

DATED

22 July

2020

KC

RIBBLE VALLEY BOROUGH COUNCIL

- and -

CLYDESDALE BANK PLC

- and -



# A G R E E M E N T

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Under Section 106 Town and Country Planning Act 1990 and  
relating to The Outbarn Clough Bottom Farm Talbot Bridge Bashall Eaves  
Clitheroe Lancashire BB7 3NA

Head of Legal Services  
Ribble Valley Borough Council  
CLITHEROE

THIS AGREEMENT is made the 22 day of July Two thousand and twenty <sup>one</sup> BETWEEN RIBBLE VALLEY BOROUGH COUNCIL

of Council Offices Church Walk Clitheroe Lancashire (hereinafter called "the Council") of the first part and CLYDESDALE BANK PLC ( Scot Company Registration Number SC001111) of Business Lending Services 20 Merrion Way Leeds LS2 8NZ (hereinafter called "the Bank") of the second part and [REDACTED]

[REDACTED] of Clough Bottom Farm Talbot Bridge Bashall Eaves Clitheroe BB7 3NA (hereinafter called "the Owner") of the third part

WHEREAS:-

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 (as amended) for the area within which certain land and property known as Clough Bottom Farm Talbot Bridge Bashall Eaves Clitheroe Lancashire BB7 3NA (hereinafter called "the Property") is situated which said Property is shown edged red on the plan attached hereto \_\_\_\_\_
- (2) The Owner is seised of the fee simple in possession of the Property which is registered at HM Land Registry with Absolute Title under Title Number LAN116664 \_\_\_\_\_
- (3) The Property subject to a Legal Charge dated the sixth day of December Two thousand and Seventeen made between the Owner of the one part and the Bank of the other part \_\_\_\_\_
- (4) The Owner has by written application dated the 27th day of August Two thousand and twenty applied to the Council for permission to develop the Property for construction of holiday accommodation as detailed in the plans and particulars deposited with the Council under reference 3/2020/0645/P \_\_\_\_\_

- (5) The Council is satisfied that the development disclosed by the said particulars is such as may be approved by the Council under the said Act subject to the Owner and the Bank entering into this Section 106 Agreement \_\_\_\_\_

