

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

Dated 15/08/2013

[1] The Owner: Mr and Mrs M Watson

[2] The Mortgagee: (not applicable)

UNILATERAL UNDERTAKING

Under Section 106 of the Town and Country Planning Act 1990 concerning land at
2 Broadmark Way, Rustington, West Sussex

Planning Application Ref:
Contributions for Affordable Housing of £6,123.00
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 15 August

2012

By Mr & Mrs M Watson

Of 81 Worthing Road, Rustington, 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 :-

(not applicable - no mortgage)

("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 £6,123.00 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 2 Broadmark Way, Rustington, 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

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.

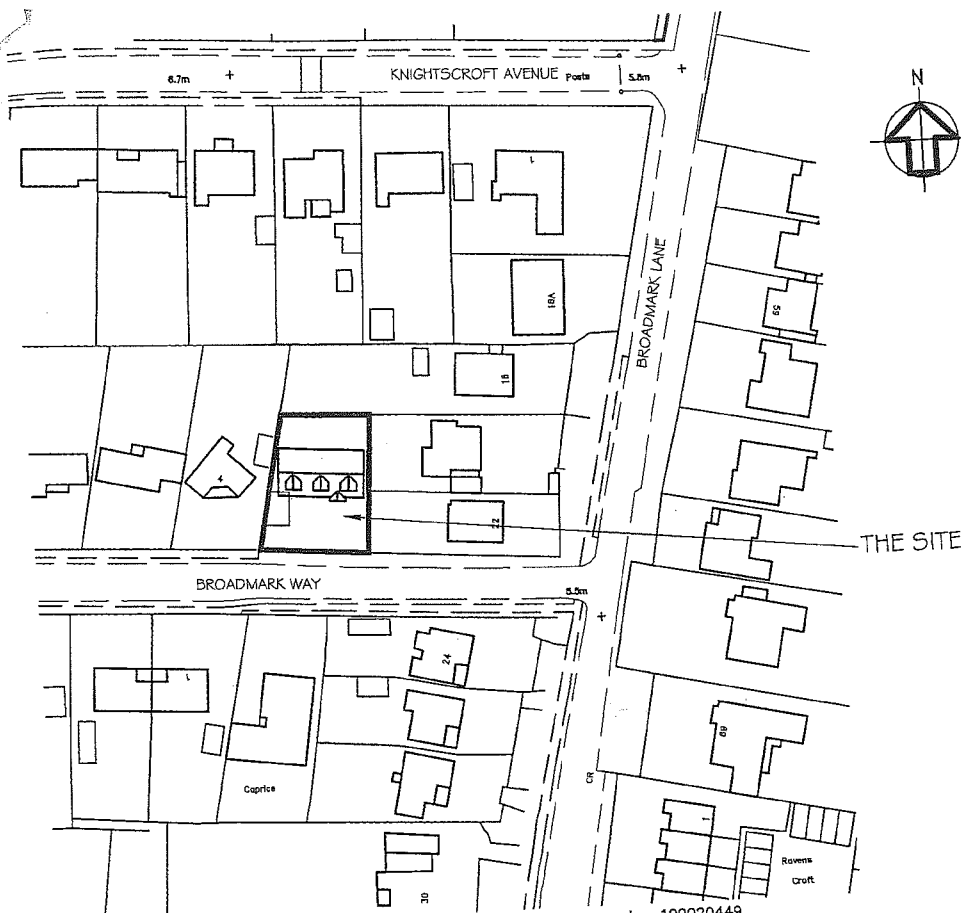
SIGNED as a DEED

By THE OWNER/S in the presence of	MRS ~~JANE~~ WATSON
Name	MRS GILLIAN SMITH
Address	30 PRIORITY RD RUSTINGTON BN16 3PZ
Occupation	FINANCE OFFICER

By THE OWNER/S in the presence of	M R MARTIN WATSON
Name	MRS GILLIAN SMITH
Address	30 PRIORITY RD RUSTINGTON BN16 3PZ
Occupation	FINANCE OFFICER

