

REGISTERED  
REF TO INDEX  
INDEX CARD  
PLOTED 7268/11A/1

THIS AGREEMENT is made the *twenty-second* day of *July*

One thousand nine hundred and seventy-six BETWEEN LARKIN HOLDINGS LIMITED whose registered office is at Woodsgate Place Bexhill-on-Sea in the County of East Sussex (hereinafter called "the company") which expression shall be deemed to include their successors in title to their interest in the land hereinafter described of the one part and the EAST SUSSEX COUNTY COUNCIL of Pelham House St Andrews Lane Lewes in the County of East Sussex (hereinafter called "the Council") of the other part

WHEREAS :-

(1) The company are the owners in fee simple in possession of land to the west of Ellerslie Lane and north of Broadoak Lane Bexhill-on-Sea aforesaid (hereinafter called "the land") the site whereof is shown edged and hatched brown and edged blue on the plan attached hereto

(2) On the Fifteenth day of December One thousand nine hundred and seventy five R A LARKIN AND BROS. LIMITED applied for planning permission under reference number RR/75/2330 for the development of other land to the north of Ellerslie Lane and to the north of Broadoak Lane Bexhill-on-Sea aforesaid (hereinafter called "the development land") the site whereof is shown edged green on the plan attached hereto with Twenty-one building plots roads and sewers

(3) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 (hereinafter called "the Act") as amended by the Local Government Act 1972 for the area within which the land and the development land are situated

(4) The company have agreed with the Council to enter into the Agreement hereinafter contained for the purpose of restricting and regulating the development and use of the land in accordance with the provisions of Section 52 of the Act Section 126 of the Housing Act 1974 and all other powers then enabling

N O W THIS DEED WITNESSETH as follows :-

1. THIS Agreement is made in pursuance of the said agreement and of the provisions of Section 52 of the Act and the provisions of Section 126 of the Housing Act 1974 shall apply to the covenant hereinafter contained

2. THE company for themselves and their successors in title to their interest in the land hereby covenant with the Council that the existing use of the land as open undeveloped agricultural pasture land without any buildings thereon shall be continued and not be changed without the consent of the Rother District Council given under seal first being had and obtained. Provided that if at any time in the future the land shown edged blue on the plan attached hereto (hereinafter called "the blue land") is considered by the local planning authority to be suitable for development as part of a comprehensive plan for the re-development of the area then the provisions of this Agreement shall not apply to the blue land nor shall the provisions be taken to prejudice any application for planning permission for the development of the blue land

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

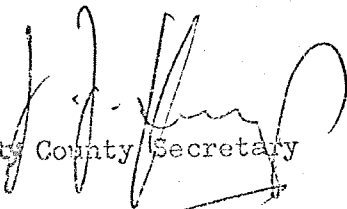
(THE COMMON SEAL of LARKIN  
(HOLDINGS LIMITED) was affixed  
(hereto in the presence of:-

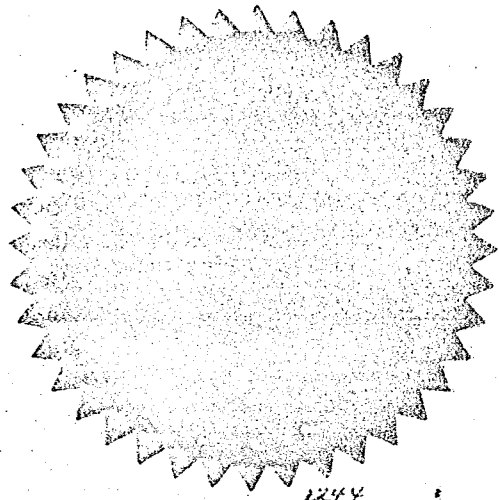
  
*R A Larkin* Director

*J P Ward* Secretary



THE COMMON SEAL OF EAST )  
SUSSEX COUNTY COUNCIL was )  
affixed hereto in the )  
presence of:- )

  
Deputy County Secretary



1244

26.3.76

Development Control. Sub.

