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

Dated 13 . 10 . 2014

[1] The Owner: MRS R. C. LAKER
NYETIMBER FORGE
PAGHAM ROAD
[2] The Mortgagee: BOGNOR REGIS. W. SUSSEX PO 21 4NH
NO MORTGAGE

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at REAR OF 80 ALDWICK ROAD, BOGNOR REGIS. SUSSEX. PO 21 2PE
ACCESS OFF OXFORD STREET AT REAR

Planning Application Ref: TO BE ADVISED
Contributions for Affordable Housing of £ 6,085-00
Monitoring Fee £150.00

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF
[redacted]
DX: 57406 Littlehampton

ARUN DISTRICT COUNCIL BR/280/14/PL

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Arun Civic Centre
Maltravers Road
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West Sussex BN17 5LF
[redacted]
DX: 57406 Littlehampton

ARUN DISTRICT COUNCIL BR/280/14/PL

THIS UNILATERAL UNDERTAKING is given this 13th October 2014

By MRS R. C LAKER

Of NYETIMBER FORGE, PAGHAM ROAD, BOGNOR REGIS WEST SUSSEX, PO 21 4NH

("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") NOT APPLICABLE

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)

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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 £6,085 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 REAR PART OF 80 ALDWICK ROAD, BOGNOR REGIS PO21 2PE 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

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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

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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.

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SIGNED as a DEED

By THE OWNER/S in the presence of	RITA CONSTANCE LAKER
Name	SHEILA ANN CHALK
Address	63 STOCKBRIDGE RD. CHICHESTER
Occupation	RETIRED

By THE OWNER/S in the presence of	RITA CONSTANCE LAKER
Name	CHARLES DEREK DELL
Address	39 CAMBRIDGE DRIVE BOGNOR REGIS PO21 5RS
Occupation	RETIRED

[redacted]

SIGNED as a DEED

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

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ARUN DISTRICT COUNCIL BR/280/14/PL

Title Number : WSX359215

This title is dealt with by Land Registry, Durham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 29 SEP 2014 at 19:56:56 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: WSX359215
Address of Property	: 80 and 80a Aldwick Road, Bognor Regis (PO21 2PE)
Price Stated	: £220,000
Registered Owner(s)	: RITA CONSTANCE LAKER of Nyetimber Forge, Barton Close, Bognor Regis PO21 4NH.
Lender(s)	: None

ARUN DISTRICT COUNCIL BR/280/14/PL

Title number WSX359215

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 29 SEP 2014 at 19:56:56. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

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A: Property Register

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

WEST SUSSEX : ARUN

1 (02.09.2013) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being 80 and 80a Aldwick Road, Bognor Regis (PO21 2PE).

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 (02.09.2013) PROPRIETOR: RITA CONSTANCE LAKER of Nyetimber Forge, Barton Close, Bognor Regis PO21 4NH.

2 (02.09.2013) The value stated as at 2 September 2013 was £220,000.

3 (02.09.2013) The Conveyance 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 (02.09.2013) A Conveyance dated 5 March 1898 made between (1) Sarah Matilda Gower (2) Thomas Greenwood and (3) John Peterkin Coutts contains covenants and conditions but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

2 (02.09.2013) The land is subject to the following rights mentioned in a Conveyance of the land in this title dated 2 November 1970 made between (1) Sax Properties Limited and (2) Donald Edwin Laker and Rita Constance Laker:-

"SUBJECT to such rights of way public or otherwise which subsist over the forecourt of the property hereby conveyed"

