

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0798/91

Coopers Animal Health Ltd
c/o Pitman Moore Ltd
Breakspear Road South
Harefield, Uxbridge, Middx
UB9 6LS

Michael Cox Associates
Jasmine House, High Street,
Henfield
West Sussex
BN5 9HN

DEVELOPMENT ADDRESS AND DESCRIPTION
=====

Pitman Moore Ltd, Berkhamsted Hill, Berkhamsted

REORGANISATION AND REDEVELOPMENT OF SITE TO FORM BUILDINGS FOR OFFICE, INDUSTRIAL
& RESEARCH+DEVELOPMENT

Your application for *outline planning permission* dated 07.06.1991 and received on 11.06.1991 has been *GRANTED*, subject to any conditions set out on the attached sheet(s).

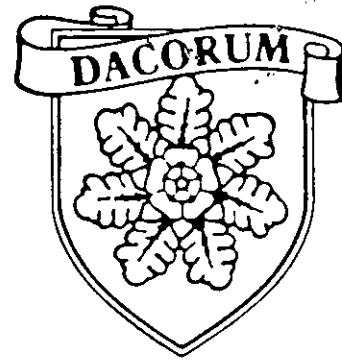
Director of Planning.

Date of Decision: 05.10.1992

(encs. - Conditions and Notes).

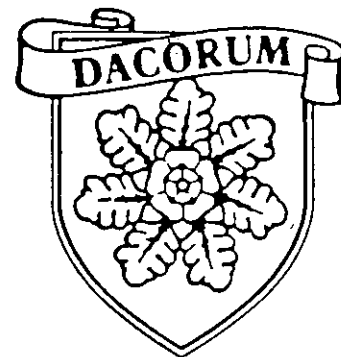
CONDITIONS APPLICABLE
TO APPLICATION: 4/0798/91

Date of Decision: 05.10.1992



1. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design, landscaping and external appearance of the building(s) and means of access thereto which shall have been approved by the local planning authority or in default of agreement by the Secretary of State.
2. Application for approval in respect of all matters reserved in condition 1 above shall be made to the local planning authority within a period of three years commencing on the date of this notice and 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 a period of five years commencing on the date of this notice.
 - (ii) The expiration of a period of two years commencing on the date upon which final approval is given by the local planning authority or by the Secretary of State or, in the case of approval given on different dates, the final approval by the local planning authority or the Secretary of State.
3. The total floorspace of buildings on the site shall not exceed 9940 sq m (nine thousand nine hundred and forty square metres).
4. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (as amended) or any re-enactment of that Order there shall be no extensions to any building without the express written consent of the local planning authority.
5. The development hereby permitted shall not be carried out and this permission shall become of no effect, if any further work beyond the formation of footings on the permission granted on 21 November 1984 for three storey office block two storey amenity block and covered way at Berkhamsted Hill (Ref: 4/0782/84) is at any time carried out.
6. The development hereby permitted shall not be carried out and this permission shall become of no effect, if the permission granted on 29 August 1989 for three storey office block two storey amenity block change of use of building to kitchen covered way and car park at Berkhamsted Hill (Ref: 4/0209/89) is at any time implemented.

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CONDITIONS APPLICABLE
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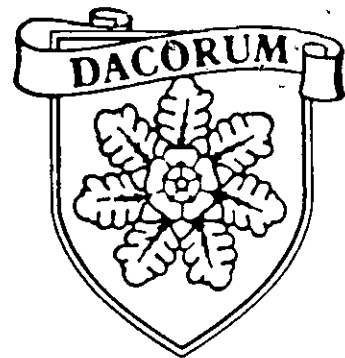
7. The permission hereby granted is an alternative to and not in addition to, either wholly or in part the following:

<u>Ref No</u>	<u>Development</u>	<u>Date of Permission</u>
4/0782/84	three storey office block two storey amenity block and covered way	21.11.84
4/0209/89	three storey office block two storey amenity block change of use of building to kitchen covered way and car park	29. 8.89

No part of the development referred to in these permissions shall be carried out if any part of the development hereby permitted has been implemented.

