

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

Dated 10th January 2013

[1] The Owner: Sussex Properties Limited

UNILATERAL UNDERTAKING

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

Planning Application Ref : LU/211/12
Contributions for Affordable Housing of £2,958.00
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 16th January 2012

Sussex Properties Limited of 20 Majestic Apartments King Edward Road Onchain Isle of Man IM3 2BD ("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 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 £2,958.00 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 14 Beach Road and 7 Arcade Road, Littlehampton, West Sussex, 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

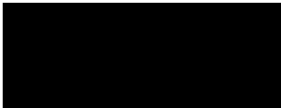
6.3 For the avoidance of doubt the above charges are standard charges and shall not preclude the Council from claiming and receiving any additional monitoring and legal or enforcement costs above and beyond these standard charges when circumstances require that they be incurred in pursuing full compliance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




19 Maltravers Drive

Littlebury

West Sussex

BN17 5AY

Occupier - D. J. W.



Title number WSX233615 Edition date 08-08-2012

- This official copy shows the entries on the register of title on 24 SEP 2012 at 09:15:06.
- 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 24 Sep 2012.
- 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 (11.09.1981) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 14 Beach Road and 7 Arcade Road, Littlehampton.

NOTE: As to the part tinted blue on the title plan the ground floor is excluded from the title.

- 2 The land has the benefit of but is subject to the following rights contained in a Conveyance of the land in this title and other land dated 30 October 1959 made between (1) Ortem Estates Limited and (2) Littlehampton Properties Limited:-

TOGETHER ALSO with and subject to all such rights easements quasi-rights and quasi-easements (if any) as are enjoyed by the property hereby conveyed and the adjoining property as if the property hereby conveyed and such adjoining property had at all times heretofore belonged to different owners and had acquired such rights easements quasi-rights and quasi-easements by prescription.

- 3 (07.07.1999) The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Transfer dated 14 June 1999 made between (1) Parkheights Limited and Eurosite Properties Limited (Transferor) and (2) Empire Estates Limited (Transferee):-

"The property is transferred subject to and together with the right to the full and free running of water soil gas and electricity and other services from and to any part of Transferors remaining land in this title as is not included in this Transfer ("the remainder land") through any sewers drains watercourses pipes wires cables and conduits now existing in or under the Property or substituted therefore by the Transferee or its successors.

EXCEPTING AND RESERVING to the Transferor and its successors in title to the remainder land the right in common with the Transferor and all

Title number WSX233615

A: Property Register continued

persons entitled thereto to use all sewers drains pipes wires conduits and watercourses now in or upon the Property or any part thereof and freely to run and pass water soil and electricity through and along the same or any of them."

NOTE: The remainder land referred to lies to the north of the land in this title.

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 (08.08.2012) PROPRIETOR: SUSSEX PROPERTIES LIMITED (incorporated in Isle of Man) of 20 Majestic Apartments, King Edward Road, Onchan, Isle Of Man, IM3 2BD and of 20 Mulberry Lane, Goring By Sea, Worthing, West Sussex BN12 4NS and of peterverstage@hotmail.com.
- 2 (08.08.2012) The price stated to have been paid on 6 August 2012 was £150,000.

Schedule of personal covenants

- 1 The following are details of the personal covenants contained in the Transfer dated 14 June 1999 referred to in the Proprietorship Register:-

"The Transferee hereby covenants with the Transferor to contribute and pay a due proportion as apportioned by the Transferor to the Property of the costs charges and expenses of repairing and maintaining sewers drains pipes wires conduits and watercourses of the Property which may be used and enjoyed by the Transferee and all other persons lawfully entitled thereto.

The Transferor and the Transferee for themselves and their respective successors in title hereby mutually covenant (but not so as to render themselves liable for any breach after either or both of them have parted with all interest in the Property or the remainder land) to keep those parts of the Property and the remainder land as lie over or under parts of the other in good repair and so as to support and shelter the other.

