

DATED 27 October 2011

BROADLAND DISTRICT COUNCIL

- AND -

SAFFRON HOUSING TRUST LIMITED

**AGREEMENT UNDER SECTION 106
OF THE TOWN AND COUNTRY PLANNING
ACT 1990**

relating to the development of land
on the north side of The Street, Felthorpe, Norfolk

Broadland District Council
Thorpe Lodge
1 Yarmouth Road
Thorpe
Norwich
NR7 0DU

THIS AGREEMENT is made the 27 day of October 2011

BETWEEN:

BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Thorpe St Andrew Norwich Norfolk NR7 0DU ("the Council") of the first part and SAFFRON HOUSING TRUST LIMITED (Company Registration No. 0474054 of Saffron Barn Swan Lane Long Stratton Norwich NR15 2XP ("the Owner") of the second part

WHEREAS

- A. The Council is the Local Planning Authority for the purposes of the Act for the area within which the Site is situated
- B. The Owner is the freehold owner of the Site pursuant to Title Number NK408157
- C. The Site is bound by the terms of an agreement dated 17 March 2010 made under Section 106 of the Act between the Council and Geoffrey Watling (Norwich) Limited ("the Earlier Agreement")
- D. Following the completion of the Earlier Agreement the Planning Permission was granted
- E. The Owner has now submitted an application to develop the Site in accordance with revised plans and the application has been given the reference 20110822 ("the Revised Application")
- F. The Council is minded to grant planning permission for the Revised Application ("the Revised Planning Permission") subject to the completion of

this Agreement

1. INTERPRETATION AND DEFINITIONS

1.1 In this Agreement unless the context otherwise requires and save as provided in clauses 1.2 and 1.3 the definitions in the Earlier Agreement shall apply

1.2 The definitions and provisions in the Earlier Agreement shall be amended as follows

1.2.1 "Affordable Rental Units" delete "the Homes and Communities Agency" and replace with "the Regulator's"

1.2.2 "Monitoring Fee" delete this definition and clause 12.5

1.2.3 "Registered Social Landlord" delete definition and replace with "a provider of social housing registered in the register kept by the Regulator of Social Housing as provided for in Chapter 3 of the Housing and Regeneration Act 2008 (or any statutory re-enactment or modification thereof) as approved by the Council"

1.2.4 "Regulator" (new definition) the Tenant Services Authority or such other body as shall from time to time be a Regulator of Social Housing within the meaning of Section 81 of the Housing and Regeneration Act 2008 or such other body with statutory force charged with regulating Registered Social Landlords

1.2.5 "Site" replace Plan No. 1 with the attached plan

1.3 The address for "The Owner" in clause 4.2 of the Earlier Agreement shall be Saffron Barn Swan Lane Long Stratton Norwich NR15 2XP

2. AGREEMENT

The Council and the Owner agree that the provisions of the Earlier Agreement as amended by clauses 1.1, 1.2 and 1.3 shall be incorporated in this Agreement as if the terms were set out herein and the obligations in the Earlier Agreement related to the Revised Application and the Revised Planning Permission

3. PLANNING OBLIGATIONS

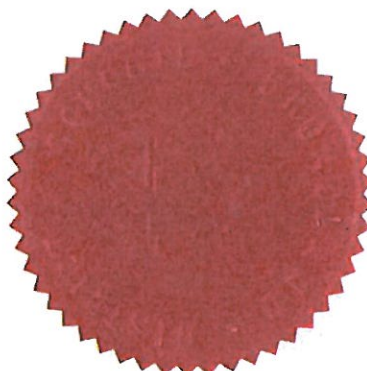
The Owner covenants with the Council as follows:

- 3.1 To comply with the obligations in the Earlier Agreement as applied to this Agreement by clause 2
- 3.2 To pay the Council's reasonable legal costs relating to the preparation of this Agreement

Executed by the parties hereto on the date written above

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

M. J. M. W. E.
Dennis M. W. E.
Head of Corporate Services
and Monitoring Officer



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THE COMMON SEAL of)
SAFFRON HOUSING TRUST)
LIMITED)
was hereunto affixed in the presence of)

A. J. Turner



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Director

Director/Secretary

Grant Turner

