

3/17/2588/OUT Section 106 agreement heads of terms

	NON MONETRY OBLIGATIONS	Beneficiary	Report paragraph	Notes
1	<p>Viability reviews</p> <p>To be conducted at an agreed point prior to the commencement of development of the currently outline part of the scheme, but after completion and sale of an agreed proportion of the units in the current full element of the application, such that actual costs and sales values are known. This is 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. In the event that there is a reduction in the viability of the development following a review there shall be no reduction in the current agreed proportion of affordable housing or in the level of financial contributions currently offered.</p>	EHDC		Areas that qualify for additional contributions, including affordable housing, to be identified in the agreement, together with the methodology for the review and the distribution of any uplift between the developer and the local authorities.
2	<p>Affordable housing review</p> <p>To be conducted prior to the commencement of</p>	EHDC		The affordable housing review will take into account

	development of the currently outline part of the scheme to ensure that the affordable housing provision reflects the long terms needs of the District and meets local plan policy.			the outcome of the agreed viability review, and affordable housing shall be not less than 20% across the development.
3	<p>Affordable housing requirements</p> <p>1. Minimum of 20% of all the dwellings in the full element of the scheme to be affordable housing</p> <p>2. The tenure split to be 50% affordable rented and 50% shared ownership or as otherwise agreed.</p> <p>3. Prior to the commencement of the development of each block or building, 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 the current full element of the site and the subsequent outline element of the site to be complete before the affordable housing starts to be delivered and no more than 80% of the private residential units</p>	EHDC		The affordable housing delivery plan for the outline element of the site will take into account the outcome of the agreed viability reviews.

	<p>shall be completed until the affordable housing is completed.</p> <p>5. All affordable housing to be constructed to Building Regulations Approved Document M, Section M4(2) <i>Accessible & Adaptable Dwellings</i>.</p> <p>6. Up to 5% of affordable housing to be constructed to Building Regulations Approved Document M, Section M4(3) <i>Wheelchair Accessible Dwellings</i> as may be requested by the Council.</p>			
4	<p>Market housing requirements</p> <p>(a) All dwellings to be constructed to Building Regulations Approved Document M, Section M4(2) <i>Accessible & Adaptable Dwellings</i>.</p> <p>(b) 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, with cost recovery from the purchaser.</p>	EHDC		
5	<p>Green infrastructure & SuDS management arrangements</p> <p>1. Green Infrastructure: approval of the arrangements necessary to secure the long term management & maintenance of the Green</p>	EHDC		

	<p>Infrastructure, open space and all areas of the site that are not adopted by a public organisation or within the curtilages of dwellings</p> <p>2. SuDS management arrangements: Council approval of the arrangements necessary to secure the long term management and maintenance of the SuDS</p>			
6	<p>Commercial floorspace strategy (A1- A4, B1, D1)</p> <p>A commercial floorspace strategy shall be submitted to and approved by the Council, setting out the approach to the delivery timescale for the floorspace, the marketing plans to be adopted, funding and ongoing management arrangements. Once agreed, the strategy to be implemented.</p>	EHDC		
7	<p>Fire hydrants</p> <p>To be provided at no cost to HCC, in accordance with agreed standards and timescales</p>	HCC		
8	<p>Section 106 fund</p> <p>Any unspent or underspend of s.106 contributions to be returned to a fund for redistribution to areas of social infrastructure & mitigation that are underfunded.</p>	EHDC/HCC/TC		Refers to specified areas underfunded by reason of viability constraints at the time of granting planning permission.

9	<p>Tow path treatment</p> <p>Requirement to ensure that enhancement to towpath and riverside works are undertaken where this may relate to land outside the applicants ownership and control.</p>			
10	<p>North - south link road</p> <p>Agreed arrangements for the timing of the delivery of the road through the site, its use and subsequent review of its use; together with other road improvement works which may be required to ensure implementation.</p>	EHDC/HCC		
11	<p>On street car parking - management</p> <p>Requirement to ensure effective management of on street car parking within the site.</p>			
12	<p>Car Club</p> <p>Provision of a car club for new residents for a period not less than 3 years.</p>			
13	<p>Bus Season Tickets</p> <p>Provision of two vouchers per dwelling entitling the residents to 12 months free bus travel within the area covered by the Bishop's Stortford PlusBus season ticket. The vouchers are to be valid for exchange during the first 6 months following the</p>			

	occupation of the respective dwelling unit.			
14	Appeal Requirement to immediately withdraw (with neither side applying for costs) planning appeal relating to 3/16/0530/OUT on completion of S106 agreement.	EHDC & Applicant		

	MONETARY OBLIGATIONS	£Sum			Notes
		Full Application element of site	Outline application element of site	Total	
	<p>These sums are based on the following assumptions:</p> <ul style="list-style-type: none"> • 323 units to be developed as part of the full application proposals for the development of the site • A further 263 units in the currently outline element of the site • A minimum of 64 affordable housing units 				

	in the full application part of the site and a minimum of a further 53 units in the currently outline element of the site.				
HCC CONTRIBUTIONS					
10	Travel plan monitoring fee - HCC monitoring fee	10,000	0	10,000	The role of Co-ordinator, marketing & administration will be fully funded by the developer (Transport Assessment, Appendix 23, February 2016)
11	Accessibility Off-site footway, footpath and cycle links between the Goods Yard, the town centre and surrounding streets	228,250	To be determined in accordance with formula requirement and depending on unit mix in current outline element of scheme	To be determined	Including a contribution of £120,000 towards the construction of the pedestrian walkway on the north side of the Station Road bridge over the Stort.

12	Primary education Towards the expansion of St Joseph's Primary School from 1.5FE to 2.0FE	178,298	As above	As above	
13	Secondary education Towards the expansion of Herts & Essex High School from 5.3FE to 6.0FE	93,733	As above	As above	
14	Youth services Towards the development of the Information Advice and Guidance (small group work) rooms either at Northgate End or, if re-provided, at the new centre	2,848	As above	As above	
15	Libraries towards improvements to the layout of the adult lending area of Bishop's Stortford Library	33,325	As above	As above	
	HCC TOTAL	546,454	As above	As above	

EHDC CONTRIBUTIONS					
16	Community buildings	56,251	To be determined in accordance with formula requirement and depending on unit mix in current outline element of scheme	To be determined	
17	Offsite sports facilities	210,782	As above	As above	
18	Rhodes Museum A contribution to BS Town Council towards the display, interpretation & storage of any archaeological finds from the Goods Yard	11,240	9,152	20,392	£34.80 per dwelling requested:
19	Allotments A contribution to BS Town			10,000	

	Council towards allotments to be provided in the town				
20	Burial space A contribution to BS Town Council for the capacity project			10,000	
21	Primary Care			430,942	Includes an element for the care home – to be further considered, depending on the scope of the development coming forward at reserved matters stage
22	Acute, mental & community healthcare A contribution to NHS towards the capital costs of improving the services	0	0	0	£1,577,676 requested Possible contribution to be held over to the viability reviews.
23	Household recycling bins	0	0	0	To be provided by the developer
24	The Rhodes Centre A contribution towards a project to improve facilities or equipment.	0	0	0	Possible contribution to be held over to the viability reviews.

	EHDC TOTAL	278,273	To be determined in accordance with formula requirement and depending on unit mix in current outline element of scheme	To be determined in accordance with formula requirement and depending on unit mix in current outline element of scheme	
	GRAND TOTAL	824,727			= £2,553 per dwelling for the full application part of the site.