

THIS AGREEMENT is made the

5<sup>th</sup>.

day of

November

1985

BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the one part and

JOHN JAMES MILLER of <sup>West Wing, Horsford Hall, Norwich</sup> ~~30 Cheyney Avenue Salhouse~~ in the said County

(hereinafter called "the Owner") of the other part

WHEREAS

(1) The Council is the Local Planning Authority for the purpose of this Agreement

(2) The Owner is seised in fee simple absolute in possession of the property described in the First Schedule hereto (hereinafter called "the property") free from incumbrances

(3) The Owner is seised in fee simple absolute in possession of the land described in the Second Schedule hereto (hereinafter called "the blue land") free from incumbrances

(4) The Owner has applied to the Council under reference number 85.0340 for Planning Permission for development to be carried out on the property

(5) The Council and the Owner have agreed subject to Planning Permission being granted in consequence of the aforesaid application to enter into this agreement pursuant to Section 52 of the Town and Country Planning Act 1971

NOW THIS DEED WITNESSETH

1. SUBJECT to Planning Permission being granted in consequence of application number 85.0340 and pursuant to the said Section 52 the Owner hereby agrees declares and covenants with the Council that from the date on which the aforesaid Planning Permission shall be granted:-

(i) that part of the property which is shown hatched black on the plan annexed hereto shall be permanently subject to the conditions restricting or regulating the development or use of that part of the property specified in the First Part of the Third Schedule hereto, and

(ii) the blue land shall be permanently subject to the condition



2891 restricting or regulating the development or use of the property specified in the Second Part of the Third Schedule hereto

2. THE expressions "the Council" and "the Owner" shall where the context so admits include their respective successors in title and assigns

IN WITNESS whereof the Council has hereunto caused its Common Seal to be affixed and the Owner has hereunto set his hand and seal the day and year first before written

THE FIRST SCHEDULE

All that piece or parcel of freehold land together with the buildings situate thereon which piece or parcel of land is situate in the Parish of Thorpe St. Andrew in the said County and abuts the road known as Pound Lane and is delineated on the plan annexed hereto and thereon edged red

