

21/0231/OUT Land South and East of Hollygate Lane - Cotgrave - S106 Draft Heads of Terms Summary - WITHOUT PREJUDICE AND SUBJECT TO CONTRACT.

WORK IN PROGRESS DOCUMENT – may be subject to change.

Item/Policy	Detail/requirement	Developer proposes	RBC comment	Trigger sought by consultees
Primary School Contribution	A development of up to 210 dwellings on this site and the neighbouring allocation of up to 235 dwellings would generate a requirement for an additional 77 places at £17,613 per place towards the current deficiency in primary places available in the planning area. However, this site would only generate a need for 9 additional spaces based on 45 dwellings. This site, along with other sites which are proposed for allocation in the Local Plan, mean that	Accept the principle and the proposed pro-rate breakdown suggested by the County Council	Pro-rata approach seems fairest allocation of the existing capacity in the system and therefore officers agree with the approach adopted by the County Council.	TBC

	<p>additional education provision will be required, either through extensions to existing provision. No feasibility study has been undertaken to understand the scope to expand provision at Candleby Lane School and it is not expected that additional provision can be delivered at Cotgrave CofE School. It is therefore requested that the Section 106 Agreements provide sufficient flexibility to enable the County Council to expend the contributions at another local primary school outside of the Cotgrave Planning Area if subsequent feasibility studies demonstrate that expansion of the Cotgrave Schools is unviable.</p>			
Secondary School Provision	<p>In relation to Secondary Education, they advise that the two allocated sites would generate a need for an additional 70 new</p>		<p>Agreed that this request is covered by the Authority's Community Infrastructure Policy (CIL).</p>	

	secondary places and there is a deficiency in places available. As a result, the County Council would be seeking a total contribution across the two allocations of £1,697,570 (70 x £24,251 per place).			
A52 Improvements Contribution	Highways England state that they take responsibility for delivering infrastructure improvements required to support growth on the A52, whilst seeking appropriate local contributions proportional to the scale of impact through a developer contribution strategy. This approach is supported in Rushcliffe Core Strategy Policy 18. As part of the contribution strategy for this proposed development a sum of £955.82 per-dwelling basis has been identified by Highways England in consultation with Rushcliffe Borough Council. This will be required by way of developer contributions.	Agrees to the principle of the request	The requested contributions from Highways England accord with the A52/A606 Improvement Package Developer Contributions Strategy Memorandum of Understanding and Policy 18 Rushcliffe Core Strategy. The applicant has agreed to provide them on a pro rata basis and the timing of the payment need to be considered and confirmed as part of the S106A discussions.	<ul style="list-style-type: none"> • 20% of the A52 Improvements Contribution on first occupation • 80% of the A52 Improvements Contribution prior to Occupation of 75% of the Dwellings and not to allow Occupation of more than 75% of the Dwellings

Highway Improvements	A contribution (TBC) towards 30% of the cost of improving the A606 Melton Road/Cotgrave Road junction	Matter is being considered	Officers note the impact is arising in part from this, and the other developments proposed on the allocations within Cotgrave and that any improvement works to this junction do not appear to be covered by the MoU.	TBC
The Bus Stop Improvements Contribution	A Bus Stop Infrastructure contribution of £17,000 to provide improvements to the two bus stops on Colston Gate denoted as RU0417 and RU0418 which shall include the installation of real time bus stop poles and displays including associated electrical connections.		This is a duplicate of the request made for application ref 20/02508/OUT – therefore clarification is sought as the contribution cannot be made against two separate applications unless it is to be split across the site?	TBC
Waste Collection	No request made, but officers note that for the site on the north of Hollygate Lane as contribution of 68.13 per dwelling was sought.		Clarification should be sought from NCC re the need for a waste contribution.	
Sustainable Travel Contribution	None sought as part of this application; however, a travel plan is requested to be conditional on the grant		Clarification should be sought from NCC re the need	

	<p>of ant permission. However, the application on the North side of Hollygate Lane attracted a contribution request of £36,000 towards sustainable travel which may include, but not exclusively, the use of taster tickets for travel on public transport.</p>		<p>for a sustainable travel contribution.</p>	
Affordable Housing	<p>Core Strategy Policy 8 requires 10% affordable housing:</p> <p>42% should be intermediate housing, 39% should be affordable rent and 19% should be social rent. Table of the breakdown on house types also provided in the comments from the affordable housing officer.</p> <p>Since applications are being determined post the March transition agreement then First</p>		<p>The applicant has agreed in principle of providing 11% of affordable housing which is a 1% over provision when assessed against Core Strategy Policy 8. As part of the S106A.</p> <p>The details of securing the affordable housing scheme would be included as part of the S106A. It is agreed that an affordable housing scheme could provide the necessary details of tenure mix, dwelling (size mix) details of the location, and</p>	<p>Provide details of affordable housing in an affordable housing scheme as part of the S106A which would include details of tenure mix, dwelling (size mix) details of the location, and the affordable housing provider.</p>

	Homes will also need to be applied.		the affordable housing provider. However, the timing of this agreed to be agreed but it would be expected prior to the commencement of development on the site or as part of the reserved matters application once the layout and design is considered.	
Health	<p>CCG standard formula require contribution of £920 for each 2xbed dwelling and £600 for each 1x bedroom dwelling.</p> <p>The most likely primary care facility for this population would be at Cotgrave Surgery, however this is not a given due to patient choice. As this is a newly built provision the previously known developments have been built into the capacity, mainly the colliery site, which when completed, would mean that the building would be at</p>		Agreed that this request is covered by the Authority's Community Infrastructure Levy Policy (CIL).	

