



Our Ref: 1225 TK/TK

5 Jun 2023

DRAFT HEADS OF TERMS Section 106 Agreement

Proposed residential development at Holehouse Mill, Chisworth Application ref HPK/2017/0087

1. Locations of proposed development (address and postcode of the site)	Holehouse Mill, Chisworth, SK13 5DH
2. Applicant(s) full name and address Please insert the full name(s) and address(es) of the persons submitting the planning application	Prisma Colour Ltd Unit B Thornsett Industrial Estate Birch Vale High Peak SK221AH
3. Is the applicant the legal owner of the application land?	no (delete as appropriate) If no: Please provide the legal owner's full name and address below: Miranda Jayne Johnson Unit B Thornsett Industrial Estate Birch Vale High Peak SK221AH

4. If the applicant is not the owner, do they have an agreement to purchase the land? 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	still in negotiation (delete as appropriate) Additional information: The site is owned freehold by Miranda Jayne Johnson and is understood that it will be transferred to the applicant following grant of planning permission
5. Details of the agent dealing with this matter (if relevant); It is not necessary to have either an agent or solicitor dealing with this for you, however it is recommended	Name: Tom Kelly Company: JDA Address: The Warehouse, Saxon Street. Denton. M34 3DS Telephone: 0161 336 5011 Email: tom.kelly@jda-architects.com
6. Details of the legal representative dealing with this matter (if relevant): It is not necessary to have either an agent or solicitor dealing with this for you, however, it is recommended	Name: TBC Company: Address: Telephone: Email:
7. Title number If the property has been purchased within the last 25 years it will be registered with HM Land Registry and have a tile number, for example, LT123458 proving ownership. Please provide a copy of the register with a title plan	Yes If yes, what is the title number: Title Nos: DY247261 DY176869 DY247262

1.0 These Heads of Terms are set out on behalf of Prisma Colours Ltd to inform the preparation and negotiation of a Section 106 agreement with High Peak Borough Council to support planning application HPK/2023/0118 for residential development.

2.0 These Heads of Terms are submitted as part of the application on a without prejudice basis and are subject to the receipt of formal consultation responses and evidence from those to whom

the obligation are to be given that the obligation satisfies the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010.

This requires that planning obligations set out in a section 106 agreement must be:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.

Based on the content of the Council's Development Plan, Supplementary Planning Document SPD1 2005 and other information available at the time of submission of the planning application it is envisaged that the section 106 agreement **may** include obligations 1, 2, 3, 6, and 7 from the topic areas listed in SPD1 and summarised below:

1. Affordable Housing
2. Open Space
3. Education
6. Transportation
7. Drainage Works

All the above and any additional requested contributions as may be forthcoming will be subject to overall scheme viability as recognised by relevant policies of the adopted Development Plan and promoted by Paragraphs 173 and 205 of the National Planning Policy Framework.

Prepared on Behalf of Prisma Colour Ltd JUNE 2023

Yours faithfully



Tom Kelly

For and on behalf of Jennings Design Associates