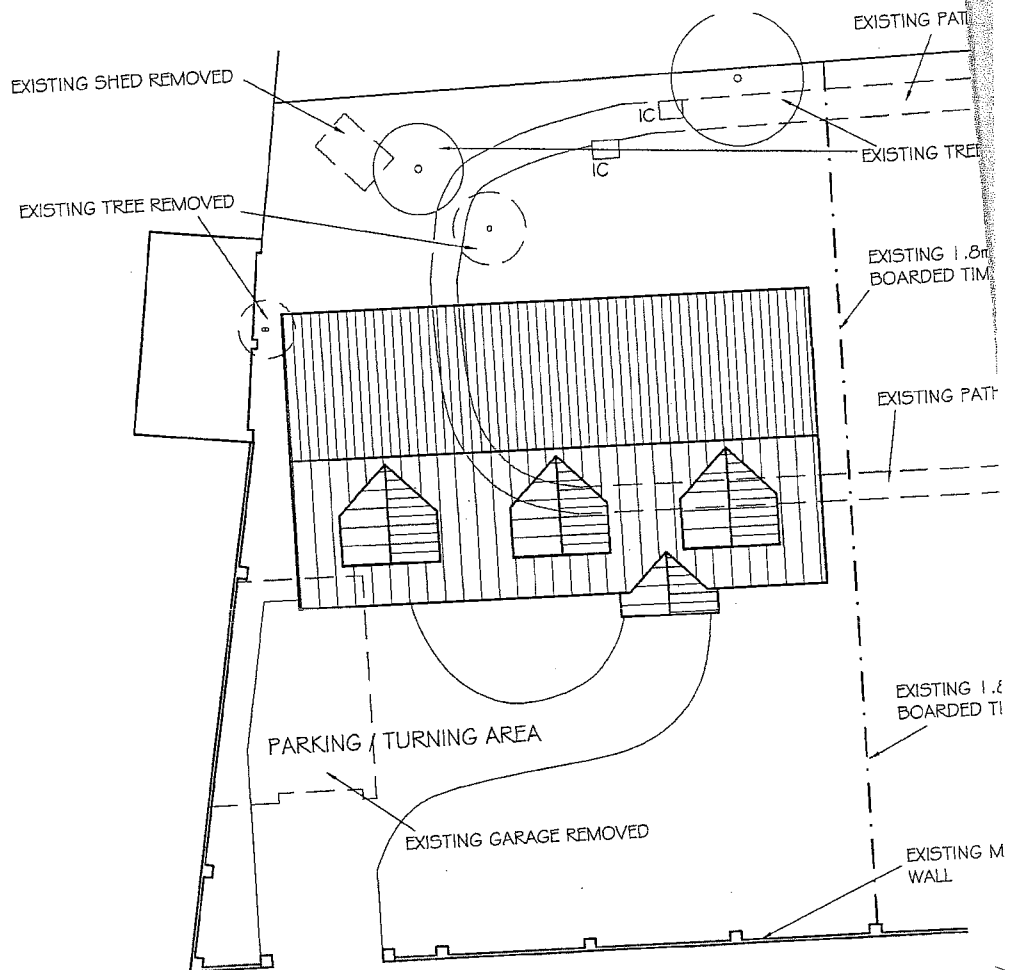
SIGNED as a DEED

By THE MORTGAGEE in the presence of		signature
Name		
Address		
Occupation		



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SITE LOCATION PLAN 1:1250



NOTES
 WRITTEN DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALE, AND
 ARE TO BE CHECKED ON SITE PRIOR TO COMMENCING WORK.
 THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER
 DOCUMENTS RELATING TO THIS PROJECT.
 ANY DISCREPANCIES ARE TO BE REFERRED IMMEDIATELY TO THE
 PROJECT DESIGNER.
 THIS DRAWING IS COPYRIGHT, AND SHOULD NOT BE USED OR
 REPRODUCED WITHOUT PERMISSION.
 IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE COMPLIANCE
 WITH THE BUILDING REGULATIONS.

SITE LAYOUT PLAN 1:200

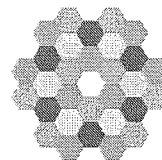


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Scale 1/1250
Date 4/9/2013
Centre = 505264 E 101816 N

Land Registry Official copy of title plan

Title number **WSX242267**
Ordnance Survey map reference **TQ0501NW**
Scale **1:1250**
Administrative area **West Sussex : Arun**



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

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There is an/are application(s) pending in Land Registry and if we have only completed the mapping work for a pending application affecting the title concerned, such as a transfer of part:

- additional colour or other references, for example 'numbered 1', may appear on the title plan (or be referred to in the certificate of inspection in form CI), but may not yet be mentioned in the register
- colour or other references may also have been amended or removed from the title plan (or not be referred to in form CI), but this may not be reflected in the register at this stage.

