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17 March 2011

Dear Sirs

**Land at Highfield Farm, Tetbury, Gloucestershire
Proposed Planning Obligation Agreement under
Section 106 Town & Country Planning Act 1990**

We set out below some draft Heads of Terms for your approval in relation to the above matter:

Introduction

Fay & Son ("the Applicant") is submitting an outline planning application for approximately 250 residential dwellings, open space, car parking and associated infrastructure at land at Highfield Farm, Tetbury.

This paper sets out the scope of planning obligations which the Applicant considers should support its application.

The obligations will be the subject of discussion once both Gloucestershire County Council ("County Council") and Cotswold District Council ("District Council") have had the opportunity to fully appraise the planning application and this paper is therefore considered to be a lead into those discussions rather than a committed set of obligations. The s106 agreement will contain the usual provisions relating to conditionality (on grant and implementation of planning permission), repayment of unspent financial contributions and will be secured against the relevant land interests.

The extent of the obligations is to be agreed during the negotiation of the s106 agreement but all contributions will be reasonable and proportionate to the scale of development being undertaken.

Affordable Housing

Up to 20% on-site Affordable Housing will be provided on site based upon local housing needs.

Drainage Infrastructure

Requisition works involving the provision of an off site piped connection for surface water from London Road in the vicinity of the site. This will be provided to alleviate localised flooding problems in the vicinity of Cooks Pool, London Road. It has been discussed with relevant parties including Wessex Water.

Community Hall

A financial contribution, to be agreed with the District Council, will be made towards the improvement of the existing community hall (Dolphins Hall) facilities serving the development.

Offices in Southampton, Portsmouth, Farnham and Gosport.

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Community Bus

A financial contribution, to be agreed with the District Council, will be made towards the setting up of a community bus service serving the development.

Library

A financial contribution, to be agreed with the County Council, will be made towards the improvement of library facilities serving the development.

Highway Infrastructure

The Applicant has prepared a residential travel plan for approval by the County Council.

Improvements will be undertaken to the London Road Junction to accommodate development traffic.

A financial contribution, to be agreed with the County Council, will be provided towards off site highway improvements.

A financial contribution, to be agreed with the County Council, will be provided towards linkages between the site and existing facilities.

A financial contribution, to be agreed with the County Council, will be provided towards enhanced public transport services within the local area provided that this obligation is subject to the need for such contribution being established by the County Council.

Community Safety

To ensure community safety, fire hydrants must be provided throughout the development. Normally hydrants at a separation of 100 metres are required for every 40 dwellings (the current indicative cost of installing one hydrant is £500-£800). This matter can be addressed by way of condition.

Allotments

The applicant will provide public allotments in conjunction with the proposed development. These will be passed onto Cotswold District Council and Tetbury Town Council for management.

Fees

The Applicant will pay to the District and County Council on or before the completion of the Agreement, the reasonable legal costs incurred in connection with the preparation and completion of the s106 agreement and the monitoring fee.

General Provisions

General provisions will include release in the event of disposal, consequences on the lapsing of the planning permission excluding third party rights to enforce, repayment of unspent financial contributions etc.

We look forward to hearing from you as soon as possible with approval these Heads of Terms.

Yours faithfully

Goffin Mew LLP

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