

Heads of terms for the completion of a Section 106 agreement
UPDATE/REPLACEMENT Heads of terms

Waterbeach – Bannold Road (S/2461/16/FL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	First 8 to be subject to local connection criteria then 50/50 thereafter

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£93,065
Primary School	CCC	£161,310
Libraries and lifelong learning	CCC	£3,066
Transport	CCC	£24,000
Sports	SCDC	£50,114.15
Indoor community space	SCDC	£22,751.84
Household waste bins	SCDC	£3,307.50
Monitoring	SCDC	£500
Healthcare	SCDC	£17,043
TOTAL		£375,157
TOTAL PER DWELLING		£8,336.83

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Bus pass	CCC	The Owner shall provide to the occupier(s) of each Dwelling a 1 month free Stagecoach East Taster Ticket.
Bus stop (if not provided by the 90 dwelling scheme)	CCC	Either South or North bound Cody Road bus stop
Footpath (if not provided by the 90 dwelling scheme)	CCC	New footpath along northern side of Bannold Road

Planning Condition infrastructure summary:

Item	Beneficiary	Summary
Local Equipped Area of Play	SCDC	A LEAP is to be secured on the 'main site' comprising 90 dwellings

Traffic signal assessment	CCC	The applicant is required to commission a traffic signals engineer to revalidate the MOVA at the Denny End Road/ Bannold Road signal junction
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CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 10 early years aged children, of which S106 contributions would be sought for 5 children.</p> <p>In terms of early year's capacity, County education officers have confirmed that there is insufficient capacity in the area in the next 3 years to accommodate the places being generated by this development.</p> <p>The early year's project that has been identified to mitigate the early years aged children arising from this development is an additional early year's room at Waterbeach Primary School. Applications which have already received approval in the area have contributed to a separate project to provide new and larger premises for Waterbeach Toddler Playgroup through the provision of new premises or alterations to existing premises on the former Waterbeach barracks site.</p> <p>The estimated cost of the additional early years room at Waterbeach Primary School is £483,939 (costs at 4Q15) and it will provide 26 full-time equivalent early years places.</p> <p>The cost per place is £18,613 (£483,939 / 26 places).</p> <p>Therefore a contribution of £93,065 is sought for early year's mitigation from this development (£18,613 x 5 places).</p>
Quantum	£93,065
Fixed / Tariff	Fixed
Trigger	100% upon commencement of development
Officer agreed	YES
Applicant agreed	
Number Pooled obligations	

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 10 primary education aged children. This development lies within the catchment area of Waterbeach Community Primary School.</p> <p>County Education Officers have confirmed that there is insufficient capacity in the school in the next 5 years to accommodate the places generated by this development. Therefore a contribution will be required towards primary education provision.</p> <p>The primary education project that has been identified to mitigate the primary aged children arising from this development is the second phase of the 1FE expansion to Waterbeach Community Primary School. The second phase is an additional two classrooms (accommodating 60 pupils) and ancillary work, which is estimated to cost £967,878 (costs at 4Q15).</p>

	<p>Applications which have already received approval in the area have contributed to a separate project to provide the first phase of the 1FE expansion to Waterbeach Community Primary School comprising of two additional classrooms.</p> <p>The cost per place of the two additional classrooms is £16,131 (£967,878 / 60 places).</p> <p>Therefore a contribution of £161,310 for primary education is sought from this development (£16,131 x 10 primary aged children).</p> <p>On the basis that details of the first phase remain unknown, in order to be compliant with the CIL Regulations the local planning authority must ensure that there is a clear distinction between the first and second phase (of which each provide 2 classrooms). At this stage this distinction can only be achieved by:</p> <ol style="list-style-type: none"> 1. The capital programme referring to each project in isolation 2. The contract for the works (i.e. phase 1 and phase 2) to be tendered and let separately from one another 3. Separate planning applications are submitted for each phase <p>If these steps are not undertaken then either the money cannot be secured or (if already paid) must be returned.</p>
Quantum	£161,310
Fixed / Tariff	Fixed
Trigger	100% upon commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 9 secondary education aged children. The catchment school is Cottenham Village College. County education officers have confirmed that in the medium term Cottenham Village College is forecast to have sufficient spare capacity to accommodate the secondary places generated by the development.</p> <p>Therefore no contribution is sought for secondary education.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	The County Council provides a statutory library provision service in Waterbeach via 5 mobile library stops. This new development would

