

THIS PLANNING OBLIGATION is made the 30<sup>th</sup> day of August One thousand Nine hundred and Ninety-six BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Thorpe St. Andrew in the County of Norfolk (hereinafter called "the Council") of the one part and MICHAEL MARTIN FOULGER of The Paddocks Old Buckenham in the said County PAUL GRAHAM FOULGER of Nilgiris Banham in the said County COLIN DAVID WRIGHT and ROBERT CHARLES SPURRELL PLUMBLY both of The Pines Connaught Road Attleborough in the said County the Trustees of Banham Poultry Produce Pension Fund (hereinafter called "the Owner") of the other 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 the property known as land at Upgate Swannington Norfolk (hereinafter called "the Property") shown edged red on the plan annexed hereto
- (4) The Owner applied to the Council under reference number 960087 for planning permission for development to be carried out on the Property
- (6) The Council and the Owner have agreed subject to planning permission being granted in consequence of the aforesaid application 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 960087 in accordance with the draft permissions annexed hereto and pursuant to the said Section 106 as amended the Owner AGREES DECLARES AND COVENANTS for itself and its 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



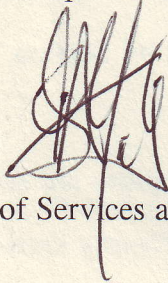
2. The expressions "the Council" and "the Owner" shall where the context so admits include their respective successors in Title and assigns
3. This document is executed as a Deed and is delivered on the date stated at the beginning of this Deed

**IN WITNESS** whereof the Council has caused its common seal to be hereunto affixed and the Owner has executed this document as a Deed the day and year first before written

**THE SCHEDULE referred to**

Not to develop further the Property (including development ordinarily permitted by the General Permitted Development Order 1995) other than in accordance with Planning Permission 960087

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



Director of Services and Solicitor to the Council

**SIGNED AS A DEED** by the said **MICHAEL MARTIN FOULGER** in the presence of:-

*Sh. Hanes*

*The Pines  
Cromarty Road  
Alderborough Norfolk*

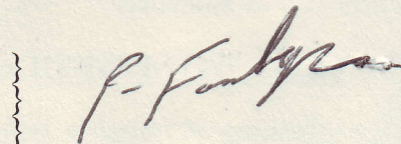
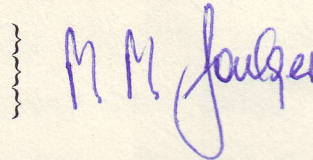
*Secretary*

**SIGNED AS A DEED** by the said **PAUL GRAHAM FOULGER** in the presence of:-

*Sh. Hanes*

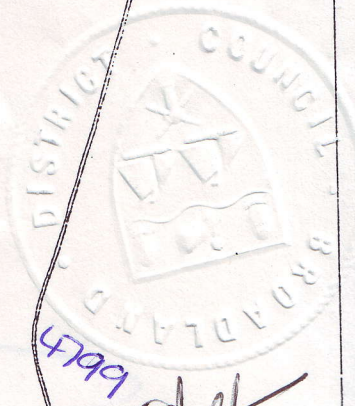
*as above*

*4799*





*AS*  
*Alington*  
*M M (father)*  
*P. Fowler*



*[Handwritten signature]*

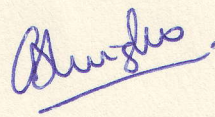


Drawn JL	Project REEPHAM ROAD SWANNINGTON	This material has been reproduced from Ordnance Survey digital data with the permission of the Controller of Her Majesty's Stationery Office, © Crown Copyright.
Date 31-Jan-96	Title SITE PLAN	
Scale 1:2500	Drawing No 960087	



SIGNED AS A DEED by the said  
COLIN DAVID WRIGHT  
in the presence of:-

}

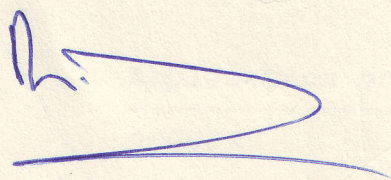


Witness

as above

SIGNED AS A DEED by the said  
ROBERT CHARLES SPURRELL PLUMBLY  
in the presence of:-

