

## **APPLICATION TO MODIFY OR DISCHARGE A PLANNING OBLIGATION**

These notes are designed to help you to complete your application form correctly and to help you to provide the necessary supporting information that will enable us to consider your application effectively and efficiently. The supporting information should make clear reference to the relevant section/question in the application form. Incorrect completion of your application form and insufficient supporting information may render your application invalid, which would delay the processing of your application. The information is requested in accordance with the provisions of the [Town and Country Planning \(Modification and Discharge of Planning Obligations\) Regulations 1992](#).

BEFORE MAKING AN APPLICATION, YOU ARE STRONGLY ADVISED TO SUBMIT DETAILS TO US SO THAT WE CAN THEN ARRANGE A PRE-APPLICATION DISCUSSION WITH YOU. YOU ARE ALSO ADVISED TO DISCUSS YOUR PROPOSALS WITH ANY OTHER INTERESTED PARTY TO THE PLANNING OBLIGATION

Staffordshire County Council has produced a Statement of Community Involvement (SCI), which sets out the standards we aim to provide and to give guidance to applicants. The SCI encourages pre-application discussions, explains how we validate applications and how we treat invalid applications. The SCI also explains our consultation, notification and publicity arrangements, how we evaluate your application, how the decision is made and what happens thereafter. More information is available via our web site [www.staffordshire.gov.uk/planning](http://www.staffordshire.gov.uk/planning).

We recommend that your application form is submitted electronically and complies with the requirements set out in our '[A to Z Guide to Planning Applications](#)' ('E' for electronic applications).

### **NAME AND ADDRESS OF APPLICANT AND AGENT**

If the form is completed by an agent, all correspondence will be sent to him/her, including the decision notice.

If the agent is a firm or partnership, please give the name of a person who can be contacted by telephone if necessary.

### **PARTICULARS OF THE PLANNING OBLIGATION**

Please provide full details of the location or address of the land that is the subject of the Planning Obligation, accompanied by a plan described later.

Please provide a brief description of the Planning Obligation and/or the part to be discharged or modified. This information will be used to publicise the application so it should be easily understood.

### **NATURE OF THE APPLICATION**

Please provide a brief explanation of why you are applying to modify or discharge the Planning Obligation on the form and more fully explain the reasons in a supporting statement.

The supporting statement should include all the information you consider necessary and / or relevant to the determination of this application.

### **APPLICANT'S INTEREST IN THE LAND, THE MINERALS AND THE ADJOINING LAND**

Please tick the appropriate box on the form and explain in the supporting statement your / the applicant's interest in the land, the minerals (if applicable) and any adjoining land e.g. owner, occupier, lessee or prospective purchaser.

Please provide a land ownership plan if necessary to explain the interests in the land.

## **SUPPORTING DOCUMENTS, PLANS AND DRAWINGS**

The application form requires only basic information. You are strongly advised to provide a supporting statement to explain in detail why you wish to modify or discharge the Planning Obligation.

Plans and Drawings: All plans should be accurate and legible and on an Ordnance Survey base, clearly titled, given a clear and unique reference number, and dated. Any revised plans submitted after the initial application is made should also be given a revised reference number and dated.

As a minimum, you should provide a plan to identify the location of the land to which this application relates. The scale of the plan should be 1:2500 and have a North point. The plan should show the land and any adjoining properties and roads, with a red line drawn around the land. A blue line should be drawn around any other adjoining land owned or controlled by the applicant.

Refer to our [A to Z Guide to Applicants](#) for general advice about the format of submitted documents and plans.

## **CERTIFICATES AND NOTICES**

Your application must be accompanied by a completed Certificate which states whom the planning obligation was enforceable against.

Complete Certificate A if the planning obligation is not enforceable against anybody else.

Complete Certificate B to confirm that notice has been given to everyone else on whom the planning obligation is enforceable. Send a Notice to each owner of the site.

Complete Certificate C if you do not know the name of all or any else whom the planning obligation is enforceable. In doing so you should explain the steps taken to notify whom it may concern, which may include the posting of a notice on the site boundary; and must include the publication of notice in the local press.

The certificates and notice are available on our web site.

## **FEES**

No fee is payable for this type of application.

## **DECLARATION**

You must ensure all forms are completed in INK (or typed) and SIGNED, and submitted with the necessary plans and certificates.