

Appendix J to the Design and Access Statement

Proposed Heads of Terms

In support of an application for

Outline Planning Permission with One Matter Reserved

At

The Church Road, Clacton Campus

of the

Colchester Institute Corporation

On Behalf of

Marble Arch Group Limited

March 2024.

Section

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1.0 Introduction

- 1.1 Major developments are defined as those comprising 10 dwellings or more, 1,000 sq. m. or with a site over 1 Ha. The accommodation proposed for the former Clacton Institute site comprises 76 dwellings I 2 phases and therefore can be seen to be a major development.
- 1.2 Major developments usually require a Section106 Agreement to mitigate any possibly negative effects of a development that can't be mitigated by means of a conditions attached to the planning permission.
- 1.3 The Heads of Terms to which this document relates includes details which we believe should be included in the Legal Agreement.

2.0 Heads of Terms

2.1 The details which we propose to be included in the Legal Agreement are as follows:

1. The site is within the Zone of Influence as defined in the '*Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat Regulations Assessment Strategy document 2018 – 2038*' therefore the standard fixed payment per dwelling should be included in the Agreement.
2. Superfast Broadband connections are required for all new dwellings and therefore provision of this service should be included in the Legal Agreement.
3. Sustainable Urban Drainage is a requirement and should be included in the Legal Agreement.
4. It is proposed to include green roofs and photovoltaic cells in the scheme and so measures to encourage sustainability and bio-diversity should be included in the Legal Agreement.

3.0 Client's Legal Representation

3.1 The details of the client's legal representation are as follows:

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