**NOW THIS DEED WITNESSETH** as follows:-

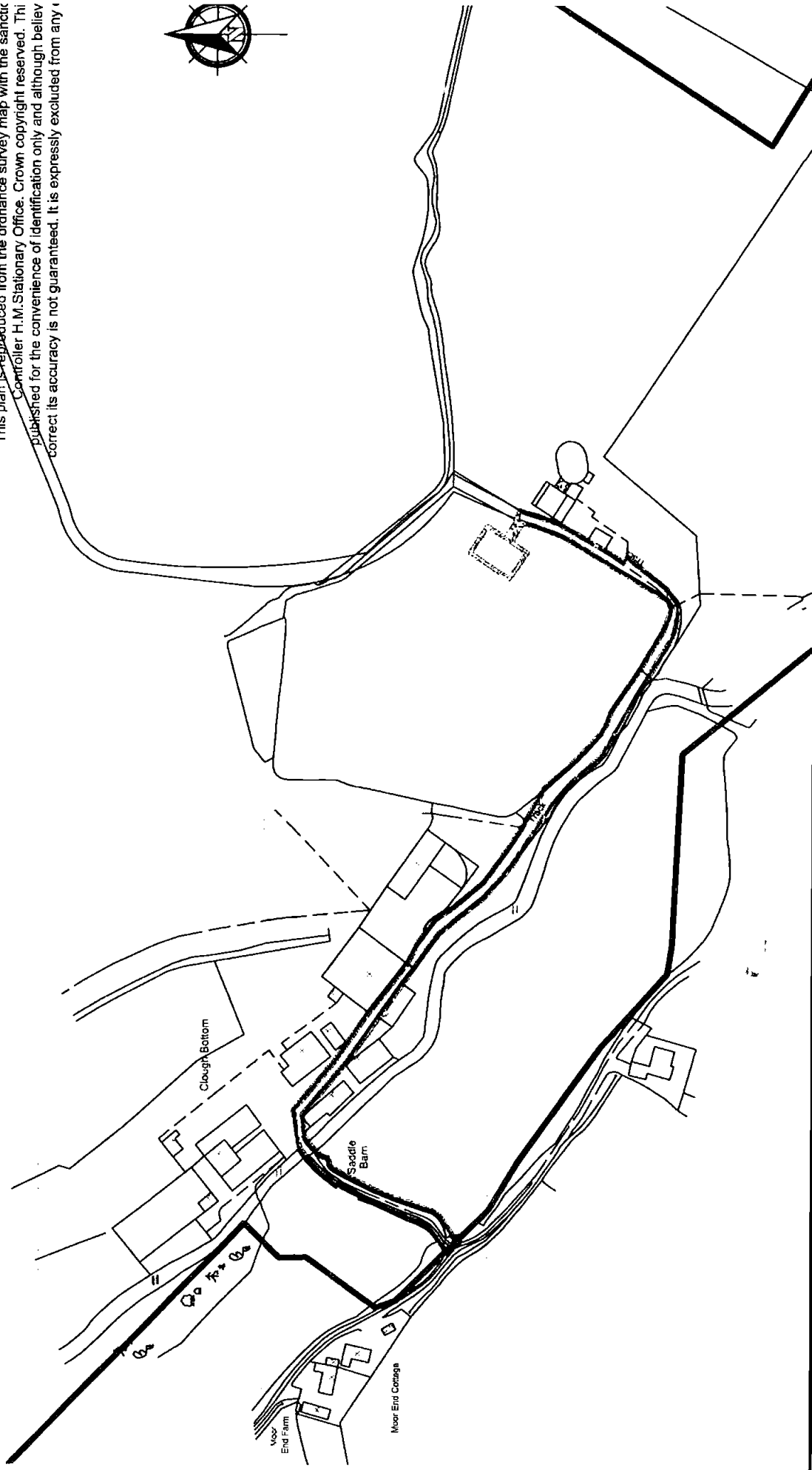
1. **THIS** Agreement is made in pursuance of Section 106 of the Town and Country Planning Act 1990 \_\_\_\_\_
2. **IN** consideration of the Council hereby approving the said development for the purposes of the said Act the Bank and the Owner hereby covenant with the Council as set out in the Schedule hereto \_\_\_\_\_
3. **THE** expressions "the Council" "the Bank" and "the Owner" shall include their respective successors in title and assigns \_\_\_\_\_

**IN WITNESS** whereof the parties hereby have caused their respective Common Seals to be hereunto affixed or have duly executed this Agreement as Deed the day and year first before written \_\_\_\_\_

**THE SCHEDULE**

1. The Bank but so as to not impose any liability on the Bank except during such time as the Bank is in occupation of the property and the Owner hereby covenant with the Council that the Property shall be permanently subject to the restrictions regulating the development thereof as hereafter contained and the purport and intent of such covenants shall be registered as a local land charge in the Councils register of Local Land Charges\_\_
2. The said restriction referred to in the preceding clause are as follows:  
Not to pursue the implementation of any of the development specifically authorised by the full planning permission 3/2018/1067 dated 18 January 2019

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|                                                   |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|---------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Site: CLOUGH BOTTOM FARM<br/>BASHALL EAVES</b> |  | <b>SITE LOCATION PLAN</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
|                                                   |  | Client: MR H BACKHOUSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|                                                   |  | Drawn: BS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
|                                                   |  | Date: 27.07.20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
|                                                   |  | Scale: 1:2500 @ A4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| Project No: BAC07 Dwg 00                          |  | Amendments:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
| Notes:                                            |  | All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices. All work and materials should comply with Health and Safety legislation and to be approved by the Local Authority Planning / Building Control Officer. All dimensions are in millimetres unless where explicitly shown otherwise. The contractor should check and clarify all dimensions as work proceeds and notify the design team of any discrepancies. Do not scale off the drawings, if in doubt ask Avalon Chartered Town Planning are not liable for work undertaken prior to Full Planning Consent and/or Building Regulations Approval |  |

