THIS PLANNING OBLIGATION is made the Stt day of May One Thousand Nine Hundred and Ninety-One <u>B E T W E E N</u> <u>BROADLAND DISTRICT COUNCIL</u> of Thorpe Lodge Yarmouth Road Thorpe St. Andrew in the County of Norfolk (hereinafter called "the Council") of the one part and <u>J.S.BLOOR (SUDBURY) LIMITED</u> 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.

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 <u>IN WITNESS</u> 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

<u>ALL THOSE</u> 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

2.



sche		A D L
PHASE	1. PLOTS : 1	- 28 , 140 - 152 .
427	WINDERMERE	7 no.
	WIMBORNE	5 no.
355	GROVE	2 no
341	FERNEY	8 no.
325	KINGSWOOD	6 no.
311	ARUNDEL	11 no. 1/1/2
410	WIMBORNE	1 no
		40 no. TUTAL
DUADE	2 01070	
	2 PLOTS	62 - 98 , 103 - 139.
	CHESTERFIELD	6 no. 1 no.
a second	ARUNDEL	4 no.
325	KINGSWOOD	3 no.
	FERNEY	22 no.
	HARROW ALMONTON	1 no. 4 no.
355	GROVE	5 no.
	RIPON	2 no.
	TAMAR	8 no.
367	RIBBLE	7 no.
358	EDEN WELLESBOURNE	3 no. 3 no.
441	SOMERBY	4 no.
431	PORTLAND	1 no.
		74 TOTAL
DUACE	2 Dista	20, 20, 29 - 61, inc
PHASE		: 29,30,38-61. inc.
341 355	FERNEY GROVE	2 mo. 1 mo.
358	RIPON 2	2 no.
367	RIBBLE	2 mo.
433 435/6	SOMERBY KENSINGTON	1 no. 4 no.
438	CAMBERLEY	1 mo.
441	WELLESBOURNE SOMERTON	2 mo. 5 mo.
446	DOVERDALE	1 no.
453/4 468	CHERWELL KEDLESTON	3 no. 1 no.
440	DORCHESTER	1 no.
	TOTAL	26 no.
	SCAPING .	
LANU	Ground Cover	-
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C = plot nos. 72-77 inc. amended 8.3.91
D : plots 29,30,39-58 added. 15.3.91.
E : plots 29,30, 46-58 inclusive amended. 13.6.91.
F : plots 46-49 inc amended drives to plots 92-95 amended 12.7 91
G : Roof lines amended on plots 88-89. 7.08.91.
H : Plots 39-49 inc. re-positioned . 27.08.91

V

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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

D.Southall All XC

Director

Secretary

Ste May, 1992 DATED

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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