

THIS AGREEMENT is made the *fourteenth* day of *August* One thousand nine hundred and seventy-six BETWEEN THE BROADLAND DISTRICT COUNCIL (hereinafter called "the Council") of the one part and the NORFOLK GARDEN ESTATES LIMITED whose registered office is situate at 415 Unthank Road Norwich in the County of Norfolk (hereinafter called "the Owners") of the other part



WHEREAS:

- (1) The Council is the Planning Authority for the purpose of the Town and Country Planning Act 1971 (hereinafter called "the Act") for the area in which the land described in the First Schedule hereto and shown edged in pink on Plan Number 76/0287/1 attached hereto is situate
- (2) The Owners are the owners in fee simple in possession free from incumbrances of the aforesaid land
- (3) The Owners have made application (Application Number 76/0287) in accordance with the provisions of the Act and the orders and regulations for the time being in force thereunder for planning permission to develop the land for residential purposes including the provision of garages or garage spaces
- (4) It is desired as part of the proposed development to provide for landscaping and a scheme for planting of trees shrubs and hedges has been agreed between the Council and the Owners which scheme is to be carried out by the Owners at the appropriate time as part of the overall development of the land and that such trees shrubs and hedges should subsequently be maintained
- (5) It is also desired that all garages to be erected shall be of an approved type

NOW THIS DEED WITNESSETH as follows:-

1. THIS AGREEMENT is made in pursuance of Section 52 of the Town and Country Planning Act 1971
2. IT IS HEREBY AGREED that Section 126 of the Housing Act 1974 shall apply to this Agreement and the covenants hereinafter appearing
3. THE OWNERS hereby covenant with the Council for themselves and their successors in title the owners of the whole or any part of the land described in the First Schedule hereto that they will observe and perform the covenants restrictions and stipulations set out in the Second Schedule hereto

IN WITNESS whereof the parties hereto have hereunto caused their Common Seals to be hereunto affixed the day and year first before written

THE FIRST SCHEDULE before referred to

Land at Spixworth Road in the Parishes of Catton and Spixworth in the County of Norfolk comprising approximately 12.89 acres contained in Ordnance Survey Part Number 7710 and parts of 5809 and 5723 being the subject of planning application Number 76.0287 and edged pink on the site plan attached marked as Plan Number 76/0287/1

THE SECOND SCHEDULE before referred to

- (1) No garage shall be erected or permitted to be erected on any of the garage spaces shown on plan 76/0287/2 annexed hereto other than of the type and design specified on such plan and plans Numbered 76/0287/G.16, 76/0287/G.17 and 76/0287/G.18 also annexed and all garages shall be constructed in facing brickwork to match the dwellings with which they are associated and no hut shed structure or erection of any kind other than the approved garage shall be erected or placed on any such space without the prior approval of the Council
- (2) Prior to the occupation of each of the dwellings indicated on Plan Number 76/0287/2 or within such longer period as shall be agreed in writing by the Council the appropriate trees shrubs and hedges as indicated on Plan Number 76/0287/3 annexed hereto shall be planted in a manner applicable to the appropriate species in the position shown on the plan
- (3) All other trees shrubs and hedges as indicated on the said Plan Number 76/0287/3 which are not positioned within the individual curtilage of any of the dwellings shown on the plan shall be planted in the appropriate manner prior to the occupation of the dwellings with which they are associated unless otherwise agreed in writing by the Council
- (4) After the planting of trees shrubs and hedges as required by Clauses (2) and (3) above any such plant referred to on the said Plan Number 76/0287/3 which fails or dies back within a period of 5 years from the date of completion of the planting shall be replaced by a tree shrub or hedge of the same type and quality or such other type as may be approved by the Council
- (5) Prior to the occupation of each of the dwellings indicated on the said Plan Number 76/0287/2 or within such longer period as may be agreed by the Council the screen walls indicated on such plan shall be constructed in the manner indicated on that plan in facing brickwork to match the dwelling with which they are associated except where indicated on the plan as the boundaries of the garage spaces where the garages have been constructed in accordance with Clause (1) above
- (6) Prior to the occupation of each of the dwellings indicated on the said Plan Number 76/0287/2 or within such longer period as may be agreed by the Council the screen fences indicated on such plan shall be constructed in the manner and of the materials indicated on the plan except where indicated on the plan as the boundaries of the garage spaces where the garages have been constructed in accordance with Clause (1) above



LOCATION PLAN

NORFOLK SHEETS TG 2313, 2312.

