

Our Ref: 2/2020/1160/MODPO
Ask For:

Date: 2nd September 2020

Fontmell Magna PC
Clerk To Fontmell Magna Parish Council
1 North Mead Farm
Front St
Portesham, Dorset
DT3 4FY
clerk@fontmellmagnapc.co.uk

**Town and Country Planning (Development Management Procedure) (England) Order 2015
The Town and Country Planning (Modification and Discharge of Planning Obligations)
Regulations 1992 (as Amended)**

Dear Sir/Madam

Proposal: Request to modify Planning Obligation of section 106 agreement dated 13/08/2001 made under Section 106 of the Town and Country Planning Act 1990, against Planning application number as follows:
Paragraph 5.4 of the Original Agreement shall be deleted and replaced with the following:-

5.4. The provisions of this Agreement shall not be binding on a mortgagee or chargee (or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver)) of the whole or any part of the Affordable Housing or any persons or bodies deriving title through such mortgagee or chargee or Receiver PROVIDED THAT:

- such mortgagee or chargee or Receiver shall first give written notice to the Council of its intention to dispose of the Affordable Housing (or any part thereof) and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of the Affordable Housing (or any part thereof) to another registered provider or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and
- if such disposal has not completed within the three month period, the mortgagee, chargee or Receiver shall be entitled to dispose of the Affordable Housing (or any part thereof) free from the provisions in this Agreement which provisions shall determine absolutely.

Location: 3, 4 And 5 St Andrews View, Fontmell Magna, Dorset, SP7 0QY

The Council has received a planning application as detailed above; this can be viewed online at www.dorsetcouncil.gov.uk/planning where all associated documents will also be uploaded and

available to view within 2 working days. The Council request that you submit any comments regarding this application via online comments at the same link by **26 September 2020**.

Please note that any comments must relate to material planning considerations relevant to the application itself. For further information about how Dorset Council's handles your data, please review our Privacy Notice which is available from <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/service-privacy-notices/planning.aspx> .

Yours faithfully

Development Management

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