

SAH

Town Planning

Ref. No. 4/0549/89

TOWN & COUNTRY PLANNING ACTS, 1971 and 1972

Other

Ref. No.

THE DISTRICT COUNCIL OF **DACORUM**

IN THE COUNTY OF HERTFORD

To **Sovereign Retirement Ltd**
Seymour House
The Courtyard
Denmark Street
Wokingham RG11 2BB

GHM Architects Ltd
Wheathampstead Place
Wheathampstead
Herts AL4 8SB

..... **25 Elderly Persons' Flats (Cat. 2) Warden's Flat**

..... **and parking**

at **32-34 Alexandra Road, Hemel Hempstead**

Brief
description
and location
of proposed
development.

In pursuance of their powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council hereby permit the development proposed by you in your application dated **31 March 1989** and received with sufficient particulars on **31 March 1989** and shown on the plan(s) accompanying such application, subject to the following conditions:—

- (1) The development to which this permission relates shall be begun within a period of **5** years commencing on the date of this notice.
- (2) No work shall be started on the development hereby permitted until details of materials to be used externally shall have been submitted to and approved by the local planning authority, and the development hereby permitted shall be carried out in the materials so approved.
- (3) Adequate arrangements shall be made to the satisfaction of the local planning authority for the protection of all trees on the site which are to be retained to prevent damage during constructional works. Any trees accidentally damaged shall be replaced by approved species in the first planting season thereafter.

- (1) To comply with the requirements of Section 41 of the Town & Country Planning Act, 1971.
- (2) To ensure a satisfactory appearance.
- (3) To maintain and enhance visual amenity.
- (4) To maintain and enhance visual amenity.
- (5) To maintain and enhance visual amenity.
- (6) In the interests of highways safety.
- (7) To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.

XXX

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(4) 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.

- (4) 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 details of numbers, species and proposed planting location of all new trees shrubs and hedgerows.
- (5) All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; 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 this 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.
- (6) Sight lines of 2.4m x 35m shall be provided in each direction within which there shall be no obstruction to visibility between 600mm and 2m above carriageway level.
- (7) The development hereby permitted shall not be occupied until the arrangements for vehicle parking shown on plan 3556/10 shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.

Dated this 20th day of September 1989

Signed



CHIEF PLANNING OFFICER

DATED

20th September

1989

DACORUM BOROUGH COUNCIL

and

SOVEREIGN RETIREMENT LIMITED

and

HILL SAMUEL BANK LIMITED

AGREEMENT

under s.52 of the
Town and Country Planning Act 1971
and s.33 of the Local Government
(Miscellaneous Provisions) Act 1982
in respect of
32 and land at the rear of 34 Alexandra Road
Hemel Hempstead
Hertfordshire

(see original for
plan)

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

Ref: 5.89/S.52/32/126/144/AMW/MB/ED/BS.6

THIS AGREEMENT is made the *twentieth* day of *September* One thousand nine hundred and eighty-nine
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes
Hemel Hempstead Hertfordshire (hereinafter called "the Council")
of the first part SOVEREIGN RETIREMENT LIMITED whose registered
office is situated at Ridgeway House 41/42 King William Street
London EC4R 9ET (hereinafter called "the Owner") of the second
part and HILL SAMUEL BANK LIMITED of 100 Wood Street London EC2P
2AJ (hereinafter called "the Bank") of the third part

WHEREAS:

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1971 for the Borough of Dacorum and a principal council within the meaning of s.33 of the Local Government (Miscellaneous Provisions) Act 1982
- (2) The Owner is the Owner in unencumbered fee simple of the land known as 32 and land at the rear of 34 Alexandra Road shown edged red on the plan No. 1 annexed hereto (hereinafter called "the Land")
- (3) An application has been made for planning permission under reference No. 4/0549/89 for the erection of 11 one bedroom flats 14 two bedroom flats and 1 maisonette with parking facilities (hereinafter called "the Development")
- (4) The Council requires that the Development be constructed to comply with the requirements of Category 2 Old People as defined in the Ministry of Housing and Local Government Circular 82/69 and that occupation of the Development be retracted to occupation by such persons in the manner described hereinafter

- (5) The parties hereto wish to enter into an Agreement in respect of the Land pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982 which shall be binding on the Owner and its successors in title
- (6) The Bank has two legal charges over the Land (each relating to different parts of the Land) dated 2nd December 1988 and 16th December 1988 respectively

