

BE/36/19/PO

Application to modify a planning obligation dated



24th February 2016 under
planning reference
BE/142/15/OUT relating
to clause 3.3 in the
Section 106 Agreement

SECTION 106A TOWN AND COUNTRY PLANNING ACT 1990

Application for Modification or Discharge of Planning Obligation

1a. Applicant:		1b. Agent:	
Name	OPTIVO (c/o Rebecca Tracy)	Name	
Address	GROSVENOR HOUSE 125 HIGH STREET CROYDON.	Address	
Post Code	CRO 9XP	Post Code	
Tel No	[REDACTED]	Tel No	
Email	[REDACTED]	Email	

2. Address or location of the land to which this application relates:
MULBERRY FIELDS NEWBARN LANE NORTH BERSTED BOGNOR. PO21 5DS
The application must be accompanied by a location plan with the site edged red SITE PLAN FROM ORIGINAL S106 AGREEMENT

3. Please state the nature of the applicant's interest in the land (i.e. landowner, leaseholder, prospective purchaser):
REGISTERED PROVIDER, LAND OWNER, FUTURE LANDLORD.

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	24/2/2016
Reference of relevant Planning Permission	BE/142/15/OUT
Obligation to be discharged/amended	Clause 3.3 (enforceability) and part 2, Schedule 4 together with associated definitions (Affordable Housing)

6. Brief outline of reasons for applying to discharge/amend the obligation:

To bring s106 in line with mortgageability requirements.

Clause 3.3 is to ensure the RP will not be bound by the obligations other than the affordable housing provision; and

Part 1 Schedule 4 -

a) To ensure the mortgage provisions meet lenders standards to ensure RP can charge the units at MVST; and

b) To ensure any future purchasers of the affordable units will not be bound by the affordable housing obligations.

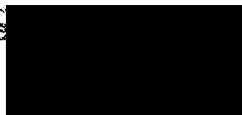
7. Please state any other information considered relevant to this application

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:

NO.

10 We hereby apply for the approval of the planning obligation.

Signature



R. TRACY

On behalf of (insert applicants name if signed by agent)

Date: 19/2/19

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 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
LINDEN LIMITED	LINDEN HOMES SOUTH 1A Guildford Business Park Guildford, Surrey. GU2 8XG	19/12/19

Signed 

(If appropriate) On behalf of:

Date: ...19/12/19.....

Cont...