

ROGER LEE PLANNING LTD

Chartered Town Planner – BA(Hons) MRTPI

Residential and Commercial Planning : Planning Applications, Appeals and Enforcement

S106 AGREEMENT HEADS OF TERMS

**PROPOSED RESIDENTIAL DEVELOPMENT ON LAND AT
TREGODDICK FARM, VINGOES LANE, MADRON**

APPLICANT – MR M CLYNDES

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The following sets out the heads of terms for a proposed Section 106 Agreement between:

- The Council - Cornwall Council
- The owner and applicant - Mark Clyndes

The applicant proposes the following contributions in relation to the development:

Affordable Housing

Subject to viability of the development, 100% of the total number of dwellings to be provided across the development site will be affordable housing, consisting of a mix of 70% Affordable rent and 30% Shared Ownership, in accordance with the definitions as set out in Annex 2 to the National Planning Policy Framework.

The affordable units will meet the Nationally Described Space Standards (NDSS) and that 25% of these will meet M4 (2) Category 2 Accessible and Adaptable dwellings split equally between affordable and any market dwellings.

In the event that there is a requirement for the provision of any market housing in order for the development to be viable, the applicant will produce an Economic Viability Assessment to demonstrate that market housing is necessary to subsidise the affordable units. In any event market housing would not exceed 50% of the total number of units.

Open Space

The provision of on-site public open space to include arrangements for the future maintenance and management of the open space. The applicant will enter into a contract

with a management company (details of which will be provided to the Council for agreement) who will take on responsibility for management and maintenance once the development is completed and occupied.

A financial contribution will be made to off-site open space in agreement with the Council.

The applicant will negotiate agreement with the Council on the implementation of the on-site open space and the timing of the provision of the off-site contribution.

Education

The applicant will make a contribution towards the improvement of local education facilities in relation to the market housing aspect of the development only.

The applicant will negotiate agreement with the Council on the timing of the provision of the contribution.

Transport Infrastructure

The applicant will make a contribution towards transport infrastructure in agreement with the requirements of the Council.

The applicant will negotiate agreement with the Council on the timing of the provision of the contribution.