Planning Services, Adur District Council

Civic Centre,
Ham Road,
Shoreham-by-Sea,
West Sussex,
BN43 6PR

Tel : (01273) 263222 (calls may be recorded)
website : www.adur.gov.uk
e-mail : developmentcontrol@adur.gov.uk

ADUR DISTRICT COUNCIL



ADUR DISTRICT COUNCIL
PLANNING DIVISION
PLAN No. AD0411/08
DATE RECEIVED 11 SEP 2008

Application for Planning Permission
Town and Country Planning Act 1990

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MR
First name:	RICHARD
Last name:	GILLAM
Company (optional):	PROTODALE PLC
Unit:	
House number:	16
House suffix:	
House name:	
Address 1:	PRESTON STREET
Address 2:	
Address 3:	
Town:	BRIGHTON
County:	EAST SUSSEX
Country:	ENGLAND
Postcode:	BN1 2HN

2. Agent Name and Address

Title:	MS
First name:	VICTORIA
Last name:	AUSTIN
Company (optional):	HELYER DESIGN
Unit:	1
House number:	
House suffix:	
House name:	THE OLD FLOUR MILL
Address 1:	QUEEN STREET
Address 2:	
Address 3:	
Town:	EMSWORTH
County:	HAMPSHIRE
Country:	
Postcode:	PO10 7BT

3. Description of the Proposal

Please describe the proposed development, including any change of use:

PLANNING PERMISSION FOR A NEW ONE BED DWELLING

Has the building, work or change of use already started? ☐ Yes ☒ No

If Yes, please state the date when building, work or use were started (DD/MM/YYYY): _____ (date must be pre-application submission)

Has the building, work or change of use been completed? ☐ Yes ☒ No

If Yes, please state the date when the building, work or change of use was completed: (DD/MM/YYYY): _____ (date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: | House number: 59 | House suffix:

House name:

Address 1: PENHILL ROAD

Address 2:

Address 3:

Town: LANCING

County: WEST SUSSEX

Postcode (optional): BN15 8HB

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: | Northing:

Description:

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name: KEITH MORGAN

Reference: 13.41

Date (DD/MM/YYYY): 18.03.08
(must be pre-application submission)

Details of pre-application advice received?

TO REDUCE MASS OF BUILDING

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ☒ Yes ☐ No

Is a new or altered pedestrian access proposed to or from the public highway? ☒ Yes ☐ No

Are there any new public roads to be provided within the site? ☐ Yes ☒ No

Are there any new public rights of way to be provided within or adjacent to the site? ☐ Yes ☒ No

Do the proposals require any diversions /extinguishments and/or creation of rights of way? ☐ Yes ☒ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state the reference of the plan (s)/drawings(s)

08039/001 rev B.

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? ☐ Yes ☒ No

If Yes, please provide details:

Have arrangements been made for the separate storage and collection of recyclable waste? ☐ Yes ☒ No

If Yes, please provide details:

8. Neighbour and Community Consultation

Have you consulted your neighbours or the local community about the proposal? ☐ Yes ☒ No

If Yes, please provide details:

9. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☒ No

If Yes, please provide details:

10. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know	Drawing references if applicable
Walls		CREAM RENDER TIMBER BOARDING	☐	☐	08039/001 REV B
Roof		CLAY INTERLOCKING TILES	☐	☐	"
Windows		WHITE uPVC	☐	☐	"
Doors			☐	☒	"
Boundary treatments (e.g. fences, walls)			☐	☒	
Vehicle access and hard-standing			☐	☒	
Lighting			☐	☒	
Others (please specify)			☐	☒	

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? ☒ Yes ☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

PLANS, ELEVATIONS + SECTIONS - 08039/001

DESIGN + ACCESS STATEMENT

11. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of Vehicle	Total Existing	Total proposed (including spaces retained)	Difference in spaces
Cars	0	1	1
Light goods vehicles/ public carrier vehicles			
Motorcycles			
Disability spaces			
Cycle spaces			
Other (e.g. Bus)			
Other (e.g. Bus)			

12. Foul Sewage

Please state how foul sewage is to be disposed of:

- [x] Mains sewer
- [ ] Cess pit
- [ ] Septic tank
- [ ] Other
- [ ] Package treatment plant

Are you proposing to connect to the existing drainage system? [x] Yes [ ] No

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

08039/001 rev B

13. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

[ ] Yes [x] No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? [ ] Yes [x] No

Will the proposal increase the flood risk elsewhere? [ ] Yes [x] No

How will surface water be disposed of?

