

11 Gorwel and land to east at Tyn Drain, Llanfairfechan, LL33 0DS

DRAFT s106 Heads of Terms

1 June 2023

Introduction

These draft s106 Heads of Terms have been prepared on behalf of Coastal Construction (NW) Ltd to support a detailed planning application at 11 Gorwel and land to east at Tyn Drain, Llanfairfechan, LL33 0DS for the:

Proposed demolition of 11 Gorwel to facilitate highway access and erection of 42 no. dwellings (20% affordable) with associated public open space, landscaping and means of highway access and pedestrian connectivity.

It is anticipated that the following matters will be addressed through a section 106 Legal Agreement, where it meets the tests of Regulation 122 of the CIL Regulations 2010.

The contributions below are in draft and will be established and agreed upon with the Local Planning Authority during the determination of the application.

In the event that, during the course of the planning application, evidence is presented that suggests that there is a need for additional physical infrastructure or commuted sum contributions to mitigate against the impacts arising from the proposed development, and it can be shown that this would comply with Regulation 122 of the CIL Regulations 2010, then obligations will also be secured (subject to viability) in this respect via the s106 legal agreement.

Affordable Housing

The proposals include for the provision of a 20% affordable housing levy for 8 no. dwellings (based upon the calculation that 42 no. new dwellings are proposed, 1 no. existing dwelling is proposed for demolition which results in a net gain of 41 no. dwellings; thus, 20% of 41 no. equates to 8.2 no. units.

- *8 no. physical units will be provided on site*
- *0.2 no. unit will be provided by way of a commuted sum contribution in lieu of on-site provision (estimated at £7,500)*

This is in accordance with the adopted Conwy LDP Policy HOU/2 and Supplementary Planning Guidance LDP13.

The method by which affordable housing is to be delivered and the precise mix and tenure split of affordable housing deemed appropriate is to be agreed with the Council. This may allow this to be controlled and enabled by way of a planning condition, thus avoiding any need for a s106 legal agreement.

Public Open Space

The layout shows approximately 2,650 sqm (0.265 ha) of amenity/greenspace provided on site. This provision is in excess of the required standards set out in the adopted Conwy LDP Policy CFS/11 and associated Supplementary Planning Guidance LDP/4.

The entire site (grounds, landscaping, buildings, parking, access road, parking court, etc) will be managed by a Management Company set up by the applicant and subsequently transferred to residents, who will look after and maintain common areas of landscape, POS, SUDs and estate access drives.

Waste

Sum to be determined (estimated at £2,500)

Education

Sum to be determined (estimated at £35,000)

Libraries

Sum to be determined (estimated at £7,500)
