

## Heads of terms for the completion of a Section 106 agreement

Linton Road, Great Abington (S/3543/16/FL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40% (21 units)
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 Little and Great Abington 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
Sports	SCDC	£48,587.19
Children's Play Space	SCDC	£10,000
Indoor community space	SCDC	£22,058.60
Household waste bins	SCDC	£3,307.50
Monitoring	SCDC	£1,000
<b>TOTAL</b>		£84,953.29
<b>TOTAL PER DWELLING</b>		£1887.85

## Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Area of Play	SCDC	
Children's Play Space	SCDC	
Community Orchard	SCDC	

## Planning condition infrastructure summary:

Item	Beneficiary	Summary
Footway connection	CCC	

<b>CAMBRIDGESHIRE COUNTY COUNCIL</b>
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<b>Ref</b>	CCC1
<b>Type</b>	Early years
<b>Policy</b>	DP/4
<b>Required</b>	NO

<b>Ref</b>	CCC2
<b>Type</b>	Primary School
<b>Policy</b>	DP/4
<b>Required</b>	NO

<b>Ref</b>	CCC3
<b>Type</b>	Secondary school
<b>Policy</b>	DP/4
<b>Required</b>	NO

<b>Ref</b>	CCC4
<b>Type</b>	Libraries and lifelong learning
<b>Policy</b>	DP/4
<b>Required</b>	NO

<b>Ref</b>	CCC5
<b>Type</b>	Strategic waste
<b>Policy</b>	RECAP WMDG
<b>Required</b>	NO

<b>Ref</b>	CCC6
<b>Type</b>	CCC monitoring
<b>Policy</b>	None
<b>Required</b>	NO

<b>Ref</b>	CCC7
<b>Type</b>	Transport
<b>Policy</b>	TR/3
<b>Required</b>	NO

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL											
<b>Ref</b>	SCDC1										
<b>Type</b>	Sport										
<b>Policy</b>	SF/10										
<b>Required</b>	YES										
<b>Detail</b>	<p>The Recreation and Open Space Study 2013, forming part of the Local Plan submission, showed that Great and Little Abington needed 2.21 ha of sports space but had 3.72 ha, i.e. a surplus of 1.51 ha.</p> <p>The parishes of Great and Little Abington have shared recreation facilities. The one recreation ground is located in Great Abington and has a football pitch and separate cricket pitch and a heavily used, informal MUGA. There is also an outdoor bowling green located in Little Abington. The football pitches are in very good condition and have been improved since the last report. The villages do not provide competitive junior football as many local young people play for the Aztecs Club, now based at Linton Village College. There is an adult football team, and 4 adult and 5 junior cricket teams. The Bowls club are allowed to use the ground by goodwill only as it is privately owned.</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>Great Abington Parish Council has said that in order to meet the needs of future resident's sports contributions are required to:</p> <ul style="list-style-type: none"> <li>A. Improve and enlarge the hard court area on the recreation ground (which is well used by the community and the school), making it into a Multi Use games Area (MUGA) that can be used for a wide range of activities including tennis, 5 a side football, football and cricket practice.</li> <li>B. A BMX Track</li> <li>C. A perimeter running track around the recreation ground</li> <li>D. Cricket Practice nets</li> </ul> <p>The off-site contribution towards the increase in demand for provision of outdoor sports provision is set out in Table 2 below. The total contribution would be £48,587.19.</p> <table border="1"> <thead> <tr> <th>Dwellings with number of bedrooms</th><th>(£) Contribution per Dwelling</th></tr> </thead> <tbody> <tr> <td>One bed</td><td>625.73</td></tr> <tr> <td>Two bed</td><td>817.17</td></tr> <tr> <td>Three bed</td><td>1,130.04</td></tr> <tr> <td>Four bed</td><td>1,550.31</td></tr> </tbody> </table> <p><i>Table 2: Contribution towards Outdoor Open Sports Space per dwelling</i></p>	Dwellings with number of bedrooms	(£) Contribution per Dwelling	One bed	625.73	Two bed	817.17	Three bed	1,130.04	Four bed	1,550.31
Dwellings with number of bedrooms	(£) Contribution per Dwelling										
One bed	625.73										
Two bed	817.17										
Three bed	1,130.04										
Four bed	1,550.31										
<b>Quantum</b>	£48,587.19										
<b>Fixed / Tariff</b>	Tariff										
<b>Trigger</b>	To be paid prior to the occupations of 50% of the dwellings.										
<b>Officer agreed</b>	YES										
<b>Applicant</b>	<b>YES/NO</b>										

