

9/524

THIS AGREEMENT is made the 1st day of July One thousand nine hundred and eighty BETWEEN BROADLAND DISTRICT COUNCIL (hereinafter called "the Council") of the one part and JOHN WILMOT SMART and JILL ELIZABETH SMART both of Garden House Hotel, 62 Salhouse Road, Rackheath Norwich in the County of Norfolk (hereinafter called "the Owners") of the other part



WHEREAS

1. The Council is the Local Planning Authority for the purpose of this Agreement.
2. The Owners are seised in fee simple in possession of the property described in the First Schedule hereto (hereinafter called "the Property") SUBJECT TO the restrictive covenants and conditions contained in the First Schedule to a Conveyance dated the seventeenth day of August one thousand nine hundred and thirty four made between Robert Samuel Smith of the one part and Bertie Ewles of the other part and the restrictions and stipulations contained in the First Schedule to a Conveyance dated the thirtieth day of September One thousand nine hundred and fifty three and made between Russell Godfrey Steward of the one part and Holvey Thomas Greetham of the other part
3. The Owners have applied to the Council under reference number 80.1252.F for Planning Permission for development to be carried out on the property hereinafter described
4. The Council and the Owners 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 AS FOLLOWS:

1. Subject to Planning Permission being granted in consequence of Application Number 80.1252.F and pursuant to Section 52 of the said Act the Owners hereby jointly and severally agree declare and covenant with the Council that from the date on which the aforesaid Planning Permission shall be granted the property shall be permanently subject of the conditions restricting or regulating the development or use of the property specified in the Second Schedule hereto

2. The expressions "the Council" and "the Owners" 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 Owners have hereunto set their respective hands and seals the day and year first above written

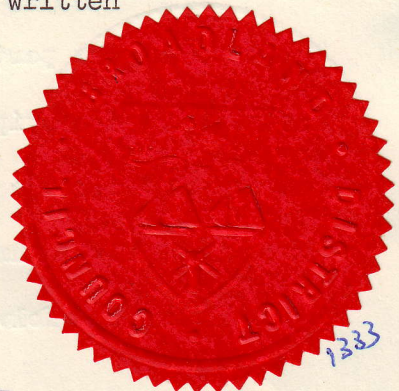
THE COMMON SEAL of the  
DISTRICT COUNCIL OF BROADLAND  
was hereunto affixed in the  
presence of:-

*[Signature]*  
Chairman

*[Signature]*  
Chief Executive and Clerk

SIGNED SEALED AND DELIVERED  
by the said JOHN WILMOT SMART  
in the presence of:-

*[Signature]*  
12 the close  
wanch.  
S. H. H. H.

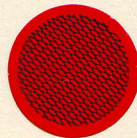




SIGNED SEALED AND DELIVERED  
by the said JILL ELIZABETH  
SMART in the presence of:

}

*Jill E. Smart*



*Samuel Smith.  
12 Ke close  
Norwich  
Schooner.*

THE FIRST SCHEDULE REFERRED TO

THE PROPERTY

All that land at number 62 Salhouse Road, Rackheath, Norwich in the County of Norfolk delineated on the plan attached hereto and thereon edged red

THE SECOND SCHEDULE REFERRED TO

THE CONDITIONS

Those parts of the existing building upon the property and those parts of the building for which Planning Permission is sought under reference number 80.1252.F which are shown hatched red on the ground floor plan and first floor plan annexed hereto shall not be used for any purpose other than as private residential accommodation



SIGNED SEALED AND DELIVERED  
by the said JILL ELIZABETH  
SMART in the presence of:

