

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO** Development Control and Conservation Committee 7<sup>th</sup> April 2004  
**AUTHOR/S:** Director of Development Services

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### **CAMBOURNE SECTION 106 AGREEMENT: FACILITIES AND TIMING OF PROVISION**

Members will visit Cambourne to see progress being made on some of these facilities on Monday 5<sup>th</sup> April.

#### Purpose

1. The last meeting of this Committee received a report on the lack of provision of certain facilities required to be provided at Cambourne as a result of the Section 106 Agreement dated 20<sup>th</sup> April 1994. It agreed that the Council's stance should be that no further planning permissions for market housing should be granted at Cambourne until the Community Centre, Multi-Use games Area (MUGA) and Burial ground have been provided. A monthly update on progress was required. This report therefore updates Members on the progress of the provision of these facilities, as well as updating Members on the progress of other facilities that should have been provided by now but are not part of the Council's stance.

#### Background

2. There are now over 1230 houses occupied at Cambourne. To recap, the "missing" facilities that should have been provided by the trigger point of 1,000 houses occupied are:
  - a) Community Centre (required by S106 at 1000 houses)
  - b) Multi-Use Games Area (MUGA) comprising part Astroturf and part hard surface playing courts (required by S106 at 1000 houses)
  - c) Burial Ground (required by S106 at 1000 houses)
  - d) Parish Council funding (required by S106 at 1000 houses)
  - e) Playing fields (required by the S106 to be provided in phases throughout the development).
  - f) Skateboard area and other teenage play equipment to include basketball net (required by Cambourne Play Strategy at 1000 houses)
  - g) Cricket Pavilion (required by the S106 to be phased in accordance with the Masterplan and by planning permission for Lower Cambourne Village Green at 450 homes in Lower Cambourne respectively)
  - h) Allotments (required by the S106 to be provided by phased provision throughout the development)
  - i) Lower Cambourne Village Green cricket pitch, recycling area (required by planning permission for Lower Cambourne Village Green at 31/3/02 and 100 homes in Lower Cambourne respectively)
  - j) Trailer park (required by S106 at 300 houses)
3. The progress at the time of report writing ( 20<sup>th</sup> March 2004) with each of the facilities has not changed significantly on the ground since the last meeting, Any update or comment from the developers will be reported verbally. Some of the facilities are awaiting the submission of information under planning conditions before they can commence, and these are briefly described below:
  - a) Community Centre. The developers commenced on site in February, with an anticipated completion date of October 2004. Conditions outstanding prior to commencement are condition 1 – landscaping scheme; condition 2 – materials; condition 3 – signage, seating, hard surfacing; condition 8 – ecological enhancement; condition 13 – cycle store and bin store. An application to use the former Concept Centre as a temporary/interim 'community

centre' was granted at last month's Planning Committee meeting. I am awaiting information as to when this is likely to be open and ready for use.

- b) Multi-Use Games Area (MUGA). The developers commenced work in February with a completion date of Easter. Members considered the application for this at its February Meeting. Delegated powers of approval were given, additional information has since been provided by the applicant, the remaining issues will be dealt with by planning condition; the permission is about to be issued.
  - c) Burial Ground. Planning permission was granted on 2<sup>nd</sup> December. The developers commenced on site in February, with completion programmed for May/June 2004.
  - d) Parish Council. The Order has now been made and sealed. Elections for the Cambourne's Parish Council which will have 13 Members will be on 10<sup>th</sup> June 2004.
  - e) Playing fields. Planning permission was granted on 10<sup>th</sup> December. The developers hope to make the playing fields ready for use by May/June 2004.
  - f) Skateboard and play area. A separate application was submitted on 4<sup>th</sup> December, and meetings have recently taken place between the developers and young people in Cambourne. about the design of the actual equipment. Amended plans to reflect this are awaited. The developers hope to start on site this month, for completion by July (school summer holidays).
  - g) Cricket Pavilion. An application has now been received and amended plans are required. The application is the subject of an earlier item on this agenda. The developers hope to start on site in April/May 2004.
  - h) Allotments. The developers have started on site, for completion in October 2004.
  - i) Cricket pitch and recycling area at Lower Cambourne Village Green. The cricket pitch has been provided but has not been built to the Council's satisfaction and remedial works are being discussed between SCDC and the developers. The recycling area is the subject of discussion in terms of providing the bottle banks, etc.
  - j) Trailer park. Planning permission was granted for it in June 2003. The access is via an adjacent housing site which is awaiting planning permission (Section 106 agreement still awaited at the time of writing). The planning permission will be subject to a condition that the houses shall not be occupied until the trailer park is provided, ensuring an incentive for the developers to provide it. However, there is an existing access which is allowed to be used temporarily and officers are pursuing a commitment to a date for the trailer park's provision on the basis of the temporary use of that access. Meanwhile, several conditions are still outstanding prior to commencement: condition 2 – detailed layout; condition 3 – lighting; condition 4 – boundary treatment; condition 5 – water/electricity/drainage; condition 7 – management regime; condition 10 – access timing.
- h) Landscaping. Since the last committee meeting, Officers have met with the developers to run through progress being made on 27 sites where planting is expected this season (by the end of March 2004), which includes the majority of required sites.

#### Considerations

- 4. The Council's stance against granting any more market housing permissions until the Community Centre, MUGA and Burial Ground have been provided should remain in force, for the time being. Whilst initial work has started on site on these three facilities, which Members will see on their visit to the site on 5<sup>th</sup> April, it is still very early days, and I consider at this stage it would be premature to alter the stance until substantially more progress has been made on delivering these outstanding facilities.
- 5. Financial Implications

Not granting planning permission for market housing until these facilities have been provided may result in developers appealing against non-determination once the eight weeks for determining each application expires. The first housing scheme to be affected by this stance is the subject of an earlier item on this agenda (ref S/6233/04/F).

6. Legal Implications

In the unlikely event of developers not progressing positively with the works, there are, as always, both financial and legal implications of taking the developers to court.

7. Staffing Implications

Officers will continue to negotiate future housing schemes on the basis that, once the facilities have been provided, planning permissions can be issued when ready, thereby continuing to spread the workload over time.

8. Sustainability Implications

Provision of these facilities is important for community sustainability.

9. Conclusions/Summary

Positive work is taking place in terms of the developers submitting information for approval under conditions or as planning applications, and initial ground work has now started on the Community Centre. It is still early to see significant action on the ground apart from the MUGA. It is still going to be some months before these facilities are available, in the meanwhile houses continue to be occupied.

I consider at this stage it would be premature to alter the stance until substantially more progress has been made on delivering these outstanding facilities.

10. Recommendations

RECOMMENDED that:

Members agree the Council's stance for time being, and receive an update on progress at the next meeting.

**Background Papers:** the following background papers were used in the preparation of this report:

Cambourne Section 106 Agreement dated 20<sup>th</sup> April 1994

Cambourne Play Strategy December 2000, approved under conditions of the outline planning permission dated 20<sup>th</sup> April 1994, reference S/1371/92/O

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