

Application to modify or discharge a Planning Obligations

In accordance with the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 ad Town and Country Planning Act 1990 (section 106A)

Each separate agreement that requires modification or discharge must be applied for on a separate form, and a fee is payable for each one.

Information to be submitted to the local planning authority in accordance with Regulation 3.

|  |  |
| --- | --- |
| 1. **Type of Application** | |
| Are you applying to modify a planning obligation |  |
| Are you applying to Discharge a planning obligation |  |

|  |  |
| --- | --- |
| 1. **Applicants Details** | 1. **Agent Details (if applicable)** |
| Name | Company Name  Contact Name |
| Address | Address |
|  |  |
| Postcode | Postcode |
| Email address | Email Address |
| Daytime Telephone number | Daytime telephone number |

|  |
| --- |
| 1. **Full postal address of the site to which the application relations** |
|  |

|  |
| --- |
| 1. **Nature of applicant’s interest in the land** |
|  |

|  |
| --- |
| **6. Please provide sufficient information to enable us to identify the planning obligation (planning reference numbers, etc) and the particular obligation(s) to be modified/discharged:** |
|  |

|  |
| --- |
| **7. Details of prosed changes and reason(s) you are applying for the modification or discharge of the obligation?** |
|  |

|  |  |
| --- | --- |
| **Please include:** | **Please tick** |
| 1 copy of this form, signed and dated |  |
| 1 copy of a map identifying the land to which the obligation relates (1:1250 Scel with site edged red) |  |
| 1 copy of such other information as you consider relevant to the determination of the application |  |
| Certificate of Compliance |  |
| A copy of the press notice (Certificate C) |  |

|  |  |
| --- | --- |
| **Signed** | **Print Name** |
| **On behalf of** | **Date** |

This form should be completed and emailed to [implementationteam@eppingforestdc.gov.uk](mailto:implementationteam@eppingforestdc.gov.uk)

Certificate of compliance with the notification requirements in Regulation 4

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 names and addresses of all such persons NOT known to the applicant after he/she has taken reasonable steps to ascertain the information. The applicant shall during the 21day period immediately preceding the application, publish notice of the application in a local newspaper.

Certificate A

I certify that on the day 21 days before the date of the accompany application the planning obligation to which the application relates was enforceable against nobody other than the applicant.

|  |  |
| --- | --- |
| Signed |  |
| On behalf of |  |
| Date |  |

Certificate B

I certify that the applicant has given notice to everyone else against whom, on the day 21 days before the date of the accompany 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: |  |

Certificate C

I certify that:

the applicant cannot issue a Certificate A or B in respect of the accompanying application;

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: |  |

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 applicant but has been unable to do so. These steps were as follows:

*Describe steps taken:*

|  |
| --- |
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Notice the application, as attached to this certificate, has been published in

|  |  |
| --- | --- |
| Name of local newspaper: |  |
| Date of publication: |  |

|  |  |
| --- | --- |
| Signed |  |
| On behalf of |  |
| Date |  |

**Prescribed Notice for Certificate B or C**

*Notice to serve on individual(s) by applicant*

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

I GIVE NOTICE that

is applying to EPPING FOREST DISTRCT COUNCIL to modify / discharge the planning obligation described below:

PLANNING OBLIGATION:

Obligation description :

Land to which the obligation relates:

Obligation date:

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should make them in writing to the Planning Administration at Epping Forest District Council, Civic Offices, High Street, Epping, CM16 4BZ by:

Signed:

Date:

On behalf of (if appropriate):

Press Notice for Certificate C

*Press notice issued by applicant*

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

I GIVE NOTICE that

is applying to EPPING FOREST DISTRICT COUNCIL to modify / discharge the planning obligation described below:

PLANNING OBLIGATION

Obligation description

Land to which the obligation relates:

Obligation date:

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should make them in writing to the Planning Administration at Epping Forest District Council, Civic Offices, High Street, Epping, CM16 4BZ by:

Signed:

Date:

On behalf of (if appropriate):