**Avalon**  
Chartered Town Planning

Town Planning - Architectural Design - Building Regulations - Survey

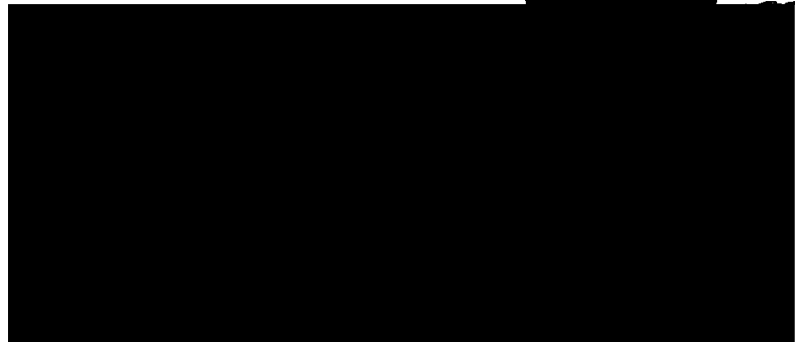
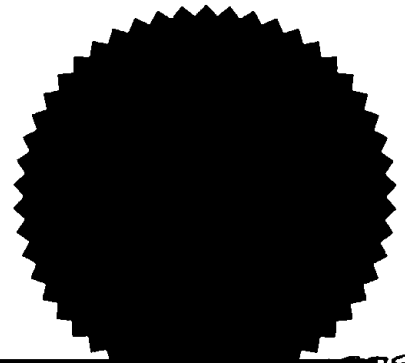
**Phone: 01282 834834 Fax: 01282 451**  
 Web: [www.avalon.co.uk](http://www.avalon.co.uk) Email: [planning@avalon.co.uk](mailto:planning@avalon.co.uk)  
 2 Redley Business Centre, Redman Road, Burnley, Lancashire, BB10 4NR

THE COMMON SEAL of RIBBLE )

VALLEY BOROUGH COUNCIL )

was hereunto affixed to this Deed in the )

presence of:-

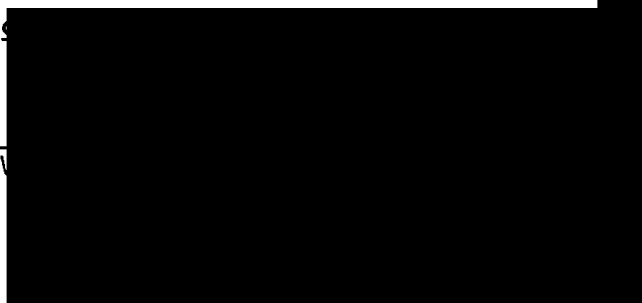
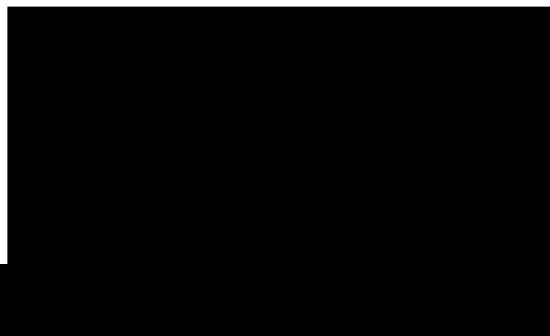


SIGNED AND DELIVERED AS A DEED )

FOR AND ON BEHALF OF )

CLYDESDALE BANK PLC by a duly )

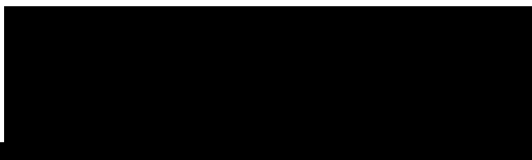
authorised Attorney in the presence )



SIGNED AS A DEED BY

HARRY BACKHOUSE in the presence

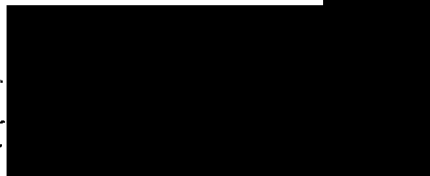
of:



Witness sign...X....

Witness name...X..

Witness address...X.....



SIGNED AS A DEED BY

ALEXANDRA JANE BACKHOUSE

in the presence of:

Witness sign.....

Witness name.....

Witness address.....

.....