

APPLICATION TO VARY A S106 PLANNING OBLIGATION

Please Return to:
Planning Application Services
High Peak Borough Council
PO Box 136
Buxton
Derbyshire
SK17 1AQ

Application Number:

Received:

Pre Application discussions

Have you had any discussions / correspondence with Planning Application Services about this proposal?

☒ YES ☐ NO

If YES: Officer Name ELIZABETH PLEASANCE Our Reference HPK/2013/0315

1. APPLICANT

Name JW SWINDELLS Ltd
Address THE VICARAGE
MARSH LANE
NEW MILLS
Postcode SK22 4PN
Tel: _____ Fax: _____
E-Mail: _____

2. AGENT

Name JOHN ROSE
Address 44 CARLETON ROAD
HIGHER POYNTON
CHESHIRE
Postcode SK12 1TL
Tel 01625 876800 Fax: _____
E-Mail john-rose1@btconnect.com

Postcode _____

3. ADDRESS OF LAND OR BUILDING(S) TO WHICH THIS APPLICATION RELATES

The boundary of the site must be shown in red on a site plan

Address

LAND OFF MARSH LANE, NEW MILLS
(SITE PLANS ATTACHED)

Postcode _____

4. APPLICANT'S INTEREST IN THE LAND

ie: freeholder, tenant, prospective purchaser etc. OWNER
I (we) have completed an ownership certificate (A) B or C as appropriate and attach it to this application

5. DETAILS OF PLANNING OBLIGATION TO BE MODIFIED/DISCHARGED

SECTION 106 Agreement pursuant to planning permission HPK/2013/0315

Date of Obligation SEPTEMBER 2013

6. REASON(S) FOR APPLYING FOR VARIATION

The requirement to provide affordable housing as part of a residential development of this site makes the development of the site unviable.

7. Financial viability

Have you submitted a financial viability statement with this application? YES NO/NOT APPLICABLE

If YES: Who has certified this as true and correct

SJ Design Ltd (Chartered Surveyors)

8. APPLYING FOR PERMISSION

I/we apply to vary a planning obligation as described in this application.

Signed ..

Date 19 March 2014

On behalf
if signed

Ltd

(fill in applicant(s) name)

SCHEDULE

Regulation 4(5)

PRESCRIBED NOTICES AND CERTIFICATES

PART 1

NOTICE OF AN APPLICATION TO MODIFY OR DISCHARGE A PLANNING OBLIGATION UNDER SECTION 106~~A~~ BA BB & BC OF THE TOWN AND COUNTRY PLANNING ACT 1990

(Notice to be given by applicant)

I give notice that (a) J.W. SWINOLEWS LTD
is applying to the (b) HIGH PEAK BOROUGH COUNCIL
to modify/discharge* the planning obligation described below

Planning Obligation

Obligation: (c) SECTION 106 obligation
Land to which obligation relates: (d) Land off Marsh Lane, New Mills
Date on which obligation was entered into: (e) SEPTEMBER 2013

+Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to the Council at (f) by (g). (Members of the public will be invited to make representations when the application has been submitted to the Council)

Signed.

*On behalf of..

Date..

*delete as appropriate

NOTES

Insert-

- (a) name of the applicant
- (b) name of the local planning authority to whom the application will be made
- (c) brief description of the planning obligation which the applicant wishes to have modified or discharged
- (d) address or location of the land
- (e) relevant date
- (f) address of the local planning authority
- (g) date giving a period of 21 days beginning with the date of service or publication of the notice, as the case may be.

Regulation 4(5)

PART 2

CERTIFICATE OF COMPLIANCE WITH THE NOTIFICATION REQUIREMENTS IN REGULATION 4

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

Signed...

*On behalf of...

Date...

*delete where inappropriate

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.....

*delete where inappropriate

Certificate C

I certify that:

- the applicant cannot issue a Certificate A or B in respect of the accompanying application;
- *the applicant has given notice to the persons listed below, being persons against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable

Person on whom
notice was served

Address at which
notice was served

Date on which
notice was served

- The applicant has taken reasonable steps to ascertain the name and address of every person against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable and who has not been given notice of the application but has been unable to do so. These steps were as follows - (a)
- Notice of the application, as attached to this certificate, has been published in the (b) on (c).

Signed.....

*On behalf of.....

Date.....

*delete where inappropriate

NOTES

Insert-

- (a) description of steps taken
- (b) name of local newspaper in which the notice was published
- (c) date of publication.