

THIS PLANNING OBLIGATION is made the ^{5th} day of ^{May}
One Thousand Nine Hundred and Ninety-^{Two}~~One~~ B E T W E E N
BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road
Thorpe St. Andrew in the County of Norfolk (hereinafter called
"the Council") of the one part and J.S.BLOOR (SUDBURY) LIMITED
whose Registered Office is situate at St. Phillips House St.
Phillips Place Birmingham B3 2PP (hereinafter called "the
Owner") of the other part

WHEREAS:-

- (1) The obligations imposed by this Deed are planning obligations for the purposes of Section 106 of the Town & Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991
- (2) The Council is the Local Planning Authority by whom these obligations are enforceable
- (3) The Owner is seised in fee simple absolute in possession of the Property described in the First Schedule hereto (hereinafter called "the Property") subject to those matters contained or referred to in the Charges Register of Title Number NK81318 but otherwise free from incumbrances
- (4) The Owner has applied to the Council under reference number 91.1354 for planning permission for development to be carried out on the Property hereinafter described
- (5) The Council and the Owner have agreed subject to planning permission being granted in consequence of the aforesaid application to enter into this Agreement pursuant to the said Section 106 as amended

NOW THIS DEED WITNESSETH as follows:-

1. SUBJECT to planning permission being granted in consequence of application number 91.1354 and pursuant to the said Section 106 as amended the Owner hereby agrees declares and covenants with the Council that from the date on which the aforesaid planning permission shall be granted the Property shall be permanently subject to the obligations specified in the Second Schedule hereto

2. THE expressions "the Council" and "the Owner" shall where the context so admits include their respective successors in title and assigns

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 respective Common Seals to be hereunto affixed the day and year first before written

THE FIRST SCHEDULE referred to

The Property

ALL THOSE building plots situate on Phase II of the Owner's development situate at Dussindale Park Thorpe St. Andrew in the County of Norfolk and numbered 29, 30 and 39-58 inclusive all which plots are shown edged red on the plan annexed hereto

THE SECOND SCHEDULE referred to

The Conditions

Not at any time hereafter to implement in any way or carry out any of the development authorised by the planning permissions



schedule of accommodation.

PHASE 1. PLOTS : 1 - 28, 140 - 152.		
427 WINDERMERE	7 no.	
409 WIMBORNE	5 no.	
355 GROVE	2 no.	
341 FERNEY	8 no.	
325 KINGSWOOD	6 no.	
311 ARUNDEL	11 no.	
410 WIMBORNE	1 no.	
	40 no.	TOTAL

PHASE 2 PLOTS 62-98, 103-139.		
201 CHESTERFIELD	6 no.	
301 ALMONTON	1 no.	
311 ARUNDEL	4 no.	
325 KINGSWOOD	3 no.	
341 FERNEY	22 no.	
345 HARROW	1 no.	
301 ALMONTON	4 no.	
355 GROVE	5 no.	
357 RIPON	2 no.	
364 TAMAR	8 no.	
367 RIBBLE	7 no.	
356 EDEN	3 no.	
441 WELLESBOURNE	3 no.	
433 SOMERBY	4 no.	
441 PORTLAND	1 no.	
	74 TOTAL	

PHASE 3. Plots : 29, 30, 38-61 inc.		
341 FERNEY	2 no.	
355 GROVE	1 no.	
358 RIPON 2	2 no.	
367 RIBBLE	2 no.	
433 SOMERBY	1 no.	
435/6 KENSINGTON	4 no.	
438 CAMBERLEY	1 no.	
441 WELLESBOURNE	2 no.	
443 SOMERTON	5 no.	
446 DOVERDALE	1 no.	
453/4 CHERWELL	3 no.	
468 KEDLESTON	1 no.	
447 DORCHESTER	1 no.	
	26 no.	TOTAL

