

TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1191/93FL

Douglas Masters  
Binghams Park Farm  
Potten End Hill  
Water End  
Herts

Nicholson Graham & Jones  
25-31 Moorgate  
LONDON  
EC2R 6AR

DEVELOPMENT ADDRESS AND DESCRIPTION

=====

Binghams Park Farm, Potten End Hill, Water End, Hertfordshire

REDEVELOPMENT OF LAND AS A RARE BREEDS CENTRE AND FARM SHOP; DEMOLITION OF EXISTING GARAGE UNIT; CHANGE OF USE OF EXISTING BUILDINGS TO FARM MUSEUM, BLACKSMITH'S WORKSHOP AND INDUSTRIAL AND STORAGE AND DISTRIBUTION USES

Your application for *planning permission* dated 13.08.1993 and received on 23.08.1993 has been *GRANTED*, subject to the conditions set out overleaf.

Director of Planning.

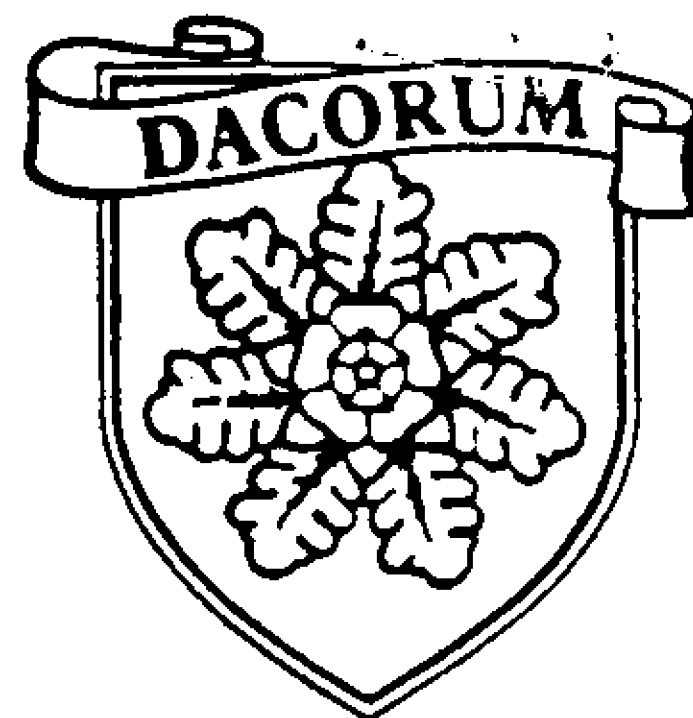
Date of Decision: 08.06.1995

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE  
TO APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995



1. That part of the development consisting of the Rare Breeds Centre as outlined in green on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

2. That part of the development consisting of the Farm Shop as outlined in brown on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

3. That part of the development consisting of the Farm Museum as outlined in yellow on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

4. No development of the Rare Breeds Centre, Farm Shop, Farm Museum or any other operational 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.

Reason: To maintain and enhance visual amenity.

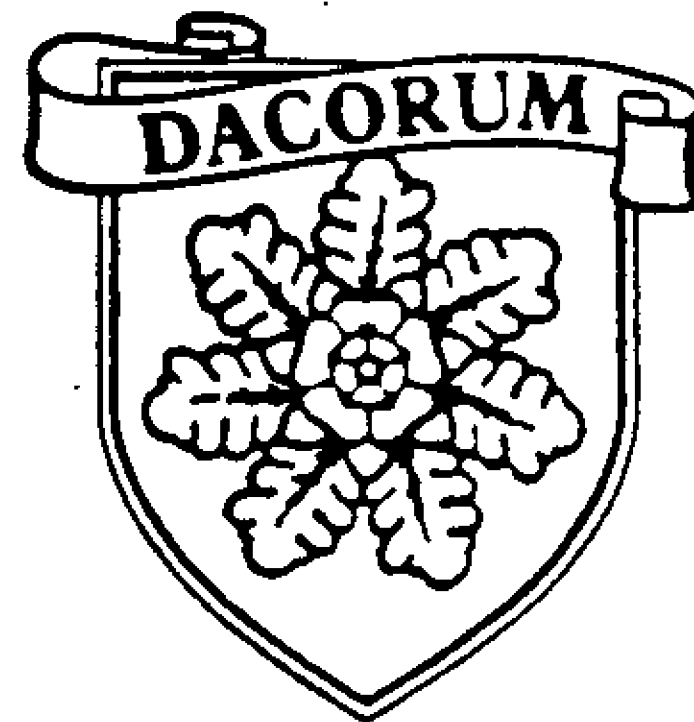
5. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in accordance with a phasing programme which shall be submitted to and approved by the local planning authority before any development referred to in Condition 4 takes place; and any trees or plants which within the period specified in the approved phasing programme 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.

Reason: To maintain and enhance visual amenity.



CONDITIONS APPLICABLE  
TO APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995



6. All hard surfacing areas within the Rare Breeds Centre (outlined in green on the approved plan), Farm Shop (outlined in brown on the approved plan) and Farm Museum (outlined in yellow on the approved plan) shall be constructed and finished in accordance with a schedule of materials and finishes which shall be submitted to and approved by the local planning authority before any development, within the areas referred to above, is commenced.

Reason: To ensure a satisfactory appearance.

7. No work shall be started on the development of the Rare Breeds Centre, Farm Shop, or Farm Museum hereby permitted until details of all materials to be used externally shall have been submitted to and approved by the local planning authority, and the development of the Rare Breeds Centre, Farm Shop, and Farm Museum hereby permitted shall be carried out in the materials so approved.

Reason: To ensure a satisfactory appearance.

8. No windows or other openings, other than those on the approved plans, shall be formed in any of the buildings hereby permitted.

Reason: In order that the local planning authority may retain control over further development in the interests of residential and visual amenity.

9. There shall be no further horizontal subdivision of any of the buildings in the Rare Breeds Centre, Farm Shop or Farm Museum.

Reason: In order that the local planning authority may retain control over the creation of additional floorspace and therefore commercial activity in this sensitive rural area.

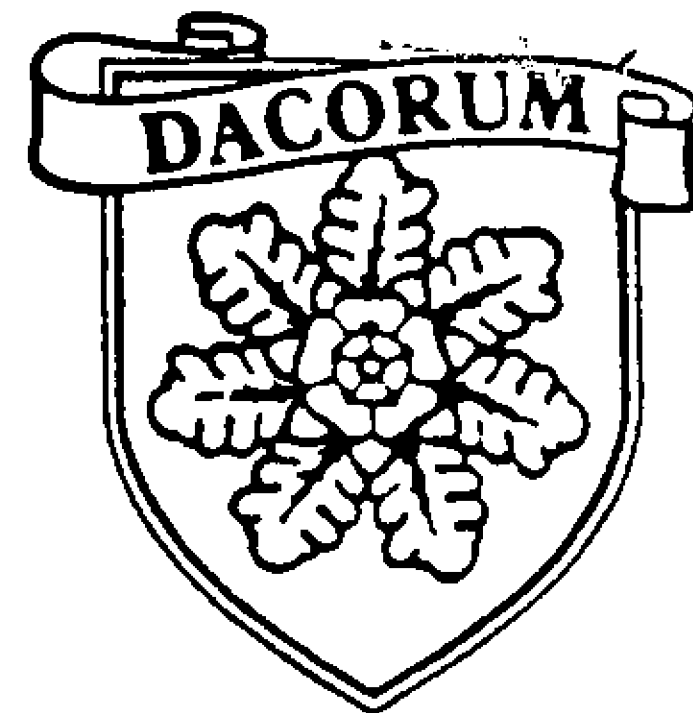
10. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 or any amendment thereto, there shall be no advertisements displayed on the site or buildings, whether existing on site at the date of this planning permission or to be provided as part of the development hereby permitted, without the prior express consent of the local planning authority granted under these Regulations.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

11. No bunting or electronic displays or any similar form of advertisement, decoration or display shall be placed or used within the site without the express written permission of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.





CONDITIONS APPLICABLE  
TO APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995

12. No children's play furniture or equipment, whether permanent or not, shall be provided within the site without the express written consent of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

13. No external lighting shall be provided on any buildings, whether existing on site at the date of this planning permission or to be provided as part of the development hereby permitted, or within the site, without the prior written approval of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

14. Within a period of 9 months, commencing on the date of this notice, the section of the proposed access, edged and hatched pink on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall be provided.