- [ ] Sustainable drainage system
- [ ] Existing watercourse
- [x] Soakaway
- [ ] Pond/lake
- [ ] Main sewer

14. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

a) Protected and priority species:

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [x] No

b) Designated sites, important habitats or other biodiversity features:

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [x] No

c) Features of geological conservation importance:

- [ ] Yes, on the development site
- [ ] Yes, on land adjacent to or near the proposed development
- [x] No

15. Existing Use

Please describe the current use of the site:

DISUSED ACCESS ROAD

Is the site currently vacant? [x] Yes [ ] No

If Yes, please describe the last use of the site:

ACCESS ROAD

When did this use end (if known)? DD/MM/YYYY (date where known may be approximate) N/A

Does the proposal involve any of the following:

Land which is known to be contaminated? [ ] Yes [x] No

Land where contamination is suspected for all or part of the site? [ ] Yes [x] No

A proposed use that would be particularly vulnerable to the presence of contamination? [ ] Yes [x] No

If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.

16. Trees and Hedges

Are there trees or hedges on the proposed development site? [ ] Yes [x] No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? [ ] Yes [x] No

If Yes to either or both of the above, you will need to provide a full Tree Survey, with accompanying plan before your application can be determined. Your Local Planning Authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to construction - Recommendations'.

17. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? [ ] Yes [x] No

If Yes, please describe the nature, volume and means of disposal of trade effluents or waste

18. Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units? ☑ Yes ☐ No
If Yes, please complete details of the changes in the tables below:

Proposed Housing

Market Housing	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐	1					1
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							1

Social Rented	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Intermediate	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Key worker	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Total proposed residential units $(A+B+C+D)=$ 1

Existing Housing

Market Housing	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Social Rented	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Intermediate	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Key worker	Not known	Number of Bedrooms 1	2	3	4+	Unknown	Total
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals $(a+b+c+d+e+f+g)=$							

Total existing residential units $(E+F+G+H)=$

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): 1

19. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? ☐ Yes ☒ No

If you have answered Yes to the question above please add details in the following table:

Use class/type of use		Not applicable	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross internal floorspace proposed (including change of use)(square metres)	Net additional gross internal floorspace following development (square metres)
A1	Shops	☐				
	Net tradable area:	☒				
A2	Financial and professional services	☐				
A3	Restaurants and cafes	☐				
A4	Drinking establishments	☐				
A5	Hot food takeaways	☐				
B1 (a)	Office (other than A2)	☐				
B1 (b)	Research and development	☐				
B1 (c)	Light industrial	☐				
B2	General industrial	☐				
B8	Storage or distribution	☐				
C1	Hotels and halls of residence	☐				
C2	Residential institutions	☐				
D1	Non-residential institutions	☐				
D2	Assembly and leisure	☐				
OTHER	Please specify	☐				
		☐				
	Total					

In addition, for hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms

Use class	Type of use	Not applicable	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms
C1	Hotels	☐			
C2	Residential Institutions	☐			
Other	Hostels	☐			

20. Employment

Please complete the following information regarding employees:

	Full-time	Part-time	Total full-time equivalent
Existing employees			
Proposed employees			

21. Hours of Opening

Please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Not known

22. Site Area

Please state the site area in hectares (ha) 0·09

25. Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land or building to which the application relates.

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):
	[redacted]	11/08/2008

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*)of the land or building, or of a part of it , but I have/ the applicant has been unable to do so.

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):	On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):

25. Certificates (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner *(owner is a person with a freehold interest or leasehold interest with at least 7 years left to run)* of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

AGRICULTURAL HOLDINGS CERTIFICATE

Town and Country Planning (General Development Procedure)Order 1995 Certificate under Article 7

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding.

