

Papworth Everard – The Ridgeway (S/2647/15/OL)

Heads of terms for the completion of a Section 106 agreement

Papworth Everard – The Ridgeway (S/2647/15/OL)	
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
Other requirements	6 bungalows (2 affordable rent and 4 intermediate)

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£483,478 (if payable)
Primary School	CCC	£1,300,000
Secondary School	CCC	£315,559
Libraries and lifelong learning	CCC	£22,000
Bus stop	CCC	£27,000
Papworth to Caxton cycleway	CCC	£54,044
Sports	SCDC	£200,000
Indoor community space	SCDC	£100,000
Household waste bins	SCDC	£15,000
Monitoring	SCDC	£3,000
Primary healthcare	SCDC	£65,000
Footpath no 4 surface maintenance	CCC	TBD
Footpath no 4 lighting	CCC	TBD
Footpath no 4 lighting maintenance	CCC	£2,198.85
TOTAL		
TOTAL PER DWELLING		

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Bus provision	CCC	Contract with Go Whippet to secure 2 additional services (est cost £250,000)
Early years	CCC	Land provision
Children's play	CCC	Local Equipped Area of Play and Neighbourhood Equipped Area of Play
Papworth Wood extension	SCDC	An area of land of circa 0.9 ha to extend Papworth Wood

Planning Condition infrastructure summary

Item	Beneficiary	Summary
Bus provision	CCC	Contract with Go Whippet to secure 2 additional services for a period of max 5 years
Bus passes	CCC	6 month free bus pass per dwelling
Information boards	SCDC	Located within the development highlighting walking areas, Papworth Wood restrictions etc
Footpath number 3	CCC	Resurfacing

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Footpath number 4	CCC	Resurfacing
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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 65 early years aged children (based on County Council general multipliers), of which S106 contributions would ordinarily be sought for 33 children.</p> <p>Under normal circumstances Cambridgeshire County Council would require the payment of an offsite early years contribution such that they would then have the duty of securing early years accommodation within the village.</p> <p>However, on the basis that early year's provision is already limited with no obvious options to explore the applicant has proposed delivering an area of free serviced land sufficient to accommodate a pre-school building of 600 m2 and ancillary functions (inc parking and outside play space).</p> <p>The submitted DAS states a site area of 0.12ha has been set aside for a pre-school facility, which meets these requirements.</p> <p>On the basis that a pre-school facility provides accommodation for 26 places per session the full cost of this facility is required to be satisfied by the development.</p> <p>CCC does not at this current time intend building and operating this facility and instead are reliant on an early year's provider acquiring the site and fulfilling this function.</p> <p>The developer will be required to undertake a marketing exercise to give this proposal the best possible chance of success.</p> <p>If there is no take up of this opportunity then a default position of a financial contribution of £483,478 is payable</p> <p>Such a proposal will not prevent CCC from requesting the payment of the early year's contribution if an alternative option is preferred.</p> <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	£483,478 (if payable)
Fixed / Tariff	Fixed (if payable)
Trigger	The marketing strategy for the on-site early year's facility is to begin on the commencement of the development and run until the occupation of the 75th dwelling. CCC can at any stage give notice that they require the payment of the early year's contribution (rather than pursue onsite provision). At the occupation of the 75 th dwelling the Owner is entitled to pay the contribution to discharge this obligation.
Officer agreed	YES
Applicant agreed	YES
Number Pooled	NONE

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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 76 primary education aged children (based on County Council general multipliers). This development lies within the catchment area of Pendragon Community Primary School.</p> <p>As part of the pre-application process the Developer commissioned an options report to assess the ability to expand Pendragon Primary School. Option 3 (in the MS report) is the preferred option and is costed at £3,321,781. This is based on 3rd Quarter 2015. For 3Q16 this equates to £3,484,736.</p> <p>Given the current use of the site, and the current space occupied by the Children's Centre and Pre School that would need to remain, this option would provide the physical space needed for 1/2 FE (4 classroom, therefore 120 places). Contributions are therefore required on the basis of £29,040 per place (£3,484,736 / 120 places).</p> <p>Therefore a contribution is sought for primary education (it is suggested that given that the number of children is unknown at this stage, as a development mix has not been included, that a matrix is included in the S106 to calculate the level of contributions at the reserved matters stage).</p> <p>Market/shared ownership:</p> <ul style="list-style-type: none"> - 1-bed: £0 - 2-bed: £1,452 - 3-bed: £5,808 - 4+-bed: £11,616 <p>Affordable rent/social rent:</p> <ul style="list-style-type: none"> - 1-bed: £0 - 2-bed: £4,356 - 3-bed: £23,232 - 4+-bed: £34,848 <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £1,300,000
Fixed / Tariff	Tariff
Trigger	<p>50% of the contribution upon commencement of development of the first phase with 50% payable prior to occupation of 50% of dwellings in that first phase.</p> <p>100% of the contribution payable in respect of each subsequent phase is to be paid upon commencement of development of that phase.</p>
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE
Ref	CCC3