The Transferee hereby covenants with the Transferor to observe and perform all covenants conditions and other matters on the part of the Landlords to be observed and performed in the occupational Lease of the Property dated 24 October 1985 made between Sussex Quarters (Holdings) Limited (1) Martlett Property Services PLC (2) and at all times to keep indemnified the Transferor and its successors in title from and against all actions proceedings claims demands cost and liability in respect thereof"

End of register

H.M. LAND REGISTRY

TITLE NUMBER

WSX233615

ORDNANCE SURVEY
PLAN REFERENCE

TQ 0201

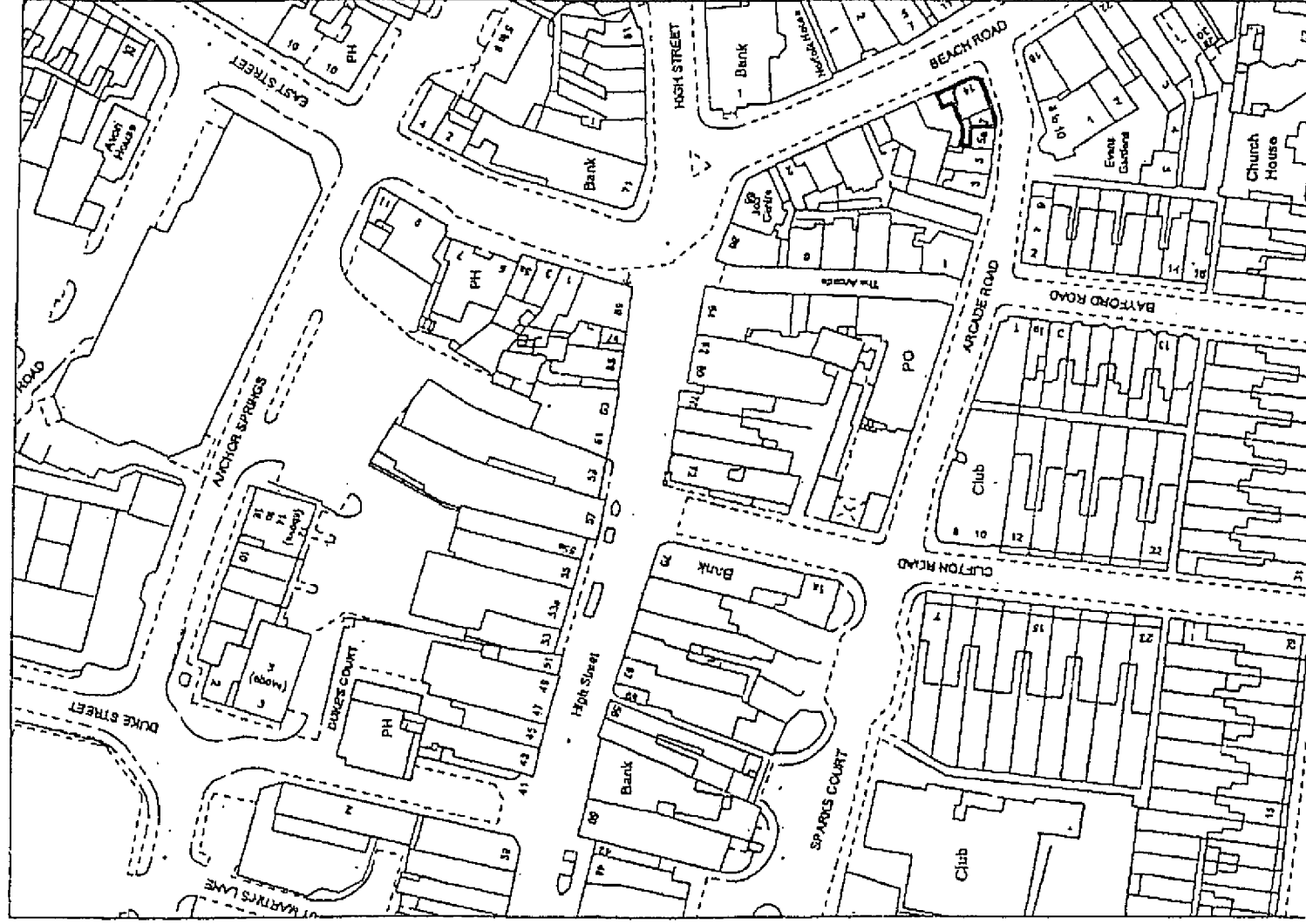
SECTION B

Scale
1/1250

COUNTY WEST SUSSEX

DISTRICT ARUN

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H.M. LAND REGISTRY

TITLE NUMBER

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ORDNANCE SURVEY
PLAN REFERENCE

TQ 0201

SECTION B

Scale
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COUNTY WEST SUSSEX

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