



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0464/91

S.Dell & Sons Ltd
Silverdale, Gossoms End
Berkhamsted
Herts

Mr B Branwhite
Barclays Bank Chambers
65 High Street
TRING

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Dell & Sons, Stag Ln/High St, /Gossoms End, Berkhamsted,

VARIATION TO CONDITION 5 P/P 4/2105/88 CAR PARKING MATERIALS (FURNITURE DEPOSITORY)

Your application for *the removal of a condition on a previous permission* dated 03.04.1991 and received on 09.04.1991 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

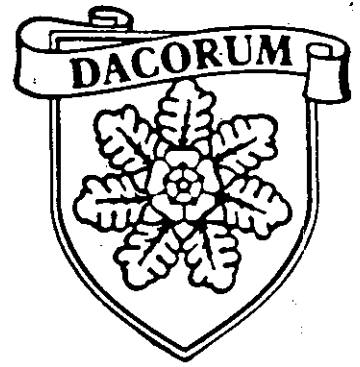
Director of Planning.

Date of Decision: 20.05.1991

(encs. - Conditions and Notes).

CONDITIONS APPLICABLE
TO APPLICATION: 4/0464/91

Date of Decision: 20.05.1991



1. Condition 5 of planning permission 4/2105/88 dated 22 June 1990 shall be varied to read as follows:

"The turning area referred to in Condition 3 shall be surfaced in black asphalt and the parking spaces referred to in Condition 4 shall be surfaced in red asphalt".

REASON:

To define the areas available for the parking and turning of vehicles.

DATED

10th April

90
1989

PARTIES:

DACORUM BOROUGH COUNCIL (1)

S DELL AND SONS LIMITED (2)

S DELL AND SON (INVESTMENTS) LIMITED (3)

DUPLICATE

AGREEMENT

relating to land adjoining
53 High Street
Northchurch
Hertfordshire

Made under S.52 of the Town and Country
Planning Act 1971 and S.33 of the
Local Government (Miscellaneous
Provisions) Act 1982

Keith Hunt
Borough Secretary
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Hertfordshire HP1 1HH

Ref: 4.89/32/126/140/SB/RB/BS.6

THIS AGREEMENT is made the 10th day of April 1989⁹⁰ BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the Council") of the first part and S DELL AND SONS LIMITED whose registered office is "Silverdale" Gossoms End Berkhamsted Hertfordshire (hereinafter called "the Company" which expression shall include the Company's successors in title and assigns) of the second part and S DELL AND SON (INVESTMENTS) LIMITED whose registered office is "Silverdale" aforesaid (hereinafter called "the Owner" which expression shall include the Owner's successors in title and assigns) of the third part

W H E R E A S:

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 as amended for the area of Dacorum and also a principal Council within the meaning of S.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is entitled to the interest in the land described in the First Schedule hereto
- (3) The Company has applied to the Council for planning permission under the Application Number and for the development described in the Second Schedule hereto (hereinafter called "the Development")
- (4) This Agreement is made pursuant to S.52 of the Town and Country Planning Act 1971 and S.33 of the Local Government (Miscellaneous Provisions) Act 1982

N O W T H I S D E E D W I T N E S S E T H as follows:

1. IN the event that planning permission with or without conditions is granted by the Council or by the Secretary of State for the Environment pursuant to the Application described in the Second Schedule hereto (hereinafter called "the Application") and the Company shall proceed

to implement such planning permission then this Agreement shall have full force and effect but not otherwise save that Clause 3(b) hereof shall have full force and effect from the date hereof

2. IN consideration of the covenants on the part of the Owner contained in the Third Schedule hereto the Council hereby covenants with the Owner and the Company that the Council will forthwith grant planning permission pursuant to the Application subject to the conditions set out in the Fourth Schedule hereto
3. IN consideration of the Council's covenant contained in Clause 2 hereof the Owner hereby covenants and undertakes with the Council
 - (a) to observe and perform the covenants set out in the Third Schedule hereto
 - (b) to pay the Council's reasonable costs in the preparation hereof on the execution of this Agreement
4. THIS Agreement shall be registered as a Local Land Charge

I N W I T N E S S W H E R E O F the parties hereto have caused their common seals to be hereunto affixed the day and year first before written