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Type	Secondary school																								
Policy	DP/4																								
Required	YES																								
Detail	<p>The secondary education contribution for this development is £315,559.</p> <p>This is based on the cost of the 1FE expansion project for Swavesey Village (£3.9m - based on costs at 1Q15) minus external funding which has been secured (£1,250,000 was secured by the College from an Education Funding Agency funding bid and the County Council received a further £1,900,000 Targeted Basic Need Funding for the scheme from the Department for Education), minus S106 contributions already secure from developments in the area (£106,002 from the 30 dwelling development at Land to the rear of no. 18 Boxworth End, Swavesey – S/0875/15/OL).</p> <p>The funding shortfall is therefore £643,998.</p> <p>In addition to the 215 dwellings at Land off the Ridgeway, Papworth Everard (S/2647/15/OL) there is a number of other developments in the area for which planning applications have recently been submitted. These are as follows:</p> <ul style="list-style-type: none"> • Land south of Fen Drayton Road, Swavesey (S/1027/16/OL) – 99 dwellings • Land to the rear of 130, Middlewatch, Swavesey (S/1605/16/OL) – 70 dwellings • Land to the west of Mill Road, Over (S/2870/15/OL) – 55 dwellings <p>Together with Land off the Ridgeway, Papworth Everard these developments total 439 new dwellings in the area. In order to be fair and reasonable the remaining funding shortfall (of £643,998) has been split proportionally between these developments, based on the number of proposed dwellings. The secondary education contributions for each development would therefore be as follows:</p> <table border="1"> <thead> <tr> <th>Development</th> <th>Number of Dwellings</th> <th>Proportion of Total Dwellings</th> <th>Contribution</th> </tr> </thead> <tbody> <tr> <td>Land south of Fen Drayton Road, Swavesey (S/1027/16/OL)</td> <td>99</td> <td>23%</td> <td>£148,119</td> </tr> <tr> <td>Land to the rear of 130, Middlewatch, Swavesey (S/1605/16/OL)</td> <td>70</td> <td>16%</td> <td>£103,040</td> </tr> <tr> <td>Land off the Ridgeway, Papworth Everard (S/2647/15/OL)</td> <td>215</td> <td>49%</td> <td>£315,559</td> </tr> <tr> <td>Land to the west of Mill Road, Over (S/2870/15/OL)</td> <td>55</td> <td>12%</td> <td>£77,280</td> </tr> <tr> <td>TOTAL</td> <td>439</td> <td>100%</td> <td>£643,998</td> </tr> </tbody> </table>	Development	Number of Dwellings	Proportion of Total Dwellings	Contribution	Land south of Fen Drayton Road, Swavesey (S/1027/16/OL)	99	23%	£148,119	Land to the rear of 130, Middlewatch, Swavesey (S/1605/16/OL)	70	16%	£103,040	Land off the Ridgeway, Papworth Everard (S/2647/15/OL)	215	49%	£315,559	Land to the west of Mill Road, Over (S/2870/15/OL)	55	12%	£77,280	TOTAL	439	100%	£643,998
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Papworth Everard – The Ridgeway (S/2647/15/OL)

Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development of the first phase with 50% payable prior to occupation of 50% of dwellings in that first phase. 100% of the contribution payable in respect of each subsequent phase is to be paid upon commencement of development of that phase.
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	Currently only 18 Boxworth End has contributed towards this project but there will eventually be 5 that will complete the funding shortfall

