

# Form C Application for the Modification or Discharge of Planning Obligations

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

## FOR OFFICE USE ONLY

|                                                                                                                                                                                                                                                      |                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| APPLICATION NO.                                                                                                                                                                                                                                      |                                         |
| DATE REGISTERED                                                                                                                                                                                                                                      |                                         |
| <p>PLEASE READ ACCOMPANYING GUIDANCE NOTES FIRST AND COMPLETE IN BLOCK LETTERS</p> <p><i>PLANNING APPLICATION FORMS ARE PUBLIC DOCUMENTS AND ALL INFORMATION CONTAINED ON THEM WILL BE PLACED ON DEPOSIT FOR PUBLIC INSPECTION ON A WEB SITE</i></p> |                                         |
| 1.a) Name and Address of Applicant                                                                                                                                                                                                                   | 1.b) Name and Address of Agent (if any) |
|                                                                                                                                                                                                                                                      |                                         |
|                                                                                                                                                                                                                                                      |                                         |
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|                                                                                                                                                                                                                                                      | Name for contact                        |
| Tel. No.                                                                                                                                                                                                                                             | Tel. No.                                |
| 2.Address of the Site *                                                                                                                                                                                                                              |                                         |
| <p>3.Description of Planning Obligation ** - please give sufficient information to enable the identification of the Planning Obligation you wish to modify or Discharge.</p>                                                                         |                                         |

**4. Please state why you are applying for the modification or discharge of the planning obligation identified above.**

**5. Please confirm whether the application is made under Section 106A(1)(a) or Section 106A(3) \*\*\* see guidance for further information.**

**6. Please provide any additional information that you consider relevant to the determination of this application.**

*Attach additional sheet if necessary*

**7. Please state the nature of the applicant's interest in the land.**

**8. Declaration TO BE COMPLETED BY ALL APPLICANTS**

I/we hereby apply for the modification or discharge of a planning obligation under section 106A of the Town & Country Act 1990 in accordance with the details above, and the submitted plan(s) and documents

I/we have completed an ownership certificate (either certificate A, B, C or D as appropriate ) and attached it to this application.

Signed: .....

On behalf of: .....

(insert applicant's name if signed by agent)

Date: .....

# Application for the Modification or Discharge of Planning Obligations

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## Guidance Notes

Your completed application will comprise:-

- **One Electronic** copy of the completed application form.
- **One Electronic** copy of all plans submitted with the site edged in red.
- **One** copy of either Certificate A, B or C (and one copy of the press notice if appropriate).
- If you wish to bring other matters in support of your application to the attention of the Council please provide it in writing either on the application form or use an additional sheet of paper.

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### Notes to assist completing the Application Form

**\*Address of the Site:** Describe precisely the location of the land to which this application relates and attach one copy of an Ordnance Survey based plan showing the boundary of the land in red.

**\*\* Description of Planning Obligation:** please give sufficient information to enable the planning authority to identify the planning obligation which the applicant wishes to have modified or discharged.

**\*\*\* Section 5 - Form of application:** A s106 planning obligation may be modified or discharged in two ways. Please confirm under which section you are applying.

1. Agreements signed within the last 5 years: You may apply to modify the obligation only by mutual consent under Section 106A(1)(a) of the Town and Country Planning Act 1990.
2. Agreements signed more than 5 years ago: You may also apply under Section 106A(3) of the Town and Country Planning Act 1990.

### Notes to assist completing the Certificate and Notice

An application for the modification or discharge of a planning obligation shall be accompanied by a certificate; either Certificate A, B or C.

**Certificate A** - to be completed where 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.

**Certificate B** - to be completed where the applicant gives **notice** of the application to any person (other than the applicant) against whom, 21 days before the date of the application, the planning obligation to which the application relates was enforceable; *and whose name and address is known to the applicant.*

**Certificate C** - to be completed where the applicant needs to give notice of the application to any person (other than the applicant) against whom, 21 days before the date of the application, the planning obligation to which the application relates was enforceable; *but where the names and addresses of all such persons are NOT known to the applicant after he/she has taken reasonable steps to ascertain the information.* The applicant shall during the 21 day period immediately preceding the application, publish notice of the application in a local newspaper.

