

£450.00 BACS

30.9.20

LN:

035467

3/2020/0782

# 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:		<b>PLEASE READ ACCOMPANYING GUIDANCE NOTES FIRST AND COMPLETE IN BLOCK LETTERS</b>
DATE RECEIVED:		
FEE PAID (AMOUNT):	(DATE):	
RECEIPT NO:		
<b>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</b>		
1a Name and Address of Applicant	1b Name and Address of Agent (if any)	
Andrew Taylor	Ward Hadaway Solicitors,	
BDW Trading Limited	102 Quayside	
Cartwright Way, Forest Business Park,	Newcastle-upon-Tyne	
Bardon Hill, Coalville, Leicestershire,	NE1 3DX	
LE67 1UF	Name for contact	Carolyn Akerman
Tel No: 0776 899 6640	Tel	No: 0754 075 6444
2. Address of the Site*		
Land off Waddington Road, Clitheroe, Lancashire, BB7 2DE		
3. Description of Planning Obligation** - please give sufficient information to enable the identification of the Planning Obligation you wish to modify or Discharge		
Section 106 Agreement between Nicholas Guy le Gendre Starkie, The Clitheroe Auction Mart Company Limited, John Howard Taylor, Samantha Anne Howard and Sarah Jane Howard, Ribble Valley Borough Council and Lancashire County Council dated 24 February 2015.		
The Section 106 Agreement relates to Planning Permission: 3/2014/0597.		
Deed of Variation between Ribble Valley Borough Council, Lancashire County Council and BDW Trading Limited dated 22 July 2019.		
The Deed of Variation relates to Planning Permission: 3/2019/0056.		

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

It is proposed to vary the 2015 Section 106 Agreement (as varied by the 2019 Deed of Variation) to make it suitable for the Registered Provider.

The proposed amendments are required in respect of the exemptions in favour of the mortgagee and protected tenants.

BDW Limited has agreed to the amendments.

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

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

Landowner

7. 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 and Country 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 C or D as appropriate) and attached it to this application.

Signed  aylor

On behalf of **BDW Trading Limited**  
(insert applicant's name if signed by agent)

Date 15/09/2020

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

SIGNED

DATE 15/09/2020

\*On behalf of BDW Trading Limited

**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

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_

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

**NOTES**

\* Delete where inappropriate

Town and Country Planning Act 1990 (Section 106A)  
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CERTIFICATE UNDER REGULATION 4

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**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.

Name of person on  
whom notice served

Address at which  
notice was served

Date on which  
notice was served

- 
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) \_\_\_\_\_  
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

TO BE PUBLISHED IN A NEWSPAPER BY APPLICANT

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

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_

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

**NOTES**

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