By a Deed dated 12th December 1983  
Rother District Council gave its consent  
for the purposes of clause 2 of this Agreement  
to the development of the land described in the  
Deed in accordance with the planning permission  
granted under reference No. RR 80.2191 (CM)  
and any approval of details thereunder and its  
subsequent use as private dwellinghouses and  
all purposes ancillary thereto.

ROTHER DISTRICT COUNCIL

(14) 7204

INTER-OFFICE MEMORANDUM

My Ref: DE/AG/9/3/420

From: The Chief Executive and Clerk

12th December, 1983

Your Ref:

To: The Planning Officer and  
Local Land Charges Registrar ✓

Planning Agreement (East Sussex County Council  
and Larkin (holdings) Ltd, 22nd July 1976)  
Planning Application RR80.2191(CM)  
R.A. Larkin & Bros. Ltd.  
Fryatt's Way Extension.

The Planning Officer will be aware that, in order to facilitate the development for which permission was given under the above reference, it was necessary for this Council to grant a formal consent to such development taking place for the purposes of the above Section 52 Agreement made with the County. Formal authority for the giving of such consent was conferred on 27th May 1982, but since then delay has been caused in agreeing a Form of Consent and Plan with the developers solicitors. The necessary consent ... has now been concluded and a copy of this is attached for your information.

The Local Land Charges Registrar should make sure that the entry relating to the original Section 52 Agreement is noted to take account of the effect of this Agreement. Broadly, the original agreement prohibited certain development unless consent, for the purposes of the agreement, was given by Rother District Council. To the extent shown in the latest document, that consent is given.

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Chief Executive and Clerk

88

3.17.27/182

THIS DEED is made the *twelfth* day of *December* One Thousand Nine Hundred and Eighty-Three by ROTHER DISTRICT COUNCIL of Town Hall Bexhill-on-Sea East Sussex

W H E R E A S

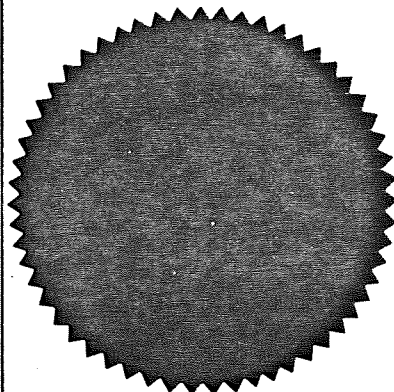
- (1) An Agreement (hereinafter called "the Agreement") was made on 22nd July 1976 between Larkin (Holdings) Limited of the one part and East Sussex County Council of the other part under Section 52 of the Town and Country Planning Act 1971 restricting and regulating the development of land west of Ellerslie Lane and north of Broadoak Lane Bexhill-on-Sea in the County of East Sussex
  - (2) Planning permission has been given under reference RR80.2191 (CM) for development comprising the erection of 15 dwellinghouses and garages together with roads and sewers on the land shown edged red for identification on the plan annexed hereto
  - (3) Part of the said development is on land subject to the Agreement
  - (4) The said planning permission was granted by the said East Sussex County Council following consultation with Rother District Council which approved the grant of permission on the grounds that the development formed part of a comprehensive plan for re-development
- N O W   T H I S   D E E D   W I T N E S S E T H   as follows:

1. Rother District Council hereby gives its consent for the purposes of Clause 2 of the Agreement to the development of that land shown for identification only edged by a red line on the plan annexed hereto in accordance with the planning permission granted under reference RR80.2191 (CM) and any approval of details thereunder and its subsequent use as private dwellinghouses and all purposes ancillary thereto

2. In respect of the remainder of the land to which the Agreement applies which is not shown edged red on the annexed plan the Agreement remains in full force and effect

IN WITNESS WHEREOF ROTHER DISTRICT COUNCIL has caused its Common Seal to be hereunto affixed the day and year first before written