FIRST SCHEDULE

The Land

All that Freehold land adjoining 53 High Street Northchurch Hertfordshire and which is shown edged blue on the plan annexed hereto

The Owner's Interest in the Land

Unencumbered fee simple in possession

SECOND SCHEDULE

The Application and the Development

Application No. 4/2105/88

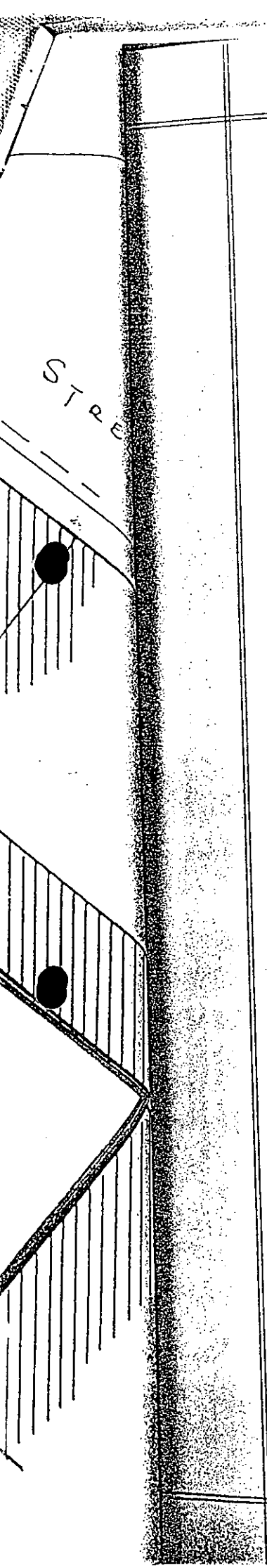
The Development consists of the proposed demolition of existing building and erection of new storage building to be used as a depository for furniture and household goods in accordance with the Drawings Numbered 3154/1/D 3154/2/D and 3154/1/E submitted with the Application

THIRD SCHEDULE

Covenants on the part of the Owner

The Owner hereby covenants with the Council:

- (1) to ensure that the land edged blue on the said plan is available if and when required to accommodate the parking on the land in the positions marked 1 and 2 on the said plan of two motor cars which are used by persons who are employed by the Company in connection with the Company's business operations carried out on the Application Site referred to in the Second Schedule

- 
- (2) to ensure that in addition to the provision of the two car parking spaces referred to in (1) above that the land is also available if and when required to accommodate the parking on the land within the area edged pink on the said plan of two commercial vehicles used by the Company in conjunction with the Company's business operations carried out on the said Application Site
- (3) to ensure that the area crosshatched on the said plan is kept clear at all times for the manoeuvring of vehicles within the land edged blue

FOURTH SCHEDULE

Conditions to be attached to the Planning Permission

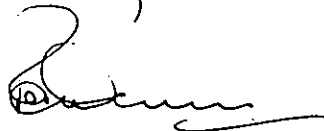
1. The development to which this permission relates shall be begun within a period of five years commencing on the date of this notice
2. Notwithstanding the details shown on Drawing No. 3154/1/D the parking and turning areas shall be provided in accordance with Drawing No. 3154/1/E and conditions
3. The building hereby permitted shall not be occupied until the crosshatched area shown on Drawing No. 3154/1/E shall have been defined on the site and shall not be used thereafter otherwise than for the purposes of the turning of vehicles without the prior approval in writing of the local planning authority
4. The building hereby permitted shall not be occupied until the 12 parking spaces shown on Drawing No. 3154/1/E shall have been defined on the site and shall not be used thereafter otherwise than for the purposes of the parking without the prior approval in writing of the local planning authority

5. The turning area referred to in Condition 3 shall be surfaced in black asphalt and the parking spaces referred to in condition 4 shall be formed by brick pavoids
6. The areas at the front and the side of the building hereby permitted and coloured yellow on Drawing No. 3154/1/D shall at no time be used for either the parking of vehicles or open storage
7. A 0.3m high dwarfwall should be erected and thereafter permanently retained around the perimeter of the building as shown by the green line on Drawing No. 3154/1/D
8. All the planting shown on Drawing No. 3154/1/D with the exception of the two trees coloured purple shall be carried out with the first planting season following the occupation of the building and any trees or plants which within a period of 5 years from the completion of the development die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation and for the purposes of the condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year
9. The development hereby permitted shall only be used for storage and distribution purposes under Class B8 of the Town and Country Planning (Use Classes) Order 1987
10. The ridge level of the building hereby permitted shall not project above the ridge level of the adjoining building shown on Drawing No. 3154/2/D
11. Sight lines of 2.4 m x 3.5 m shall be provided in each direction from the access to the site from Stag Lane within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level

