

T H I S A G R E E M E N T is made the 27th day of September 1989 B E T W E E N BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the one part and TREVOR RICHARD KEY of Butts Common, Banningham in the said County (hereinafter called "Mr Key") of the second part and MOLLIE JESMINE CARPENTER and MOLLIE FLORENCE CARPENTER both of 40 Norwich Road, Cawston in the said County (hereinafter together called "Miss and Mrs Carpenter") of the third part and LESLIE JOHN VOUT of Wood Farm, Cawston aforesaid and GEOFFREY WILLIAM VOUT of Perrys Lane, Cawston aforesaid (hereinafter together called "Messrs Vout") of the fourth part and FLORENCE KIMBERLEY VOUT of Wood Farm Cawston aforesaid and Messrs VOUT (hereinafter together called the Vout Family) of the fifth part

W H E R E A S

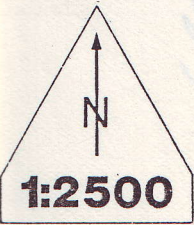
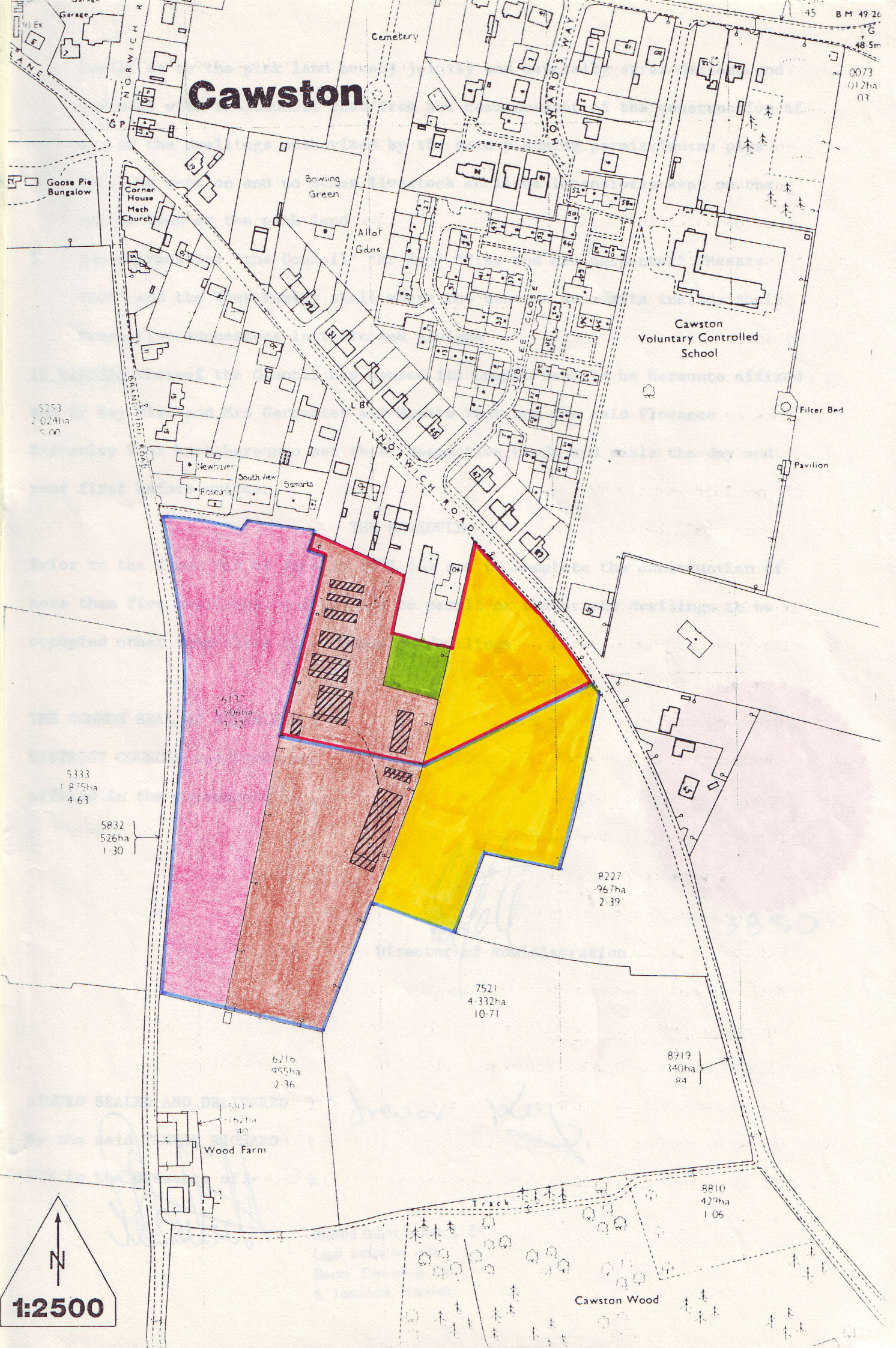
1. The Council is the Local Planning Authority for the purposes of this Agreement
2. Mr Key is seised in fee simple absolute in possession of the land shown coloured brown on the plan annexed hereto free from incumbrances (which land is hereinafter called "the brown land")
3. Miss and Mrs Carpenter are seised in fee simple absolute in possession of the land shown coloured green on the plan annexed hereto free from incumbrances (which land is hereinafter called "the green land")
4. Messrs Vout are seised in fee simple absolute in possession of the land shown coloured yellow on the plan annexed hereto free from incumbrances (which land is hereinafter called "the yellow land")
5. The Vout Family are seised in fee simple absolute in possession of the land shown coloured pink on the said plan free from incumbrances (which land is hereinafter called "the pink land")
6. Mr Key Miss and Mrs Carpenter and Messrs Vout have jointly applied to the Council under reference number 88.2556 for planning permission for residential development comprising 30 dwellings to be carried out on the green land and those parts of the brown land and the yellow land which are within the red edging on the plan annexed hereto

