**APPLICATION TO VARY OR MODIFY A S106 PLANNING OBLIGATION**

***Over 5 years*** *from date of S106 completion (DOVO5)*

**IMPORTANT: This application must be accompanied by a completed land ownership notice**

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| **The Site and Development:**  |
| **Application Number(s)\*:***\*Please include any S73 or S96A references* |  |
| **Site Address:****Postcode:** |  |
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| **Development Description:** |  |
| **Date of Commencement:** |  |
| **Date legal agreement\*\* signed:** |  |
| *\*\*Please ensure a copy of the original signed agreement(s) and any subsequent Deed of Variation(s) are provided with your submission.* |

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| **Contact Details** ***(please indicate the main point of contact):*** |
| **Agent/Developer** [ ]  | **Applicant** [ ]  | **Solicitor** [ ]  |
| **Solicitor Contact Details (ESSENTIAL)** |
| Name: |  |
| Address:Postcode: |  |
|  |
| E-mail Address: |  |
| Phone / Mobile Number: |  |
| **Agent/Developer Details**  |
| Name: |  |
| Address:Postcode: |  |
|  |
| E-mail Address: |  |
| Phone / Mobile Number: |  |
| **Applicant Details (where applicable)** |
| Name: |  |
| Address:Postcode: |  |
|  |
| E-mail Address: |  |
| Phone / Mobile Number: |  |

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| **Deed of Variation Drafting or Review only?** |
| **DOV review request\*** [ ]  | **DOV drafting request** [ ]  |
| *\*Please provide your draft DOV as a Word document to allow for track changes and comments by the Council’s Solicitor* |

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| **What are you seeking to amend & why?**  |
| ***Example description:*** *“Deed of variation (under Town and Country Planning Act 1990 Section 106A), to the terms of the legal agreement dated 31st January 2023, linked to planning permission 23/01234/VOC (which amended 21/01234/FUL), to secure the provision of an agreed financial contribution in place of the on-site provision (Schedule 4). And to delete Schedule 6.”* |
| **Description template for your use:**Deed of variation (under Town and Country Planning Act 1990 Section 106A), to the terms of the legal agreement dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ related to planning application reference:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in relation to (i.e. affordable housing under Schedule 5):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ under Schedule / clause number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_To allow for the following amendments / variations (*please continue on separate sheet if necessary*): |
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**Please return your completed form to:**

POST: Planning Services - Tendring District Council, Station Road, Clacton on Sea CO15 1SE

EMAIL: uuadmin@tendringdc.gov.uk

**This form must be accompanied by:**

* Copy of the relevant original Legal Agreement
* Copy of any subsequent Deed of Variation(s)
* Completed land ownership notice
* Up-to-date Title Documents
* Confirmation from the Obligations Team on the obligations discharged on the original s106 to date.
* Any relevant plans or documents that need to be amended as part of the variation (for example if the proposed DOV also triggers an amendment to a plan appended to the original S106 or any subsequent DOVs)
* The appropriate admin fee (and review fee, if applicable to this application). Where appropriate (drafting fees) Legal Services will invoice for their fees.
* **FOR DRAFTING REQUESTS** - Draft DOV as a Word document to allow for track changes and comments by the Council’s Solicitor when reviewing.

**Fee payment:**

* Please call 01255 686190 to make payment by debit or credit card.

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| **Submission Declaration:** |
| **Sign:** |  |
| **Print Name:** |  |
| **Interest in the land:** |  |
| **Date:** |  |