12. Notwithstanding the details of cladding shown on Drawing No. 3154/2/D details of the materials to be used for the development hereby permitted shall be submitted to and approved in writing prior to the commencement of works and the said development shall be carried out in the approved materials

13. The building and its associated curtilage shall not be used before 7.00 am on weekdays and Saturdays and after 7.00 pm on weekdays and on Saturdays nor any time on Sundays or Bank Holidays

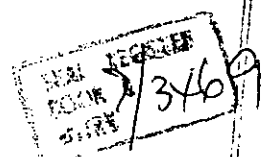
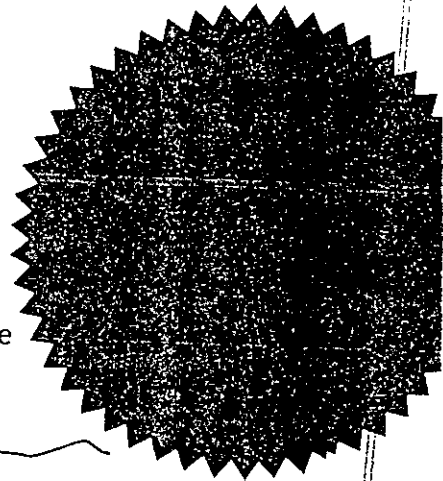
THE COMMON SEAL of
DACORUM BOROUGH COUNCIL
was hereunto affixed in
the presence of:



Chief Executive



Assistant Secretary
(Admin)



THE COMMON SEAL of the
said S DELL AND SONS LIMITED
was hereunto affixed in
the presence of:

Director



Secretary

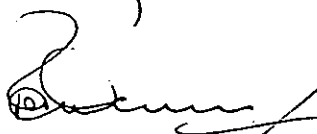



5. The turning area referred to in Condition 3 shall be surfaced in black asphalt and the parking spaces referred to in condition 4 shall be formed by brick pavers.
6. The areas at the front and the side of the building hereby permitted and coloured yellow on Drawing No. 3154/1/D shall at no time be used for either the parking of vehicles or open storage.
7. A 0.3m high dwarfwall should be erected and thereafter permanently retained around the perimeter of the building as shown by the green line on Drawing No. 3154/1/D.
8. All the planting shown on Drawing No. 3154/1/D with the exception of the two trees coloured purple shall be carried out with the first planting season following the occupation of the building and any trees or plants which within a period of 5 years from the completion of the development die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation and for the purposes of the condition a planting season shall be deemed to commence in any one year on 1 October and to end on 31 March in the next following year.
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10. The ridge level of the building hereby permitted shall not project above the ridge level of the adjoining building shown on Drawing No. 3154/2/D.
11. Sight lines of 2.4 m x 3.5 m shall be provided in each direction from the access to the site from Stag Lane within which there shall be no obstruction to visibility between 600 mm and 2.0 m above carriageway level.

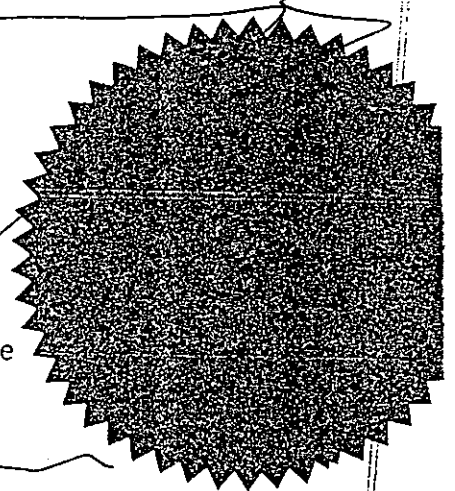
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13. The building and its associated curtilage shall not be used before 7.00 am on weekdays and Saturdays and after 7.00 pm on weekdays and on Saturdays nor any time on Sundays or Bank Holidays

THE COMMON SEAL of
DACORUM BOROUGH COUNCIL
was hereunto affixed in
the presence of:



Chief Executive


Assistant Secretary
(Admin)



SEAL REGISTER
BOOK
PAGE 3469

THE COMMON SEAL of the
said S DELL AND SONS LIMITED
was hereunto affixed in
the presence of:

Director 

Secretary A. S. Dell.

