

DO NOT DATE

THIS PLANNING OBLIGATION is made the 4th day of December One Thousand Nine Hundred and Ninety-two BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Thorpe St. Andrew in the County of Norfolk (hereinafter called "the Council") of the first part H. G. BLAKE (COSTESSEY) LIMITED and whose registered office is situate at Park Farm Old Costessey in the said County (hereinafter called "the Owner") of the second part and BARCLAYS BANK PLC whose Registered Office is situate at 54 LOMBARD STREET, LONDON EC3P 3AH (hereinafter called "the Bank") of the third part

WHEREAS:-

- (1) The obligations imposed by this Deed are planning obligations for the purposes of Section 106 of the Town & Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991
- (2) The Council is the Local Planning Authority by whom these obligations are enforceable
- (3) The Owner is seised in fee simple absolute in possession of (inter alia) the property known as ALL THAT freehold land at Reepham Road Felthorpe Norfolk (hereinafter called "the Property") shown edged red on Plan A annexed hereto subject only to the Legal Charge next herein recited but otherwise free from incumbrances
- (4) By a Legal Charge made the Tenth day of December One Thousand Nine Hundred and Seventy-Six the Property was charged by way of legal mortgage to the Bank to secure the monies therein mentioned
- (5) The Owner applied to the Council under reference number 91.1611 for planning permission for development to be carried out on the Property

(6) The Council the Owners and the Bank have agreed subject to planning permission being granted in consequence of the aforesaid application in the form of the attached draft planning permission ("the draft permission") to enter into this planning obligation pursuant to the said Section 106 as amended

NOW THIS DEED WITNESSETH as follows:-

1. SUBJECT to planning permission being granted in consequence of application number 91.1611 in accordance with the draft permission and pursuant to the said Section 106 as amended the Owner and the Bank hereby jointly and severally AGREE DECLARE AND COVENANT for themselves and their successors in title with the Council that from the date on which the aforesaid planning permission shall be granted the Property shall be permanently subject to the obligations specified in the Schedule hereto PROVIDED THAT the Bank shall only be personally liable hereunder when it is Mortgagee in Possession of the Property

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

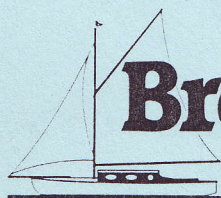
3. THIS document is executed as a Deed and is delivered on the date stated at the beginning of this Deed

IN WITNESS whereof the Council the Owner and the Bank have caused their respective Common Seals to be hereunto affixed the day and year first before written

   THE SCHEDULE

That for the duration of the use any development which may be permitted in accordance with the draft permission upon the Property:-

- (i) the Property shall not be used for the purposes so permitted unless all delivery lorries under the direct control of the Owner or its contractors which travel to and from the Property approach and leave the Property over the whole of the length of



Broadland
District Council

DRAFT

PLANNING PERMISSION

Agent Name

CHAPLIN & FARRANT LTD
51 YARMOUTH ROAD
NORWICH
NORFOLK
NR7 0ET

Date of Receipt

17 SEP 91

Applicant's Name

H G BLAKE (COSTESSEY) LTD
PARK FARM
COSTESSEY
NORWICH
NR8 5AG

Application No.

911611

Date

21 SEP 92

Description and Location of Development

ABATTOIR & WORKSHOP

AT:- BULL FARM, REEPHAM ROAD, FELTHORPE.

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT

Broadland District Council in pursuance of powers under the
above-mentioned Act hereby permit

ABATTOIR & WORKSHOP

AT:- BULL FARM, REEPHAM ROAD, FELTHORPE.

in accordance and subject to the following conditions:

1. The development to which this permission relates must be
begun not later than the expiration of five years, beginning
with the date on which this permission is granted.

2. The development hereby permitted shall not be carried out
otherwise than in accordance with the submitted plans as amended
by drawings (No. 2274/4/A, 2274/6/A, 2274/7/A and 2274/16)

indicating amendments to the following:

- (i) visibility splay and access radii at the access point with Reephams Road;
- (ii) details of the landscaping scheme for the site; and
- (iii) revisions to the foul drainage system

3. The areas shown on the deposited plan for the loading, unloading, parking and manoeuvring of vehicles shall be constructed to the reasonable satisfaction of the Local Planning Authority prior to any part of the development hereby permitted being brought into use unless otherwise agreed in writing with the Local Planning Authority and these areas shall thereafter be kept available for that above purpose.

4. The vehicular access to the site shall be formed in accordance with those details indicated on the submitted amended plan (drawing No. 2274/4/A) prior to development commencing on the site unless otherwise agreed in writing with the Local Planning Authority.