Reason: In the interests of highway safety.

15. The access referred to in Condition 14 shall include the provision of sight lines at its junction with Potten End Hill of 2.4m x 225m within which there shall be no obstruction more than 600 mm above carriageway level.

Reason: In the interests of highway safety.

16. The width of the access referred to in Condition 14 shall be a minimum of 5.5m wide.

Reason: In the interests of highway safety.

17. The kerb radii of the access referred to in Condition 14 shall be 10.5m.

Reason: In the interests of highway safety.

18. Full details of a scheme to restrict the use of the existing access to Bingham's Park Farm to vehicular traffic shall be submitted to the local planning authority for approval within 3 months of the date of this decision notice.

Reason: In the interests of highway safety.

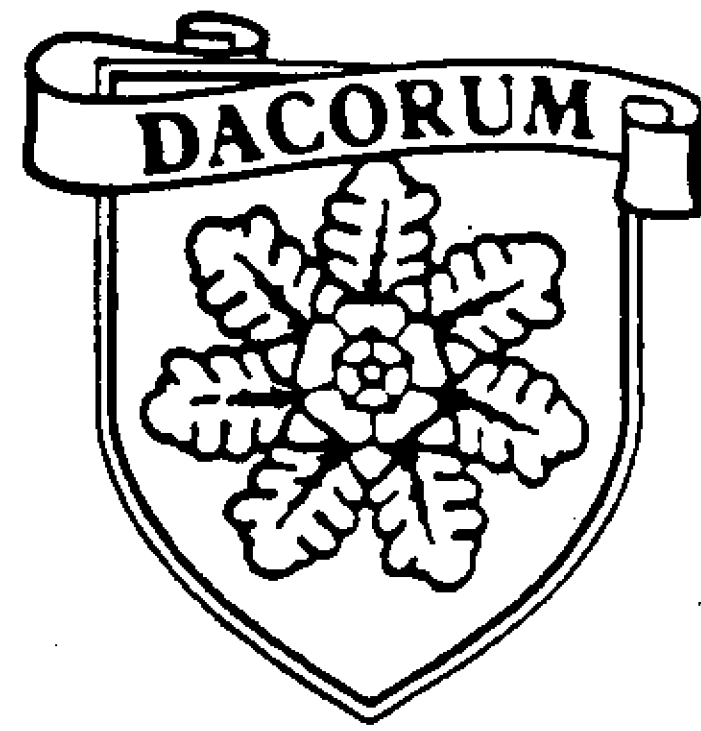
19. The existing access to Bingham's Park Farm shall be restricted in accordance with the scheme approved in accordance with Condition 18 within 12 months of the date of this decision notice, and shall remain so restricted thereafter.

Reason: In the interests of highway safety.



CONDITIONS APPLICABLE  
TO APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995



20. The Rare Breeds Centre outlined in green on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B shall only be used for the accommodation and display of animals and birds, and at least 50% of the total number of animals and birds within the site must be of species or breeds which are classified by the Rare Breeds Survival Trust.

Reason: The site is located within the Metropolitan Green belt on the adopted Dacorum Borough Local Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture, forestry, mineral extraction and open air recreation uses which can not reasonably be located within towns and large villages. The Rare Breeds Centre is considered an appropriate form of open air recreation which is well related to the agricultural use of Bingham's Park Farm and the diversification of farming activity.

21. The Farm Shop building shall only be used for the sale of agriculturally related produce. The goods to be sold from this building shall be restricted to those specified in the "Schedule of Goods", attached to this notice, unless otherwise agreed in writing by the local planning authority.

Reason: The site is located within the Metropolitan Green belt on the adopted Dacorum Borough Local Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture, forestry, mineral extraction and open air recreation uses which can not reasonably be located within towns and large villages. The Farm Shop is considered well related to the existing agricultural use of Bingham's Park Farm and the diversification of farming activity.

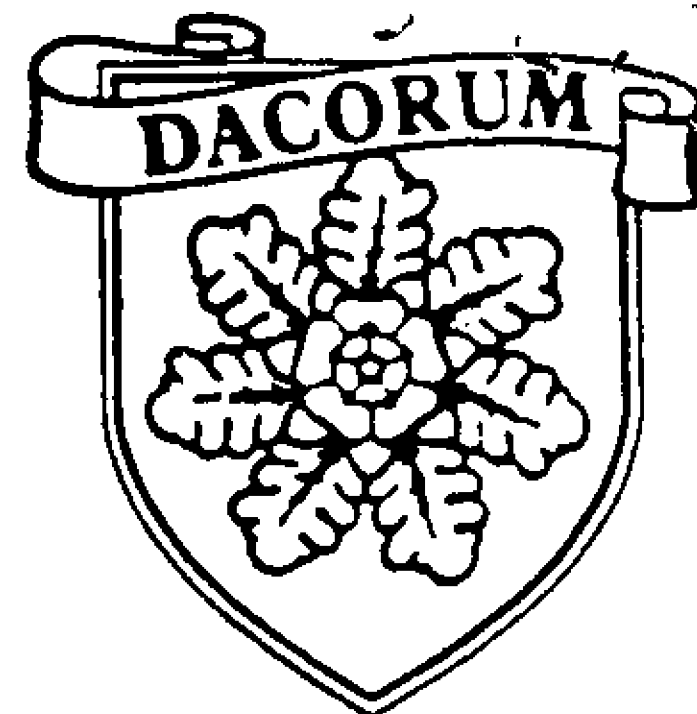
22. The Farm Museum building shall only be used:

i) for the display of any article, piece of equipment, machinery or vehicle which is or has been used for agricultural purposes;

ii) for the sale of agriculturally related produce specified in the "Schedule of Goods" attached to this notice, unless otherwise agreed in writing by the local planning authority.

Reason: The site is located within the Metropolitan Green belt on the adopted Dacorum Borough Local Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture, forestry, mineral extraction and open air recreation uses which can not reasonably be located within towns and large villages. The Farm Museum is an appropriate reuse of a building well related to the diversification of farming activity at Bingham's Park Farm.





CONDITIONS APPLICABLE  
TO APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995

23. The land and buildings outlined in orange on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B shall only be used for purposes falling within Classes B1 (Business) or B8 (Storage and Distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any amendment thereto (other than those expressly authorised by this permission).

Reason: In order that the local planning authority may retain control over further development in the Metropolitan Green Belt and in the interests of residential and visual amenity.

24. The part of the building dimensioned and for identification purposes only cross hatched green on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall only be used as a blacksmith's workshop or for purposes falling within Classes B1 (Business) or B8 (Storage and Distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any amendment thereto, and shall not be used for any other purpose except as may be expressly permitted in writing by the local planning authority.

Reason: For the avoidance of doubt and in order that the local planning authority may retain control over further development in the Metropolitan Green Belt and in the interests of residential and visual amenity.

25. No other buildings or parts of buildings on the site other than that specifically permitted in condition 24 shall be used either partly or wholly as a blacksmith's workshop.

Reason: For the avoidance of doubt and in order that the local planning authority may retain control over further development in the Metropolitan Green Belt and in the interests of residential and visual amenity.

26. Any lorry containers or lorry bodies on the land outlined in orange on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B shall be removed within 3 months of the date of this permission.

Reason: To safeguard the visual and residential amenity of the area.

27. No goods, materials, refuse, lorry containers, lorry bodies, or other portable buildings shall be stored or processed outside the limits of the buildings but within the area of land outlined in orange on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B.

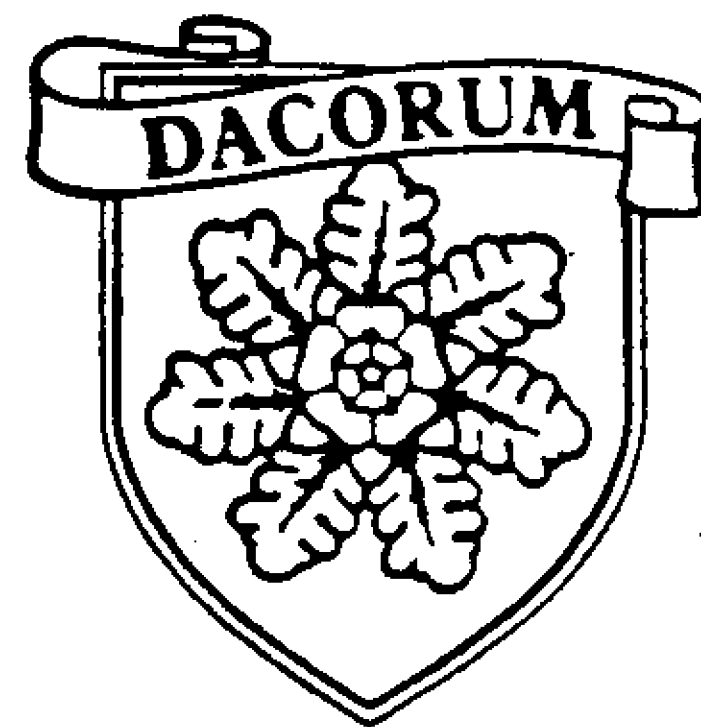
Reason: To safeguard the visual and residential amenity of the area.

28. No gate, fence, wall or other means of enclosure exceeding 1.3 metres in height shall be erected or constructed either on the boundary of the site or within the site unless details of the means of enclosure shall have been submitted to and approved by the local planning authority, and the gate, fence, wall or other means of enclosure shall be erected or constructed in accordance with the details so approved.



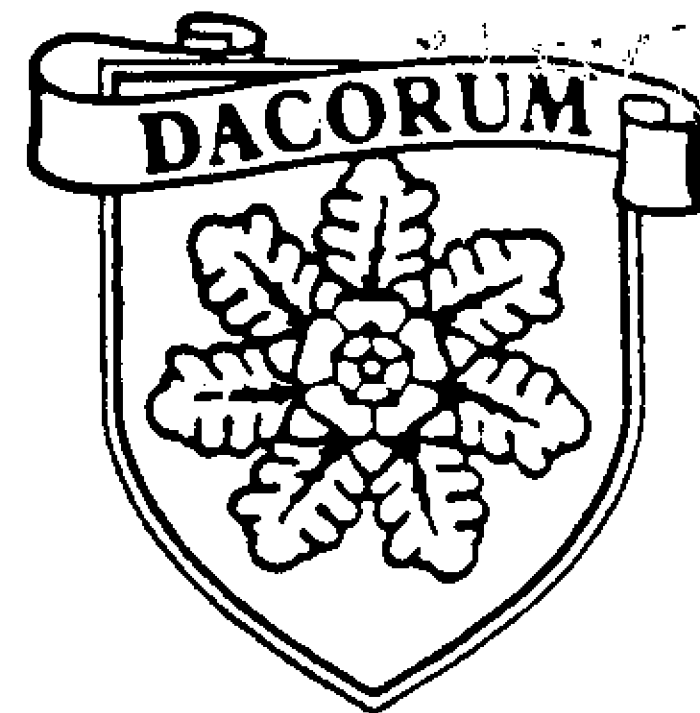
CONDITIONS APPLICABLE  
TO APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995



Reason: In order that the local planning authority may retain control over further development in the Metropolitan Green Belt and to safeguard visual amenity of the area, particularly from the definitive right of ways, reference Great Gaddesden footpaths 63 and 64.





DACORUM BOROUGH COUNCIL

PLANNING APPLICATION: 4/1191/93FL

Date of Decision: 08.06.1995

SCHEDULE OF GOODS

PART A:      Schedule of goods that may be sold in the Farm Shop,  
pursuant to Condition 21 of planning permission  
4/1191/93FL

Fruit  
Fresh fruit products  
Vegetables  
Dairy produce/eggs  
Specialist meat/specialist fish  
Preserves/chutneys/mustards  
Honey  
Dried flowers  
Baskets  
Candles  
Painted eggs  
Christmas trees/holly  
Educational books on conservation and farming  
Bird feeders  
Nesting boxes  
Bedding material for pets and livestock  
Animal feeds  
Hutches/cages

PART B:      Schedule of goods that may be sold in the Farm  
Museum, pursuant to Condition 22 of planning  
permission 4/1191/93FL

Educational books on conservation and farming

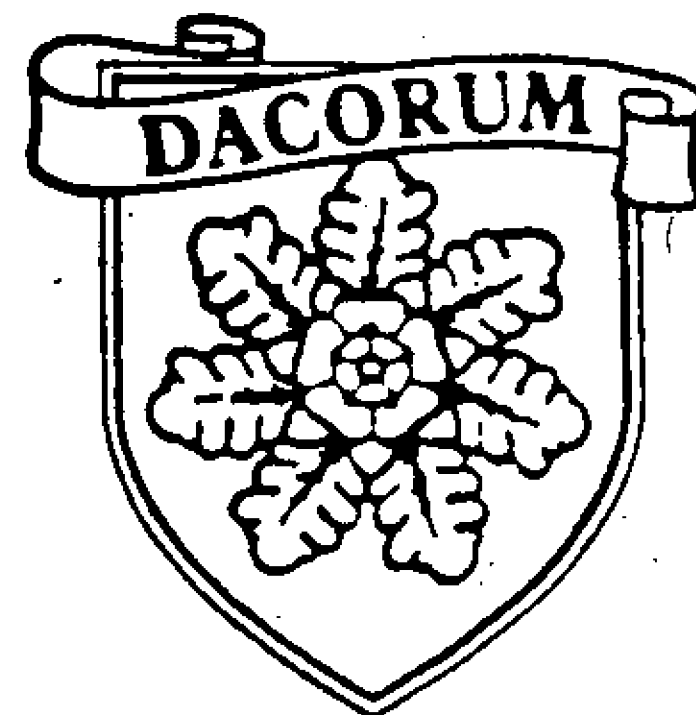
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TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/0749/95

J Masters  
Binghams Park Farm  
Water End  
Hemel Hempstead  
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Binghams Park Farm, Land North Side Potten End Hill, Water End, Hemel Hempstead

SUBMISSION OF LANDSCAPING, EXTERNAL MATERIALS & ACCESS PURSUANT TO CONDITIONS 4, 5, 6, 7, 18 & 28 OF PLANNING PERMISSION 4/1191/93 (RARE BREEDS CENTRE & FARM SHOP ETC)

Your application for *the approval of details or reserved matters* dated 26.04.1995 and received on 13.06.1995 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

Director of Planning.

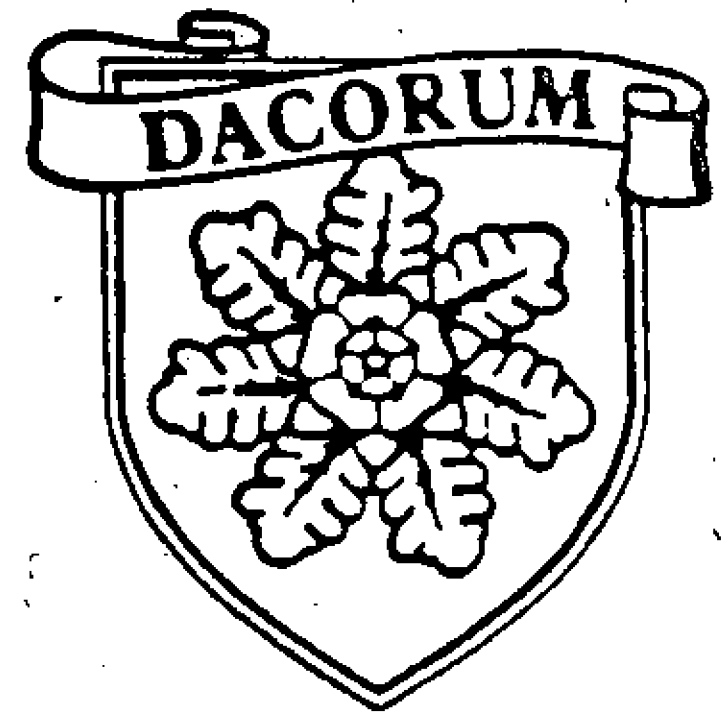
Date of Decision: 18.08.1995

(encs. - Conditions and Notes).



CONDITIONS APPLICABLE  
TO APPLICATION: 4/0749/95

Date of Decision: 18.08.1995



1. The materials hereby approved are:

- (a) Farm Shop and Rare Breeds Centre Buildings: Hawkins Plain Clay Tile in Heather Mixture; Brick plinth to match the sample submitted on 26 April 1995; Dark Stained Feather Edged Boarding to elevations; Dark Stained timber windows and timber doors;
- (b) Farm Museum: Onduline roofing in black; brick plinth to match the sample submitted on 26 April 1995; Dark stained Feather Edged boarding elevations; Dark Stained timber windows and solid timber doors;
- (c) Aviaries: Dark Stained timber frame, covered in netting.

Reason: For the avoidance of doubt.

2. The phasing programme of landscaping shall be: grass seeding in September 1995; all remaining planting contained in the approved landscaping scheme shall be carried out between 1 October 1995 and 31 March 1996.

Reason: For the avoidance of doubt.

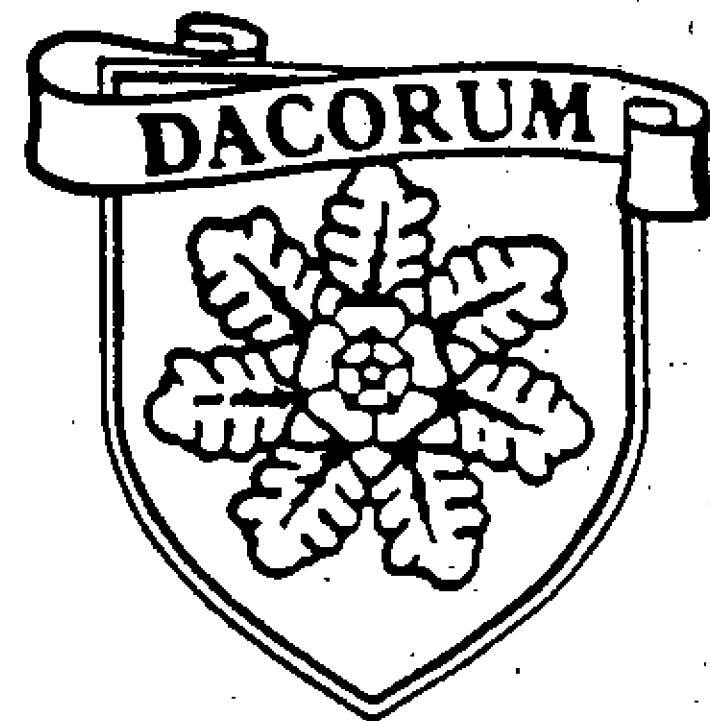
3. This permission does not extend to the erection of 3 m high iron gates at the new entrance approach from Potten End Hill.

Reason: For the avoidance of doubt.

4. The fencing hereby approved shall be constructed of 1.5 m high timber posts spaced 2 m apart and with three strands of straining wire covered in galvanised wire mesh.

Reason: For the avoidance of doubt.





TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref. No. 4/1139/95

James Masters  
Binghams Park Farm  
Water End  
Hemel Hempstead  
Herts

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Binghams Park Farm, Land North Side Of Potten End Hill, Water End, Hemel Hempstead

SUBMISSION OF ALTERNATIVE FACING BRICK SAMPLE PURSUANT TO PLANNING PERMISSION 4/1191/93 (RARE BREEDS CENTRE AND FARM SHOP)

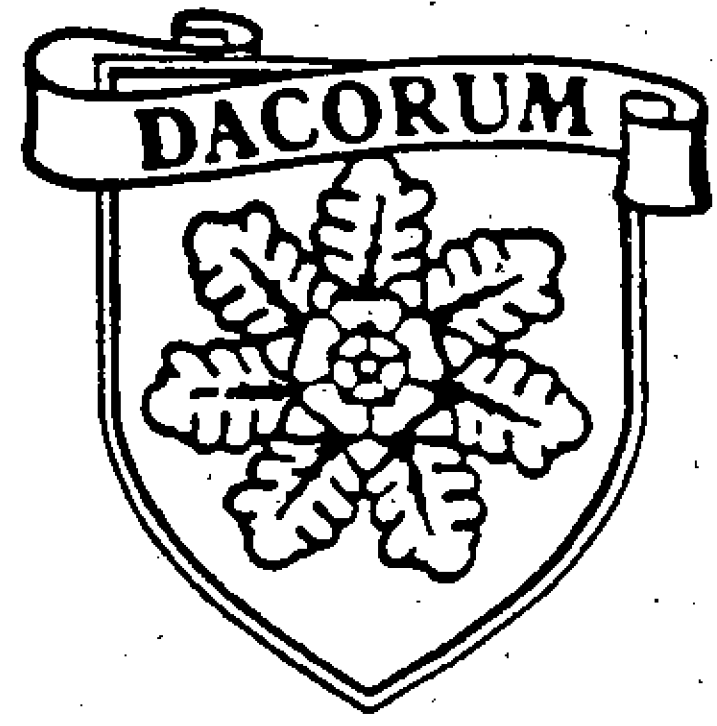
Your application for *the approval of details or reserved matters* dated 04.09.1995 and received on 04.09.1995 has been **GRANTED**, subject to any conditions set out on the attached sheet(s).

Director of Planning.

Date of Decision: 04.10.1995

(encs. - Conditions and Notes).





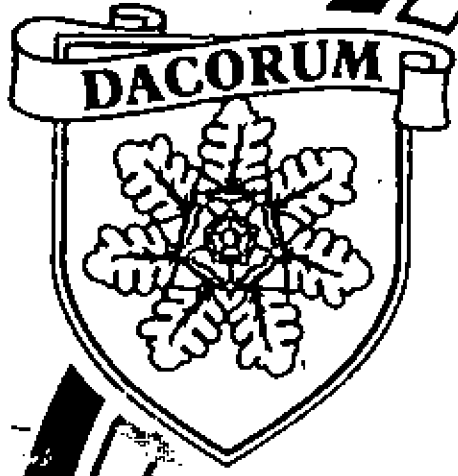
CONDITIONS APPLICABLE  
TO APPLICATION: 4/1139/95

Date of Decision: 04.10.1995

This consent relates to approval of Dunton Stock multi-red facing bricks for use on the brick plinth of the Farm Shop and buildings at the Rare Breeds Centre.

Reason: For the avoidance of doubt.





# PLANNING

Civic Centre Marlowes  
Hemel Hempstead  
Herts HP1 1HH

MS G MASTERS  
BINGHAMS PARK FARM  
POTTEN END HILL  
WATER END HEMEL HEMPSTEAD  
HERTS  
HP1 3BN

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01933/97/RET

BINGHAMS PARK FARM, POTTEN END HILL, WATER END, HEMEL  
HEMPSTEAD, HERTS, HP1 3BN  
RETROSPECTIVE SUBMISSION OF FENCING DETAILS PURSUANT TO  
CONDITION 28 OF PLANNING PERMISSION 4/1191/93 (REDEVELOPMENT OF  
LAND TO RARE BREEDS CENTRE AND FARM SHOP)

Your application for retention of development already carried out dated 10 December 1997 and received on 10 December 1997 has been **GRANTED**, subject to any conditions set out overleaf.

Director of Planning

Date of Decision: 23 June 1998

**CONDITIONS APPLICABLE TO APPLICATION: 4/01933/97/RET**

Date of Decision: 23 June 1998

**1. The close boarded timber fencing shall be finished in a dark stain by 31 December 1998.**

Reason: To ensure a satisfactory appearance.

**Dacorum Borough Council**  
**Planning and Regeneration**  
Civic Centre Marlowes  
Hemel Hempstead  
Herts HP1 1HH



MS G MASTERS  
BINGHAMS PARK FARM  
POTTEN END HILL  
WATER END HEMEL HEMPSTEAD  
HERTS  
HP1 3BN

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/01639/97/RET

**BINGHAMS PARK FARM, POTTEN END HILL, WATER END, HEMEL  
HEMPSTEAD, HERTS, HP1 3BN**

**SUBMISSION OF DETAILS OF EXTERNAL LIGHTING PURSUANT TO  
CONDITION 13 OF PLANNING PERMISSION 4/1191/93 (REDEVELOPMENT OF  
LAND TO RARE BREEDS CENTRE AND FARM SHOP) (RETROSPECTIVE)**

Your application for retention of development already carried out dated 21 October 1997 and received on 21 October 1997 has been **GRANTED**, subject to any conditions set out overleaf.

*J. Wingham*

Head of Planning and Regeneration

Date of Decision: 15 January 1998

**CONDITIONS APPLICABLE TO APPLICATION: 4/01639/97/RET**

Date of Decision: 15 January 1998

**No conditions.**

**NORTHGATE  
DOCUMENT STAMPED  
TO ENSURE DETECTION  
BY SCANNER**



**Dacorum Borough Council**  
**Planning and Regeneration**  
Civic Centre Marlowes  
Hemel Hempstead  
Herts HP1 1HH



MS G MASTERS  
BINGHAMS PARK FARM  
POTTEN END HILL  
WATER END HEMEL HEMPSTEAD  
HERTS  
HP1 3BN

TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION - 4/01640/97/RET**

**BINGHAMS PARK FARM, POTTEN END HILL, WATER END, HEMEL  
HEMPSTEAD, HERTS, HP1 3BN**

**VARIATION OF CONDITION NO 21 (SCHEDULE OF GOODS) PURSUANT TO  
PLANNING PERMISSION 4/1191/93 (REDEVELOPMENT OF LAND TO RARE  
BREEDS CENTRE AND FARM SHOP) (RETROSPECTIVE)**

Your application for retention of development already carried out dated 21 October 1997 and received on 21 October 1997 has been **REFUSED**, for the reasons set out overleaf.

*J. Wright*

Head of Planning and Regeneration

Date of Decision: 15 January 1998.

**REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/01640/97/RET**

Date of Decision: 15 January 1998

**The addition of toys, speciality foods and small gifts would be tantamount to a general retail permission. An unrestricted retail outlet is inappropriate development within the Green Belt and could adversely affect the vitality and viability of the local village store. No exceptional circumstances have been proven which would justify an exception to this policy.**

DATED

8<sup>th</sup> June

1994/5

4/1191/93

DACORUM BOROUGH COUNCIL

and

DOUGLAS GEORGE MASTERS

and

BARBARA JEAN MASTERS

and

BIRMINGHAM MIDSHIRES BUILDING SOCIETY

and

BARCLAYS BANK PLC

PLANNING OBLIGATION  
pursuant to s.106 Town and  
Country Planning Act 1990  
relating to land situate at:  
Binghams Park Farm  
Potten End Hill  
Water End  
Hertfordshire

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

File Ref: 6.94/32/126/196/NP/MR/JDD/BS.11

cTb

THIS PLANNING OBLIGATION is made the  
eighth day of June 1995  
BETWEEN DACORUM BOROUGH COUNCIL of Civic Centre Marlowes  
Hemel Hempstead Hertfordshire HP1 1HH (hereinafter called "the  
Council") of the first part DOUGLAS GEORGE MASTERS of Bingham's  
Park Farm Potten End Hill Water End Hertfordshire (hereinafter  
called "the Red Freehold Owner" which expression shall include  
the Red Freehold Owner's successors in title and assigns) of the  
second part BARBARA JEAN MASTERS also of Bingham's Park Farm  
Potten End Hill Water End Hertfordshire (hereinafter called "the  
Red Hatched Freehold Owner" which expression shall include the  
Red Hatched Freehold Owner's successors in title and assigns) of  
the third part BIRMINGHAM MIDSHIRES BUILDING SOCIETY of PO Box 81  
35/49 Lichfield Street Wolverhampton WV1 1EL (hereinafter  
called "the Building Society") of the fourth part and BARCLAYS  
BANK PLC whose registered office is situated at 54 Lombard Street  
London EC3P 3AH (hereinafter called "the Bank") of the fifth  
part

WHEREAS:

- (1) Words and phrases used in this Planning Obligation are defined in Clause 1
- (2) The Council is the local planning authority for the purposes of the 1990 Act as hereinafter defined for the Land as hereinafter defined
- (3) The Red Freehold Owner is entitled to the interest in the Red Land and the Red Hatched Land described in the First Schedule hereto subject to the encumbrance therein specified
- (4) The Red Hatched Freehold Owner is entitled to the interest in the Red Hatched Land described in the First Schedule hereto subject to the encumbrance therein specified
- (5) The Building Society is the proprietor of the registered charge over the Red Hatched Land described in the First Schedule hereto

- (6) The Bank has registered in its favour in respect of the Yellow Edged Land the Notices described in the First Schedule hereto
- (7) Application has been made to the Council for planning permission under Application reference number 4/1191/93FL
- (8) On 21 December 1993 the Council resolved to grant planning permission for the Development as hereinafter defined subject to the completion of this Planning Obligation
- (9) This Planning Obligation is made pursuant to s.106 of the 1990 Act and is enforceable by the Council

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 this Planning Obligation the following expressions (arranged in alphabetical order) shall have the following meanings:

"the Application" - Application reference number 4/1191/93FL

"the Area of the Rare Breeds Centre" - The area of land edged blue on Plan B

"the Development" - Redevelopment of land as a Rare Breeds Centre and Farm Shop; demolition of existing garage unit; change of use of existing buildings to Farm Museum Blacksmith's workshop and industrial and storage and distribution uses

"the Director of Planning" - the Council's Director of Planning for the time being

- "Farm Exhibit" - any article piece of equipment machinery or vehicle which is or is intended to be exhibited and for the avoidance of doubt this shall not include those articles pieces of equipment machinery or vehicles which are being or are intended to be used by the Red Freehold Owner the Red Hatched Freehold Owner or his her or their servants or agents for the farming and operation of the Land
- "the Farm Museum" - the Farm Museum building shown on Plan B
- "the Farm Shop" - the Farm Shop building shown on Plan B
- "Fruit Sorting Structure" - a structure used for the purposes of sorting fruit or vegetables in connection with a "pick your own" enterprise
- "the Green Land" - the area of land shown for the purposes of identification only shaded green on Plan A
- "the Land" - the land situate at Bingham's Park Farm Potten End Hill Water End Hertfordshire and shown for the purposes of identification only on Plan A edged red ~~and~~ partly edged yellow partly shaded green and partly hatched red

SB  
KH

"Pick Your Own Sales Point"	-	any mobile trailer temporary or other structure whether or not the same is being used or is intended to be used in connection with a "pick your own" enterprise but excluding any Fruit Sorting Structure and/or Power Supply Housing
"Plan A"	-	the Plan marked A annexed hereto
"Plan B"	-	the Plan marked B annexed hereto
"Planning Obligation"	-	this obligation and any modification thereof approved by the Council or on appeal by the Secretary of State
"the Planning Permission"	-	such planning permission as is granted by the Council or by the Secretary of State for the Development <del>in the form</del> annexed hereto
"Power Supply Housing"	-	a structure enclosing power points required in connection with a "pick your own" enterprise
"the Red Hatched Land"	-	the area of land shown for the purposes of identification only on Plan A partly edged red and hatched red
"the Red Land"	-	the area of land shown for the purposes of identification only on Plan A edged red but excluding the Red Hatched Land

*[Handwritten signature]*

SB  
KH

*subject only to the conditions*  
*100 154*

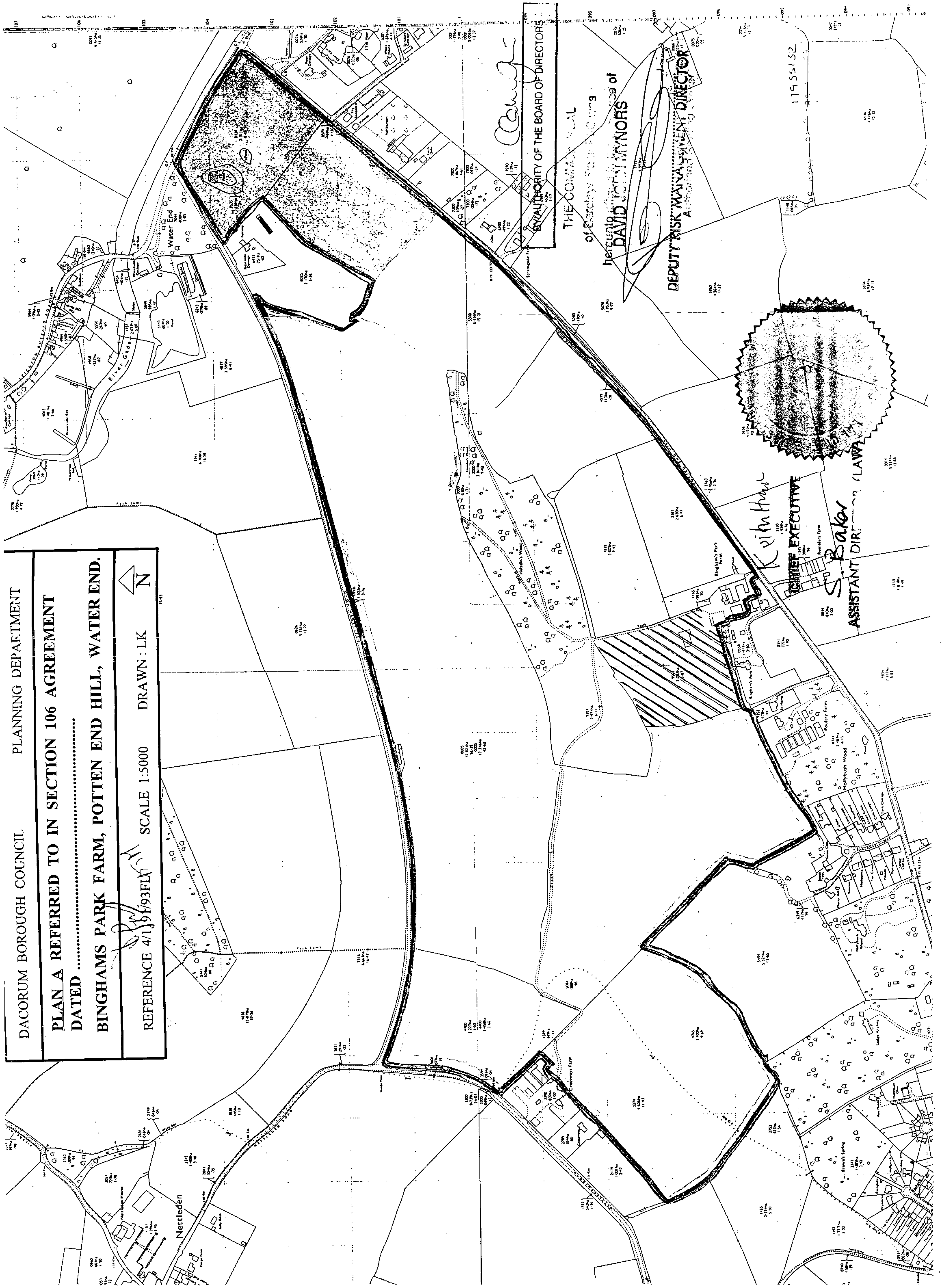
DACORUM BOROUGH COUNCIL

PLANNING DEPARTMENT

PLAN A REFERRED TO IN SECTION 106 AGREEMENT  
DATED .....

BINGHAMS PARK FARM, POTTEN END HILL, WATER END.

REFERENCE 4/19/93FL SCALE 1:5000 DRAWN: LK



*Change*

BY AUTHORITY OF THE BOARD OF DIRECTORS

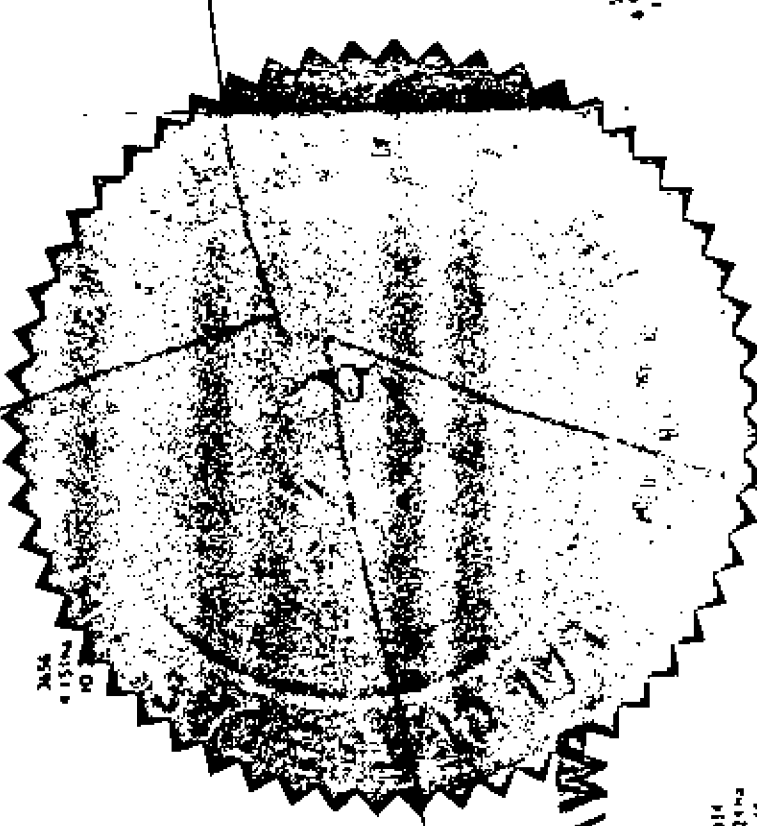
THE COMPANY SEAL

of Bingham's Park Farm

hereunto attested by

DAVID JOHN WYNORS

DEPUTY RISK MANAGEMENT DIRECTOR



*K. R. H. H. H.*

CHIEF EXECUTIVE

*S. Baker*

ASSISTANT DIR. (LAW)



"Secretary of State" - the Secretary of State for the Environment for the time being or any officer of the Department of the Environment lawfully acting on his behalf

"the Yellow Edged Land" - the area of land shown for the purposes of identification only on Plan A edged yellow

"1990 Act" - the Town & Country Planning Act 1990 (as amended)

2. IN the event that the Planning Permission is granted and the Planning Permission is implemented by the carrying out of a material operation as defined in the 1990 Act Section 56 (4) or otherwise then this Planning Obligation shall have full force and effect but not otherwise save that Clause 5 (b) hereof shall have full force and effect from the date hereof

3. No person or company shall be liable for any breach of this Planning Obligation unless he or it holds an interest in the land in respect of which such breach occurs or held such an interest at the date of the breach

4. IN consideration of the Covenants on the part of the Red Freehold Owner and the Red Hatched Freehold Owner contained in the Second Schedule hereto the Council hereby Covenants with the Red Freehold Owner and the Red Hatched Freehold Owner that the Council will forthwith grant the Planning Permission

5. IN consideration of the Council's Covenant contained in Clause 4 hereof the Red Freehold Owner hereby Covenants with the Council in respect of the Red Land and the Red Hatched Freehold Owner hereby Covenants with the Council in respect of the Red Hatched Land

- (a) to observe and perform and to ensure the observance and performance of the Covenants set out in the Second Schedule hereto
  - (b) to pay the Council's reasonable legal costs in the preparation hereof on the execution of this Planning Obligation
6. The Building Society hereby consents to the terms of this Planning Obligation and acknowledges that the Red Hatched Land shall be bound by the Covenants contained in the Second Schedule hereto
7. The Bank hereby consents to the terms of this Planning Obligation and acknowledges that the Yellow Edged Land shall be bound by the Covenants contained in the Second Schedule hereto
8. This Planning Obligation shall be registered as a Local Land Charge

I N W I T N E S S whereof each of the Red Freehold Owner and the Red Hatched Freehold Owner has respectively set his and her hand and seal and each of the Council the Building Society and the Bank has caused its Common Seal to be hereunto affixed the day and year first before written

FIRST SCHEDULE

The Red Freehold Owner

Name: Douglas George Masters  
of: Bingham's Park Farm Potten End Hill  
Water End Hertfordshire

The Red Freehold Owner's Interest in the Red Land

The Red Freehold Owner has the freehold interest in the Red Land registered at HM Land Registry under Title Nos. HD 31568 HD 34317 HD 22846 and HD 13305

The Red Freehold Owner's and the Red Hatched Freehold Owner's  
Interests in the Red Hatched Land

The Red Freehold Owner and the Red Hatched Freehold Owner are the registered proprietors of the Red Hatched Land registered at HM Land Registry under Title No. HD 90887

The Building Society's Interest in the Red Hatched Land

The Building Society is the registered proprietor of a charge dated 10 November 1975 registered at HM Land Registry under Title No. HD 90887

The Bank's Interests in the Yellow Edged Land

The Bank has registered at HM Land Registry in its favour under the name of Barclays Bank Limited of Hemel Hempstead Hertfordshire:

- (i) a Notice of intended deposit of Land Certificate under Title No. HD 31568 which was registered on 29 May 1962
- (ii) a Notice of intended deposit of Land Certificate under Title No. HD 34317 which was registered on 25 April 1963
- (iii) a Notice of deposit of Land of Certificate under Title No. HD 13305 which was registered on 6 July 1979

