

Heads of terms for the completion of a Section 106 agreement

| Guilden Morden – Trap Road (S/3077/16/OL) | |
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| South Cambridgeshire District Council (Affordable Housing) | |
| Affordable housing percentage | 50% |
| Affordable housing tenure | 70% affordable rent and 30% Intermediate |
| Local connection criteria | All affordable housing dwellings to be subject to local connection criteria |

Section 106 payments summary:

| Item | Beneficiary | Estimated sum |
|---------------------------|-------------|------------------|
| Sports | SCDC | £19,000 (circa) |
| Children's play space | SCDC | £25,000 (circa) |
| Indoor community space | SCDC | £8,000 (circa) |
| Household waste bins | SCDC | £1,176 |
| Monitoring | SCDC | £500 |
| | | |
| TOTAL | | £53,676 |
| TOTAL PER DWELLING | | £3,354.75 |

Section 106 infrastructure summary:

| Item | Beneficiary | Summary |
|--|-------------|---------|
| Onsite informal play space and informal open space | SCDC | |

Planning condition infrastructure summary:

| Item | Beneficiary | Summary |
|---------|-------------|--|
| Footway | CCC | Provision of a footway at Thompsons Meadow |

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| CAMBRIDGESHIRE COUNTY COUNCIL |
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|-----------------|-------------|
| Ref | CCC1 |
| Type | Early years |
| Policy | DP/4 |
| Required | YES |

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|-----------------|----------------|
| Ref | CCC2 |
| Type | Primary School |
| Policy | DP/4 |
| Required | NO |

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|-----------------|------------------|
| Ref | CCC3 |
| Type | Secondary school |
| Policy | DP/4 |
| Required | NO |

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|-----------------|---------------------------------|
| Ref | CCC4 |
| Type | Libraries and lifelong learning |
| Policy | DP/4 |
| Required | NO |

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|-----------------|-----------------|
| Ref | CCC5 |
| Type | Strategic waste |
| Policy | RECAP WMDG |
| Required | NO |

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|-----------------|----------------|
| Ref | CCC6 |
| Type | CCC monitoring |
| Policy | None |
| Required | NO |

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|-----------------|-----------|
| Ref | CCC7 |
| Type | Transport |
| Policy | TR/3 |
| Required | NO |

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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|----------------------------------|--|
| 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 Guilden Morden needed 1.63 ha but has 3.00 ha i.e. a surplus of 1.37 ha of Outdoor Sport Provision.</p> <p>Guilden Morden has one recreation ground with a cricket pitch; senior football pitch and a mini soccer pitch. The recreation study identified the need to extend the pavilion.</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>Guilden Morden Parish Council has said that in order to meet the needs of future residents sports contributions are required to (a) provide outdoor gym equipment for use by both adults and teenagers. This would provide both fun and health benefits and would expect to cost between £15-20,000 and (b) provide improvement to its current "grassy humps which are used by youngsters of the village for biking on. The Parish Council envisages that they could not only be used for BMX (and other types) bikes but also hover boards. The expected cost is £25,000.</p> <p>The off-site contribution towards the increase in demand for provision of outdoor sports provision is set out below. As an estimate the development would be required to pay £19,000 in accordance with the policy.</p> <p>1 bed: £625.73 2 bed: £817.17, 3 bed: £1,130.04 4+ bed: £1,550.31</p> |
| Quantum | £19,000 (circa) |
| Fixed / Tariff | Tariff |
| Trigger | To be paid prior to the occupations of 50% of the dwellings |
| Officer agreed | YES |
| Applicant agreed | YES |
| Number Pooled obligations | None |

| | |
|-----------------|--|
| 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 Guilden Morden needed 0.82 ha Children's Play Space whereas the village had 0.04, i.e. a deficit of 0.78 ha of Children's Play Space.</p> |