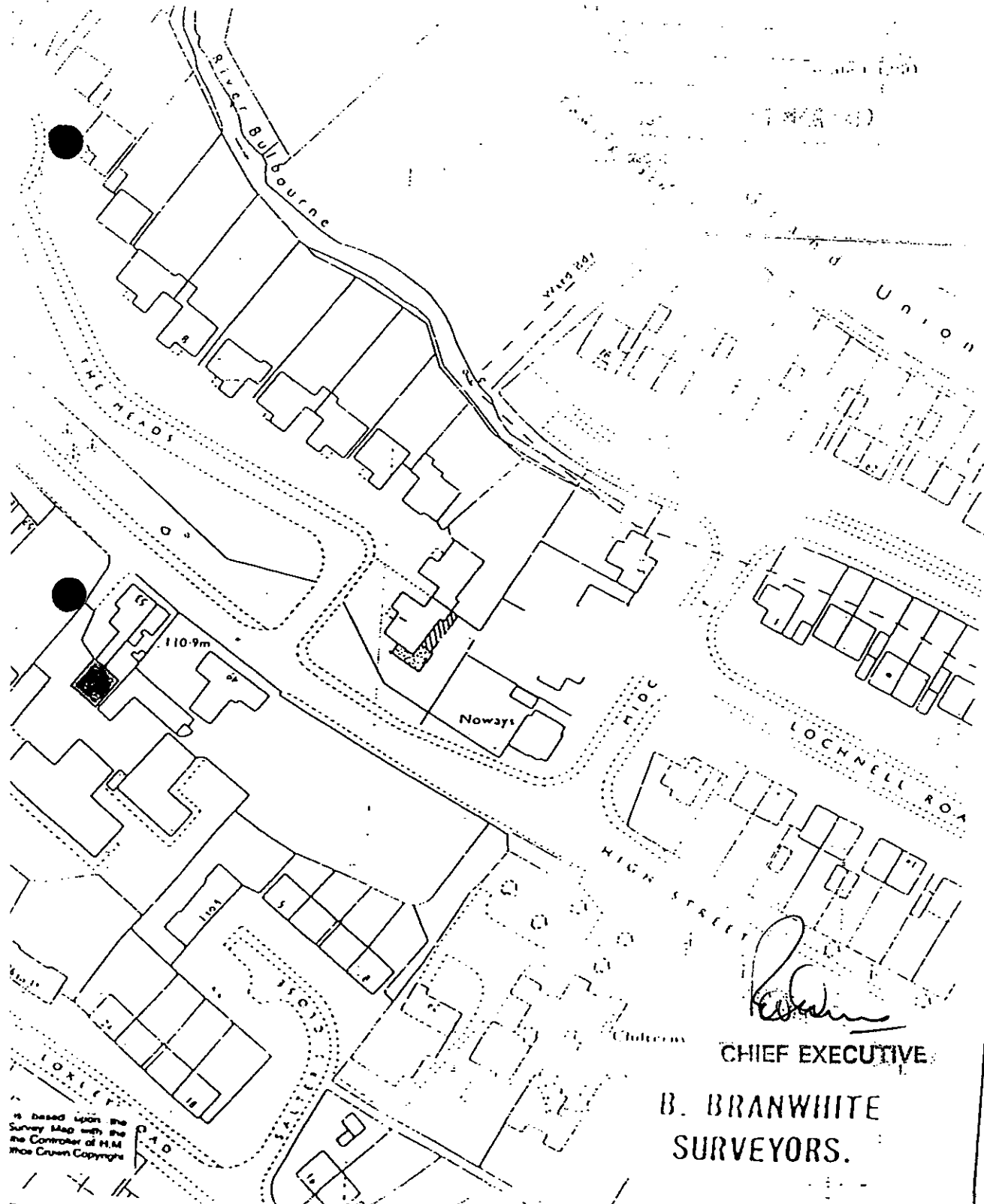
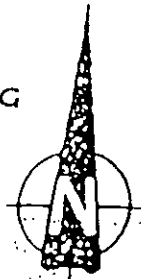
4/2105/88

KEY



CROSSHATCHING INDICATES AREA TO BE KEPT CLEAR AT ALL TIMES FOR THE MANOEUVERING OF VEHICLES WITHIN THE SITE.

