

“Nancherrow”

*Pilots Retreat
St Mary's
Isles of Scilly
TR21 0PB*



Mrs L Walton
Planning Department
Town Hall
St Mary's
Isles of Scilly
TR21 0LW

23rd October 2020

Dear Lisa

Re: Application to modify planning obligations under Section 106A for Nancherrow, Pilots Retreat, St Mary's, Isles of Scilly. TR21 0PB – Stuart & Victoria Hitchens.

Further to our recent correspondence with Andy King, we would like to enclose an application form with regard to the modification of our Section 106 Agreement relating to our property “Nancherrow”.

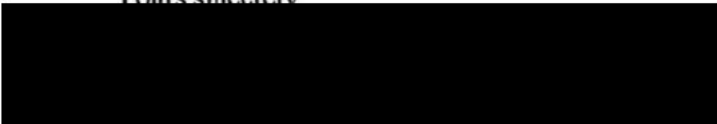
We understand that there is an 8 week application process to go through and on the drafting and issue of the revised S106, there will be a fee of £167.08 to pay. Andy mentioned it can be paid now so I am enclosing a cheque for that amount with the forms.

We have no mortgage on the property so we do not need to inform any lender prior to the signing of the document.

We hope this is all okay and please get in touch if there is anything we have omitted to complete.

We look forward to hearing from you in due course.

Yours sincerely



Stuart & Victoria Hitchens

encs



1. Applicant Name and Address;

Name(s): STUART & VICTORIA HITCHENS
Address: NANCHERROW, PILOTS RETREAT,
ST MARY'S, ISLES OF SCILLY
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;

NANCHERROW
PILOTS RETREAT
ST MARY'S
ISLES OF SCILLY
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): P. 4313

Date of Obligation: 14/07/98

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 FIFTH 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 OUTDATED SECTION 106 AGREEMENT RELATING TO "NANCHERROW" WITH THE CURRENT PLANNING POLICY.

Signed 

*On Behalf of:

Date: 23/10/2020

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 is more onerous than the applicant.

Signed

*On behalf of..... STUART & VICTORIA FITCHEMS

Date..... 23/10/2020

• **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

Nancherrow, 5, Pilots Retreat, Hugh Town, St Mary s. Isles Of Scilly, TR21 0PB



1 : 500

Block Plan shows area bounded by: 90770.97, 10454.06 90860.97, 10544.06 (at a scale of 1:500), OSGridRef: SV90811049. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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