



Land west of York Road, Market Weighton

Planning, technical & legal pack

Land west of York Road, Market Weighon

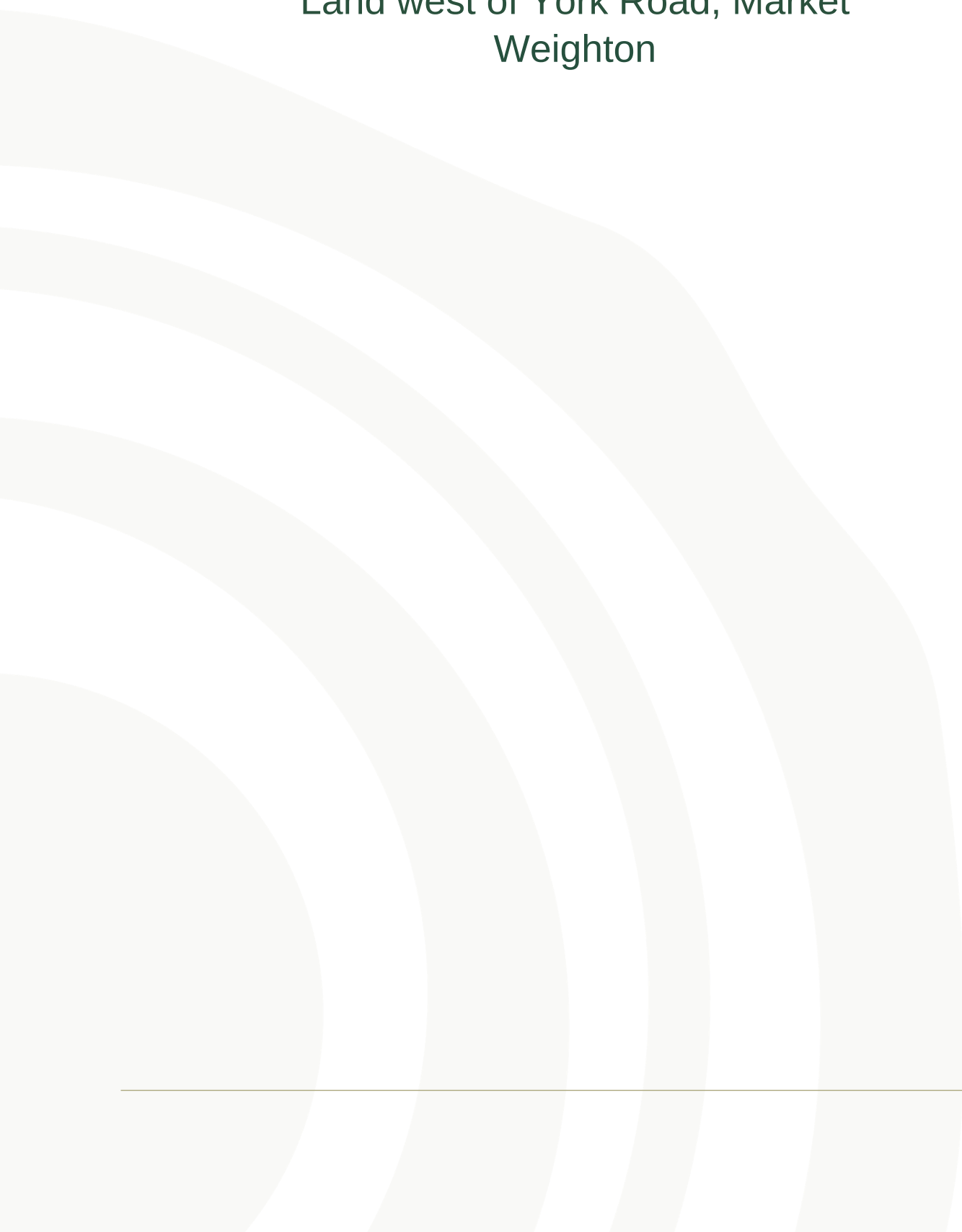


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1.0 Executive Summary

1.1 Overview

- 1.1.1 This Planning, Technical and Legal Pack has been prepared to provide guidance and information to interested bidders in respect of Richborough's site located at York Road, Market Weighton (hereinafter referred to as the "Site").
- 1.1.2 This document summarises the key characteristics of the Site and our preferred disposal strategy; providing commentary and guidance on the planning, technical and legal requirements. Throughout the document 'signposting' is provided to relevant reports and documents which are located in the data room.
- 1.1.3 To assist your team, a constraints plan has been prepared in-house. This includes all known on-site utilities and other relevant constraints.



