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Our ref: 00715971/005005

14 September 2020

Dear Sirs

S.106A Application relating to land at Phase 2, Ocean View, Jersey Marine

We represent Coastal Housing Group Limited ("**Coastal**"), the registered proprietor of the affordable housing land that is bound by two agreements entered into by Neath Port Talbot County Borough Council ("**the Council**") under section 106 of the Town and Country Planning Act 1990 ("**the TCPA**"):

- On 21 February 2013 a section 106 agreement was entered into by the Council, BDW Trading Limited and Miarke Developments Limited in relation to the planning application with reference P2012/0345 ("**the February 2013 S.106**") (which was subsequently varied by a deed of variation on 10 November 2015); and
- On 25 September 2013 a section 106 agreement was entered into by the Council and BDW Trading Limited in relation to the planning application with reference P2013/0327 ("**the September 2013 S.106**") (which was also subsequently varied by a deed of variation on 11 November 2015).

Pursuant to section 106A(3) of the TCPA a person against whom a planning obligation is enforceable may apply to the local planning authority by whom the obligation is enforceable, for the obligations to be modified.

Please therefore treat this letter as a formal application pursuant to section 106A of the TCPA to modify the obligations in the February 2013 S.106 and the September 2013 S.106 by updating paragraph 17 of the First Schedule of each agreement.

Coastal intends to re-finance and it has been advised by its prospective chargee that financial security will not be provided until the requirements of a mortgagee of affordable housing in both the February 2013 S.106 and the September 2013 S.106 have been updated so as to bring them in line with standard industry practice.

Once the Council's legal department has been instructed, we would be happy to provide an undertaking to cover the Council's reasonable legal costs incurred in this matter.

As a final matter, we should be grateful if you would supply a full copy of the September 2013 S.106 as the version on the Council's website is incomplete (it is missing several pages).

Yours faithfully

Blake Morgan LLP

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