

THIS AGREEMENT is made the 8th day of

February

One thousand nine hundred and seventy-seven

BETWEEN THE NORFOLK COUNTY COUNCIL (hereinafter called the Council) of the one part and RAYMOND STEPHEN BARNARD of Holly Farm Neatishead of the other part

WHEREAS :

(1) The Council is the county planning authority for the purposes of the Town and Country Planning Act 1971 for the area within which the property at Ling Common Coltishall shown edged red on the plan annexed hereto (hereinafter called the site) is situated

(2) The owner is the owner in fee simple in possession free from encumbrances of the site

(3) The site is used by the owner in connection with a road haulage contractors business and the keeping of livestock

(4) The Council is desirous of securing the cessation of the use of the site in connection with a road haulage contractors business and the keeping of livestock

(5) The owner has made application (County Reference 5/76/2122) dated twenty-first day of October One thousand nine hundred and seventy-six in accordance with the Town and Country Planning Act 1971 and the Order and Regulations for the time being in force thereunder for planning permission for the erection of one dwelling on the site

(6) Notwithstanding that there are planning and highway difficulties associated with the proposed erection of one dwelling on the site the Council is desirous of granting planning permission (subject to the usual conditions imposed on a grant of outline planning permission) provided that it achieves the cessation of the use of the site in connection with a road haulage contractors business and the keeping of livestock

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 _____

To:-

3. The Council hereby grants planning permission (subject to the conditions hereinbefore mentioned) for the erection of one dwelling on the site as described in application County Reference Number 5/76/2122 and the formal notice to this effect is annexed hereto _____

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Nam

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4. The owner hereby covenants with the Council that _____

(a) within one month of the date of this Agreement he will _____

part
the

demolish and remove all the buildings and structures within the site shown edged blue on the annexed plan _____

sub

(b) after the expiry of one month from the date of this _____

Agreement he will not use the site for _____

(1) a road haulage contractors business or any incidental or ancillary purpose _____

(2) the breeding or keeping of livestock for commercial purposes _____

(3) any other purpose (whether or not within the same Use

Class of the Town and Country Planning (Use Classes) Order

1972 or any replacement thereof) except the erection of a

dwelling in accordance with the planning permission annexed

hereto and any incidental or ancillary development permitted

by the Town and Country Planning Act 1971 or the Town and

Country Planning (General Development) Order 1973 (or any

replacement thereof) without the grant of planning permission

given on a planning application _____

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1.

3.

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without the grant of planning permission and without the consent of the Council under this Agreement _____

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5. The expressions the "council" and the "owner" shall include

their respective successors and assigns

NORFOLK COUNTY COUNCIL
Town and Country Planning Act, 1971
Town and Country Planning General Development Order 1973

To: Hanbury Williams,
The Bridge, Wroxham.

Particulars of Proposed Development

Parish: Coltishall Location: Ling Common
Name of Applicant: Mr. R. S. Barnard
Name of Agent: Hanbury Williams
Proposal: Erection of one dwelling

In pursuance of their powers under the above mentioned Act and article 5, paragraph (2) of the above mentioned Order the Norfolk County Council HEREBY PERMIT the development as shown on the plan(s), and/or particulars deposited with the

Broadland District Council on the 21st day of October 19 76
subject to compliance with the condition(s) specified hereunder:-

1. No development whatsoever shall take place until full details of the siting, design, external appearance and means of access of that development have been submitted to and approved by the Local Planning Authority and the development shall conform to such approved details.
2. This permission shall not be taken as an approval of any details which may be shown on the deposited plan (other than that relating to the location and boundaries of the land) unless they have been stated in the application to form an integral part of the application.
3. Application for approval of any matters reserved in this permission shall be made not later than the expiration of three years beginning with the date of this permission.
4. The development to which this permission relates shall be begun not later than whichever is the later of the following dates:-
 - (i) the expiration of five years from the date of this permission; or,
 - (ii) the expiration of two years from the final approval of any matters reserved in this permission or, in the case of approval on different dates, the final approval of the last such matter to be approved.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions herein before specified are:-

1. & 2. This permission is granted under Article 5 of the above mentioned Order on an outline application and the conditions are imposed to enable the local planning authority to retain control over the siting and external appearance of the buildings, and the means of access, in the interests of amenity and road safety.

3. & 4. To comply with Section 42 of the Town and Country Planning Act, 1971.

The permission is granted subject to due compliance with the byelaws (local Acts, Orders, Regulations) and general statutory provisions in force.

Dated this 8th day of February 1977.

R. I. Maxam
to the Norfolk County Council
(Address of Council Offices) County Hall, Martineau Lane, Norwich. NR1 2DH.

See Notes on reverse side

NOTE:

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Whitehall, London, S.W.1.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

(2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 180 of the Town and Country Planning Act, 1971.