BROADLAND
DISTRICT COUNCIL
- 9 JUL 1976
TECHNICAL SERVICES
DEPARTMENT

CHAPLIN & FARRANT
ARCHITECTS - ENGINEERS - QUANTITY SURVEYORS
51 Yarmouth Road Norwich NOR 39T Telephone 34861

LAND AT CATTON
NORWICH,
Norfolk Garden Estates Ltd

Location Plan

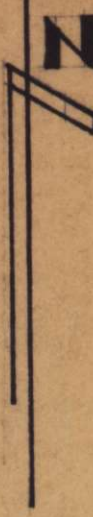
project ref: 1422 date: OCT '75

ref.	revisions	date
a		
b		
c		
d		
e		
f		
g		

scale: 1:2500
drawn by: *Bar*
drg no: 1

THIS IS THE DRAWING NO 76/0287/1
REFERRED TO IN THE SECTION 52 AGREEMENT.

P. B. Jones
J. W. Wain



Note:
200mm high dwarf post and chain fence shown thus on plan. ---
1800 high Brick screen wall (Bricks to match dwellings) shown thus on plan Type A. ---
1800 high Interwoven fence shown thus on plan Type C. ---
For details of screen walls and fencing see drawing N° 1422/28.
Garages to be built at same time as dwelling marked thus .g. for details see drawing N° 1422/28
For Landscape details see drawing N° 1422/19a - This is drawing N° 76/0287/3 referred to in the Section 52 Agreement.
Pitched roof - Garages to be built at future date by Purchasers marked thus : S for details see drawing N° G17
Pitched roof - Garages to be built at future date by Purchasers marked thus : R for details see drawing N° G18
Flat roof - Garages to be built at future date by Purchasers marked thus : T for details see drawing N° G16
Parking Spaces no garages to be built marked thus P. Restrictive Covenant. These are the drawings N° 76/0287/G17, 76/0287/G18 and 76/0287/G16 referred to in the Section 52 Agreement.

OUTLINE OF FIRST STAGE SHOWN THUS
Plots 1 to G3 inclusive and Plots 196 to 201 inclusive.

BROADLAND DISTRICT COUNCIL
14 JUL 1976
TECHNICAL SERVICES DEPARTMENT

52 - TWO BEDROOM BUNGALOWS.
24 - " " FLATS.
35 - THREE BEDROOM BUNGALOWS.
79 - " " HOUSES.
11 FOUR BEDROOM HOUSES.
201 HOUSING UNITS.

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51 Yarmouth Road Norwich NOR 39T Telephone 34861

CATTON 3.
Spixworth Road, Norwich.
Norfolk Garden Estates.

LAYOUT

Project ref: 1422 date: 31. Mar '76.

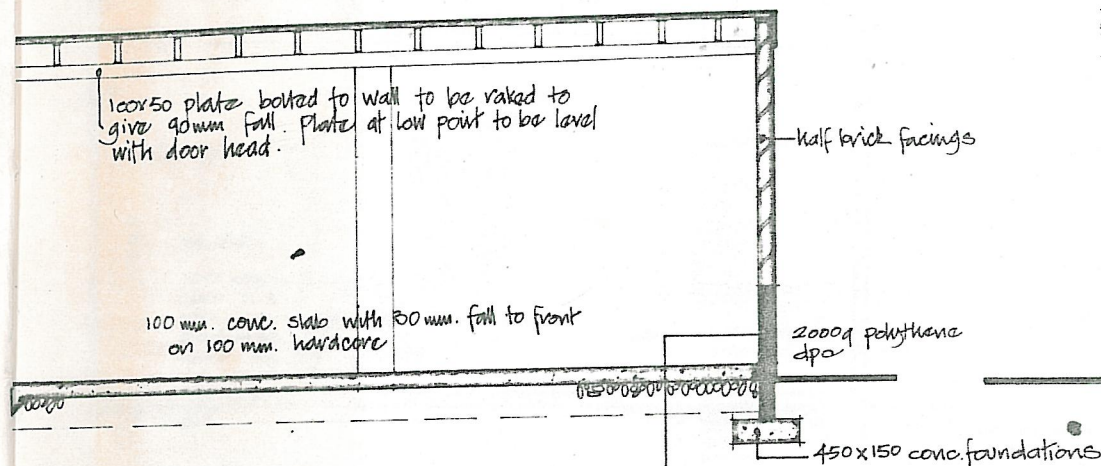
ref.	revisions:	date:
a	Layout redrawn	31.3.76
b	Plot 196 to 201 revised	6.4.76
c	Green walls added Garages revised	14.5.76
d	Plot 1, Repositioned to suit N.C.C. Highways	24.6.76
e	Garage Plot 16 revised to Planning Reg.	7.7.76
f	Plot 161 and garage revised to suit revised 1972	

scale: 1:500
drawn by: JAF
dig. no: 2

THIS IS THE DRAWING N° 76/0287/2
REFERRED TO IN THE SECTION 52 AGREEMENT.

