

19/02615/FUL - Land East of Gypsum Way – Gotham – Nottinghamshire.

S106 Draft Heads of Terms Summary - WITHOUT PREJUDICE AND SUBJECT TO CONTRACT.

Item/Policy	Detail/requirement	Developer proposes	RBC comment	Trigger sought by consultees
Primary School Contribution	<p>A development of 96 dwellings on this site was originally considered to generate no additional need for primary school places due to the provision of a new primary school at Fairham. However, as the delivery of that school has been delayed NCC Education advised that the primary school children would go to East Leake, which would generate a requirement for an additional 20 places at £23,888 per place (i.e. £477,760) towards the current deficiency in primary places available in the planning area.</p>	<p>Whilst the developer has proven their viability position, their agent advises that Davidsons are content to pay the more recent, updated Education contributions on the grounds that the daily interest costs of owning the land (Davidsons have now bought the site) are likely to outweigh any cost savings made after several months of viability negotiations.</p>	Accepted	TBC

Highway Improvements	A travel plan monitoring fee of £1500 pa for 5 years; and £900 pa for subsequent years up to and including the year after the end of construction is requested. Funding is payable from 50% completion of the development, and is subject to VAT.	Agent agrees to the payment	N/A	
Bus Service Contribution	A contribution of £35,000 to provide improvements to the local public transport network to serve the site is sought. The Travel Plan details the provision of a range of tickets / passes for new residents inc free introductory bus passes. These should be secured and provided.	TBC	Bus stop infrastructure contribution - Upon Occupation Bus Service contribution - prior to occupation of 25% of dwellings.	
The Bus Stop Improvements Contribution	Monies to provide improvements to the four bus stops on Leake Lane denoted RU0708 Eyres Lane; RU0360 Eyres Lane; RU0370 Leake Road and RU0381 Leake Road. £73,200 is sought.	Agreed	Officers note justification has been provided by the County for the request.	TBC
Waste Collection	A contribution of £110.713 per dwelling is sought, i.e. £10,628.51 .	TBC	NCC advise this is sought towards the provision of a new or expanded Household Waste Recycling Centre in Rushcliffe	

<p>Travel Plan Monitoring Fee</p>	<p>Depends on length of build – see trigger section, but £1,500 each year for the first four years, then £900 per year for the fifth year and every year after until the development is completed.</p>			<p>Prior to Occupation of 50% of the Development to pay to the County Council £1500.00</p> <p>Not to Occupy more than 50% of the Development until £1500.00 has been paid to the County Council</p> <p>Prior to the first anniversary of 50% Occupation of the Development to pay to the County Council £1500.00 and to pay a further £1500.00 on the second, third and fourth anniversary thereafter.</p> <p>Prior to the fifth anniversary of 50% Occupation of the Development to pay to the County Council £900.00 and to pay a further £900.00 on each anniversary thereafter until construction of the Development is completed.</p>
<p>Affordable Housing</p>	<p>Core Strategy Policy 8 requires 30% affordable housing.</p> <p>Following the submission of a viability appraisal, which officers have had tested, and now accept this offer was</p>	<p>Developer agrees to this revised level of provision of 6 units and a financial contribution.</p>	<p>The applicant is not policy compliant, but the viability position has been tested and accepted by officers.</p>	<p>Provide details of affordable housing in an affordable housing scheme as part of the S106 which would include details of tenure mix, dwelling (size mix) details of the location, and the affordable housing provider.</p>

	<p>reduced to 6.5% affordable housing plus £398k, which would result in a total of 9 affordable dwellings based on the following:</p> <p>There are 96 dwellings proposed. Four dwellings already exist on the site.</p> <p>6.5% of 92 = 6 £398k buys 3 dwellings. 6+3= 9 affordable dwellings on site.</p> <p>Mix was agreed as 2 first homes, 4 shared ownership properties and 3 affordable rent properties.</p>			
Open Space	<p><u>Children's play</u> Local equipped area for Play (LEAP) equivalent of 0.25 hectares per 1,000 = 0.0525 hectares is required onsite. <u>Unequipped play/ amenity public open</u> provision of unequipped play space of at least 0.55= 0.1215 hectares is required (onsite).</p>	Agreed		TBC

	An Open Space/Play Scheme will also be required as part of the S106 as no details of the play area have been provided as part of the FUL Planning Application.			
Monitoring Fee	RBC S106 monitoring costs of £273 per principal obligation X by the number of years over which monitoring will be required. NCC Also request a monitoring charge of £200 per trigger payment relating to county obligations	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	TBC	N/A	TBC
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) .	TBC	Required to complete agreement.	To be paid on completion of agreement.
CIL	CIL liability for this development would be in the region of £490,000. Calculations are available. It is expected that the	TBC	N/A	TBC

	<p>developer may seek to apply for Social Housing Relief for the affordable units shown. Assuming these are eligible, this would give a relief amount of around £26,500, leaving an anticipated CIL receipt of £463,500. Of this, £371,000 would go towards items on the Borough Council's Strategic Infrastructure List, with £69,500 towards the Gotham Neighbourhood CIL and £23,000 towards CIL Admin.</p>			