see 'B_Supporting Info > B_03_Constraints Plan'

- 1.1.4 The appointed Selling Agent is H&H Land & Estates.
- 1.1.5 It is the intention to appoint a preferred development partner(s) for this opportunity following the evaluation of offers realised from this marketing exercise, which may also include subsequent, in-person, interviews.
- 1.1.6 We trust that this pack provides sufficient detail to enable you and your team to formulate your offer. Any additional queries or questions on any aspect of this pack are welcomed and should be directed to the contacts listed in **Section 2.0 – The Development Team**.
- 1.1.7 Thank you for your interest and we look forward to receiving your offer(s).

1.2 The development opportunity

- 1.2.1 The salient points of the opportunity can be summarised as follows:
- A mixed-use development including low-rise residential, a food store and commercial uses.
 - A gross site area of circa 15.56 acres (6.30 hectares);
 - Principal frontage and vehicular access via York Road;
 - A 1,900sqm food store ("Lot 1");
 - A wide range of commercial uses including B2, B8, E(a), E(b), E(d), E(e), E(f), E(g) and F2(d) ("Lot 2"); and
 - Up to 120 new homes over circa 6.27 acres (2.54 hectares) of residential net developable area, including 25% designated as Affordable Housing ("Lot 3");

1.3 The seller's preferred disposal strategy

1.3.1 The seller's preferred method of disposal is:

- Sale of the Site as a whole;
- Subject only to the grant of Planning Permission for the pending applications.

1.4 Bid requirements

1.4.1 The formal bid, as a minimum, should be accompanied by the following:

- The Purchase Price applicable to each Lot;
- A fully populated version of the bid proforma;
- A proposed layout of your scheme(s); and
- A corresponding Schedule of Accommodation.

1.4.2 If the offer to be submitted is only for part of the Site then it should confirm the Lots offered on and the Purchase Price on the basis of both (i) a serviced parcel and (ii) a bare land parcel including a breakdown of off-parcel costs.

1.5 Bid submission instructions

1.5.1 The bid must be submitted electronically on or before the bid deadline to:

- Harry Jackson, Regional Manager, Richborough [Harry.Jackson@richborough.co.uk];
- Jordan Gresham, Group Disposals Director, Richborough [Jordan.Gresham@richborough.co.uk]; and
- Helen Russell, Development Director, H&H Land & Estates [Helen.Russell@hhlandestates.co.uk]

1.6 Viewings

1.6.1 Viewing of the Site can be achieved from the adjacent footpaths.

1.6.2 If a site walkover is required, please make contact to arrange this via the Selling Agent.

1.7 Developer Interviews

1.7.1 Bidders will, if shortlisted, need to make themselves available for an in-person interview to be held in Leeds City Centre on the days of both Wednesday 10th July 2024 and Thursday 11th July 2024.

2.0 The Development Team

2.1.1 In the first instance, all bidders are kindly requested to liaise directly with the principal development team contacts before contacting any of the wider development team listed overleaf.

