Heads of terms for the completion of a Section 106 agreement

Cottenham – Oakington Road (S/1606/16/OL)		
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 Cottenham 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	£194,400
Primary School	CCC	£486,000
Libraries and lifelong learning	CCC	£18,906
Transport	CCC	£13,000
Sports	SCDC	£60,000
Children's play space	SCDC	£70,000
Indoor community space	SCDC	£130,000
Household waste bins	SCDC	£73.50 per house and
		£150 per flat
Monitoring	SCDC	£2,000
Healthcare	SCDC	£41,420
Burial space	SCDC	£26,460
Community transport scheme	SCDC	£84,000.42
TOTAL		£1,260,184
TOTAL PER DWELLING		£10,001.48

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local equipped area for play	SCDC	9 pieces of play equipment (which
		will comprise at least 6 pieces of
		play equipment for 4-8 year olds
		and at least 3 pieces of equipment
		for toddlers).

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Highways	CCC	Bus shelter to be installed at the
		bus stop outside 25 Rampton Road
Highways	CCC	New footway linking access road to
		link site to previously approved

		development to the East (36 Oakington Road)
Highways	CCC	Roundabout improvements at the Rampton Road/ Oakington Road Junction need to be implemented prior to occupation of the development.
Transport	CCC	A Travel Plan Travel Plan will need to be provided for agreement with the County Council.

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Туре	Early years
Policy	DP/4
Required	YES
Detail	See 'Primary School'
Quantum	£194,400
Fixed / Tariff	
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	
Number Pooled	
obligations	

Ref	CCC2
Туре	Primary School
Policy	DP/4
Required	YES
Detail	As a detailed development mix has not been provided the number of pupils arising from the proposed development has been calculated by using the Council's general multipliers. This calculates that the following number of children will be generated:
	Early Years = 60 children (of which 32 are entitled to free provision) Primary = 70 children
	There are three childcare providers in Cottenham. Ladybird Pre-School located at Cottenham Primary School and 2 childminders.
	According to the future projections, there is insufficient early year's capacity in the Cottenham area to accommodate the places being generated by this development. A contribution will therefore be required in order to mitigate the impact of the early years aged children arising from this development
	This development lies within the catchment area of Cottenham Primary School.
	Over a number of years the Council has provided additional teaching capacity in response to growing demand in the village. These expansions left the school with significant pressures on its auxiliary spaces, notably the size of the hall and limited informal teaching spaces. As a response, the Council has recently completed a significant refurbishment of the school to provide appropriate accommodation for a three form of entry primary school. As part of this work, detailed assessments of the sites capacity were undertaken.
	At that time it was considered that the current site offered no opportunity for expansion beyond the school's current 3FE.
	The Council's forecasts indicate that the school will be operating at capacity with intakes in line with the Published Admission Number of 90. However, it is accepted that an unexpectedly low cohort admitted into Reception in September 2016 means that, in the short-term, there are a number of surplus places in the school.

The school's class structure limits these surplus places to a single cohort. The Council considers that it would not be appropriate to simply deduct these places from the additional demand from the developments. This is due to the fact that by the time the developments are completed and the full demand from the sites is being generated, this small cohort will be in Year 5 or 6. Instead, the Council considers it more appropriate to plan for the medium-term, assessing the impact that developments will have over an extended period.

In summary, as the analysis illustrates, it is reasonable to assume, that there will in the medium-term be some limited capacity at the school. Given this, it is therefore, appropriate to adjust, proportionally the identified requirements to mitigate the impact of all upcoming developments in Cottenham.

Following more detailed discussions with the existing education provider, the Council has confirmed that, if necessary, there is a willingness to consider further expansion of the primary school, beyond its current 3FE.

The County Council's proposed solution to mitigating the early years and primary education aged pupils arising from this site is to build a new 1FE primary school facility with adjoining 1 class early years facility. This combined project will cost £6,200,000 and would create 52 early years places and 210 primary school places. The primary school expansion will be located on the land owned by the County Council adjacent to the school but not in the school site.

