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Our Ref : 26/01041/S106

Contact : Melissa Tyler
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Date : 2nd October 2026

Dear Sir / Madam,

**S106 Obligations informal-less than 5yrs : Application for the discharge of Planning Obligation under S106 of the TCPA 1990 - Open Space Scheme, Open Space Programme and Open Space Management Scheme with respect to S106 agreement pursuant to 23/01885/FP
Land At Police Row Between The Grange And 1 The Grange, Police Row, Therfield, Hertfordshire,**

The submitted Open Space Scheme, Open Space Programme and Open Space Management Scheme are considered acceptable for future implementation in connection with the development permitted under planning reference 23/01885/FP.

The section 106 agreement requires the Open Space Scheme, Open Space Programme and Open Space Management Scheme to be submitted to and approved by the Council before commencement of the development. The Open Space Scheme provides for the laying out, landscaping, construction and maintenance of the Open Space Land; the Open Space Programme sets out its phased delivery in step with the development; and the Open Space Management Scheme provides for its long-term management and maintenance by a Management Body approved by the Council.

The submitted documents are considered acceptable and would have satisfied the relevant requirements of the obligation had they been submitted and approved prior to commencement. However, development commenced before the details were approved. The pre-commencement requirement of the section 106 agreement was therefore not complied with and cannot now be discharged retrospectively.

The Local Planning Authority notes the breach of the planning obligation but confirms that the submitted details are acceptable for future implementation. This confirmation does not regularise the failure to meet the pre-commencement trigger within the legal agreement and should not be interpreted as confirmation that the obligation was complied with at the required time.

All remaining requirements of the section 106 agreement continue to apply. In particular, the Open Space Land must be completed in accordance with the approved Open Space

Scheme and Open Space Programme before occupation of more than 80% of the dwellings, a completion certificate must be obtained from the Council, the land must be transferred to an approved Management Body before occupation of 80% of the dwellings, and it must thereafter be managed, maintained and retained as open space in perpetuity in accordance with the approved Open Space Management Scheme.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S Greaves', written in a cursive style.

Shaun Greaves
Development and Conservation Manager

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