2.2 Selling agent



Helen Russell
Development Director, H&H Land & Estates



+44 (0) 7516 729 585



Helen.Russell@hhlandestates.co.uk

2.3 Richborough main contacts



Jordan Gresham (Lead Contact)
Group Disposals Director, Richborough



+44 (0) 7917 643 087



Jordan.Gresham@richborough.co.uk



Harry Jackson
Regional Manager (North), Richborough



+44 (0) 7494 153 062



Harry.Jackson@richborough.co.uk

2.4 Richborough supporting contacts



Dean Knight
Group Technical Director, Richborough

○ +44 (0) 7498 180 302

✉ Dean.Knight@richborough.co.uk



Richard Holdcroft
Senior Technical Co-ordinator, Richborough

○ +44 (0) 7495 622 380

✉ Richard.Holdcroft@richborough.co.uk



Haydn Jones
Planning Director (Western Division), Richborough

○ +44 (0) 7496 009 619

✉ Haydn.Jones@richborough.co.uk



Charlotte Lewis
Group Design Director, Richborough

○ +44 (0) 7966 967 235

✉ Charlotte.Lewis@richborough.co.uk

2.5 Consultant team

Discipline	Contact	Email
Affordable housing	Rob Huntley, Pioneer PS	Rhuntley@pioneerps.co.uk
Air quality	Claire Meddings, BWB Consulting	Claire.Meddings@bwbconsulting.com
Arboriculture	Jack Jewell, Tyler Grange	J.Jewell@tylergrange.co.uk
Design	Ben Williams, Nineteen47	Ben.Williams@nineteen47.co.uk
Drainage	Paul Smith, PJS Consulting	Paul.smith@pjs-ce.co.uk
Ecology	Chris Shaw, Brooks Ecological	cs@brooks-ecological.co.uk
EIA	N/A	N/A
Geo-environmental	Paul Smith, PJS Geo	Paul.smith@pjs-ce.co.uk
Heritage (Built)	Myk Flitcroft, RPS	Myk.Flitcroft@rpsgroup.com
Heritage (Archaeology)	Myk Flitcroft, RPS	Myk.Flitcroft@rpsgroup.com
Landscape	Rob Mayers, Tyler Grange	Rob.Mayers@tylergrange.co.uk
Lighting	Peter Davis, Rolight Limited	PDavies@rolight.co.uk
Noise	Claire Meddings, BWB Consulting	Claire.Meddings@bwbconsulting.com
Odour	Claire Meddings, BWB Consulting	Claire.Meddings@bwbconsulting.com
Planning consultant	Alice Routledge, Asteer Planning	alice.routledge@asteerplanning.com
Planning solicitor	Oliver Martin, Bickley Martin	Oliver@bickleymartin.com

Public consultation	Alice Routledge, Asteer Planning	alice.routledge@asteerplanning.com
Soil science	N/A	
Surveyor (Topo)	Stuart Nelmes, BWB Consulting	Stuart.Nelmes@bwbconsulting.com
Surveyor (Viability)	N/A	
Sustainability	N/A	
Transport	Gerard Mckinney, HUB Transport Planning	Gerard@hubtransportplanning.co.uk
Utilities	Sam Daulby, Utility Consult	Sam@utilityconsult.co.uk
Vibration	N/A	

2.6 Key contacts at the council

- 2.6.1 You should seek permission from Richborough before making any contact with East Riding of Yorkshire Council (the “Council”).

3.0 Site location and boundary

- 3.1.1 The development opportunity as shown broadly outlined in red in **Figure 1** below, is situated to the north-west of Market Weighton, within the East Riding of Yorkshire.
- 3.1.2 The centre of Market Weighton is approximately 1.1 kilometres to the east of the Site.
- 3.1.3 The market and Minster town of Beverley is approximately 19 kilometres to the east. The City of York is approximately 28 kilometres to the north-west and the city centre of Hull is approximately 30 kilometres to the south.
- 3.1.4 Market Weighton is an established commuter town with connections to the A1079 to the west.
- 3.1.5 The Site itself extends to approximately 15.66 acres (5.64 hectares) and comprises of two large, irregular-shaped agricultural fields in active arable use. The boundaries are well-defined with hedgerows interspersed with trees.



Figure 1 - Aerial image



see 'A_01_Planning Application > Location Plan'

4.0 Planning

4.1 Planning policy

4.1.1 The adopted Development Plan comprises the following Development Plan Documents (“DPD”):

- East Riding Local Plan Strategy Document (April 2016) (‘LPS’);
- East Riding Local Plan Allocations Document (July 2016) (‘LPAL’);
- Joint Waste Local Plan for Kingston Upon Hull and the East Riding of Yorkshire (November 2004);
- East Riding of Yorkshire and Kingston upon Hull Joint Minerals Local Plan (November 2019).

4.1.2 The northern field forms part of a wider employment allocation under Policy MW-F.

4.1.3 The southern field forms part of a wider residential allocation under Policy MW-B.

4.1.4 The Council is currently progressing a Local Plan Review (2020-2039), whereby the two allocations will be carried forward and the permitted uses under MW-F is being expanded to allow retail in addition to employment uses.

