

Appendix H - Heads of Terms for S106 Agreement

HEADS OF TERMS

Proposed Planning Obligation Agreement Section 106 Town and Country Planning Act 1990

Planning Application – P142542/CE

21 houses on the land between Chestnut Avenue and Stockton Rock, Kimbolton, Herefordshire

1. Affordable Housing

The agreement will make provision for a scheme of Affordable Housing to be agreed with the Local Authority, to include;

- a) The numbers, type, tenure and location on the site of the affordable housing provision to be 25% or more of the total dwelling permitted;
- b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements for the transfer of the affordable housing to an affordable housing provider;
- d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and
- e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced.

2. Highways and Public Transport Contribution

Subject to meeting the appropriate tests of necessity and reasonableness, the agreement will require the Developer to pay necessary contributions (the amount and phasing of which to be agreed with the local authority) towards the costs of improvements to highway infrastructure in the vicinity of the Development.

3. Children and Young People Contribution

Subject to meeting the appropriate tests of necessity and reasonableness, the agreement will provide for the payment of an appropriate sum (the amount and phasing of which to be agreed with the local authority) towards the costs of education and childcare provision to serve the Development.

4. Other

Other contributions may be identified through planning consultation process, and subject to meeting appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.