

EP/55/12



MEMO

FROM:

Delwyn Jones
Planning Solicitor

Ref: EP/55/12

Dated: 14 June 2012

TO: Deeds Store Clerk

For circulation to :-

Hazel Aldington

Service Delivery and Monitoring Officer

FOR CIRCULATION TO :-

Planning Case Officer

Local Land Charges Officer

Planning Admin

Accountancy

Affordable Housing

Scanned
14-06-12

SITE NAME: 20 Eastern Close East Preston

PARTY NAME: AJ Parry

PLANNING OBLIGATION COMPLETION

The above is now completed.

DEEDS STORE CLERK:

The original planning obligation is attached.

Please place the original planning Obligation attached in the Deeds Store.

Before you do so please make one copy and attach to this memo and forward it to the Service Delivery and Monitoring Officer. The SD&MO will then copy the deed scan into the Ocella records and circulate it to the other addressees of this memo.

SERVICE DELIVERY & MONITORING OFFICER

Please on receipt of this memo and enclosure scan it and make hard copies of it and then circulate to all the above addressees and update Ocella.

PLANNING OFFICER:

Please issue planning permission. A copy of the planning obligation is on the file.

LOCAL LAND CHARGES OFFICER:

Please register this planning obligation as a Local Land Charge. A copy of it is attached.

ALL OF YOU

A summary of the provisions of the obligation is:

Obligation	Time Limit
ADC	
Affordable housing Sum £10,345	On start

PLANNING ADMIN:

A copy is enclosed for your files. Please enter this on the Planning Register as a PE format.

The legal fees received for the preparation of this agreement were £200.00

Delwyn Jones
Planning Solicitor

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

Dated Tuesday 5th June

2012

[1] The Owner: Angela June Parry

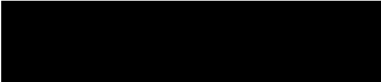
[2] The Mortgagee:

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at
20 EASTERN CLOSE, EAST PRESTON, WEST SUSSEX, BN16 6SS

Planning Application Ref: EP/55/12
Contributions for Affordable Housing of £10,345
Monitoring Fee £150.00

Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF



THIS UNILATERAL UNDERTAKING is given this

5th JUNE

2012

By ANGELA JUNE PARRY.

Of 20 EASTERN CLOSE, EAST PRESTON, WEST SUSSEX, BN16 1BS

("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")

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 £10,345 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 ^{20 EASTERN CLOSE, EAST PRESTON, W'SX, BN16 1BS} A 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

SIGNED as a DEED

By THE OWNER/S in the presence of	ANGELA JUNE PARRY	
Name	CLAIRE LOUISE BRADLEY	
Address	34 WESTERN ROAD, LITTLEHAMPTON BN17 5PG	
Occupation	VETERINARY SURGEON	

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

SIGNED as a DEED

By THE MORTGAGEE in the presence of		signature
Name		
Address		
Occupation		
		signature

Title Number : WSX126109

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 suffers loss by reason of a mistake in an official copy.

This extract shows information current on 20 JUL 2011 at 22:09:36 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	: WSX126109
Address of Property	: 20 Eastern Close, East Preston, (BN16 1BS)
Price Stated	: Not Available
Registered Owner(s)	: ANGELA JUNE PARRY of 20 Eastern Close, East Preston, W Sussex, BN16 1BS.
Lender(s)	: Santander UK PLC

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 20 JUL 2011 at 22:09:36. 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.

This copy is not 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 suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

A: Property Register

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

WEST SUSSEX : ARUN

- 1 (15.02.1988) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 20 Eastern Close, East Preston, (BN16 1BS).
- 2 The land has the benefit of the rights granted by but is subject to the rights reserved by the Conveyance dated 2 April 1969 referred to in the Charges Register.
- 3 The Conveyance dated 2 April 1969 referred to above contains a provision as to light or air.

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 (18.11.1999) PROPRIETOR: ANGELA JUNE PARRY of 20 Eastern Close, East Preston, W Sussex, BN16 1BS.
- 2 (18.11.1999) RESTRICTION: Except under an order of the registrar no disposition by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 1 October 1999 in favour of Santander UK PLC referred to in the Charges Register.

C: Charges Register

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

- 1 A Conveyance dated 23 March 1934 made between (1) Walter James Langmead and (2) Cyril Horton Magnus and Eric Edward Lambert contains restrictive covenants but neither the original Conveyance nor a Certified copy or examined abstract thereof was produced on first registration.