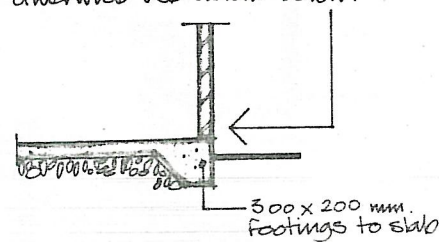
Handwritten signature

2 Layer felt built up roofing, bonded in hot bitumen, finished with bitumen bedded stone chippings to a depth of 12.5 mm. all drips to be mineral surfaced felt.

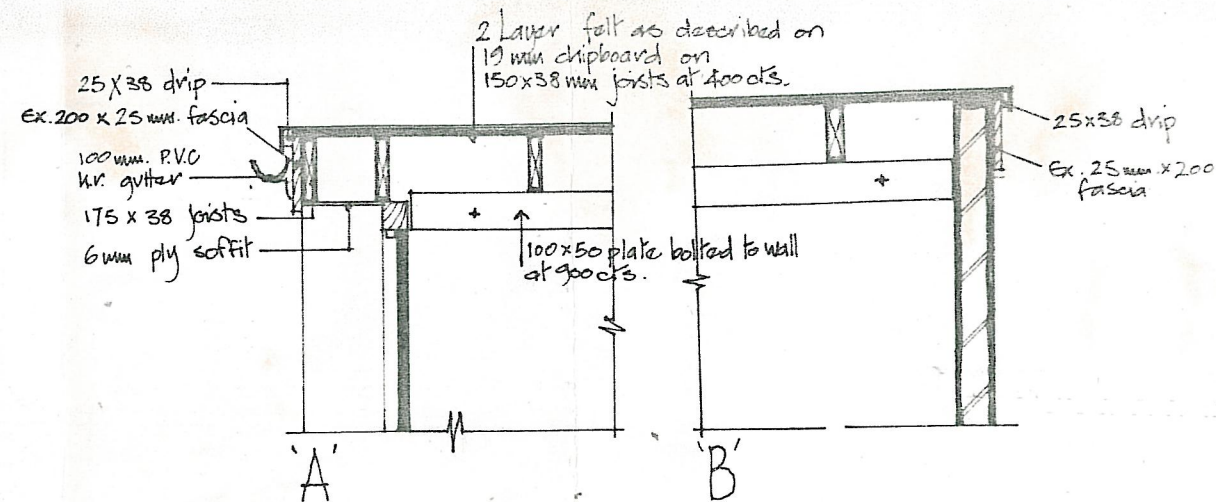
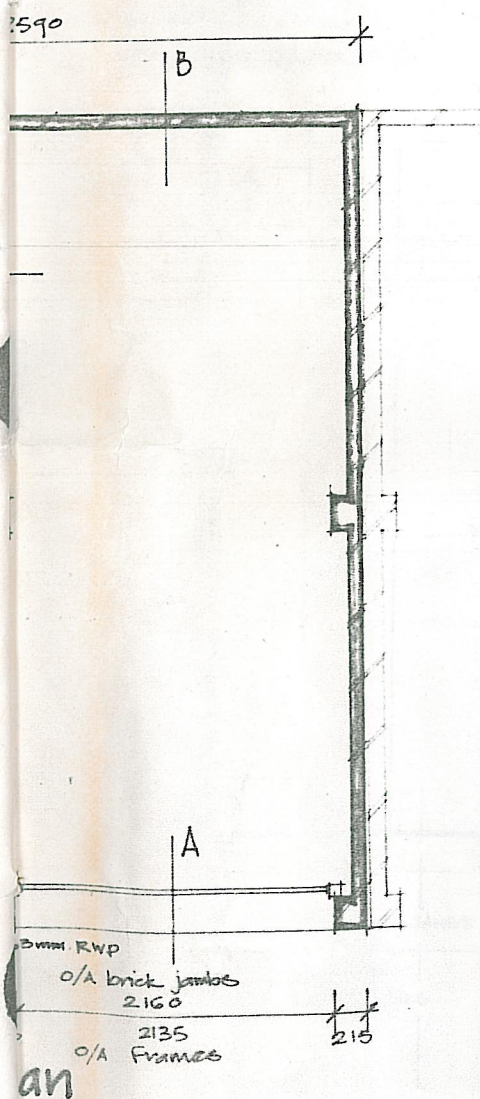