## SECOND SCHEDULE

### The Covenants

1. (i) Without prejudice to the other covenants contained in this Schedule not to station on the Land a Pick Your Own Sales Point Fruit Sorting Structure or Power Supply Housing without obtaining the Director of Planning's prior written approval to the size and design of the same such approval not to be unreasonably withheld or delayed
- (ii) Following receipt of a written approval pursuant to sub paragraph (i) of this paragraph not to allow such Pick Your Own Sales Point as has been approved to be
  - (a) present on the Land other than between 15 May and 30 September inclusive in any year or
  - (b) subject to (a) above open for trading other than between 09.00 hours and 19.00 hours
2. (i) Within three months of the date of the Planning Permission to remove permanently from the Green Land all mobile trailers temporary or other structures and such lorry trailer/s and container/s as is/are present whether on the Land at the date of the Planning Permission or otherwise save for anything which shall have been permitted pursuant to paragraph 1(i) of this Schedule
- (ii) Not within three months of the date of the Planning Permission or thereafter to replace in the same or a different location any of such mobile trailers temporary or other structures lorry trailer/s or container/s with another or others of the same or a different type PROVIDED ALWAYS THAT the provisions of this paragraph shall not apply to such articles

pieces of equipment machinery or vehicles used by the Red Freehold Owner the Red Hatched Freehold Owner or his her or their servants or agents for the farming or operation of the Land

3.
  - (i) Not to use any part of the Land either for open storage of any kind for the purposes of the Development or for non-agricultural open storage
  - (ii) Not to erect on the Land for a period of five years commencing at the date hereof any new buildings to be used for storage relating to the operation of the Area of the Rare Breeds Centre
  - (iii) Without prejudice to other covenants contained in this Schedule not on any part of the Land except within the Area of the Rare Breeds Centre to leave fully or partially in the open air any Farm Exhibit
4.
  - (i) Within three months of the date of the Planning Permission to remove permanently from the Green Land all picnic tables and umbrellas whether on the Green Land at the date of the Planning Permission or otherwise
  - (ii) Not within three months of the date of the Planning Permission or thereafter to replace in the same or a different location any of such picnic tables or umbrellas with another or others of the same or a different type PROVIDED ALWAYS THAT the Red Freehold Owner shall be entitled to keep on the Green Land seating to accommodate no more than twenty-four people such seating to be of a type and in a location to be approved in writing by the Council
5. Not to use the Land other than the Farm Shop and the Farm Museum for the sale of food and/or drink not originating on the Land save for the sale of ice-cream and cream from the

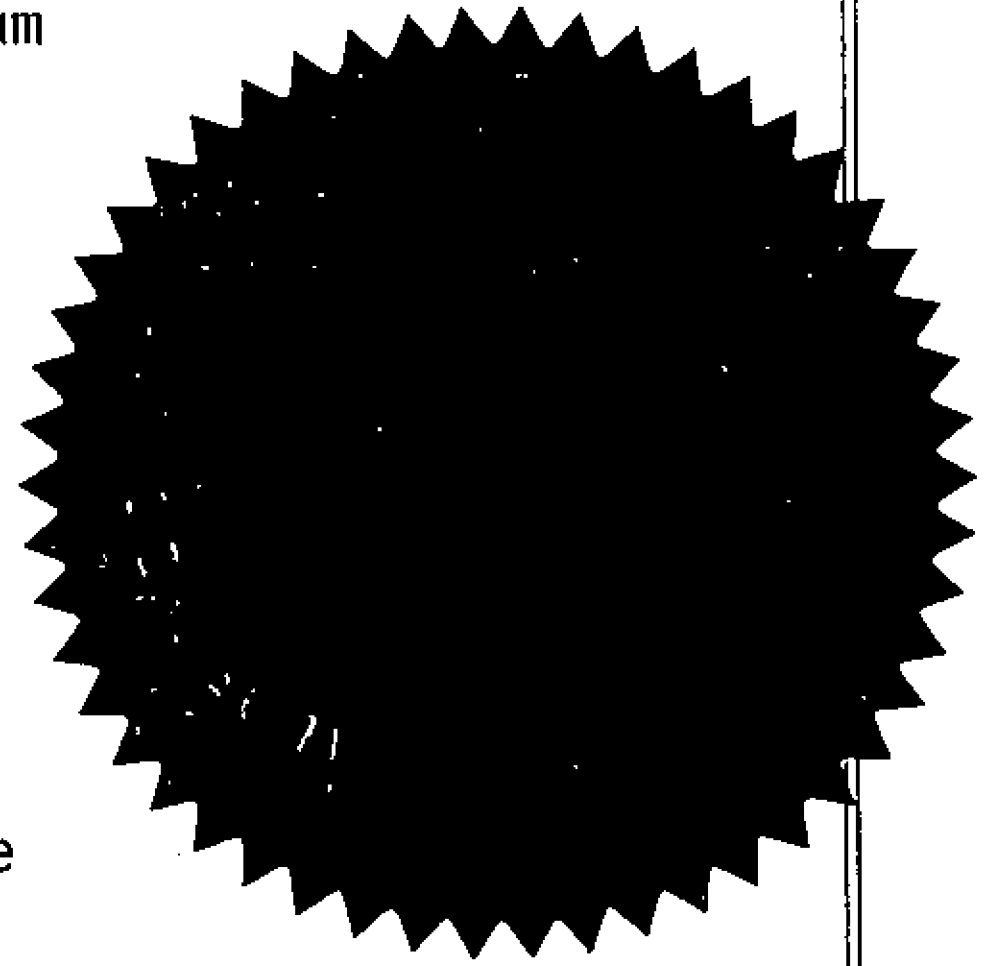
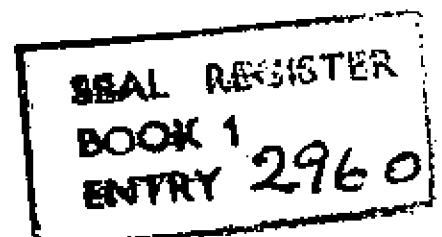
Pick Your Own Sales Point to visitors picking produce on the Land

6. Not to allow anything which is to be sold in the Area of the Rare Breeds Centre to be on display otherwise than in the Farm Shop or in the Farm Museum

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

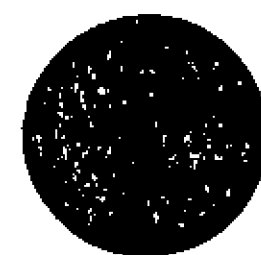
*Keith Hume*  
Chief Executive

*S. Baker*  
Assistant Director  
(Law)



THE SEAL of THE  
RED FREEHOLD OWNER  
was hereunto affixed  
in the presence of:

} *H. W. Jones*



Witness Name (Signature):

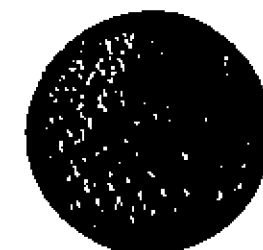
(Block Capitals):

Witness Address (Block Capitals):

*H. W. Jones*  
MILE BARN FARM  
DONALL  
BERKHAMSTEAD  
HERTS

THE SEAL of THE  
RED HATCHED FREEHOLD OWNER  
was hereunto affixed  
in the presence of:

} *B. T. Jones*



Witness Name (Signature):

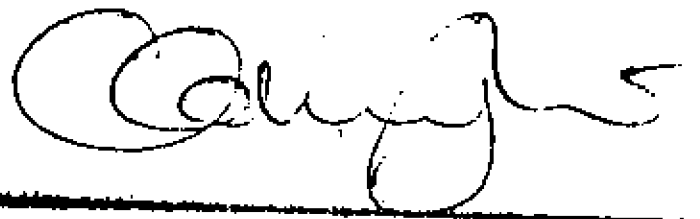
(Block Capitals):

Witness Address (Block Capitals):

*H. W. Jones*  
MILE BARN FARM  
DONALL  
BERKHAMSTEAD  
HERTS

THE COMMON SEAL of THE  
BUILDING SOCIETY  
was hereunto affixed  
in the presence of:

~~Director~~



BY AUTHORITY OF THE BOARD OF DIRECTORS

~~Secretary~~

THE COMMON SEAL of THE  
BANK  
was hereunto affixed  
in the presence of:  
**DAVID JOHN MYNORS**

~~Director~~

**DEPUTY RISK MANAGEMENT DIRECTOR**

**AUTHORISED SEALING OFFICER**

~~Secretary~~

17955130



## DRAFT CONDITIONS FOR BINGHAMS PARK FARM

1. That part of the development consisting of the Rare Breeds Centre as outlined in green on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

2. That part of the development consisting of the Farm Shop as outlined in brown on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

3. That part of the development consisting of the Farm Museum as outlined in yellow on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B to which this permission relates shall be begun within a period of five years commencing on the date of this notice.

