

## Heads of terms for the completion of a Section 106 agreement

<b>Caldecote – Grafton Drive (S/1144/17/OL)</b>	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	The first 8 properties should be allocated to those with a local connection to Caldecote and the remaining should be allocated on a 50/50 split basis between applicants with a District wide connection

### Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	Either £10,386 or £173,079
Primary School	CCC	£453,243
Libraries and lifelong learning	CCC	£591,60
Sports	SCDC	£62,000 (est)
Children's play	SCDC	£50,000 or £15,000
Indoor community space	SCDC	£28,000 (est)
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£1,500
Healthcare	SCDC	£21,919
Community Transport	SCDC	£30,000
<b>TOTAL</b>		Between £650k and £820k
<b>TOTAL PER DWELLING</b>		<b>Between £11k and £14k</b>

### Section 106 infrastructure summary:

Item	Beneficiary	Summary
Woodland area	SCDC/CPC	Provision and maintenance of a woodland area of at least 0.89 ha
Children's play provision	SCDC/CPC	Woodland play trail (plus offsite contribution) OR a LEAP

### Planning condition infrastructure summary:

Item	Beneficiary	Summary
Improving footpath/cycleway along Highfields Road	CCC	Upgrade of 250 metre section of the footway along Highfields Road leading towards the St. Neots Road roundabout

**CAMBRIDGESHIRE COUNTY COUNCIL**

<b>Ref</b>	CCC1
<b>Type</b>	Early years
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<p>According to County Council guidance the development is expected to generate a net increase of 18 early years aged children of which 9 children would be eligible for s106 contributions.</p> <p>In terms of early years' capacity, County education officers have confirmed that there is insufficient capacity in the area to accommodate the places being generated by this development.</p> <p>The County Council has identified two options to mitigate the impact of the development. These are as follows:</p> <ul style="list-style-type: none"> <li>• Convert the existing Children's centre into early years accommodation</li> </ul> <p>The total cost of this project would be £60,000 and will provide 2 additional early years classrooms. Contributions will be sought on the basis of £60,000/52 = £1,154 per children.</p> <p>Therefore a total contribution of £10,386 would be sought under this option.</p> <ul style="list-style-type: none"> <li>• Build a new pre-school facility in the school site. The total cost of this project would be £500,000 in order to provide one additional classroom. Contributions will be sought on the basis of £19,231 per children (£500,000/26).</li> </ul> <p>Therefore a total contribution of £173,079 would be sought under this option.</p> <p>Both options to be included in the s106 and payment will trigger once the decision by Members about the Children Centre is made in the summer.</p>
<b>Quantum</b>	Either £10,386 or £173,079 (est)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	<p>If the sum of £9,232 then 100% payment at commencement of development</p> <p>If the sum of £173,079 then</p> <p>50% at the later of (a) a notification made by CCC as to which project is to be undertaken and (b) commencement of development</p> <p>50% payable prior to occupation of 29 dwellings</p>
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Road Gladman development)

<b>Ref</b>	CCC2
<b>Type</b>	Primary School
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	According to County Council guidance the development is expected to

	<p>generate a net increase of 13 primary school places.</p> <p>The catchment school is Caldecote Primary School. County education officers have confirmed that there are 20 primary school places available in the year 2020/21.</p> <p>This capacity is to be taken up by the development of 140 dwellings at Highfields, i.e. the Gladman development</p> <p>The County Council request developer contributions to mitigate the impact of the development. The County Council's proposed solution is to expand the primary school with 4 additional classrooms to take the school from school from 1FE/210 to 1.5FE/330 providing 120 additional primary school places.</p> <p>The total cost of the project is currently is £2,590,000 (4Q16). Contributions are sought on the basis of £21,583 per place. Therefore a total contribution of £453,243 (£21,583 x 21 places) is required.</p> <p>Market and shared ownership</p> <p>1 bed - £ 2 bed - £ 3 bed - £ 4 bed - £</p> <p>Affordable rent</p> <p>1 bed - £ 2 bed - £ 3 bed - £ 4 bed - £</p>
<b>Quantum</b>	Circa £453,243 (dependent upon housing mix determined at reserved matters stage)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	50% of the contribution upon commencement of development  50% payable prior to occupation of 29 dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Road Gladman development)

<b>Ref</b>	CCC3
<b>Type</b>	Secondary school
<b>Policy</b>	DP/4
<b>Required</b>	NO
<b>Detail</b>	Comberton Village College has sufficient capacity to accommodate the pupils arising from this development

<b>Ref</b>	CCC4
<b>Type</b>	Libraries and lifelong learning
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	The proposed increase in population from this development (71 x 2.22 (average household size) = approximately 145 new residents) will put pressure on the library and lifelong learning service in the village. Therefore a contribution is required.

