

3/13/0886/OP S.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 100th dwelling to ensure that mitigation and social infrastructure that is currently underfunded 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 8.2.10	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 100th dwelling to ensure that the affordable housing provision reflects the long terms needs of the District and meets local plan policy.</p>	EHDC	8.2.5 8.2.10	The affordable housing review will take into account the outcome of the agreed viability review, and affordable housing shall be not less than 25% across the three phases.
3	<p>Affordable housing requirements</p> <p>1 Minimum of 25% of all the dwellings to be affordable housing</p> <p>2 AH tenure split to be 60% affordable rented: 40% shared ownership or as otherwise increased and agreed in favour of affordable rented.</p> <p>3 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:</p> <ul style="list-style-type: none"> a percentage of affordable housing b details of house types c bedroom sizes d tenure split e delivery programme <p>4 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</p> <p>5 Lifetime Homes/Approved Document M, Section M4(2) <i>Accessible & Adaptable Dwellings</i> of the Building. Regulations: minimum 30%</p> <p>6 Approved Document M, Section M4(3) <i>Wheelchair Accessible Dwellings</i> - adaptations to be provided in up to 5% of affordable homes if requested by the Council.</p>	EHDC	8.2.10 8.2.15 8.2.19	The affordable housing delivery plans for phases 2 & 3 will take into account the outcome of the agreed viability review.

4	<p>Market housing requirements To ensure market housing contributes to meeting the needs of an ageing population and disabled people, wheelchair adaptations in accordance with Approved Document M, Section M4(3) <i>Wheelchair Accessible Dwellings</i> to be actively marketed and provided with cost recovery from the purchaser.</p>	EHDC	8.2.19	
5	<p>Green infrastructure & SuDS management arrangements</p> <ol style="list-style-type: none"> 1. Green Infrastructure: Taking into account the Green Infrastructure & Biodiversity Management Plan, Council approval of the arrangements necessary to secure the long term management & maintenance of the GI, open space and all areas of the site that are not highways, a school or within the curtilages of dwellings 2. SuDS management arrangements: Council approval of the arrangements necessary to secure the long term management and maintenance of the SuDS 	EHDC	8.4.10 8.5.30 8.5.37	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</p> <ol style="list-style-type: none"> 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 1fe 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. (Note: appropriate dates to be defined) 	HCC	8.3.13	The provisions in 6.2 will enable the County to avoid building a 1fe school by enabling the consolidation of the BSN schools into a 2fe on ASRs 1-2 and a 3fe off-site.
7	<p>Fire hydrants To be provided at no cost to HCC, in accordance with agreed standards and timescales</p>	HCC	8.4.26	
8	<p>Section 106 fund Any unspent or underspend of s.106 contributions to be returned to a fund for redistribution to areas of social infrastructure & mitigation that are under-funded.</p>	EHDC/HCC	8.1.11	Refers to specified areas underfunded by reason of viability constraints at the time of granting planning permission.

	MONETARY OBLIGATIONS	Sum £	Beneficiary	Report paragraph	Notes
	These sums are based on the following assumptions: <ul style="list-style-type: none"> • 329 homes • 25% affordable housing across the site; 60% affordable rented and 40% shared ownership 				
	HCC CONTRIBUTIONS				
	Highways - S.278 off-site highways works				
9	Rye Street improvements; to be completed before first occupation.	840,000	HCC	8.6.24	The actual cost will be met - £840,000 is an estimate only
	Highways - S.106 transportation				
10	Travel plan: <ul style="list-style-type: none"> - public transport subsidy towards service 510 and the new ASRs bus service - free bus passes - coordinator, marketing and administration - HCC monitoring fee 	390,000 95,400 50,000 10,000	HCC	8.6.27 8.6.32 8.6.31	Gap funding a bus service for up to 8 years; new residents receive free travel for 3 months
11	Off-site footway and cycle links between ASR 5 and the town centre, ASRs 1-4 & the rural area.	30,000	HCC	8.6.34	
	Highways sub total	1,415,400			
	HCC non-highways mitigation				

12	Primary school construction – the new school to be constructed within or easily accessible to BSN.	2,450,000	HCC	8.3.14	Includes on-site nursery class
13	Secondary school construction – the new secondary school to serve ASRs 1-5.	2,800,000	HCC	8.3.23	
14	The childcare facilities and activities provided within BSN.	48,739	HCC	8.4.18	
15	The youth services for the residents of BSN.	19,051	HCC	8.4.19	
16	Libraries – the project to extend/improve services within Bishop's Stortford	66,196	HCC	8.4.20	
17	Household Waste Recycling Centre	[45,073]	HCC	8.4.24	Contribution to the cost of the new facility to replace Woodside HWRC – to be held over to the viability review
	HCC non-highways sub total	5,383,986			
	Total HCC contributions	6,799,386			
	EHDC CONTRIBUTIONS				
18	Household recycling bins within ASR 5	23,856	EHDC	8.4.25	
19	Community buildings – contribution towards facilities within BSN	94,098	EHDC	8.4.3 – 8.4..5	
20	Sport: contribution towards projects at BS Rugby Club and/or BS Sports Trust that will increase capacity and improve facilities for the benefit of residents of BSN.	446,233	EHDC	8.4.14	£39,032 less than the toolkit figure of £485,265. May be topped up following the viability review.
21	Rhodes Museum – a contribution towards the display, interpretation & storage of finds from BSN	9,000	EHDC	8.5.49	
22	Allotments – contribution towards the allotments to be provided in BSN	22,431	EHDC/TC	8.4.22	

23	Burial space – contribution to BS Town Council for the capacity project	7,478	EHDC/TC	8.4.23	
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 the new centre on ASRs1-4	171,518	EHDC	8.4.3 – 8.4.5	
	EHDC TOTAL	892,614			
	TOTAL	7,692,000			
	AVAILABLE	7,692,000			
	BALANCE	0			