



**APPLICANT:** Devonshires  
 30 Finsbury Circus  
 London  
 EC2M 7DT

**AGENT:**

## TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 22/01396/DOVO5      **DATE REGISTERED:** 10th March 2022

Proposed Development and Location of Land:

**Deed of variation under TCPA 1990 Section 106A to vary the terms of the Section 106 Agreement dated 13 November 2018 linked to outline planning permission 15/00932/OUT, seeking to insert a Conditional Mortgagee Exclusion Clause into clause 37 as these properties can only currently be valued at EUV-SH (Existing Use Value - Social Housing), rather than MV-STT (Market Value Subject to Tenancy) with the current wording.**

**Herbert Way Colchester Essex CO4 4HE**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **REFUSE this deed of variation application** in accordance with the supporting documents submitted, for the following reason:

- 1 The application was submitted on 10/03/2022. Despite repeated contact by the Council the case has not progressed, and no draft deed of variation has been produced for consideration. The planning obligation shall therefore continue to have effect without modification.

**DATED:** 24<sup>th</sup> November 2023

**SIGNED:**

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John Pateman-Gee  
 Head of Planning and Building Control

## INFORMATIVES:

The applicant may appeal to the Secretary of State against the decision within 6 months of the date of this notice or within such longer period as the Secretary of State may, at any time, allow. Please see section 7 of the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 for more information.