

APPENDIX 1

Heads of terms for the completion of a Section 106 agreement

Fulbourn – Ida Darwin (S/0670/17/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	None applies as this is a local plan allocated site

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£350,000 (circa)
Primary School	CCC	£1,060,000 (circa)
Secondary School	CCC	£1,190,000 (circa)
Libraries and lifelong learning	CCC	£2,000 (circa)
Transport	CCC	£136,000
Indoor community space	SCDC	£450,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£3,000
Healthcare	SCDC	£76,797
TOTAL		
TOTAL PER DWELLING		

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Equipped Area for Play	SCDC	
Community centre	SCDC	900m2 of free serviced land for onsite community centre and early years

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Footpath widening	CCC	This path will provide a direct and off-road link to the existing cycleway that runs along the southern side of Cambridge Road in both directions from its junction with Hinton Road
Bus stops	CCC	The 4 bus stops on Fulbourn Old Drift, near the entrance to the Ida Darwin site should be upgraded, raised kerbs and any other

		measure that would make them DDA compliant.
Hinton Way Junction Improvements	CCC	
Residential Travel Plan and Travel Packs	CCC	

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	<p>The County Council estimate that 30 early years children will be generated from the development.</p> <p>The only identified project for early years provision in the village is to construct a new early years facility as part of the new community centre. The building would be owned by the Parish Council and the County Council would be responsible for getting an early years provider in place.</p> <p>As explained in the committee report the expected cost of providing this facility on a free serviced plot of land is circa £350,000 giving a total budget in the region of £800,000 for the building.</p>
Quantum	£350,000 (circa)
Fixed / Tariff	
Trigger	<p>50% of the contribution upon commencement of development</p> <p>50% payable prior to occupation of 50% of dwellings</p>
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	<p>The County Council estimate that 32 primary school children will be generated from the development.</p> <p>The proposed solution which has been identified by Cambridgeshire County Council to mitigate the primary-aged pupils arising from this development and others in the area is 6 additional classrooms (accommodating 180 additional primary-aged places) and additional early year's expansion (accommodating 38 early years places). The cost of this work is £5,685,000, which is included within the latest version of the Capital Programme (Project A/C.01.028).</p> <p>However, this cost includes replacement of two existing mobiles and other condition and refurbishment work. The costs of these elements have been removed such that the total cost of what should be charged to new developments is £3,211,496 (4Q15).</p>

	<p>This equates to £14,731.63 per place (for both early years and primary places) (£3,211,496 / 218 places).</p> <p>The cost of the scheme is to be funded from the Council's capital programme. Funding sources that make up the programme include developer contributions, DfE capital allocations, capital receipts and Council borrowing approval.</p> <p>As a dwelling mix has not been submitted for this development the County Council would include the following table figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approved.</p> <p>Affordable rent:</p> <p>1 bed – £0 2 bed – £2,946 3 bed – £4,420 4 bed – £5,156</p> <p>Shared ownership and market:</p> <p>1 bed – £0 2 bed – £737 3 bed – £1,473 4 bed – £2,578</p>
Quantum	£1,060,000 (circa)
Fixed / Tariff	Tariff
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	YES
Detail	<p>The County Council estimate that 28 secondary school children will be generated from the development.</p> <p>Contributions being sought from this development and others in the area are in respect of a £3.5m 1FE expansion at Bottisham Village College, which is required based on catchment need.</p> <p>The County Councils Capital Programme (2017-18) references the cost for the entire expansion of Bottisham Village College (project – A/C.02.004), £12.7m, of which the £3.5m is part of this total cost. As a dwelling mix has not been submitted for this development the County Council would include the following figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approved. The costs have been calculated by multiplying the cost per place (£23,333).</p> <p>Affordable rent:</p> <p>1 bed – £0</p>

