

### Appendix 3

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

<b>Fulbourn – Teversham Road (S/0202/17/OL)</b>	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	30%
Affordable housing tenure	50% affordable rent and 50% Intermediate
Local connection criteria	The first 8 properties should be allocated to those with a local connection to Fulbourn and the remaining should be allocated on a 50/50 split basis between applicants with a District wide connection

#### Section 106 payments summary:

<b>Item</b>	<b>Beneficiary</b>	<b>Estimated sum</b>
Early years	CCC	£250,000 (circa)
Primary School	CCC	£470,000 (circa)
Secondary School	CCC	£650,000 (circa)
Libraries and lifelong learning	CCC	£1,100 (circa)
Sports	SCDC	£110,000 (circa)
Indoor community space	SCDC	£50,000 (circa)
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£1,500
Healthcare	SCDC	£41,630
<b>TOTAL</b>		
<b>TOTAL PER DWELLING</b>		

#### Section 106 infrastructure summary:

<b>Item</b>	<b>Beneficiary</b>	<b>Summary</b>
Local Equipped Area for Play	SCDC	

#### Planning condition infrastructure summary:

<b>Item</b>	<b>Beneficiary</b>	<b>Summary</b>
Footpath improvements	CCC	Footpath improvements to be agreed with the County Council

**CAMBRIDGESHIRE COUNTY COUNCIL**

<b>Ref</b>	CCC1
<b>Type</b>	Early years
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<p>The County Council estimate that 17 early years children will be generated from the development.</p> <p>The proposed solution which has been identified by Cambridgeshire County Council to mitigate the primary-aged pupils arising from this development and others in the area is 6 additional classrooms (accommodating 180 additional primary-aged places) and additional early years expansion (accommodating 38 early years places). The cost of this work is £5,685,000, which is included within the latest version of the Capital Programme (Project A/C.01.028).</p> <p>However, this cost includes replacement of two existing mobiles and other condition and refurbishment work. The costs of these elements have been removed such that the total cost of what should be charged to new developments is £3,211,496 (4Q15).</p> <p>This equates to £14,731.63 per place (for both early years and primary places) (£3,211,496 / 218 places).</p> <p>The cost of the scheme is to be funded from the Council's capital programme. Funding sources that make up the programme include developer contributions, DfE capital allocations, capital receipts and Council borrowing approval.</p> <p>As a dwelling mix has not been submitted for this development the County Council would include the following table figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approved.</p> <p>Affordable rent:</p> <p>1 bed – £0  2 bed – £2,946  3 bed – £4,420  4 bed – £5,156</p> <p>Shared ownership and market:</p> <p>1 bed – £0  2 bed – £737  3 bed – £1,473  4 bed – £2,578</p>
<b>Quantum</b>	£250,000 (circa)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	50% of the contribution upon commencement of development  50% payable prior to occupation of 50% of dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	
<b>Number Pooled obligations</b>	None

<b>Ref</b>	CCC2
<b>Type</b>	Primary School
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<p>The County Council estimate that 32 primary school children will be generated from the development.</p> <p>The proposed solution which has been identified by Cambridgeshire County Council to mitigate the primary-aged pupils arising from this development and others in the area is 6 additional classrooms (accommodating 180 additional primary-aged places) and additional early year's expansion (accommodating 38 early years places). The cost of this work is £5,685,000, which is included within the latest version of the Capital Programme (Project A/C.01.028).</p> <p>However, this cost includes replacement of two existing mobiles and other condition and refurbishment work. The costs of these elements have been removed such that the total cost of what should be charged to new developments is £3,211,496 (4Q15).</p> <p>This equates to £14,731.63 per place (for both early years and primary places) (£3,211,496 / 218 places).</p> <p>The cost of the scheme is to be funded from the Council's capital programme. Funding sources that make up the programme include developer contributions, DfE capital allocations, capital receipts and Council borrowing approval.</p> <p>As a dwelling mix has not been submitted for this development the County Council would include the following table figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approved.</p> <p>Affordable rent:</p> <p>1 bed – £0  2 bed – £2,946  3 bed – £4,420  4 bed – £5,156</p> <p>Shared ownership and market:</p> <p>1 bed – £0  2 bed – £737  3 bed – £1,473  4 bed – £2,578</p>
<b>Quantum</b>	£470,000 (circa)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	50% of the contribution upon commencement of development  50% payable prior to occupation of 50% of dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None

<b>Ref</b>	CCC3
<b>Type</b>	Secondary school

<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<p>The County Council estimate that 28 secondary school children will be generated from the development.</p> <p>Contributions being sought from this development and others in the area are in respect of a £3.5m 1FE expansion at Bottisham Village College, which is required based on catchment need.</p> <p>The County Councils Capital Programme (2017-18) references the cost for the entire expansion of Bottisham Village College (project – A/C.02.004), £12.7m, of which the £3.5m is part of this total cost. As a dwelling mix has not been submitted for this development the County Council would include the following figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approved. The costs have been calculated by multiplying the cost per place (£23,333).</p> <p>Affordable rent:</p> <p>1 bed – £0  2 bed – £0  3 bed – £9,333  4 bed – £21,000</p> <p>Shared ownership and market:</p> <p>1 bed – £0  2 bed – £0  3 bed – £3,500  4 bed – £7,000</p>
<b>Quantum</b>	£650,000 (circa)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	50% of the contribution upon commencement of development  50% payable prior to occupation of 50% of dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	NONE

