

Application to modify or discharge a planning obligation

In addition to the application form, location plan referred to in the application form notes and certificate all set out below, for the Council to assess the proposal you are required to submit:-

- (a) In the case of a modification to a requirement for the provision of affordable housing a 'financial and viability appraisal' and/or
- (b) Such other supporting information as may be necessary to describe the subject of the application

PORTSMOUTH CITY COUNCIL

Town and Country Planning Acts

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

APPLICATION FOR THE MODIFICATION OR DISCHARGE OF PLANNING OBLIGATION

1. APPLICANT. Name and Address

.....
.....

Post Code..... Tel No.....

2. AGENT. Name and Address

.....
.....

Post Code..... Tel No.....

3. APPLICATION SITE. Address or Location

.....
.....
.....

4. INTEREST IN LAND – Please tick appropriate box

Freehold Owner

Lessee

Other (Please Specify).....

5. OBLIGATION TO BE MODIFIED/DISCHARGED

Date of obligation:.....

Parties to obligation:.....

Brief summary of content of obligation:.....

.....
.....
.....

6. TYPE OF APPLICATION

Are you applying for the obligation to be:

Discharged

Please tick appropriate box

Modified

If you are applying to have the obligation modified please explain your proposed modification:

.....
.....
.....
.....

7. REASONS FOR APPLICATION

Please give your reasons for applying for the modification or discharge of the obligation:

.....
.....
.....
.....

I apply for the modification/discharge of the planning obligation in accordance with the above particulars and the plan enclosed.

Signed:.....Applicant/Agent. Date.....

NOTES:

- 1. Three copies of a location plan must be submitted. The plan should be at 1:1250 or 1:2500 scale and must show sufficient detail of the surrounding area to identify the site. It is best to use an extract from an Ordnance Survey map. The land to which the application relates must be edged in red. 'Under Section 107 of the Copyright, Designs and Patents Act 1988 makes it a statutory requirement that a person must not distribute an unlicensed Ordnance Survey Plan. The unauthorised reproduction and the processing of unlicensed plans is an infringement of Crown Copyright and could amount to an offence by the person submitting the plan. You therefore are requested to submit authorised copies of Ordnance Survey plans, or if you hold a valid Ordnance Survey Paper Map Copying Licence please submit three copies of the site location plan clearly showing the licence number.'**

- 2. You have a duty to notify any other persons on whom the obligation is enforceable. You should therefore serve notice on each affected person. The below certificate should be completed and returned with the application.**

- 3. Three copies of the application form, three copies of the location plan and three copies of the certificate should be submitted to: Planning Services, Civic Offices, Guildhall Square, Portsmouth PO1 2AU**

APPLICATION TO MODIFY OR DISCHARGE A PLANNING OBLIGATION UNDER SECTION 106A OF THE TOWN AND COUNTRY PLANNING ACT (1990)

CERTIFICATE OF COMPLIANCE WITH NOTIFICATION REQUIREMENTS IN REGULATION 4

Complete either Certificate A or Certificate B as appropriate

- Certificate A

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

Signed.....

*On behalf of.....

Date.....

*delete as appropriate

OR

*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 accompanying 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.....