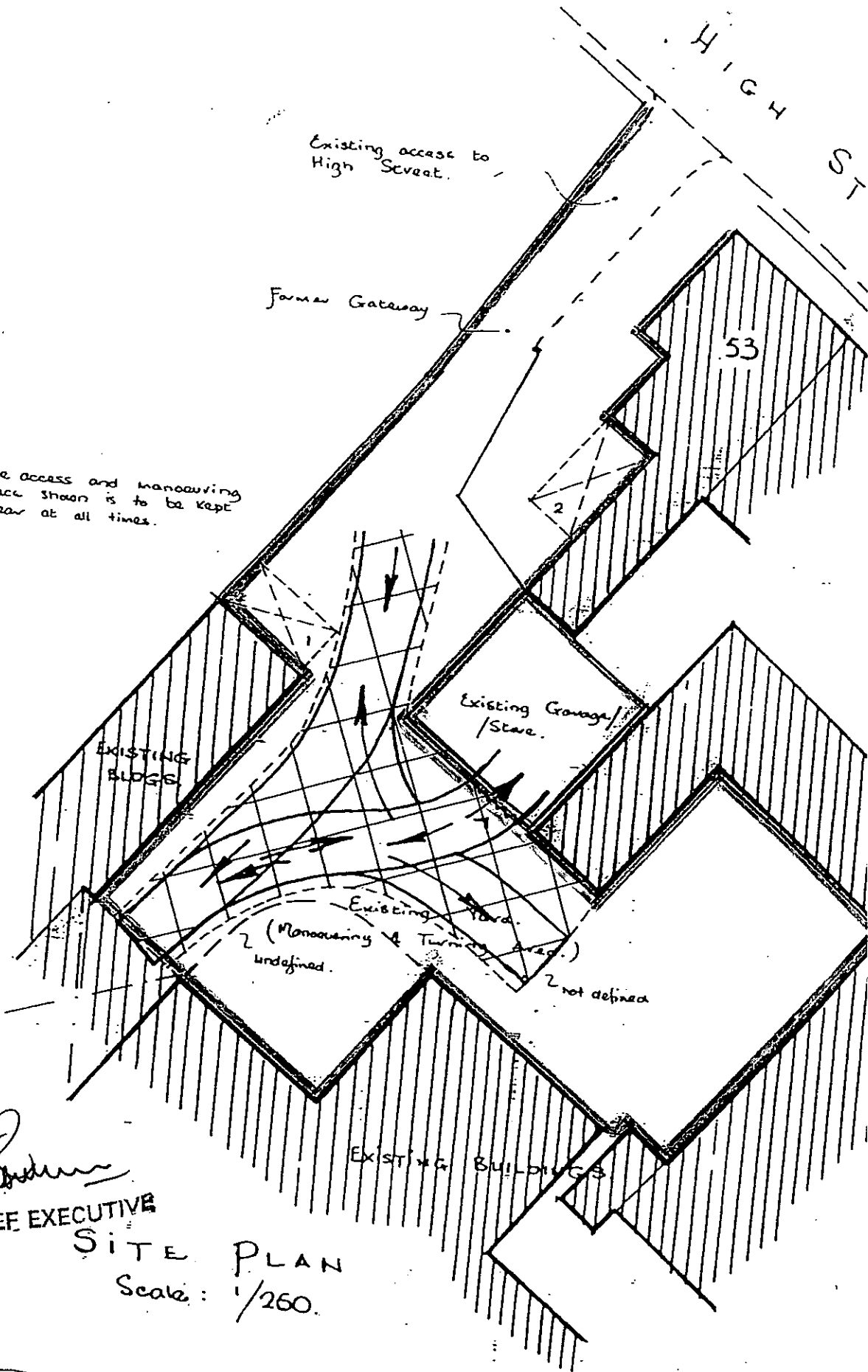
PLAN 1.



CHIEF EXECUTIVE

B. BRANWHITE
SURVEYORS.

The access and manoeuvring space shown is to be kept clear at all times.



[Signature]
CHIEF EXECUTIVE
SITE PLAN
Scale: 1/250.