}

*Jill E. Smart*



*Samantha Smith  
12 Ke close  
Norwich  
Schooner*

THE FIRST SCHEDULE REFERRED TO

THE PROPERTY

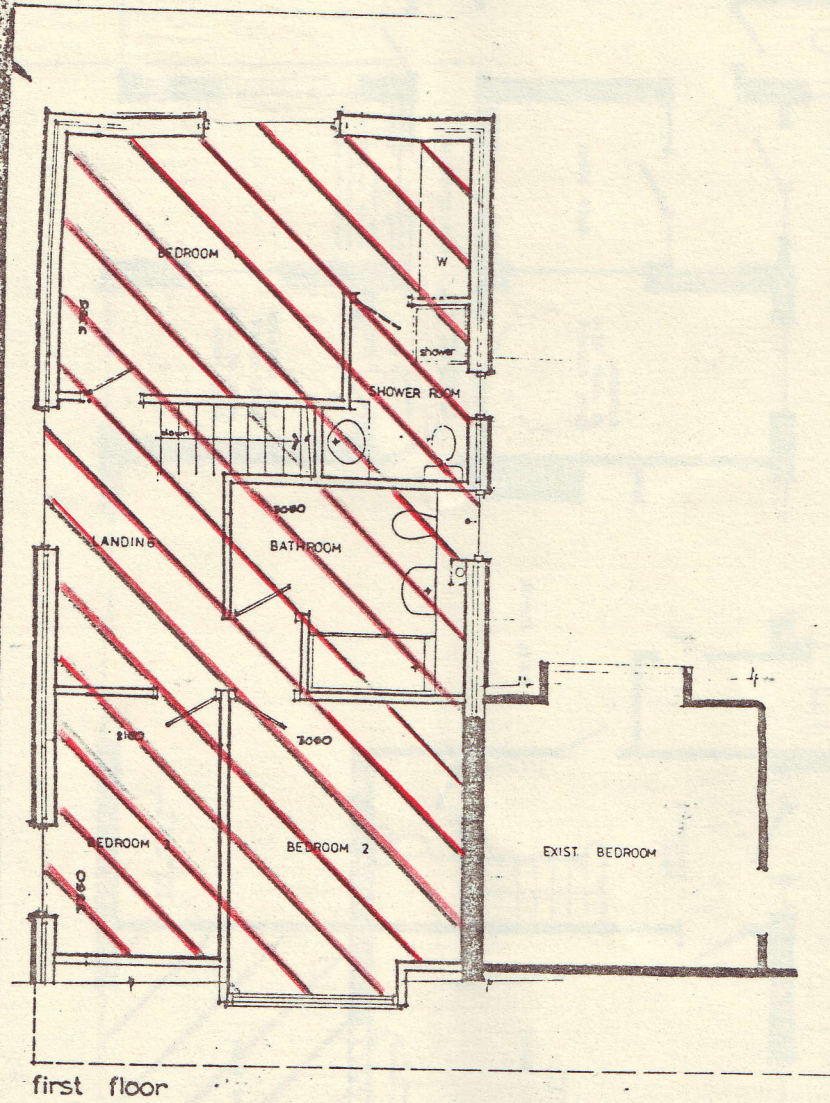
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THE SECOND SCHEDULE REFERRED TO

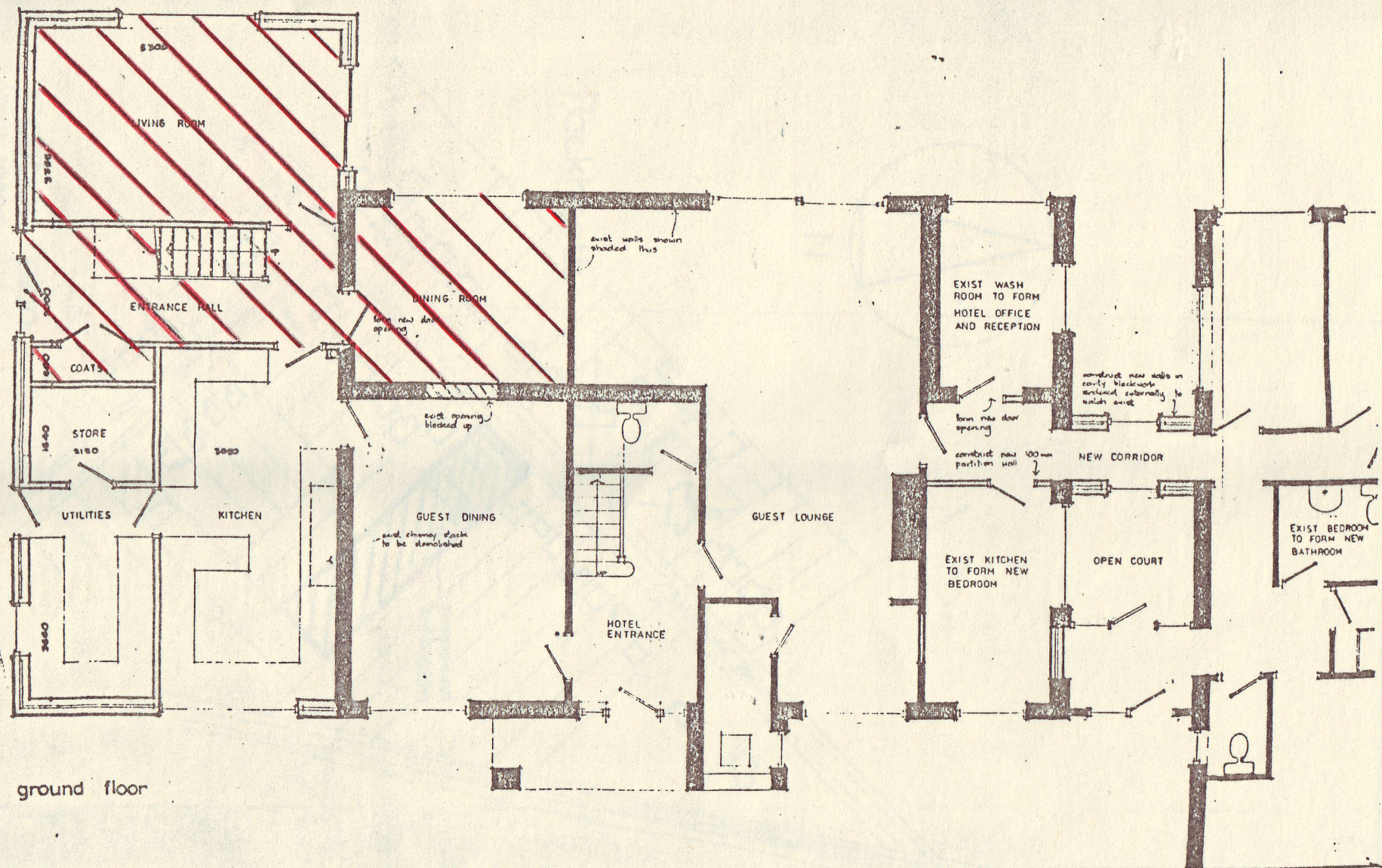
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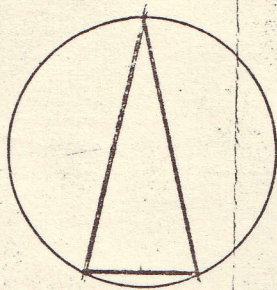






