

3/13/1501/OP Section 106 agreement heads of terms

	NON MONETRY OBLIGATIONS	Beneficiary	Report paragraph	Notes
1	<p>Viability review To be conducted prior to the occupation of the xxth dwelling to ensure that mitigation and social infrastructure that is currently underfunded¹ benefits from any uplift in the viability of the development in the light of actual build costs, sales values and other relevant factors.</p>	EHDC	8.1.11	¹ Areas that qualify for additional contributions, including affordable housing, to be identified in the agreement.
2	<p>Affordable housing review To be conducted prior to the occupation of the xxth dwelling to ensure that the affordable housing provision reflects the long terms needs of the District and meets local plan policy.²</p>	EHDC	8.2.5 8.2.9	² The affordable housing review will take into account the outcome of the agreed viability review, and affordable housing shall be not less than 22.5% across the three phases.
3	<p>Affordable housing requirements 1 Prior to the commencement of the development of each phase, an Affordable Housing Delivery Plan shall be approved by the Council, to include, inter alia: <ul style="list-style-type: none"> a percentage of affordable housing³ b details of house types c bedroom sizes d tenure split e delivery programme 2 No more than 33% of market housing in each phase to be complete before the affordable housing starts to be delivered and affordable housing provision to be completed no later than 80% of the market housing 3 Lifetime Homes: minimum of 30%⁴ (May be a condition) 4 Wheelchair adaptations to be provided in up to 5% of affordable homes if requested by the Council. (May be a condition)</p>	EHDC	8.2.9 8.2.17	<p>³ The affordable housing delivery plans for phases 2 and 3 will take into account the outcome of the agreed viability review.</p> <p>⁴ Countryside Properties have now confirmed that they should be able to achieve 50% Lifetime Homes, with the other 50% failing only on access to the dwellings by reason of the topography of the site.</p>

4	<p>Market housing requirements To ensure market housing contributes to meeting the needs of an ageing population and disabled people, wheelchair adaptations to be actively marketed at cost to the purchaser</p>	EHDC	8.2.17	
5	<p>Green infrastructure and SuDS management arrangements Taking into account the GI and Biodiversity Management Plan, the arrangements necessary to secure the long term management and maintenance of the SuDS⁵ and open space.</p>	EHDC	8.4.8 8.5.33/36	⁵ Ensuring the long term arrangements for the management and maintenance of SuDS is now a responsibility to be exercised by LPAs in the context of a planning application
6	<p>Primary school site 1 If required by HCC within [xx] years, to transfer an unfettered site of no more than 1.2 ha for the construction of a primary school. 2. Should HCC within [xx] years secure an alternative site for a school and therefore not require the school site to be transferred, HCC will instead request an additional contribution equivalent to the open market value of the school site for residential development or if declined by Countryside the land be transferred to HCC at nil cost for disposal on the open market for residential development.</p>	HCC	8.3.13	
7	<p>Fire hydrants To be provided at no cost to HCC, in accordance with agreed standards and timescales</p>	HCC	8.4.23	
8	<p>Section 106 fund Any unspent or underspend of Section 106 contributions to be returned to a fund for redistribution to areas of social infrastructure and mitigation that are under-funded.⁶</p>	EHDC/HCC	8.1.11	⁶ Refers to specified areas underfunded at the time of granting planning permission by reason of viability constraints.

	MONETARY OBLIGATIONS	Sum £	Beneficiary	Report paragraph	Notes
	These sums are based on the following assumptions: <ul style="list-style-type: none"> • 329 homes • 22.5% affordable housing across the site; 70% affordable rented and 30% shared ownership • Primary school site required 				
	Section 278 off-site highways works				
9	Rye Street improvements; to be completed before occupation of the 90 th dwelling.	840,000 ⁷	HCC	8.6.24	⁷ The actual cost will be met - £840,000 is an estimate only
	Section 106 highways and transportation				
10	Travel plan: <ul style="list-style-type: none"> - public transport subsidy towards service 510 and the new ASRs bus service⁸ - free bus passes⁹ - traffic monitoring mitigation - Traffic monitoring fee 	380,000 95,400 50,000 10,000	HCC	8.6.27/30 and Supplementary report 3.7 8.6.32 Supplementary report, 3.5	⁸ Gap funding the a bus service for up to 8 years ⁹ New residents to receive free travel for 3 months
11	Off-site footway and cycle links between ASR 5 and the town centre, ASRs 1-4 and the rural area.	30,000	HCC	8.6.34	
	Sub total	1,405,400			
	HCC non-highways mitigation				
12	Primary school ¹⁰ construction – the new school to be constructed within or easily accessible to BSN.	2,450,000	HCC	8.3.14	¹⁰ Includes on-site nursery class
13	Secondary school construction – the new secondary school to serve ASRs 1-5.	2,800,000	HCC	8.3.18	
14	The childcare facilities and activities provided within BSN.	48,739	HCC	8.4.16	

15	The youth services for the residents of BSN.	19,051	HCC	8.4.17	
16	Libraries – the project to extend/improve services within Bishop’s Stortford	66,196	HCC	8.4.18	
17	Household Waste Recycling Centre	[45,073] ¹¹	HCC	8.4.21	¹¹ Contribution to the cost of the new facility to replace Woodside HWRC – to be held over to the viability review
	Sub total	5,383,986¹² [5,429,059] ¹³			¹² Excluding item 17 ¹³ Including item 17
	EHDC contributions				
18	Household recycling bins within ASR 5	23,856	EHDC	8.4.22	
19	Community buildings – contribution towards facilities within BSN.	94,098	EHDC	8.4.3	
20	Sport: contribution to BS Rugby Club and/or BS Sports Trust for projects to increase capacity and improve facilities for the benefit of residents of BSN ¹²	436,233 ¹⁴	EHDC	8.4.12	¹⁴ c.12% less than the tool kit figure; opportunity to top up with a favourable viability reassessment.
21	Rhodes Museum – a contribution towards the display, interpretation and storage of finds from BSN.	9,000	EHDC	8.5.47	
22	Allotments – contribution towards the allotments to be provided in BSN	22,431	EHDC/TC	8.4.19	
23	Burial space – contribution to BS Town Council for the capacity project	7,478	EHDC/TC	8.4.20	
24	Completion of riverside path and cycleway linking to Sworders Field	118,000	EHDC/TC	8.6.34	
25	Health Centre - contribution to NHS for new centre on ASRs1-4	171,518	EHDC	8.4.3	
26	Monitoring fee per monitored clause	[xxx] ¹⁵	EHDC	-	¹⁵ To be confirmed

	Sub total	892,614			
	TOTAL	7,682,000			
	AVAILABLE	7,682,000¹⁶			¹⁶ The sum available from the first viability assessment
	BALANCE	0			