

Application of the modification or discharge of planning obligations

Town & Country Planning Act 1990 (Section 106A)

Town & Country Planning (Modification and discharge of planning obligations) Regulations 1992



Planning application forms are public documents and all information contained on them will be placed for public inspection on the council's website.

17/P/0302/M00

Q1a Name and address of applicant

- 1 FEB 2017

Name	Alistair Lance Richard House and Robert James Metford House		
Address	Lake Farm, Bleadon		
Town	Weston-super-Mare	Post code	BS24 0NY
Telephone	[REDACTED]	Email	[REDACTED]

Q1b Name and address of agent (if any)

Name	Jade Lyus, Clarke Willmott LLP		
Address	Blackbrook Gate, Blackbrook Park Avenue		
Town	Taunton	Post code	TA1 2PG
Telephone	[REDACTED]	Email	[REDACTED]

Q2 Address of site

Purn House Farm, Bleadon, Weston-super-Mare	WESTON WARE PARK ACCOMMODATION ROAD BLEADON BS24 0AP
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Q3 Description of the Planning Obligation

Please give sufficient information to enable the identification of the Planning Obligation you wish to modify or discharge

Unilateral Undertaking given by (1) Alistair Land Richard House and Robert James Metford House and (2) Barclays Bank PLC to North Somerset District Council

Date of the original Obligation	22 July 2015
Date of any subsequent amendments to the original Obligation	
Reference no. of the application to which the Obligation relates	14/P/0746/F2

Q4 Please explain the manner in which the applicant proposes to modify or discharge the obligation

To amend clause 6.1.3 to alter the trigger date for the payment of the remainder of the Highway Contribution so that the remainder of the Highway Contribution shall be payable on the date that the Development is open to the public.

Q5 Please explain the reasons for applying for the modification or discharge of the obligation

The Applicant is unable to pay the contribution on the date set out in the Agreement. Given that the Highway Contribution relates to road improvements necessary to make the development acceptable in planning terms, the impact upon the highway network will not occur until the Development is open to use by the public. The mitigation measures will therefore still be able to be delivered.

Q6 Please state the nature of the applicant's interest in the land

The Owner.

Q7 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 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.

Signed

Jade Lyus of Clarke Willmott LLP

(Type name if completing form online)

On behalf of

Alistair Lance Richard House and Robert James Metford House

(Insert applicants name if signed by agent)

Date

31 Jan 2017

Certificate under Regulation 4

Town & Country Planning Act 1990 (Section 106A)
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Supporting notes

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.

Certificate A

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

Jade Lyus of Clarke Willmott LLP

On behalf of

Alistair Lance Richard House and Robert James Metford House

Date

31 Jan 2017

Certificate B

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 was service

Address at which notice was served

Date on which notice was
served

Signed

On behalf of

Date

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 planning obligation to which the application relates was enforceable

Name of person on whom notice was service	Address at which notice was served	Date on which notice was served
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Signed

On behalf of

Date

-
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 (*describe steps taken*)

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

Date of publication

Name of newspaper in which the notice was published

Signed

On behalf of

Date

Notice of an application to modify or discharge a planning obligation

Town & Country Planning Act 1990 (Section 106A)
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I GIVE NOTICE that (name of applicant)

is applying to NORTH SOMERSET COUNCIL to modify/discharge the planning obligation described below:

Obligation description:

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

Address of site:

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

Obligation date:

(Insert date that the obligation was entered into)

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should send them to North Somerset Council using the [contact us form](#), by no later than:

Insert date giving a period of 21 days beginning with the date of service of this notice

Signed

(Type name if completing form online)

On behalf of

Date

Submit form

You can now submit your form to us using our online [contact us form](#). Please remember to attach any additional documents required to support this application:

What you will need to include with this form:

- I Copies of all plans submitted with the site edged in red (two copies are required if NOT submitting electronically) ☐ Submitted (tick box)
- II A copy of the press notice if appropriate for a certificate ☐ Submitted (tick box)
- III 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. (two copies are required if NOT submitting electronically) ☐ Submitted (tick box)

Print Form