<b>agreed</b>	
<b>Number Pooled obligations</b>	3 to date

<b>Ref</b>	SCDC2
<b>Type</b>	Children's play space
<b>Policy</b>	SF/10
<b>Required</b>	YES
<b>Detail</b>	<p>The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Great and Little Abington needed 1.11 ha of play space whereas it had 0.08 ha, i.e. a deficit of 1.03 ha.</p> <p>Children's Play Space is defined as 'Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play. Also includes informal playing space within housing areas'.</p> <p>The open space in new developments SPD goes on to clarify that the 'starting point for the mix of the Children's play space will be 50% formal and 50% informal. A lower percentage of formal space may be acceptable if it can be demonstrated that provision of the LAPS / LEAPS / NEAPs hierarchy can be achieved appropriately with less than 50% formal provision'.</p> <p>The open space SPD (on page 23) explains that a Local Area for Play (LAP) caters for a target age group of 2-6 and provides soft and hard landscaping with features and design to help stimulate imaginative play. A Local Equipped Area for Play (LEAP) has a target age group is 2-8 (focussing mainly at 4-8) and has 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). A Neighbourhood Equipped Area for Play (NEAP) has a target age group of 8-14 and may comprise informal ball courts, wheeled sports facilities and/or more traditional equipped areas with a minimum of 8 pieces of play equipment suitable for the age group.</p> <p>The SPD provides a 'guide for when on-site provision will be sought' in terms children's space facilities (i.e. LAPs, LEAPs and NEAPs). For example the SPD suggests than a LAP is required at 10 dwellings, a LEAP at 50 dwellings and a NEAP at 200 dwellings. A LEAP requires an activity zone of 500 m2 and a NEAP requires an activity zone of 1200 m2.</p> <p>Although the SPD may at first glance imply that the formal open space requirement is met through the provision of LAPs, LEAPs and NEAPs the provision of a LAP or even LEAP in isolation is not considered sufficient to satisfy the formal children's play space needs of a development alone, where (for example) less than 200 dwellings are proposed as is the case here. A development providing a LEAP only meets the needs of 2-8 year olds and neglects the needs of 8-14 year olds.</p> <p>The SPD says that 'Where full provision of outdoor play space is not made on site, additional land or funding will be secured through the Section 106 Agreement or via planning obligations / conditions for improvements and / or extension to existing recreation facilities. This will be based on considerations within the village or adjoining area and will be determined in consultation with the Parish and District Councils'. Logic would therefore suggest that an offsite contribution is needed to</p>

	<p>provide children's play equipment for those age ranges not being provided for onsite.</p> <p>It is clear that the SPD intended securing the land for children's play space onsite (in this case through a LAPs and LEAPs), but that an offsite contribution be payable to provide the play equipment for older children elsewhere in the village.</p> <p>Based on a possible housing mix the development would be required to provide 384 m2 of formal play space and 384 m2 of informal play space.</p> <p>The open space in new developments SPD states that a LEAP serves an area of 450 metres distance (i.e. a 6 minute walk) and a NEAP 1000 metres distance (i.e. a 15 minute walk). The nearest play area to this site is around 850 metres away from the closest point with houses within the development being over 1km away.</p> <p>The applicant is proposing a number of items of play equipment to be located on the north east part of the site and which comprises (a) climbing structure (b) cradle net swing and (c) standing sheep. This falls short of a LEAP which would require 9 items of equipment.</p> <p>Although the needs of 4-8 years may be met through this onsite provision, the needs of 8-14 year olds are not. Little Abington Parish Council has requested a contribution towards the provision of a zip wire to be installed on the recreation ground and which is expected to cost in the region of £10,000.</p>
<b>Quantum</b>	£10,000
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	Upon occupation of the first dwelling
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	<b>YES</b>
<b>Number Pooled obligations</b>	

<b>Ref</b>	SCDC3
<b>Type</b>	Informal open space
<b>Policy</b>	SF/10
<b>Required</b>	YES
<b>Detail</b>	<p>The Recreation and Open Space Study July 2013, forming part of the local plan submission, showed that Great and Little Abington needed 0.54 ha of informal open space but had 0.27 ha, i.e. a surplus of 0.27 ha.</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 informal open space.</p> <p>The space requirement is set out in Table 1 above with the total provision to be calculated based on the approved housing mix. Based on an indicative housing mix the development is required to provide 416 m2 of informal open space to be secured through the section 106 agreement.</p> <p>The applicant is proposing an onsite area for a community orchard the size of which satisfies the informal open space requirement.</p>
<b>Quantum</b>	

