



**Wates Developments Limited
Land At Foxhole Farm,
Foxhole Lane,
Bolney,
West Sussex**

Draft Heads of Terms for Section 106 Agreement – April 2025

The planning obligations listed below have been prepared in the light of Policy DP20 of the Mid Sussex Local Plan 2014 – 2031, Policy BLOA4 of the Bolney Neighbourhood Plan September 2016 and policy DPI2 of the Submission Draft Mid Sussex Local Plan 2021 – 2039 (Dec 2023). The substance of the draft Heads of Terms also reflects initial advice received from officers at Mid Sussex District Council and the comments received from Bolney Parish Council and WSCC Highways during pre-application discussions.

The draft planning obligations set out below will only be included in the Section 106 Agreement to the extent justifiable in planning policy terms, in particular paragraph 58 of the NPPF and regulation 122 of the Community Infrastructure Levy Regulations 2010. This will be established following further discussions with officers. This draft assumes that the site will not be subject to Community Infrastructure Levy or any other similar charge. If this is not the case the applicant reserves the right to withdraw or amend any of the planning obligations listed below:

- The provision of up to 60 affordable units¹ (30%) – to be 75% social and affordable rent and 25% affordable ownership products.
- The nomination rights for the affordable housing units will be such that the affordable units will in the first instance be made available to people in housing need with an appropriate connection to Bolney Parish. Thereafter the nomination rights will, if necessary, cascade down to those in need in the neighbouring parishes in Mid Sussex.
- A minimum of 4% of the affordable units to be identified as M4(3) (2) (b) dwellings.
- All dwellings to meet M4(2) standards.
- 2% of all dwellings will be set aside for Self Build.
- The provision of a community building (Use Class F1), to be set aside for use by Kangaroos.
- The provision of up to a minimum level of formal and informal recreational open space across the site as a whole including 2 x Local Equipped Areas of Play and 2 x Local Areas or 'Play on the Way' which together equate to 0.15ha.
- Contributions towards improvements to/ provision of new sports and leisure facilities in Bolney.
- Improvements to existing cycle and pedestrian routes linking the proposed development to Bolney and surrounding countryside, including:
 - Pedestrian improvements to the Street – the development proposals include a scheme of works to improve walking journeys along The Street by providing crossing facilities and new stretches of footway
- Contributions to support and enhance existing bus serves, including but not limited to:

¹ Assuming 200 dwellings are accommodated on site – if not then 30% of the number of dwellings that are accommodated on the site.

- The provision of additional bus stops, upgrading existing stops and improved frequency of the 273 bus between Crawley and Brighton via Bolney.
- The provision of two car club vehicles for three years, with three years free membership for new residents of the site.
- The provision of Bus Taster Passes / Sustainable Travel Vouches to residents of the development to encourage the uptake of sustainable travel.
- The implementation of a Travel Plan to encourage use of sustainable transport modes.
- The provision on site of allotments.
- Contributions towards nursery, primary, secondary and sixth form educational facilities within Bolney / 5km of the site.
- Contributions towards Library Services within Bolney / 5km of the site.
- Contributions towards Youth services within Bolney / 5km of the site.
- Contributions towards Community Learning within Bolney / 5km of the site.
- Contributions towards Social Care within Bolney / 5km of the site.
- Contributions towards Waste and Recycling facilities.
- Contributions towards the Local Primary Care Trust for use within 5km of the site
- The Payment of the District Council's reasonable legal costs in entering the section 106 agreement and administering it, up to a maximum limit.
- Contributions to be paid in instalments.
- Contributions to be subject to indexation.
- Any contributions not spent within 5 years to be repaid to the developer.