ng Section

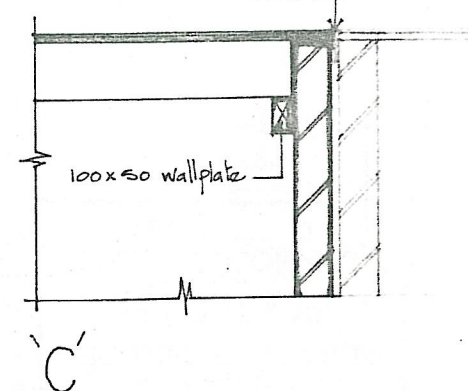
Rear wall of garage to be built off screen wall where existing. otherwise use detail below.



Front Elevation.



Roof felt dressed down between down pipe & permanent seal applied between roof finishes.



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Garage Details

Flat Roof

Project ref 1422 date April 76

ref	revisions	date
a		
b		
c		
d		
e		
f		
g		

scale 1:50, 1:20
drawn by *BC*
drg no G16.

THIS IS THE DRAWING NO 76/0287/G16 REFERRED TO IN THE SECTION 52 AGREEMENT.

BROADLAND
DISTRICT COUNCIL
- 9 JUL 1976
TECHNICAL SERVICES
DEPARTMENT

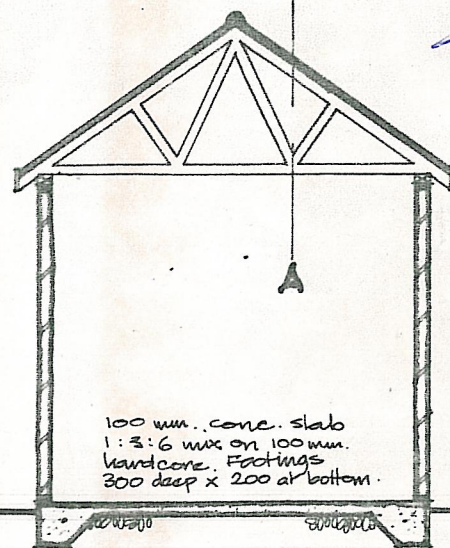
Door Type : Handerson Marlin

Door Frames: Jambs Ex 63x63
Head Ex 75x63

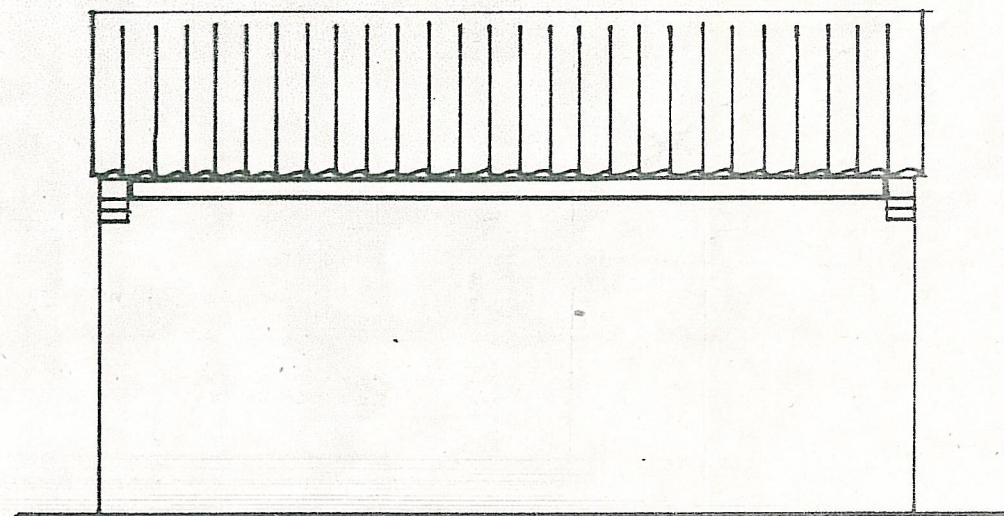
Personal Door to Gardens : 762x1981 ledged + braced for positions of doors in any particular garage see site plan.