4.1.5 The Council published their Proposed Submission Local Plan Update for consultation in October 2022, which was submitted to the Planning Inspectorate on the 31 March 2023.

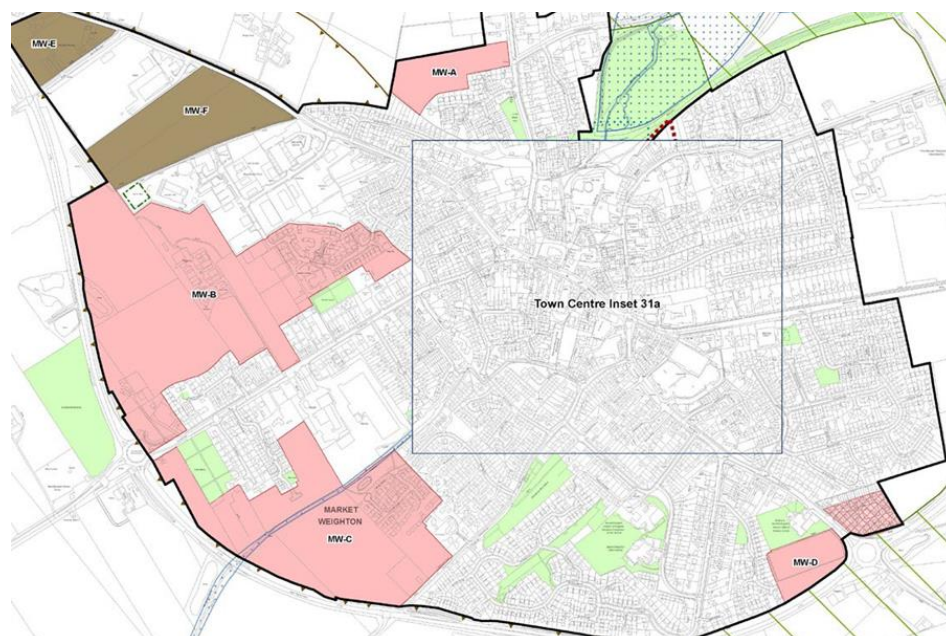


Figure 2 – Extract of Adopted Policies Map

4.2 Planning application

Outline Planning Application

- 4.2.1 Following extensive engagement with the Council, County Council, Key Stakeholders and the local community, an outline planning application was submitted and subsequently validated on 27 April 2022 under planning reference **22/01242/STOUT**.
- 4.2.2 The outline planning application is for all matters reserved save for access in detail. The description of development is as follows:



[Outline planning application for Mixed use development comprising residential development \(Use Class C3a\) with employment, commercial and other community floorspace \(Use Class B2, B8, E\(a\), E\(b\), E\(d\), E\(e\), E\(f\), E\(g\), \(F2\(d\)\) with associated drainage, pumping station and other infrastructure \(Access to be considered\)](#)

Click the icon above to visit the link.

- 4.2.3 A copy of the planning application is in the data room.
- 4.2.4 The application was presented to the planning committee on 20 July 2023 and obtained a Resolution to Grant subject to completion of a Section 106 Agreement. Planning extensions have been agreed with the LPA to finalise the conditions and Section 106 Agreement.

Full Planning Application

- 4.2.5 A separate full planning application was submitted at the same time as the outline under planning reference **22/01241/STPLF**.
- 4.2.6 The description of development is as follows:



[Erection of a Foodstore \(Use Class E\) with associated access, spine road, pumping station, car parking, servicing, landscaping and other infrastructure](#)

Click the icon above to visit the link.

- 4.2.7 A copy of the planning application is in the data room.
- 4.2.8 The application was presented to the same planning committee as the outline planning application and also obtained a Resolution to Grant subject to completion of a Section 106 Agreement.



see 'A_01_Planning Application'

4.3 Planning conditions

- 4.3.1 A set of draft conditions has been made available from the Council which can be found in the data room.



see 'A_02_Decision Notice and Planning Officer's Report'

- 4.3.2 The planning conditions are still in draft form given the status of the planning application and bidders will be updated on this accordingly.
- 4.3.3 The various technical sections of this Planning, Technical and Legal Pack specify (if known) whether mitigation is to be secured via a planning condition or under an obligation within the Section 106 Agreement.