THE SECOND SCHEDULE

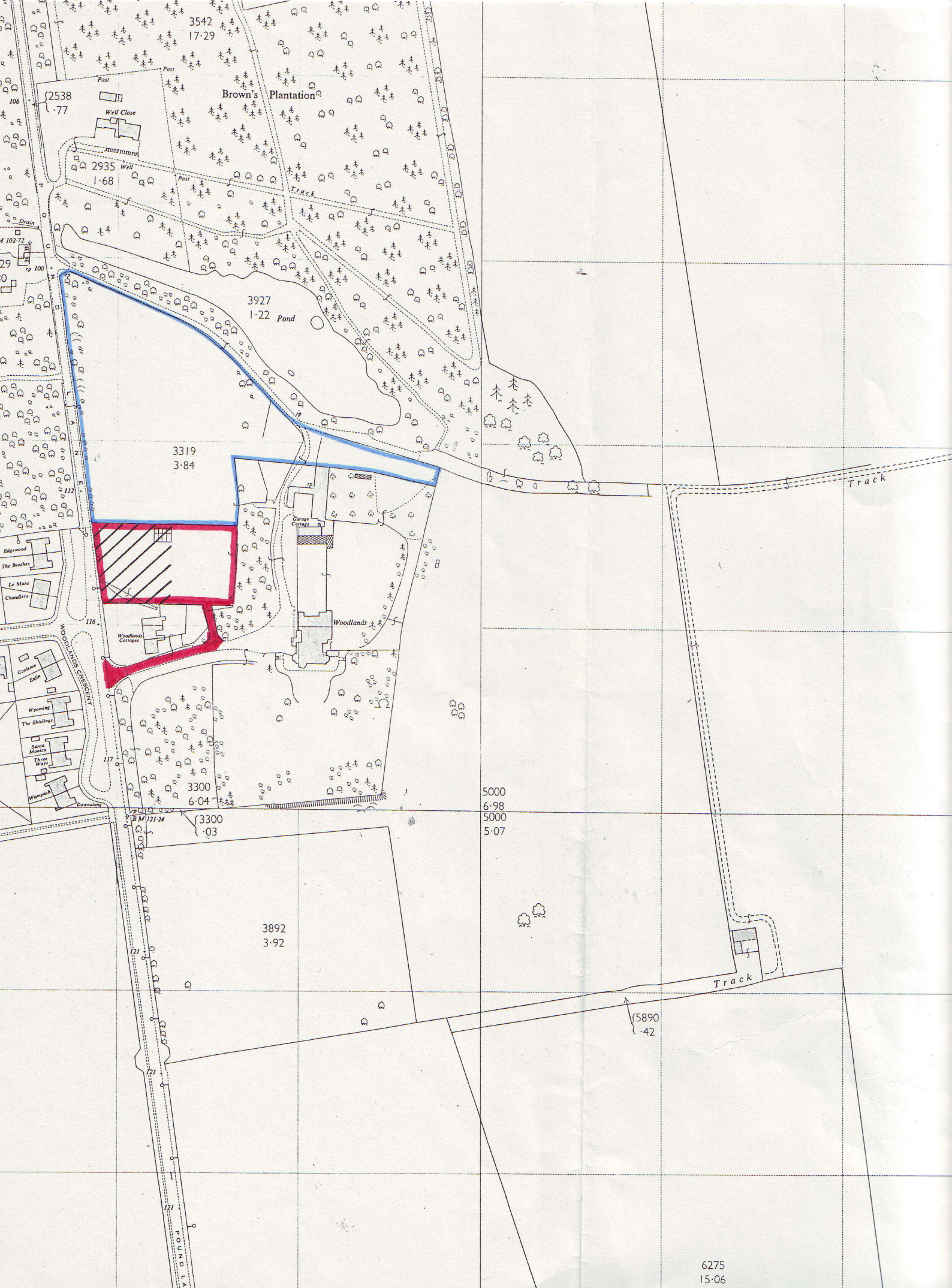
All that piece or parcel of freehold land situate in the said Parish and which abuts the said road and is delineated on the said plan and thereon edged blue

THE THIRD SCHEDULE

THE FIRST PART

1. Not to do anything whereby the character of the part of the property hatched black on the said plan is changed
2. Not to erect thereon any structure of any kind including but without prejudice to the generality of the foregoing words any greenhouse shed or other building any wall or fence
3. Not to create thereon any landscape feature including but without prejudice to the generality of the foregoing words any terrace retaining wall mound bank or pool
4. Not to place thereon any fixture including without prejudice to the







- generality of the foregoing words any urn fountain statue or garden furniture which furniture is permanently or for a lengthy period annexed to the land
5. Not to pave gravel or surface in any way any part thereof
  6. Not to layout or create any formal garden or gardens
  7. Not to uproot or remove or damage the existing hedge abutting the aforesaid road

THE SECOND PART

Not to carry out any development as defined in the Town and Country Planning Act 1971 on the blue land

THE COMMON SEAL OF BROADLAND )  
DISTRICT COUNCIL was hereunto )  
affixed in the presence of: )



*[Signature]*  
Chairman  
*[Signature]*  
Chief Executive & Clerk

SIGNED SEALED AND DELIVERED by the )  
said JOHN JAMES MILLER in the )  
presence of: )

*[Signature]* *[Signature]*

*[Signature]*  
19 *[Signature]*  
*[Signature]*  
*[Signature]*



Dated 5<sup>th</sup> November 1985

BROADLAND DISTRICT COUNCIL

and

J.J. MILLER

AGREEMENT relating to land at  
Pound Lane, Thorpe St. Andrew

S.52 Town and Country Planning  
Act 1971

B.A. YATES,  
District Solicitor,  
Broadland District Council,  
Thorpe Lodge,  
Yarmouth Road,  
Norwich, NR7 ODU.