

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 106A of the Town and Country Planning Act 1990 enables a person against whom a planning obligation is enforceable to apply to the local planning authority to have the obligation modified or discharged. Section 106B of that Act provides for an appeal to the Secretary of State if such an application is refused or not determined. Sections 106A and 106B also apply to Crown planning obligations.

These Regulations make provision with respect to—

- (a) the form and content of such applications and appeals (regulations 3 and 7);
- (b) the notification of and publicity for such applications (regulations 4 and 5);
- (c) the determination of such applications (regulation 6);
- (d) the determination of such appeals by persons appointed by the Secretary of State (regulation 8).