



EVERSHEDS

Graham Wright
Strategic Transport
Hampshire County Council

Date 13 September 2012
Your ref
Our ref SEABORP/082294-010383
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By Email: graham.wright@hants.gov.uk

Dear Mr Wright

Planning Application Ref: APP/12/00652
BAE Systems Electronics Limited
Brambles Farm Industrial Estate, Waterlooville
Subject to Contract

I am instructed to act on behalf of BAE Systems Electronics Limited and write following your recent correspondence on this matter with Nick Church of Peter Brett Associates.

Nick has asked me to write to you to clarify the heads of terms for the proposed planning obligation relating to the pedestrian and cycle link for the above planning application. I attach a draft plan (drawing 26365/012/002 Revision A) identifying the Pedestrian and Cycle Link Land edged red.

The proposed planning obligation will form part of a section 106 agreement relating to the above site. The section 106 agreement, in the usual way, will be conditional upon the grant of the Planning Permission pursuant to the above application and the commencement of the Development pursuant to the Planning Permission. The proposed heads of terms are:

1. Not to occupy any of the new buildings constructed as part of the Development pursuant to the Planning Permission until the Owner has offered to transfer the Pedestrian and Cycle Link Land to the County Council on pre-agreed terms.
2. The above obligation is conditional on the commencement of the Development and the County Council first serving notice on the Owner that it wishes to accept a transfer of the Pedestrian and Cycle Link Land. If no notice is served by the County Council prior to the occupation of any of the new buildings constructed as part of the Development, the obligations will fall away.
3. The County Council will covenant to secure the delivery and future maintenance of the pedestrian and cycle link and covenant not to use the land for any other purpose (which will be included as a restrictive covenant on the registered title of the transferred land).

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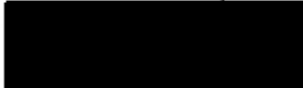
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Page 2

4. If within a period of time (to be agreed between the parties), the cycle and pedestrian link has not been delivered, at the Owner's request, the County Council is to transfer back the land to the Owner.

Should you have any queries please do not hesitate to contact me or Nick Church.

Yours sincerely



Peter Seaborn
Senior Associate
For Eversheds LLP

Copy sent by email to:

Aaron Wright, Havant Borough Council Planning Department –
Aaron.Wright@havant.gov.uk.