Ironmongery - See schedule.

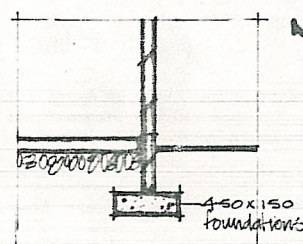
John Fawcett



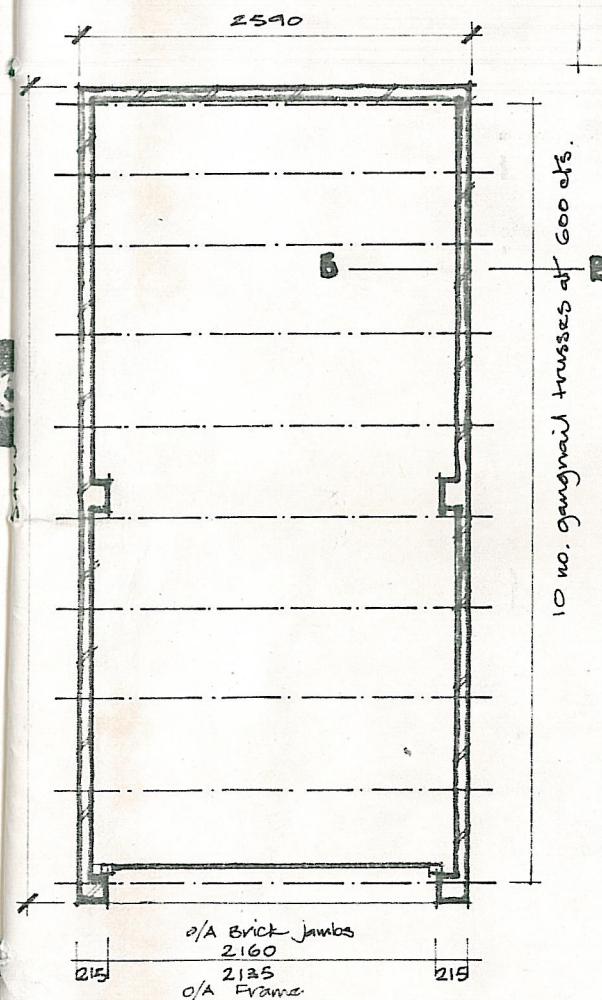
Section



Side Elevation



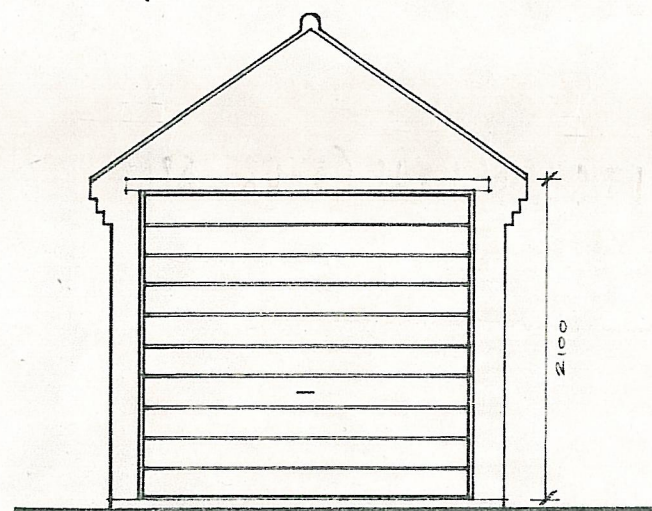
N.B. Rear wall of garage to be built off screen wall where available, as detail.