4.4 Planning gain

Section 106 of the Town and Country Planning Act 1990

- 4.4.1 A copy of the travelling draft Section 106 Agreement are within the data room.



see 'A_03_Planning Agreement'

Community infrastructure levy

- 4.4.2 The Council does not have an adopted CIL Charging Schedule.

Affordable housing provision and mix

- 4.4.3 On-site Affordable Housing requirement of 25% of the total number of Dwellings.
- 4.4.4 The Affordable Housing Tenure split is as follows:
- 18 no (60%) Affordable Rent;
 - 8 no (27%) First Homes at a minimum discount of 30%;
 - 4 no (13%) Shared Ownership.

4.4.5 The Affordable Housing Mix is believed to be as follows:

Type	Affordable Rent	First Homes	Shared Ownership
1b Apartment	2		
2b Apartment	2		
2b House	6	3	3
3b House	6	3	3
4b House	2	2	2

Financial Contributions

4.4.6 Richborough have paid the anticipated Financial Contributions to be secured within the S106 Agreement which included a sum of £4,000 for the provision of a Traffic Regulation Order and £1,000 contribution towards the Council's legal costs.

5.0 Design

5.1 Vision

- 5.1.1 The overarching vision for the Site is to create an attractive, high quality and sustainable development that integrates the new housing, retail, commercial and open space with the existing landscape setting.
- 5.1.2 The masterplan has followed a landscape-led approach with the existing trees, hedgerows, and surrounding context to integrate a well-connected network of pedestrian and cycle routes, informal open spaces and structural landscaping.



see 'A_01_Planning Application > Illustrative Masterplan'

- 5.1.3 As set out in the Design and Access Statement the design vision includes:
- Creation of a new open space which allows for the formation of a central green space inclusive of footpath routes, play “events” and tree planting;
 - Development of an attractive sustainable drainage system for surface water, consisting of swales which run along the western boundary that is designed to provide storage for up to a 1 in 100 year plus Climate change event; and
 - A legible hierarchy of streets, leading from the proposed primary vehicular access point from York Road contributing to the character of the new place and potential connectivity with the wider residential allocation.



see 'A_01_Planning Application > Design & Access Statement'

5.2 Layout requirements

- 5.2.1 The extent of each Lot and its land-use is fixed as per the Land Use Parameters Plan.
- 5.2.2 The spine road leading from the primary vehicular access off York Road to service Lot 3 (Residential) is also largely fixed in terms of both position and specification.
- 5.2.3 The emergency vehicular access (“EVA”) to the A1079 is also approved in detail and is therefore considered a fixed constraint.

6.0 Technical

6.1 Transport

6.1.1 In support of the outline planning application, the following key documents were prepared:

- Transport Assessment (the “TA”); and
- Travel Plan (the “TP”).

6.1.2 These documents can be found in the data room.

see ‘A_01_Planning Application’

Access/Egress

6.1.3 The proposed access for the Site is via a new single priority T-junction with a ghost island right turn from York Road on the Site’s eastern boundary.

6.1.4 It includes a carriageway width of 6.7 metres and a radius of 12.0 metres, ancillary works include the realignment of the existing carriageway within York Road together with a new footway.

6.1.5 The general access arrangement can be found in the data room.



see ‘B_Supporting Info > B_05_Transport’

Mitigation

6.1.6 The TA concludes the proposed development will have a negligible impact upon the local highway network.

6.1.7 An off-site highways improvement scheme is proposed at the Beverley Road/ Finkle Street roundabout.

6.1.8 The proposed offsite mitigation schemes can be found in the data room.



see ‘B_Supporting Info > B_05_Transport’

Travel Plan

6.1.9 The TP contains several measures to encourage sustainable travel to and around the proposed development, which include:

- Appoint a Travel Plan Co-Ordinator;
- Providing each household with a Travel Pack upon occupation;
- Secure on-plot cycle storage; and
- Travel Plan Contributions via Bus Passes

Public rights of way

- 6.1.10 There is no definitive Public Rights of Way (“PRoW”) through the Site.
- 6.1.11 The nearest PRoW is to the immediate east of the site, accessed from York Road.

6.2 Drainage

Existing sewers

- 6.2.1 The existing sewer records can be found within the data room.



see ‘B_Supporting Info > B_06_Drainage > Sewer Records’

- 6.2.2 There are no recorded sewers within the boundary of the Site.
- 6.2.3 There is an existing Storm Water Culvert across York Road with connecting adopted sewers.
- 6.2.4 There is also an adopted Foul Water Sewer to the east along York Road.

