

320171027P

# Ribble Valley Borough Council



## Application for the Modification or Discharge of Planning Obligations

Town and Country Planning Act 1990 (Section 106A)  
Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

### FOR OFFICE USE ONLY

APPLICATION NO:
DATE RECEIVED:
FEE PAID:
RECEIPT NO:

**PLEASE READ ACCOMPANYING GUIDANCE  
NOTES FIRST AND COMPLETE IN BLOCK  
LETTERS**

**PLANNING APPLICATION FORMS ARE PUBLIC DOCUMENTS AND ALL INFORMATION CONTAINED ON  
THEM WILL BE PLACED ON DEPOSIT FOR PUBLIC INSPECTION, BOTH IN THE COUNCIL OFFICES, AND  
ON A WEBSITE**

**1a Name and Address of Applicant**

Hillcrest Homes Ltd  
c/o Agent

**1b Name and Address of Agent (if any)**

Smith & Love Planning Consultants Ltd  
5 Albert Edward House  
The Pavilions  
Preston PR2 2YB

Tel No:

Name for contact Graham Love  
Tel No: 01772 831861 / graham@smithlove.co.uk

**2. Address of the Site\***

Land to the north of Whalley Road, Hurst Green (between Warren Fold and School Lane comprising part field  
and school car park), Clitheroe BB7 9QH

**3. Description of Planning Obligation\*\* - please give sufficient information to enable the  
identification of the Planning Obligation you wish to modify or Discharge**

The planning obligation (S106 Agreement) relates to planning permission ref. 3/2012/0964  
granted on the 25th March 2014 for the erection of thirty dwelling houses, creation of a new access  
onto Whalley Road, new estate road, landscape, servicing, a replacement school car park, pick-up and  
drop-off provision, and public open space, along with demolition of the existing agricultural building.  
The S106 Agreement reference no. is 1006401 and it was made on the 24th March 2014

4 Please state why you are applying for the modification or discharge of the planning obligation identified above

Please refer to attached letter

5. Please provide any additional information that you consider relevant to the determination of this application.

Please refer to attached letter

6. Please state the nature of the applicant's interest in the land.

Developer

7. Declaration TO BE COMPLETED BY ALL APPLICANTS

I ~~Am~~ **We** hereby apply for the modification or discharge of a planning obligation under Section 106A of the Town and Country Act 1990 in accordance with the details above, and the submitted plan(s) and documents.

I ~~Am~~ **We** have completed an ownership certificate (~~either certificate A, B C or D as appropriate~~) and attached it to this application.

Signed Graham Love

On behalf of Hillcrest Homes Ltd  
(insert applicant's name if signed by agent)

Date 26th October 2017

Town and Country Planning Act 1990 (Section 106A)  
Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

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 applicant.~~

~~SIGNED \_\_\_\_\_~~

~~DATE \_\_\_\_\_~~

~~\*On behalf of \_\_\_\_\_~~

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 on whom notice served	Address at which notice was served	Date on which notice was served
The Bursar Mr S Marsden	Stonyhurst College Hurst Green Clitheroe BB7 9PZ	26th October 2017

SIGNED Graham Love

DATE 26th October 2017

On behalf of Hillcrest Homes Ltd

NOTES

\* Delete where inappropriate

s106A – certs A & B

Town and Country Planning Act 1990 (Section 106A)  
Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

CERTIFICATE UNDER REGULATION 4

~~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~~

<del>Name of person on whom notice served</del>	<del>Address at which notice was served</del>	<del>Date on which notice was served</del>

~~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: (a)~~

~~Notice of the application, as attached to this application has been published on the~~  
(b)

In the (c)

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_

On behalf of \_\_\_\_\_

**NOTES**

\* Delete where inappropriate

(a) description of steps taken (b) date of publication

(c) name of newspaper in which the notice was published

s106A - cert C

**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 (a) Hillcrest Homes Ltd  
is applying to **RIBBLE VALLEY BOROUGH COUNCIL** to modify/~~discharge~~ the planning obligation described below:

**PLANNING OBLIGATION**

**Obligation description: (b)**

Section 106 Agreement reference no. 1006401 made on 24th March 2014 relating to planning permission ref. 3/2012/0964 granted on 25th March 2014 for the erection of thirty dwelling houses, creation of a new access onto Whalley Road, new estate road, landscape, servicing, a replacement school car park, pick-up and drop-off provision, and public open space, along with demolition of the existing agricultural building.

**Address of site: (c)**

Land north of Whalley Road, Hurst Green (between Warren Fold and School Lane comprising part field and school car park)  
Clitheroe BB7 9QH

**Obligation date: (d)** 24th March 2014

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should make them in writing to the Building and Development Control Manager, Ribble Valley Borough Council, Council Offices, Church Walk, CLITHEROE, Lancashire, BB7 2RA by:

(e) 15th November 2017

**SIGNED** Graham Love - Smith & Love Planning Consultants Ltd      **DATE** 26th October 2017

\*On behalf of Hillcrest Homes Ltd

**NOTES**

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

\* Delete where inappropriate

s106A Notice

TO BE PUBLISHED IN A NEWSPAPER 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 (a) \_\_\_\_\_  
Is applying to RIBBLE VALLEY BOROUGH COUNCIL to modify/discharge \* the planning  
obligation described below:

PLANNING OBLIGATION

Obligation description: (b)

\_\_\_\_\_  
\_\_\_\_\_

Address of site: (c)

\_\_\_\_\_  
\_\_\_\_\_

Obligation date: (d) \_\_\_\_\_

Any person against whom the planning obligation is enforceable who wishes to make  
representations about this application should make them in writing to the Building and  
Development Control Manager, Ribble Valley Borough Council, Council Offices, Church  
Walk, CLITHEROE, Lancashire, BB7 2RA by:

(e) \_\_\_\_\_

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_

\*On behalf of \_\_\_\_\_

NOTES

- (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 giving a period of 21 days beginning with the date of service of this notice.

\* Delete where inappropriate.

s106A Notice - press