Signed - Applicant:

Or signed - Agent: [redacted]

Date (DD/MM/YYYY): 11/08/2008

B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

26. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form: ☑

The correct fee: ☑

The original and 3 copies of a design and access statement: ☑

The original and 3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: ☑

The original and 3 copies of the completed, dated Article 7 Certificate (Agricultural Holdings): ☑

The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application: ☑

The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable): ☑

27. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant:

Or signed - Agent: [redacted]

Date (DD/MM/YYYY): 11/08/2008 (date cannot be pre-application)

28. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension number:
[redacted]	[redacted]	

Country code:	Mobile number (optional):

Country code:	Fax number (optional):

Email address (optional):

29. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension number:
01243	370715	

Country code:	Mobile number (optional):

Country code:	Fax number (optional):

Email address (optional): va@helyerdesign.co.uk

30. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)* ☐ Agent ☒ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

Design and Access Statement to accompany the Application to develop

59 Penhill Road, Lancing



ADUR DISTRICT COUNCIL
PLANNING DIVISION
PLAN No. AD0011/08
DATE RECEIVED 11 SEP 2008

Prepared for

Mr R Gillam

helyerdesign

Access

The building has been designed to Part M of the building regulations. This includes wide ground floor doors, a WC on the ground floor that can facilitate a wheelchair user. The driveway and threshold also offer level access to the dwelling.

Highways access and car parking

There will be direct access to the site off Penhill Road using existing dropped curb. One parking space will be provided at the front of the site.

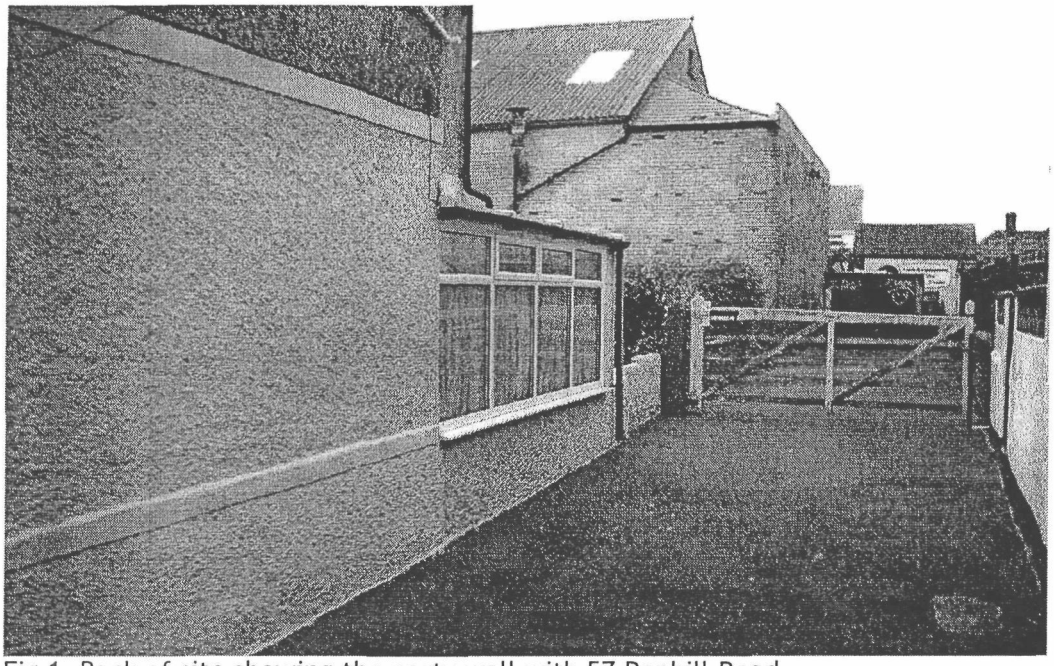


Fig 1. Back of site showing the party wall with 57 Penhill Road



Fig 2. Access from back of site to Penhill Road showing party wall with 61 Penhill Road

Context of application.

Location

59 Penhill Road is located in urban Lancing. The plot is set in a residential area, with surrounding semi-detached and terraced 2 storey houses. The proposed house is a 1.5 storey dwelling sits comfortably between 2 storey houses.

Amount of development

The application seeks to construct a 1.5 storey dwelling where there is an existing disused access road. It is a one bedroom property with a rear garden and off street parking for one car provided at the front of the property

Layout

The footprint of the buildings aligns with the existing street configuration and acts as a medium between numbers 57 and 61 Penhill Road. The dwelling provides aspects to the north and south with restricted views into the neighboring properties.