	<p>Caldecote is served by a mobile library situated at the No 113 Highfield Road. The County Council's proposed solution to mitigating the impact on the libraries and lifelong learning service arising from this site and others in the area would be to enhance the library stock by purchasing additional information and fiction books for adults, including large print books and story CDs, Children's story books, picture books and board books for babies and toddlers, as well books for teenagers.</p> <p>In order to do this, the County Council would require a developer contribution of £4.02 per head of population increase. This figure is based on the MLA Standard Charge Approach for public libraries (Public Libraries, Archives and New Development: A standard Charge Approach (Museums, Libraries and Archives Council, May 2010).</p> <p>Contribution = 145 x £4.02 = £591.60</p>
<b>Quantum</b>	£591.60
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	100% prior to occupation of 36 dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Road Gladman development)

<b>Ref</b>	CCC5
<b>Type</b>	Strategic waste
<b>Policy</b>	RECAP WMDG
<b>Required</b>	NO
<b>Detail</b>	Cambridgeshire County Council has already pooled more than 5 contributions towards the local HRC since 6 April 2010.

<b>Ref</b>	CCC7
<b>Type</b>	Transport
<b>Policy</b>	TR/3
<b>Required</b>	NO
<b>Detail</b>	No section 106 contributions have been sought by Cambridgeshire County Council, although works in kind (to be secured via a planning condition) are required

<b>Ref</b>	CCC8
<b>Type</b>	CCC monitoring
<b>Policy</b>	None
<b>Required</b>	NO
<b>Detail</b>	The District Council does not support County Council monitoring requests on the basis that (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

<b>Ref</b>	SCDC1
<b>Type</b>	Sport
<b>Policy</b>	SF/10
<b>Required</b>	YES
<b>Detail</b>	<p>The Recreation and Open Space Study 2013, forming part of the Local Plan submission, showed that Caldecote needed 2.75 ha but has 5.67 ha i.e. a surplus of 2.92 ha of Outdoor Sport Provision.</p> <p>This expanding village has been developed and now includes a recreation ground with a purpose built pavilion. A number of high quality pitches and a brand new pavilion have been provided. The village has 2 macadam tennis courts that are not floodlit and the Parish Council has provided an informal MUGA facility for teenagers. The play facilities are of a very good standard and provide for all age groups.</p> <p>In accordance with policies SF/10 and SF/11 the applicant will be required to make a contribution towards the increase in demand for provision of outdoor sports provision to mitigate the impacts of the proposed development. Failure to make provision for outdoor sports space would mean that the development could not be considered sustainable in accordance with the requirements of the NPPF in particular Section 8.0 Promoting Health Communities.</p> <p>Although the village has the relevant level of physical sports space, the pavilion is not of sufficient size to accommodate the needs of residents and as such Caldecote Parish Council have identified the mitigation as being an extension to the pavilion and which will also provide a bigger community meeting room.</p> <p>The estimated cost associated with extending the pavilion is £250,000. A further £40,000 has been identified as needed by the Parish Council to resurface the car park and driveway.</p> <p>The Parish Council would also intend using sports contributions to fund a new outdoor gym.</p> <p>The SPD also establishes the quantum of offsite financial contributions in the event that the full level of onsite open space is not being provided.</p> <p>Based on the submitted housing mix the total level contribution necessary is circa £62,000 based on the final housing mix</p> <p>1 bed - £625.73                  2 bed - £817.17                  3 bed - £1,130.04                  4 bed - £1,550.31</p>
<b>Quantum</b>	£62,000
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	To be paid prior to the occupations of 50% dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Road Gladman development)

