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:		First Name:	S
Last Name:	Byram		
Company (Opt)			
Unit:		House Number:	House Suffix:
House Name:			
Address 1:			
Address 2:			
Address 3:			
County:			
Country:			
Postcode:			

3. Agent Name and Address

Title:	Mr	First Name:	Andrew
Last Name:	Keeling		
Company (Opt)	AKPlanning		
Unit:		House Number:	147 House Suffix:
House Name:			
Address 1:	Lane Top		
Address 2:	Linthwaite		
Address 3:	Huddersfield		
County:			
Country:			
Postcode:	HD7 5SG		

4. Address (to which obligation relates)

Unit: | House Number: | House Suffix:

House Name: Riverside Walk

Address 1: Marsden

Address 2:

Address 3:

County:

Postcode:

5. Nature of Applicant's Interest in Land

Owner: Y

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: 01/62/91271/W1

Date of Decision: 11/01/2000

Description of Application:

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (WITHIN A CONSERVATION AREA)

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

Please see the attached S106 and report

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

See attached report

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

Country Code: Mobile Number (Optional): 07500965645

Country Code: Fax Number (optional)):

Email: andrew@akplanning.co.uk

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)
Andrew Keeling	S Byram	25/10/2024

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: y

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

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: y

15. Declaration

Signed - Applicant:	On behalf of (*If applicable*)	Date (DD/MM/YYYY)	
Andrew keeling	S Byram	25/10/2024	[date cannot be pre-application]

16. Notes

Application for Modification or Discharge of Planning Obligation

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

1. Application Type

Please specify whether you are applying to **modify** or **discharge** a planning obligation by ticking the appropriate box.

2. Applicant Name and Address

Please enter the Applicant Details, including full name and title. Please also enter the house/flat number and/or name (if applicable) and street name in the Street address field. The town, county, country and full postcode should also be entered.

If the application is being submitted by an agent (i.e. someone who is acting on the applicant's behalf) all correspondence, including the decision letter, will be sent to him/her.

3. Agent Name and Address

Please enter the Agent Details, including full name and title. Please also enter the house/flat number and/or name (if applicable) and street name in the Street address field. The town, county, country and full postcode should also be entered.

If the application is being submitted by an agent (i.e. someone who is acting on the applicant's behalf) all correspondence, including the decision letter, will be sent to him/her.

4. Site Address Details

Please enter the same address of the site as stated on the decision notice, together with the full postcode or grid reference.

5. Nature of Applicants Interest in Land

Please specify the nature of the applicant’s interest in the land to which the planning obligation relates.

6. Any Other Parties Interested in Land

Please provide the name and address of any other parties interested in the land to which the planning obligation relates. Please specify the nature of their interest in the land.

7. Details of Planning Application

Please provide details of planning application to which planning obligation relates. Please specify the planning application number, date of the formal decision notice, and the description of the planning application.

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

Please provide sufficient information to enable us to identify the planning obligation agreement you wish to have modified or discharged. The original planning application reference number will suffice. If this is not known please provide as much information as possible: e.g. original description of the proposal, dates and a copy of section 106 if retained. You must provide a map identifying the land to which the obligation relates.

9. Reasons for Modification or Discharge of Planning Obligation

Please give your reasons for applying to modify or discharge the obligation and any other information required to enable us to determine the application. You will need to refer to the Council's local list of requirements for planning applications – the 'validation checklist'. This is published on the council's website at: kirklees.gov.uk The relevant sections are A32: Viability Appraisals and B4: Applications to modify or discharge planning obligation.

10. Applicant Contact Details

Please provide contact information for the applicant.

11. Agent Contact Details

Please provide contact information for the agent.

12. Certificates

If you are the sole owner of the land to which the application relates, please complete **Certificate A** (owner means a person having a freehold or leasehold interest with at least seven years unexpired). Certificate A is not appropriate unless you are the sole owner.

If you are not the sole owner of the land, or if any part of the development to which the planning obligation relates goes outside land in your ownership (even if only foundations), please complete **Certificate B** and serve notice on each of the owners using the wording given on the notice attached to the application form.

If you do not know the names of all the owners you will need to complete **Certificate C,** serve notice on those owners you do know and describe what steps you have taken to identify and serve notice on those you are unable to identify.

It is an offence knowingly or recklessly to complete a false or misleading certificate.

13. Checklist

Please use the checklist to ensure that the forms have been correctly completed and that all relevant information is submitted. Failure to complete the form correctly or to supply sufficiently detailed drawings or other relevant supporting information will result in your application being returned as invalid.

14. Declaration

Please sign and date your application.