

Please use this Form if your planning application is for between 1 to 6 houses

Dated 28th APRIL 2014

[1] The Owner: MRS NICOLE HURRY, HAWKWOOD TOWNGROSS AVENUE, BOLTON HEATH PO21 2DL, GLOUCESTER

[2] The Mortgagee: N/A

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at
HAWKWOOD, TOWNGROSS AVENUE, BOLTON HEATH, WEST SUSSEX, PO21 2DL ENGLAND

Planning Application Ref: N/A
Contributions for Affordable Housing of £ 1836.00
Monitoring Fee £150.00

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
Tel: 01903 737500
DX: 57406 Littlehampton

THIS UNILATERAL UNDERTAKING is given this 28th APRIL 2014 ~~2014~~

By MRS NICOLE HEWITT

Of HAWWOOD, TOWNCROSS AVENUE, BRIGHTON REGIS, BN1 2DL (ENGLAND)

("the Owner") IN FAVOUR OF Arun District Council of Arun Civic Centre Maltravers Road Littlehampton West Sussex BN 17 5LF with the agreement and consent of :-

("The Mortgagee") N/A

1. Background

- 1.1 The Owner is the freehold owner of the Land.
- 1.2 Arun District Council is the local planning authority for the purposes of this Deed for the area within which the Land is situated
- 1.3 The Owner has applied or intends to apply to the Council for planning permission to develop the Land
- 1.4 The Council has not determined the Application
- 1.5 In order to secure the best use of land and a properly planned environment the Owner is desirous of binding the Land in the terms set out hereinafter and the Mortgagee agrees to join in this Deed and for the Land to be bound by its terms

2. Definitions

In this Undertaking

- 2.1 Any reference to a clause is to one in this Deed and the headings of clauses are for ease of reference and do not form part of this Deed
- 2.2 In the absence of contrary provision any reference to a statute includes any statutory modification or re-enactment of it and every statutory instrument, direction, specification made or issued under the statute or deriving validity from it
- 2.3 'The Act' means the Town and Country Planning Act 1990 (as amended)

- 2.4 'Application' means the planning application submitted or to be submitted by the Owner seeking planning permission to develop the Land by building houses in the manner described in the Application
- 2.5 "Affordable Housing Contribution" means the sum of £1876 for the purpose of providing or helping to provide Affordable Housing as defined within Annex 2 The Glossary to The National Planning Policy Framework within the whole of the Arun District
- 2.6 Land' means the land at * ^{HOLMWOOD, TOWNHALL AVENUE, BRIGHTON REGIS, PO11 2DR} shown edged black on the attached Plan.
- 2.7 "Development" means the development authorised by the Planning Permission issued pursuant to the Application

3. Enabling Provisions

3.1 This Unilateral Undertaking:

- 3.1.1 is given by the Owner to the Council
- 3.1.2 is made pursuant to the provisions of S106 of the Act
- 3.1.3 is a planning obligation for the purposes of that S106 of the Act
- 3.1.4 is given with the intent to bind the Owner's interest in the Land
- 3.1.5 shall be enforceable by the Council as local planning authority
- 3.1.6 is executed by the Owner as a Deed

4. Commencement

The provisions of this Deed shall take effect on the completion of this Deed of undertaking by the Owner

5. Contributions

The Owner undertakes to pay to the Council the Affordable Housing Contribution on or before commencement of the Development to be authorised by any Planning Permission issued pursuant to the Application

6. Monitoring and Implementation Costs

6.1 The Owner and the Applicant undertakes with the Council to :-

- [a] pay in addition to the above Contribution
- [b] the sums set out in the table below
- [c] at the time or times set out in the table below and
- [d] for the purposes set out in the table below

Payee	Time for Payment	Amount	Purpose
The Council	On Commencement of the Development	£150	ADC Monitoring of compliance with the Deed and subsequent expenditure of the Contribution Sum by the Council

6.2 For the avoidance of doubt the Council shall be entitled to utilise a proportion of any monetary contributions specified in this Deed for related project costs up to a maximum of 5% of the sum or £15,000 which ever shall be the larger

6.3 For the avoidance of doubt the above charges are standard charges and shall not preclude the Council from claiming and receiving any additional monitoring and legal or enforcement costs above and beyond these standard charges when circumstances require that they be incurred in pursuing full compliance with this Deed whether through the courts or otherwise

7. Registration of this Unilateral Undertaking

The Owner acknowledges that this Unilateral Undertaking shall be registered as a local land charge in the Register of Local Land Charges maintained by the Council

8. Costs

The Owner undertakes to pay to the Council the sum of its reasonable legal costs of £200 on or before Completion of this Deed

