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17 October 2016

Dear Sirs

SITE ADDRESS: 61B BROOK GARDENS, EMSWORTH, PO10 7JY
PROPOSED DEVELOPMENT: CHANGE OF USE OF LANDSCAPE AMENITY AREA TO RESIDENTIAL

We write further to your letter dated 13th October 2016.

We believe you require a covering letter to accompany this application confirming the direction of the deed of release together with details of what our client is applying to do.

As you are aware, there is a s.106 Agreement dated 14th May 2002 affecting our client's property, namely, 61B Brook Gardens, Emsworth. The s.106 Agreement relates to land between 61 and 63 Brook Gardens, Emsworth which sits within our client's title, to include an area of land to be landscaped as an amenity area (shown hatched black on the s.106 Agreement plan). The land has never been used as amenity area and our client is applying to the Council for a change of use of that area, together with a Deed of Release of the obligations in the s.106 Agreement.

The s.106 Agreement relates purely to obligations in respect of this amenity area so in order to effect the change of use, the obligations within the s.106 Agreement are no longer necessary and should be released. Our client has therefore asked us to prepare the Deed of Release (which you have already received) to enable him to be released from those obligations under the s.106 Agreement (as subsequent owner of the land).

It is intended that the change of use application and Deed of Release should be run in parallel to effect the change of use application.

If you require any further clarification in this regard, please contact us directly.


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