Application to modify or discharge a planning obligation

In accordance with the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 this application form is to be completed for proposals to modify or discharge the terms of a legal agreement made under 5.106A or 299A of the Town and Country Planning Act 1990 as amended.

Please email the completed form to Development.ManagementAdmin@huntingdonshire.gov.uk

Address of site: LAND NORTH OF THE BANK, SOMERSHAM, CAMBRIDGESHIRE Postcode:

Your name and contact details

Name: YASMIN SANDHU
Company: SHAKESPEARE MARTINEAU
Address: NO1 COLMORE SQUARE, BIRMINGHAM Postcode: B4 6AA
Contact number:
Email: [redacted]
Preferred method of communication of our advice to you? Post ☐ Email ☒

Details of the planning obligation and related planning permission

Planning obligation reference number:	Date of planning obligation:

S106 AGREEMENT	15 February 2023
Planning application reference number: 19/01790/OUT	Date of planning application: 20 FEBRUARY 2023

Proposed change(s) to the planning obligation: Vary the mortgagee exclusion clause contained at Paragraph 1.2.1.2, 1.2.1.3 and 1.2.1.4 of Schedule 1.

Reason(s) and planning justification for the proposed change(s) to the planning obligation: The mortgagee exclusion clause does not use the standard recommended wording as provided by the National Housing Federation. The additional cascade required in the agreement may render the value of the properties as EUV-STT when put at charge. The proposed changes ensure that MV-STT is achieved when put at charge.

Checklist of the minimum information that you need to provide for us to consider your application. Please tick the box to confirm that you are submitting the information requested.

☐ 1:1250 location plan with the site outlined in red
☐ Statement of proposed changes to the planning obligation
☐ Heads of terms of proposed changes to the planning obligation

☐ Statement of reasons and planning justification for proposed changes to the planning obligation

Please identify any other information that you wish to draw to our attention in support of the application: Please note that the DOV drafted has been approved by Allison Homes as current owner of the land.

Do you, or the person or organisation you are acting for, own or have an interest in the site? Yes ☒ No ☐

If Yes, please specify: Longhurst Group will be acquiring part of the site from Allison Homes Limited (current owners)

If the answer to the question above is 'No', is the owner of the site aware of your interest in the site? Yes ☐ No ☐ Not applicable ☐

Have you discussed this proposal with any adjoining occupiers or the local community? Yes ☐ No ☒

If Yes, please submit details:

Are you, or the person you are acting for, related to any member of staff or elected member of the council? Yes ☐ No ☒

If Yes, please submit details:

Declaration

I/we have marked and identified all information that I/we consider to be 'in confidence' or is 'commercially sensitive' and I/we understand that all

other information submitted may be revealed to other parties if the council is required to do so under Freedom of Information Act or Environmental information Regulations.

Signed: [redacted]	Print name: YASMIN SANDHU
On behalf of: SHAKESPEARE MARTINEAU	Date: 01.11.2024

Regulation 4(5) of the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992.

CERTIFICATE OF COMPLIANCE WITH THE NOTICATION REQUIREMENTS IN REGULATION 4

Please complete either certificate A, B or C.

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 other than the applicant.

Signed:
On behalf of:
Date:

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: ALLISON HOMES LIMITED
Date on which notice was served: 27.08.2024

Address at which noticed was served: THEIR LEGAL REPRESENTATIVES - GATELEY LEGAL - AS DETAILED ABOVE THEY HAVE CONFIRMED AGREEMENT TO THE DOV.
Signed: [redacted]
On behalf of: SHAKESPEARE MARTINEAU
Date: 01.11.2024

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 21days before the date of application, the planning obligation to which the application relates was enforceable.

Person on whom notice was served:
Date on which notice was served:
Address at 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: Describe steps taken:

Notice of the applicant, as attached to this certificate, has been published in the:
Name of local newspaper:
Date of publication:
Signed:
On behalf of:
Date: