



SECTION 106A TOWN AND COUNTRY PLANNING ACT 1990

Application for Modification or Discharge of Planning Obligation

1a. Applicant:		1b. Agent:	
Name	Aster Communities	Name	Capsticks Solicitors LLP
Address	Sarsen Court Horton Avenue Devizes Wiltshire	Address	1 St George's Road Wimbledon London
Post Code	SN10 2AZ	Post Code	SW19 4DR
Tel No			
Email			

2. Address or location of the land to which this application relates:
Land to the West of New Barn Lane, North Bersted, Bognor Regis, West Sussex
The application must be accompanied by a location plan with the site edged red

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

4. Type of Application	
Application to discharge obligation	YES/NO
Application to modify obligation	YES/NO

5. Planning Agreement	
Date Planning Agreement was entered into	28 September 2017
Reference of relevant Planning Permission	BE/77/16/OUT
Obligation to be	Section 106 Agreement

discharged/amended	
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6. Brief outline of reasons for applying to discharge/amend the obligation:	
1.	Update the enforceability clause (clause 3.3) to include an RP and their mortgagee in terms of the non-affordable housing obligations. The RP will only be acquiring the affordable housing units and therefore there is no reason for them to be bound by the non-affordable housing provisions.
2.	The mortgagee in possession clause (Schedule 2 Part 1 para 7) needs to be amended so that it is line with current lender requirements for charging at MVST. This is required so that it enables an RP to borrow against the property at market value.
3.	Amend the exclusions clause (Schedule 2 Part 1 para 6.3) to include persons who have exercised the right to buy or preserved right to buy.

7. Please state any other information considered relevant to this application

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:

We hereby apply for the approval of the planning obligation.	
	On behalf of Aster Communities
Date: 07.10.2021	

Certificates – This application must be accompanied by a completed ownership certificate A or B (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 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
Bellway Homes Limited	Seaton Burn House, Dudley Lane, Seaton Burn, Newcastle Upon Tyne NE13 6BE	06.10.2021
Unknown – part of the property is unregistered land	West Sussex Gazette www.westsussextoday.co.uk	08.09.2021

On behalf of Aster Communities.

Date: 07.10.2021