

Draft Section 106 Agreement Heads of Terms

Land East of Chipping Lane, Longridge

On behalf of BDW Trading Ltd

May 2014

**DRAFT SECTION 106 HEADS OF TERMS
LAND EAST OF CHIPPING LANE, LONGRIDGE
BDW TRADING LTD**

1. GENERAL

- 1.1 These Draft Heads of Terms have been prepared on behalf of BDW Trading Ltd (“the Applicant/Developer”) in support of its planning application for the proposed development of 106 no. residential units, including affordable housing, vehicular and pedestrian accesses, landscaping, public open space and ecological enhancement measures (“the development”) on land east of Chipping Lane, Longridge (“the Site”).
- 1.2 They take account of comments received to date during pre-application discussions with officers of Ribble Valley Borough Council and from statutory and other consultees. The Heads of Terms are in draft form and will be agreed with Officers at Ribble Valley Borough Council during the planning application process.
- 1.3 Whilst a number of matters will be dealt with by way of planning condition, those matters that can potentially be dealt with and secured by way of a Section 106 Agreement comprise the following:
- The provision of affordable housing as part of the development;
 - Provision, management and maintenance of public open space;
 - Education contribution;
 - Contribution to playing pitch provision; and
 - Contribution to measures for the promotion of sustainable travel.
- 1.4 The purpose of these Draft Heads of Terms is to assist the decision taking process whereby the Council can determine accordance with the Development Plan, as well as providing sufficient detail for drafting purposes by the respective legal representatives.
- 1.5 All financial contributions and obligations sought by the Council must be in accordance with CIL Regulation 122 and paragraphs 203-206 of the NPPF.
- 2. Affordable Housing**
- 2.1 30% of the proposed dwellings shall be affordable in accordance with the definition contained in Annex 2 of the NPPF.

3. PROVISION, MANAGEMENT AND MAINTENANCE OF PUBLIC OPEN SPACE

- 3.1 The Developer will be responsible for the provision of and management and maintenance of Open Space within the development. A written scheme setting out the proposals for this shall be submitted to the local planning authority prior to the commencement of development (save where such matters will be dealt with adequately by a condition or conditions within the planning permission).

4. EDUCATION CONTRIBUTION

- 4.1 The Developer shall pay to Lancashire County Council acting as local education authority an Education Contribution towards primary school provision.
- 4.2 The level of Contribution will be subject of detailed discussion during the planning application process.

5. CONTRIBUTION TO PLAYING PITCH PROVISION

- 5.1 The Developer will pay a Contribution towards the provision, improvement and enhancement of playing pitch provision, commensurate with the need arising from the development to be demonstrated by the local planning authority.

6. CONTRIBUTION TO MEASURES FOR THE PROMOTION OF SUSTAINABLE TRAVEL

- 6.1 The Developer shall pay a Contribution to Lancashire County Council, as Highway Authority, towards the provision of measures to promote sustainable travel, including public transport provision.

