

<p align="center">THIS PLANNING OBLIGATION BY DEED OF UNILATERAL UNDERTAKING</p>	
<p>is made the <u>30th</u> day of <u>March</u> 2015</p>	
<p>By Bishops UK Ltd (Co. Regn No. 05002176) of 2nd Floor Kenwood House 1 Upper Grosvenor Road Tunbridge Wells Kent TN1 2DU (hereinafter "the Owner") who is the Freehold Owner of Boons Park, Toys Hill Road, Toys Hill Edenbridge Kent TN8 6NP which forms part of the land registered at the Land Registry under title number K250407 shown edged in red on the Plan (hereinafter "the Land")</p>	
<p align="center">WHO UNDERTAKES TO</p>	
<p>THE DISTRICT COUNCIL OF SEVENOAKS OF COUNCIL OFFICES ARGYLE ROAD SEVENOAKS KENT TN13 1HG (hereinafter "the Council")</p>	
<p align="center">TO PERFORM THE COVENANTS IN THIS DEED</p>	
<p>1. DEFINITIONS</p> <p>For the purposes of all provisions in this Deed the following expressions shall have the following meanings:</p>	
"1990 Act"	the Town and Country Planning Act 1990
"Affordable Housing Contribution"	means the sum of £53,892.04 (fifty three thousand eight hundred and ninety two pounds and four pence)
"Application"	the application for planning permission submitted to the Council for the Development and allocated reference number SE/14/03641/FUL
"Commencement of Development"	the date on which Development is begun by digging a foundation trench or making a material change in the use of an existing building or if later the date on which any material operation (as defined in Section 56(4) of the 1990 Act) forming part of the Development other than site clearance and preparatory work is carried out.
"Development"	the Development of the Land as set out in the Application and as detailed in and as authorised by the Planning Permission.

"Index"	means the Land Registry House Price Index - Kent based (or such other index as the Council may reasonably nominate in the event that the Land Registry Housing Price Index shall no longer be published or it's name or methodology be materially altered)
"Interest"	interest at 4 per cent above the base lending rate of the Barclays Bank Plc from time to time in force.
"Monitoring Fee"	A fee of £300.00 for monitoring and ensuring compliance with the provisions of this undertaking
"Notice of Payment"	The form of notice as appended to this Deed to be used to advise the Council when a payment has been made
"Plan"	the plan attached to this Deed but if no plan shall be attached the Land Registry title plan of the Land at the date of this deed
"Planning Permission"	the planning permission subject to conditions to be granted by the Council pursuant to the Application and if so granted given reference number SE/14/03641/FUL or by the Secretary of State for Communities and Local Government on appeal.
"Supplementary Planning Document Affordable Housing"	Means the Supplementary Planning Document Affordable Housing adopted by the Council on 13 October 2011

2. INTERPRETATION

The Interpretation Act 1978 shall apply to the interpretation of this Deed as if it were an Act of Parliament.

3. ENABLING PROVISIONS

This Deed is a planning obligation for the purposes of Section 106 of the 1990 Act and the covenants, given by the Owner under this Deed are enforceable by the Council as local planning authority against the Owner pursuant to Section 106(3) of the 1990 Act.

4. COMMENCEMENT

This Deed shall come into effect upon the date of this Deed.

5. THE OWNER'S COVENANTS

The Owner covenants with the Council as follows:

- 5.1. To give the Council at not less than ten working days written notice of the date of (his/her/their/its) intention to Commencement of Development. Such notice to be sent via email to planning.enforcement@sevenoaks.gov.uk or by letter to Planning Enforcement Council Offices Argyle Road Sevenoaks Kent TN13 1HG quoting Planning Permission SE/14/03641/FUL
- 5.2 Before or immediately upon the Commencement of Development to pay to the Council the Affordable Housing Contribution and the Monitoring Fee by

electronic bank transfer sent to the Council's bank account at Barclays Bank Plc 80 High Street Sevenoaks Kent sort code 20-76-55 account number 60692026 quoting Planning Permission number SE/14/03641/FUL as a reference:

- 5.3 At the time of payment of the Affordable Housing Contribution and the Monitoring Fee to send notice to the Council by email to finance@sevenoaks.gov.uk in the form of the Notice of Payment appended to this Deed