8. This permission does not imply any consent for the illustrative building types shown on the submitted drawings.
9. There shall be no new vehicular access to the site without the prior express consent in writing of the local planning authority.
10. The development hereby permitted shall not be occupied until the roadway, access, turning and circulation areas shall have been laid out and substantially constructed and they shall be kept clear and available for proper use at all times.
11. Details submitted in accordance with condition 1 of this permission shall include detailed proposals for vehicle parking within the site in accordance with standards adopted by the local planning authority.
12. The development hereby permitted shall not be occupied until parking arrangements approved in accordance with condition 11 hereof shall have been provided and they shall not be used thereafter for any purpose other than the parking of vehicles.

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CONDITIONS APPLICABLE
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13. Details submitted in accordance with condition 1 of this permission shall include detailed proposals for the storage of refuse in properly constructed refuse stores.
14. Apart from the storage of refuse in the refuse stores referred to in condition 13 no storage or industrial process shall take place outside the buildings.
15. The wall on the eastern frontage shall be retained. Any part which may accidentally fall or be demolished shall be rebuilt.
16. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (as amended) or any re-enactment of that Order no gates walls fences hedges or other means of enclosure shall be erected or planted without the prior consent in writing of the local planning authority.
17. Details submitted in accordance with condition 1 of this permission shall include a tree survey of the site recording the species, height, crown spread, bole diameter, age and condition of all the trees, and the height and spread of all the hedgerows located on the site, indicating those trees and hedges which it is proposed to remove..
18. No trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped without the previous written consent of the local planning authority until 12 calendar months after completion of the permitted development. Any trees being removed without such consent or dying or being severely damaged or becoming seriously diseased before the end of that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.
19. A 1500mm high chestnut paling fence shall be erected to the full extent of the canopy of each tree or group of trees to be retained on the site before the commencement of clearing, demolition or building operations. The land so enclosed shall be kept clear of all materials and machinery at all times and the existing soil levels under the tree canopies shall not be altered.
20. 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.

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CONDITIONS APPLICABLE
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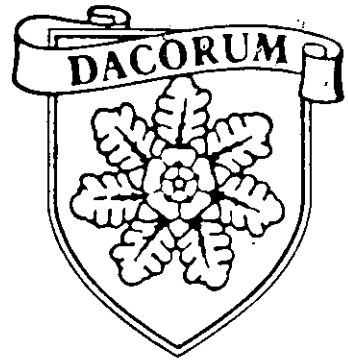
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21. Before the development commences a comprehensive specialist ground survey shall be submitted to the local planning authority. The ground survey shall establish the presence or otherwise of toxic noxious or explosive substances (including gases) in the topsoil and subsoil and, if present, what measures are necessary to protect any structures existing or to be built on the site, including underground services and to protect any persons using the land or structures from any contamination so found.
22. Before the development commences a scheme for nullifying the adverse effects of any ground contamination identified by the survey shall be submitted to and approved by the local planning authority. Any such scheme as may be approved shall be implemented prior to the occupation of any building.
23. The construction of solvent chemical oil or fuel storage facilities shall be carried out only in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

REASONS:

1. To comply with the requirements of Article 5 (2) of the Town and Country Planning General Development Orders 1977-85.
2. To comply with the provisions of s.92 of the Town and Country Planning Act 1990.
3. A greater amount of development would not be acceptable in this Green Belt location.
4. A greater level of development would not be acceptable in this Green Belt location.
5. For the avoidance of doubt.
6. For the avoidance of doubt.
7. For the avoidance of doubt.
8. To avoid doubt.
9. Any new access may adversely affect the appearance of Berkhamsted Common.
10. To ensure a satisfactory development.

