

Town and Country Planning Act 1990, Section 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 the local planning authority)

Take notice that (a) CAROL JOAN HAYWARD and MAUREEN ANNE LAKER

has applied to the (b) ARUN DISTRICT COUNCIL

to *modify/*discharge the planning obligation described below

Planning Obligation
Obligation (c):

TO VARY THE PLANNING OBLIGATIONS ENTERED IN TO IN THE ORIGINAL AGREEMENT PURSUANT TO SECTION 106 AND 106A OF THE TOWN AND COUNTRY PLANNING ACT 1990 SECTION 111 OF THE LOCAL GOVERNMENT ACT 1972 AND SECTION 1 OF THE LOCALISM ACT 2011 BY VIRTUE OF AN ORIGINAL AGREEMENT ON 1ST AUGUST 1986 WHICH IMPOSED AN AGE RESTRICTION RELATING TO THE PROPERTY AFFECTED BY THIS NOTICE

Land to which obligation relates (d): FLAT 1, MADEHURST COURT, GLOUCESTER RD, LITTLEHAMPTON BN17 7BX

Date on which obligation was entered into (e): 1ST AUGUST 1986

Members of the public may inspect copies of the application and the relevant part of the instrument creating the obligation

at (f) 2A BROADMARK PARADE, RUSTINGTON, WEST SUSSEX BN16 2NE

during all reasonable hours until (g) FRIDAY 13TH JULY 2018

Anyone who wished to make representation about the application write to the authority at (h) ARUN DISTRICT COUNCIL CIVIC CENTRE, MALTRAVERS ROAD, LITTLEHAMPTON, WEST SUSSEX BN17 5LE

by (g) FRIDAY 13TH JULY 2018

Signed

on behalf of*

Date

CAROL JOAN HAYWARD & MAUREEN ANNE LAKER

22 JUNE 2018

Notes

*Delete where inappropriate

(a) name of applicant

(b) name of local planning authority

(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 at which the documents may be inspected

(g) date giving period of 21 days beginning with the date on which the notice is posted, published or served, as the case may be.

(h) address of local planning authority.

Data Protection

The information contained in this form will be used by Arun District Council for the purposes indicated and will be further used or transferred to other organisations or individuals, only as the law permits.

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LU/179/18/PO

WN 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 Applicants (in block capitals)

Name: CAROL JOAN HAYWARD and MAUREEN ANNE LAKER
Address: 90 CLUN ROAD 25 LYNDRHURST CLOSE
LITTLEHAMPTON KINGSKERSWELL, NEWTON ABBOT
WEST SUSSEX BN17 7EB Post Code TR12 5AN
Tel. No: [REDACTED] [REDACTED]

2 Agent (if any)

Name: E.J. MOYLE LLP
Address: 2A BROADMARK PARADE
RUSTINGTON
WEST SUSSEX Post Code BN16 2NE
Tel. No: [REDACTED]

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

FLAT 1, MADEHURST COURT, GLOUCESTER ROAD, LITTLEHAMPTON, WEST SUSSEX BN17 7BX

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

PLAN HERewith SHOWING THE PROPERTY EDGED RED

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

AS EXECUTRICES IN THE ESTATE OF THE LATE [REDACTED] (REGISTERED OWNER)

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

THE APPLICANTS BELIEVE THAT SEVERAL YEARS AGO AN AGREEMENT WAS REACHED BETWEEN THE MANAGING AGENTS (HOBDENS PROPERTY MANAGEMENT COMPANY) AND THE LANDLORD OF THE FLATS OF MADEHURST COURT WITH A VIEW TO REMOVING THE AGE RESTRICTION OF ALL THE FLATS THAT WERE EFFECTED BY THE AGE RESTRICTION ISSUE. THE APPLICANTS BELIEVED THAT HOBDENS HAD CARRIED OUT THE NECESSARY PROCEDURE BUT THIS APPEARS TO HAVE BEEN OVERLOOKED AND CONSEQUENTLY THIS IS NOW A MATTER OF URGENCY AS OUR CLIENTS ARE NOW DISPOSING OF THE PROPERTY IN THEIR CAPACITY AS EXECUTRICES FOR THE LATE [REDACTED] THE REGISTERED OWNER. THE SALE OF THE PROPERTY CAN ONLY PROCEED ONCE THE AGE RESTRICTION HAS BEEN REMOVED.

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

THE APPLICANTS ARE INTENDING TO DISPOSE OF THE PROPERTY AS EXECUTRICES IN THE ESTATE OF THE LATE [REDACTED] THE POTENTIAL BUYER FOR THE PROPERTY IS BELOW RETIREMENT AGE AND THUS THE APPLICANTS ARE AIMING FOR THE REMOVAL OF THE AGE RESTRICTION CONTAINED WITHIN THE ORIGINAL PLANNING CONDITION RELATING TO THE PROPERTY TO BE REMOVED

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

WE BELIEVE THAT ALL RELEVANT INFORMATION HAS ALREADY BEEN PROVIDED

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

WE BELIEVE THAT ALL RELEVANT INFORMATION HAS ALREADY BEEN PROVIDED

☒ We hereby apply for the modification or discharge of a planning obligation under section 160A of the [REDACTED] in respect of an existing planning obligation described in [REDACTED] and map which accompany it. I/We have completed [REDACTED] application, as appropriate.

Signed [REDACTED]

[on behalf of] CAROL JOAN HAYWARD and MAUREEN ANNE LAKER
(insert name of applicant if signed by agent)

Date 22 JUNE 2018

Certificate A

(I certify that on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable against the applicant.)

Signed

[on behalf of] CAROL JOAN HAYWARD & MAUREEN ANNE LAKE

Date 22 JUNE 2018

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.