<b>Fixed / Tariff</b>	N/A
<b>Trigger</b>	
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	<b>YES</b>
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC4										
<b>Type</b>	Offsite indoor community space										
<b>Policy</b>	DP/4										
<b>Required</b>	YES										
<b>Detail</b>	<p>In accordance with the assessment Great Abington has a need for 95 square metres of indoor meeting space and Little Abington has a need for 55 square metres. Both villages are served by the Abington Institute which provides 180 square metres meaning there is a surplus of 30 square metres. The Institute is described as a well maintained, good quality, recently updated facility which is well equipped with a community café and functions as a hub for community sports facilities. The hall is of a reasonable size.</p> <p>Based on the likely number of people arising from the development an area of circa 10 m2 is required. Great Abington Parish Council has said that monies would be used towards the continued improvement of facilities at the village Institute:</p> <ul style="list-style-type: none"> <li>A. The rebuilding of the outdoor decking area</li> <li>B. Installation of IT communication equipment</li> <li>C. Additional storage space</li> <li>D. Installation of a new boiler.</li> </ul> <p>A financial contribution based on the approved housing mix will be required in accordance with the published charges as set out in Table 4 below and which results in a total contribution of circa £22,058.60.</p> <p>Appendix B explains how these contributions are arrived at in relation to the policy.</p> <table border="1" data-bbox="596 1397 1353 1590"> <thead> <tr> <th>Dwellings with number of bedrooms</th><th>(£) Contribution per Dwelling</th></tr> </thead> <tbody> <tr> <td>One bed</td><td>284.08</td></tr> <tr> <td>Two bed</td><td>371</td></tr> <tr> <td>Three bed</td><td>513.04</td></tr> <tr> <td>Four bed</td><td>703.84</td></tr> </tbody> </table> <p><i>Table 3: Requirement for indoor community space per dwelling</i></p>	Dwellings with number of bedrooms	(£) Contribution per Dwelling	One bed	284.08	Two bed	371	Three bed	513.04	Four bed	703.84
Dwellings with number of bedrooms	(£) Contribution per Dwelling										
One bed	284.08										
Two bed	371										
Three bed	513.04										
Four bed	703.84										
<b>Quantum</b>	£22058.60										
<b>Fixed / Tariff</b>	Tariff										
<b>Trigger</b>	To be paid prior to the occupations of 50% of the dwellings										
<b>Officer agreed</b>	YES										
<b>Applicant agreed</b>	<b>YES</b>										
<b>Number Pooled obligations</b>											

<b>Ref</b>	SCDC5
<b>Type</b>	Household waste receptacles
<b>Policy</b>	RECAP WMDG
<b>Required</b>	YES

<b>Detail</b>	£73.50 per house and £150 per flat
<b>Quantum</b>	See above
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	Paid in full prior to occupation
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	

<b>Ref</b>	SCDC6
<b>Type</b>	S106 Monitoring
<b>Policy</b>	Portfolio holder approved policy
<b>Required</b>	YES
<b>Detail</b>	To monitor the timely delivery of onsite infrastructure (and with regards public open space and the LAP its maintenance thereafter)
<b>Quantum</b>	£1000
<b>Fixed / Tariff</b>	Fixed
<b>Trigger</b>	Paid in full prior to commencement of development
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	

<b>Ref</b>	SCDC7
<b>Type</b>	Onsite open space and play area maintenance
<b>Policy</b>	
<b>Required</b>	YES
<b>Detail</b>	<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 space is offered to the 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 openness 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>This position has been defended at a recent appeal for 110 dwellings at Teversham Road Fulbourn (APP/W0530/W/15/3139730) where the unsuitable maintenance provisions were the sole reason that the appeal was refused. See paras 101-112 of appeal decision.</p>

<b>Quantum</b>	
<b>Fixed / Tariff</b>	
<b>Trigger</b>	
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None

<b>Ref</b>	SCDC6
<b>Type</b>	Community Orchard
<b>Policy</b>	
<b>Required</b>	YES
<b>Detail</b>	<ol style="list-style-type: none"> <li>1. Community orchard scheme shall be submitted via planning condition to the LPA</li> <li>2. Community orchard shall first be offered to the PC along with maintenance contribution (to be agreed)</li> <li>3. If PC do not want to take on the orchard to be managed by the developer.</li> </ol>
<b>Quantum</b>	
<b>Fixed / Tariff</b>	
<b>Trigger</b>	Laid out in full prior to the occupation of the first dwelling on the site or in a scheme to be agreed
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	<b>YES</b>
<b>Number Pooled obligations</b>	