

Heads of terms for the completion of a Section 106 agreement

Gamlingay – Robinson Court, Grays Road (S/1766/16/FL)
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South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	71%
Affordable housing tenure	42% affordable rent and 29% shared ownership
Local connection criteria	None proposed by Housing Officer

Cambridgeshire County Council										
Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
CCC1	Early years	DP/4	YES	<p>According to the County Council guidance the development is expected to generate a net increase of 3 early years aged children, 2 of which are entitled to free school provision. There is insufficient capacity in the area in the next 2 years to accommodate the early years aged children arising from this development. Therefore a contribution will be required towards mitigating the early years impact.</p> <p>The early years contribution will be designated to an unknown project for the Parish Council to administer in</p>	£36,924		YES	YES	YES	

				<p>conjunction with Cambridgeshire County Council on the same terms as the site at Green End, Gamlingay which was discussed at October's Planning Committee.</p> <p>The second option is for the contribution to be towards an early years project that has been identified is an early years classroom (providing 26 places) at Gamlingay First School. The total cost of this project is £480,000. The cost per place is therefore £18,462 (£480,000/ 26).</p> <p>Therefore a contribution of £36,924 for early years provision is sought (£18,462 x 2 places).</p> <p>Triggers for payment are as follows:</p> <ul style="list-style-type: none"> - 50% prior to commencement - 50% prior to the occupation of the 8th dwelling. 						
CCC2	Primary School	DP/4	YES	<p>According to the County Council guidance the development is expected to generate a net increase of 1 child aged 4-8. This development lies within the catchment area of Gamlingay First School.</p> <p>County Education Officers have confirmed that there is</p>	Option 1 - £18,725 or Option 2 £37,450 TBC		YES	YES	YES	

			<p>insufficient capacity at the school in the long term to accommodate the primary aged children arising from this development. Therefore a contribution will be required towards mitigating the primary education impact being generated by the development.</p> <p>The identified project is the expansion of Gamlingay First School by a further classroom (to accommodate 30 children). The total cost of this project is £561,736 (at1Q16 – contributions in the S106 would need to be index-linked from this date). The cost per place is therefore £18,725 (£561,736/ 30 pupils).</p> <p>Therefore a contribution of £18,725 for primary education is sought (£18,725 x1)</p> <p>Triggers for payment are as follows:</p> <ul style="list-style-type: none">- 50% prior to commencement- 50% prior to the occupation of the 8th dwelling. <p>Proposals were published on 27 September 2016 to move Gamlingay to be part of the catchment of Comberton Village College (from September 2017) and for there to be one school in Gamlingay, a full primary school. The</p>					
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				<p>County Council outlines if this takes place the number of primary aged children being generated will change to up to 2 from 1. Previously the number of children reflected 5 year groups in the First School. The new primary school would accommodate 7 year groups. Therefore the contribution required would be £37,450 for primary education (£18,725 x2 places).</p>						
CCC3	Secondary school	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 1 child aged 9-13. This development lies within the catchment area of Gamlingay Village College 9 (ages 9-13) and Stratton Upper School (ages 14-16).</p> <p>Country education officers have confirmed that Gamlingay Village College has sufficient capacity over the next five years to accommodate the places generated by the development for children aged 9-13.</p> <p>Therefore no contribution for secondary education is sought towards Gamlingay Village College.</p> <p>Bedfordshire County Council has confirmed it is unlikely to require Upper School contributions from the 14</p>				YES	YES	

				<p>dwelling development at Robinson Court in Gamlingay. A development of this size is likely to create fewer than 3 upper school pupils which should be accommodated within the planned expansion at Stratton Upper School.</p> <p>If the consultation on moving Gamlingay to be part of the catchment of Comberton Village College is adopted Comberton Village College would replace Gamlingay Village College and Stratton Upper School as the catchment school for secondary provision for the village. Comberton Village College has sufficient capacity over the next five years to accommodate placed and no contribution would be sought toward education provision.</p> <p>Therefore no contribution towards secondary provision is required.</p>						
CCC4	Libraries and lifelong learning	DP/4	NO	<p>The County Council provides a statutory library provision service in Gamlingay via 2 mobile library stops. Normally a contribution would be sought from new development in the area. However, there is 33 existing residents (22 dwellings x 1.50 average household) and 26 new residents (14 x 1.79 average household). Given that this is a net loss of 8 residents in the area no contribution</p>				YES	YES	

				towards libraries and lifelong learning is sought.						
CCC5	Strategic waste	RECAP WMDG	NO	<p>The development falls within St Neots HRC catchment area of which there is insufficient capacity. For new development within this area contributions are sought on the basis of £181 per dwelling.</p> <p>However, given that there is a net loss of 8 dwellings (22 dwellings – 14 dwellings) from this development no contribution towards Strategic Waste is sought.</p>				YES	YES	
CCC6	Transport	TR/3	NO	No need identified by CCC				YES	YES	
CCC7	CCC monitoring	None	NO	<p>The County Council have sought a contribution of £650 (at a rate of £50 per hour) towards the cost of monitoring. The District Council does not support this request as (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) appeal decision in South Cambs have confirmed that monitoring fees cannot be secured on straightforward matters (iii) the District Council will undertake this function and share information with CCC. 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.</p>				YES	YES	

South Cambridgeshire District Council

Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Trigger	Officer agreed	Applicant agreed	Number of existing Pooled obligations
SCDC1	Open space (sport)	SF/10	NO	The recreation study of 2013 has identified a shortfall of 2.73 hectares of sports provision. Gamlingay currently has 3.00 hectares. However, due to the mix of housing proposed the development will generate a net decrease of 97m2 of sports provision and therefore it is not reasonable to request a contribution.				YES	YES	
SCDC2	Open space (children's play)	SF/10	YES	The recreation study of 2013 has identified a shortfall of 2.38 hectares of play space provision. Gamlingay currently has only 0.48 hectares. The mix of housing proposed will generate 61m2 of formal space and 61m2 of informal space requiring a contribution of £11,163.07. The Skate park has been identified as a project for this money. The provision would be necessary to make the development acceptable in accordance with policy SF/10.	£11,163.07			YES	YES	
SCDC3	Open space (informal open space)	SF/10	NO	The recreation study of 2013 identifies a surplus of informal open space of 0.24 hectares. Gamlingay				YES	YES	

				currently has 1.67 hectares. Due to the mix of housing proposed the development will generate a net decrease of 24m2 and therefore it would not be reasonable to request a contribution.						
SCDC4	Offsite indoor community space	DP/4	NO	The development will generate a net loss of 0.68m2 of indoor community space due to the housing mix proposed. Therefore it would not be reasonable to gain a contribution.				YES	YES	
SCDC5	Household waste receptacles	RECAP WMDG	YES	£72.50 per house dwelling and £150 per flat	£1480.00			YES	YES	
SCDC6	S106 monitoring		YES	£500	£500 (approx.)			YES	YES	

TOTAL - £68,792.07 or £87,517.07 pending the outcome of the consultation on Gamlingay schooling system

PER DWELLING - £4913.71 or £6251.21 pending the outcome of the consultation on Gamlingay schooling system