

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: GREEN SPACE HOMES LIMITED

Address: 18 CHURCH STREET
SHRETTAM-B4-5FA

Post Code BN 43 5DQ

Tel. No. [REDACTED]

2 Agent (if any)

Name: TOM VOICE

Address: AS ABOVE

Post Code

Tel. No:

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

1A WILLOW BROOK, WICK,
LITTLEHAMPTON, BN17 7NW

LU/42/14

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

PLEASE SEE ATTACHED

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

OWNER

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

SECTION 106 AFFORDABLE HOUSING
REQUIREMENT

LU/42/14

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

PLEASE SEE ATTACHED FILE:

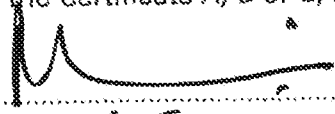
ARUN SUPPLEMENTARY. PDF

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

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

PLEASE SEE 6 ABOVE.

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]

GREEN SPACE HOMES LIMITED

(insert name of applicant if signed by agent)

Date

19/4/18

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*

N/A

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

N/A

[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.



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) **TOM VOICE (GREEN SPACE HOMES LIMITED)**
has applied to the (b) **ARUN DISTRICT COUNCIL**
to *modify/*discharge the planning obligation described below

Planning Obligation
Obligation (c): **AFFORDABLE HOUSING CONTRIBUTION**

Land to which obligation relates (d):
**1 A WILLOW BROOK, WICK
LITTLEHAMPTON, BN17 7NW**
Date on which obligation was entered into (e): **29/11/14**

Members of the public may inspect copies of the application and the relevant part of the instrument creating the obligation at (f)

during all reasonable hours until (g)

Anyone who wished to make representation about the application write to the authority at (h)

by (g)

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.

008.02.07 (v.1)

QUESTION 6.

We don't agree that we can owe anything after the formal closure on the part of the council now years in the past.

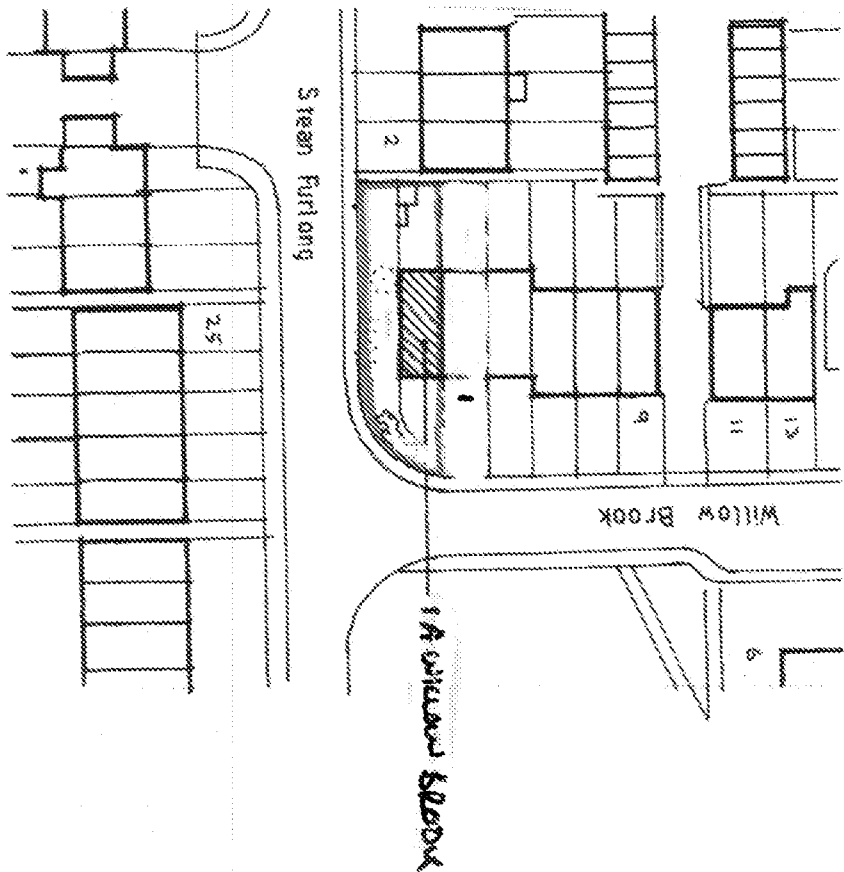
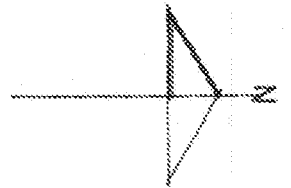
It seems perverse to close it down formally through a completion statement and then years later re-open the case asking for money when the current requirement is for none.

Irrespective of the above

- The Appeal Decision 19 August 2014 agrees a 106 Requirement of £2583 although the appeal officer noted the council's lack of evidence in arriving at this figure. Ref: APP/C3810/14/2220883
- This was then reduced to £1876.
- On 28th November 2014 the council removed this requirement entirely.
- On 28th November 2014 we exchanged contracts on the property. We took over any section 106 planning requirement at that time - i.e. zero.
- We see the vendors claim that this section 106 requirement had already been paid as irrelevant. We have never received any supporting documentation. The council denies having received any payment. Similarly, any monies that have been withheld from the property transaction are subject to the same contract and have no relevance to the council.
- The only question is what is the payment due at the point of transfer of liability to ourselves



LOCATION PLAN 1:1250
O.S. LICENSE NO. 100029375



SITE PLAN 1:500