2 Agent (if any)

Name: N/A

Address: AS ABOVE

Post Code

Tel. No: /

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

27 CHURCH STREET. PINCHBECK Lincs. NR. SPALDING
Lincs PE11 3UA (THE HOUSE.)

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

MAP.

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

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

PLAN REF H14/0224/94

• MR E. FRAGALE
'DOMENICO'
17 LITTLE LONDON
SPALDING Lincs
PE11 3UE.

RECEIVED 04 MARCH 1994
TYPE FULL.

AGENT WAS:
MESSRS PODDINGTONS
43 DOUBLE STREET
SPALDING Lincs

FISH AND CHIP TAKE-AWAY
27 CHURCH STREET, PINCHBECK.

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

I SIMPLY WISH TO DIVIDE THE HOUSE FROM THE SHOP (BUSINESS).

AS I AM THINKING ABOUT FUTURE CHANGES UPON ONE'S LIFESTYLE. (IE AGE).
NOW THAT OUR CHILDREN ARE OF THE 18+.
HANDING TITLES OVER ETC. ETC.

IT MAY NEED YOUNGER PEOPLE TO RUN THE BUSINESS, WHO MAY NOT WISH TO PURCHASE THE HOUSE.

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

I AM WISHING TO LEAVE A CLEAR 3 FEET BOUNDARY (WALK-WAY AROUND THE HOUSE, WITH CLEAR ACCESS TO THE REAR OF THE PROPERTY TO THE GARDEN. ONE-CAR PARKING SPOT IS ALSO ALLOCATED TO THE HOUSE WITH AMPLE PARKING ACROSS THE STREET IF NESS.
THE PERSON WHO RUNS THE SHOP HAS ALWAYS ALLOWED GUEST CAR-PARKING WITHIN THE BUSINESS CAR-PARK ALSO.

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

FOR THE LAST 20 YEARS THAT WE HAVE OWNED THE 2 PROPERTIES I THINK YOU WILL FIND THAT YOU HAVE NOT HAD ANY PROBLEMS BETWEEN THE 2 PARTIES THAT HAVE RENTED THE SITE'S. (NEITHER NOISE NOR LITTER ETC.)
THE OPERATION WITHIN THE FISHSHOP HAS NEVER EFFECTED THE RENTED HOUSE.

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: ADJAGAB

[on behalf of]
(insert name of applicant if signed by agent)

Date

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) MR & MRS A.D. FRAGALE (JOELL)
is applying to the (b) SOUTH HOLLAND DISTRICT COUNCIL
to [~~modify~~][discharge] the planning obligation described below

Planning Obligation

Obligation(c):

THE OWNERS WITH THE CONSENT OF THE BANK EVIDENCED
BY ITS EXECUTION HEREOF HEREBY COVENANT THAT
THE USE AUTHORISED BY THE DEVELOPMENT SHALL NOT
BE OPERATED EXCEPT BY THE OWNER AND/OR OCCUPIER
OF THE EXISTING PROPERTY KNOWN AS 27 CHURCH
STREET, PINCHBECK
SHOWN COLOURED BLUE
ON THE PLAN ANNEXED
HERETO.

Land to which obligation relates(d):

27 CHURCH STREET
(THE SHOP) PINCHBECK.

Date on which obligation was entered into(e): 16th Nov 1994 (20 YRS)

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)

ATO

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.

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.

15th March 2015

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.

Date on which
notice was served

Year	U.S. has a right to intervene (%)	U.S. does not have a right to intervene (%)
1980	~55	~45
1981	~58	~42
1982	~55	~45
1983	~58	~42
1984	~55	~45
1985	~58	~42
1986	~55	~45
1987	~58	~42
1988	~55	~45
1989	~58	~42
1990	~55	~45
1991	~58	~42
1992	~55	~45
1993	~58	~42
1994	~55	~45
1995	~58	~42
1996	~55	~45
1997	~58	~42

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.