



Havant
BOROUGH COUNCIL

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Civic Centre Road
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Mr Bennett
Kalotec Limited
Cams Hall
Cams Hill
Fareham
PO16 8AB

Our Ref: APP/14/00439
Direct Line: (023) 9244 6513
Ask For: Mrs D Haywood
Email: planning.development@havant.gov.uk
Date: 18 September 2014

Dear Sir/Madam

The Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2010

Site Address: Land rear of 109 London Road, Cowplain, Waterlooville, PO8 8XJ

Proposed Development: Construction of 4 No. 3 bed houses including associated access, car parking and landscaping.

I am in relation to ecology financial contribution requirements.

Whilst I cannot guarantee that planning permission will be granted, the financial contribution requirement needs to be addressed prior to the granting of any possible planning permission.

The proposal would result in a new dwelling and in accordance with the adopted Havant Borough Council Local Plan (Core Strategy) Policies CS11 and CS21 together with Havant Borough Local Plan (Allocations) July 2014 policy DM24 provision should be made for the mitigation of the development impact on the Special Protection Area (SPA). Given the scale of the proposal, the Council (in consultation with Natural England) is prepared to accept a financial contribution toward the cost of mitigation of the developments impact on the SPA.

The financial contribution is £172 per dwelling.

You have two options for securing payment of the contributions, as follows:

1. Upfront payment prior to a decision. This can be done by sending a cheque made payable to Havant Borough Council, along with a signed copy of the Payment Form/Deed (pages 3 and 4 of this document) before 9 October 2014.

If you choose option 1, there will also be an administration fee of £20 and a monitoring fee of £8.60 per dwelling. The total amount payable is shown on the attached Payment Form/Deed. **NB Failure to return the Payment Form/Deed will result in a delay in determining the planning application.**

2. Section 106 legal obligation: either legal agreement or unilateral undertaking. You have the option of entering into a legal obligation to pay the contributions upon commencement of the development. If this is your preferred option, please contact the Case Officer as soon as possible to discuss the procedure. Please note that the legal obligation will need to be completed and signed before 9 October 2014. Please also be aware that a legal fee of £230 will be required for this procedure, in addition to a monitoring fee of £8.60 per dwelling.

I must stress that even by agreeing to make a financial contribution there is no guarantee that your application will necessarily be considered acceptable but by making a financial contribution you will overcome an immediate issue.

The need to address the issue of the financial contributions is also subject to a time constraint. The Government requires standards of performance on local councils to determine various types of planning applications within strict timescales. The determination of planning applications cannot be delayed whilst you consider options on how to make the necessary financial contribution. If no financial contribution has been made or legal obligation completed by 13 October 2014, we will refuse planning permission.

I hope this letter is self explanatory. I would emphasise that it does not constitute the grant of planning permission and no formal planning decision has been made. If you have any queries about this letter and the financial contribution please contact the case officer.

Further information on financial contributions can be found in the document 'Developer Contributions Guide' which can be found on the Planning Policy pages of the Havant Borough Council website www.havant.gov.uk.

Yours sincerely



Mr Chris Murray
Service Manager (Planning Development)

In order that we may deal with this matter as quickly and efficiently as possible please send back the completed Payment Form and tear off slip with the payment.

Developers Contribution - Land rear of 109 London Road, Cowplain, Waterlooville, PO8 8XJ
Case No: -. APP/14/00439
Return to:

Planning Services
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hants
PO11 9AN

Contact Name: Mrs D Haywood

Email Addr: daphney.haywood@havant.gov.uk

Signed

Date: 16th October 2014

ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM/DEED

(FOR UP FRONT PAYMENT OF DEVELOPERS CONTRIBUTIONS BY CHEQUE/CASH)¹

Dated: 14th October 2014

Full Name of Owner(s): Mr Chapman

Address of Owner(s): C/O Agent

Application Number: APP/14/00439 ("the Application")

Application Site Address Land rear of 109 London Road, Cowplain, Waterlooville, PO8 8XJ, ("the Land")

Name of Ward: Cowplain

The Special Protection Area Contribution: Six hundred and eighty eight pounds (£688) calculated from a sum of £172 per dwelling

Administration fee: Twenty Pounds (£20)

Monitoring fee: thirty four pounds and 40p (£34.40) calculated from a fixed rate of £8.60 per dwelling

Total Payable ("the Sum"): seven hundred and forty two pounds and 40p (£742.40)

"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 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 by ²



signed
in the presence of:

Witness Signature: 

Occupation: Director

Address: Kelston Ltd, Cams Hall, Farnham, PO16 8AB

SIGNED as a DEED by ³



in the presence of:

Witness Signature: 

Occupation: Director

Address: Kelston Ltd, Cams Hall, Farnham, PO16 8AB

*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

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