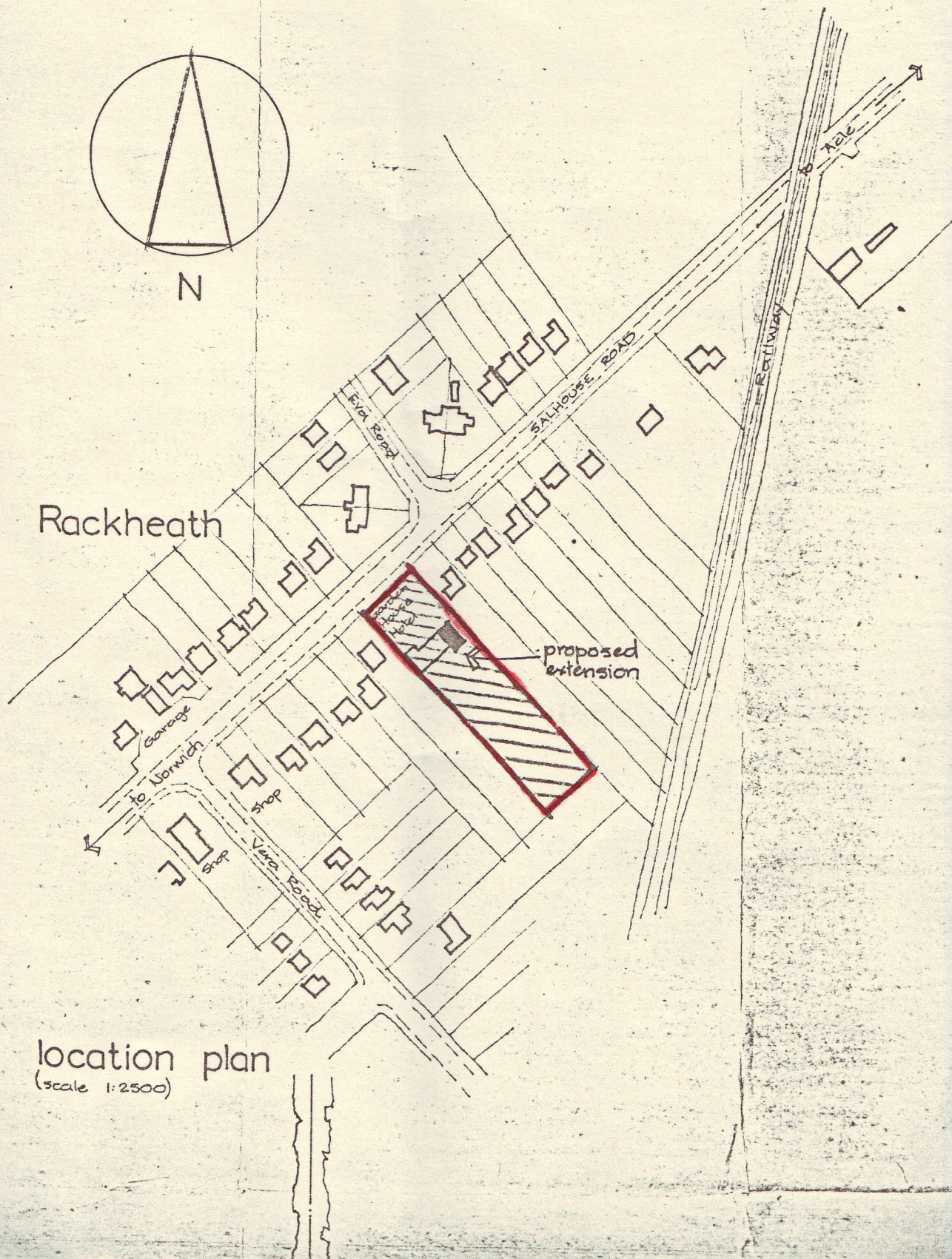






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Rackheath



location plan  
(scale 1:2500)



DATED

1st July

1980

BROADLAND DISTRICT COUNCIL

and

JOHN WILMOT SMART AND JILL ELIZABETH SMART

AGREEMENT

under Section 52 of the Town and Country  
Planning Act 1971

Daynes Chittock and Back,  
Solicitors,  
Norwich.