

DATED

20th December

1994

NORFOLK COUNTY COUNCIL

and

BROADLAND DISTRICT COUNCIL

and

BOVIS HOMES LIMITED AND OTHERS

DEED OF VARIATION

Supplemental to Section 52 Agreement under the
Town and Country Planning Act 1971 relating to
the Drayton and Taverham Growth Area, Norfolk

THIS PLANNING OBLIGATION is made the 20th day of December One thousand nine hundred and ninety-four BETWEEN NORFOLK COUNTY COUNCIL of County Hall Martineau Lane Norwich (hereinafter called "the County Council") of the first part BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Thorpe St. Andrew in the County of Norfolk (hereinafter called "the Council") of the second part and BOVIS HOMES LIMITED of Bovis House Lansdown Road Cheltenham Gloucestershire GL50 2JA WIMPEY HOMES HOLDINGS LIMITED of 27 Hammersmith Grove London W6 7EN and BEAZER HOMES (ANGLIA) LIMITED of Beazer House Lower Bristol Road Bath Avon BA2 3EY (hereinafter collectively called "the Owner") of the third part

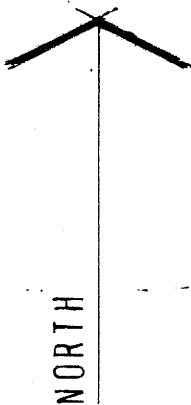
WHEREAS

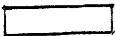



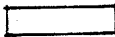


- (1) This Agreement is supplemental to an Agreement made the Twenty-ninth day of January One thousand nine hundred and eighty six between the County Council (1) the Council (2) Bovis Homes Limited Wimpey Homes Holdings Limited Monsell Youell Homes Limited (3) and the several landowners whose names and addresses appear in the First Schedule to that Agreement (4) (hereinafter called "the First Agreement")
- (2) The obligations imposed by this Deed are planning obligations for the purposes of Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991
- (3) The Council is the Local Planning Authority by whom these obligations are enforceable
- (4) The Owner has applied to the Council under reference number 93.1229 for planning permission for development to be carried out to the property shown edged red on the plan annexed hereto which comprises (inter alia) property in respect of which covenants were entered into in the First Agreement
- (5) The County Council the Council and the Owner have agreed subject to planning permission being granted in consequence of application number 93.1229 to vary the First Agreement in the manner hereinafter appearing