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>The village is served by a community library based in the shared building, Pendrill Court. This new development would result in an increase in population of 538 residents (215 x 2.5). This would place demand on the Libraries and Lifelong Learning facilities in the village which requires a contribution of £42.12 per head of increase of population to mitigate.</p> <p>As this is an outline application with numbers and mix subject to reserved matters applications a formula has been provided to calculate the final contribution</p> <p>Market/shared ownership:</p> <ul style="list-style-type: none"> - 1-bed & 2-bed: £63.18 - 3-bed: £107.41 - 4+-bed: £139 <p>Affordable rent/social rent:</p> <ul style="list-style-type: none"> - 1-bed & 2-bed: £71.60 - 3-bed: £151.63 - 4+-bed: £227.45 <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £22,000
Fixed / Tariff	Tariff
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	One being Land of Church Lane/Ermine Street (S/0623/13/FL)

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	This development falls within the Bluntisham HRC catchment area for which S106 contributions are not currently sought.
Quantum	
Fixed / Tariff	
Trigger	

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Officer agreed	NO
Applicant agreed	NO
Number Pooled obligations	

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	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 and (ii) 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.
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	NO
Applicant agreed	NO
Number Pooled obligations	

Ref	CCC7
Type	Transport
Policy	TR/3
Required	YES
Detail	The developer will be required to: a) Enter into an agreement with a bus operator (Go Whippet) in order to provide an additional bus services on the 3/X3 route for no less than 5 years, with an additional bus during the morning and evening peak times. b) Provide a contribution to install a real time passenger information board at Wood Lane/Ermine Street junction. c) Provide a contribution towards the provision of a dedicated cycle path between Papworth and the Caxton Gibbet roundabout.
Quantum	a) No direct contribution b) £27,000 to the County Council c) £54,044 to the County Council
Fixed / Tariff	Fixed
Trigger	a) The bus service must be operational from the occupation of first dwelling b) To be paid prior to occupation of first dwelling c) 100% on first occupation of the 50th dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>The open space in new developments SPD sets a threshold above which open space will be sought onsite. The threshold for formal sports is 200 dwellings. In this case officers consider it would be more appropriate to secure an offsite contribution to improve existing facilities rather than insist on onsite provision.</p> <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>The recreation study 2013 highlighted that the tennis, cricket and football clubs are well developed and improvements such as drainage have been made to the grounds and ancillary facilities over the years. In 2010 the play area was enhanced with funding from the play builder lottery project. The Varrier Jones Foundation owns much of the open space within the village the Parish Council is unable to buy and develop more open space.</p> <p>The Parish Council considers that in order to accommodate the needs of more residents that the village needs a 'new pavilion' building on the playing fields (football and cricket), which combines changing rooms, clubroom and catering facilities, etc. It has been estimated that to bring the cricket pitch back to its former high quality (including new drainage) and to provide the new pavilion would be around £350,000.</p> <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £200,000
Fixed / Tariff	Tariff
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	NONE

Ref	SCDC2
Type	Children's play space
Policy	SF/10

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Required	YES
Detail	<p>Adopted policy would require the provision of an onsite local equipped area for play (target age group 2-8 year olds) and a neighbourhood equipped area for play (target age group 8-14 year olds) in accordance with the open space in new developments SPD.</p> <p>A LEAP will have as minimum a total of 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. The area for toddlers should be separated in some way from the rest of the facility. The minimum activity zone is 500m² to include in addition to this space requirement a small games / kick about area adjacent to the main equipped play area. The buffer zone for a LEAP is 20 metres</p> <p>A NEAP will generally be used by unaccompanied 8 + year olds and also supervised younger children. They should have a minimum activity zone of 1,200m², will be freely accessible to all and provide cycle parking. They may also require car parking, where approved by the LPA.</p> <p>NEAPs will comprise of one or two of the following elements as identified through local consultation:</p> <ul style="list-style-type: none"> • Traditional fixed equipment with safety surfacing aimed at the older age group such as aerial run ways and more challenging and adventurous equipment • Ball Court or “informal” MUGA • Wheeled sport facility or skate park <p>It is also expected that each NEAP will include a youth shelter.</p> <p>The buffer zone for a NEAP is a minimum of 30 metres (but may be 80m depending on the type of NEAP being installed)</p>
Quantum	
Fixed / Tariff	
Trigger	To be laid out in accordance with a phasing plan to be agreed prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

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 Papworth experiences a surplus of 1.15 ha in terms of informal open space.</p> <p>The applicant will be required to provide a minimum level of onsite informal open space in accordance with the table below</p> <table border="1" data-bbox="624 1877 1230 2038"> <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 m ²	2 bed	7m ²	3 bed	9.7m ²	4+ bed	13.3m ²
	Informal open space										
1 bed	5.4 m ²										
2 bed	7m ²										
3 bed	9.7m ²										
4+ bed	13.3m ²										

