



Planning Inspectorate

Department of the Environment

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CHIEF EXECUTIVE
DACORUM BC
CIVIC CENTRE
HEMEL HEMPSTEAD
HERTS. HP1 1HH

JDT
~~*JDT*~~

Your reference 4/2268/88

Our reference
APP/A1910 1A/89/116163

Date
14.6.89

Dear Sir(s)/Madam *Appeal against non-determination*

TOWN AND COUNTRY PLANNING ACT 1971
APPEAL BY: *Alec A White & Co*
RE: SITE AT *48 Cross Oak Rd, 3 Strublands Rd*
& Rothsay School Site, Berkhamsted

I am writing to tell you that this appeal has been withdrawn and we will be taking no further action on it.

29828

Yours faithfully

R. SUMMERS

CHIEF EXECUTIVE OFFICER
15 JUN 1989

File Ref.
Refer to *C.P.O.*
Cleared *15/6*

PLANNING DEPARTMENT						DACORUM BOROUGH COUNCIL	
Ref.				Ack.			
C.P.O.	T.C.P.M.	D.P.	D.C.	B.C.	Admin.	File	
			<i>✓ T3</i>				
Received				15 JUN 1989			
Comments							

208B/89

DATED

25th May

1989

DACORUM BOROUGH COUNCIL

and

ALEC A WHITE AND COMPANY 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
48 Cross Oak Road
and
1 and 3 Shrublands Road
Berkhamsted
Hertfordshire

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

SEE PLAN

ALSO

File Ref: 5.89/AMW/SGC/S.52/32/126/142/BS.6

T H I S A G R E E M E N T is made the 25th
day of May One thousand nine hundred and eighty-
nine B E T W E E N DACORUM BOROUGH COUNCIL of Civic Centre
Marlowes Hemel Hempstead Hertfordshire HP1 1HH (hereinafter
called "the Council") of the first part and ALEC A WHITE AND
COMPANY LIMITED whose registered office is situate at White House
Kings Road Berkhamsted Hertfordshire (hereinafter called "the
Owner") which expression shall include its successors in title or
assigns) of the second 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 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 land at 48 Cross Oak Road and 1 and 3 Shrublands Road Berkhamsted Hertfordshire (hereinafter called "the Land") shown edged red on the attached plan
- (3) The Owner has applied to the Council for Outline planning permission under Ref: 4/2269/88 for erection of residential accommodation on the Land including five elderly persons' flats on the ground floor of Block 2 shown edged blue on the attached plan
- (4) 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

N O W T H I S D E E D W I T N E S S E S a s f o l l o w s :-

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 on the part of the Owner hereinafter contained the Council covenants with the Owner that it will issue planning permission in respect of the application subject to conditions

3. THE Owner hereby covenants:-
 - (i) That the elderly persons' flats hereby permitted on the Land shall not be occupied otherwise than by at least one person who shall be aged 60 or over (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 and provided that no elderly persons' flat shall be occupied by anyone who is not aged 55 or over

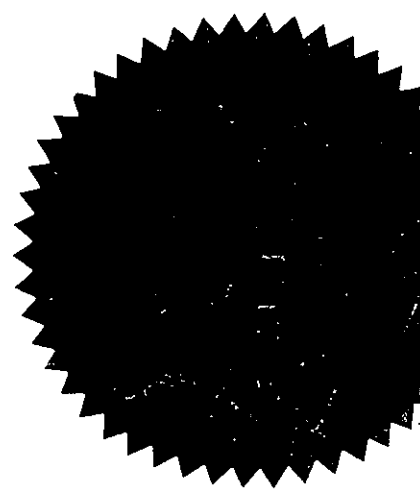
 - (ii) That prior to rateable occupation of the said elderly persons' flats the postal addresses of the said flats shall be notified to the Council

 - (iii) That it will pay the Council's reasonable legal costs incurred in the preparation of this Agreement.

4. 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
Common Seals the day and year first before written

THE COMMON SEAL of ALEC)
A WHITE AND COMPANY LIMITED)
was hereunto affixed in the)
presence of:-)



[Handwritten Signature] Director

D. S. White Secretary