Scale

The proposed dwelling will be 1.5 storeys high. The ridge of this building sits below the adjoining two storey buildings on Penhill Road. There is a gabled dormer at the front, which is also observed in surrounding dwellings. The flat roof dormer at the rear of the dwelling is set back away from the neighbouring garden areas.

Appearance

The materials will all match that of the surrounding area. The ground floor will be brick, and the first floor will be render. The roof will have clay interlocking tiles, which match the current building on the site.

Landscape

There will be a hard landscaped area to the front of the property for car parking. Some soft landscaping will be added between the parking area and the house. There will also be a grassed rear garden.

Sustainable Construction Techniques

The proposed building will be insulated to current building regulation standards to keep the building energy efficient.

helyerdesign
sustainability through design

ADC
CHIEF EXECUTIVES
DEPARTMENT
11 SEP 2008

Planning Services
Adur District Council
Civic Centre
Ham Road
Shoreham-by-Sea
West Sussex
BN43 6PR

Wednesday, 10th September 2008

Your reference: ADC/0411/08/INVAL

ADUR DISTRICT COUNCIL
PLANNING DIVISION
PLAN No. Ad0411/08
DATE RECEIVED 11 SEP 2008

Re: 59 Penhill Road, Lancing

Proposed House

Dear Mr Morgan,

Please find attached the draft section 106 for the above property to complete the planning application. A fax was sent through to you on 10.09.08.

Yours sincerely,

Victoria Austin
For Helyer Design Ltd.

e [mail@helyerdesign.co.uk] **i** [www.helyerdesign. co.uk]
1 the old flour mill . queen street . Emsworth . Hampshire . po10 7bt
t [01243 370 715]

ADUR DISTRICT COUNCIL
PLANNING DIVISION
PLAN No. A00/0411/08
DATE RECEIVED 11 SEP 2008

A: Property register continued

4 (02.07.2008) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan. The property description has been altered to reflect the land remaining in the title.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (04.07.2008) PROPRIETOR: RICHARD GILLAM of 16 Preston Street, Brighton BN1 2HN.

2 (04.10.2006) The price stated to have been paid on 4 September 2006 was £183,000.

C: Charges register

This register contains any charges and other matters that affect the land.

1 (24.05.2001) A Conveyance of the land in this title and other land dated 5 June 1899 made between (1) George Jonathon Mills and (2) Charles Robert Gammons contains the following covenants:-

"And the said Charles Robert Gammons hereby covenants with the said George Jonathon Mills that the said Charles Robert Gammons his heirs or assigns will not erect or permit or suffer to be on the land hereby conveyed anything whatsoever in front of the Building line drawn on the said plan namely within twenty feet of Penhill Road except a fence wall not exceeding four feet in height."

NOTE: The building line referred to above is set back 20 feet from Penhill Road.

2 (04.07.2008) REGISTERED CHARGE dated 26 June 2008 affecting also title WSX320657.

3 (04.07.2008) Proprietor: WIMPOLE INVESTMENTS LIMITED (Co. Regn. No. 01696191) of 21-22 Park Way, Newbury, Berkshire RG14 1EE.

End of register

ADUR DISTRICT COUNCIL
PLANNING DIVISION
PLAN No. AD0401/08
DATE RECEIVED 1 SEP 2008

Section 106 Unilateral Obligation

THIS UNILATERAL PLANNING OBLIGATION is made the ..... day of ..... two thousand and eight

BY RICHARD GILLAM (the owner) ..... of .....and.....(any mortgagee or other person with an interest in the land) WIMPOLE INVESTMENTS AYOT COTTAGE, AYOT ST LAWRENCE WELWYN HERTS AL6 9BT

TO Adur District Council (hereinafter called "the Council") of Civic Centre Ham Road Shoreham-by-Sea West Sussex BN43 6PR

RECITALS

A The Owner is the FREEHOLD owner of the land known as 59 PENHILL ROAD, LANCING (registered at the HM Land Registry under Title Number WSX255574) and shown edged red on the plan attached hereto

B The Council is the Local Planning Authority for the purposes of the Act and for the administrative area in which the land is situated.

