

DATED 4th November 2005

COPELAND BOROUGH COUNCIL

-AND-

**DAVID ABBOTT
AND
SUSAN ABBOTT**

S106 AGREEMENT

Relating to

The milking parlour at Standing Stones Farm, Kirksanton, Millom, Cumbria

THIS AGREEMENT is made as a Deed the *Fourth* day of *November* 2005
BETWEEN COPELAND BOROUGH COUNCIL of The Council Offices,
Catherine Street, Whitehaven, Cumbria (hereinafter called "the Council") of the one
part and DAVID ABBOTT AND SUSAN ABBOTT of Standing Stones Farm,
Kirksanton, Millom, Cumbria (hereinafter called "the Applicant") of the other part

WHEREAS

1. The Council is a Local Planning Authority for the purpose of the Town and Country Planning Act 1990 for the area within which the property described in the First Schedule hereto is situated (hereinafter called "the Property") which Property is shown edged red on the plan attached hereto (hereinafter called "the Plan")
2. The Applicant has by an application registered on the 26th May 2005 applied to the Council for planning permission to develop the property in accordance with the plans specifications and particulars deposited with the Council and set out in the Second Schedule hereto (hereinafter called "the Development")
3. The Council is satisfied that the Development is such as may be approved subject to conditions and the provisions of this Agreement

NOW THIS DEED WITNESSETH

1. This Agreement is made as a planning obligation in pursuance of Section 106 of the Town and Country Planning Act 1990 (as amended) and in consideration of the covenants by the Owner hereinafter contained
2. The Council hereby approves the Development and grants planning permission in accordance with the Grant of Planning Permission ("the Grant") annexed hereto but subject to the conditions set out in the Grant
3. The Applicant hereby covenants with the Council that the Property shall be subject to the restrictions and provisions specified in the Third Schedule hereto

4. The Applicant hereby covenants to carry out the Development in strict conformity with the said plans specifications and particulars (save for such minor modifications and variations thereof as shall be approved by the Council in writing)
5. The expressions "the Council" and "the Applicant" shall include their respective successors in title and assigns
6. The parties hereto intend this Agreement to take effect as a Deed

FIRST SCHEDULE

All that piece or parcel of land being the milking parlour at Standing Stones Farm, Kirksanton, Millom as shown edged red on the plan attached hereto

SECOND SCHEDULE

The conversion of the existing milking parlour at Standing Stones Farm, Kirksanton, Millom, Cumbria into a holiday cottage

THIRD SCHEDULE

That the dwelling to be created on the said property shall not be occupied for any other purpose other than as holiday accommodation.

IN WITNESS whereof the Common Seal of the Council has hereunto been affixed
and the Owner has hereunto set his hand the day and year first before written

THE COMMON SEAL OF COPELAND

BOROUGH COUNCIL was hereunto

affixed in the presence of:

9/3/8

HEAD OF LEGAL AND DEMOCRATIC SERVICES

SIGNED AND DELIVERED

as a DEED by the said

DAVID ABBOTT in the

presence of:

WITNESS SIGNATURE:

ADDRESS:

SEED HOWE

PENNINGTON

ULVERSTON

CUMBRIA

LA12 7NX

SIGNED AND DELIVERED

as a DEED by the said

SUSAN ABBOTT in the

presence of: _____

WITNESS SIGNATURE: _____

ADDRESS:

SEED HOWE

AS BEFORE