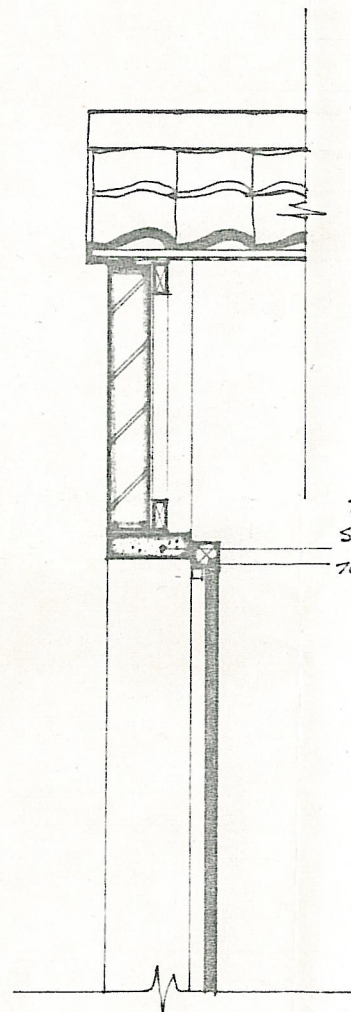
Plan

Door Type : Henderson Merlin
Door Frames : Jambs ex 63x63
Head ex 75x63

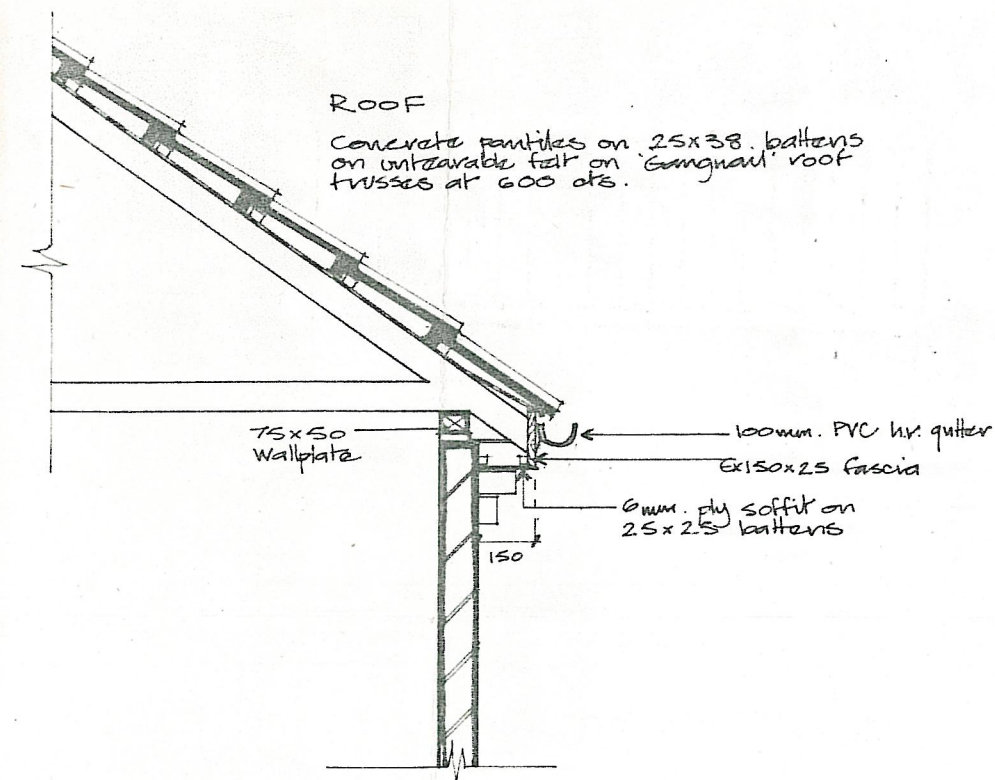
Personal door to gardens : 762 x 1981, wedged & braced. For positions of doors in any particular garage see site plan.



