

1. Applicant Name and Address;

Name(s): KEVIN & CATHERINE SHEPHERD
Address: PENHALLOW PILOTS RETREAT;
ST MARYS
103
TR21 0PB

2. Agent Name and Address (should you wish someone to act on your behalf);

Name: ~~.....~~
Address: ~~.....~~
~~.....~~
~~.....~~
~~.....~~

3. Address or location of the land in question;

PENHALLOW
PILOTS RETREAT
ST MARYS
103
TR21 0PB

4. What is the nature of your interest in the land in question?

- Freeholder
- Leaseholder
- Tennant
- Other (please state).....

5. Does anyone else have an ownership interest (Leaseholder, Freeholder etc) in the land? If so please list below;

Name(s)..... Interest.....
Name(s)..... Interest.....
Name(s)..... Interest.....
Name(s)..... Interest.....

6. Please provide details of the planning obligation that you wish to have modified or discharged?;

Planning Application Number (where relevant): P4630

Date of Obligation: 20/10/2000

Restrictions made by Obligation: ANY DWELLING ON THE LAND SHALL NOT BE OCCUPIED BY PERSONS OTHER THAN QUALIFYING PERSONS (AS DEFINED IN THE FOURTH SCHEDULE)

WHO'S OCCUPANCY SHALL BE APPROVED IN ADVANCE BY THE COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF THE STH. SCHEDULE.
Please include with your application a copy of a plan at a 1:1250 scale or similar outlining the land in red to which the obligation relates. If the plan contains Ordnance Survey based data, please ensure it contains the relevant copyright and license details. Suitable plans can be purchased using the services on this site: https://www.planningportal.co.uk/homepage/4/buy_a_plan

7. What are you applying for in relation to the planning obligation (please tick) and please give reasons (Continue on a separate sheet(s) if necessary)

MODIFICATION DISCHARGE

REASONS:

TO ALIGN THE OUTDATED SECTION 106 AGREEMENT WITH THE CURRENT PLANNING POLICY

Signed

*On Behalf of:

Date: 13/4/2020

NOTES

* = Delete as appropriate

1. This form of application may not be made until the expiry of 5 years from the date of the planning obligation. If your obligation is less than 5 years old please contact the Planning Department.
2. An applicant for the modification or discharge of a planning obligation shall give notice of the application to any person against whom on the day 21 days before the date of the application, the planning obligation is enforceable and whose name and address is known to the applicant. (Via the form prescribed by Part 1)
3. If, after reasonable steps have been taken, the persons required to be notified by note 2 (above) cannot be ascertained, the applicant must publish for a period of 21 days immediately preceding the application, notice of the application in *The Cornishman* or other local newspaper. Such notice shall be in the form prescribed by Part 1 of the Schedule to Regulations 1992 No.2832.

Part 2 of the Schedule to Regulations 1992 No.2832.

CERTIFICATE OF COMPLIANCE WITH THE NOTIFICATION REQUIREMENTS IN REGULATION 4
(Sign one certificate only)

• **Certificate A**

I certify that on the day 21 days before the date of the accompanying application the planning obligation to which the application relates was enforceable against nobody other than the applicant.

Signed: [Redacted]

*On behalf of KEVIN G. CATHERINE SHERRIS

Date... 23/07/2020

• **Certificate B**

I certify that the applicant has given notice to everyone else against whom, on the day 21 days before the date of the accompanying application, the planning obligation to which the application relates was enforceable, as listed below.

Person on whom notice was served	Address at which notice was served	Date on which notice was served

• **Certificate C**

I certify that:

- the applicant cannot issue Certificate A or B in respect of the accompanying application;
- * the applicant has given notice to the persons listed below, being persons against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable

Person on whom notice was served	Address at which notice was served	Date on which notice was served

- * The applicant has taken reasonable steps to ascertain the name and address of every person against whom, on the day 21 days before the date of the application, the planning obligation to which the application relates was enforceable and who has not been given notice of the application but who has been unable to do so. These steps were as follows;

(a).....
.....
.....
.....

Notice of the application, as attached to this certificate, has been published in *The Cornishman* on:
(b).....

NOTES

* = delete as appropriate

Insert:-

- (a) description of steps taken
- (b) date of publication of notice in newspaper

Form prescribed by Part 1 of the Schedule to Regulations 1992 No.2832 – Fill this notice in if Certificate B has been completed to serve notice on relevant parties OR Certificate C has been completed for publication in a newspaper.

NOTICE OF AN APPLICATION TO MODIFY OR DISCHARGE A PLANNING OBLIGATION UNDER SECTION 106A OF THE TOWN AND COUNTRY PLANNING ACT 1990.

I give notice that (a) KEYIN & CATHERINE SHERRIS is applying to the Council of the Isles of Scilly to modify/~~discharge~~* the planning obligation below.

Planning Obligation

Planning Application Number (where relevant): P4630
Restrictions made by Obligation: (b) UPDATE SECTION 106
Land to which obligation relates: (c) Plot 4 PENTHAWLOW PILOTS RETREAT.
Date on which obligation was entered into: (d) 18/ 20/10/2000

Any person against whom the planning obligation is enforceable who wishes to make representations about this application should write to the Council at the Planning Department, Council of the Isles of Scilly, Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW by (e)..... (Members of the public will be invited to make representations when the application has been submitted to the Council).

Signed.....
*On behalf of.....
Date.....

NOTES

* = delete as appropriate

Insert:-

- (a) name of applicant
- (b) brief description of the planning obligation which the applicant wishes to have modified or discharged
- (c) address or location of the land
- (d) relevant date
- (e) date giving a period of 21 days beginning with the date of service or publication of the notice, as the case may be.

Penhallow, Pilots Retreat, St. Mary's, Isles of Scilly, TR21 0PB