	Early Years	Primary
Land off Rampton	£286,200	£715,500
Road		
(S/1411/16)		
Land at Oakington	£194,400	£486,000
Road		
(S/1606/16/OL)		
Land north east of	£220,800	£772,800
Rampton Road		
(S/2876/16)		
36 Oakington	£59,400	£148,500
Road (S/1952/15) *		
Already secured		
Total	£760,800	£2,122,800

Across these 4 developments a contribution of £2,883,600 is being sought.

Cottenham Parish Council are looking to deliver a new community centre and the plans currently include provision for an early years nursery following agreement, in principle, from CCC to direct relevant s106 early years contributions to the project. If in the future it is agreed by all parties that this proposition is a more viable option for providing early years accommodation then it may be that a deed of variation could be completed to redirect some of this money towards the Parish Council project. Until that time the solution will be early year's classrooms on the primary school site.

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Quantum	£486,00 for Primary Education
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings

Index to be	Quarter 1 2016
applied from	
Officer agreed	YES
Applicant agreed	YES
Number Pooled	One to date (36 Oakington Road)
obligations	,

Ref	CCC3
Туре	Secondary school
Policy	DP/4
Required	NO
Detail	According to the latest forecasts there is sufficient capacity and therefore Cottenham Village College should be able to accommodate the additional children living in the new developments. Therefore no contributions are sought for secondary education provision.

Ref	CCC4
Туре	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	Cambridgeshire County Council has a mandatory statutory duty under the Public Libraries and Museums Act to provide a comprehensive and efficient library service to everyone living, working or studying in Cambridgeshire.
	The importance of libraries to the quality of life, well-being, social, economic and cultural development of communities is recognised both nationally and locally. Therefore, it is important to include access to a range of library facilities to meet the needs of the residents of this new development for information, learning and reading resources in connection with work, personal development, personal interests and leisure.
	Cottenham is served by a level one library with an operational space of 128 sqm. The County Councils 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 modify the internal area at Cottenham library, to create more library space and provide more shelving and resources. In order to do this, we would require a developer contribution of £60.02 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).
	The number of new residents arising from the scheme has been calculated by using the Council's detailed household multipliers and equates to 315 new residents (126 dwellings x 2.5 average household size, see below).
	Therefore the total contributions from this development which are required for mitigating the pressures on libraries and lifelong learning provision are £18,906.30 (315 new residents x £60.02).
	This contribution would be used for:
	Removing the internal walls of the lobby and incorporating this space into the library operational space

	Decreasing the size of the workroom/staffroom and adding the space freed up to the library area.
Quantum	£18,906.30
Fixed / Tariff	Fixed
Trigger	50% of the contribution prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled	One to date (36 Oakington Road)
obligations	

Ref	CCC5
Туре	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	The Cambridge and Northstowe HRC area as defined by CCC has maximised its pooling limited under CIL Regulation 123 and as such the LPA cannot secure any contributions for such infrastructure.

Ref	CCC6
Туре	Transport
Policy	TR/3
Required	YES
Detail	A commuted sum of £7,000 for the ongoing maintenance of the shelter (at 25 Rampton Road) to be paid to the County Council – on completion of the shelter, for the County to pass to the Parish Council A contribution of £6,000 towards a local highway improvement scheme at Water Lane/ Oakington Road Junction. – Prior to commencement of development
Quantum	£13,000
Fixed / Tariff	Fixed
Trigger	As set out above
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Туре	Sport
Policy	SF/10
Required	YES
Detail	The recreation study of 2013 identified Cottenham as having a deficit of 5.26ha of outdoor sports space.
	Cottenham Parish Council has said that in order to meet the needs of future resident's sports contributions are required to part fund a number of projects including:
	 New sports pavilion (est cost £350,000) Additional cricket squares Pitch drainage Floodlights Additional land
	The off-site contribution towards the increase in demand for provision of outdoor sports provision would ordinarily be in the region of £130,000 in accordance with the policy.
	However, although there is a recognised demand for improved sports facilities, there is a greater need for new indoor community space facilities in Cottenham.
	On that basis (and as was secured at the Endurance Estates application for 50 dwellings at Oakington Road) the Council would propose reducing the sports contribution in lieu of an increased community space contribution. The net effect is that the owner's liability remains the same but such an approach would make the delivery of the new community centre more possible (and which is needed to mitigate the impact or growth in the village).
	Rather than secure £130,000 sports contribution the Council seeks a contribution of £60,000 with the difference (£70,000) being added to offsite indoor community space contribution.
Quantum	£60,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 50 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled	One to date (Oakington Road)
obligations	

