

LEGAL SERVICES MEMORANDUM

TO: Steve Ashdown
Head of Development
Management

DATE: 26/8/2026

CC: Joanne Fisher – Instructing
Officer

OUR REF: PL3: 8479

Accountancy services

Nicholas Royle and Sophie Fuller –
Housing Enabling & Development

Land Charges

FROM: Section 106 Monitoring
Solomon Agutu

YOUR REF: DM/24/2922

Solicitor Legal Services

SUBJECT: Planning Obligation pursuant to S.106 Town and Country Planning Act 1990 (as amended) – relating land at Holyrood House, Ardingly Road, Haywards Heath, West Sussex, RH16 2QY

Please find attached an electronic copy of the S.106 Agreement completed in this matter. Please note the following:-

Date of the S.106 Agreement: 26 August 2026
Parties:

MID SUSSEX DISTRICT COUNCIL	(1)
WEST SUSSEX COUNTY COUNCIL	(2)
THE DISABILITIES TRUST	(3)
SAINT MARKS PROPERTIES (XVII) LIMITED	(4)

The main provisions of the S.106 Agreement include:-	
Description	Detail
Affordable Housing	Contribution of £420,000 subject to Late Stage Viability Review
Indexation and Interest	The Planning Obligation contains provisions for indexation and interest where applicable
Repayment Contributions	The Contributions set out below which are due to the District Council may become repayable if unexpended within a period of 10 years from the date payment is received
Monitoring fees	For developments between 16 and 100 dwellings, and including commercial developments - £450 per obligation

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The S.106 Agreement provides for the following contributions to be paid:-

Contribution Description	Amount (£)	Expenditure Project	Trigger for Payment
County Council Contributions			
Education (Primary)	31,307	additional facilities at Lindfield Primary Academy, or another primary school in the planning area of Haywards Heath	Prior to Commencement
Education (Secondary)	33,694	additional facilities at Oathall Community College or another secondary school in the planning area of Haywards Heath	Prior to Commencement
Library	6,876	Haywards Heath Library	Prior to Commencement
Travel Plan Audit Fee and Travel Plan			Prior to Commencement
Total Access Demand	35,806	Scheme	Prior to Commencement
District Council Contributions			
Affordable Housing Contribution	£420,000 subject to Advanced Stage Viability Review		
Formal Sports	17,190	Hickmans Lane and/or Lindfield Common	Prior to Commencement
Kickabout	12,608	Hickmans Lane	Prior to Commencement
Playspace	15,010	play equipment at Hickmans Lane	Prior to Commencement
Community Buildings	17,190		Prior to Commencement
Local Community Infrastructure	12,572	on any one or more of the following Routes for pedestrians, cyclists and equestrians and/or Local signage and/or Burial Grounds and/or New Speed Indicators and/or Allotment provision and/or Bus Shelters – new or replacement and/or Public Right of Way and/or Telephone Kiosk Box on Lindfield High Street – a project to install a defibrillator within the area of Lindfield Parish Council and/or Lindfield Rural Parish Council	Prior to Commencement
SAMM	22,230		Prior to commencement
SANG	99,807		Prior to commencement



BNG Monitoring Fee	12,000		Prior to the issue of the BNG certificate [schedule 5 para 1.2.8]
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The Monitoring Costs of £3600 have been paid upon completion which has been allocated to ledger code 10-1453-1001-50098 (o/s) under Invoice reference 4102854144.

The details and a copy of the S.106 Agreement are being copied to land charges to enable the same to be registered as a local land charge.

My documents relating to this matter are held in file reference 8479 and will be stored for a minimum of 6 years electronically. There will be no hard copy. I would ask you to quote this reference in the future should you have any queries or require any further advice/action to be taken in connection with this matter.

If I can be of any further assistance please do not hesitate to contact me.
Kind regards.

Solomon Agutu

Planning Lawyer