<b>Ref</b>	CCC4
<b>Type</b>	Libraries and lifelong learning
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<p>Statutory provision for the library service in Fulbourn is via 2 mobile library stops. There is not sufficient capacity within this provision to meet the needs of the additional residents being generated from this development.</p> <p>Therefore in order for the service to meet the demands of the additional residents a contribution of £4.08 per head of population will be required to provide the additional books, resources and equipment to meet the library and lifelong learning needs of this new population via the SCDC existing mobile service. This figure is based on the MLA Standard Charge Approach for public libraries (Public Libraries, Archives and New Development: A standard Charge Approach (Museums, Libraries and Archives Council, May 2010).</p>

	<p>There is also a volunteer run Library Access Point which operates from the Swifts community building in the village. The County Council considers that there is not sufficient spare capacity/stock within this provision to meet the needs of the additional residents being generated from this development. In addition, the Library Access Point is not part of the County Councils statutory library service the County Council is unable to rely on this provision.</p> <p>As a dwelling mix has not been submitted for this development the County Council would include the following figures within the S106 which would allow for a contribution to be calculated at the reserved matters stage when a dwelling mix has been approve</p> <p>Affordable rent:</p> <p>1 bed – £6.94 2 bed – £6.94 3 bed – £14.69 4 bed – £22.03</p> <p>Shared ownership and market:</p> <p>1 bed – £6.12 2 bed – £6.12 3 bed – £10.40 4 bed – £13.47</p>
<b>Quantum</b>	£1,100 (circa)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	50% of the contribution upon commencement of development  50% payable prior to occupation of 50% of dwellings
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	NONE

<b>Ref</b>	CCC5
<b>Type</b>	Strategic waste
<b>Policy</b>	RECAP WMDG
<b>Required</b>	NO
<b>Detail</b>	Milton HRC has pooled 5 or more contributions towards this infrastructure since 6 April 2010.

<b>Ref</b>	CCC6
<b>Type</b>	CCC monitoring
<b>Policy</b>	None
<b>Required</b>	NO
<b>Detail</b>	The District Council does not support County Council monitoring requests on the basis that (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. 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

<b>Ref</b>	CCC7
<b>Type</b>	Transport
<b>Policy</b>	TR/3

Required	NO
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**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 Fulbourn has a deficiency of 0.41 hectares of Outdoor Sport Provision (i.e. when assessed against the open space standards set out in policy SF/11 of the developments control policies development plan document Fulbourn requires 5.62 ha of sports space but only has 5.21 ha).</p> <p>Fulbourn Parish Council has said that in order to meet the needs of future resident's sports contributions are required to extend and refurbish the Sports Pavilion on the recreation ground. This project will deliver a single storey extension on the east side of the building; upgrade the changing rooms and update the showers to conform to the latest regulations. Ramps will also be installed to comply with the Disability Act. The estimated overall cost is conservative at £150,000 and the Parish Council are exploring grant funding possibilities with the FA</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>
<b>Quantum</b>	£110,000 (circa)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	To be paid prior to the occupations of 50% of the dwellings (in each phase if more than one reserved matters application submitted)
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None

<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 Fulbourn experienced a deficit of 2.35 ha of Children's Play Space (i.e. 2.81 ha is needed whereas the village only has 0.46 ha).</p> <p>3Here the applicant is proposing an onsite local equipped area for play (LEAP) which, in accordance with policy will need to comprise an area of no less size than that described above in order to satisfy development control policy SF/11.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td>Formal play space</td> <td>Informal play space</td> </tr> <tr> <td>1 bed</td> <td>Nil</td> <td>Nil</td> </tr> </table>		Formal play space	Informal play space	1 bed	Nil	Nil
	Formal play space	Informal play space					
1 bed	Nil	Nil					

		2 bed	7m2	7m2
		3 bed	9.7m2	9.7m2
		4+ bed	13.3m2	13.3m2
<b>Quantum</b>				
<b>Fixed / Tariff</b>	Tariff			
<b>Trigger</b>				
<b>Officer agreed</b>	YES			
<b>Applicant agreed</b>	YES			
<b>Number Pooled obligations</b>	NONE			

<b>Ref</b>	SCDC3										
<b>Type</b>	Informal open space										
<b>Policy</b>	SF/10										
<b>Required</b>	YES										
<b>Detail</b>	<p>The applicant will be required to provide a minimum level of informal open space in accordance with the table below</p> <table border="1" data-bbox="624 857 1230 1025"> <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
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<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>	SCDC4
<b>Type</b>	Offsite indoor community space
<b>Policy</b>	DP/4
<b>Required</b>	YES
<b>Detail</b>	<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</p>

