



SECTION 106A TOWN AND COUNTRY PLANNING ACT 1990

Application for Modification or Discharge of Planning Obligation

1a. Applicant:	
Name	CALA Management Ltd and Bellway Homes Ltd
Address	c/o agent
Post Code	
Tel No	
Email	

1b. Agent:	
Name	Ian Johnson
Address	Luken Beck mdp Ltd 30 Carlton Crescent Southampton Hants
Post Code	SO15 2EW

2. Address or location of the land to which this application relates:
Land North of Water Lane, Angmering Easting (x): 507459 Northing (y): 105141
The application must be accompanied by a location plan with the site edged red
Please see attached Location Plan (ref. 19271/S101/A)

3. Please state the nature of the applicant's interest in the land (i.e. landowner, leaseholder, developer, prospective purchaser):
Landowner

4. Type of Application	
Application to discharge obligation(s)	YES/NO
Application to modify obligation(s)	YES/NO
Are you applying under S106A (1) to negotiate a new deed for a modification or discharge that has been agreed in principle? <i>If Yes, certificates at the end of this form are not mandatory</i>	YES/NO
Are you applying under S106A (3) for a determination under an application to modify or discharge obligations that were	YES/NO

agreed over 5 years ago? <i>If Yes, the certificates at the end of this form are mandatory</i>	
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5. Planning Agreement	
Date Planning Agreement was entered into	27 th August 2019
Reference of relevant Planning Permission	A/40/18/OUT
Obligation(s) to be discharged/modified	- The definition of “Development” at clause 2.1 (interpretation) is amended so that the words “pursuant to the Permission” are inserted after the word “Land”. - The definition of “Highway Drawings” at clause 2.1.26 (interpretation) is amended so that the words “or such other drawings in substitution as may subsequently and from time to time be agreed between the Owner and the County Council” are inserted after the words “Appendix 2”. - The definition of “Plan 1” at clause 2.1.46 (interpretation) shall be deemed from the date hereof to refer to Replacement Plan 1

6. Brief outline of reasons for applying to discharge or modify the obligation:
Our client is applying to Arun District Council to modify the planning obligations in order to regularise the access plans within the S106 Agreement with revised versions being prepared in consultation with WSCC Highway Authority and Arun District Council. This is to ensure consistency with Section 278 Agreements and the discharge of the outline planning conditions.

7. Please state any other information considered relevant to this application
Please find enclosed with this application: - Signed S106 Agreement - Draft Deed of Variation

9. Are you, or the person you are acting for, related to any member of staff or Elected member of the Council? If yes please specify details:
No

I/We hereby apply for the approval of the planning obligation.	
	On behalf of: CALA Management Ltd and Bellway Homes L
Date: 22 nd March 2022	

Certificates – If you are applying under S106A(3) This application must be accompanied by a completed ownership certificate A, B or C (whichever is appropriate) and if Certificate B applies a Notice* must also be served on the Owner(s)
 *Separate Notice attached to the end of this form

Data Protection

The information collected from this form will be used by Arun District Council only for purposes as indicated on our Privacy Notice <https://www.arun.gov.uk/planning-privacy-statements>

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:

(If appropriate) On behalf of:

Date:

CERTIFICATE B

I certify that 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 related was enforceable as listed below:

Person on whom notice served	Address it was served	Dated it was served
Hampshire County Council	Hampshire County Council Valuation and Estates Management West Sussex County Council	18 th March 2022

Signed:



On behalf of: CALA Management Ltd and Bellway Homes Ltd

Date: 22nd March 2022

CERTIFICATE C

I certify that the applicant cannot issue a Certificate A or B in respect of the accompanying application; the applicant has taken reasonable steps to ascertain the name and address of every person against whom, on the 21 days before this application, the planning obligation to which this 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)
- (b)
- (c)

Insert

(a) description of steps taken

(b) name of local newspaper in which the notice was published

(c) date of publication

Signed

(If appropriate) On behalf of:

Date:

**The Notice (overleaf) must be served by the applicant on all persons to which this obligation is enforceable. Where the names and addresses of all such persons are not known to the applicant, after he has taken reasonable steps to ascertain that information, he shall during the 21 day immediately preceding the application, publish the notice of the application in a local newspaper circulating in the locality of the land to which the application relates*

NOTICE

Notice of an application to modify or discharge a planning obligation under Section 106A of the Town and Country Planning Act 1990 Regulation 4(5)

I give notice that: **CALA Management Ltd and Bellway Homes Ltd**

Is applying to Arun District Council to modify the planning obligation described below:

- The definition of "Development" at clause 2.1 (interpretation) is amended so that the words "pursuant to the Permission" are **inserted** after the word "Land".
- The definition of "Highway Drawings" at clause 2.1.26 (interpretation) is amended so that the words "or such other drawings in substitution as may subsequently and from time to time be agreed between the Owner and the County Council" are inserted after the words "Appendix 2".
- The definition of "Plan 1" at clause 2.1.46 (interpretation) shall be deemed from the date hereof to refer to Replacement Plan 1

The above relates to the Section 106 Agreement pertaining to the outline consent (with all matters reserved except access) for up to 525 dwellings, 3ha. of employment land, public open space, play areas, access, associated infrastructure and landscaping (Arun DC ref. A/40/18/OUT)

On land at:

Land North of Water Lane, Angmering
Easting (x): 507459
Northing (y): 105141

Date on which the obligation was entered into: 27th August 2019

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to the Planning Department, Arun District Council, The Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5SS by:

12th April 2022

Signed  Date 22nd March 2022

on behalf of: CALA Management Ltd and Bellway Homes Ltd

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