

3-3793

3/88/14
LU-28-74 t.
4/4/14

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

Dated 11/03 2014

[1] The Owner: Hobdens Property Ltd

[2] The Mortgagee:

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at
North of 45a Westway, Wick, Littlehampton

Planning Application Ref: PP-03247386
Contributions for Affordable Housing of £4416
Monitoring Fee £150.00

LU/68/14/PL

was
missing from ADS + POM

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

2012

By 'Hobdens Property Ltd

Of 41a Beach Road, Littlehampton, West Sussex

("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 £3752 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 north of 45a Westway, Wick, Littlehampton 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

Road Littlehampton West Sussex BN 17 5LF with the agreement and consent of :-
("The Mortgagee")

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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.

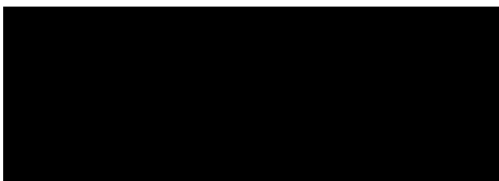
SIGNED as a DEED

By THE OWNER/S in the presence of	Hobdens Property Limited	signature
Name LISA ROBERTSON	C/O 41 BERTH ROAD LITTLEHAMPTON WEST SUSSEX. BN17 5JA	Lisa Robertson