Flood Risk

- 6.2.5 The supporting Flood Risk Assessment can be found within the data room.



see ‘A_01_Planning Application’

- 6.2.6 The Site is shown to be entirely within Flood Zone 1.
- 6.2.7 The eastern parcel has surface water flooding along the northern boundary and at the western end. There is some also surface water flooding associated with the low points within the western residential parcel.
- 6.2.8 There is a risk to the southern-most area of the western parcel from reservoir flooding in extreme events.
- 6.2.9 There is no flood risk associated with sewer flooding, small water bodies or canals and groundwater flooding is considered unlikely.

Surface water strategy

- 6.2.10 The Illustrative Drainage Strategy can be found within the data room.



see ‘B_Supporting Info > B_06_Drainage > Illustrative Drainage Strategy’

- 6.2.11 The eastern (retail and employment) parcel is proposed to have a separate drainage network from the western (residential) parcel.

- 6.2.12 The retail parcel surface water strategy is to convey flows from the retail unit into a pipe run in the spine road and on into a linear attenuation swale along the northern boundary of the Site.

The swale outfalls to a flow control chamber before outfalling into the on-Site watercourse at a restricted rate of 5 litres per second.

Tails are proposed from the Spine Road into the commercial areas to facilitate future connection points.

- 6.2.13 The residential surface water strategy is via an enlarged infiltration basin / swale feature along the western and northern boundaries, with a piped network to convey flows from the residential parcels.

- 6.2.14 Soakaway testing in accordance with BRE365 was carried out and deemed that the infiltration rate was sufficient to safely drain the parcel at the location indicated.

- 6.2.15 Some level raising is anticipated to achieve gravity drainage to parts of the residential parcel.

Foul water strategy

- 6.2.16 As per 6.2.10 above, The Illustrative Drainage Strategy can be found within the data room.



see 'B_Supporting Info > B_06_Drainage > Illustrative Drainage Strategy'

- 6.2.17 The retail and commercial parcels foul water strategy is to convey flows from the retail unit into a gravity-fed pipe run in the Spine Road to the proposed foul water pumping station situated between the two parcels.

- 6.2.18 The residential parcel foul water strategy is to convey flows from the residential parcel via a gravity-fed pipe run into the proposed foul water pumping station situated between the two parcels.

- 6.2.19 The developer enquiry confirmed a connection to MH 3015 within York Road, at a pumped rate of 6.7l/s.

- 6.2.20 The foul pump station will be offered for adoption to an appropriate Sewerage Undertaker for future maintenance and operation.

6.3 Utilities

- 6.3.1 A Utilities Assessment Report has been completed by UCL (ref. C1212-001 (Issue 1) dated September 2022 and can be found within the data room.

- 6.3.2 A utility network quotation for the development has been obtained which provides detailed costings. This quote can be found within the data room.

- 6.3.3 Richborough has secured a total load of 548kVA which consists of:

Supermarket Loading – 200kVA

Pumping Station Load – 10kVA

Resi load for 111 plots – 338kVA



see 'B_Supporting Info > B_07_Utilities and HSE > Utilities Assessment Report'

6.4 Energy and sustainability

Sustainability and energy statement

6.4.1 Not a requirement for planning.

6.5 Geo-environmental and geo-technical

Demolition

6.5.1 Not applicable.

Ground Investigation

6.5.2 A Phase 1 Desk Study and Phase 2 Intrusive Site Investigation can be found within the data room.



see 'B_Supporting Info > B_08_Geo-environmental'

6.6 Arboriculture

Tree Survey

6.6.1 A tree survey carried out following BS5837:2012 together with a tree schedule and tree constraints plan can be found within the data room.



see 'B_Supporting Info > B_09_Arboriculture'

Tree preservation orders and/or ancient woodland

6.6.2 Not applicable to the best of our knowledge.

6.7 Ecology

6.7.1 An Ecological Impact Assessment (the "EclA") was submitted in support of the planning application.



see 'A_01_Planning Application > Ecological Impact Assessment'

Ecological designations

- 6.7.2 Impacts on both Statutory (International and National) and Non-Statutory designations or their interests have been ruled out at the Preliminary Ecological Appraisal Stage.