9. Mortgage Consent Clause

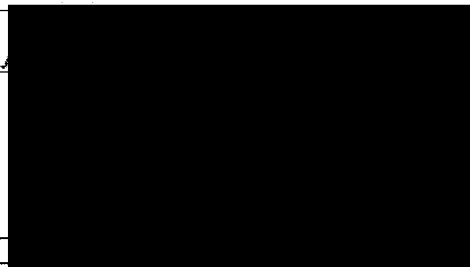
The Mortgagee agrees to the Owner entering into this Deed and to the Land being bound by its terms

10. Miscellaneous

- 10.1 This Deed may at the absolute discretion of the Council be applied to the Development as authorised by the Planning Permission or as varied or renewed or re submitted from time to time provided always in each of these cases that the sum of the Affordable Housing Contribution remains unchanged. The application of this Deed to any other Planning Permissions shall be recorded on those Planning Permissions by an "Informative" note.
- 10.2 No covenants or obligations contained in this Deed shall be binding upon any part of the Land that may in future be acquired by a statutory undertaker for the purposes of its undertaking or operational Land as defined in the S262 of the Act.

SIGNED as a DEED

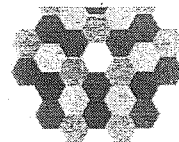
By THE OWNER/S in the presence of	NICHOLE ALICE HENRY
Name	MR ANTHONY JAMES BEN FINGLE
Address	10 BIRCH WFT, BIRCHESKILL BF7, WY PO10 8JD
Occupation	DESIGN & PROPERTY MANAGER



By THE OWNER/S in the presence of		signature
Name	N/A	
Address		
Occupation		

SIGNED as a DEED

By THE MORTGAGEE in the presence of		signature
Name	N/A	
Address		
Occupation		



Title information document

This document has been issued following a change to the register. It has been supplied for information only. It should not be sent to Land Registry in connection with any subsequent application.

Attached is an official copy of the register showing the entries subsisting following the recent completion of the application to change the register.

Please note: The attached official copy shows the state of the individual register of title as at the date and time stated on it.

If in future you wish to apply for an official copy of the register or the title plan, please apply using form OC1 (available from our website, any Land Registry local office and law stationers). A fee is payable for each copy issued.

If you have any queries, or you require this correspondence in an alternative format, please contact us at the address shown, quoting the title number shown on the top of the official copy.

Land Registry
Durham Office
Southfield House
Southfield Way
Durham DH1 5TR

DX 60200 Durham 3

Tel 0300 006 0010
Fax 0300 006 0030
durham.office
@landregistry.gsi.gov.uk

www.landregistry.gov.uk

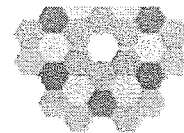
Important information about the address for service

If we need to write to an owner, chargee or other party who has an interest noted on the register, we will write to them at the address shown on the register. We will also use this address if we need to issue any formal notice to an owner or other party as a result of an application being made. Notices are often sent as a measure to safeguard against fraud. It is important that this address is correct and up to date. If it is not you may not receive our letter or notice and could suffer a loss as a result.

