

**S106 Agreement checklist for EIA matters.**

Issue	Where Covered	Trigger	Detail	Sign off received?
<b>Affordable Housing</b>	S106 OPA	Tied to delivery thresholds for open market housing. 17% AH to be delivered at each threshold before more open market can be occupied.		
<b>Highways</b>	S106 OPA	Opening of access to Churchtown Rd for cars.	Provide footpath to Phillack	
	S106 OPA	Grampian Conditions imposed by Highways Agency	Improvements to Loggans Moor Rdbt	
	S106 OPA	Council or HA require works to St Erth Rdbt. Serve notice on developer.	Improvements to St Erth Rdbt.	
	S106 OPA	Council or HA require works to Double Mini Rdbt. Serve notice on developer	Improvements to Double Mini Rdbt.	
	S106 OPA	>500 trips per hour arising from the Development.	Improvements to Foundry junction.	
	S106 OPA & DPA	Phased delivery.	Car parking.	
	S106 OPA	Reserved Matters applications.	Travel Plan	
<b>Public Realm</b>	S106 OPA	Reserved matters applications.	Green space, Public realm.	
	S106 OPA	Reserved Matters applications	Management plan for green space / public realm.	

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<b>Sustainable Transport</b>	S106 OPA OPA Conditions	Before occupation of any building.	Walking and cycle routes. Improvement to rail station.	
	S106 OPA	Before occupation of 51 <sup>st</sup> dwelling or 1000sqm non-residential gross floor space.	Bus stop infrastructure. St Erth Park and Ride.	
	S106 OPA	Two years after occupation of first dwelling or as required by Council if need identified sooner.	Hopper bus.	
	S106 OPA	15 Year time limit Council to approve landscape scheme.	Transfer of station access land to rear of Penpol Tce.	
<b>Heritage</b>				
<b>South Quay breach</b>	S106 OPA	Occupation of 350 dwellings.	Repair of breach.	
<b>Pattern Building</b>	S106 OPA	Submission of viable redevelopment scheme to developer.	Transfer of Pattern Building to Council.	
<b>Goonvean Engine</b>	S106 OPA	Submission of viable redevelopment scheme to developer.	Provision of site.	

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<b>Ecology</b>				
<b>Dune Mitigation</b>	S106 OPA & DPA	Commencement of work on Hilltop car park.	Mitigation of impacts on dune system, Direct, indirect and future.	
	S106 OPA	Occupation 101 <sup>st</sup> dwelling (Not South Quay)	Financial contribution towards a dunes officer.	
	S106 OPA & DPA	6 months before commencement on Hilltop car park.	Creation of dune habitat on Harveys Towans car park.	
	S106 OPA & DPA	6 months before commencement on Hilltop car park.	Management of sea buckthorn.	
	S106 OPA	First reserved matters application for Hilltop.	Creation / restoration of dune habitat at Riviere Dune Grassland Restoration Area.	
<b>Construction Environment Management Plan</b>	S106 DPA DPA Conditions	Before commencement of development.	Baseline studies. Site waste and traffic management.	
	S106 DPA	Before commencement of development.	Prevention of aquatic pollution.	
	S106 DPA	Construction and post-construction phase.	Monitoring and mitigation	
<b>Management</b>	S106 OPA	Reserved Matters application	Submit ecological management plan and CEMP.	

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<b>Harbour</b>	S106 OPA & DPA	2 months before commencement of removal of Cockle Bank	Dredging	
	S106 OPA	2 months before commencement of removal of Cockle Bank	Provision of mitigation land as shortlisted in the Spalding Report.	
	S106 OPA	Notice served by Council.	Study of impacts of marina and any mitigation proposals.	
	S106 OPA & DPA	Completion of S106	Maintenance of Harbour Walls.	
	S106 OPA & DPA	Construction of harbour arm.	Timber fendering for colonisation.	

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<b>Education</b>	S106 OPA	Occupation of market housing.	Financial contribution.	
<b>Primary Health Facilities</b>	S106 OPA	Occupation of market housing.	Financial contribution.	
	S106 OPA	Site available for 1 year.	Medical practitioners' practice.	
<b>Sustainability</b>	S106 OPA	Reserved Matters applications.	Energy strategy to reduce CO2 emissions.	
<b>Compliance with design codes and development framework.</b>	S106 OPA OPA Conditions	Reserved Matters applications.	Tie development to the remit of the Environmental Impact Assessment as set out in the submitted Environmental Statement.	

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<b>Conditions</b>	OPA	Reserved Matters applications. (RM)	Process for dealing with numerous and diverse Reserved Matters applications.	
	OPA	RM	Development brief.	
	OPA	Before submission of Development Brief for Riviere Fields character area.	Submit Development Framework and Design Codes for Riviere Fields.	
	OPA	RM	Accompanying statement as to how proposals comply with Framework, Codes and Brief.	
	OPA	RM	Accompanying statement addressing Conservation Area and World Heritage Site heritage principles.	
	OPA & DPA	RM	Archaeological Investigation.	
	OPA	RM	Flood risk mitigation.	
	OPA	RM Penpol half tide gate.	Study to demonstrate no adverse impact.	
	OPA	Further study	Opening of Riviere Fields and Churchtown Road junction to traffic other than emergency vehicles and buses.	
	DPA	Before commencement of development.	Details for reuse of railway infrastructure and of development in vicinity of the Stable Block.	

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<b>Conditions</b>	DPA	RM	Materials	
	DPA	RM	Site Waste Management Plan	
	DPA	Before first use by pedestrians / cycles.	Bird screen to be added to Copperhouse Bridge.	
	DPA	Ongoing	Maintenance access to Environment Agency Copperhouse Pool flood gate.	
<b>Informative</b>	OPA & DPA	Commencement of works.	Public Rights of Way to be available, safe and convenient.	
	<b>Issue</b>	<b>Action</b>	<b>Resolved?</b>	
<b>Other Matters</b>	Does development meet PPS9 requirement for mitigation and compensation of impacts?	Sign off of S106 agreement for OPA and DPA by Environmental Consultees. Second report to Planning Committee – 24 <sup>th</sup> March 2009 advises a site would be delivered in accordance with PPS9.		
	Construction of new road bridge.	Subject to separate consents being required from Natural England, Environment Agency and agreement of RSPB.	Action for developer.	

	<p>Sole use of listed swing bridge to provide access to North Quay. Prevent need for new bridge and visual impact on WHS and listed swing bridge.</p>	<p>Meeting held with officer, Councillors, highways and bridge specialists and applicant representative and bridge owner. Outcome is although technically possible matters such as difficult manoeuvres for large vehicles, concern over bridge structure, lack of pedestrian access and liability for the Highways service makes option for new bridge the more viable option.</p>	<p>Yes – reported to Planning Committee.</p>	
	<p>Retention of the listed stable block on North Quay.</p>	<p>Discussed with applicant.</p>	<p>Stable block to be retained and incorporated into the public realm.</p>	
	<p>Representations from the public.</p>	<p>Considered by Planning Committee.</p>	<p>Planning Committee approval subject to S106 and Conditions.</p>	
	<p>Listed Building Consents</p>	<p>All original applications withdrawn.</p>	<p>Applications to be updated, revised and submitted afresh.</p>	

