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3 9248 0263
PO16 0005 Havant

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21 July 2014

havant.gov.uk

Mr M Wilkes
M2 Architecture
4 Queensgate
Queens Road
Fareham
PO160NW

Dear Sir

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

Site Address: 15 Lockerley Road, Havant, PO9 2HD

Proposed Development: Erection of 1No. 3 bed end of terrace house utilising existing access from Lockerley Road and forming new access for 15 Lockerley Road.

I am writing further to my letter of the 27th June acknowledging receipt of your application. Whilst relevant publicity and consultation procedures are still in progress, I write to advise you at this early stage of the implications of your proposal in relation to ecology and related financial contribution requirements.

Under the Habitat Regulations the Council is required to show that proposals for new residential development take avoidance and mitigation measures to protect the habitats and species of the Borough's European sites (Special Protection Areas (SPAs) and Special Areas of Conservation (SAC)) from the additional recreational pressure on the coast that such new development gives rise to. This work is supported by information produced on behalf of the Solent Disturbance and Mitigation Project (SDMP), which is a cross-boundary project developed by local authorities and nature conservation bodies to look at recreational impacts on the Solent SPAs and SAC.

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) Submission Version December 2013 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 contribution amount for mitigating the developments impacts on the SPA is £172, calculated from a fixed fee of £172 per additional 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 attached form before 6 August 2014.

If you choose option 1, there will also be an administration fee of £20 and a monitoring fee of £8.60. The total amount payable is shown on the attached payment form.

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 6 August 2014, unless a longer period has been agreed in writing with the Council. Please also be aware that a legal fee of £230 will be required for this procedure, in addition to a £8.60 monitoring fee.

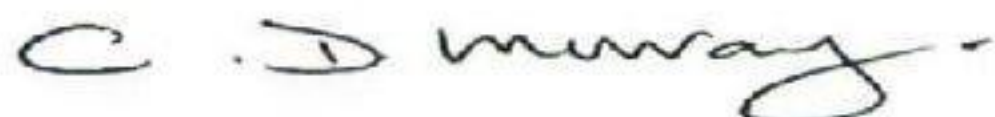
I must stress that even by agreeing to make a financial contribution there is no guarantee that your application will necessarily be considered acceptable but by making a financial contribution you will overcome an immediate issue.

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 6 August 2014, we will refuse planning permission or seek your formal agreement to a further extension of time to determine the application.

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)

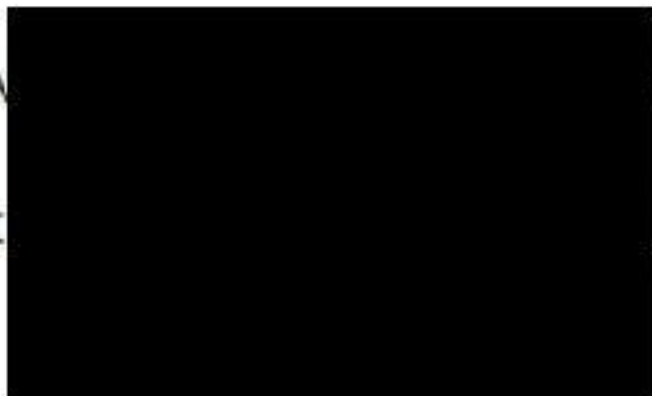
c.c. Mr J Bradwell, East Pallant Developments, 4 East Pallant, Havant PO9 1EA

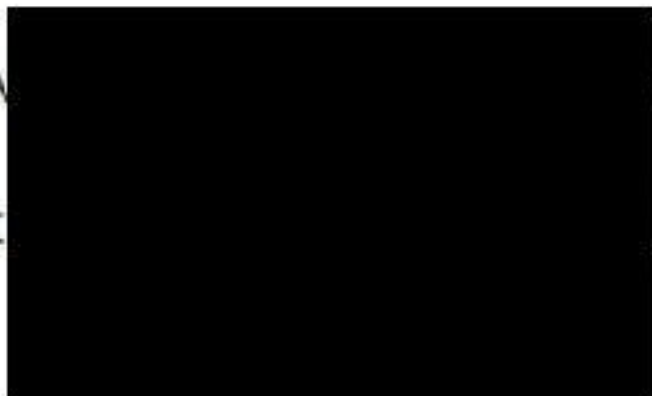
In order that we may deal with this matter as quickly and efficiently as possible please send back the completed Payment Form and tear off slip with the payment.

Developers Contribution - 15 Lockerley Road, Havant PO9 2HD

Return to:

Contact Name: Steve Weaver
Planning Services
Havant Borough Council
Civic Centre Road
Havant
Hants
PO11 9AN

Email Address: ment@havant.gov.uk

Signed: 

Date:

22.8.14

ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM

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

Dated: 22/8/##### 2014 Full Name of Owner(s): Mr ##### Bradwell
Address of Owner(s): ####, 4 East Pallant Havant PO9 1EA
Application Number: APP/14/00622 ("the Application")
Application Site Address: 15 Lockerley Road, Havant PO9 2HD ("the Land")
Name of Ward: Bondfields

The Special Protection Area Contribution: £172.00 Administration fee: £20.00

Monitoring fee: £8.60

Total Payable ("the Sum"): £200.60

"the Special Protection Area Contribution" being a contribution towards 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) Submission Version December 2013.

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 fee 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 Signature]

J BRADWELL

in the presence of:

[Redacted Signature]

Witness Signature:.....

Occupation:.....

Architect

Address:.....

[Redacted Address]

SIGNED as a DEED by ³

[Redacted Signature]

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