By a Deed dated 5 April 1967 made between (1) Walter James Langmead (2) Eric Edward Lambert and (3) William Bernard Magnus and (4) William Bernard Magnus the said covenants were expressed to be released but neither the original Deed nor a certified copy or examined abstract thereof was produced on first registration.
- 2 A Conveyance of the land in this title dated 2 April 1969 made between (1) Regan (Sussex) Limited and (2) Margaret May Burton contains restrictive covenants.

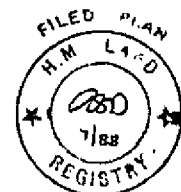
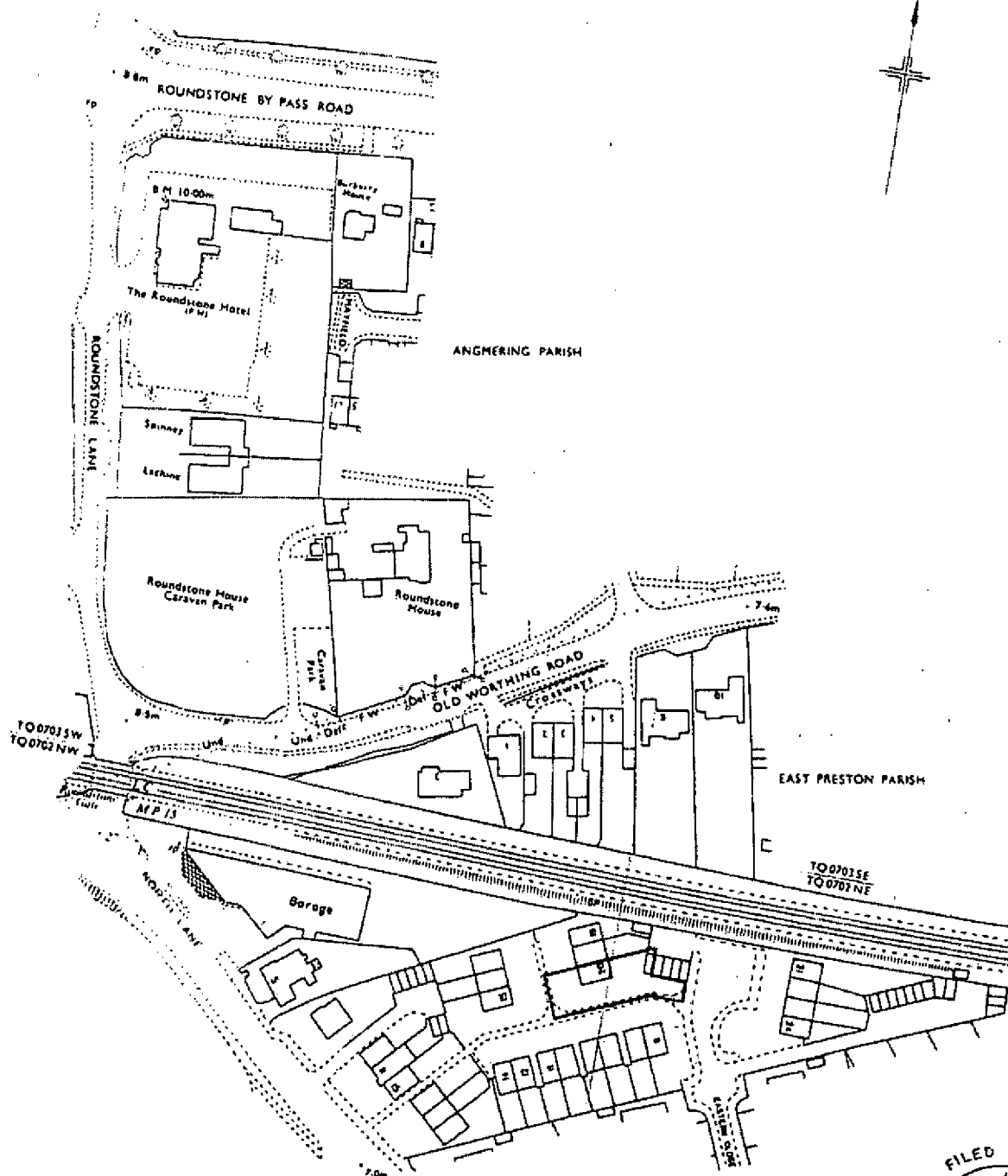
NOTE:-Copy filed.

C: Charges Register continued

- 3 (18.11.1999) REGISTERED CHARGE dated 1 October 1999 to secure the moneys including the further advances therein mentioned.
- 4 (23.02.2010) Proprietor: SANTANDER UK PLC (Co. Regn. No. 2294747) of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA.