7. The Council Mr. Key Miss and Mrs Carpenter and Messrs Vout and the Vout Family have agreed subject to planning permission being granted in consequence of the aforesaid application to enter into this agreement pursuant to Section 52 of the Town and Country Planning Act 1971 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982

NOW THIS DEED WITNESSETH as follows:-

1. Subject to planning permission being granted in consequence of application number 88.2556 and pursuant to the said Section 52 Mr Key Miss and Mrs Carpenter and Messrs Vout hereby jointly and severally agree declare and covenant with the Council that from the date on which the aforesaid planning permission shall be granted the green land and those parts of the brown land and the yellow land within the red edging on the plan annexed hereto shall be until the first day of January 1991 subject to the condition restricting or regulating the development of those lands as specified in the Schedule hereto
2. Likewise subject to planning permission being granted in consequence of the same application and pursuant to the said Section 33 Mr Key hereby agrees and covenants with the Council that before the commencement of the construction of the dwellings authorised by that planning permission ^{ALL} ~~or~~ the structures or buildings on the brown land now in existence and used or formerly used for the keeping of pigs or other livestock will be demolished or otherwise removed from the brown land
3. Likewise subject to planning permission being granted in consequence of the said application and pursuant to the said Section 52 Mr Key hereby agrees declares and covenants with the Council that from the commencement of the construction of the dwellings authorised by the said planning permission no pigs shall be kept on the brown land and no other intensive keeping of livestock shall take place on the brown land
4. Likewise subject to the said planning permission being granted and pursuant to the said Section 52 Messrs Vout as to the yellow land and the VOUT

Cawston



Family as to the pink land hereby jointly and severally agree declare and covenant with the Council that from the commencement of the construction of any of the dwellings authorised by the said planning permission no pigs shall be kept on and no other livestock shall be intensively kept on the yellow land or the pink land

5. The expressions "the Council" "Mr Key" "Miss and Mrs Carpenter" "Messrs Vout" and the Vout Family shall where the context so admits include their respective successors in title and assigns

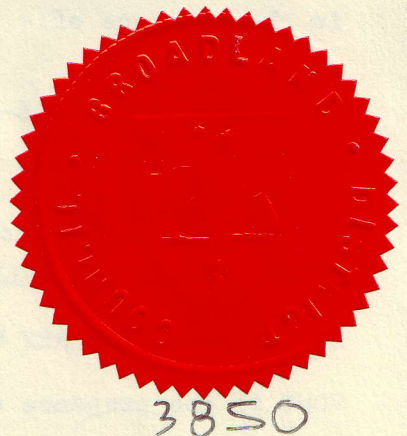
IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and Mr Key Miss and Mrs Carpenter and Messrs Vout and the said Florence Kimberley Vout have hereunto set their respective hands and seals the day and year first before written

THE SCHEDULE

Prior to the first day of January 1991 (a) not to complete the construction of more than five dwellings, and (b) not to permit or suffer any dwellings to be occupied other than those five completed dwellings

THE COMMON SEAL of BROADLAND)
DISTRICT COUNCIL was hereunto)
affixed in the presence of:-)

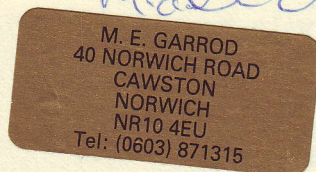
Director of Administration



SIGNED SEALED AND DELIVERED)
by the said TREVOR RICHARD)
KEY in the presence of:-)

Richard Cabbitt F. Inst. L. Esq
Legal Executive with
Russell Steward & Co.,
5, Tombland, Norwich.

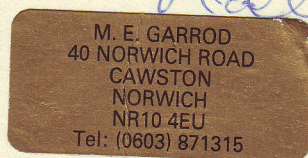
SIGNED SEALED AND DELIVERED)
by the said MOLLIE JESMINE)
CARPENTER in the presence)
of:-)



Farmer.

Mollie J. Carpenter.

SIGNED SEALED AND DELIVERED)
by the said MOLLIE FLORENCE)
CARPENTER in the presence)
of:-)



Farmer.

Mollie F. Carpenter.

SIGNED SEALED AND DELIVERED)
by the said LESLIE JOHN VOUT)
in the presence of:-)

L J Vout

T. Mundy
Sole
Aylesham

SIGNED SEALED AND DELIVERED)
by the said GEOFFREY WILLIAM)
VOUT in the presence of:-)

G. W. Vout.

T. Mundy
Sole
Aylesham

SIGNED SEALED AND DELIVERED)
by the said FLORENCE)
KIMERLEY VOUT in the)
presence of:-)

E K Vout.

D Brown

Cavendishs Bengalden
Libby Rd
RAF Coltishall

DATED 27th September 1989

BROADLAND DISTRICT COUNCIL

and

TREVOR RICHARD KEY

and

MOLLIE JESMINE CARPENTER

and

MOLLIE FLORENCE CARPENTER

and

LESLIE JOHN VOUT

and

GEOFFREY WILLIAM VOUT

and

FLORENCE KIMBERLEY VOUT

S E C T I O N 52

A G R E E M E N T

B.A.Yates,
Director of Administration
Broadland District Council,
Thorpe Lodge, Yarmouth Road,
Norwich, NR7 ODU.

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