**PLEASE SUBMIT ONE COPY OF THIS FORM, PLANS AND ALL ACCOMPANYING DOCUMENTS.**

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**CERTIFICATE UNDER REGULATION 4**

**CERTIFICATE A**

I certify that:

1. 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 ..... DATE .....

\*On behalf of .....

**CERTIFICATE B**

I certify that:

1. \*I have/The applicant has given the required 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:

| Name of person on whom notice served | Address at which notice was served | Date on which notice was served |
|--------------------------------------|------------------------------------|---------------------------------|
|                                      |                                    |                                 |

SIGNED ..... DATE .....

\*On behalf of .....

**NOTES**

\*Delete where inappropriate

s106A - certs A & B

**Town and Country Planning Act 1990 (Section 106A)****Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992****CERTIFICATE UNDER REGULATION 4****CERTIFICATE C**

I certify that:

1.I / The applicant \* cannot complete a Certificate A or B in respect of the accompanying application;

2.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 accompanying application the planning obligation to which the application relates was enforceable.

| Name of person on whom notice served | Address at which notice was served | Date on which notice was served |
|--------------------------------------|------------------------------------|---------------------------------|
|                                      |                                    |                                 |

1.I have/The applicant has\* taken reasonable steps to ascertain the name and address of every person whom, on the day 21 days before the date of the accompanying application, the planning obligation to which the application relates was enforceable and who has not been given notice of the application: These steps were as follows: (a)

Notice of the application , as attached to this application has been published on the (b)

In the (c)

SIGNED ..... DATE .....

\*On behalf of .....

**NOTES**

\*Delete where inappropriate

(a) description of steps taken

(b) date of publication

(c) name of newspaper in which the notice was published

s106A - cert C

**Town and Country Planning Act 1990 (Section 106A)  
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**Notice of an Application to Modify or Discharge a Planning Obligation**

I GIVE NOTICE that (a) \_\_\_\_\_

is applying to the London Borough Of Lambeth to modify/ discharge \* the planning obligation described below:-

**PLANNING OBLIGATION**

Obligation description: (b)

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Address of site: (c)

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Obligation date: (d) \_\_\_\_\_

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should make them in writing to the Chief Planning Officer, London Borough of Lambeth, PO Box 80771 London SW2 9QQ or [planning@lambeth.gov.uk](mailto:planning@lambeth.gov.uk) by:

(e) \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

\*On behalf of \_\_\_\_\_

**NOTES**

- (a) Insert name of applicant.
  - (b) Insert a brief description of the planning obligation which the applicant wishes to modify or Discharge
  - (c) Insert address or location of land to which the planning obligation relates.
  - (d) Insert date that the obligation was entered into
  - (e) Insert date giving a period of 21 days beginning with the date of service of this notice
- \*Delete where inappropriate.S106A notice

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**Notice of an Application to Modify or Discharge a Planning Obligation**

I GIVE NOTICE that (a) \_\_\_\_\_

is applying to the London Borough Of Hounslow to modify/ discharge \* the planning obligation described below:-

**PLANNING OBLIGATION**

Obligation description :(b) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Obligation description :(c) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Obligation description :(d) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Any person against whom the planning obligation is enforceable who wishes to make representations about the application should make them in writing to the Chief Planning Officer, Chief Planning Officer, London Borough of Lambeth, PO Box 80771 London SW2 9QQ or [planning@lambeth.gov.uk](mailto:planning@lambeth.gov.uk) by:

(e) \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

\*On behalf of \_\_\_\_\_

**NOTES**

(a) Insert name of applicant.

(b) Insert description of planning obligation which the applicant wishes to modify or discharge

(c) Insert address or location of land to which the planning obligation relates.

(d) Insert date that the obligation was entered into

(e) Insert date giving a period of 21 days beginning with the date of publication of this notice

\*Delete where inappropriate.