

Please reply to:

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Our ref:
Your ref:
Date:

Dear Applicant/Agent,

CHANGES TO THE WAY SECTION 106 AGREEMENTS ARE HANDLED

This Council are committed to processing planning applications within the timescales set by the government. To achieve this the Council are seeking to ensure that any Legal Agreement which is required to accompany a grant of planning permission is negotiated and prepared at the earliest opportunity, and prior to the reporting of the application to Committee. The information pack accompanying this letter has been put together to assist applicants in this process.

The Council encourage pre application discussions on all schemes. The Planning Officer will inform the applicant of the need for a Legal Agreement as soon as this becomes apparent in the course of discussion. The planning officer will seek to agree the heads of terms of the agreement with the applicant at that stage and will instruct the Council's solicitor to prepare a draft agreement as soon as it is clear what the agreement will secure. Instruction to the Council's solicitor will only be given on those schemes likely, in the opinion of the planning officer, to obtain permission and on those which are likely to be submitted to the Council in the near future.

Once an application has been considered by the Committee the Council will not usually allow discussion on the terms of the legal agreement to prevent the issuing of the decision within the target period. The Committee resolution will therefore include appropriate reasons for refusal in the event that the legal agreement has not been completed before the target date and the Committee will resolve to refuse the application on those grounds.

Many of the legal agreements issued by the Council relate to the provision of affordable housing. This pack includes a flow diagram specifically relating to those types of proposals together with a template of a typical agreement. Templates of other more general agreements are also included.

I hope you will find this pack useful. If you have any queries on this letter, or the content of the pack, please discuss these in the first instance with the case officer allocated to your proposal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H Morgan', with a large, sweeping flourish underneath.

Heather Morgan
Head of Planning Services and Housing Strategy