

Application form to Modify or Discharge a Planning Obligation Under S106A or S106B of the Town and Country Planning Act 1990

Town and Country Planning Act 1990 (Section 106A)

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

Guidance Notes

Your completed application will comprise:-

- I. One Copy of the completed application forms. Please sign all the copies.
- II. One copy of all plans submitted with the site edged in red.
- III. One copy of either Certificate A, B or C (and one copy of the press notice if appropriate).
- IV. 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.

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 **two** copies 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.

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 a copy of this form, plan and all accompanying documents via email to:
Development.Control@Cumbria.gov.uk

September 2021