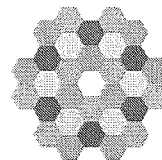
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This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public 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 **WSX333855**
Ordnance Survey map reference **TQ0501NW**
Scale **1:1250**
Administrative area **West Sussex : Arun**



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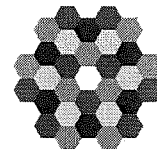
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Official copy of register of title

Title number WSX242267

Edition date 23.07.2013

- This official copy shows the entries on the register of title on 09 AUG 2013 at 10:38:27.
- 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 06 Sep 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 (01.06.2000) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 20 Broadmark Lane, Rustington, Littlehampton (BN16 2HJ).
- 2 (23.07.2013) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

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 (20.06.2012) PROPRIETOR: MARTIN JAMES WATSON and JOANNE JOY WATSON of 20 Broadmark Lane, Rustington, Littlehampton, West Sussex BN16 2HJ.
- 2 (20.06.2012) The price stated to have been paid on 8 June 2012 was £310,000.

C: Charges Register

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

- 1 (01.06.2000) A Conveyance of the land in this title and other land dated 11 August 1922 made between (1) Edward Carruthers Corfield and Helen Beatrice Corfield (Vendors) and (2) Elizabeth Ellen Perry and Edward Perry (Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 (20.06.2012) REGISTERED CHARGE dated 8 June 2012.

The electronic official copy of the register follows this message.

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Applications are pending in Land Registry, which have not been completed against this title.

C: Charges Register continued

3 (20.06.2012) Proprietor: BANK OF SCOTLAND PLC (Scot. Co. Regn. No. SC327000) of Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.

Schedule of restrictive covenants

1 The following are details of the covenants contained in the Conveyance dated 11 August 1922 referred to in the Charges Register:-

Covenant by Purchasers for themselves and their assigns with Vendors (to the intent that this covenant might be binding upon the hereditaments thereby conveyed into whosoever hand same might come but so that Purchasers should not be personally liable in damages in respect of any breach thereof after they should have parted with possession of the said hereditaments or any part thereof in respect of which any breach should occur) that Purchasers and persons deriving title under them and each of them would at all times thereafter observe and perform restrictions and stipulations contained in First Schedule thereunder written and would keep Vendors and their estates and effects indemnified from and against the consequences generally of any nonperformance or nonobservance or non compliance with said restrictions and stipulations occurring during their tenure of said hereditaments or any part thereof in respect of which any such breach non-performance or non observance or noncompliance may occur

THE FIRST SCHEDULE thereinbefore referred to

1. Purchasers shall forthwith enclose said piece of land with a substantial fence of posts and wire or with a suitable hedge No fence shall exceed 6 feet in height

2. Purchasers will not erect upon said land any house of smaller value than the then value of a house which at the time of erection of abtacting would cost £1,000 in material and labour to erect The buildings shall be of brick and rough cast a concrete and tile roofs and the plans and elevations thereof shall in first instance be submitted to Vendors for their approval but such approval shall not be unreasonably or vexatiously withheld No building erected upon the land shall be used as a shop or for any purpose of trade or for the reception of persons of unsound mind or as a hospital or nursing home or childrens home or as an institution of any kind but as a private dwellinghouse or for professional purposes only

3. Not more than three houses with necessary outbuildings shall be erected on land thereby conveyed and no building shall be erected nearer to Broadmark Lane than 30 feet therefrom Purchasers shall not have any entrance to or exit from said land from or to the lane marked on the said plan the "site or private road"

4. No brick or tile making shall be carried on upon land nor shall same nor any buildings to be erected thereon be used in any way so as to be a nuisance to Vendors their heirs or assigns or to those interested in land adjoining said land thereby conveyed or to neighbourhood.

5. That Purchasers their heirs executors administrators and assigns will keep existing ditch in front of said land thereby conveyed properly cleaned out and in the event of bridging over such ditch will lay proper pipes or culverts of not less diameter than 2 feet to carry the water passing through such ditch

6. The Purchasers their heirs executors administrators or assigns will keep one half part of the road and footpath upon which said land thereby conveyed abuts in repair until it is taken over by Local Authority

NOTE: The private road referred to lies to the south of the land in this title.

End of register

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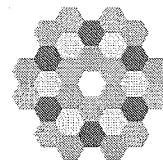
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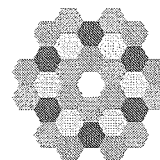


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