		signature
Address		
Occupation		

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

SIGNED as a DEED

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

P.S Ang queries
please Pay the David Hobden



LU/68/14/PL

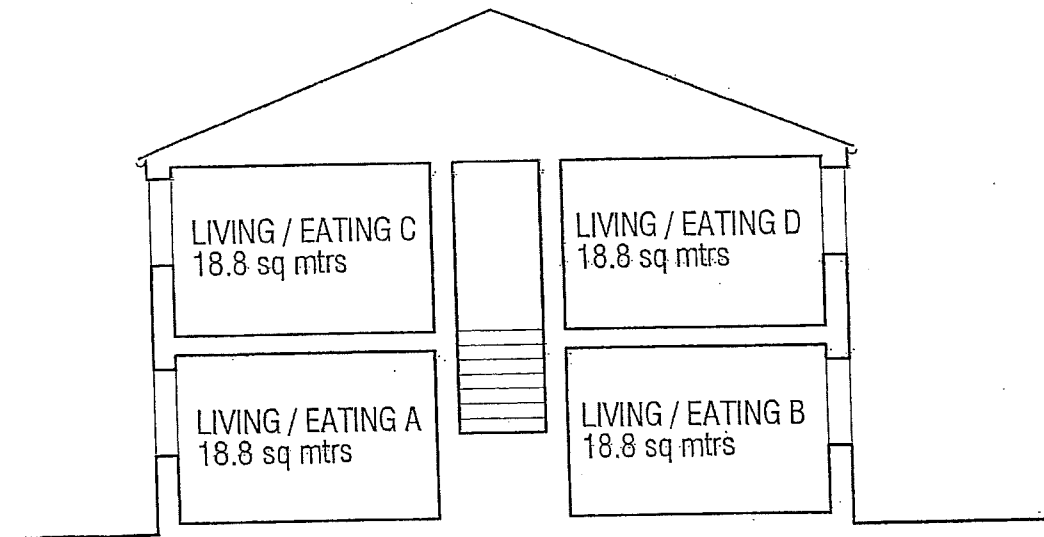
Awaiting checking //

Received 24/3/14

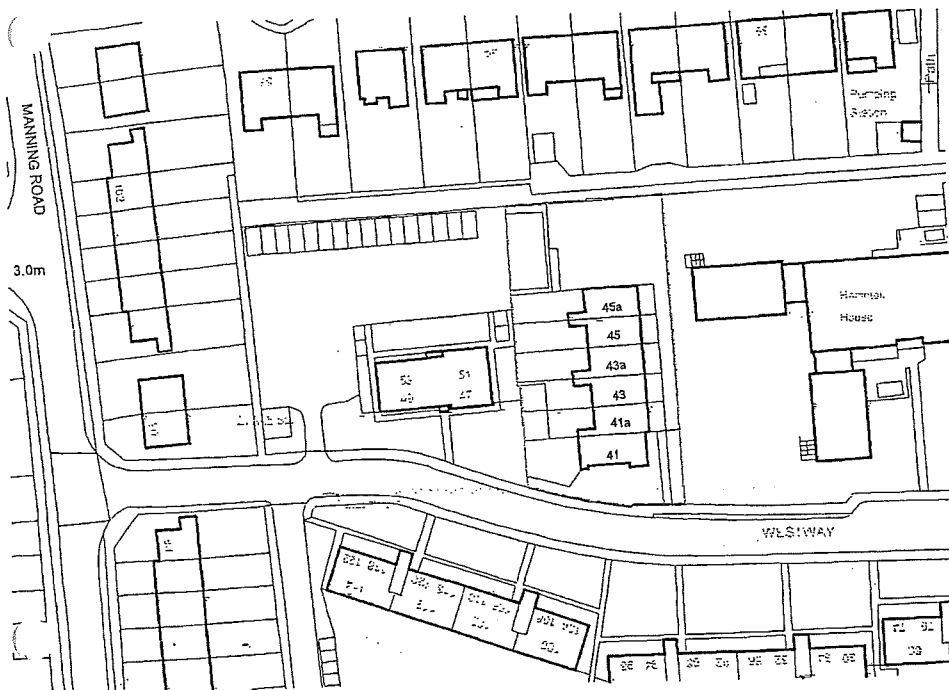
* Delwyn - This is the agreement
from Hadders we discussed this
morning.

Fee of £200 paid yday.

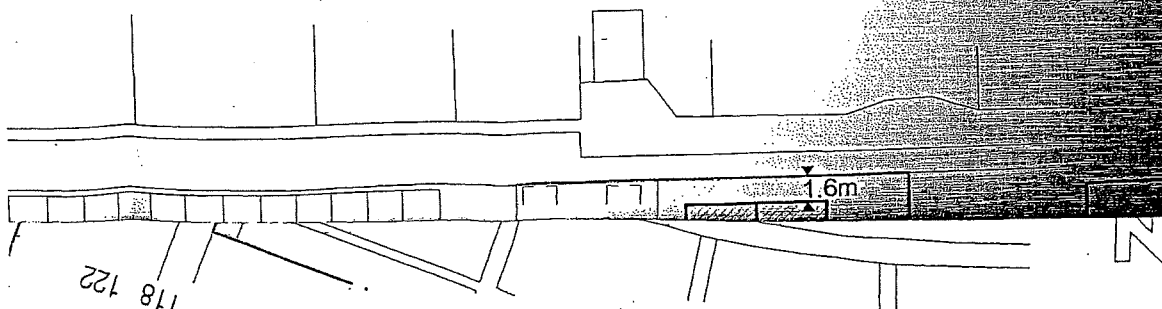
Lise Conay.



SECTION facing North



1/1250 scale PLAN



1/500 scale PLAN

Dwg No. 45WW-Hob-Flats-01

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R. Brown
4 Norfolk Place
Littlehampton
Sussex BN17 5PD
tel: 01-903-713747

I : Scheme Drawing

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.

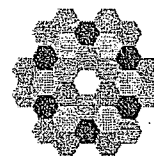
This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

This official copy is issued on 03 April 2014 shows the state of this title plan on 03 April 2014 at 10:42:47. 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*.

