

THIS AGREEMENT is made the

11th

day of

May

One

thousand nine hundred and eighty-nine 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 first part PETER GEORGE EDRICH of Bellards Priory Lane Ranworth in the said County and JEAN HASTINGS of Westering Thieves Lane Salhouse in the said County (hereinafter together called "the Owners") of the second part and the said PETER GEORGE EDRICH and SIR WILLIAM OSCAR CARTER of Holland Court The Close Norwich in the said County (hereinafter together called "the Executors") of the third part

W H E R E A S:

(1) The Council is the Local Planning Authority for the purposes of this agreement

(2) The Owners are seised in fee simple absolute in possession of the piece or parcel of freehold land (hereinafter called "the red land") shown edged red on the plan annexed hereto free from incumbrances and are also seised for a like estate of the piece or parcel of freehold land (hereinafter called "the blue land") shown edged blue on the said plan also free from incumbrances

(3) The Executors are seised in fee simple absolute in possession of the piece or parcel of freehold land (hereinafter called "the green land") shown edged green on the said plan free from incumbrances

(4) The Owners and the Executors have jointly applied to the Council under reference number 88.0102 for planning permission for residential development to be carried out on the red land the green land and the blue land

(5) The Council the Owners and the Executors have agreed subject to planning permission being granted in consequence of that application to enter into this agreement pursuant to Section 52 of the Town and Country Planning Act 1971

NOW THIS DEED WITNESSETH as follows:-

1. SUBJECT to planning permission being granted in consequence of application number 88.0102 and pursuant to the said Section 52 the Owners 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 red land and the blue land shall be permanently subject to the condition restricting or regulating development or use of the property specified in the Schedule hereto

2. LIKEWISE SUBJECT to the said planning permission being granted and pursuant to the said Section 52 the Executors hereby jointly and severally AGREE DECLARE AND COVENANT with the Council that from the date on which the said planning permission shall be granted the green land shall be permanently subject to the condition restricting or regulating development or use of the property specified in the Schedule hereto

3. THE expression "the Council" "the Owners" and "the Executors" 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 affixed hereunto and the Owners and the Executors have set hereunto their respect hands and seals the day and year first before written

THE SCHEDULE

Not to complete the construction of more than half the dwellings constructed pursuant to the said planning permission before the expiry of one year from the commencement of the construction of the first dwelling


THE COMMON SEAL of BROADLAND)

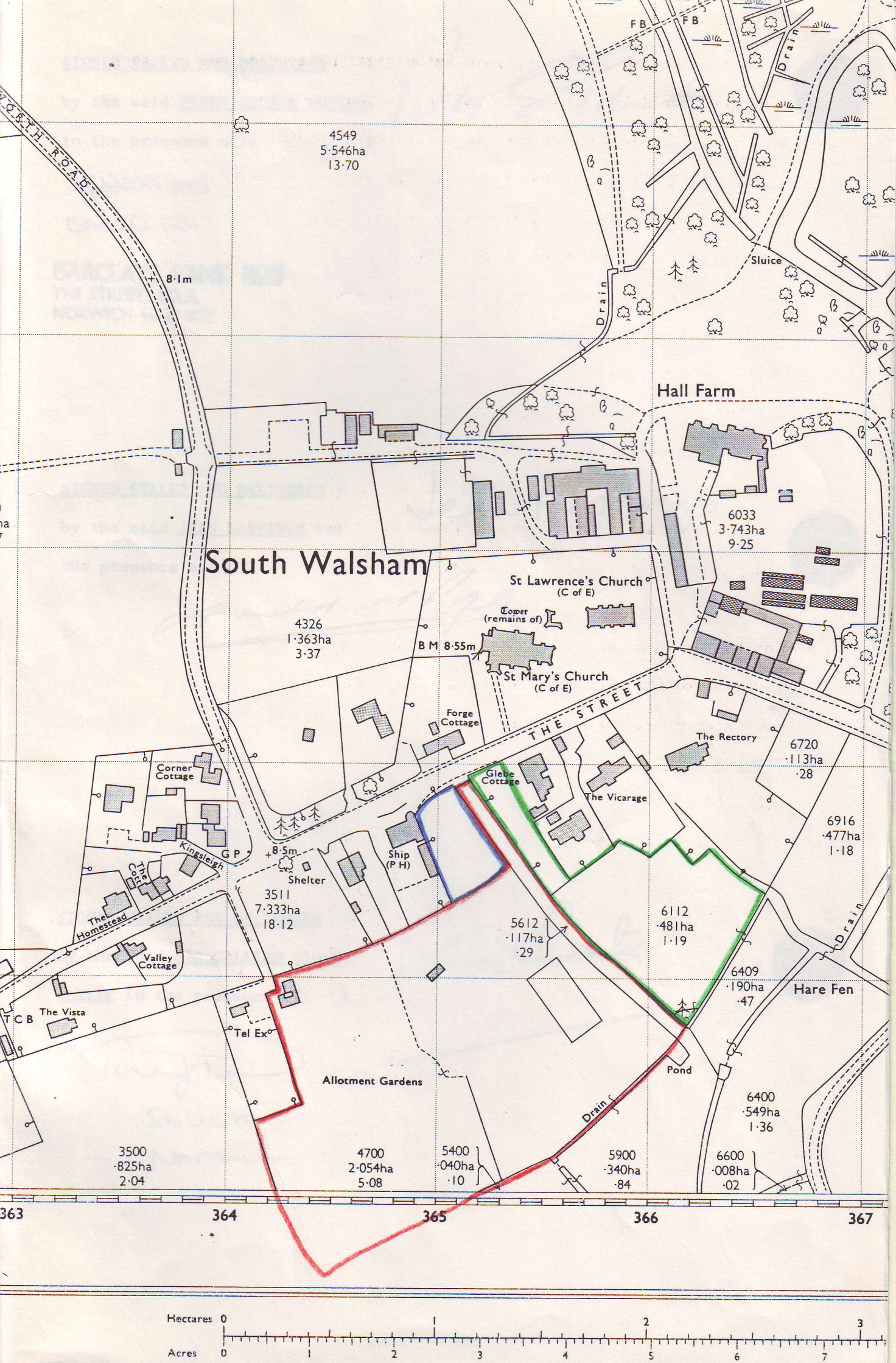
DISTRICT COUNCIL was hereunto)

affixed in the presence of:-)



3758


Deputy Director of Finance and Administration



SIGNED SEALED AND DELIVERED)
by the said PETER GEORGE EDRICH)
in the presence of:-)

Peter George Edrich

Hastings

BANK CLERK

BARCLAYS BANK PLC
THE STREET, ACLE,
NORWICH, NR13 3DZ

SIGNED SEALED AND DELIVERED)
by the said JEAN HASTINGS in)
the presence of:-)

Jean Hastings

Arnold as Page

SIGNED SEALED AND DELIVERED)
by the said SIR WILLIAM OSCAR)
CARTER in the presence of:-)

William Oscar Carter

William Oscar Carter

Solicitor
Norwich.

DATED

11th May

1989

BROADLAND DISTRICT COUNCIL

and

MR. P.G. EDRICH

and

MRS. J. HASTINGS

and

SIR WILLIAM OSCAR CARTER

Section 52 Agreement
relating to Land at South Walsham

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

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