ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM/DEED

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

Dated: 11 August 2017 Full Name of Owner(s): Mrs Simmons
Address of Owner(s): 62 North Lane Aldershot GU12 4QG
Application Number: APP/17/00610 ('the Application')
Application Site Address 3 Elm Grove, Hayling Island, PO11 9EA, ('the Land')
Name of Ward: Hayling West

The Special Protection Area Contribution: One Thousand and Eighty Six Pounds (£1086) calculated from a sum of £181 per dwelling
Administration fee: Twenty Pounds (£20)
Monitoring fee: Fifty Four Pounds (£54) calculated from a fixed rate of £9 per dwelling
Total Payable ('the Sum'): **One Thousand One Hundred and Sixty Pounds (£1160)**

'the Special Protection Area Contribution' being a contribution to be applied by the 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 by [2] [redacted])
)
)
)
signed in the presence of:

Witness Signature: .....
Occupation: Community Infrastructure Officer

Address: Havant Borough Council .....

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

*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

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

of £9 per dwelling.

We 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. In the event of permission being refused monies paid can be refunded after the expiration of the six month Appeal 'window'.

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 the date stated earlier in this letter, we will refuse planning permission or seek your formal agreement to a further extension of time to determine the application.

We hope this letter is self explanatory. We 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 our website www.havant.gov.uk. Further information is also available on the Solent Recreation Mitigation Partnership Financial Contribution.

Yours faithfully

Planning Services

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 - 3 Elm Grove, Hayling Island, PO11 9EA
Case No: -. APP/17/00610
Return to:

Planning Services
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hants
PO9 2AX

Contact Name: Mrs T Pickup

Email: tina.pickup@havant.gov.uk

Signed: [redacted] Date: 11-8-2017