- LANDSCAPING
- Low Ground Cover.
- A Euonymus Vegetus.
 - B Vinca Minor
 - C Hedera Hibernica.
- Low Shrubs.
- D Berberis Stenophylla.
 - E Lonicera Pileata
 - F Seecia Greyii.
 - G Viburnum x Tinus.
- Taller Shrubs & Trees.
- H Prunus Lusitanica.
 - J Elaeagnus x Ebbingii.
 - K Cornus Alba & Cultivare.
- Trees.
- L Crataegus Lavalei - Hawthorn.
 - M Sorbus Intermedia - Swedish Whitebeam.
 - N Fagus Pendula - Weeping Copper Beech.
 - P Carpinus Betulus - Hornbeam.
 - Q Alnus Cordate - Italian Alder.
 - R Tilia Mongolica - Lime.
 - S Acer Rubrum - Canadian Red Maple.
 - T Acer Lobelii - Standard Maple.

- Planting by Developer.
- Rail.
 - 1800 Wall / Fence comb.
 - 1800 Wall.
 - 1800 Fence.

B. Plots 89-94 altered. House types changed. 26.2.91. GO.
A. Plots 62-65, 72-96 (inclusive) included. 16.1.91. GO.

REVISIONS

Contract: RESIDENTIAL DEVELOPMENT
**THORPE ST. ANDREW,
NORWICH,
NORFOLK.**

Drawing: **PLANNING LAYOUT.**

Scale: 1 : 500

Date: 4.1.91. Drawn: GO.

JS BLOOR
J.S. Bloor Limited, Ashby Road, Measham, Nr. Burton-on-Trent

Drawing Reference: 6676 : 05 **R**
UDG 1719

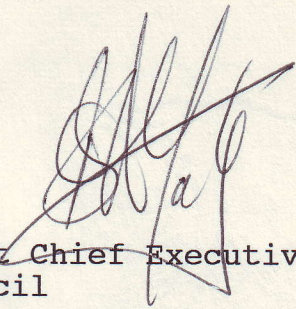
Revisions.

- J. 4.10.91 plots 39-44 inc. amended.
- K. 21.10.91 landscaping added to plots 29, 30, 39-58 inc.
- L. 25.10.91 house type substitution on plot 39.
- M. 9.12.91 house type substitution on plots 45, 47 & 49.
- N. 15.1.92 garage position on plot 39 amended and repositioned.
- P. 27.1.92 house type references and schedule of accommodation altered.
- R. 3.2.92 house type references added to layout.
- C. plot nos. 72-77 inc. amended 8.3.91
- D. plots 29, 30, 39-58 added. 15.3.91.
- E. plots 29, 30, 45-58 inclusive amended. 13.6.91.
- F. plots 46-49 inc. amended.
- G. drives to plots 92-95 amended 12.7.91
- G. Roof lines amended on plots 88-99. 7.08.91.
- H. Plots 39-49 inc. re-positioned. 27.08.91

granted by the Council under reference numbers 90.0296 and
90.1297

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




Assistant Chief Executive and Solicitor to
the Council

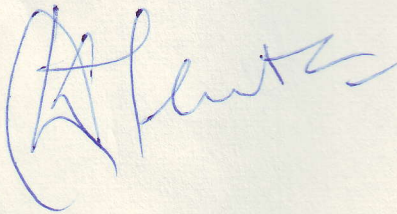
THE COMMON SEAL of J.S.BLOOR)
(SUDBURY) LIMITED was hereunto)
affixed in the presence of:-)



AUTHORISED SIGNATORY



Director



Secretary

DATED 5th May, 1992

BROADLAND DISTRICT COUNCIL

and

J.S.BLOOR (SUDBURY) LIMITED

AGREEMENT

Under Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991 relating to Plots Nos. 29, 30 and 39-58 inclusive, Phase II, Dussindale Park, Thorpe St. Andrew, Norfolk.

B.A.Yates,
Assistant Chief Executive and
Solicitor to the Council,
Broadland District Council,
Thorpe Lodge, Yarmouth Road,
Thorpe St. Andrew,
Norwich, NR7 ODU.

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