Ref	SCDC2
Туре	Children's play space
Policy	SF/10
Required	YES
Detail	The recreation study of 2013 identified Cottenham as having a deficit of 4.70ha of children's play space. The applicant is proposing the provision of a LEAP to meet the needs of 2-8 year olds. The LEAP will need to be provided in accordance with the open space SPD.
	In order to meet the needs of older children Cottenham Parish Council has requested an offsite contribution to help finance the provision of a

MUGA, skate park extension and possible offsite street snooker table. A contribution of £70,000 towards these projects is required to meet the needs of older children. In accordance with development control policies the development will be required to provide the following quantum of children's play space. Informal play space Nil 1 bed 2 bed 7m2 3 bed 9.7m2 4+ bed 13.3m2 Quantum £70,000 towards offsite MUGA or other older children's play facility Fixed / Tariff Trigger £70,000 MUGA contribution payable prior to occupation of 75 dwellings LEAP to be provided and available for use prior to occupation of 50 dwellings Officer agreed YES Applicant agreed YES Number Pooled NONE obligations

	00000			
Ref	SCDC3			
Туре	Informal open space			
Policy	SF/10			
Required	YES			
Detail	The applicant will be required to provide a minimum level of informal open space in accordance with the table below			
			Informal open space	
		1 bed	5.4 m2	
		2 bed	7m2	
		3 bed	9.7m2	
		4+ bed	13.3m2	
Quantum				
Fixed / Tariff				
Trigger	TBD			
Officer agreed	YES			
Applicant agreed	YES			
Number Pooled obligations	None			

Ref	SCDC4
Туре	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	Cottenham is served by the Cottenham Salvation Army Hall and Cottenham Village Hall but nevertheless against the adopted standard there is a recognised shortfall of 383 square metres of indoor community space.

Cottenham is defined as a Minor Rural Centre in the Core Strategy and in accordance with the Community Facilities Audit 2009 the proposed standard for Minor Rural Centres is as follows:

- Rural Centres should have at least one good sized facility which offers access to community groups at competitive rates.
- The centre should feature one main hall space suitable for various uses, including casual sport and physical activity; theatrical rehearsals /performances and social functions. The facility should also offer at least one meeting room.
- All facilities, including toilets, should be fully accessible, or retro-fitted to ensure compliance with Disability Discrimination Act legislation wherever possible.
- Facilities should include a kitchen/ catering area for the preparation of food and drink. The venue should have the capacity for Temporary Events for functions which serve alcohol.
- Where practical and achievable, new build facilities should be delivered with appropriate energy-efficiency measures in place, although this should be undertaken with the balance of expenditure/saving in mind, given the likely hours of usage.
- Facilities should be designed to offer ease of management, as volunteers are likely to be primarily responsible for day to day upkeep.

Cottenham Parish Council has advised the District Council that they intend to construct a new village hall on land that is within their control.

Cottenham Parish Council has said that in order to meet the needs of future residents a multipurpose community centre needs to be constructed.

Cottenham Parish Council is embarking on a plan to provide a community centre in the village. The estimated cost of this building is now at £2.5m and which would incorporate different users including possibly early years. The Parish Council have drawn up a brief for the building design and have now appointed an architect. A planning application has now been received (S/3163/16/FL).

A financial contribution based on the approved housing mix would ordinarily result in a contribution in the region of £60,000 being payable.

As explained above (under 'Sports') this contribution would be supplemented by a contribution of £70,000 from the reduced sports contribution meaning a total contribution of £130,000 towards this project.

Currently the estimated cost is £2.5m for the build (including fees). The Parish Council already have some money towards the cost and will probably take out a Public Works Loan for the remainder over 25 years. This will be repaid via the precept and add up to £1 per week to the Band D property, with less on lower bands, more on higher.

