

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

Dated 24 July 2013

- [1] The Owner: Arlene Mary Pitcher, Foreshore House 9 Coastal Road, East Preston, West Sussex BN16 1SJ
- [2] The Mortgagee: Capital Bridging Finance Ltd, Salters Hall, 4 Fore Street, Liverpool Street, London EC2Y 5DB

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at Foreshore House, 9 Coastal Road, East Preston, West Sussex BN16 1SJ

Planning Application Ref:
Contributions for Affordable Housing of £12,171
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

24 July

2013

By Arlene Mary Pitcher

Of Foreshore House, 9 Coastal Road, East Preston, West Sussex, BN16 1SJ

("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 :-

Capital Bridging Finance Ltd, Salters Hall, 4 Fore Street, Liverpool Street, London EC2Y 5DB

("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 £12,171 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 Foreshore House, 9 Coastal Road, East Preston, West Sussex BN16 1SJ 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

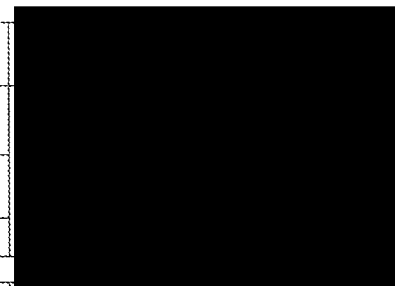
10. Miscellaneous

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	Arlene Mary Pitcher
Name	John Peacock
Address	10, Ingram Close Rustington
Occupation	Retired

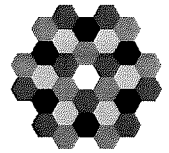


By THE OWNER/S in the presence of		signature
Name		
Address		
Occupation		signature

SIGNED as a DEED

By THE MORTGAGEE in the presence of	Capital Bridging Finance Ltd, Salters Hall, 4 Fore Street, Liverpool Street, London EC2Y 5DB
Name	Philip Adams
Address	61 Ince Close, Lymington
Occupation	unemployed





Official copy of register of title

Title number SX1424

Edition date 03.06.2013

- This official copy shows the entries on the register of title on 02 JUL 2013 at 11:49:18.
- 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 02 Jul 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 (09.07.1934) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 9 Coastal Road, East Preston, Littlehampton (BN16 1SJ).
- 2 The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 28 November 1934 referred to in the Charges Register.

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 (21.09.1988) PROPRIETOR: ARLENE MARY PITCHER of Foreshore House, 9 Coastal Road, East Preston, Littlehampton, W Sussex BN16 1SJ.
- 2 (03.06.2013) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 24 May 2013 in favour of Capital Bridging Finance Limited referred to in the Charges Register.

C: Charges Register

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

- 1 A Transfer of the land in this title dated 28 November 1934 made

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Title number SX1424

C. Charges Register continued

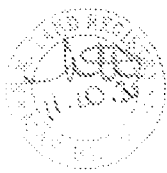
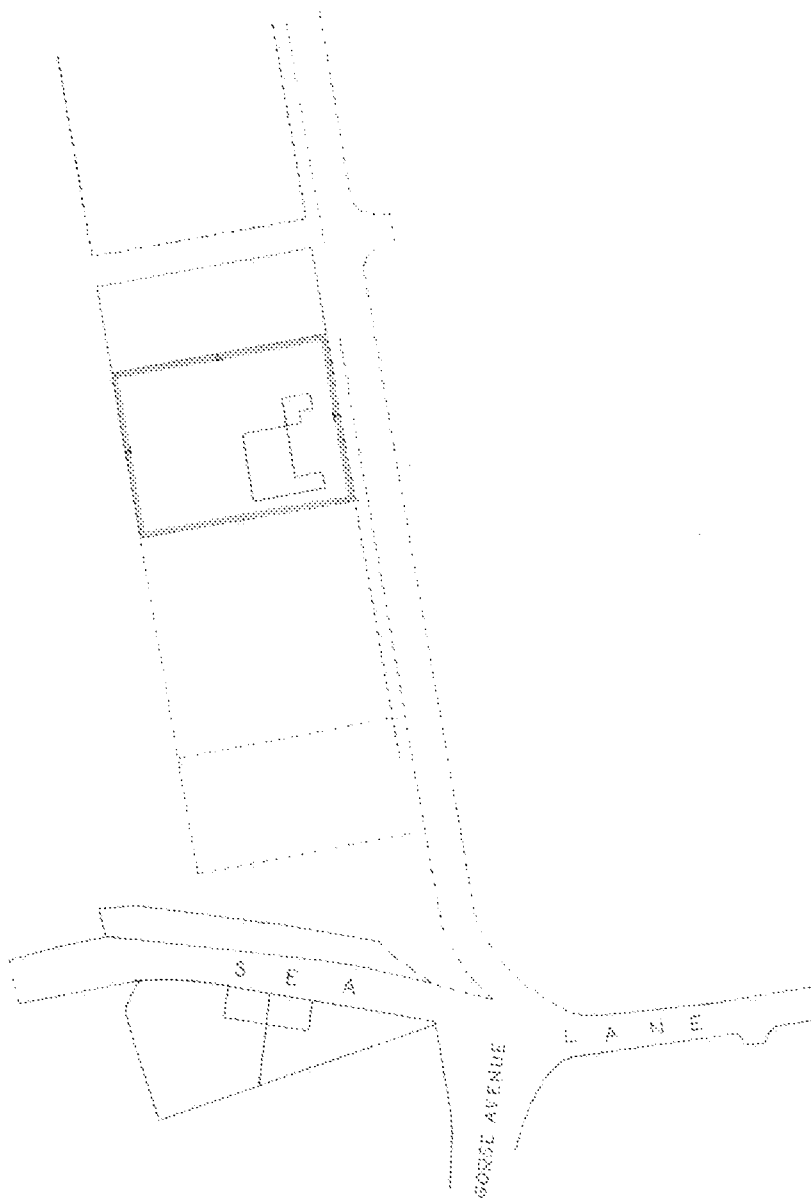
between (1) John Edmund Gordon and others and (2) Cecil Beckwith Cave-Browne-Cave and Edith Beatrice Cave-Browne-Cave contains restrictive covenants.

NOTE: Copy filed.

- 2 (03.06.2013) REGISTERED CHARGE dated 24 May 2013.
- 3 (03.06.2013) Proprietor: CAPITAL BRIDGING FINANCE LIMITED (Co. Regn. No. 06994954) of Salters Hall, 4 Fore Street, London EC2Y 5DB.

End of register

H.M. Land Registry
Certificate Copy
of the
Filed Plan of Title N^o SX1424
Scale 104.16 Feet to One Inch (1/50)
ARUN DISTRICT



O.S. Sheet SUSSEX LXXV.4
 W.8.36

L.R.T. N^o 1536
 G.M. REF.

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

If any mapping work in respect of any pending application(s) has been completed, additional references, which are not referred to in the register of title, may appear on the title plan or be referred to in the certificate of inspection in form CI. References may also have been amended by, or not be shown on the title plan, where these are being removed as a result of a pending application(s).

This official copy is issued on 02 July 2013 shows the state of this title plan on 02 July 2013 at 11:50:52. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - *Title Plans and Boundaries*.

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

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