



Application to Modify, or Discharge Planning Obligation(s)

Town and Country Planning Act 1990 (Section 106A)

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

Warwick District Council

Riverside House, Milverton Hill, Leamington Spa CV32 5HZ

Telephone: 01926 450000 Email: section106@warwickdc.gov.uk Website: www.warwickdc.gov.uk

If you find the text on this form difficult to read, we may be able to supply it in a format better suited to your needs.

PLEASE READ ACCOMPANYING GUIDANCE NOTES FIRST AND COMPLETE IN BLOCK LETTERS. ALL BOXES MUST BE COMPLETED.

This is an application to: 1. Modify Planning Obligation(s) 2. Discharge Planning Obligation(s)

APPLICATION FORMS ARE PUBLIC DOCUMENTS AND INFORMATION CONTAINED IN THEM WILL BE PLACED ON DEPOSIT FOR PUBLIC INSPECTION BOTH IN THE COUNCIL OFFICES AND ON ITS WEBSITE.

The completed form, along with the necessary accompanying documentation, should be returned to the Planning Department, Warwick District Council. Section106@warwickdc.gov.uk

1. APPLICANT DETAILS

Name	
Address	
Postcode	
Contact Number	
E-Mail Address	

2. AGENT DETAILS (if any)

Name	
Address	
Postcode	
Contact Number	
E-Mail Address	

3. SOLICITOR DETAILS (if any)

Name	
Address	
Postcode	
Contact Number	
E-Mail Address	

4. ADDRESS OF THE SITE

Site Address	
Site Postcode	

5. DESCRIPTION OF PLANNING OBLIGATION

Planning Reference Number(s)	
Date of the Agreement(s)	
Please give sufficient information to identify the Planning Obligation you wish to comply with	
Part, Schedule, Clause	Details Submitted

6. REASON FOR APPLYING

Please state why you are applying to Modify or Discharge the planning obligation identified above

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7. ADDITIONAL INFORMATION

Please provide any additional information or evidence that you consider relevant to this application

8. PLEASE STATE THE NATURE OF THE APPLICANT'S INTEREST IN THE LAND

Please provide any additional information or evidence that you consider relevant to this application

9. DECLARATION TO BE COMPLETED BY ALL APPLICANTS

I/We hereby apply to modify or discharge a planning obligation under Section 106A of the Town & Country Planning 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 or C as appropriate) and attached it to this application.

AND I/We hereby agree to pay the reasonable legal costs of the Council and interested third parties in the Modification, or the Discharge of a Planning Obligation(s) as required by a Deed;

AND I/We hereby agree to pay the Local Planning Authority of the Council the applicable application fee for the administration of an application whether requiring a Modification or Discharge of a Planning Obligation(s).

Signed	
PRINT NAME	
On behalf of (insert applicant's name if signed by agent)	
Date (DD/MM/YYYY)	/ /

GUIDANCE NOTES

Your completed application will comprise one electronic copy or 3 hard copies of the following:

- i. The completed application forms. Please sign all the copies
- ii. Plans and supporting information which must include a site plan with the site edged in red
- iii. If you wish to bring other matters in support of your application to the attention of the Council, please provide it in writing
- iv. Either certificate A, B or C (and a copy of the press notice if appropriate)

NOTES TO ASSIST IN COMPLETING THE APPLICATION FORM

* Address of Site: Precisely describe the location of the land to which this application relates and attach an Ordnance Survey based plan showing the boundary of the land edged in red.

** Description of Planning Obligation: Please give sufficient information to enable the planning authority to identify the planning obligation concerned.

NOTES TO ASSIST IN COMPLETING THE CERTIFICATE AND NOTICE

An application for the modification or discharge of a planning obligation must 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 application, the planning obligation to which the application relates was enforceable against only the applicant

Certificate B – to be completed where the applicant knows the name and address of other person(s) against whom, 21 days before the date of the application, the subject planning obligation was enforceable.

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 application 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.

HOW YOUR INFORMATION IS USED The way in which your information may be used and shared by the Council is set out in the Council's Privacy Notice. This is available via our website at <https://www.warwickdc.gov.uk/privacynotice> or you can ask for a copy by writing to the Council at Riverside House, Milverton Hill, Leamington Spa CV32 5HZ

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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 application.

Signed	
PRINT NAME	
On behalf of (insert applicant's name if signed by agent)	
Date (DD/MM/YYYY)	/ /

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 to whom notice was served	Address at which notice was served	Date on which notice was served
Signed		
PRINT NAME		
On behalf of (insert applicant's name if signed by agent)		
Date (DD/MM/YYYY)	/ /	

NOTES

* Delete where inappropriate

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 to whom notice was served	Address at which notice was served	Date on which notice was served

3. I have/The application 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)	
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Signed	
PRINT NAME	
On behalf of (insert applicant's name if signed by agent)	
Date (DD/MM/YYYY)	/ /

NOTES

* Delete where inappropriate

a) description of steps taken

b) date of publication

c) name of newspaper in which the notice was published

Notice of an Application to Modify, or Discharge a Planning Obligation(s)

Town and Country Planning Act 1990 (Section 106A)

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

I GIVE NOTICE that (a)

is applying to WARWICK DISTRICT COUNCIL to modify / discharge * the planning obligation described below:-

PLANNING OBLIGATION DESCRIPTION: (b)

ADDRESS OF SITE: (c)

OBLIGATION DATE: (d) (DD/MM/YYYY)

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should make them in writing to

Warwick District Council

Riverside House, Milverton Hill, Leamington Spa CV32 5HZ

Telephone: 01926 450000 Email: section106@warwickdc.gov.uk Website: www.warwickdc.gov.uk

SERVICE DATE: (e) (DD/MM/YYYY)

Signed	
PRINT NAME	
On behalf of (insert applicant's name if signed by agent)	
Date (DD/MM/YYYY)	/ /

NOTES

* Delete where inappropriate

- 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

Notice of an Application to Modify, or Discharge a Planning Obligation(s)

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Warwick District Council
 Riverside House, Milverton Hill, Leamington Spa CV32 5HZ
 Telephone: 01926 450000 Email: section106@warwickdc.gov.uk Website: www.warwickdc.gov.uk

SERVICE DATE: (e) (DD/MM/YYYY)

Signed	
PRINT NAME	
On behalf of (insert applicant's name if signed by agent)	
Date (DD/MM/YYYY)	/ /

NOTES

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 - 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