



Lammas Low Impact Initiatives Ltd

Conditions

**Lammas' proposal for a workable section 106
agreement**

November 2008



Site Model detail

Intro

Given our experience to date of dealing with Pembrokeshire County Council (PCC) Planning Department we have grave reservations about the prospect of productive future negotiations with PCC planning officers regarding section 106 agreements and discussing future amendments to the designs.

Thus we are proposing what we consider would be a viable set of conditions for such a development, so that future negotiations can proceed with clarity.

Planning Conditions

• General

- That the permission be exclusively granted to Lammas Low Impact Initiatives Ltd.
This is to ensure the long-term aims of the project are maintained.
- That permitted development rights be withdrawn.
This is to ensure that the low-impact aims of the project are not undermined by permitted development rights.
- The use of the site shall be carried out only in accordance with the aims and objectives as set out in section 2 of the Management Plan, submitted with the planning application, unless otherwise agreed in writing with the LPA.
It is important that Lammas have a degree of flexibility over how they run the project. It is equally important that the ethos and objectives of the project are adhered to. Thus we propose that Lammas has the freedom to alter the detailed methodology involved in managing the project, whilst the broad objectives are fixed. For example, should Lammas need to consult with the LPA every time it amends the detail within its management plan (which is a working document), it would create a huge burden of unnecessary bureaucracy.

• Temp accommodation

- There shall be a maximum of 10 units of temporary residential accommodation on the site for a period of 3 years. These shall be sited across the land in areas of low visual impact.
One unit for each household and one unit for any hub workers.
- There shall be 7 units of temporary office accommodation permitted for a period of 3 years. These shall be sited across the land in areas of low visual impact.
One for each area of building works

- **Annual Monitoring Report (AMR) – including parameters**

- No later than 1st December each year, commencing with 1st December 2011, Lammas shall submit to the LPA, an annual monitoring report giving details of the activities carried out during the previous 12 months in the format described in section 10 of the submitted management plan.
- That the proposed format may be subject to change with the approval of the LPA.
- That all new residents are exempt from AMR calculations for a 3 year period, allowing them time to establish a sustainable lifestyle on the land.
The thinking behind this is to allow new residents (who will be implementing their own new land-based businesses and activities) 3 years before needing to demonstrate that they are meeting 75% of their household needs from the site. This provision is stipulated in the SPG.
- Similarly households consisting of elderly or infirm residents who have worked their plots in the past should be exempt from the 75% productivity target.
- That Lammas is only expected to meet the 75% Productivity target after 5 years.
- That should Lammas fail to meet the 75% Productivity Target under this agreement, then Lammas should supply sufficient reasoning why that is the case and a plan as to how it will be remedied.
- Should Lammas consistently fail to meet the 75% Productivity Target under this agreement, and PCC is unwilling to renegotiate the terms of this agreement, or should Lammas make substantial changes to sections 2 or 10 of its management plan without the agreement of PCC, then PCC has the right to withdraw planning permission for the development. If however Lammas contests this withdrawal of permission, then it will be temporarily postponed whilst a mutually agreed independent body will be appointed to make a final decision on the matter, following written reports by both parties.
- Should PCC withdraw planning permission, Lammas will be obligated to remove all non-agricultural structures from the land and return it to an agricultural condition.

- **Traffic**

- That should the number of vehicle trips generated by the project exceed either targets in the Traffic Management Plan of **25,278 vehicle trips per year in year 1** and **17,810 vehicle trips per year in year 5**, then, in accordance with policy 127, Lammas will be required to pay £2,500 per dwelling to the Local Highway Authority for mitigation works in the locality. That the emphasis will be upon Lammas to provide evidence of vehicle trips generated by the project.
- That the new track and entranceway are constructed to ensure adequate access and prevent loose material being carried onto the highway.

These traffic conditions have been based on the Highways Report to the Director of Development (26.08.08)