HBR/RMO/BRS.3564

17 October 2014

Dawn Errington
Development Control
Eastleigh Borough Council
Civic Offices
Leigh Road
Eastleigh
SO50 9YN

Dear Dawn

Town and Country Planning Act 1990
S106 Agreement between Eastleigh Borough Council and Anchor Trust relating to The Mount Hospital, Church Road, Bishopstoke, Eastleigh
Implications of planning application reference F/14/75061

This letter is to be read alongside the S106 Agreement dated 18th October 2012 between Eastleigh Borough Council and Anchor Trust relating to an outline application (Planning permission Ref: O/12/71007) for a Continuing Care Retirement Community (CCRC) at land at The Mount Hospital Church Road Bishopstoke, Eastleigh in Hampshire.

It should also be read in conjunction with a Deed of Variation dated 31 March 2014 which relates to the S106 Agreement dated 18th October 2012.

Schedule Five Part 1 of the S106 Agreement, including the variations applied, commits to a total financial contribution of £1,007,622[1] for 108 no. Assisted Living Units (ALU's), paid in phases as follows (the clauses below are identified as they are in the schedule):

1.1 £503,811 prior to Commencement of Development (representing the pro-rata share of the Contribution Payment for 54 ALUs);

1.2 £83,968 prior to commencement of the 57th Assisted Living Unit (representing the pro-rata share of the contribution for 9 ALUs);

1.3 £419,843 prior to commencement of the 65th Assisted Living Unit (representing the pro-rata share of the contribution for 45 ALUs).

The first payment of £503,811 has been paid to EBC.

The phasing of the payments reflects the planned phasing of delivery. Payments 1.1 and 1.2 reflect the fact that Planning Permission Ref: O/12/71007 granted full planning

[1] All figures quoted are subject to Operative Provision 11 of the S106.

First Floor, South Wing, Equinox North, Great Park Road, Almondsbury, Bristol, BS32 4QL
T 01454 625945 F 01454 618074 www.pegasuspg.co.uk

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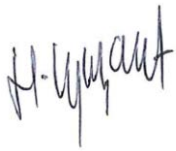
permission for 63 ALUs. The remaining 45 ALUs benefit from outline planning permission.

A planning application to reduce the number of ALUs that will be delivered in Block 7 of the CCRC by 3 ALUs was submitted on 04/08/2014 (Planning application Ref: F/14/75061). The number of ALUs benefitting from full planning permission is therefore reduced to 60 (a reduction of 3 ALUs).

This letter confirms that Eastleigh Borough Council and Anchor Trust agree that as a result of planning application Ref: F/14/75061, payment 1.2 of Schedule Five Part 1 of the S106 Agreement will result in an overpayment of £27,989 (representing the pro-rata share of the contribution payment for 3 ALUs).

On the basis that these 3 ALUs are not provided earlier under the existing permission, the overpayment of £27,989 will be acknowledged/credited by Eastleigh Borough Council when the final payment set out by 1.3 of Schedule Five Part 1 of the S106 Agreement is made by Anchor Trust.

Yours sincerely



Hollie Bryant
Principal Planner
Email: hollie.bryant@pegasuspg.co.uk

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