3 (02.09.2013) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

Schedule of notices of leases

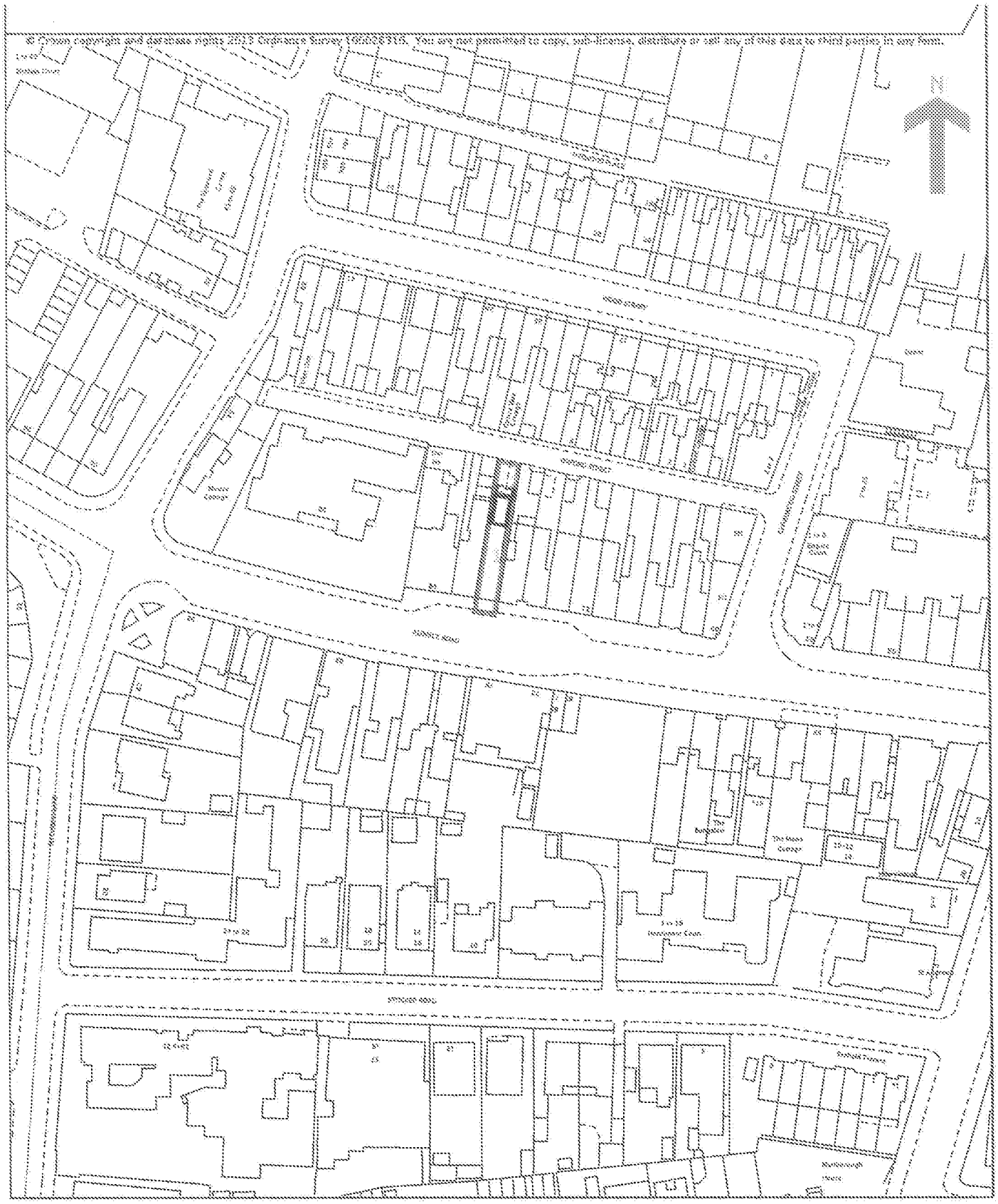
1	02.09.2013 1(part of) and 2	80 Aldwick Road (Ground floor shop) and yard	31.08.1990 25 years from 31.08.1990	WSX159443

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Title number WSX359215

End of register

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The Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position.

ARUN DISTRICT COUNCIL BR/280/14/PL

Arun District Council

Maltravers Road

Littlehampton

West Sussex

BN17 SLF

5 Grey Ladys

Galleywood

Chelmsford

Essex

CM2 8RB

ARUN DISTRICT COUNCIL
14 OCT 2014
RECEIVED

13th October 2014

Dear Sirs,

Re Proposed change of use of part of ground floor from office/store at rear of 80 Aldwick Road, Bognor Regis, West Sussex, PO21 2PE to a self contained one bedroom flat.

I enclosed the completed form for a legal agreement for the above proposal in accordance with your Affordable Housing Policy.

I act on behalf of my mother Mrs R C Laker, who is the sole owner of this property and has no mortgage. I have power of Attorney to act on her behalf.

The planning application for this change of use to residential will be submitted shortly.

Please correspond with me at the above address.

Yours faithfully,

[redacted]

Enc Cheque £200-00

* Receipt M96784 refers
£200-00 14/10/14.

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