Protected species

- 6.7.3 Great Crested Net ("GCN") populations were noted in ponds near to site.
- 6.7.4 A Natural England Mitigation Licence has been secured for GCN transfer. Further information can be within the data room.

Biodiversity Net Gain ("BNG")

- 6.7.5 Biodiversity Net Gain (BNG) is not mandatory for this site as an Outline Planning Application was submitted prior to the 12th February 2024. This will also be the case for any Reserved Matters Application submitted as a part of the granted Outline permission.



see 'B_Supporting Info > B_10_Ecology'

Nutrient and/or water neutrality

- 6.7.6 Not a requirement for planning.

6.8 Environmental

Air Quality

- 6.8.1 An Air Quality Assessment was submitted in support of the planning application.



see 'A_01_Planning Application > Air Quality Assessment'

- 6.8.2 The resultant findings were that no exceedances or relevant air quality objectives are predicted.
- 6.8.3 A Dust Management Plan is recommended for the construction phase.

Noise

- 6.8.4 A Noise Impact Assessment was submitted in support of the planning application.



see 'A_01_Planning Application > Noise Impact Assessment'

- 6.8.5 The report concluded that standard double glazing such as 4/12/4 with a minimum Rw + Ctr of 27 dB is acceptable for the entire proposed development, however, dwellings immediately

adjacent to the western boundary will require acoustic trickle ventilation achieving a minimum performance of $D_{n,e,w} + C_{tr}$ 32 dB.

Odour

- 6.8.6 An Odour Assessment for planning was submitted in support of our planning application.
- 6.8.7 The report concluded that the piggery was in advanced discussions with a housebuilder and would cease trading therefore it was not considered to represent a permanent source of odour and be of no impact to receptors.

The illustrative masterplan was designed to allow for a Grampian condition restricting the introduction of sensitive receptors in this area whilst the piggery ceases to operate.

- 6.8.8 Since the production of this report, a planning application has been submitted by Persimmon Homes on the former piggery site. Further information can be found within the data room.



see 'B_Supporting info > B_12_Odour'

Vibration

- 6.8.9 Not a requirement for planning.

6.9 Heritage

Archaeology

- 6.9.1 The supporting Heritage Statement, including archaeology, can be found within the data room.



see 'A_01_Planning Application'

- 6.9.2 In addition, a geophysical survey was undertaken, which can be found within the data room.

see 'B_Supporting Info > B_11_Heritage'

- 6.9.3 The report concludes that proposed development within the study site will not affect the significance of any designated heritage asset in the surrounding area.

Built heritage

- 6.9.4 The Heritage Statement, including built heritage, can be found within the data room.



see 'A_01_Planning Application'

- 6.9.5 There are no designated or non-designated heritage assets within or near the Site.

6.10 Landscape and Visual

Appraisal

6.10.1 The supporting baseline Landscape and Visual Appraisal can be found within the data room.



see 'A_01_Planning Application > Landscape Visual Appraisal'

6.11 Soil Science

Agricultural land classification

6.11.1 Not a requirement for planning.



see 'A_01_Planning Application'

6.11.2 The grading of the site is noted as 3a – Good Quality Agricultural Land.

7.0 Legal

7.1 Title

- 7.1.1 The Site comprises registered title, under title number(s) HS70184 and HS262601.
- 7.1.2 The title is subject to a Legal Charge in favour of Richborough which will be released on or before Completion.
- 7.1.3 The Land Registry Title Register and Title Plan can be found within the data room.



see 'C_01_Legal Title'

7.2 Searches

- 7.2.1 A full suite of searches can be found in the data room.



see 'C_02_Legal Searches'

7.3 Contract

Sale Contract Plan

- 7.3.1 A draft contract plan can be found in the data room.



see 'C_03_Contract Plan'

Seller's requirements

- 7.3.2 None.

Tenure

- 7.3.3 Freehold with title absolute.

Vacant possession

- 7.3.4 Vacant possession will be given upon completion.

Legal drafting

- 7.3.5 The Promoter's Solicitor shall produce the first draft of the Agreement.