End of register

H.M. LAND REGISTRY		TITLE NUMBER WSX126109	
ORDNANCE SURVEY PLAN REFERENCE	TQ 0703	SECTION C	Scale 1:1250
COUNTY WEST SUSSEX	DISTRICT ARUN	© Crown copyright 1977	



This is a copy of the title plan on 26 JUL 2011 at 22:09:36. 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.

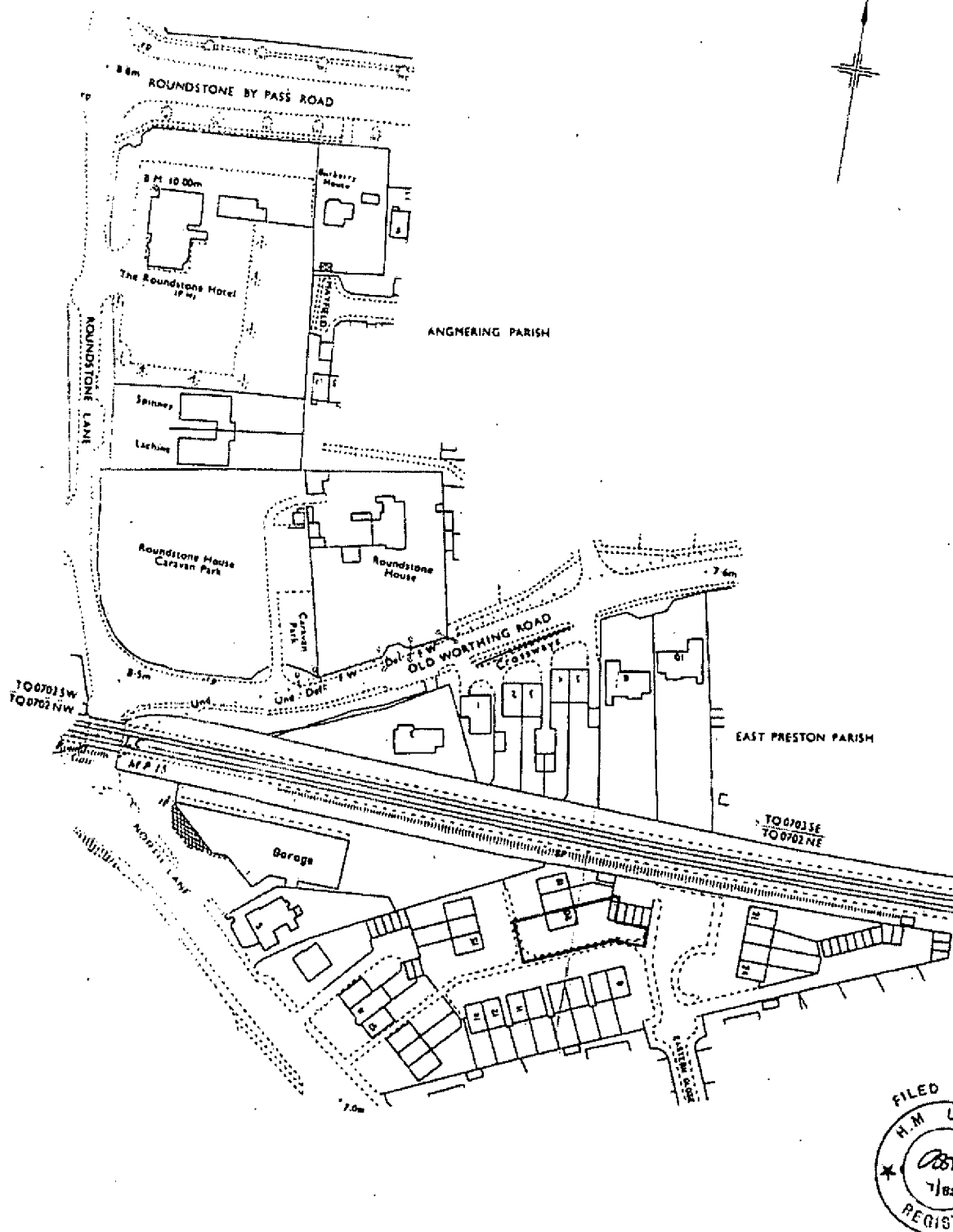
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H.M. LAND REGISTRY		TITLE NUMBER	
		WSX126109	
ORDNANCE SURVEY PLAN REFERENCE	TQ 0703	SECTION C	Scale 1:1250
COUNTY WEST SUSSEX	DISTRICT ARUN	© Crown copyright 1977	



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