	2 bed – £0 3 bed – £9,333 4 bed – £21,000 Shared ownership and market: 1 bed – £0 2 bed – £0 3 bed – £3,500 4 bed – £7,000
Quantum	£1,190,000 (circa)
Fixed / Tariff	Tariff
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>Statutory provision for the library service in Fulbourn is via 2 mobile library stops. There is not sufficient capacity within this provision to meet the needs of the additional residents being generated from this development.</p> <p>Therefore in order for the service to meet the demands of the additional residents a contribution of £4.08 per head of population will be required to provide the additional books, resources and equipment to meet the library and lifelong learning needs of this new population via the SCDC existing mobile service. 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>There is also a volunteer run Library Access Point which operates from the Swifts community building in the village. The County Council considers that there is not sufficient spare capacity/stock within this provision to meet the needs of the additional residents being generated from this development. In addition, the Library Access Point is not part of the County Councils statutory library service the County Council is unable to rely on this provision.</p> <p>As a dwelling mix has not been submitted for this development the County Council would include the following figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approve</p> <p>Affordable rent:</p> 1 bed – £6.94 2 bed – £6.94 3 bed – £14.69 4 bed – £22.03 Shared ownership and market:

	1 bed – £6.12 2 bed – £6.12 3 bed – £10.40 4 bed – £13.47
Quantum	£2,000 (circa)
Fixed / Tariff	Tariff
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Milton HRC has pooled 5 or more contributions towards this infrastructure since 6 April 2010.

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	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

Ref	CCC7
Type	Transport
Policy	TR/3
Required	YES
Detail	The County Council has requested contributions to provide RTP1 displays at the nearest 4 bus stops (2 inbound and 2 outbound) at £27,000 each (£104,000 in total) The County Council has requested a condition for these bus stops to be upgraded. If the upgrade results in bus shelters being provided an additional contribution of £7,000 per shelter is required for maintenance (£28,000).
Quantum	£136,000
Fixed / Tariff	Fixed
Trigger	TBA
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	See 'Indoor Community Space'. Although the development would warrant the provision of outdoor sports space in accordance with adopted policies the Council is proposing that space will be mitigated through the onsite community space which will contain rooms available to be used for indoor sports and recreation activities (such as dance and exercise classes).

Ref	SCDC2										
Type	Children's play space										
Policy	SF/10										
Required	YES										
Detail	The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Fulbourn experienced a deficit of 2.35 ha of Children's Play Space (i.e. 2.81 ha is needed whereas the village only has 0.46 ha). Here the applicant is proposing an onsite local equipped area for play (LEAP) which, in accordance with policy will need to comprise an area of no less size than that described above in order to satisfy development control policy SF/11. Although the development would warrant the provision of play space (or a contribution in lieu) for older children, here the Council is proposing that space will be mitigated through the onsite community space which will contain rooms available to be used for youth groups etc. See 'Indoor Community Space'. <table border="1" data-bbox="710 1243 1141 1411"> <thead> <tr> <th></th> <th>Informal play space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>Nil</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> </tr> </tbody> </table>		Informal play space	1 bed	Nil	2 bed	7m2	3 bed	9.7m2	4+ bed	13.3m2
	Informal play space										
1 bed	Nil										
2 bed	7m2										
3 bed	9.7m2										
4+ bed	13.3m2										
Quantum											
Fixed / Tariff	Tariff										
Trigger	TBA										
Officer agreed	YES										
Applicant agreed	YES										
Number Pooled obligations	NONE										

Ref	SCDC3
Type	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. In real terms the provision of the green wedge will more that satisfy this requirement.

	<table border="1"> <thead> <tr> <th colspan="2">Informal open space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>5.4 m2</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> </tr> </tbody> </table>	Informal open space		1 bed	5.4 m2	2 bed	7m2	3 bed	9.7m2	4+ bed	13.3m2
Informal open space											
1 bed	5.4 m2										
2 bed	7m2										
3 bed	9.7m2										
4+ bed	13.3m2										
Quantum											
Fixed / Tariff											
Trigger											
Officer agreed	YES										
Applicant agreed	YES										
Number Pooled obligations	None										

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<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>In accordance with the assessment Fulbourn has a need for 499 square metres of indoor meeting space whereas there is only 237 square metres currently provided. The village is served by Fulbourn Townley Memorial Hall which is described in the audit as "An impressively renovated hall, which has been significantly augmented with additional meeting room spaces and office space, as well as the creation of a new sport and social club. Main hall is of a good size, with a permanent stage, also refurbished, suitable for performances and sporting activities, with fair sized kitchen. Toilets have been refurbished, including new disability toilet".</p> <p>The development will need to provide a new community centre serving a wide range of users from the new dwellings.</p> <p>Under normal policy considerations an indoor community space contribution of around £100,000 would be payable. As explained above this sum is to be supplemented by an offsite sports contribution (which would ordinarily be in the region of £225,000) and the older children's play equipment contribution (which would ordinarily be in the region of</p>