<b>Ref</b>	SCDC2
<b>Type</b>	Children's play space
<b>Policy</b>	SF/10
<b>Required</b>	YES
<b>Detail</b>	<p>The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Caldecote needed 1.38 ha Children's Play Space whereas the village had 0.16 ha, i.e. a deficit of 1.22 ha of Children's Play Space.</p> <p>Caldecote Parish Plan (2010 – 2015) highlighted the need for recreational amenities for the older youths (over 12 yrs), specific mention was given to a skate-park and / or activity course.</p> <p>Based on the housing mix the development would be required to provide 489 m2 of formal play space and 489 m2 of informal play space.</p> <p>Under policy the development would be required to provide a LEAP to meet the needs of 2-8 year olds and an offsite contribution to meet the needs of 8-14 year olds.</p> <p>The applicant initially proposed the provision of an onsite woodland play trail which will part satisfy the play policy. An offsite contribution of £50,000 would be required to provide more play equipment and facilities for 2-14 year olds and the Parish Council have identified a number of projects including providing new play equipment at Strympole Way, BMX track, Skate park and Wifi enabled youth shelter.</p> <p>The applicant would also like the option of installing a policy compliant LEAP onsite and make an offsite payment of £12,500 as an alternative to providing the woodland play trail and offsite children's play space contribution. The s106 agreement will therefore need to address either scenario</p>
<b>Quantum</b>	<p>Option 1: £50,000 offsite contribution and onsite woodland play trail</p> <p>Option 2: £15,000 offsite contribution and onsite LEAP</p>
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	<p>To be paid prior to the occupations of 20 dwellings</p> <p>Either play area to be laid out prior to the occupations of 20 dwellings</p>
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Road Gladman development)

<b>Ref</b>	SCDC3
<b>Type</b>	Informal open space
<b>Policy</b>	SF/10
<b>Required</b>	YES
<b>Detail</b>	<p>The Recreation and Open Space Study July 2013, forming part of the local plan submission, showed that Caldecote needed 0.69 ha of informal open space and had 1.18 ha meaning a surplus of 0.49 ha.</p> <p>The illustrative layout identifies approx. 0.52 ha of onsite amenity open space is provided for, along with 0.89 ha of informal open space within the woodland to the West of the site. Access to the woodland area and its future maintenance is required to be secured through the section 106 agreement.</p>
<b>Quantum</b>	NONE

<b>Fixed / Tariff</b>	N/A
<b>Trigger</b>	To be laid out prior to occupation of 50% dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	N/A

<b>Ref</b>	SCDC4
<b>Type</b>	Offsite indoor community space
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<p>In accordance with Development Control Policy DP/4 infrastructure and new developments, all residential developments generate a need for the provision of, or improvement to, indoor community facilities. Where this impact is not mitigated through onsite provision a financial contribution towards offsite improvement works will be required.</p> <p>The Council undertook an external audit and needs assessment undertaken in 2009, in respect of all primary community facilities in each village. The purpose of this audit was threefold (i) to make a recommendation as to the indoor space requirements across the District (ii) to make a recommendation on the type of indoor space based on each settlement category and (iii) make a recommendation as to the level of developer contributions that should be sought to meet both the quantity and quality space standard.</p> <p>Whilst not formally adopted as an SPD, this informal approach was considered and approved at the Planning and New Communities portfolio holder's meeting on 5th December 2009 and has been applied since.</p> <p>Based on the submitted housing mix an area of circa 18 m2 is required.</p> <p>Caldecote is served by Caldecote Village Hall which is a good quality facility built in 1998 as part of a wider residential development in the village, which has been well maintained and is in good order throughout. Features a separate meeting room, although storage space is limited. The facility shows evidence of good levels of usage.</p> <p>Caldecote Village Institute limited seeks to extend the hall and related service areas to cater for increased attendance / seated from 96 to circa 140. In so doing, this would include a stage and service/ meeting areas to allow larger provision of facilities including entertainment and drama facilities. This will create a fairly major undertaking. The extension will overall provide an extra 169 m2 of indoor meeting space. The project is anticipated to cost in the region of £265,000 and the Institute already has £100,000 to put towards this extension. With the money from this and any subsequent applications in the village the full works could be delivered addressing the deficiency in indoor community space provision. Plans and Budget Cost Proposals have been provided to Council officers.</p> <p>The contribution required as per the indoor community space policy is circa £28,000 based on the final housing mix</p> <p>1 bed – £284.08  2 bed – £371.00  3 bed – £513.04  4 bed – £703.84</p>
<b>Quantum</b>	£28,000

<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	To be paid prior to the occupations of 50% dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Road Gladman development)