	<p>result in an increase in population of 106 residents (45 x 2.35). This would place demand on the Libraries and Lifelong Learning facilities in Waterbeach which requires a contribution of £28.92 per head of increase of population to mitigate.</p> <p>Therefore a contribution of £3,066 for libraries and lifelong learning is sought (£28.92 x 106 new residents).</p> <p>The libraries and lifelong learning contribution would be used to contribute towards the provision of an additional route stop and to purchase additional resources required to meet the library and lifelong learning needs of this new population. Contributions from applications in the area which have already received approval have been pooled together towards a project at the Waterbeach LAP</p>
Quantum	£3,499
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 23 rd dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	NO
Applicant agreed	NO
Number Pooled obligations	

Ref	CCC6
Type	Transport
Policy	TR/3
Required	YES
Detail	<p>To ensure that the application of 45 dwellings is not built in isolation Cambridgeshire County Council has asked that the provisions relating to the 90 dwellings are also secured under this application.</p> <p>These provisions cover the following:</p> <ol style="list-style-type: none"> 1. Bus pass - The Owner shall provide to the occupier(s) of each Dwelling a 1 month free Stagecoach East Taster Ticket. 2. Provision of real time passenger information at the bus stop on Cody Road maintenance of the bus shelter: <ol style="list-style-type: none"> (i) the sum of Six Thousand Pounds (£6,000) to be paid by the Owner to the County Council for the provision of real time passenger information at the bus stop on Cody Road and (ii) the sum of Four Thousand Pounds (£4,000) for the maintenance of the bus shelter to be paid to the County Council <p>Furthermore the County Council has now said that these contributions</p>

	<p>do not cover the works that are required (i.e. £6,000 was previously enough money to provide the RTPI but that such works now cost £27,000). Likewise the cost of maintaining the bus shelter has increased from £4,000 to £7,000</p> <p>As such the County Council have requested the difference (i.e. the shortfall) to be funded by this development meaning that the application for the 45 dwelling scheme will contribute the sums of £21,000 towards the RTPI works and £3,000 towards the bus shelter maintenance.</p>
Quantum	£24,000
Fixed / Tariff	Fixed
Trigger	100% upon commencement of the development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>The Recreation and Open Space Study 2013 forming part of the Local Plan submission, showed that Waterbeach needed 7.54 ha but only has 6.25 ha i.e. a deficit of 1.29 hectares of Outdoor Sport Provision.</p> <p>Waterbeach has one recreation ground with two junior and two senior football pitches, a cricket square, bowls green, three hard tennis courts, a MUGA, and a play area. The pavilion was built in 1998, has four changing rooms and is in good condition. The village has thirteen football teams and six cricket teams. The village is well provided for in terms of outdoor sports facilities; however there are plans to build an additional play area.</p> <p>Although Waterbeach Parish Council has not put forward any details of projects in relation to this particular application in response to other planning applications/appeals Waterbeach Parish Council has said in order to meet the needs of the new residents the Parish Council requires sports contributions towards:</p> <ul style="list-style-type: none"> (i) an upgrade of the sports pavilion (which would be the third planning obligation since 6 April 2010) (ii) the resurfacing of the car park serving the sports pavilion and playing pitches (which would be the third planning obligation since 6 April 2010) (iii) New enlarged bowls pavilion (no planning obligation has been entered into since 6 April 2010 for this project) (iv) New maintenance equipment (i.e. scarifier, modern aerator) for the recreation ground such that the land can deal with the pressures of additional use (no planning obligation has been entered into since 6 April 2010 for this project) (v) New land for sports pitches (no planning obligation has been entered into since 6 April 2010 for this project) (vi) Purchase of land <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>1 bed: £625.73 2 bed: £817.17, 3 bed: £1,130.04 4+ bed: £1,550.31</p> <p>Based on the submitted housing mix a contribution of £50,114.15 is payable.</p> <p>Note: the definitions may be subject to minor change in consultation with Waterbeach Parish Council after planning committee</p>
Quantum	£50,114.15
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 50% of the dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	As described

