

ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM/DEED

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

Dated: 01 July 2015

Full Name of Owner(s): Mr J Elwell

Address of Owner(s): Art Music Shop 66 Elm Grove Hayling Island
PO11 9EF

Application Number: APP/14/00624 ("the Application")

Application Site Address Art Music Shop, 66 Elm Grove, Hayling Island, PO11 9EF, ("the Land")

Name of Ward: Hayling East

The Special Protection Area Contribution: One Hundred and Seventy Four Pounds (£174)
calculated from a sum of £174 per dwelling

Administration fee: Twenty Pounds (£20)

Monitoring fee: Eight Pounds and Sixty Pence (£8.60) calculated from a fixed rate of £8.60 per
dwelling

Total Payable ("the Sum"): Two Hundred and Two Pounds and sixty pence (£202.60)

"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) July 2014.

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

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

SIGNED as a DEED by ²) JOHN CHRISTIAN ELWELL
)
)
)

signed in the presence of:

Witness Sign

Occupation:...

Address: Le

SIGNED as a DEED by ³

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 JOHN CHRISTIAN ELWELL

*Signed as a DEED by

acting by
a director and its secretary /

~~two Directors~~

Director

Director/Secretary

* Delete whichever does not apply

² Applicant should insert their full name and sign as indicated.

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