5. The visibility splay and carriageway edge shall remain free of any obstruction up to a height of 1 metre and be graded to the carriageway edge.

6. The off-site landscaping scheme, as defined on the amended drawing (No. 2274/7/A) shall be implemented prior to development commencing on site unless otherwise specified in writing by the Local Planning Authority.

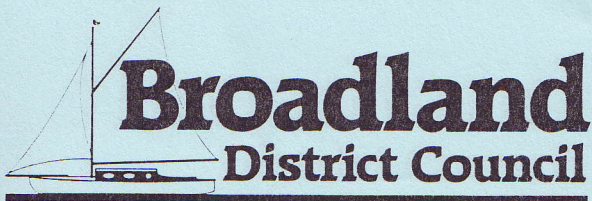
7. The on-site landscaping scheme, as defined on the amended drawing (No. 2274/16) shall be carried out prior to the building hereby approved being brought into use unless otherwise specified in writing by the Local Planning Authority.

8. Any tree or shrub which dies within five years of the planting of the first tree or shrub shown in that position on the approved landscaping scheme shall be replaced to the satisfaction of the Local Planning Authority.

9. Prior to development commencing on the site, details shall be submitted of any plant and machinery to be used within the application site, together with any noise attenuation measures which will be undertaken in accordance with a scheme to be agreed with the Local Planning Authority.

10. Details of refrigeration plant and extract ventilation systems including the position of inlet and outlet points shall be approved in writing by the Local Planning Authority and installed prior to the use commencing on site.

11. Before any development takes place, details shall be



submitted of the route of the "off-site" surface water drainage system to be agreed in writing with the Local Planning Authority.

12. No works shall be carried out on roads, footways, foul and surface water sewers otherwise in accordance with the specifications of the Local Planning Authority.

13. Unless otherwise specified in writing by the Local Planning Authority, the hours of operation shall be limited to 6am to 6pm on Monday to Friday (excluding Bank Holidays and Sundays), 6am to 12 noon Saturdays, and three lorries being allowed to leave the site between the hours of 6pm and 9pm. The noise omitted from the site shall not exceed an LAeq of 60dB between 0600 and 2100 hours and an LAeq of 40dB between 2100 and 0600 hours Mondays to Fridays and an LAeq of 60dB between 0600 and 1200 hours on Saturdays.

NOTE: INFORMATION REGARDING BUILDING REGULATIONS (SEE BELOW).

The reasons for the imposition of the conditions specified herein are :-

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act, 1990.

2. To ensure the permission relates to the application, as amended.

3. In the interests of highway safety.

4. In the interests of highway safety.

5. In the interests of highway safety.

6. To ensure the proper development of the site without prejudice to the amenities of the area.

7. To ensure the proper development of the site without prejudice to the amenities of the area.

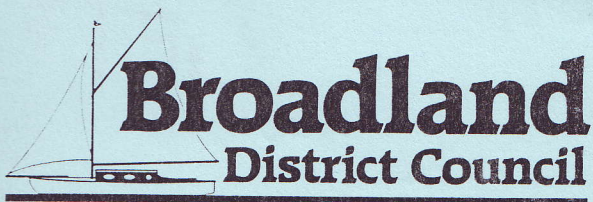
8. To ensure the proper development of the site without prejudice to the amenities of the area.

9. To ensure the proper development of the site without prejudice to the amenities of the area.

10. To safeguard the amenities of the adjacent residential properties.

11. To ensure the satisfactory development of the site.

12. To ensure the satisfactory development of the site without prejudice to the amenity of the site or to road safety.



13. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act, 1990.