	<p>since.</p> <p>In accordance with the assessment Fulbourn has a need for 499 square metres of indoor meeting space whereas there is only 237 square metres currently provided. The village is served by Fulbourn Townley Memorial Hall which is described in the audit as “An impressively renovated hall, which has been significantly augmented with additional meeting room spaces and office space, as well as the creation of a new sport and social club. Main hall is of a good size, with a permanent stage, also refurbished, suitable for performances and sporting activities, with fair sized kitchen. Toilets have been refurbished, including new disability toilet”.</p> <p>Fulbourn Parish Council has invested heavily in both indoor and outdoor sports improvements in recent years. The village is now turning its attention to providing fit for purpose indoor meeting space and the Parish Council has obtained planning permission (S/1537/14/FL) for a new building on the recreation ground which will be community based providing meeting rooms, youth facilities, music tuition and sporting and social activities. This new facility will provide an extra 266 m2 of internal meeting space and therefore contribute towards the extra community centre space which the previous audit highlighted Fulbourn was lacking.</p> <p>The Parish Council now have costs for the proposed new building which amount to £400K. The Parish Council has earmarked £200K towards this from the Parish precept and is seeking grants/s106 funding for the remainder of the costs.</p> <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>
<b>Quantum</b>	£50,000 (circa)
<b>Fixed / Tariff</b>	Tariff
<b>Trigger</b>	To be paid prior to the occupations of 50% of the dwellings in each phase
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	NONE

<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 commencement of each phase
<b>Officer agreed</b>	YES
<b>Applicant agreed</b>	YES
<b>Number Pooled obligations</b>	None



<b>Ref</b>	SCDC6
<b>Type</b>	S106 Monitoring
<b>Policy</b>	Portfolio holder approved policy
<b>Required</b>	YES
<b>Detail</b>	To ensure the timely delivery of onsite infrastructure
<b>Quantum</b>	£1,500
<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>	None

<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 be offered to Fulbourn 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>
<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

**OTHER OBLIGATIONS**

<b>Ref</b>	OTHER 1																																						
<b>Type</b>	Health																																						
<b>Policy</b>	DP/4																																						
<b>Required</b>	YES																																						
<b>Detail</b>	<p>The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 585 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 <sup>1</sup></th> <th>NIA (m2) <sup>2</sup></th> <th>Capacity <sup>3</sup></th> <th>Spare capacity (NIA m2) <sup>4</sup></th> </tr> </thead> <tbody> <tr> <td>Fulbourn Health Centre</td> <td>11,091</td> <td>698.70</td> <td>10,189</td> <td>-61.83</td> </tr> <tr> <td>Cherry Hinton Medical Centre</td> <td>9,714</td> <td>330.50</td> <td>4,820</td> <td>-335.60</td> </tr> <tr> <td>Cherry Hinton Surgery</td> <td>4,950</td> <td>333.63</td> <td>4,865</td> <td>-5.80</td> </tr> <tr> <td><b>Total</b></td> <td><b>25,755</b></td> <td><b>1,362.83</b></td> <td><b>19,874</b></td> <td><b>-103.23</b></td> </tr> </tbody> </table> <p>Notes:            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.            2. Current Net Internal Area occupied by the Practice            3. Patient Capacity based on the Existing NIA of the Practice            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>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 <sup>5</sup></th> <th>Additional floorspace required <sup>6</sup></th> <th>Spare capacity (NIA) <sup>7</sup></th> <th>Capital required to create additional floorspace <sup>8</sup></th> </tr> </thead> <tbody> <tr> <td>Cherry Hinton Medical</td> <td>264</td> <td>18.10</td> <td>-335.60</td> <td>£41,630</td> </tr> </tbody> </table>				Premises	Weighted list size <sup>1</sup>	NIA (m2) <sup>2</sup>	Capacity <sup>3</sup>	Spare capacity (NIA m2) <sup>4</sup>	Fulbourn Health Centre	11,091	698.70	10,189	-61.83	Cherry Hinton Medical Centre	9,714	330.50	4,820	-335.60	Cherry Hinton Surgery	4,950	333.63	4,865	-5.80	<b>Total</b>	<b>25,755</b>	<b>1,362.83</b>	<b>19,874</b>	<b>-103.23</b>	Premises	Additional pop growth <sup>5</sup>	Additional floorspace required <sup>6</sup>	Spare capacity (NIA) <sup>7</sup>	Capital required to create additional floorspace <sup>8</sup>	Cherry Hinton Medical	264	18.10	-335.60	£41,630
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	Centre				
	Total	264	18.10	-335.60	£41,630
	<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). Calculated using an average of 1.5 residents per extra care apartment.</p> <p>6. Based on 120m<sup>2</sup> 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 m<sup>2</sup> cost multiplier for primary healthcare in the East Anglia Region from the BCIS Q1 2014 price Index, adjusted for professional fees, fit out and contingencies budget (£2,000/m<sup>2</sup>), rounded to nearest £.</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 £41,630.</p>				
<b>Quantum</b>	£41,630				
<b>Fixed / Tariff</b>	Fixed				
<b>Trigger</b>	100% prior to occupation of 50% of the dwellings				
<b>Officer agreed</b>	YES				
<b>Applicant agreed</b>	YES				
<b>Number Pooled obligations</b>	NONE				