Front Elevation



Section A-A



Section B-B

BROADLAND
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- 9 JUL 1976
TECHNICAL SERVICES
DEPARTMENT

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GARAGE DETAILS

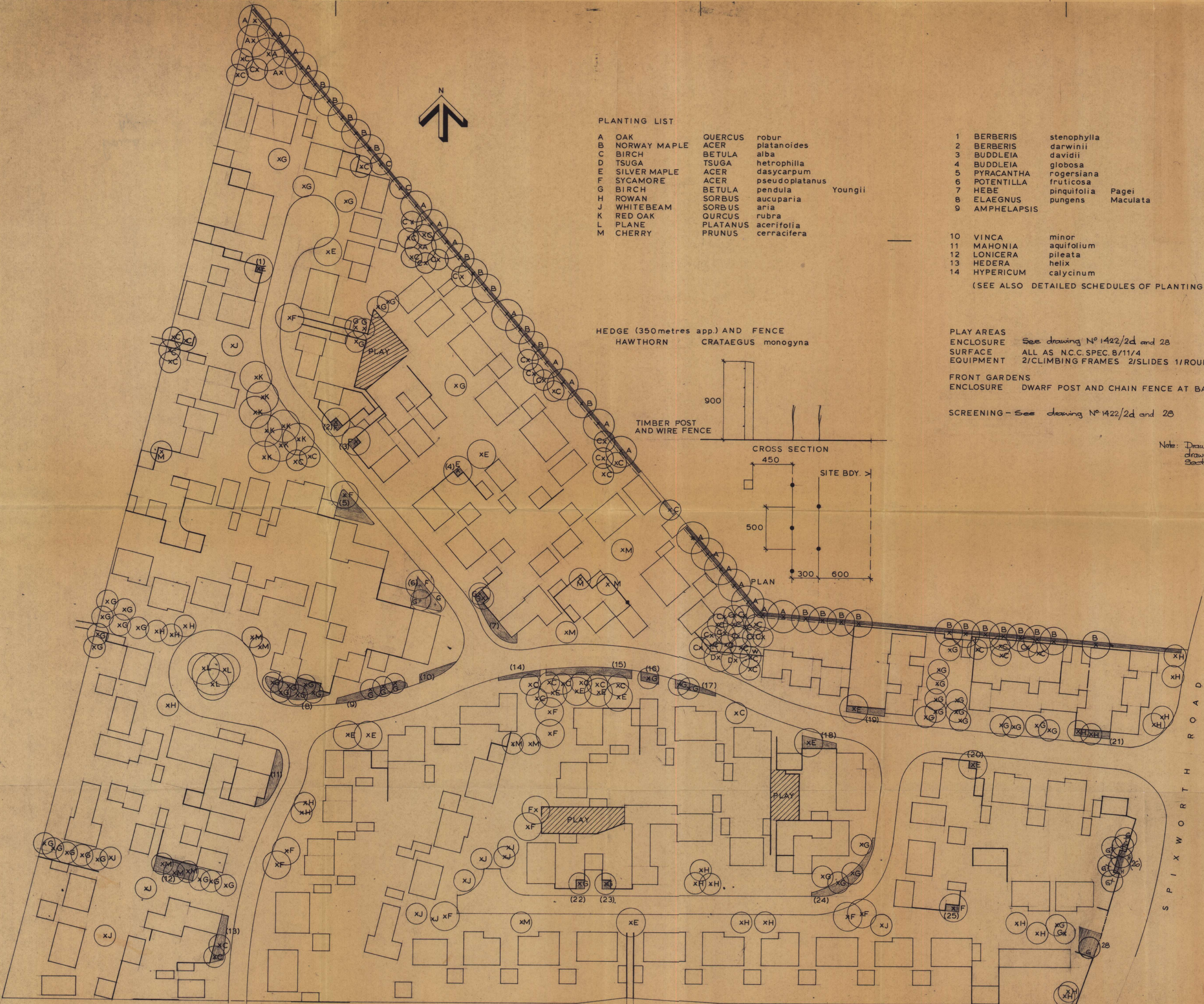
PITCHED ROOF (SHORT SPAN)

project ref 1422 date

ref	revisions	date
a		
b		
c		
d		
e		
f		
g		

scale 1:20 1:50 drg no. G18
drawn by *SC*

THIS IS THE DRAWING NO 76/0287/G18 REFERRED TO IN THE SECTION 52 AGREEMENT.