| | <p>Based on a likely housing mix the development would be required to provide 147 m2 of formal play space and 147 m2 of informal play space. As the site is not for 50 dwellings under normal circumstances it would not be required to provide onsite equipped space (i.e. the minimum size required for a LEAP is 500 m2).</p> <p>Informal play space is satisfied through the provision of a publically accessible green space proposed being located within the development. As this is an outline application the section 106 agreement needs to establish the minimum onsite informal play space, which is set out in the table below.</p> <table border="1"> <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> <p>The open space SPD would require formal play space contributions as set out in accordance with the table below (on the basis that informal play space is provided onsite). Guilden Morden Parish Council has identified a that project that they wish be delivered as being a new playground at Guilden Morden primary school on the basis that the current equipment has been condemned and there is little prospect of it being replaced. The money would be used to provide either fixed or portable equipment.</p> <p>The level of contribution is set out below and which would generate a contribution in the region of £25,000. Any residual monies would be used to help fund the shortfall of the BMX project which is classified as both sports and play).</p> <p>1 bed: £0 2 bed: £1,202.78 3 bed: £1,663.27 4+ bed: £2,281.84</p> | | 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 | £25,000 (circa) | | | | | | | | | | |
| Fixed / Tariff | Tariff | | | | | | | | | | |
| Trigger | <p>Formal play space contribution to be paid prior to the occupation of 50% of the dwellings</p> <p>Onsite informal play space to be laid out prior to the occupation of 50% of the dwellings</p> | | | | | | | | | | |
| Officer agreed | YES | | | | | | | | | | |
| Applicant agreed | YES | | | | | | | | | | |
| Number Pooled obligations | NONE | | | | | | | | | | |

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|-----------------|--|
| Ref | SCDC3 |
| Type | Informal open 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 Guilden Morden needed 0.41 ha of informal open space and had no areas defined as informal open space.</p> <p>The informal open space requirement is to be satisfied through the provision of a publically accessible green space proposed being located</p> |

| | <p>within the development. As this is an outline application the section 106 agreement needs to establish the minimum onsite informal open space, which is set out in the table below.</p> <table border="1"> <thead> <tr> <th></th><th>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 | Informal open space to be laid out prior to the occupation of 50% of the dwellings | | | | | | | | | | |
| Officer agreed | YES | | | | | | | | | | |
| Applicant agreed | YES | | | | | | | | | | |
| Number Pooled obligations | None | | | | | | | | | | |

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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 became Council policy 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 circa 8 m2 is required.</p> <p>Guilden Morden is served by Guilden Morden Village Hall which the audit said was a predominantly wooden building which is showing some signs of aging. Not ideal for sport/leisure pursuits, the hall has received some investment and has a newly finished kitchen/changing area. Plans for replacement are underway.</p> <p>The audit highlighted a number of improvements and the Parish Council have said that they intend to use the money for the redecoration of the village hall followed by the installation of a new 4k/w PV system.</p> <p>The contribution required as per the indoor community space policy would be:</p> |

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| | 1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84 |
| Quantum | £8,000 (Circa) |
| Fixed / Tariff | Tariff |
| Trigger | To be paid prior to the occupations of 50% of the dwellings |
| Officer agreed | YES |
| Applicant agreed | YES |
| Number Pooled obligations | NONE |

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|----------------------------------|------------------------------------|
| 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 |
| Officer agreed | YES |
| Applicant agreed | YES |
| Number Pooled obligations | None |

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|----------------------------------|--|
| Ref | SCDC6 |
| Type | S106 Monitoring |
| Policy | Portfolio holder approved policy |
| Required | YES |
| Detail | Towards the cost of monitoring delivery and maintenance of physical works (i.e. affordable housing, open space, etc) |
| Quantum | £500 |
| Fixed / Tariff | Fixed |
| Trigger | Paid in full prior to commencement of development |
| Officer agreed | YES |
| Applicant agreed | YES |
| Number Pooled obligations | None |

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|-----------------|--|
| Ref | SCDC7 |
| Type | Onsite open space and play area maintenance |
| Policy | |
| Required | YES |
| Detail | <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</p> |

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| | <p>space is offered to Guilden Morden 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> |
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