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CONDITIONS APPLICABLE
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11. To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.
12. To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.
13. To prevent unsightly outside storage.
14. To prevent unsightly outside storage and the carrying out of industrial processes close to adjacent residents.
15. To preserve the setting of the listed buildings and the other associated buildings on the site.
16. To preserve the setting of the listed buildings and the other associated buildings on the site.
17. To maintain and enhance visual amenity.
18. To maintain and enhance visual amenity.
19. To prevent damage to trees.
20. To maintain and enhance visual amenity.
21. To ensure satisfactory identification and treatment of any ground contamination.
22. To ensure satisfactory identification and treatment of any ground contamination.
23. To prevent pollution of the water environment.

DATED

1992

DACORUM BOROUGH COUNCIL

(1)

and

PITMAN MOORE LTD

(2)

PLANNING OBLIGATION pursuant to S.106 Town and
Country Planning Act 1990
relating to land situate at:
Berkhamsted Hill
Berkhamsted
Herts

Keith M Pugsley
Director of Law and Administration
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Herts HP1 1HH

File Ref: 9.92/32/126/179/RH/SG/BS.6

cT_B

THIS PLANNING OBLIGATION is made the day of 1992 BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the Council") of the one part and the Owner described in the First Schedule hereto (hereinafter called "the Owner" which expression shall include the Owner's successors in title and assigns) of the other part

WHEREAS

- (1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 as amended for the area of land being partly the Planning Application Site together with land also in the Owner's title described in the First Schedule hereto (hereinafter called "the Land")
- (2) The Owner is entitled to the interest in the Land described in the First Schedule hereto
- (3) Application has been made to the Council for planning permission under the Application Number 4/0798/91 and for the development described in the Second Schedule hereto (hereinafter called "the Development")
- (4) This Planning Obligation is made pursuant to s.106 of the Town and Country Planning Act 1990 and is enforceable by the Council

NOW THIS DEED WITNESSETH 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 such planning permission

shall be implemented then this Planning Obligation 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 that the Council will forthwith grant planning permission pursuant to the Application subject to conditions
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 Planning Obligation
4. This Planning Obligation shall be registered as a Local Land Charge

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

FIRST SCHEDULE

The Owner

Name: PITMAN MOORE LIMITED

Registered Office: Breakspear Road South

Harefield
Uxbridge
Middlesex
UB9 6LS

The Land

All that Land known as Berkhamsted Hill Berkhamsted Hertfordshire comprising firstly the land forming the Planning Application Site edged red on the plan annexed hereto and secondly the land also presently in the Owner's title edged blue on the said plan

The Owner's Interest in the Land

Fee simple registered with title absolute

SECOND SCHEDULE

The Application and the Development

Application No. 4/0798/910L

The Development consists of the reorganisation and redevelopment of the site to form buildings for Office Industrial and Research and Development (Class B1) uses

THIRD SCHEDULE

Covenants on the part of the Owner

The Owner hereby covenants with the Council:

1. No agricultural development (including buildings walls fences or other means of enclosure) or the formation of an access or private way shall be carried out on the land

edged blue without the prior consent in writing of the local planning authority provided that continued access shall be permitted for agricultural purposes only over the existing access ways the approximate positions of which for the purposes of identification only are marked with the letter "G" on the said plan

2. No portable or temporary buildings structures or erections (including horse jumps) shall be placed upon the land edged blue without the prior consent in writing of the local planning authority
3. The land edged blue shall not be used exclusively for the grazing of horses or ponies without the prior consent in writing of the local planning authority
4. Any new access way provided with the consent of the local planning authority in accordance with Clause 1. above shall be between points A and B on the said plan so that there will remain in perpetuity a right of way for the owners

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

Keith Hunt
Chief Executive

A. H. Wain
Assistant Director
(Law)



SEAL REGISTER
BOOK 1
ENTRY 1477

THE COMMON SEAL of
PITMAN-MOORE LTD
was hereunto affixed in
the presence of:



Director

G.N. THACKERAY



Company Secretary

S.P. WILSHERE
COMPANY SECRETARY
PITMAN-MOORE LIMITED

