

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: PETER HEANES

Address: 147 CHAPEL GATE, SUTTON ST JAMES, SPALDING,
Lincs

Post Code PE12 0EF

Tel. No: 07836572586

2 Agent (if any)

Name: N/A

Address:

Post Code

Tel. No:

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

38 + 40 BAULKINS DRIVE, SUTTON ST JAMES, SPALDING
Lincs PE12 0TX

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

Refer to valuation completed by Longstaffs, which
% Angela Doughty Doherty

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

OWN OWNER

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

106 agreement discharge

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

I was advised by Housing Officer Angela Doherty that there is a possibility the 106 agreement could be lifted.

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

1. Both properties 38 + 40 are unoccupied as both lots of tenants have moved on to new places.
2. I'm 62 yrs old and cannot justify £10,000/property needed for new kitchen + boilers in both properties. as:-
3. The 106 agreement does not allow me to recoup enough revenue in rental at only £98/wk

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

There is a good community spirit within our residents of Baulkins Drive and do not like the idea of not being in control of finding new tenants under the current 106 agreement.

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: 

(on behalf of)

(Insert name of applicant if signed by agent)

Date

27/9/2021

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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) PETER HEANES
is applying to the (b) SOUTH HOLLAND DISTRICT COUNCIL
to [modify][discharge] the planning obligation described below

Planning Obligation

Obligation(c): LIFTING OF 106 AGREEMENT

Land to which obligation relates(d):

38 + 40 BAULKINS DRIVE
SUTTON ST JAMES
PE12 0TX

Date on which obligation was entered into(e):

22/06/2009

Ref: - JMB/SH008.95.RENTED

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

5th October 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.

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 Signature]

[on behalf of]

Date

5th October 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