Reason: To comply with the provisions of s.91 of the Town and Country Planning Act 1990.

4. No development of the Rare Breeds Centre, Farm Shop, Farm Museum or any other operational 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.

Reason: To maintain and enhance visual amenity.

5. All planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in accordance with a phasing programme which shall be submitted to and approved by the local planning authority before any development referred to in Condition 4 takes place; and any trees or plants which within the period specified in the approved phasing programme 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.

Reason: To maintain and enhance visual amenity.

6. All hard surfacing areas within the Rare Breeds Centre (outlined in green on the approved plan), Farm Shop (outlined in brown on the approved plan) and Farm Museum (outlined in yellow on the approved plan) shall be constructed and finished in accordance with a schedule of materials and finishes which shall be submitted to and approved by the local planning authority before any development, within the areas referred to above, is commenced.

Reason: To ensure a satisfactory appearance.

7. No work shall be started on the development of the Rare Breeds Centre, Farm Shop, or Farm Museum hereby permitted until details of all materials to be used externally shall have been submitted to and approved by the local planning authority, and the development of the Rare Breeds Centre, Farm Shop, and Farm Museum hereby permitted shall be carried out in the materials so approved.

Reason: To ensure a satisfactory appearance.

8. No windows or other openings, other than those on the approved plans, shall be formed in any of the buildings hereby permitted.

Reason: In order that the local planning authority may retain control over further development in the interests of residential and visual amenity.

9. There shall be no further horizontal subdivision of any of the buildings in the Rare Breeds Centre, Farm Shop or Farm Museum.

Reason: In order that the local planning authority may retain control over the creation of additional floorspace and therefore commercial activity in this sensitive rural area.

- B.T.  
SB  
KH 10. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 or any amendment thereto there shall be no advertisements displayed on the site or buildings, whether existing on site at the date of this planning permission or to be provided as part of the development hereby permitted, without the prior express consent of the local planning authority granted under these Regulations.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

11. No bunting or electronic displays or any similar form of advertisement, decoration or display shall be placed or used within the site without the express written permission of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

12. No children's play furniture or equipment, whether permanent or not, shall be provided within the site without the express written consent of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

13. No external lighting shall be provided on any buildings, whether existing on site at the date of this planning permission or to be provided as part of the development hereby permitted, or within the site, without the prior written approval of the local planning authority.

Reason: In order that the local planning authority may retain control over further development in the interests of visual amenity.

14. Within a period of 9 months, commencing on the date of this notice, the section of the proposed access, hatched pink on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall be provided.

Reason: In the interests of highway safety.

15. The access referred to in Condition 14 shall include the provision of sight lines at its junction with Potten End Hill of 2.4m x 225m within which there shall be no obstruction more than 600 mm above carriageway level.

Reason: In the interests of highway safety.

16. The width of the access referred to in Condition 14 shall be a minimum of 5.5m wide.

Reason: In the interests of highway safety.

17. The kerb radii of the access referred to in Condition 14 shall be 10.5m.

Reason: In the interests of highway safety.

18. Full details of a scheme to restrict the use of the existing access to Bingham's Park Farm to vehicular traffic shall be submitted to the local planning authority for approval within 3 months of the date of this decision notice.

Reason: In the interests of highway safety.

19. The existing access to Bingham's Park Farm shall be restricted in accordance with the scheme approved in accordance with Condition 18 within 12 months of the date of this decision notice, and shall remain so restricted thereafter.

Reason: In the interests of highway safety.

20. The Rare Breeds Centre outlined in green on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall only be used for the accommodation and display of animals and birds, and at least 50% of the total number of animals and birds within the site must be of species or breeds as classified by the Rare Breeds Survival Trust.

Reason: The site is located within the Metropolitan Green belt on the adopted Dacorum District Plan and on the Deposit Draft Dacorum Borough Local Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture, forestry, mineral extraction and open air recreation uses which can not reasonably be located within Towns and Large Villages. The Rare Breeds Centre is considered an appropriate form of open air recreation which is well related to the agricultural use of Bingham's Park Farm and the diversification of farming activity.

21. The Farm Shop building shall only be used for the sale of agriculturally related produce. The goods to be sold from this building shall be restricted to those specified in the 'schedule of goods', attached to this notice, unless otherwise agreed in writing by the local planning authority.

Reason: The site is located within the Metropolitan Green belt on the adopted Dacorum District Plan and on the Deposit Draft Dacorum Borough Local Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture, forestry, mineral extraction and open air recreation uses which can not reasonably be located within Towns and Large Villages. The Farm Shop is considered well related to the existing agricultural use of Bingham's Park Farm and the diversification of farming activity.

22. The Farm Museum building shall only be used:

- i) for the display of any article, piece of equipment, machinery or vehicle which is or has been used for agricultural purposes;
- ii) for the sale of agriculturally related produce specified in the 'schedule of goods' attached to this notice, unless otherwise agreed in writing by the local planning authority.

Reason: The site is located within the Metropolitan Green belt on the adopted Dacorum District Plan and on the Deposit Draft Dacorum Borough Local Plan wherein permission will only be given for use of land, the construction of new buildings, changes of use of existing buildings for agriculture, forestry, mineral extraction and open air recreation uses which can not reasonably be located within Towns and Large Villages. The Farm Museum is an appropriate reuse of a building well related to the diversification of farming activity at Bingham's Park Farm.

23. The land and buildings outlined in orange on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall only be used for purposes falling within Classes B1 (Business) or B8 (Storage and Distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any amendment thereto (other than those expressly authorised by this permission).

Reason: In order that the local planning authority may retain control over further development in the Metropolitan Green Belt and in the interests of residential and visual amenity.

24. The part of the building dimensioned and for identification purposes only cross hatched green on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall only be used as a blacksmith's workshop or for purposes falling within Classes B1 (Business) or B8 (Storage and Distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any amendment thereto, and shall not be used for any other purpose except as may be expressly permitted in writing by the local planning authority.

Reason: For the avoidance of doubt and in order that the local planning authority may retain control over further development in the Metropolitan Green Belt and in the interests of residential and visual amenity.

25. No other buildings or parts of buildings, on the site, other than that specifically permitted in condition 24 shall be used either partly or wholly as a blacksmith's workshop.

Reason: For the avoidance of doubt and in order that the local planning authority may retain control over further development in the Metropolitan Green Belt and in the interests of residential and visual amenity.

26. Any lorry containers or lorry bodies on the land outlined in orange on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B, shall be removed within 3 months of the date of this permission.

Reason: To safeguard the visual and residential amenity of the area.

27. No goods, materials, refuse, lorry containers, lorry bodies, or other portable buildings, shall be stored or processed outside the limits of the buildings but within the area of land outlined in orange on the approved plan reference Job No.P840 Dwg. No 02 Rev.No B.

Reason: To safeguard the visual and residential amenity of the area.

28. No gate fence wall or other means of enclosure exceeding 1.3 metres in height shall be erected or constructed either on the boundary of the site or within the site unless details of the means of enclosure shall have been submitted to and approved by the local planning authority, and the gate fence wall or other means of enclosure shall be erected or constructed in accordance with the details so approved.

Reason: In order that the local planning authority may retain control over further development in the Metropolitan Green Belt and to safeguard visual amenity of the area, particularly from the definitive right of ways, reference Great Gaddesden footpaths 63 and 64.

FARM SHOP SCHEDULE OF GOODS

Fruit

Fresh Fruit Products

Vegetables

Dairy Produce/Eggs

Specialist Meat/Specialist Fish

Preserves/Chutneys/Mustards

Honey

Dried Flowers

Baskets

Candles

Painted Eggs

Christmas Trees/Holly

Educational Books on Conservation and Farming

Bird Feeders

Nesting Boxes

Bedding Material for Pets and Livestock

Animal feeds

Hutches/Cages

FARM MUSEUM SCHEDULE OF GOODS

Educational Books on Conservation and Farming