

ENVIRONMENTAL MITIGATION SPECIAL PROTECTION AREA PAYMENT FORM/DEED
(FOR UP FRONT PAYMENT OF DEVELOPERS CONTRIBUTIONS BY CHEQUE/CASH*)

Dated: 04 March 2016

Full Name of Owner(s): Mr M Smith

South Hampshire Properties Ltd

Address of Owner(s): c/o agent

Application Number: APP/15/01430 ('the Application')

Application Site Address 2nd Floor, 36 Park Parade, Havant, PO9 5AD, ('the Land')

Name of Ward: Battins

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 seventy pence (£8.70) calculated from a fixed rate of £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 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

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)

[Redacted Signature]

signed in the presence of:

Witness Signature

Occupation

Address

SIGNED as a DEED by ³

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)
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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

)

)
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acting by
a director and its secretary /

two Directors

Director

Director/Secretary