

## Schedule 5

### 1 Green Infrastructure Elements

1.1 The Owners covenant with the Borough Council (subject to clause 8.1) to provide and make available for public use the Green Infrastructure Elements within the Application Site in accordance with the following:

- a) any relevant provisions of the Green Infrastructure and Biodiversity Management Strategy;
- b) the principles set out in the Green Infrastructure and Biodiversity Management Plan;
- c) any relevant Reserved Matters Approvals;
- d) in accordance with the phasing plan approved by condition;
- e) the relevant provisions of this paragraph 1; and
- f) the Allotments Specification at Annex 1 to this Schedule.

1.2 The general location of each of the Green Infrastructure Elements is shown on the Green Infrastructure and Biodiversity Management Plan and the specific location and design shall be determined in the relevant Reserved Matters Approvals.

1.3 Subject to the provisions of paragraph 1.5 of this Schedule and clause 8.1 the Owners shall Complete and make available for public use such of the Green Infrastructure Elements that are to be provided in a Development Parcel and in a Phase in accordance with the Trigger Event as may be specified in relation to a Green Infrastructure Element in the approved Green Infrastructure and Biodiversity Management Strategy or (as applicable) elsewhere in this Deed PROVIDED THAT where neither the approved Green Infrastructure and Biodiversity Management Strategy nor the remaining provisions of this Deed specify a deadline then such of the Green Infrastructure Elements as are to be provided in a Development Parcel that contains Dwellings shall be provided and made available for public use no later than Occupation of 60% of the Dwellings in the Development Parcel and where a Green infrastructure Element relates to more than one Development Parcel within a Phase it shall be provided and made available for public use prior to Occupation of 60% of the Dwellings within that Phase or as otherwise agreed pursuant to a Condition.

1.4 The Owners shall (subject to the provisions of clause 8.1 of this Deed) in agreement with the Borough Council provide public access to the Garendon Registered Park such access to be provided as soon as reasonably practicable and (as appropriate) on a phased basis in accordance with the Garendon Park Public Access Scheme to be submitted to and approved in writing by the Borough Council prior to Commencement of Development, such scheme to ensure i) access is safe at all times to visiting members of the public ii) safeguarding of the heritage value of the Garendon Registered Park and the Heritage Assets thereon and iii) not compromising delivery of the Development or the delivery of any of the Owners obligations under this Deed save that unless otherwise agreed with the Borough Council the Owners will (subject to the provisions of clause 8.1 of this Deed) ensure public access to parts of the Garendon Registered Park within 6 months of first Occupation of the first Dwelling (at the latest).

1.5 The Owners shall not Occupy any further Dwellings once a deadline for delivery of a Green Infrastructure Element has been reached unless and until the Green Infrastructure

Element required to be Completed by the deadline in question has been completed to the reasonable satisfaction of the Borough Council.

1.6 Unless otherwise agreed with the Borough Council, the Owners shall not commence a Phase containing any Green Infrastructure Elements until it has secured approval from the Borough Council of the Estate Plan for the Public Green Infrastructure Elements to be provided within that Phase.

1.7 The Owners shall:

- a) not Occupy more than 80% of the Dwellings in a Phase (or such other Trigger Event as may be specified in the relevant approved Estate Plan) until it has transferred responsibility for the Green Infrastructure Elements in the relevant Phase to the body or bodies specified in the Estate Plan approved by the Borough Council pursuant to paragraph 1.6 above; and
- b) procure that the management and maintenance of the Green Infrastructure Elements in the relevant Phase is carried out in accordance with the approved Estate Plan and any relevant provisions of the Green Infrastructure and Biodiversity Management Strategy and any relevant Reserved Matters Approval as may be applicable to the Green Infrastructure Elements in question and for the avoidance of doubt if the Green Infrastructure and Biodiversity Management Strategy does not set out maintenance standards for the Green Infrastructure Elements the Owners shall ensure that they are approved by the Borough Council as part of the Estate Plan.

1.8 The Owners shall pay the Off Site play area contribution to the Borough Council prior to the occupation of the 200<sup>th</sup> Dwelling.

ANNEXE 1

Allotments Specification (*see original*)