	£125,000) on the basis that space for those uses (i.e. indoor sport and older children meeting space) will be provided within the building. This would result in a contribution of £450,000 which the applicant has demonstrated is sufficient to construct a building of around 220 square metres as a GIA.
Quantum	£450,000
Fixed / Tariff	Fixed
Trigger	TBA
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	SCDC5
Type	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 obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To ensure the timely delivery of onsite infrastructure
Quantum	£3,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	
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

	<p>space be offered to Fulbourn 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 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.</p> <p>The development will comprise 3 types of public open space:</p> <ul style="list-style-type: none"> • The green wedge (where the maintenance sum is still be discussed between parties) • Other open space areas which will be adopted by Fulbourn Parish Council (where the maintenance contribution is £11.06 per square metre) • Other open space areas which will not be adopted by Fulbourn Parish Council and where a management company will be required to maintain those areas
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

OTHER OBLIGATIONS

Ref	OTHER 1																		
Type	Health																		
Policy	DP/4																		
Required	YES																		
Detail	<p>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.</p> <p>The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1 below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Premises</th> <th>Weighted list size ¹</th> <th>NIA (m2) ²</th> <th>Capacity ³</th> <th>Spare capacity (NIA m2) ⁴</th> </tr> </thead> <tbody> <tr> <td>Fulbourn Health Centre</td> <td>11,091</td> <td>698.70</td> <td>10,189</td> <td>-61.83</td> </tr> <tr> <td>Cherry Hinton Medical Centre</td> <td>9,714</td> <td>330.50</td> <td>4,820</td> <td>-335.60</td> </tr> </tbody> </table>				Premises	Weighted list size ¹	NIA (m2) ²	Capacity ³	Spare capacity (NIA m2) ⁴	Fulbourn Health Centre	11,091	698.70	10,189	-61.83	Cherry Hinton Medical Centre	9,714	330.50	4,820	-335.60
Premises	Weighted list size ¹	NIA (m2) ²	Capacity ³	Spare capacity (NIA m2) ⁴															
Fulbourn Health Centre	11,091	698.70	10,189	-61.83															
Cherry Hinton Medical Centre	9,714	330.50	4,820	-335.60															

	Cherry Hinton Surgery	4,950	333.63	4,865	-5.80															
	Total	25,755	1,362.83	19,874	-103.23															
	<p>Notes:</p> <ol style="list-style-type: none"> 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 <p>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.</p> <p>Table 2 below provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.</p> <table border="1"> <thead> <tr> <th>Premises</th> <th>Additional pop growth⁵</th> <th>Additional floorspace required⁶</th> <th>Spare capacity (NIA)⁷</th> <th>Capital required to create additional floorspace⁸</th> </tr> </thead> <tbody> <tr> <td>Cherry Hinton Medical Centre</td> <td>487</td> <td>33.39</td> <td>-335.60</td> <td>£76,797</td> </tr> <tr> <td>Total</td> <td>487</td> <td>33.39</td> <td>-335.60</td> <td>£76,797</td> </tr> </tbody> </table> <ol style="list-style-type: none"> 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. 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 £. <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 £76,797.</p>					Premises	Additional pop growth ⁵	Additional floorspace required ⁶	Spare capacity (NIA) ⁷	Capital required to create additional floorspace ⁸	Cherry Hinton Medical Centre	487	33.39	-335.60	£76,797	Total	487	33.39	-335.60	£76,797
Premises	Additional pop growth ⁵	Additional floorspace required ⁶	Spare capacity (NIA) ⁷	Capital required to create additional floorspace ⁸																
Cherry Hinton Medical Centre	487	33.39	-335.60	£76,797																
Total	487	33.39	-335.60	£76,797																
Quantum	£76,797																			
Fixed / Tariff	Fixed																			
Trigger	100% prior to occupation of 50% of the dwellings																			
Officer agreed	YES																			
Applicant agreed	YES																			
Number Pooled obligations	NONE																			