C The Owner has now made an application to the Council for Planning Permission under Planning Application Number ADC/.....

D The Owner considers that the land should be bound by this Planning Obligation in the manner hereinafter contained

DEFINITIONS

1. In this Deed the following words and expressions shall where the context so admits have the following meanings:

1.1 "The Act" means the Town and Country Planning Act 1990 as amended

1.2 "All Requisite Consents" means all consent Orders or Agreements Authorisations Licences or Permissions necessary to implement the development

1.3 "Application" means the Planning Application allocated reference as above by the Council

1.4 "Development" means the proposed ONE BEDROOM DWELLING ON DISUSED ACCESSWAY

1.5 "Commencement of the Development" means implementation by the carrying out of a material operation as defined in Section 56(4) of the Act

1.6 "The Owner" shall include its successors in title and assigns

1.7 "The Plan" means the plan annexed hereto

1.8 "The Land" means All that land being the land known as 59 PENHILL ROAD, LANCING shown edged red on the Plan

1.9 "The Planning Obligation" means the planning obligation set out in the Schedule to this Agreement

1.10 "The Planning Permission" is the Permission granted under Application Number ADC/.....

MAIN OPERATIVE CLAUSES

2.1 THIS Undertaking is an Agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) Section 111 of the Local Government Act 1972 and all other powers and enactments thereby enabling and which may be relevant for the purposes of the enforcement of covenants and or obligations contained herein to the intent that it shall bind the Owner and its successors in title and assigns each and every part of the land

2.2 THE Owner hereby covenants with the Council that it will comply in all respects with the Planning Obligations set out and contained in the Schedule hereto to the effect that the land and every part thereof shall be permanently subject thereto

2.3 The Mortgagee confirms its consent to the Owner entering into this Deed of Unilateral Undertaking

2.4 THIS Planning Obligation is conditional upon and shall be of no effect until the Planning Permission has been granted. If the Planning Permission is cancelled revoked or otherwise withdrawn this Deed shall cease to have effect.

2.5 A person (other than the Council) who is not a party to this Deed shall have no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Deed

2.6 THIS Deed is a Local Land Charge and is registerable as such by the Council

2.7 THIS Deed shall be governed by and construed in accordance with the Laws of England and each of the parties hereby submits to the exclusive jurisdiction of the English Courts

2.8 ANY Notice consent or approval required to be given under this Agreement shall be in writing and shall be delivered personally or sent by prepaid first class recorded delivery post telex or facsimile transmission. The address for service of any such notice consent or approval as aforesaid shall in the case of the parties be the address given in the above hereto or such address for service as shall have previously been notified by the party and in the case of the Council shall be Adur District Council Civic Centre Ham Road Shoreham-by-Sea West Sussex BN43 6PR

2.9 THE Owner agrees to paying the Council's reasonable legal costs in checking that the contents of this Agreement are correct and the Owners title valid

2.10 THE Mortgagee consents to the Owner entering into the Agreement and acknowledges that this Agreement binds the land. The Mortgagee shall only be liable for any breach of this Agreement if it has itself caused the breach whilst the Mortgagee is in possession. It shall not be liable for any pre-existing breach.

THE SCHEDULE

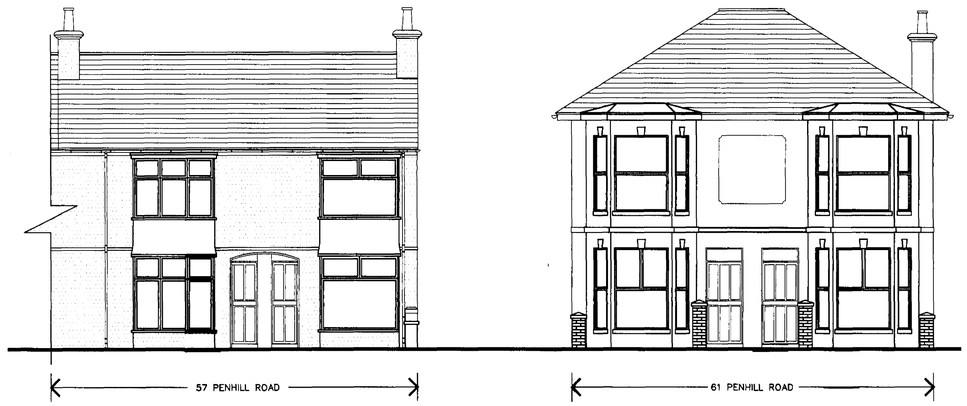
The Owner hereby covenants with the Council that it will within 7 days of the commencement of the development pay the sum of £1,000 to the Council as a contribution towards sustainable transport improvements in the area being comprised within the list of "Schemes to be progressed if developer funding is available".