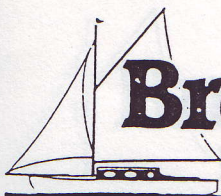
}



Witness

as above





# Broadland

## District Council

### PLANNING PERMISSION

Agent Name

GEORGE MIXER CONSTRUCTION LTD  
CATFIELD  
GREAT YARMOUTH  
NORFOLK  
NR29 5BA

Date of Receipt

30 JAN 96

Applicant's Name

BANHAM POULTRY FARMS LTD  
BUNNS BANK  
ATTLEBOROUGH  
NORFOLK  
NR17 1QB

Application No.

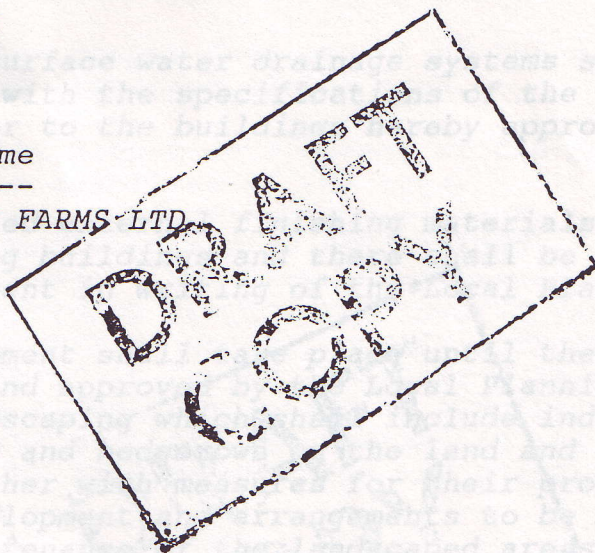
960087

Decision Date

08 AUG 96

Date

09 AUG 96



Description and Location of Development

1. DEMOLITION OF EXISTING POULTRY UNIT
2. ERECTION OF 2 POULTRY UNITS AND GENERAL PURPOSE BUILDING

AT:- BLACK BRECK POULTRY SITE, REEPHAM ROAD,  
SWANNINGTON.

TOWN AND COUNTRY PLANNING ACT 1990

PERMISSION FOR DEVELOPMENT

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

1. DEMOLITION OF EXISTING POULTRY UNIT
2. ERECTION OF 2 POULTRY UNITS AND GENERAL PURPOSE BUILDING

AT:- BLACK BRECK POULTRY SITE, REEPHAM ROAD,  
SWANNINGTON.

in accordance and subject to the following conditions:



1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in accordance with the details contained on the application forms and submitted plans as amended by Drawing No 95.042.SL1A and 95.042.2A reducing the overall length of both poultry units.
3. Foul and surface water drainage systems shall be constructed in accordance with the specifications of the Local Planning Authority prior to the buildings hereby approved being brought into use.
4. The proposed external finishing materials shall match those of the existing buildings and there shall be no variation without the prior consent in writing of the Local Planning Authority.
5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping which shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of development and arrangements to be made for the permanent maintenance of the landscaped areas.
6. The landscaping scheme, including surfacing and boundary treatments, as submitted and approved shall be carried out prior to the building hereby approved being brought into use unless otherwise specified in writing by the Local Planning Authority.
7. 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.
8. Unless otherwise agreed in writing by the Local Planning Authority the proposed road and hardstanding areas shall be enclosed with kerbing to the satisfaction of the Local Planning Authority.

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



4. To ensure the satisfactory appearance of the buildings.
5. In the interests of visual amenity and to enhance the amenity of the locality.
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.

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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 DEPARTMENT.

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

**DRAFT  
COPY**



DATED 30<sup>th</sup> August 1996

BROADLAND DISTRICT COUNCIL

- and -

THE TRUSTEES OF BANHAM  
POULTRY PRODUCE PENSION FUND

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**PLANNING OBLIGATIONS**

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

STEELE & CO.,  
2 The Norwich Business Park,  
Whiting Road,  
Norwich,  
NR4 6DJ

Ref. DEL/JS/9600-4222