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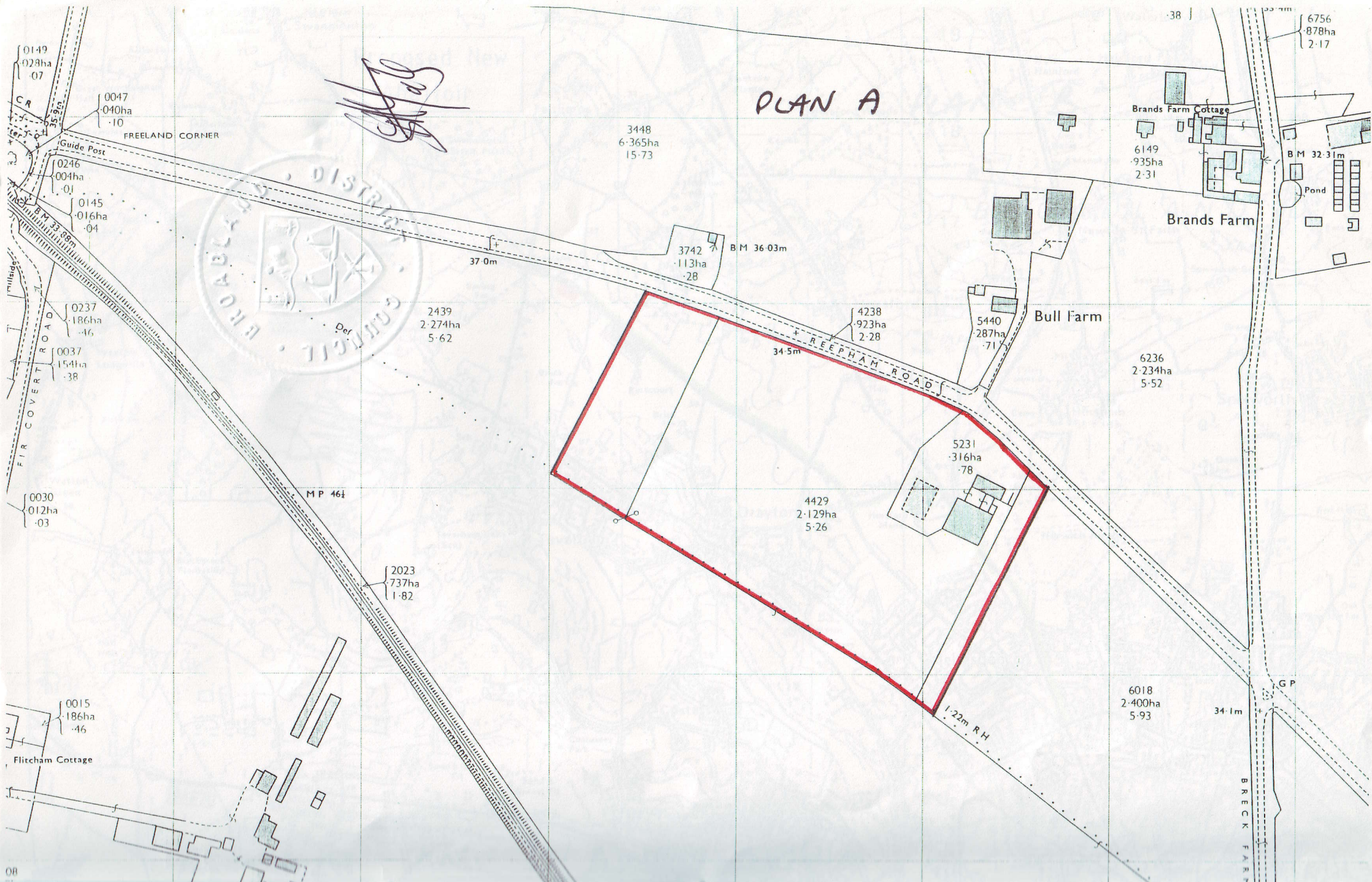
INFORMATION REGARDING BUILDING REGULATIONS

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IF THE ABOVE-MENTIONED DEVELOPMENT INVOLVES ANY WORKS OF A BUILDING OR ENGINEERING NATURE, PLEASE NOTE THAT BEFORE ANY SUCH WORKS ARE COMMENCED IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE THAT, IN ADDITION TO PLANNING PERMISSION, ANY NECESSARY CONSENT UNDER THE BUILDING REGULATIONS IS ALSO OBTAINED. ADVICE ON THIS POINT CAN BE OBTAINED FROM THE BUILDING CONTROL SECTION OF THIS DIRECTORATE.