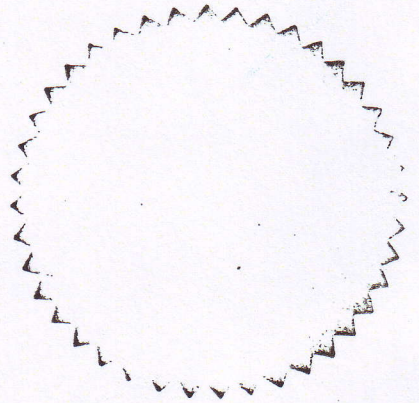
(3) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act, 1971.

I N W I T N E S S 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 above written _____

THE COMMON SEAL of THE)
NORFOLK COUNTY COUNCIL)
was hereunto affixed in)
the presence of: _____)

A. C. T. Kellott

County Secretary



SIGNED SEALED AND DELIVERED)
by the said RAYMOND _____)
STEPHEN BARNARD in the _____)
presence of: _____)

Stephen Barnard

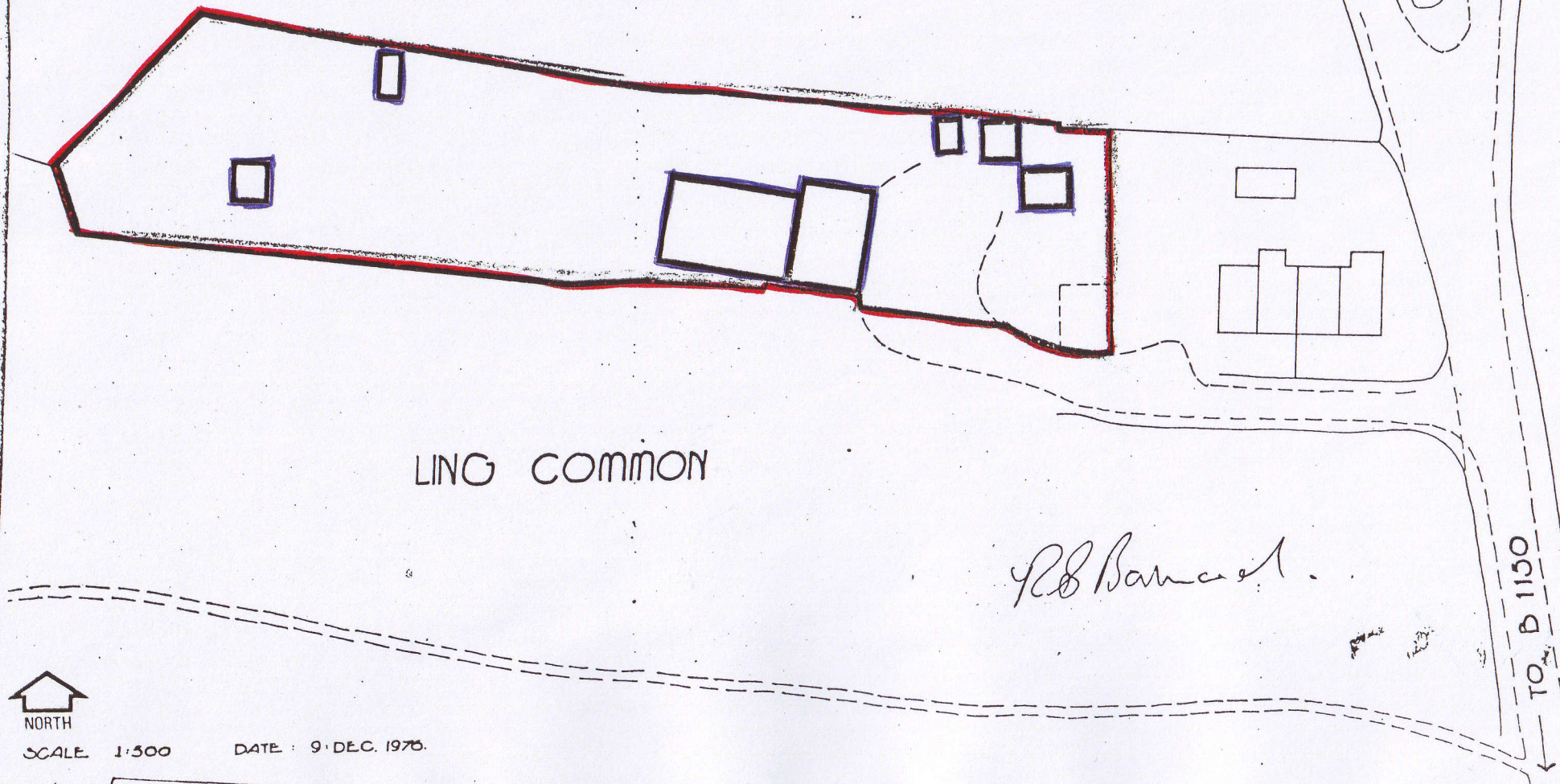


P. J. Peare

*Clerk with Cozen Hardy & Jenson
Solicitors. Norwich*

IN WITNESS whereof the Council has hereunto caused

ING COMMON. COLTISHALL — MR. R. S. BARNARD.



LING COMMON

R.S. Barnard

TO D 1150



NORTH

SCALE 1:500

DATE: 9 DEC. 1976