

APPLICATION FOR THE MODIFICATION OR DISCHARGE OF PLANNING OBLIGATIONS

1 Applicant (*in block capitals*)

Name: Keston Fields LTD

Address: c/o Lincs Design Consultancy

Post Code

Tel. No:

2 Agent (*if any*)

Name: Ricky Newton

Address: Lincs Design Consultancy, 12 Vickers Lane, Louth, Lincs

Post Code LN11 9PJ

Tel. No: 01507 611155

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

Keston Nurseries, Mill Green Road, Pinchebeck, Spalding, Lincolnshire

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

Plant nursery on eastern side of Mill Green Road, to the west of the railway; see
enclosed location plan.

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 :

Affordable Housing, Education, NHS and Call Connect Bus- see enclosed S106
agreement

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) Keston Fields LTD
is applying to the (b) South Holland District Council
to [modify][discharge] the planning obligation described below

Planning Obligation

Obligation(c):

Affordable Housing
Education
Call Connect Bus
NHS

Land to which obligation relates(d):

Keston Nurseries, Mill Green Road, Pinchbeck, Spalding Lincs

Date on which obligation was entered into(e): 22/02/2018

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

Council Offices, Priory Road, Spalding, Lincs

by (g) 30.11.2021

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

Signed Ricky Newton
[On behalf of] Keston Fields LTD
Date 09.11.2021

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.

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

Affordable Housing, Education, NHS and Call Connect Bus contributions to be removed due to the financial viability of the development

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

Please find enclosed the Viability Assessment

-
- 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: Ricky Newton

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

Date 09/11/2021

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 Ricky Newton

[on behalf of] Keston Fields LTD

Date 09/11/2021

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

[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.