

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

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APPLICATION NO:		PLEASE READ ACCOMPANYING GUIDANCE NOTES FIRST AND COMPLETE IN BLOCK LETTERS
DATE RECEIVED:		
FEE PAID (AMOUNT):	(DATE):	
RECEIPT NO:		
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		1b Name and Address of Agent (if any)
Mosscares St Vincent's Housing Group		Trowers & Hamblins LLP
7 th Floor, Trafford House		The Senate, Southernhay Gardens
Chester Road, Stretford, Manchester		Exeter , EX1 1UG
M32 0RS		
		Name for contact
		Sophie Emerson
		████████████████████
Tel No:		████████████████████
2. Address of the Site*		
Land off Sheepfold Crescent, Barrow		
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 dated 14 January 2019 made between (1) Martin Randle Kay (2) Anna Randle Dixon (3) Ribble Valley Borough Council and (4) Lancashire County Council

4. Please state why you are applying for the modification or discharge of the planning obligation identified above. The s106 Agreement is defective as although it allows for Affordable Ownership Housing it does not specifically include the Rent to Buy Product, as such the following amends are required: (1) Amend the definition of <i>Affordable Ownership Housing</i> to include Rent to Buy in clause 1 of the s106 Agreement to add the following words to the end of the definition "<i>Or Rent to Buy Housing</i>" (2) Add a definition of <i>Rent to Buy Housing</i>
5. Please provide any additional information that you consider relevant to the determination of this application. Rent to Buy is an Affordable Ownership Housing product, however, the definition of '<i>Affordable Ownership Housing</i>' in the s106 Agreement is poorly drafted and rather than referencing limb (d) of the definition of Affordable Housing in Annex 2 of the NPPF (which includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy) the definition solely refers to two ownership products (i) shared ownership and (ii) discount market sales (which is covered by limb (c) of the definition of Affordable housing in the NPPF). Therefore, an amend to the definition of Affordable Ownership Housing is required to make it clear this includes Rent to Buy. Further the Deed of Variation dated 9 September 2024 amended the definition of <i>Protected Tenant</i> to include a Rent to Buy purchaser but the s106 Agreement does not include a definition of Rent to Buy.
6. Please state the nature of the applicant's interest in the land. Mosscares St Vincent's Housing Group is the Affordable Housing Provider on the site
7. Declaration TO BE COMPLETED BY ALL APPLICANTS 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. We have completed an ownership certificate (either certificate A, B C or D as appropriate) and attached it to this application. Signed Trowers & Hamlins LLP

On behalf of Mosscafe St Vincent's Housing Group
(insert applicant's name if signed by agent)
Date 28 July 2026