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



8050

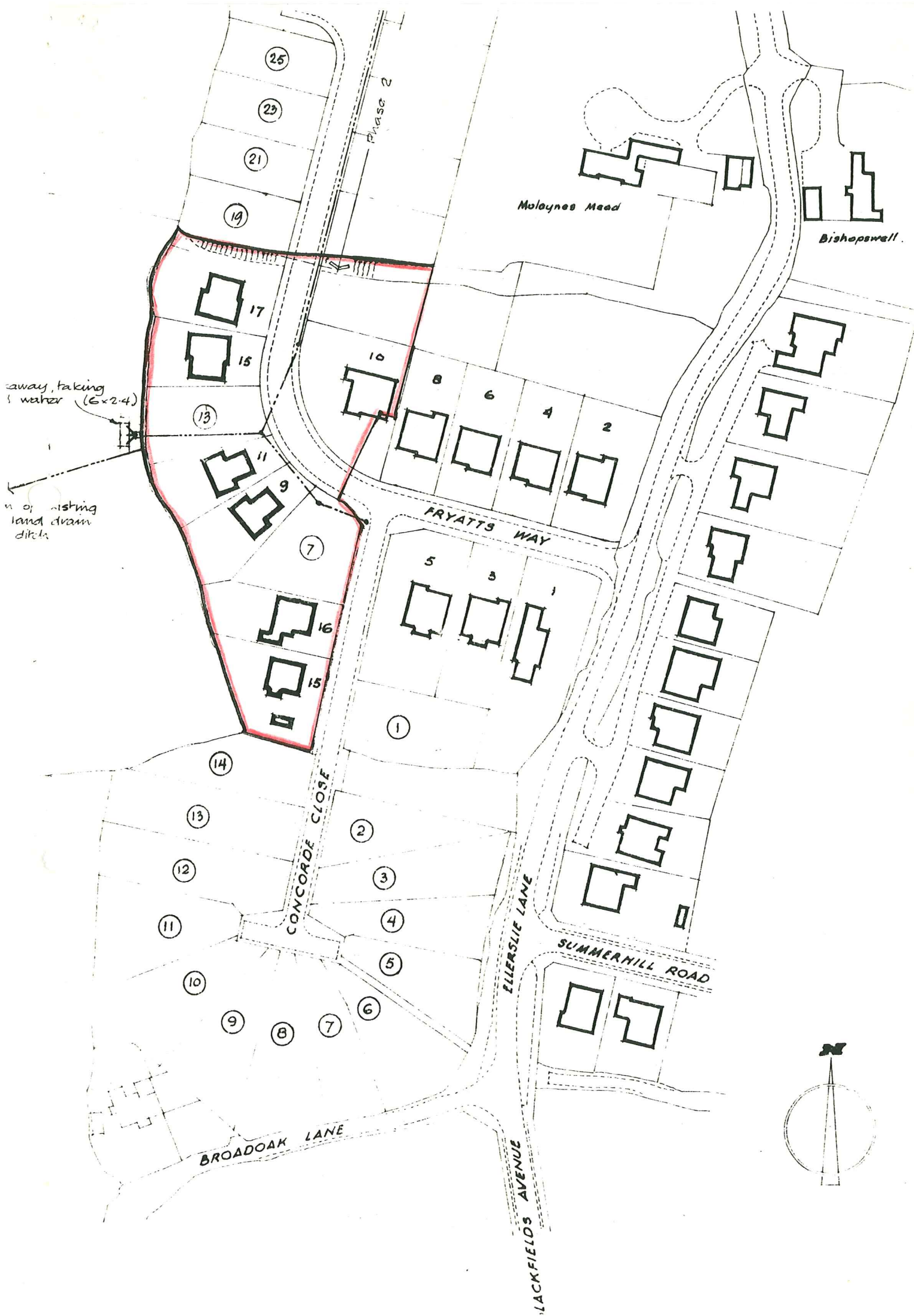
*W. J. P. Jones*

Chairman of the Council

*[Signature]*

Chief Executive and Clerk





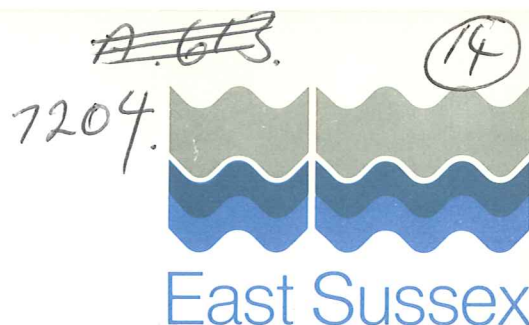




East Sussex County Council

GC Child LLB, ACIS Solicitor  
County Secretary

Pelham House  
St Andrews Lane, Lewes  
Sussex BN7 1UN  
Telephone Lewes 5400  
STD 07916 5400



when calling please ask for

our reference

your reference

date

Mr Impey

D6/PL/1101  
CJI/DG

*10 Aug*  
~~28 July~~  
1976

Dear Sir

Town and Country Planning Act 1971  
Section 52 Agreement  
Land West of Ellerslie Lane and North of  
Broadoak Lane, Bexhill-on-Sea

...

I refer to my letter of 23 July 1976 and enclose for your attention, a copy of the Section 52 Agreement duly sealed by the County Council and subsequently stamped. I would point out that the Agreement was, in fact, sealed by Larkin Holdings Ltd on 22 July 1976 and I have dated the document on this day.

I should be grateful if you would confirm that the appropriate entries have been made in the Local Land Charges Register.

Yours faithfully

*G. C. Child*

County Secretary

The Registrar  
Local Land Charges Register  
Rother District Council  
Town Hall  
BEXHILL-on-SEA  
East Sussex

*Registered, noted  
and marked on card  
index. 28-7-76  
P.*

G C Child LL.B. ACIS DMA  
County Secretary

Planning  
St Andrews Lane, Lewes  
East Sussex BN7 1UN  
Telephone Lewes 54 10  
STD 07916 5400



Addressing please write to

Miss Grady

File reference

D6/PL/11013/  
SG/DMH

Date of letter

DE/AG/9/3/420

Date

13 December 1983

Dear Mr Harding

Town and Country Planning Act 1971, Section 52-RR/80/2191(CM)  
- Erection of fifteen dwellings on land west of Ellerslie Lane,  
Bexhill-on-Sea

Thank you for your letter dated 12 December concerning the above matter together with the enclosed copy of the Deed dated 12 December 1983 concerning the same.

As requested, I would confirm that the copy of the Deed has been placed with the original Section 52 Agreement and an appropriate memorandum has been endorsed on the original Section 52 Agreement.

I would also confirm that I have notified the Acting County Planning Officer of the execution of the Deed.

Yours sincerely

G. C. Child

County Secretary

P.S. I attach hereto a copy of the memorandum endorsed on the Section 52 Agreement and would be obliged if you would confirm that it is satisfactory to you. I also enclose a copy of the section 52 Agreement with the Memorandum endorsed thereon for placing in your Local Land Charges Register and would

A J B Harding Esq ACIS DMA AMBIM  
Chief Executive  
Rother District Council  
Town Hall  
BEXHILL-ON-SEA  
TN39 3JX

be grateful if you would confirm when it has been placed on the Register in substitution for the copy on it presently.

Planning Agreements - Ellerbie Lane Berhill

1976 Agreement E & C & Harkin imposes restrictions on brown and blue land shown on plan annexed to that Agreement. Plan shows some land hatched red but there is no reference to this in the Agreement

1983 Agreement - Rother & Harkin releases land shown edged red on that agreement plan from 1976 restrictions but otherwise 1976 Agreement remains in full force and effect.

No subsequent amendments to Agreement.

hence

Restriction to keep undeveloped applies to land shown brown and blue in 1976 Agreement LESS land shown edged red in 1983 Agreement.

4.2.91

JE