

# ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM/DEED

## (FOR UP FRONT PAYMENT OF DEVELOPERS CONTRIBUTIONS BY CHEQUE/CASH)

Dated: 9 July 2015                      Full Name of Owner(s): Mr Roberts  
Address of Owner(s): 8 Crane Court Ashby-de-la-Launde Lincoln  
LN4 3LJ  
Application Number: APP/15/00590 ("the Application")  
Application Site Address 2 Hazleton Way, Waterlooville, PO8 9AD, ("the Land")  
Name of Ward: Cowplain

The Special Protection Area Contribution: One Hundred and Seventy Four Pounds (£174)  
calculated from a sum of One Hundred and Seventy Four Pounds (£174) per dwelling  
Administration fee: Twenty Pounds (£20)  
Monitoring fee: Eight Pounds and Seventy Pence (£8.70) calculated from a fixed rate of Eight  
Pounds and Seventy Pence (£8.70) per dwelling  
Total Payable ("the Sum"): Two Hundred and Two Pounds and Seventy Pence (£202.70)

"the Special Protection Area Contribution" being a contribution to be applied by the Council or  
the County Council in respect of the Special Protection Area avoidance and mitigation measures  
delivered through the Solent Interim Planning Framework in accordance with Policy DM24 of the  
Havant Borough Local Plan (Allocations).

This Deed and undertaking is made by the above named Owner ("the Owner") and is given to  
Havant Borough Council of Public Service Plaza, Civic Centre Road, Havant PO9 2AX ("the  
Council")

### WHEREAS

- (1) The Owner is the owner/lessee/occupier/licensee/prospective purchaser\* of the land  
comprised in the Application as shown edged red on the plans submitted with the Application  
("the Land")
- (2) The Council is the Local Planning Authority for the purpose of the Town and Country  
Planning Act 1990 ("the Act") for the area within which the Land is situated
- (3) The Owner has applied to the Council for planning permission for the development  
specified in the Application
- (4) The Land lies within the Havant Borough Council Local Plan (Core Strategy) area and  
within the Natural England Consultation Zone which requires that all new dwellings built therein  
must be assessed and make appropriate provision for the development's impact on the Special  
Protection Area
- (5) Where developers do not or are unable to provide on site mitigation or appropriate off  
site mitigation provision they are required to make a payment to meet the cost of providing or  
improving warden provision to better manage and mitigate visitor pressure on the Special  
Protection Area
- (6) This Deed is a Planning Obligation made pursuant to Section 106 of the Act and all  
other powers enabling the parties hereto

### NOW THIS DEED WITNESSETH as follows:

1. The Owner hereby covenants to pay the Special Protection Area Contribution, plus  
the administration fee to the Council (the total of the contributions and the administration fee  
being referred to as "the Sum") on or before the date of this Agreement
2. The Council shall pay the Contribution when received into a ring-fenced fund which  
shall be used exclusively to implement the proposals set out in the Strategy or any amendment  
or revision thereof
3. The Council shall refund the Sum to the Owner on written demand in the event that  
the Application is refused, after the period for an appeal to be lodged has expired
4. The Owner hereby acknowledges that the Special Protection Area Contribution and

the administration and monitoring fees are lawfully due to the Council

IN WITNESS whereof the Owner has executed this Agreement as a Deed the day and year first before written

SIGNED as a DEED

<sup>2</sup>

)

signed in the pres

Witness Signature

Occupation:.....

Address:..

SIGNED as a DEED by <sup>3</sup>

)

)

)

)

signed in the presence of:

Witness Signature:.....

Occupation:.....

Address:.....

\*Executed as a DEED by

Affixing the COMMON SEAL of

)

)

)

)

in the presence of:

)

Director

Director/Secretary

\*Signed as a DEED by

)

)

)

acting by

a director and its secretary /

two Directors

Director

Director/Secretary

\* Delete whichever does not apply

<sup>2</sup> Applicant should insert their full name and sign as indicated.

<sup>3</sup> Second Applicant (if appropriate) should insert their full name and sign as indicated

WHEN COMPLETED, PLEASE ENSURE ALL PAGES OF THIS FORM/DEED ARE  
RETURNED TO HAVANT BOROUGH COUNCIL