PLANTING LIST

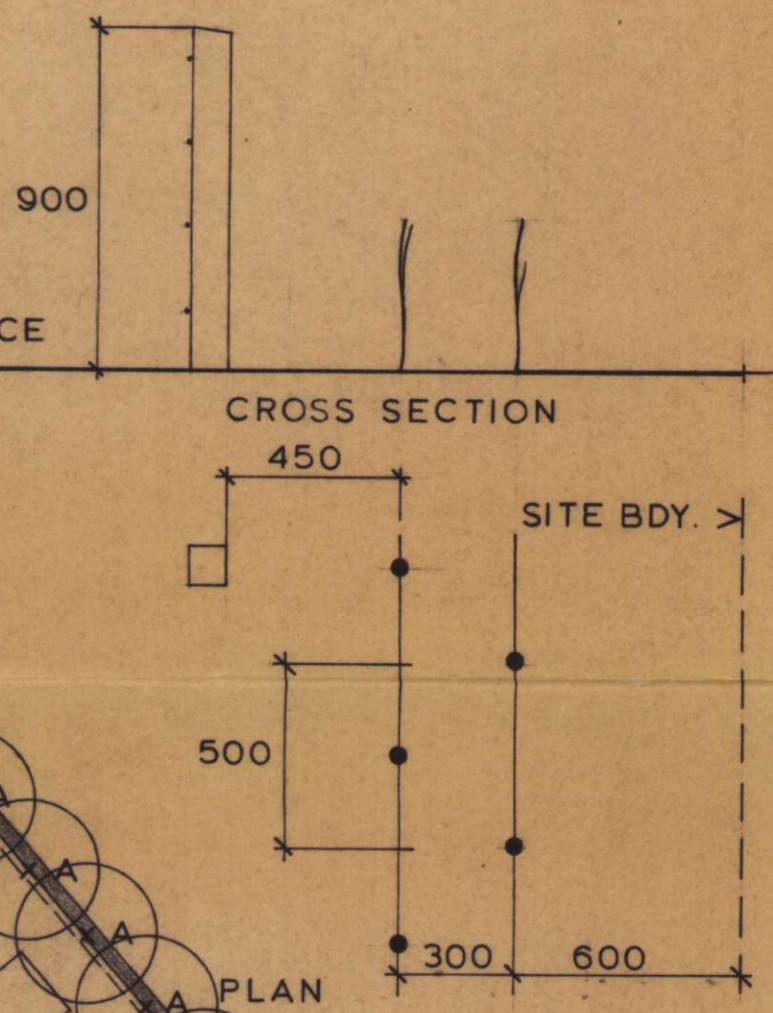
A	OAK	QUERCUS	robur
B	NORWAY MAPLE	ACER	platanoides
C	BIRCH	BETULA	alba
D	TSUGA	TSUGA	heterophylla
E	SILVER MAPLE	ACER	dasycarpum
F	SYCAMORE	ACER	pseudoplatanus
G	BIRCH	BETULA	pendula
H	ROWAN	SORBUS	aucuparia
J	WHITEBEAM	SORBUS	aria
K	RED OAK	QUERCUS	rubra
L	PLANE	PLATANUS	acerifolia
M	CHERRY	PRUNUS	cerracifera

1	BERBERIS	stenophylla
2	BERBERIS	darwinii
3	BUDDLEIA	dauidii
4	BUDDLEIA	globosa
5	PYRACANTHA	rogersiana
6	POTENTILLA	fruticosa
7	HEBE	pinquifolia
8	ELAEAGNUS	pungens
9	AMPHELAPSIS	

10	VINCA	minor
11	MAHONIA	aquifolium
12	LONICERA	pileata
13	HEDERA	helix
14	HYPERICUM	calycinum

(SEE ALSO DETAILED SCHEDULES OF PLANTING FOR SHRUB BEDS)

HEDGE (350metres app.) AND FENCE
HAWTHORN CRATAEGUS monogyna



PLAY AREAS
ENCLOSURE See drawing N° 1422/2d and 28
SURFACE ALL AS N.C.C. SPEC. 8/11/4
EQUIPMENT 2/CLIMBING FRAMES 2/SLIDES 1/ROUNDAABOUT 3/3 SEAT SWING SETS

FRONT GARDENS
ENCLOSURE DWARF POST AND CHAIN FENCE AT BACK EDGE OF FOOTPATH see drawing N° 1422

SCREENING - See drawing N° 1422/2d and 28

Note: Drawings N° 1422/2d mentioned above is drawing N° 76/0287/2 referred to in the Section 52 Agreement.

BROADLAND DISTRICT COUNCIL
JUL 1976
TECHNICAL SERVICES DEPARTMENT

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CATTON 3
SPIXWORTH ROAD, NORWICH
NORFOLK GARDEN ESTATES

LANDSCAPE PLAN

Project ref: 1422 date: 7 APRIL 76

ref:	revisions:	date:
a	general	
b	Plot 1. revised to suit highways 5.7.76	
c		
d		
e		
f		
g		

Scale: 1/500
drawn by: J.B. Rowan
drg no: 19b

THIS IS THE DRAWING N° 76/0287/3 referred to in the Section 52 Agreement.

THE COMMON SEAL of THE BROADLAND)

DISTRICT COUNCIL was hereunto)

affixed in the presence of:-)

Chairman

P. M. Taylor

Chief Executive & Clerk



THE COMMON SEAL of NORFOLK GARDEN)

ESTATES LIMITED was hereunto)

affixed in the presence of:-)

Director

J. W. W. W.
Secretary



DATED 20th August - 1976

THE BROADLAND DISTRICT COUNCIL

-- and --

NORFOLK GARDEN ESTATES LIMITED

A G R E E M E N T

Under Section 52 of the Town and
Country Planning Act 1971

Ev S/sw

Daynes, Chittock & Back,
Solicitors,
Norwich.

LB/JS