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

1. THIS Agreement and the covenants herein contained are expressly made pursuant to s.52 of the Town and Country Planning Act 1971 and s.33 of the Local Government (Miscellaneous Provisions) Act 1982
2. IN consideration of the covenants by the Owner hereinafter contained the Council hereby covenants with the Owner that the Council will forthwith grant planning permission in respect of the Development subject to conditions
3. THE Owner hereby covenants with the Council
 - (i) That the twenty-five flats hereby permitted shall not be occupied otherwise than by at least one person who shall be aged sixty or over (hereinafter called "the Qualifying Person") provided however that if the Qualifying Person shall die or become incapable of residing at the flat any other person who resided at the flat with the Qualifying Person may remain in occupation provided no flat shall be occupied by anyone who is aged less than fifty-five years

(ii) That the maisonette hereby permitted (shown edged in blue on the plans No. 2 and 3 annexed hereto) shall not be occupied otherwise than by a Resident Manager with responsibilities for the occupants of the twenty-five elderly persons' flats and by other members of the Resident Manager's family but that if the Resident Manager shall die or cease to be employed by the Owner the said Resident Manager's maisonette shall be vacated within six months of such death or termination of employment

(iii) That the room identified as a Communal Room (and shown edged green on the plan No. 4 annexed hereto) shall be restricted to use as a Communal Room by all the occupants of the Development

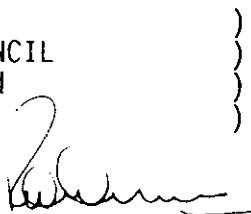
(iv) That it will pay the reasonable legal costs incurred by the Council in the preparation of this Agreement on the signing hereof

4. THE Bank hereby consents to the terms of this Agreement

5. THIS Agreement shall be registered as a local land charge

I N W I T N E S S whereof the parties hereto have set their respective Common Seals the day and year first before written

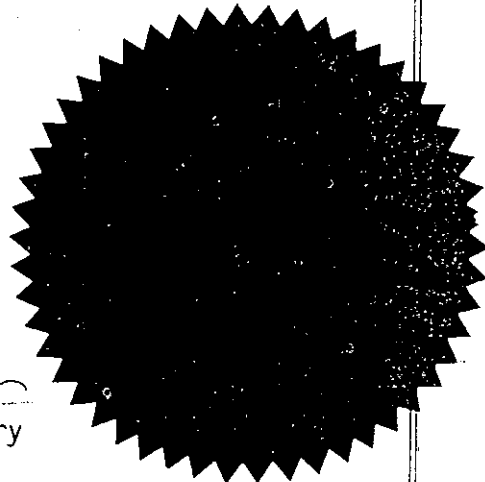
THE COMMON SEAL of
DACORUM BOROUGH COUNCIL
was hereunto affixed
in the presence of:



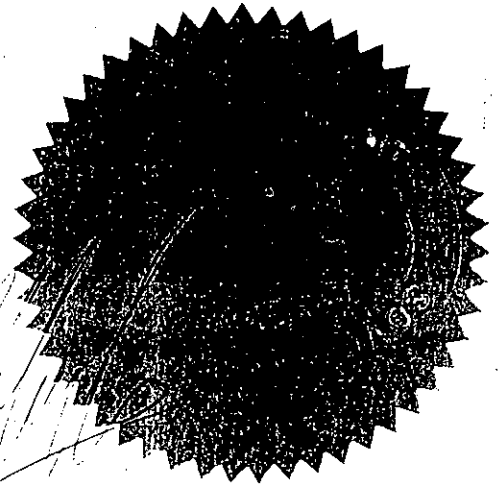
Chief Executive



Assistant Secretary
(Admin)



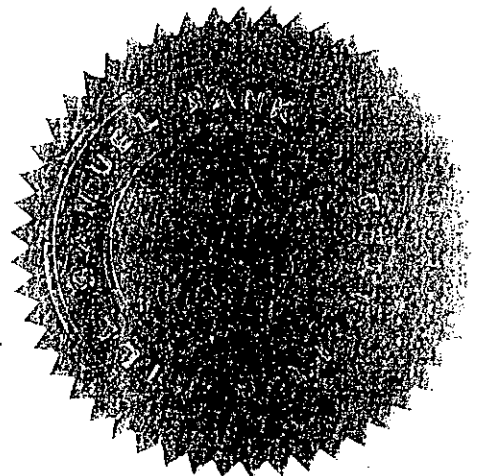
THE COMMON SEAL of
SOVEREIGN RETIREMENT LIMITED
was hereunto affixed
in the presence of:



Director

Secretary

THE COMMON SEAL of
HILL SAMUEL BANK LIMITED
was hereunto affixed
in the presence of:



Director

ASST
Secretary

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