	<p>capacity. However, there is scope for internal expansion as and when more developments are completed and we would use and S106 funding to facilitate this, therefore any contribution would be used to extend/bring into use clinical space to address this new population.</p>			
NHS Hospitals Trust	<p>A contribution of £36,776.00 was requested to cover the cost to the NHS of emergency admissions generated by this level of housing.</p> <p>A development of 45 dwellings equates to 108.9 new residents (based on the current assumption of 2.42 people per dwelling as adopted by relevant council Council's Education team). Using existing 2016 demographic data as detailed in the calculations in Appendix 2 will generate 145 acute interventions</p>		<p>The site is allocated in the Local Plan Part 2 and as such the population growth and impacts on the NHS have long been known. The NHS therefore should have planned for this level of population growth in the local area. Therefore, the request is not considered to be justified in this instance.</p>	N/A

	<p>over the period of 12 months.</p> <p>Emergency admissions: For the 11 emergency admissions, representing 10% of the residents, the Trust will have no method of recovering the 80% of tariff needed to invest in the stepped change needed for services. Formula: Emergency admissions - Development Population x Average Emergency Admission Activity Rate per Head of Population x Average Emergency Tariff x 80% Cost per Emergency Admission Activity = Developer Contribution.</p> <p>Premium Costs:</p> <p>For all the 145 anticipated hospital-based interventions, the Trust will have no method of recovering the additional Premium Costs needed to</p>			
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	<p>ensure the level of service required. Formula:</p> <p>Development Population x Average Admission Activity Rate per Head of Population x Average Tariff x proportion of Trust staff cost of total cost (58%) x NHSI Agency Premium Cap (55%) = Developer Contribution.</p>			
Open Space	<p>The Rushcliffe Playing Pitch Strategy 2017 identifies a current shortfall of pitch provision that this development would worsen. Based on 45 dwellings and an average of 2.3 residents per dwelling this equates to 103.5 new residents which will create additional demand which can't be met by existing provision. <u>Children's play</u></p> <p>For Children's play on site provision of equipped play space Local equipped area for Play (LEAP)</p>	<p>Agrees to the principle of the requested provision being provided as indicated in the indicative masterplan.</p>	<p>As we are only considering the principle of development (and access) at this stage; the location, size and management of open space within the site cannot be considered in detail. The applicant has agreed to the provision of open space within the site and for details to be provided as part of an Open Space Scheme. The details of it can be secured by the S106A and considered in detail at the reserved matters stage.</p> <p>Also, with the allocation comprising three separate planning applications (and legal agreements) a mechanism to ensure that</p>	TBC

	<p>equivalent of 0.25 hectares per 1,000 = 0.0258 hectares is required onsite (within the allocation area covered by the three applications).</p> <p>With regards the siting and location of the play area proposed I would draw attention to The Fields in Trust National Playing Fields Association General Design Principles Guidance (attached). 6.1.9 states that play areas should be sited in open, welcoming locations and visible from nearby dwelling or well used pedestrian routes.</p> <p><u>Unequipped play/ amenity public open</u></p> <p>Unequipped play/ amenity public open space equivalent for unequipped children's play/ amenity open space provision as a new site we would expect on site provision of unequipped play space of</p>		<p>one site is provided on the allocation will be required.</p>	
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	<p>at least 0.55= 0.0569 hectares is required (onsite).</p> <p><u>Sports and Leisure provision</u></p> <p>This development will be liable for a Community Infrastructure Levy (CIL) for sports and leisure provision</p> <p><u>Allotments</u></p> <p>The Rushcliffe Borough Council Leisure Facilities Strategy 2017-2027 requires 0.4 hectares of provision for allotments per 1,000 population on-site (i.e., within the allocation covered by the three applications). Cotgrave town Council are 98% occupied but and operating a waiting list so 0.0414 hectares is required (onsite).</p>			
Cotgrave Town Council:	Requested that the leisure and play contributions be		Communities' manager advised that the preference is for on-site provision and that the leisure/play request is not	

	spent improving the existing facility at Grassmere.		only for equipment, but also for land. If the Town Council's request was fulfilled, then land with no equipment would be provided and the residents of the new development would have to walk//travel some distance to Grassmere. Also, with Grassmere not being within the redlined area (or ownership of the applicants(s)) then a mechanism for the management and maintenance of the equipment they provided would be difficult to address. Request of the Town Council is therefore not justified.	
Monitoring Fee	S106 monitoring costs of £273 per principal obligation X by the number of years over which monitoring will be required.	Agrees to the principle of proving a monitoring fee but the actual amount is TBA	The approach is accepted but the actual overall monitoring fee shall be agreed with the applicant prior to the conclusion of the S106A.	Prior to Commencement of Development to pay to the Borough Council the Monitoring Fee Not to Commence Development until the Monitoring Fee has been paid to the Borough Council.

Indexation	All financial contributions subject to indexation using Retail Price Index or the BCIS All-in Tender Price Index as appropriate	TBA	TBA	TBA
Legal Costs	With all Sect 106 agreements, the applicant is required to pay the Council's legal fees. In this instance these would be £2,000.	TBC	Required to complete agreement.	To be paid on completion of agreement.