Obligations

- 7.3.6 The Buyer will covenant with the Seller to:

- Upon written request from the Seller and/or Promoter request confirmation from the Local Planning Authority and (if applicable) the County Council of any unexpended Section 106 Contributions; and
- Obtain a refund of the unexpended Section 106 Contributions, which are to be shared as follows:
 - (a) Seller – 33%;
 - (b) Promoter – 33%; and
 - (c) Buyer – 34%.
- Upon written request from the Seller and/or Promoter provide details of:
 - (a) all payments made under the Planning Agreement;
 - (b) the dates and any particulars of any planning applications (including reserved matters);
 - (c) the date of implementation of the Planning Permission;
 - (d) the number of Dwellings for which contracts were exchanged in the preceding quarter; and
 - (e) the number of Dwellings legally completed in the preceding quarter

7.3.7 All development sales boards, show home signs and all other onsite publicity material together with advertisements, internet sites and brochures applicable to the development shall bear the words at the top of the sign and shall appear prominently in all promotional literature and internet sites, the size of the lettering being no less than 70% of the largest font size used by the Buyer, a reference to:

- 'A development in conjunction with Richborough'

7.3.8 All such detail shall be approved by the Promoter in advance of publication with the Purchaser allowing the Promoter reasonable time to proof and provide approval.

7.4 Overage

7.4.1 In addition to overage relating to any unexpended Section 106 Contributions the bidder should clearly state if they are willing to offer an overage concerning:

- Abnormal Costs;
- Affordable Housing Requirement;
- Affordable Housing Revenue;
- Market Sales Revenue;
- Coverage Enhancement;
- Change of use; or
- Onward Land Sales.

7.4.2 In the absence of an overage relating to Coverage Enhancement, the transfer shall include a restrictive covenant prohibiting the construction of more than 120 Dwellings.

7.5 Legal costs

- 7.5.1 The Buyer is responsible for both the Seller and Promoter's reasonable legal costs.
- 7.5.2 Upon agreement of Heads of Terms, the successful bidder will be expected to provide an unconditional, non-refundable, legal undertaking in respect of the Seller's and Promoter's legal costs within 5 Working Days following agreement of the Heads of Terms.
- 7.5.3 The undertaking will be for a contribution of £40,000.00 plus VAT and reasonable disbursements.
- 7.5.4 The undertaking will permit monthly billing by the Seller and/or Promoter's Solicitor.

7.6 Selling agent costs

- 7.6.1 The Buyer shall pay the Selling Agent's Costs in addition to the Purchase Price, equal to 2% plus VAT of the Purchase Price payable 100% on completion.

7.7 Reliance Letters

- 7.7.1 The Promoter shall prior to completion use reasonable and commercially sensible endeavours to provide Letters of Reliance for the principal report(s) and/or survey(s) and/or drawing(s) produced by third parties in support of the planning application(s).
- 7.7.2 The Letters of Reliance shall include a minimum limit of one million pounds (£1,000,000.00) generally and a minimum limit of five million pounds (£5,000,000.00) for reports including flood risk and intrusive site investigation. The reliance shall be given for a minimum term of six (6) years from the date of the relevant drawing or report.
- 7.7.3 For the avoidance of doubt, no reliance is provided for any report and/or survey and/or drawing produced by the Promoter whereby any prospective buyers should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them.

7.8 Value added tax

- 7.8.1 It should be assumed that the Seller has made an election to tax in respect of VAT, which will be payable in addition to the purchase price.

Misrepresentation Act 1967

The Promoter gives notice that:

The particulars are set out as a general outline only for the guidance of prospective buyers and do not constitute, nor constitute part of, an offer or contract. All descriptions, dimensions reference to condition and necessary permissions or use and occupation and other details are given in good faith and are believed to be correct, but any prospective buyers should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them.

8.0 Data Room Structure

A_01_Planning Application

A_02_Decision Notice and Planning Officer's Report

A_03_Planning Agreement

B_Supporting Info

B_01_Ordnance Survey Data

B_02_Topographical Survey

B_03_Constraints Plan

B_04_Layout

B_05_Transport

B_06_Drainage

B_07_Uilities & HSE

B_08_Geo-environmental

B_09_Arboriculture

B_10_Ecology

B_11_Heritage

B_12_Odour

C_01_Legal Title

C_02_Legal Searches

C_03_Sale Contract Plan



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