6. GENERAL

- 6.1 The Owner shall on completion of this Deed pay to the Council the reasonable legal costs of the Council incurred in the negotiation, consideration and registration of this Deed in the sum of £500.00
- 6.2 None of the provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999
- 6.3 No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after he shall have parted with his entire interest in the Land but without prejudice to his liability for any subsisting breach arising prior to parting with such interest.
- 6.4 Nothing in this Deed shall prohibit or limit the right to develop any part of the Land in accordance with a planning permission (other than the Planning Permission) granted (whether or not on appeal) after the date of this Deed but this Deed shall apply to any planning permission subsequently granted ("Subsequent Permission") under section 73 or 73A of the 1990 Act which permits non-compliance with any of the conditions attached to the Planning Permission and the Planning Permission shall be construed to include the Development as stated in the Subsequent Permission.

7. INDEXATION

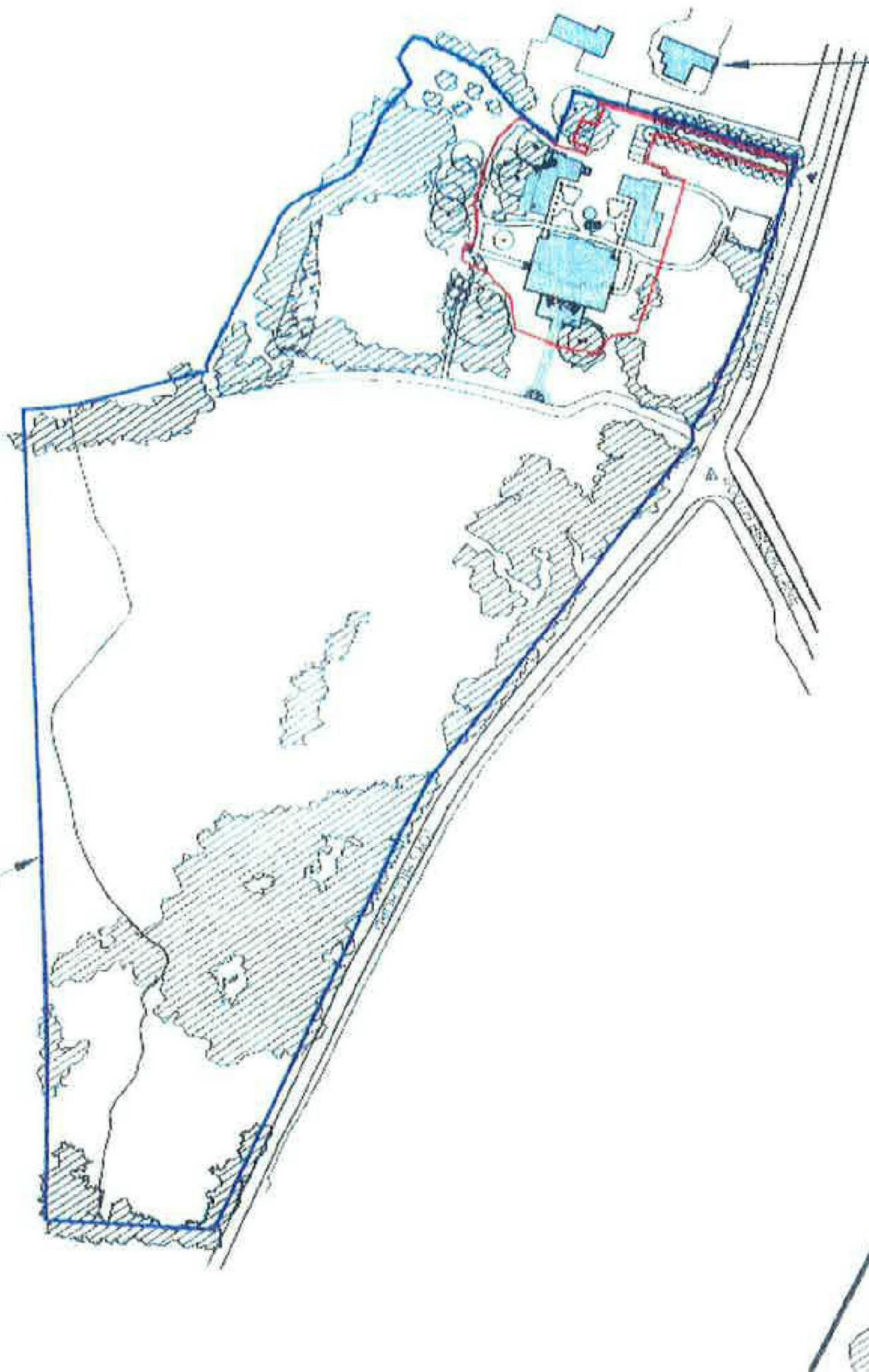
Any sum stipulated as being payable by the Owner to the Council shall be increased by an amount equivalent to the increase in the Index from the date of this Deed until the date on which such sum is payable pursuant to the provisions of this Deed.

