

## Section 106 of the Town & Country Planning Act DISCHARGE NOTICE

Vivid  
Peninsular House  
Wharf Road  
Portsmouth  
PO2 8HB

Our Ref: APP/19/01226  
Direct Line: (023) 9244 6545  
Ask For: Louise Weaver  
Generic Email for Obligations: [cil@havant.gov.uk](mailto:cil@havant.gov.uk)  
21 October 2024

Dear Sir/Madam

### Description of Chargeable Development

Construction of 44 dwellings with access, open space, landscaping and associated work and diversion of footpath No. 71 to the west (Approved 22/03/2024). Request to Discharge Conditions 10, 11, 12, 13, 14, 16, 17, 19, 20, 23 and 25 (28/06/2024).

### Address Planning Permission

Land west of Coldharbour Farm Road, Emsworth  
APP/19/01226

**This notice is to inform you that the following covenants under the S106 Agreement agreement dated 21 March 2024 for planning application APP/19/01226 has/have been discharged:**

| <u>Clause</u> | <u>Covenant</u>                                                                                                                                                                                                                                                                                                                                         |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| S2 C1.5       | Where paragraph 1.1.1 applies, not later than six months from Commencement of Development the Owner shall take all necessary steps to secure the formation and registration of the Management Company at Companies House (taking into account any modifications reasonably required by the Borough Council) and to notify the Borough Council according |
| S2 C1.6       | Where paragraph 1.1.1 applies not to Occupy any Dwellings until the Management Company has been formed in accordance with the approved proposal.                                                                                                                                                                                                        |
| S2 C1.7       | Not to Occupy any Dwellings until the Management Plan has been approved in writing by the Borough Council.                                                                                                                                                                                                                                              |
| S6 C3.1       | Not to Commence or permit Commencement of Development until the Borough Council has been provided with details and specification of the Open Space Land and Common Parts and a timetable for delivery of the Open Space Land and Common Parts.                                                                                                          |
| S6 C3.2       | Not to Occupy the Open Market Dwellings until the Common Parts and Open Space Land have been provided to the reasonable satisfaction of the Borough Council in accordance with the details, specification and timetable submitted pursuant to paragraph 3.1 above.                                                                                      |

### Queries

If you feel that the information in this notice is not correct then please contact the Development

Infrastructure Team Leader on (023) 92446545 or email us within ten working days of the issue of this notice.

Yours faithfully

*Planning Services*

Our Ref: APP/19/01226

Please ask to speak to the Development Infrastructure Team Leader, Louise Weaver, if you get in contact with us.