

T H I S A G R E E M E N T is made the 17th day of January 1989 BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the one part and ASDA STORES LIMITED whose registered office is situate at Asda House Southbank Great Wilson Street Leeds in the County of West Yorkshire (hereinafter called "the Owner") of the other part

W H E R E A S :-

(1) The Council is the Local Planning Authority for the purpose of this Agreement

(2) The Owner is seised in fee simple absolute in possession of the piece or parcel of land shown edged green on the plan annexed hereto (hereinafter called "the green land") and forming part of the Owner's premises known as the Asda Superstore Drayton High Road Hellesdon in the County of Norfolk free from encumbrances

(3) The Owner is also seised in fee simple absolute in possession of the piece or parcel of land shown edged red on the plan annexed hereto (hereinafter called "the red land") and forming part of the same premises free from encumbrances

(4) The Council has granted planning permission under Reference Number 86.0389 for development on land adjoining the green land and the green land which development includes the construction of a petrol filling station on the green land

(5) The Owner has applied to the Council under reference number 87.0282 for planning permission for development comprising an extension to the adjoining shop on the red land

(6) The Council and the Owner 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 87.0282 and pursuant to the said Section 52 the Owner hereby agrees declares and covenants with the Council that from the date on which that planning permission shall be granted the red land and the green land shall be permanently subject to the conditions restricting or regulating the development or use of the red land and the green land specified on the Schedule hereto
2. THE expressions "the Council" and "the Owner" shall where the contract so admits include their respective successors in title and assigns

IN WITNESS whereof the Council and the Owner have caused their respective Common Seals to be affixed hereunto the day and year first before written

THE SCHEDULE

1. Not at anytime during hereafter to implement on the green land the whole or part or parts of the development authorised by planning permission number 86.0389 to be carried out on the green land only
2. Whilst the extension on the red land and the building adjoining that land are used for the purposes of a superstore selling principally convenience goods not to use the green land for any purpose other than spaces for the parking of motor vehicles and accesses to such spaces

Hellesdon

FOR AND ON BEHALF OF ASDA STORES LTD.

A. A. [Signature]

DIRECTOR

[Signature]

Hotel and Sports Centre

Deputy Director of Finance and Administration

E1 Sub Sta

Tennis Courts

Superstore

Posts

DRAYTON HIGH ROAD

BOUNDARY ROAD

24.4m

Cross (restored)

NC

NC



1:1250

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



3654

Deputy Director of Finance and Administration

THE COMMON SEAL of ASDA STORES)
LIMITED was hereunto affixed)
in the presence of)



Director

Secretary

DATED

17th January

1989

BROADLAND DISTRICT COUNCIL

and

ASDA STORES LIMITED

A G R E E M E N T

Land at Drayton High Road, Hellesdon

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

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