Ref	SCDC2
Type	Children's play space
Policy	SF/10
Required	YES
Detail	<p>The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Waterbeach needed 3.77 ha of formal and informal children's play space whereas it had 0.31 ha, i.e. a deficit of 3.46 ha.</p> <p>The open space SPD would ordinarily require the payment of monies to provide offsite formal play space where none is being provided onsite. Based on the housing mix this would in the region of £70,000.</p> <p>Here the applicant is proposing providing a LEAP on the 'main site' for 90 dwellings whereas the s106 agreement for that site (signed in 2014) secured an offsite contribution and did not require any onsite play area.</p> <p>This will need to be secured either through a planning condition or supplemental s106 agreement under the reserved matters</p> <p>Officers consider the presence of the LEAP on the 'main site' is a positive addition and are therefore intend securing this through the planning process meaning that an offsite contribution on this development is not necessary.</p>
Quantum	£0
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	SCDC3
Type	Informal open space
Policy	SF/10
Required	NO
Detail	<p>The Recreation and Open Space Study July 2013, forming part of the local plan submission, showed that Waterbeach needs 1.88 ha of informal open space and has 1.75 ha, i.e. a deficit of 0.13 ha.</p> <p>Based on the proposed housing mix the development would be required 429 m2 of informal open space.</p> <p>Across the 2 developments the onsite open space requirements are as follows:</p> <p>Formal play space – 1108 m2 Informal play space – 1108 m2 Informal open space – 1204 m2 Total – 3420 m2</p> <p>The applicant is proposing a total onsite open space provision of 5660 m2 therefore exceeding the open space requirement.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES

Number Pooled obligations	
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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>Based on the likely number of people arising from the development an area of 40 m2 is required.</p> <p>The audit advises that Waterbeach required a total of 532 m2 of community space against the standard.</p> <p>Waterbeach is served by the Tillage Hall (albeit this facility was not constructed when the 2009 audit took place). The planning application for the community building is S/0198/08/F and which says that the total indoor space is 222 m2. Taking into account this space a deficit of 310 m2 remains.</p> <p>As well as being home to Waterbeach and Landbeach action for Youth, the Tillage hall is also available for hire, and has already hosted a number of successful parties, celebrations, meetings and groups. With its fully equipped kitchen, spacious meeting area and competitive rates the Tillage hall is ideal for social events and gatherings, comfortably seating up to 50 people.</p> <p>Although Waterbeach Parish Council has not put forward any details of projects in relation to this particular application in response to other planning applications/appeals Waterbeach Parish Council has said in order to meet the needs of the new residents the Parish Council requires indoor community space contributions towards:</p> <ul style="list-style-type: none"> (i) Upgrade of Tillage Hall (which would be the third planning obligation since 6 April 2010) (ii) Upgrade of the Waterbeach Library Access Point (which would be the third planning obligation since 6 April 2010) (iii) Building of a new multipurpose community facility on the recreation ground (or elsewhere in the village) (iv) Purchase of land

	<p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p> <p>Based on the submitted housing mix a contribution of £22,751.84 is payable</p> <p>Note: the definitions may be subject to minor change in consultation with Waterbeach Parish Council after planning committee</p>
Quantum	£22,751.84
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	As described

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 occupation of first dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Planning portfolio holder approved policy
Required	YES
Detail	
Quantum	£500
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
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 practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 108 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"> <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>Waterbeach Surgery</td> <td>5,414</td> <td>223.10</td> <td>3,254</td> <td>-148.15</td> </tr> <tr> <td>Total</td> <td>5,414</td> <td>223.10</td> <td>3,254</td> <td>-148.15</td> </tr> </tbody> </table> <p>Notes:</p> <p>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.</p> <p>2. Current Net Internal Area occupied by the Practice</p> <p>3. 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</p> <p>4. Based on existing weighted list size</p> <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>The development would give rise to a need for improvements to capacity, in line with emerging CCG Estates Strategy, by way of extension, refurbishment, reconfiguration or relocation at Waterbeach surgery; a proportion of the cost of which would need to be met by the developer.</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 growth ⁵</th> <th>Additional floorspace required ⁶</th> <th>Spare capacity (NIA) ⁷</th> <th>Capital required to create additional floorspace ⁸</th> </tr> </thead> <tbody> <tr> <td>Waterbeach Surgery</td> <td>108</td> <td>7.41</td> <td>-148.15</td> <td>£17,043</td> </tr> <tr> <td>Total</td> <td>108</td> <td>7.41</td> <td>-148.15</td> <td>£17,043</td> </tr> </tbody> </table>				Premises	Weighted list size ¹	NIA (m2) ²	Capacity ³	Spare capacity (NIA m2) ⁴	Waterbeach Surgery	5,414	223.10	3,254	-148.15	Total	5,414	223.10	3,254	-148.15	Premises	Additional pop growth ⁵	Additional floorspace required ⁶	Spare capacity (NIA) ⁷	Capital required to create additional floorspace ⁸	Waterbeach Surgery	108	7.41	-148.15	£17,043	Total	108	7.41	-148.15	£17,043
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	<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).</p> <p>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"</p> <p>7. Existing capacity within premises as shown in Table 1</p> <p>8. Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the BCIS Public Sector Q3 2015 price & cost Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m²), 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 £17,043</p>
Quantum	£17,043
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 50% of the dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE