Wiltshire Council

NORTH MEADOW AND CLATTINGER FARM SPECIAL AREA OF CONSERVATION

Recreational Impacts Mitigation Contribution for the

INNER ZONE: 0 KM TO 4.2 KM

AGREEMENT UNDER S.111 of LOCAL GOVERNMENT ACT 1972

Please submit a signed copy of this agreement with your planning application or on request from the Council. Failure to do so could delay the determination of your planning application.

Guidance notes for this agreement are available on the Council's website and should be referred to before completing the form below.

To Development Management
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8 JQ

1. Application Details

Date	21/10/24
Application reference number: (if known)	PL/2023/10758
Address of property	Land on Victory House, Stones Lane, Cricklade, SN6 6JW
Description of development	3 bed detached property
Full Name(s) of applicant(s) (add contact name if applicant is an organisation)	Christopher Ian Bendrey

Correspondence address of applicant	Victory House, Stones Lane, Cricklade, SN6 6JW
Number of new residential / holiday units within the inner zone of influence (0 km to 4.2 km from North Meadow SAC) £803/unit	1 no. residential property
Recreational Impacts Mitigation Contribution [Number of units x £803	£803.00
Section 111 Legal Fee	£275.00
Total fee	£1078.00

2. Applicant's agreement

2.1 I hereby acknowledge and agree that:

2.1.1 I will pay the Recreational Impacts Mitigation Contribution and administration fee towards the delivery of the mitigation measures set out in the *North Meadow and Clattinger Farm SAC interim recreation mitigation strategy 2023-2028 (May 2023)* on receipt of the relevant invoice and prior to determination of the Application.

2.1.2 I have read the *North Meadow and Clattinger Farm SAC interim recreation mitigation strategy 2023 – 2028 (May 2023, as may be amended from time to time)* and I am making this payment as contribution to mitigation of the significant effect of the development set out in the Application on the North Meadow SAC as referred to by the Strategy.

2.1.3 This contribution has been made pursuant to Conservation of Habitats and Species Regulations 2017 (as amended) and Section 111 of the Local Government Act 1972.

2.1.4 I have been informed of the opportunity to complete a unilateral planning obligation in accordance with Section 106 Town and Country Planning Act 1990 to make the Recreational Impacts Mitigation Contribution when development commences, and I have chosen to make the direct payment as an expeditious alternative to relying on such a unilateral planning obligation.

2.2 I understand that:

2.2.1 No refund of this Recreational Impacts Mitigation Contribution will be made unless the Application does not receive approval (whether or not with conditions) or is withdrawn.

2.2.2 In respect of any refund including where the Application is withdrawn, I acknowledge that:

2.2.2.1 The total amount refunded will be the sum of the original Recreational Impacts Mitigation Contribution payment less the administration fee.

2.2.2.2 No interest will accrue to be refunded.

2.2.2.3 No refund will be made until the period for appeal has passed without an appeal being made or an appeal has been dismissed or six months has elapsed since the date of withdrawal.

2.2.2.4 If an appeal against refusal is made and is allowed by the Planning Inspectorate no refund will be made.

2.2.3. Refunds will only be made if a request for a refund is received in writing (sent to cilands106@wiltshire.gov.uk) and made within 12 months of the date of determination of the application (but not before the period set out under 2.2.2.3) or within 12 months of the date of any appeal decision, whichever is the later.

2.2.4 If the planning permission is varied by a section 73 application or amended, then the contribution may be used to cover the *North Meadow and Clattinger Farm SAC interim recreation mitigation strategy 2023-2028 (May 2023)* due for that application.

3. Wiltshire Council's Agreement

3.1 In consideration of the Applicant's agreement, Wiltshire Council will apply the Recreational Impacts Mitigation Contribution in accordance with the North Meadow and Clattinger Farm SAC interim recreation mitigation strategy 2023-2028 (May 2023, as may be amended from time to time).

3.2 For the avoidance of doubt, this Agreement does not: (i) constitute advice on the merits of the Application or the viability of the development referred to in the Application, (ii) guarantee that the Application will be successful or that objections or conditions will not be made, or (iii) bind or commit Wiltshire Council in any way in respect of any planning application.

4. General

This legally binding agreement shall be governed by the laws of England and each party submits to the exclusive jurisdiction of the English courts.

Signature of applicant

[redacted]

(digital signature is acceptable)

Application reference number PL/2023/10758

Received on behalf of Wiltshire Council

By Teresa Cain for and on behalf of Perry Holmes, Solicitor to the Council, Wiltshire Council (authorised officer)

Of LEGAL SERVICES (name of department)

on 17 DECEMBER 2024 (date)

This receipt signifies the agreement on behalf of Wiltshire Council to this s.111 Agreement.

A copy signed by both the applicant and on behalf of the Council will be sent to the applicant. Please retain the copy for your records as it is an important legal document.