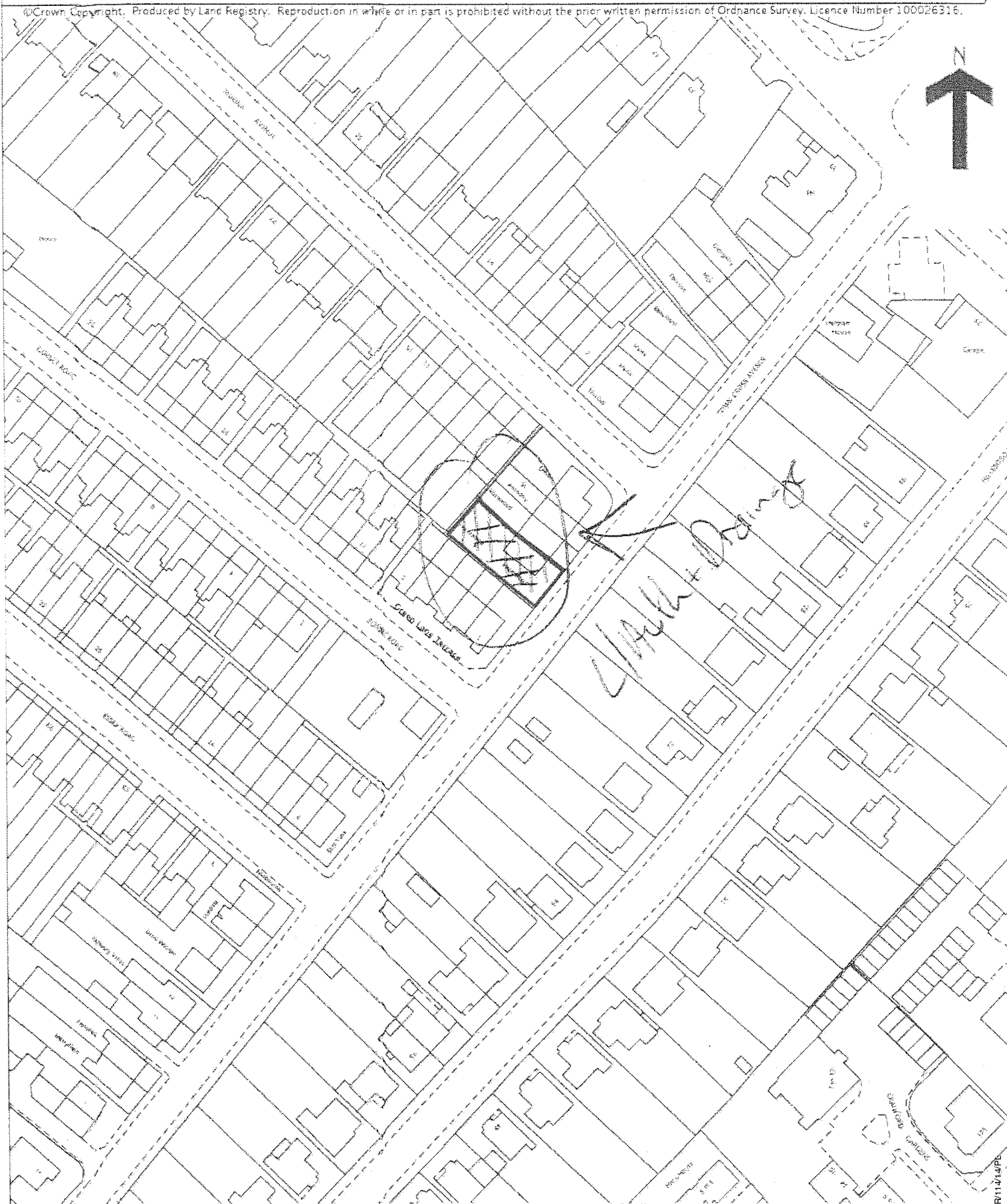
You can have up to three addresses for service noted on the register. At least one of these must be a postal address, whether or not in the United Kingdom; the other two may be a DX address, a UK or overseas postal address or an email address.

Official copy of title plan

Ordnance Survey map reference **SU9300SW**
Scale **1:1250**
Administrative area **West Sussex : Arun**



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Official copy of register of title

Title number WSX281729 Edition date 14.08.2013

- This official copy shows the entries in the register of title on 14 August 2013 at 13:58:49.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 14 August 2013.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 - *A guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry Durham Office.

A: Property register

This register describes the land and estate comprised in the title.

WEST SUSSEX : ARUN

- 1 (22.06.2004) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Holmwood, Town Cross Avenue, Bognor Regis (PO21 2DR).
- 2 (22.06.2004) The land has the benefit of the following rights granted by a Conveyance of the land in this title dated 3 February 1936 made between (1) A E Cheney Limited (Vendor) and (2) Victor James Peter Grant (Purchaser):-

"TOGETHER with full right and liberty for the Purchaser and the persons deriving title under him at all times hereafter to pass and repass on foot only over and along the passage way coloured brown on the said plan the Purchaser and his successors in title paying his fair share of the expense of repairing and maintaining the said passage way"

NOTE: The passage way coloured brown referred to is tinted brown on the title plan.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (14.08.2013) PROPRIETOR: NICHOLE ALICE HENRY of Holmwood, Town Cross Avenue, Bognor Regis PO21 2DR.

B. Proprietorship register continued

- 2 (14.08.2013) The price stated to have been paid on 5 July 2013 was £140,000.
- 3 (14.08.2013) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (22.06.2004) A Conveyance dated 30 August 1923 made between (1) Helen El Ball and (2) George Benjamin Bates contains restrictive covenants but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 2 (22.06.2004) A Conveyance of the land in this title and other land dated September 1926 made between (1) Thomas Samuel Elkington (Vendor) and (2) Albert Edward Cheney (Purchaser) contains the following covenants:-

"AND the Purchaser for himself and the persons deriving title under him hereby covenants with the Vendor and the persons deriving title under him not to use or occupy or suffer to be used or occupied any buildings to be erected on the said land or any part thereof for any other purpose than private dwellinghouses only nor to the annoyance injury or danger of houses adjoining or near thereto or the owners or occupiers thereof"
- 3 (22.06.2004) A Conveyance dated 24 May 1927 made between (1) Thomas Samuel Elkington and (2) Albert Edward Cheney contains restrictions, stipulations and conditions but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

End of register