<b>Ref</b>	SCDC5
<b>Type</b>	Household waste receptacles
<b>Policy</b>	RECAP WMDG
<b>Required</b>	YES
<b>Detail</b>	£73.50 per house and £150 per flat
<b>Quantum</b>	See above
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	Paid in full prior to commencement of development
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC6
<b>Type</b>	S106 Monitoring
<b>Policy</b>	Portfolio Holder approved policy
<b>Required</b>	YES
<b>Detail</b>	To monitor section 106 triggers in relation to onsite infrastructure
<b>Quantum</b>	£1,000
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Paid in full prior to commencement of development
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC7
<b>Type</b>	Onsite open space and play area maintenance
<b>Policy</b>	Open Space SPD Jan 2009
<b>Required</b>	YES
<b>Detail</b>	<p>Paragraph 2.19 of the Open Space in New Developments SPD advises that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space is offered to the Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved</p>



	in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default
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**OTHER OBLIGATIONS**

<b>Ref</b>	OTHER 1
<b>Type</b>	Health
<b>Policy</b>	DP/4
<b>Required</b>	YES

**Detail**

The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 170 residents and subsequently increase demand upon existing constrained services.

The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1 below.

Premises	Weighted list size <sup>1</sup>	NIA (m2) <sup>2</sup>	Capacity <sup>3</sup>	Spare capacity (NIA m2) <sup>4</sup>
Comberton Surgery (including its branch Little Eversden)	9,226	389.70	5,683	-242.94
Bourn Surgery	5,791	294.90	4,301	-102.20
<b>Total</b>	<b>15,017</b>	<b>684.60</b>	<b>9,984</b>	<b>-345.14</b>

- Notes:
1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
  2. Current Net Internal Area occupied by the Practice
  3. Patient Capacity based on the Existing NIA of the Practice
  4. Based on existing weighted list size

The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

Table 2 below provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

Premises	Additional pop growth <sup>5</sup>	Additional floorspace required <sup>6</sup>	Spare capacity (NIA) <sup>7</sup>	Capital required to create additional floorspace <sup>8</sup>
Additional	139	9.53	242.94	£21,919

	capacity				
	<b>Total</b>	<b>139</b>	<b>9.53</b>	<b>242.94</b>	<b>£21,919</b>
	<p>5. Calculated using the South Cambridgeshire District average household size of 2.4 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number). Calculated using an average of 1.5 residents per extra care apartment.</p> <p>6. Based on 120m<sup>2</sup> per GP (with an optimal list size of 1750 patients) as set out in the NHSE approved business case incorporating DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"</p> <p>7. Existing capacity within premises as shown in Table 1</p> <p>8. Based on standard m<sup>2</sup> cost multiplier for primary healthcare in the East Anglia Region from the BCIS Q1 2014 price Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m<sup>2</sup>), rounded to nearest £100.</p> <p>A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £26,818.</p> <p>Based on the recent Gladman appeal it is expected that NHS England would look to allocate this funding to the expansion of Little Eversden Surgery (which is a branch of Comberton Surgery)</p>				
<b>Quantum</b>	£21,919				
<b>Fixed / Tariff</b>	Fixed				
<b>Trigger</b>	100% prior to occupation of 50% dwellings				
<b>Officer agreed</b>	YES				
<b>Applicant agreed</b>	YES				
<b>Number Pooled obligations</b>	One at the time of planning committee (the Highfields Rod Gladman development) although this will eventually be the last of the 5 contributions allowable for the project (i.e. there are 3 other planning obligations in draft form securing contributions for this project)				

<b>Ref</b>	OTHER2
<b>Type</b>	Community transport scheme
<b>Policy</b>	DP/4, TR/3 and NPPF
<b>Required</b>	YES
<b>Detail</b>	<p>Caldecote Parish Council has expressed concerns about the connectivity of the village generally to amenities and facilities. This development is the third of 3 in the village and where the previous 2 applications (Cala Homes and Gladman) are required to improve existing foot and cycle paths to the A428.</p> <p>The village is served by the Caldecote, Dry Drayton &amp; Hardwick Community Car Scheme which serves the villages of Caldecote, Dry Drayton, Hardwick &amp; Childerley for medical and social journeys.</p> <p>The Council has recently secured £65,000 from 2 developments in Hardwick and Hardwick Parish Council is currently working up a Community Bus Initiative.</p> <p>There are a number of different opportunities here.</p> <p>Firstly a contribution of £30,000 would finance the purchase of a vehicles which thereafter would need to be self sufficient.</p> <p>Alternatively a contribution of £30,000 could be used as a source of</p>

	<p>revenue funding to tap in to existing community transport initiatives in the area.</p> <p>The development is likely to take a number of years to be built out allowing time to consider the most effective solution for the village and get the service ready for when people move in.</p>
<b>Quantum</b>	£30,000
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	TBA
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None