

WA/S/18/PC

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: MJH Property Developments Ltd
Address: MJH House Unit 54 Rudford Estate Ford Road,
Arundel, West Sussex

Post Code BN18 0BF

2 Agent (if any)

Name: South Eastern Planning Services Ltd
Address: 67 Coleridge St Hove East Sussex

Post Code BN3 5AA

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

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

Deans Yard - former commercial site

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:

Copy of the obligation attached. It relates to planning
permission ref WA/27/15/PL.

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

See attached supporting statement

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

application forms, location plan, copy of planning consent, copy of Signed Section 106 Agreement, copy of Court of Appeal decision in respect of R (West Berkshire District Council) and Reading Borough Council v Secretary of State for Communities and Local Government 2016

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

See attached supporting statement

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]

MDH Property Developments Ltd
(insert name of applicant if signed by agent)

Date

11/11/2018

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

see attached supporting statement

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

application forms, location plan, copy of planning consent, copy of Signed Section 106 Agreement, copy of Court of Appeal decision in respect of R (West Berkshire District Council) and Reading Borough Council v Secretary of State for Communities and Local Government 2016

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

see attached supporting statement

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]

MDH Property Developments Ltd
(insert name of applicant if signed by agent)

Date

11/1/2018

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

[on behalf of]

Date


MSH Property Developments Ltd

11/1/2018

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.