A/67/11/PO

THE SECOND SCHEDULE

Restrictions and Obligations

The Owner and the Lessee hereby covenant:

1. That the Land shall only be used for the sale of goods in the categories specified below and (unless otherwise proved in writing by the Council) shall not be used at any time for any other purpose falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987:

   Goods and services normally sold at a Garden Centre, which for the avoidance of doubt shall include:

   (a) goods and services related to gardens and gardening,

   (b) horticultural products, trees, plants, shrubs, house plants and flowers of any type including fresh and dried flowers,

   (c) garden and gardening equipment, tools and accessories,

   (d) machinery for garden use and servicing of it,

   (e) + (g) barbeques and their accessories, outdoor and conservatory furniture, furnishings and accessories – upto 600sqm floor space and height 2.5m

   (f) conservatories,

   ~~(g) outdoor and conservatory furniture, furnishings and accessories,~~

   (h) fresh and local farmhouse produced foods including meats, dairy products, vegetables and beverages,

   (i) sheds, garden buildings, greenhouses, summerhouses, gazeboes, pergolas, garden offices,

   (j) swimming pools and associated equipment, materials and fittings for pools, ponds and lakes and for the servicing of pool surrounds,

   (k) fencing, trellis and landscaping materials,

   (l) aquatics, water garden equipment and their accessories, - upto 250sqm floor space

   (m) garden ornaments and statuary, baskets and other containers for the growing and display of indoor and outdoor plants and flowers,

(n) books, magazines, periodicals, videos and CD and DVDs relating to gardening, leisure, hobby, travel, sports and coffee table books and other literature other than fiction,

(o) pets, pet supplies, food and accessories, pet care and advice, - upto 300sqm floor space

(p) indoor and outdoor hobbies, toys, games, crafts and garden play equipment, - upto 200sqm of floor space

(q) baskets, wickerwork and country crafts, - upto 200sqm of floor space

(r) Christmas trees (live and artificial) decorations, gifts, - limited to 1st October to 15th January each year

(s) china, glass and gifts, - upto 200sqm of floor space

(t) soft furnishing associated with garden and conservatory furniture, - upto 200sqm of floorspace

(u) outdoor clothing and footwear, including wellington boots, garden aprons and smocks, gardening boots and clogs, gardening gloves, gardening hats, gardening rainproofs and gardening overalls, - upto 250sqm of floor space and height of 2.5m

(v) outdoor and country pursuits and equipment e.g. camping, fishing, equestrian, hiking, climbing, etc., - upto 200sqm of floor space and height of 2.5m

(w) restaurant, coffee shop and children's play area,

(x) arts and crafts products, - upto 250sqm of floor space

(y) other items incidental to the operation of the garden centre as a garden centre and ancillary to its character as a garden centre, - limited to an aggregated total of 400sqm floor space

(z) such other products, goods or services as the Council shall have first approved in writing.

2. Not to use the Land otherwise than in accordance with the restrictions and limitations referred to in paragraph (1) above