

THIS AGREEMENT is made the 28<sup>th</sup> day of June One thousand nine hundred and ninety BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the one part PETER WYATT and DAPHNE ROSE WYATT both of 19 Stonehill Rackheath in the said County (hereinafter called "the Owners") of the second part and NORWICH AND PETERBOROUGH BUILDING SOCIETY whose chief office is at Peterborough Business Park Lynch Wood Peterborough in the County of Cambridgeshire (hereinafter called "the Mortgagee") of the third part

WHEREAS

- (1) The Council is a local planning authority for the purposes of this Agreement
- (2) The Owners are seised in fee simple absolute in possession of the property (hereinafter called "the Property") known as 19 Stonehill Rackheath subject to the mortgage next hereinafter recited but otherwise free from incumbrances
- (3) By a mortgage dated                      day of                      and made between the Owners of the one part and the Mortgagee of the other part the Property be charged in favour of the Mortgagee to secure the repayments of the monies mentioned therein
- (4) The Owners have applied to the Council under reference number 89.2518 for planning permission to construct a building on the Property
- (5) The Council the Owners and the Mortgagee 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 89.2518 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 Property shall be permanently subject to the conditions restricting or regulating the development or use of the Property specified in the Schedule hereto



2. LIKEWISE subject to that planning permission being granted and pursuant to the said Section 52 the Mortgagee hereby agrees declares and covenants with the Council that any time when it is in possession of the Property it shall observe and perform the said conditions specified in the Schedule hereto and furthermore if it shall exercise its powers so as a Mortgagee it shall ensure that in the Conveyance or transfer of the Property the Purchaser from it shall covenant to bind himself and his successors in title at all times to observe and perform the said conditions specified in the Schedule hereto

3. THE expressions "the Council" "the Owners" and "the Mortgagee" shall where the context so admits include their respective successors in title and assigns  
IN WITNESS whereof the Council and the Mortgagee have caused their respective Common Seals to be affixed hereunto and the Owners have set hereunto their respective hands and seals the day and year first before written

THE SCHEDULE

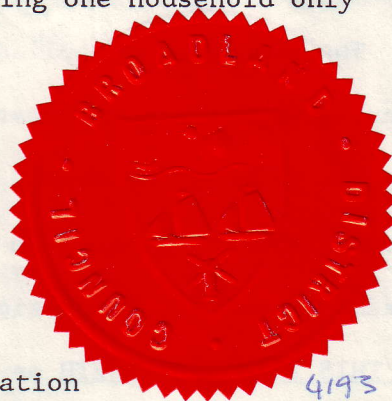
At all times the building authorised to be constructed by the planning permission reference number 89.2518 shall be used as an annex to the existing dwellinghouse known as 19 Stonehill aforesaid and both that new building and the existing dwellinghouse shall be occupied by persons forming one household only

THE COMMON SEAL of BROADLAND )

DISTRICT COUNCIL was hereunto)

affixed in the presence of:- )

  
Director of Administration





SIGNED SEALED AND DELIVERED )

by the said PETER WYATT in )

the presence of:- )

*P Wyatt*

*[Signature]*

SIGNED SEALED AND DELIVERED) )

by the said DAPHNE ROSE WYATT)

in the presence of:- )

*3, Godfrey Rd  
Spixworth, Norwich*

*Engineer*

*D.R. Wyatt*

*[Signature]*

*As above*

THE COMMON SEAL of NORWICH )

AND PETERBOROUGH BUILDING )

SOCIETY was hereunto affixed )

in the presence of:-

*L.A. Stewart*



*WS45/90*  
*[Signature]*



DATED

28<sup>th</sup> June

1990

BROADLAND DISTRICT COUNCIL

and

PETER and DAPHNE ROSE WYATT

and

NORWICH AND PETERBOROUGH BUILDING  
SOCIETY

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SECTION 52 AGREEMENT

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Relating to 19 Stonehill Rackheath in  
the County of Norfolk

B.A. Yates,  
Director of Administration,  
Broadland District Council,  
Thorpe Lodge,  
Yarmouth Road,  
Norwich NR7 0DU.

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By this Memorandum of 21<sup>st</sup> October 1999, Broadland District Council hereby releases the Owners and the Mortgagee from the obligations and provisions contained within the agreement.

*Steele & Co*

Steele & Co solicitors for and on behalf of Broadland District Council