Quantum	£130,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 30 dwellings
Officer agreed	YES

Applicant agreed	YES
Number Pooled	One at present (Oakington Road)
obligations	

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

Def	20000
Ref	SCDC6
Туре	S106 Monitoring
Policy	Planning portfolio holder approved policy
Required	YES
Detail	£2,000
Quantum	
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled	None
obligations	

Ref	SCDC7
Туре	Onsite open space and play area maintenance
Policy	Open space in new developments SPD
Required	YES
Detail	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)'.
	It is the Local Planning Authority's preference that the public open space is offered to Cottenham Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer. 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 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.
	For clarity this provision applies to all areas of open space including (but not exclusive to) the community woodland and SUDS areas
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

OTHER OBLIGATIONS

D. (OTLIED 4					
Ref	OTHER 1 Health					
Type Policy	DP/4					
Required	YES					
Detail		2P practices de	not have can	acity to accom	modate the	
Detail	additional grown development of subsequently The primary h	The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 585 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 1	NIA (m2) ²	Capacity ³	Spare capacity (NIA m2) 4	
	Cottenham Surgery	6,638	190.30	2,775	-59.16	
	The Surgery, Telegraph Street	12,204	450.89	6,575	-385.96	
	Total	15,842	641.19	9,350	-445.12	
	3. Patient Cap 4. Based on e The developm provision in th unsustainable be considered development'	t Internal Area pacity based or xisting weighten hent would have area and its. The propose I under the 'pre	n the Existing led list size e an impact or implications, it developmentes the National Pl	ne Practice NIA of the Prac n primary healt f unmitigated, v t must therefor avour of sustail anning Policy	thcare would be re, in order to nable	
	Table 2 below provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.					
	Premises	Additional pop growth	Additional floorspace required ⁶	Spare capacity (NIA) ⁷	Capital required to create additional floorspace 8	
	Additional capacity	302	20	-59.16	£41,420	
	Total	585	20	-59.16	£41,420	
	household siz and central he the nearest wl	e of 2.4 taken eating, local au	from the 2011 thorities in En Calculated usi	hire District av Census: Roor gland and Wal ing an average	ns, bedrooms es (rounded to	

	6. Based on 120m² 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" 7. Existing capacity within premises as shown in Table 1 8. Based on standard m² 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 (£2,000/m²), rounded to nearest £. 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 £41,420. District Council planners have seen plans provided by Firs House Surgery showing a number of different ways in which additional GP consulting capacity may be achieved at their premises.
Quantum	£41,420
Fixed / Tariff	Tariff
Trigger	100% prior to occupation of 50 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled	One (being 50 dwellings at Oakington Road S/1952/15/OL)
obligations	

Ref	OTHER2
Туре	Burial provision
Policy	SC/4 of emerging Local Plan
Required	YES
Detail	Under the current development control policies DPD July 2007 there is no policy that requires the payment of contributions towards burial space although I am able to confirm that as part of new towns such provision has been secured.
	Policy SC/4 says that All housing developments will include or contribute to the provision of the services and facilities necessary to meet the needs of the development. The scale and range of this provision or contribution will be appropriate to the level of need generated by the development and will address the specific needs of different age groups, of people with disabilities, and faith groups and will be adaptable to population growth and demographic changes. The full range of services and facilities are likely to be required in new settlements and similar developments.
	The community needs of large scale major developments (individual sites with 200 or more dwellings, or groups of smaller sites which cumulatively exceed this figure), will be established through detailed assessments and strategies prepared in consultation with service providers, and approved by the local authority in partnership with the landowners and stakeholders. The community facilities and services to be provided include:
	 a. Primary and secondary schools; b. Meeting places; c. Health facilities; d. Libraries; e. Sports facilities; f. Commercial facilities important to community life including childcare

nurseries, local shops restaurants and cafes, and public houses;

- g. Provision for faith groups;
- h. Provision for burials:
- i. Provision for waste and recycling.

In terms of the Provision for burials the Council received two representations albeit in the form of the same objector. The basis of the objection is that the development itself should not provide space for burials (i.e. that they should be planned for on a District wide basis) rather than an objection against the policy itself. This matter was not discussed in the hearing session for the policy.

