

Kilnwood Vale - S106 Deed of Variation – Heads of Terms

Site	Kilnwood Vale, Faygate, West Sussex, RH12 0AQ
Transaction	A Deed of Variation (DoV) to the Site wide S106 agreement reference – 1174/1179 in relation to Outline Planning consent – DC/15/2813. The Transaction is to regularise the development trigger dates shown in Appendix 1 to ensure they accurately reflect the delivery programme that has been agreed between the Developer and Local Authority
Developer	Crest Nicholson PLC
Developer Contact	Sebastian Skinner Senior Land and Planning Manager Email: [REDACTED] Phone: [REDACTED]
Local Authority	Horsham District Council
Local Authority Contact	Jason Hawkes Principal Planning Officer Email: [REDACTED] Phone: [REDACTED]
Developer Solicitor	Andrew Morgan DAC Beachcroft LLP Email: [REDACTED] Phone: [REDACTED]
Local Authority Solicitor	TBC TBC Email: [REDACTED] Phone: [REDACTED]
DoV Changes	See Appendix 1 table below.

Appendix 1

Obligation	Current Trigger	Revised Trigger
Open Space Delivery and Transfer Trigger – Leisure Park & Kilnwood Vale Park	1,009 dwellings	Leisure Park 1,450 dwellings Kilnwood Vale Park 1,650 dwellings
SUDs Delivery & Transfer	1,009 dwellings	1,778 dwellings
Community Centre Delivery	1,159 dwellings	1,500 dwellings
Sports Pavillion Delivery	1,159 dwellings	1,650 dwellings
Public Art	Prior to occupation of each phase (Phase 2/3)	1,709 dwellings Wording to capture that one piece of public art is to be installed only within Phase 3 (Neighbourhood Centre phase). This installation is to be an amalgamation of the monies that were for both phase 2 and 3 as Crest never installed anything on phase 2. Details of public art to be submitted for approval of HDC.
Employment Land and Retail Facilities	None Note: Marketing Period 30 months	Both to be amended to a marketing period of 12 months. Crest obligated to market the employment land and retail facilities to ascertain interest (if any). Provisions to cascade out some or all of the employment land to other uses including residential depending on market demand. Retail facilities, specifically the public house to have provisions to cascade out to other “E” use classes. Market demand to be proven through proper marketing period (12 months) by competent agency to be instructed by Developer. Details of the marketing advertising proposal needs to be submitted to HDC for approval prior to marketing commencing. Details of all the offers received need to be submitted to HDC for approval prior to agreeing to the release of this land for other uses (to be secured in a separate planning permission).
Railway Station Car Park	1,509 dwellings	Text added that allows for the obligation to fall away once Network Rail have provided written confirmation that the

		station no longer forms part of their wider development strategy. WSCC (as the Transport Authority) to confirm that the station no longer forms part of their strategy.
Primary Care Site	None	To be removed as no longer required. Previously confirmed by ICB.