8. INTEREST

If any payment due under the provisions of this Deed is paid more than seven days after the due date Interest shall in addition be payable on such sum from the date payment is due to the date of payment.

THE PLAN

BOONSWOOD
TOYS HILL ROAD
TOYS HILL,
EDENBRIDGE
MS BNP



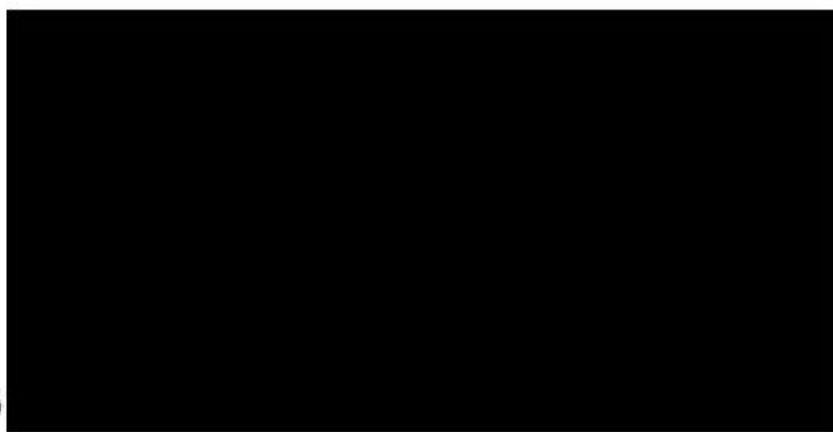
BOUNDARY

SITE LOCATION PLAN
SCALE 1:2500 @ A1

IN WITNESS whereof the Owner has executed this agreement as a Deed on the day and year first before written.

EXECUTED AS A DEED by
BISHOPS UK LIMITED

Signature director.....



Acting by a single director in the presence of

Signature of Witness



Name of Witness *SUSAN HAMMOND*

Occupation *COMPANY SECRETARY*

Address *45 WESTERHAM RD*

SENIORAS TN3 2QB

Notice of Payment to be sent electronically by email to finance@sevenoaks.gov.uk

**Email title - PLANNING OBLIGATION DATED THE 30/3/ 2015 ,
PLANNING PERMISSION SE/14/03641/FUL
LAND AT BOONS PARK, TOYS HILL ROAD, TOYS HILL, EDENBRIDGE KENT.**

Date as per email

From

To THE DISTRICT COUNCIL OF SEVENOAKS

Council Offices

Argyle Road

Sevenoaks

Kent

TN13 1HG

In accordance with clause 5.2 of the above deed I have arranged for the sum of £54,192.04 (FIFTY FOUR THOUSAND ONE HUNDRED AND NINETY TWO POUNDS AND FOUR PENCE) being the Affordable Housing Contribution of £53,892.04 and the Monitoring Fee of £300 to be paid by electronic bank transfer to the Council's bank account at Barclays Bank Plc, 80 High Street, Sevenoaks, Kent, sort code 20-76-55 account number 60692026.

In accordance with clause 5.3 of the above deed I am sending this notice of the payment to the Council.

As the payment fulfils all the obligations of the above deed I request that the registration of the deed as a Local Land Charge be cancelled in accordance with rule 8 (1) (b) of the Local Land Charges rules 1977.

Yours faithfully