HIGHWOOD

Eastleigh Borough Council,
Eastleigh House,
Upper Market Street,
Eastleigh,
SO50 9YN

Dear Sirs

Development at Stoneham Park Eastleigh – Deed of Variation relating on SUDS and Open Space Matters

On [06 January 2022.] a Deed of Variation made pursuant to section 106A of the Town and Country Planning Act 1990 made between Eastleigh Borough Council (1) Hampshire County Council (2) Highwood Homes Limited (3) Vivid Housing Limited (4) Vestal Developments Limited (5) Stoneham Park Development LLP (6) CKS Investment Properties Limited (7) North Stoneham Developments Limited (8) Aspect (Eastleigh) Limited (9) and Housing 21 (10) ("the Deed of Variation") was completed to amend the terms of a section 106 agreement dated 8 January 2016 relating to planning permission O/15/76023.

Highwood Homes Limited hereby agree with Eastleigh Borough Council the following terms which are supplemental to the Deed of Variation and are intended to be legally binding upon Highwood Homes Limited.

1. 1. Schedule 7 of the Deed of Variation shall be read so as to include a new paragraph 10A as follows:

   "Highwood shall at its own cost (including all reasonable legal costs of the Council and other local planning authorities) use all reasonable, but commercially prudent endeavours to procure that an agreement pursuant to section 33 of the Local Government (Miscellaneous Provisions) Act 1982 is entered into by the Council and the local planning authorities named in Schedule 26 in order to facilitate the use, maintenance and monitoring of the nitrate mitigation land set out in schedule 26".

2. 2. Schedule 25 in the Deed of Variation shall be read so that paragraph 4 therein is revised as follows:

   "Upon receipt of the transfer pursuant to paragraph 5A or 5B of Schedule 7 and all information the Council reasonably requires in order to confirm the transfer may take place (including, but not limited to, 'as-built' plans depicting land features and marking defined boundaries, technical / engineers reports as appropriate and replies to enquiries), the Council shall use its reasonable endeavours to complete the said transfer within 60 days of receipt"

Highwood Homes Limited acknowledge that nothing in this side letter is intended to commit and/or oblige any other local authority to permit the use of the nitrate land in Schedule 26 of the Deed of Variation for development in their area.

HIGHWOOD GROUP
THE HAY BARN, UPPER ASHFIELD FARM
HOE LANE, ROMSEY, HAMPSHIRE SO51 9NJ

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Highwood Group Limited Registered No: 05892469
Registered Office: The Hay Barn, Upper Ashfield Farm
Hoe Lane, Romsey, Hampshire SO51 9NJ

Highwood Construction Limited Registered No: 05080117
Highwood Homes Limited Registered No: 10417361
Highwood Residential Limited Registered No: 05824608

Highwood Homes Limited further acknowledge that nothing in this side letter is intended to set a precedent for other developments regarding the timeframes to complete transfers.

[redacted]

Signed by S. MATTHEWS
On behalf of Highwood Homes Limited
Date: 22/12/21

We hereby acknowledge and accept receipt of this letter and its contents.

Signed by [redacted]
On behalf of Eastleigh Borough Council
Date: 23/12/21.

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