

21/01966/F - APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning Obligation		Regulation 122 Assessment	
Detail	Amount	Trigger point	
Provision of off-site commuted sum for improvements to local play area	£30,000	No more than SEVENTY PER CENT (70%) of the Dwellings shall be Occupied until the Practical Completion Certificate has been issued	<p><b>Necessary</b> – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018)</p> <p><b>Directly related</b> – For the use of future occupiers of the development</p> <p><b>Fairly and reasonably related in scale and kind</b> – In accordance with the policy and guidance provisions adopted by the Council</p>
Enhancement of biodiversity as mitigation for the net loss on site	2.2 habitat units (TBC)	Prior to the commencement of development	<p><b>Necessary</b> – To mitigate the impact of the proposal i.e. a 67% net loss in habitats for biodiversity. Sufficient biodiversity net gain will need to be achieved off site through identification of (a) suitable site(s) where the necessary uplift in units can be created.</p> <p><b>Directly related</b> – Specifically to mitigate the impact of the proposed development</p> <p><b>Fairly and reasonably related in scale and kind</b> – In accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and relevant Government guidance in the National Planning Policy Framework and in accordance with relevant legislation</p>