EXECUTED AS A DEED by

The Owner
Signature:.....
Name:....RICHARD GILLAM.....

in the presence of

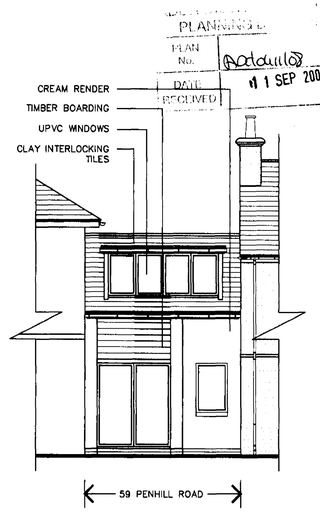
Signature:.....
Name of Witness:
Addressof Witness:



Existing Context Elevation @1:100

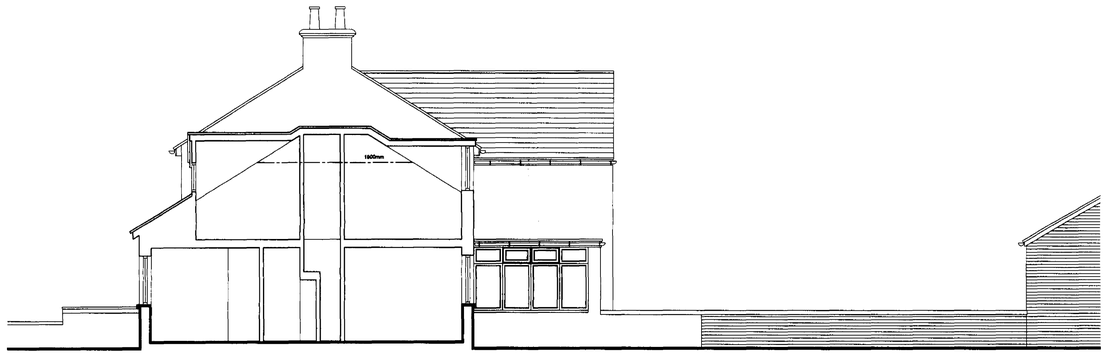


Proposed Front Elevation @1:100

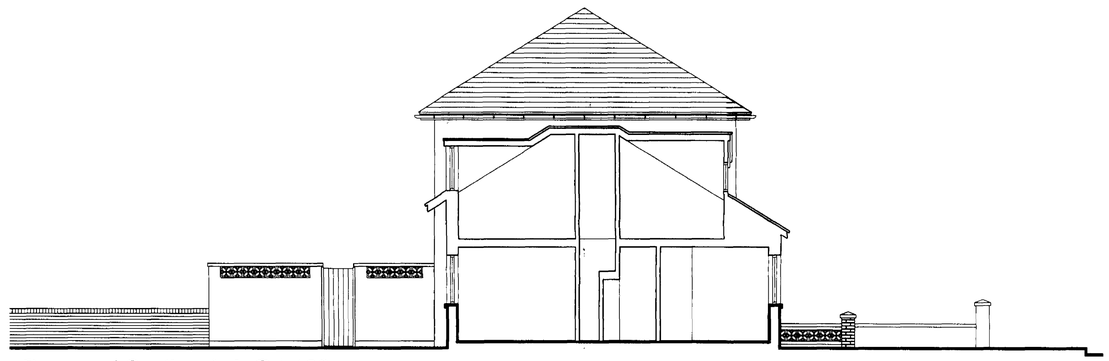


Proposed Rear Elevation @1:100

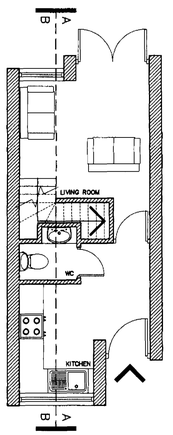
PLANNING
PLAN No. A0411/08
DATE RECEIVED 11 SEP 2008



