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

Dated 7 February 2014

[1] The Owner: David Chambers and Judith Jane Chambers
6 Kent Road
Littlehampton
West Sussex BN17 6LG

[2] The Mortgagee: None

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at

Planning Application Ref:
Contributions for Affordable Housing of £1479.00
Monitoring Fee £150.00

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

ARUN DISTRICT COUNCIL LU/179/14/PL

THIS UNILATERAL UNDERTAKING is given this 7 February 2014

By David Chambers and Judith Jane Chambers

Of 6 Kent Road, Littlehampton, West Sussex BN17 6LG

("the Owner") IN FAVOUR OF Arun District Council of Arun Civic Centre Maltravers Road Littlehampton West Sussex BN 17 5LF

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

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)

ARUN DISTRICT COUNCIL LU/179/14/PL

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 £1479.00 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 44 East Ham Road, Littlehampton, West Sussex BN17 7AP 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

ARUN DISTRICT COUNCIL LU/179/14/PL

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

ARUN DISTRICT COUNCIL LU/179/14/PL

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 Miscellaneous

9.1 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.

9.2 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.

ARUN DISTRICT COUNCIL LU/179/14/PL

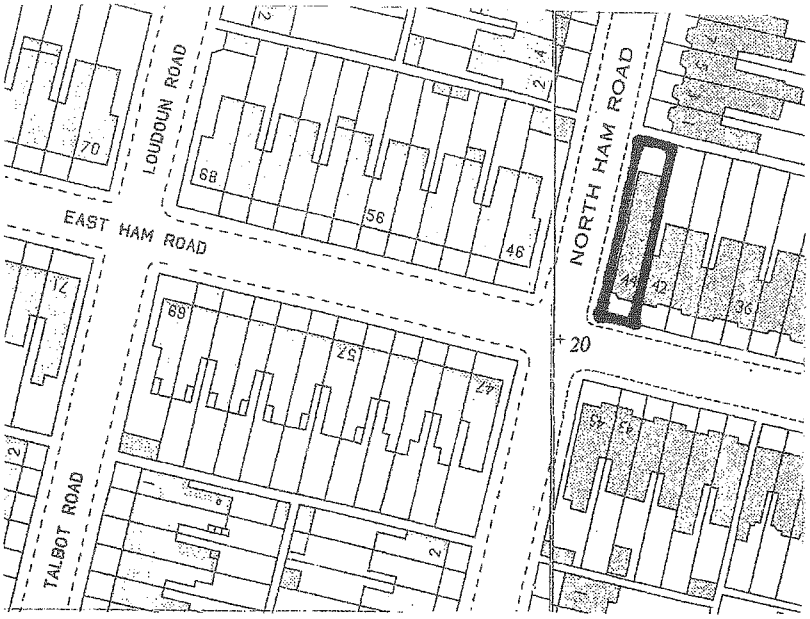
SIGNED as a DEED

By THE OWNER/S in the presence of	David Chambers
Name	M. PERRY
Address	12 NORTH ST LYTON
Occupation	RETIRED

By THE OWNER/S in the presence of	Judith Jane Chambers
Name	M PERRY
Address	12 NORTH ST LYTON
Occupation	RETIRED

[redacted]

ARUN DISTRICT COUNCIL LU/179/14/PL



ARUN DISTRICT COUNCIL LU/179/14/PL

ARUN DISTRICT COUNCIL LU/179/14/PL

OYEZ STATIONERY LIMITED

This Conveyance

INLAND REVENUE
15 MAR 1976
NO DENOMINATION

is made the TENTH day of MARCH One thousand nine hundred and seventy six

B E T W E E N WATNEY MANN (LONDON & HOME COUNTIES) LIMITED whose registered Office is situate at Watney House Palace Street London SW1 (hereinafter called "the Vendor") of the first part CHEF AND BREWER LIMITED whose registered office is situate at Elliot House 10/12 Allington Street London SW1E 5EH (hereinafter called "the Purchaser") of the second part DAVID CHAMBERS and JUDITH JANE MASTERS both of 44 East Ham Road Littlehampton in the County of West Sussex (hereinafter called "the Sub-Purchasers") of the third part

W H E R E A S :

1) The Vendor is seised of the property hereinafter described for an estate in fee simple in possession subject as hereinafter mentioned but otherwise free from encumbrances

2) By an Agreement made the thirtieth day of September One thousand nine hundred and seventy four and made between the Vendor of the one part and the Purchaser of the other part the Vendor agreed with the Purchaser for the sale to it of the said property for a like estate

ARUN DISTRICT COUNCIL LU/179/14/PL

Purchaser for the sale to it of the said property for a like estate TOGETHER WITH other property the consideration for the said sale has been paid or satisfied but no Conveyance thereof has hitherto been executed

3) The Purchaser has agreed with the Sub-Purchasers for the sale to them of the said property for a like estate at the price of Eleven thousand two hundred and fifty pounds

N O W T H I S D E E D W I T N E S S E T H as follows:

1. IN PURSUANCE of the said Agreement and in consideration of the sum of ELEVEN THOUSAND TWO HUNDRED AND FIFTY POUNDS (£11,250) now paid by the Sub Purchasers to the Purchaser (the receipt and payment whereof the Purchaser acknowledges and the Vendor confirms) the Vendor as Beneficial Owner at the request and by the direction of the Purchaser HEREBY CONVEYS and the Purchaser as Trustee HEREBY CONVEYS and confirms unto the Sub-Purchasers ALL THAT piece or parcel of land situate in Littlehampton in the County of West Sussex bounded on the North by a passageway four feet wide on the West by North Ham Road on the South by East Ham Road and on the East by premises being Number 42 East Ham Road and containing in length from North to South one hundred feet and in width from East to West twenty two feet six inches (be the said dimensions little more or less) All Which piece of land is more

[redacted]

WE HEREBY CERTIFY THIS TO BE A TRUE COPY

CHAMBERLAIN MARTIN SOLICITORS
23 GODA ROAD
LITTLEHAMPTON
WEST SUSSEX BN17 6AS

...STRICT COUNCIL LW/79/1/PL

particularly delineated on the plan drawn on a Conveyance dated the twentieth day of January One thousand nine hundred and thirty three and made between the Most Noble Bernard Marmaduke Duke of Norfolk of the first part The Right Honourable Edmund Bernard Viscount FitzAlen of Derwent KG The Most Noble Gwendolen Mary Duchess of Norfolk and Baroness Herries and the Public Trustee of the second part and the Most Noble Gwendolen Mary Duchess of Norfolk and Baroness Herries and the Public Trustee of the third part and Henty and Constable (Brewers) Limited of the fourth part and thereon coloured pink TOGETHER WITH the messuage and buildings standing thereon and known as number 44 East Ham Road (the wall on the east side of the premises being a party wall) TOGETHER ALSO WITH a right of way over the said four feet passage on the North SUBJECT TO the payment of a fair proportion in common with the neighbouring occupiers and owners of the expense of keeping the same in repair AND TOGETHER ALSO WITH and SUBJECT TO all such other rights easements or quasi easements (if any) as are now enjoyed by the property hereby conveyed TO HOLD the same unto the Sub-Purchasers in fee simple as Joint Tenants SUBJECT TO the covenants restrictions and stipulations more particularly contained or set out in the first schedule to the

...IS TO BE A ...SINAL ... LICITORS