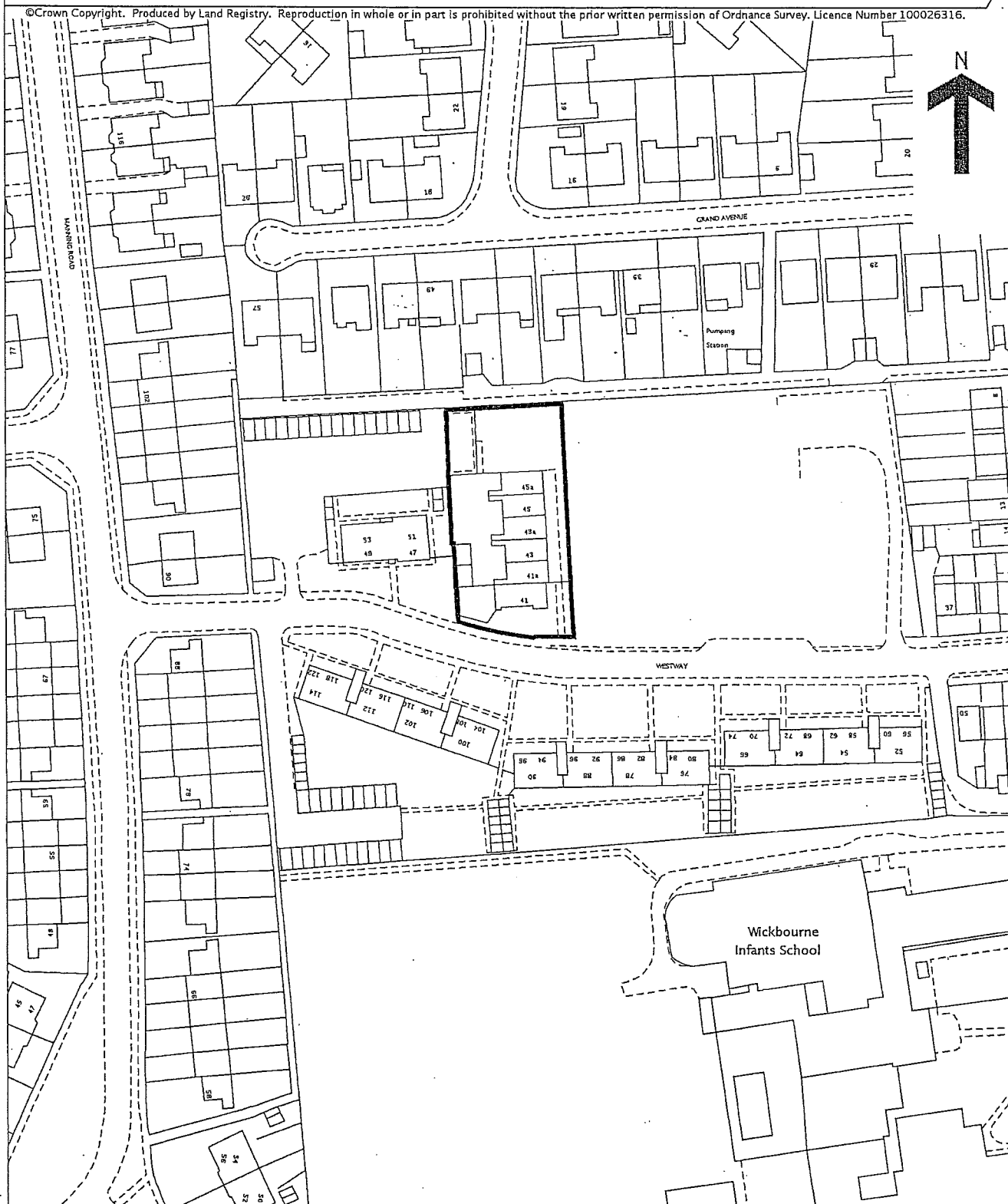
This title is dealt with by the Land Registry, Durham Office .

Land Registry
Official copy of
title plan

Title number **WSX339219**
Ordnance Survey map reference **TQ0203SW**
Scale **1:1250**
Administrative area **West Sussex : Arun**



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Official copy
of register of
title

Title number WSX339219

Edition date 19.07.2011

- This official copy shows the entries on the register of title on 03 APR 2014 at 10:42:46.
- 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 03 Apr 2014.
- 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 (11.11.2010) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being 41, 41a, 43, 43a, 45 and 45a West Way, Wick, Littlehampton (BN17 7NA).
- 2 (11.11.2010) The land has the benefit of the rights granted by a Deed of Grant dated 12 November 1973 made between (1) The Urban District Council of Littlehampton and (2) The County Council of the Administrative County of West Sussex.

NOTE: Copy filed.

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 (19.07.2011) PROPRIETOR: HOBDEN PROPERTY LIMITED (Co. Regn. No. 07677296) of Unit A2, Yeoman Gate, Yeoman Way, Worthing, West Sussex BN13 3QZ.
- 2 (19.07.2011) The price stated to have been paid on 27 June 2011 was £360,000.
- 3 (19.07.2011) RESTRICTION: No disposition of the registered estate other than a charge by the proprietor of the registered estate is to be registered without a certificate signed by West Sussex County Council that the provisions of clauses 11.4, 11.5, 11.6 and 11.7 of the Transfer dated 27 June 2011 made between (1) West Sussex County Council and (2) Hobden Property Limited have been complied with.
- 4 (19.07.2011) The Transfer to the proprietor contains a covenant to

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 WSX339219

B: Proprietorship Register continued

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 (11.11.2010) A Conveyance of the land in this title and other land dated 7 February 1950 made between (1) Moorgate Investment Trust Limited and (2) The County Council of the Administrative County of West Sussex contains restrictive covenants.

NOTE: Copy filed.

- 2 (11.11.2010) The land is subject to the rights reserved and contained in the Conveyance dated 7 February 1950 referred to above.

End of register