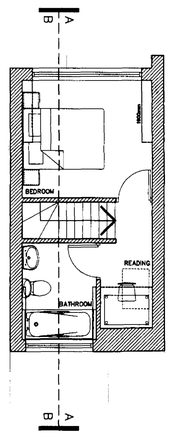
Proposed Section B-B @1:100



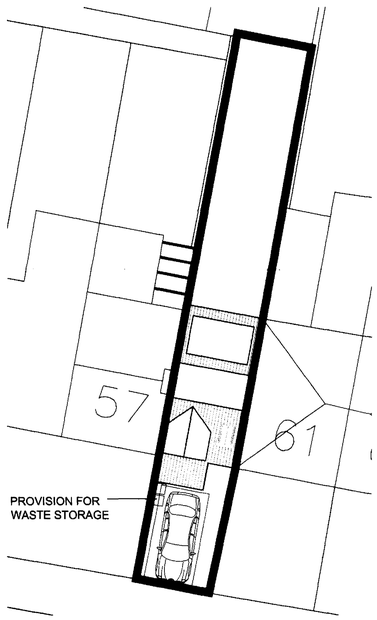
Proposed Section A-A @1:100



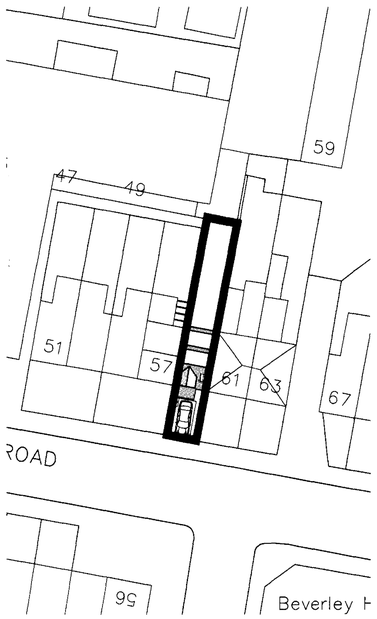
Ground Floor 1:100



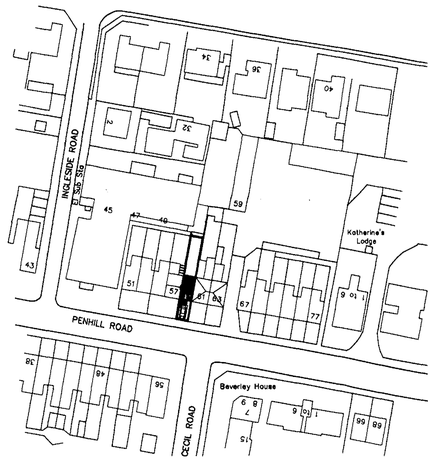
First Floor 1:100



Site Plan @ 1:200



Block Plan @ 1:500



Site Location @ 1:1250

NOTES:

Dimensions to be checked on site before commencing work. Any discrepancies shall be reported to the architect immediately.

Do not scale from these drawings except for planning purposes. Use figured dimensions only.

Where applicable this drawing is to be read in conjunction with other consultants' drawings.

All drawings to be read in conjunction with specification and all other drawings including structural engineer and mechanical and electrical drawings / specification

NOTE THIS HAS BEEN PRODUCED FROM CLIENT SUPPLIED INFORMATION. NO SURVEY OR ANY OTHER FORM OF INVESTIAGIVE WORKS/ DESIGN / SPECFIFYING HAVE BEEN CARRIED OUT BY HELYER DESIGN LTD.

REV	DATE	AMENDMENT	DRAWN
C	19:8:08	Revisions following information received from council ref: ADC/0411/08/INVAL	VA
B	18:7:08	Revisions following coversation with client	SM
A	15:4:08	Revisions following coversation with client	THGD

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01243 370 715

CLIENT
Protodale

PROJECT
59 Penhill Road
Lancing

DRAWING
Existing and Proposed Plans, Elevations and Sections

SCALE
As Noted

DATE JULY 08 DRAWN SM

DRAWING NUMBER 08039/001

REVISION C