Kirklees COUNCIL

Planning

PLAN NO.		
DATE LODGED		
RECEIPT NO.		FEE RECEIVED
CASH	CHEQUE	OTHER
KIRKLEES COUNCIL - RESPONDING TO THE RECESSION VALIDATION CHECKLIST: SUPPLY 1 COPY (PLUS THE ORIGINAL)		

PO Box B93, Civic Centre 3, Huddersfield, HD1 2JR Tel: 01484 414746 Email: planning.contactcentre@kirklees.gov.uk

Application Form to Modify or Discharge a Section 106 Obligation. Town and Country Planning Act 1990.

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Application Type

	Please Tick
Are you applying to **modify** a planning obligation(s)?	✓
Are you applying to **discharge** a planning obligation(s)?	

2. Application Name and Address

Title:	MRS	First Name:	-	
Last Name:	TINKER			
Company (Opt)				
Unit:		House Number:		House Suffix:
House Name:	C/O AGENT			
Address 1:				
Address 2:				
Address 3:				
County:				
Country:				
Postcode:				

3. Agent Name and Address

Title:	MR	First Name:	DAN	
Last Name:	HENEGHAN			
Company (Opt)				
Unit:		House Number:	20	House Suffix:
House Name:				
Address 1:	HUNTSMANS	CLOSE		
Address 2:				
Address 3:	HUDDERSFIELD			
County:				
Country:				
Postcode:	HD4 7BR			

4. Address (to which obligation relates)

Unit:		House Number:		House Suffix:	
House Name:	ABINGER FARM				
Address 1:	SCHOLES MOOR ROAD				
Address 2:	SCHOLES				
Address 3:	HOLMFIRTH				
County:					
Postcode:	HD9 1RJ				

5. Nature of Applicant's Interest in Land

Owner	✓
Occupier	
Other	

If other, please specify;

6. Other Parties with Interest in Land

Name	Address	Nature of Interest

7. Details of Planning Application

Application reference: 91/62/01685/C3

Date of Decision: 2ND MARCH 1992

Description of Application:

ERECTION OF FARM HOUSE AND PASTEURISING MILK BOTTLING PLANT

8. Details of Planning Obligation(s) to be Modified or Discharged

PLANNING OBLIGATIONS CONTAINED WITHIN SIGE AGREEMENT: 2ND MARCH 1992 BETWEEN PHILIP TINKER AND KIRKLEES COUNCIL

9. Reasons for Modification or Discharge of Planning Obligation(s)

THE PROPERTY NO LONGER OPERATES AS A DAIRY FARM AND THEREFORE THE OBLIGATION TO PROVIDE A BOTTLING PLANT IS NO LONGER RELEVANT TO THE CONTEXT OF THE EXISTING DWELLING, FURTHERMORE THE S106 IS ASSOCIATED WITH THE ORIGINAL APPLICANT, MR. TINKER WHO IS DECEASED. THE S106 IS REQUIRED TO BE REMOVED, AS THE PROPERTY CANNOT BE SOLD WITH THE REQUIREMENTS SET OUT IN THE S106 RELATING TO THE BOTTLING PLANT.

10. Applicant Contact Details

Telephone Numbers:

Country Code:	National Number:	Ext

Country Code:	Mobile Number (Optional):

Country Code:	Fax Number (optional)):

Email:

11. Agent Contact Details

Telephone Numbers:

Country Code:	National Number:	Ext
	07795975869	

Country Code:	Mobile Number (Optional):

Country Code:	Fax Number (optional)):

Email:

DAN@HENEGHANARCHITECTURE.COM

12. Certificates

One Certificate A, B, or C must be completed with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

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 - Applicant:	On behalf of (*If applicable*)	Date (DD/MM/YYYY)
Redacted		31/07/23

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

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 served	Address where notice was served	Date Notice Served

Signed - Applicant:	On behalf of (*If applicable*)	Date (DD/MM/YYYY)

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify that *(delete where not applicable)*:

- 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 accompanying application, the planning obligation to which the application relates was enforceable

Person on whom notice served	Address where notice was served	Date Notice Served

the applicant has taken all 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 the steps taken)*

notice of the application, as attached to this certificate, has been published in the appropriate newspaper on *(enter name and date of publication)*

Signed - Applicant:	On behalf of (*if applicable*)	Date (DD/MM/YYYY)

14. Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

2 copies of a completed and dated application form: ☐

2 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☐

2 copies of other plans and drawings or information necessary to describe the subject of the application: ☐

15. Declaration

Signed - Applicant:	On behalf of (*If applicable*)	Date (DD/MM/YYYY)	
Redacted		31/07/23	[date cannot be pre-application]