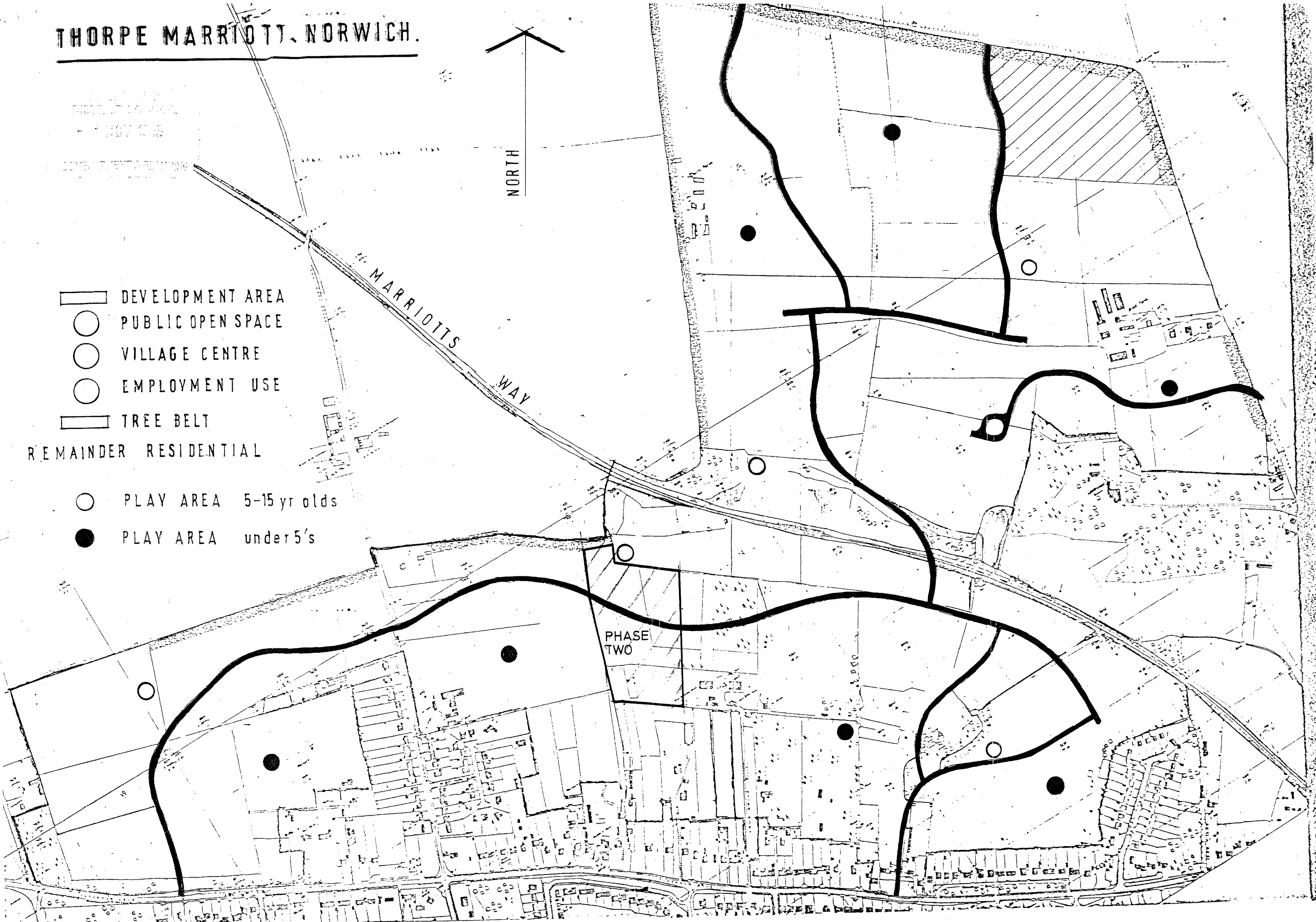
NOW THIS DEED WITNESSETH as follows:-

1. SUBJECT to planning permission being granted in consequence of application number 93.1229 and pursuant to the said Section 106 as amended and all the powers then enabling the parties hereto AGREE DECLARE AND COVENANT that from the date hereof the Owners liability under the

THORPE MARRIOTT, NORWICH.



-  DEVELOPMENT AREA
-  PUBLIC OPEN SPACE
-  VILLAGE CENTRE
-  EMPLOYMENT USE
-  TREE BELT
- REMAINDER RESIDENTIAL
-  PLAY AREA 5-15 yr olds
-  PLAY AREA under 5's



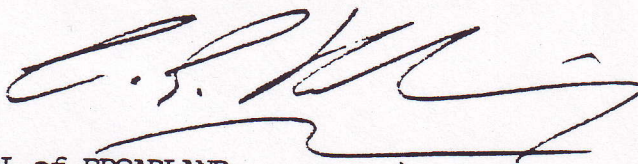
First Agreement shall take effect as if the meaning ascribed to "the Planning Permission" in the First Agreement shall be read and construed as if the word "any" was substituted for the word "the" in the first line and the words "and numbered 84.0777" at the end of the definition were omitted

2. AS varied as aforesaid the First Agreement and every clause thereof shall in so far as it has not already been observed and performed continue in full force and effect and be binding on the respective parties thereto

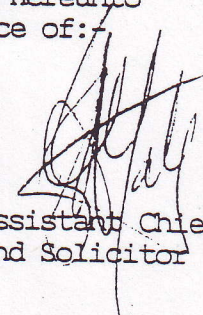
3. THIS document is executed as a Deed and is delivered on the date stated at the beginning of this Deed

IN WITNESS whereof the parties hereto have caused their Common Seals to be hereunto affixed the day and year first before written

THE COMMON SEAL of NORFOLK COUNTY
COUNCIL was hereunto affixed
in the presence of:-



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

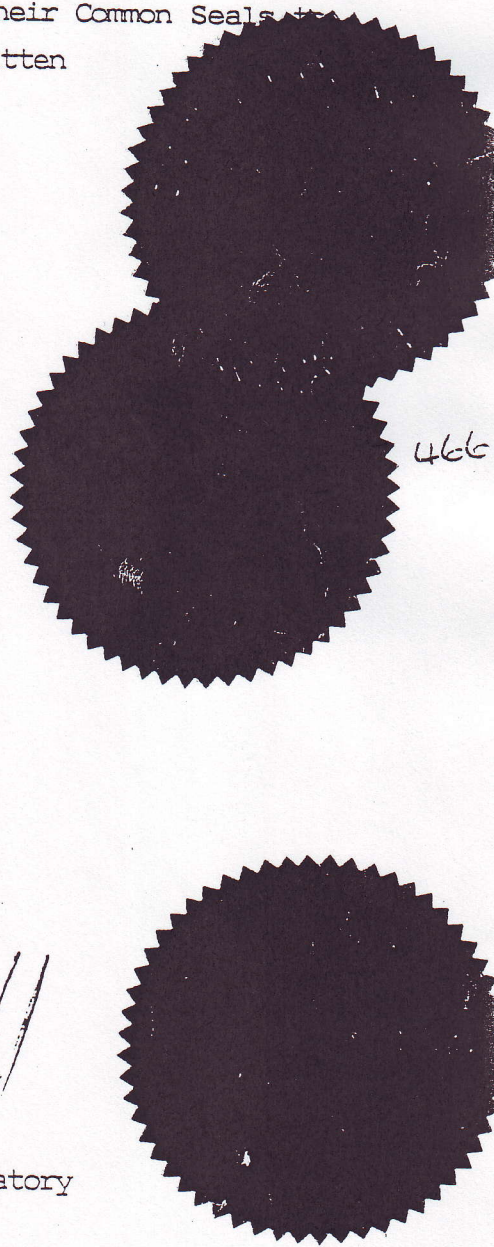
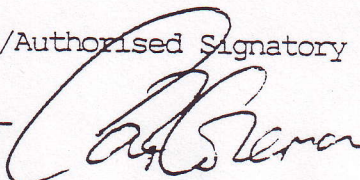


Assistant Chief Executive
and Solicitor to the Council

THE COMMON SEAL of BOVIS HOMES
LIMITED was hereunto affixed
in the presence of:-

Regional Director

Regional Director/Authorised Signatory



THE COMMON SEAL of WIMPEY
HOMES HOLDINGS LIMITED was
hereunto affixed in the
presence of:-

Director

ASchilling
Secretary
Authorized Signatory

THE COMMON SEAL of BEAZER
HOMES (ANGLIA) LIMITED was
hereunto affixed in the
presence of:-

Director

Secretary