Of the three burial grounds in Cottenham:

- 1. The Dissenters' Cemetery off Lambs Lane is within 3 or 4 years of being full. There are about 12 vacant plots remaining with between 3 and 6 new plots being used each year. They have contingency plans for interment of ashes but the pressing need is to bring a new strip of adjacent land into use for burials that would create capacity for around 50 additional plots. However, the charity has limited access to finance to pay for the necessary 10 metre hardened access path, a 50 metre replacement fence and ground preparation. Longer term there will be a need to consider some "recycling" of the oldest (100+ years as allowed by law) plots.
- 2. The "Church" part of the cemetery at All Saints Church is already full with recent "new plot" burials using plots in the unconsecrated "Public Burial Ground" part. This practice may become an issue creating an immediate need for additional consecrated space in which case the most likely solution is to acquire adjacent land from Cambridgeshire County Council.
- 3. The "Public Burial Ground" at All Saints Church has about 50 unused plots, equivalent to a maximum of 10 years supply at the recent rate of burials. The presence of a 70 unit apartment with care would likely create more pressure on burial spaces than houses meaning spare capacity is likely to be taken up quicker.

Α	Purchase price per acre of land (£250,000)	£250,000
В	Cost of laying out each acre of land, car parking, fencing, benches, footpaths, landscaping etc (£100,000)	£100,000
		£100,000
С	Total cost of purchasing and laying out 1 acre of burial land $(A + B)$	£350,000
D	Number of single burial plots than can be achieved per acre of land (1250)	1250
Е	Cost of providing each burial plot (C/D)	£280

F	Burial/cremation 'demand' per house over 100 year period (2.5	
	per property)	2.5
	% of people likely to be buried	
G	rather than cremated (assume	
	30%) source: Constitutional Affairs	30%

			Select Committee Eighth Report, 2006.		
		Н	Burial plots needed per house (F x G)	0.75	
		I	Cost of providing burial space on a per house basis (<i>E x H</i>)	£210.00	
Quantum	£2	£210 per dwelling (i.e. £24,460 if 200 dwellings are built)			
Fixed / Tariff	Tariff				
Trigger	To be paid in full prior to occupation of 50 dwellings				
Officer agreed	YES				
Applicant agreed	YI	ES			
Number Pooled obligations	No	one			

Ref	OTHER3
Туре	Community transport scheme
Policy	DP/4, TR/3 and NPPF
Required	YES
Detail	Concerns have been expressed regarding the highways capacity of the Rampton Road development by itself, but also with the possibility of planning permission being granted for other large developments along Rampton Road. Some measures have been proposed by applicants, including such improvements as RTPI to encourage public transport travel into Cambridge. Other than Cambridge, key destinations for future residents to access sustainable transport modes include (a) the Cambridge Busway stop at Oakington (circa 2.5 miles) which will allow access to destinations including Cambridge, St Ives and Huntingdon and (b) Waterbeach train station (circa 4 miles) predominantly for commuters to London.
	A proposal has been put forward by Cottenham Parish Council to either establish a new community transport initiative and which they would run or alternatively the Councils would work with existing operators (such as Ely & Soham Association for Community Transport) to provide:
	(1) A fixed timetable during commuter hours between the development and the destinations of Oakington Busway stop and Waterbeach train station.
	(2) A flexible demand responsive service offering journeys throughout the village but also between the site and destinations including Ely.
	The cost of providing a subsidised service for 5 years is £320,000 comprising £70,000 vehicle purchase (2-3 years old) and £50,000 per annum subsidised service. A small fee over these 5 years will be charged for users of the service as the total cost is likely to be in the region of £90,000 per annum.
	There are 3 large planning applications in Cottenham comprising a total of 480 dwellings.
	 Land off Rampton Road (S/1411/16) 200 houses plus 70 bed care home Land at Oakington Road (S /1606/16/OL) 126 dwellings Land north east of Rampton Road (S/2876/16) 154 dwellings

	The Council is proposing dividing the total cost across all developments (ensuring that there is a fair and reasonable approach) such that each new dwelling will be required to contribute £666.67. Although the contribution is based purely on the impact of the dwellings (i.e. no cost has been included in respect of the 70 bed care home) the service could also be made available to the operator of the care home providing day trips to residents.
Quantum	£666.67 per dwelling (i.e. £84,000.42 if 126 dwellings are built)
Fixed / Tariff	Tariff
Trigger	To be paid in full prior to occupation of 50 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None