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	This development will provide a significant open space area within the development and additional land for the extension to Papworth Wood
Quantum	
Fixed / Tariff	
Trigger	To be laid out in accordance with a phasing plan to be agreed prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>The community facilities audit of 2009 reported that Papworth was served by Papworth Village Hall which is a very old building built in the 1920s. The condition of the building at that time was said to be "extremely poor and in some parts very unsafe or just a 'no go' area. There are significant issues with asbestos in the ceiling, damp throughout and significant structural problems, including holes in the wall. The outer doors are a problem and there are also tiles missing in the roof, causing leaks. A problem facility".</p> <p>Against the community space standard (of 111sqm per 1000 people as approved by the Portfolio Holder in November 2009) Papworth had a deficit of 100 square metres.</p> <p>Since the publication of the audit Papworth Everard Parish Council has secured the hall on a 99 year lease and has embarked on a major renovation project, using s106 funds in respect of the Summersfield housing development for the provision of community facilities in the village.</p> <p>Although the refurbished village hall has been reopened for around a year it is already heavily booked on weekday evenings.</p> <p>One facility that the Parish Council could not provide within the hall, due partly to limitations on expansion because the hall is within Papworth Everard Conservation area, was a self-contained youth wing, similar to what had been seen during visits to community halls in other similar villages. Currently, Girl Guides and Brownies meet in the village hall, but it is not ideal for them as storage is limited and cannot personalise their space. There are already many boy scouts in the village, but they meet as part of the Cambourne scout packs; however, it is likely that they will expand and there will be a need for the Papworth scouts to meet in their own village. Further expansion of the village will increase pressure on the village hall and there is no available time on weekday evenings to house additional clubs.</p> <p>The total cost of providing this facility is estimated to be in the region of £600k and the development would be required to contribute towards a proportion of the costs based on the formula set out below.</p> <p>The contribution required as per the indoor community space policy would be:</p>

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	<p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p> <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £100,000
Fixed / Tariff	Tariff
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	NONE

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 of each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	
Required	
Detail	£3,000
Quantum	See above
Fixed / Tariff	Tariff
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

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</p>

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	<p>conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'. It is the Local Planning Authority's preference that the public open space is offered to Over Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer. 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>
Quantum	
Fixed / Tariff	
Trigger	Maintenance arrangements to be approved prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Final Draft

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OTHER OBLIGATIONS

Ref	OTHER 1
Type	Health
Policy	DP/4
Required	YES
Detail	<p>NHS England have sought contributions from this development towards the cost of an extension or remodelling of Papworth Surgery.</p> <p>On the basis that there is uncertainty as to the final housing numbers and mix the following tariff is proposed being used:</p> <p>1 bed: £183.77 2 bed: £240.00 3 bed: £331.88 4 bed: £455.30</p>
Quantum	Circa £65,000
Fixed / Tariff	Tariff
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	NONE

Ref	OTHER2
Type	Extension to Papworth Wood
Policy	DP/4
Required	YES
Detail	An area of land of circa 0.9 ha to extend Papworth Wood in accordance with Plan (CSA/2571/123). The section 106 agreement will secure long term maintenance arrangements of this land.
Quantum	
Fixed / Tariff	
Trigger	Planting scheme to be submitted prior to commencement and to be planted prior to first occupation (at first planting season)
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	OTHER3
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Type	Footpath number 3 works
Policy	TR/3
Required	YES
Detail	The resurfacing of footpath no3 is covered by a planning condition. A section 106 obligation will require the payment of a commuted sum (to be agreed) to the County Council.
Quantum	TBA
Fixed / Tariff	
Trigger	To be agreed
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	OTHER4
Type	Footpath number 4 works
Policy	TR/3
Required	YES
Detail	The resurfacing of footpath no4 is covered by a planning condition A section 106 obligation will require the payment of a commuted sum (to be agreed) to the County Council for the maintenance of the surface. In addition the installation of lighting columns and future maintenance of the lighting columns is to be included in the section 106 agreement at a cost of £2,198.85 Both contributions are payable to Cambridgeshire County Council but the County Council may seek to secure separate arrangements with the Parish Council to assume responsibility of these.
Quantum	£ for footpath surface maintenance £ for installing lighting £2,198.85 for footpath lighting maintenance
Fixed / Tariff	
Trigger	To be agreed
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE