

DATED

23 February

2022

ROBERT HITCHINS LIMITED

PLANNING OBLIGATION BY WAY OF UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990

-Relating to-

Land at Oakley Farm, Priors Road, Cheltenham

Planning Application Ref. 20/01069/OUT

Planning Appeal Ref: APP/B1605/W/21/3273053

(Maintenance Contribution)

THIS DEED is made the 23 day of February 2022

BY

ROBERT HITCHINS LIMITED (Co. Regn. No.00686734) whose registered office is at The Manor Boddington Cheltenham Gloucestershire GL51 0TJ ("the Owner")

creating planning obligations enforceable by **CHELTENHAM BOROUGH COUNCIL** of Municipal Offices, 77 Promenade, Cheltenham, Gloucestershire GL50 1PJ ("the Council")

INTRODUCTION

1. The words and phrases used in this Deed are defined in Clause 1
2. The Council is the Local Planning Authority for the purposes of the Act
3. The Owner is registered as the proprietor of the freehold of the Site at the Land Registry under title number GR215822 as more particularly described in the First Schedule
4. The Owner has appealed to the Secretary of State against the Council's non determination of the Application
5. The Owner enters into this Deed with the intent that any objections of the Council to the grant of planning permission are overcome

NOW THIS DEED WITNESSES AS FOLLOWS:

1. **DEFINITIONS**

For the purposes of this Deed the following expressions shall have the following meanings:

- 1.1. "Act" means the Town and Country Planning Act 1990 or any re-enactment or modification thereof for the time being in force
- 1.2. "Application" means the application for outline planning permission submitted to the Council for the Development and allocated reference number 20/01069/OUT and appeal reference APP/B1605/W/21/3273053

