
HOT - Heads of Terms template for S106 agreement for planning obligations relating to major development proposals or for a deed of variation to an existing S106 agreement.

S106 of the Town and Country Planning Act (England) 1990 (as amended)

Please complete this form and submit it to the council along with your planning application.

Please note this form should be used for major planning applications of 10 or more dwellings in the areas of Harrogate/Knaresborough or Ripon, between 6 and 9 dwellings in designated rural areas; or for other forms of application where a planning obligation is required

<p>1. Locations of proposed development (address and postcode of the site)</p> <p>If there is no postal address, please give a clear and accurate description of the site location</p>	
<p>2. Applicant(s) full name and address</p> <p>Please insert the full name(s) and address(es) of the persons submitting the planning application</p>	
<p>3. Is the applicant the legal owner of the application land?</p>	<p>Yes/no (delete as appropriate)</p> <p>If no: Please provide the legal owner's full name and address below:</p>

<p>4. If the applicant is not the owner, do they have an agreement to purchase the land?</p> <p>This is where the legal owner has entered into a contract with someone to sell the property and the third party has submitted the planning application and not the owner</p>	<p>Yes/no/still in negotiation (delete as appropriate)</p> <p>Date of the agreement (if yes):</p> <p>Additional information:</p>
<p>5. Details of the agent dealing with this matter (if relevant);</p> <p>It is not necessary to have either an agent or solicitor dealing with this for you, however it is recommended</p>	<p>Name:</p> <p>Company:</p> <p>Address:</p> <p>Telephone:</p> <p>Email:</p>
<p>6. Details of the legal representative dealing with this matter (if relevant):</p> <p>It is not necessary to have either an agent or solicitor dealing with this for you, however, it is recommended</p>	<p>Name:</p> <p>Company:</p> <p>Address:</p> <p>Telephone:</p> <p>Email:</p>
<p>7. Title number</p>	<p>Yes/no (delete as appropriate)</p>

<p>If the property has been purchased within the last 25 years it will be registered with HM Land Registry and have a title number, for example, LT123458 proving ownership. Please provide a copy of the register with a title plan</p>	<p>If yes, what is the title number:</p> <p>If no, please submit a copy of the title deeds with this form</p>				
<p>8. Is there a mortgage or charge over the property?</p> <p>If any part of the property is charged or subject to a mortgage, your mortgage provider or charge holders must be a party to the agreement in order to give their consent to it. Your mortgage provider may charge a separate fee for approving and executing the agreement</p>	<p>Yes/no (delete as appropriate)</p> <p>If yes, please provide details:</p>				
<p>9. Open space contribution:</p>	<p>Is it to be maintained by (please tick)</p> <table border="1" data-bbox="683 1003 1508 1122"> <tr> <td>Management Company</td> <td>HBC</td> </tr> <tr> <td></td> <td></td> </tr> </table> <p>Amount of contribution to be made towards:</p> <p>9.1 On- site maintenance:£[]</p> <p>9.2 Off-site provision: £ []</p> <p>9.3 Off-site maintenance: £[]</p> <p>Please note: To establish the required contribution for your scheme you should contact Sean Wright, Systems and Information Officer Community on 01423 500600 or email commutedsums@harrogate.gov.uk</p>	Management Company	HBC		
Management Company	HBC				
<p>10. Village Hall contributions</p>	<p>£[]</p> <p>Please note: To establish the required contribution for your scheme you should contact Sean Wright, Systems and Information Officer Community on 01423 500600 or email commutedsums@harrogate.gov.uk</p>				

11. Affordable housing contribution:

Documents required to be attached to this document;

- 1) Proposed plan for on -site provision (showing affordable rented/sale units)
- 2) Schedule of affordable units (if not clear on plan), identifying affordable rented/sale units.
- 3) Phasing of development if known

On site provision (proposed plan must be provided):

Number/Mix of properties

Affordable Sale

___ x1 bed house (60 sqm)

___ x2 bed house (70 sqm)

___ x3 bed house (85 sqm)

Apartment/flats

0 x (sqm)

Rented

_ x1 bed house (60 sqm)

_ x2 bed house (70 sqm)

_ x3 bed house (85 sqm)

Apartment/flats

0 x (sqm)

Registered Provider (if known):

Transfer value:

Local Connection (Ward):

	<p>Trigger: <input type="checkbox"/> Transfer of all __ affordable homes on completion/occupation* of __ market dwellings</p> <p><input type="checkbox"/> Transfer of _____ on completion/occupation* of dwellings</p> <p>Other: Unless applicant can demonstrate why they need some other trigger</p> <p>✓ <input type="checkbox"/> change tenure on written agreement of Council (<i>check condition allows if applicable</i>)</p> <p>Other requirements: (insert text box)</p> <p>Off site provision;</p> <p>Amount/calculation:</p> <p><input type="checkbox"/> completion/occupation of _____ dwellings</p> <p>Other:</p> <p>Additional clauses if required</p> <p><input type="checkbox"/> Interest on late payment</p> <p>Please note: Policy HS2 of the Local Plan requires the provision of affordable housing subject to certain thresholds being met. You can find additional information on the council's affordable housing requirement here: Negotiating Affordable Housing Planning Contributions (November 2015)</p> <p>NB. To establish the required contribution for your scheme you should contact Jenny Kerfoot (Development Manager - Housing) via email affordablehousing@harrogate.gov.uk</p>
<p>12. Education provision contribution:</p>	<p>Amount of contribution to be made towards education provision:</p> <p>£</p> <p>To establish the required contribution for your scheme you should contact: North Yorkshire County Council; Nicola Howells (Development Support Officer); telephone: 01609 532258 or email: planning.control@northyorks.gov.uk</p>

<p>13. Highway improvement/public transport contribution/Green Travel Plans</p>	<p>Description of works or amount of contribution to be made towards highway/public transport provision:</p> <p>£</p> <p>To establish the required contribution for your scheme you should contact North Yorkshire County Council: planning.control@northyorks.gov.uk</p>
<p>14. Other contribution:</p>	<p>Any other known contributions:</p> <p>Contribution to be made towards:</p> <p>£</p> <p>Or details of other obligations</p> <p>(Delete as appropriate)</p>

Privacy notice

The lawful basis for collecting the information in this form is that it is necessary for performing the task, carried out in accordance with the Town & Country Planning Act 1990, The Planning (Listed Buildings & Conservation Areas) Act 1990 and associated regulation. Harrogate Borough Council is the Data Controller; we will not give personal information about you or any personal information you may provide on other people to anyone else or another organisation unless we have to by law. For more about how we use personal data, visit: www.harrogate.gov.uk/privacynotice

Please submit this form either via email to dmst@harrogate.gov.uk or by post to Place-shaping and Economic Growth, PO Box 787, Harrogate, HG1 9RW.

There is a charge payable on completion of the legal agreement to Harrogate Borough Council for legal costs in preparation of the S106 Agreement. The Council’s Legal Services can provide further information regarding this.