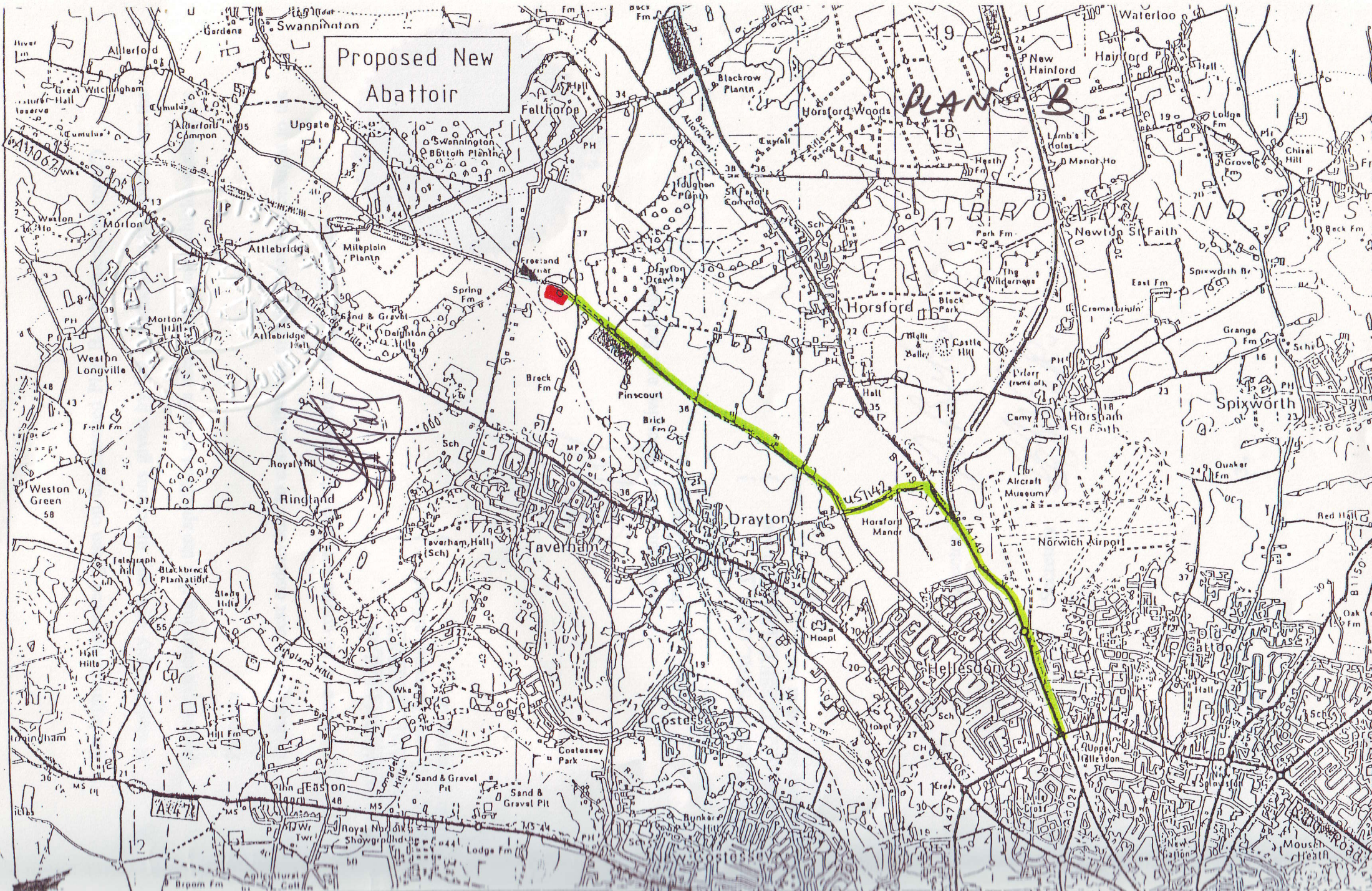
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Assistant Chief Executive and Solicitor to the Council
Thorpe Lodge, Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU.



Proposed New
Abattoir

PLAN B



the highway coloured green on the attached Plan B ("the specified route")

- (ii) it shall comply with any directions given by the Norfolk County Council for the purpose of ensuring that the specified route is used by the said vehicles visiting the Property
- (iii) it shall use its best endeavours to ensure that the specified route is brought to the attention of all contractors and other persons visiting the Property

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

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}
}



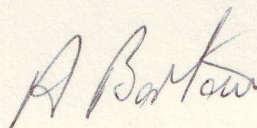
Assistant Chief Executive and Solicitor
to the Council



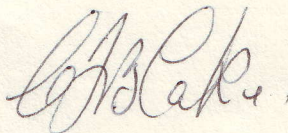
THE COMMON SEAL OF H. G.
BLAKE (COSTESSEY) LIMITED was
hereunto affixed in the
presence of:-

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}
}
}

Director



Secretary



45/92/798

THE COMMON SEAL of
BARCLAYS BANK PLC was
hereunto affixed in the
presence of:-

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}
}
}
}



Authorised Sealing Officer



Witnessed by the Secretary and the
Director of the Company



DATED

4th December

1992

BROADLAND DISTRICT COUNCIL

and

H. G. BLAKE (COSTESSEY) LTD

and

BARCLAYS BANK PLC

PLANNING OBLIGATION

under Section 106 of the
Town & Country Planning Act 1990
as amended by Section 12 of the
Planning and Land Compensation
Act, 1991, relating to
land at Reepham Road Felthorpe
Norfolk.

B.A.Yates,
Assistant Chief Executive and Solicitor to the
Council,
Broadland District Council,
Thorpe Lodge, Yarmouth Road,
Thorpe St. Andrew,
Norwich, NR7 ODU.

A:082PLOB.DEL