

# Guidance Notes for the Modification or Discharge of a Planning Obligations Application

Town and Country Planning Act 1990 (Section 106A)

Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

S106A IS ONLY APPLICABLE TO S106 AGREEMENTS OVER 5 YEARS OLD FOR MORE RECENT AGREEMENTS CONTACT [planning@welhat.gov.uk](mailto:planning@welhat.gov.uk) WITH DETAILS

- A. Your completed application will comprise:
- B. One copy of the completed application forms. Please sign the copy.
- C. One copy of relevant plan(s) submitted with the site outlined in red. Plan to be at a scale of 1:1250 or 1:2500 showing at least two named roads and a north point plus any other land in the applicant's ownership that is adjoining the site or close by outlined in blue. Location plans and block plans can be obtained from the Planning Portal at: [https://www.planningportal.co.uk/homepage/4/buy\\_a\\_plan](https://www.planningportal.co.uk/homepage/4/buy_a_plan).
- D. One copy of either Certificate A, B or C (and one copy of the press notice if appropriate).
- E. If you wish to bring other matters in support of your application to the attention of the Council please provide it in writing either on the application form or use an additional sheet of paper.

Notes to assist completing the Certificate and Notice:

An application for the modification or discharge of a planning obligation shall be accompanied by a certificate; either Certificate A, B or C.

Certificate A - to be completed where 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.

Certificate B - to be completed where the applicant gives notice of the application to any person (other than the applicant) against whom, 21 days before the date of the application, the planning obligation to which the application relates was enforceable; *and whose name and address is known to the applicant.*

Certificate C - to be completed where the applicant needs to give notice of the application to any person (other than the applicant) against whom, 21 days before the date of the application, the planning obligation to which the application relates was enforceable; *but where the names and addresses of all such persons are NOT known to the applicant after he/she has taken reasonable steps to ascertain the information.* The applicant shall during the 21 day period immediately preceding the application, publish notice of the application in a local newspaper.

PLEASE SUBMIT **ONLY ONE COPY** OF THIS FORM, PLANS AND ALL ACCOMPANYING DOCUMENTS.