

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking – Application 22/01976/OUT – OS Parcel 3489 Adjoining and South West of B4011, Allectus Avenue, Ambrosden

| Planning obligation | | Regulation 122 Assessment | |
|---|---|-----------------------------|---|
| Detail | Amounts (all to be Index linked) | Trigger points | |
| Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows, woodland, SUDS etc) or details of long term management provisions in accordance with the Policy BSC11 of the CLP | Provision on site. Commuted sum as set out in the Developer Contribution SPD (as updated by annual tendering). Details of ongoing management company if no commuted sum | To be delegated to officers | <p>Necessary – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018)</p> <p>Directly related – For the use of future occupiers of the development</p> <p>Fairly and reasonably related in scale and kind – In accordance with the policy and guidance provisions adopted by the Council</p> |
| Provision of a Local Area of Play and a Local Equipped Area of play and commuted sum for maintenance or other management provisions | Provision on site. Commuted sum as set out in the Developer Contribution SPD (as updated by annual tendering). Details of ongoing management company if no commuted sum | To be delegated to officers | <p>Necessary – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018)</p> <p>Directly related – For the use of future occupiers of the development</p> <p>Fairly and reasonably related in scale and kind – In accordance with the policy and guidance provisions adopted by the Council</p> |
| Off-site outdoor sports facilities capital provision – Towards enhancement of outdoor sporting provision at Launton playing fields | £2,017.03 per dwelling | To be delegated to officers | <p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy</p> |

| | | | |
|---|--|------------------------------------|---|
| | | | <p>BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.</p> |
| <p>Off-site indoor sports facilities – Towards either enhancement of indoor sports provision at Launton Parish Hall or improvements at Bicester Leisure Centre-</p> | <p>Up to £62,621.01 (based on 75 dwellings). Final calculation to be based on calculation outlined in the Developer Contribution SPD</p> | <p>To be delegated to officers</p> | <p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.</p> |
| <p>Community hall facilities – To be spent on improvements/enhancements/redevelopment of Launton Parish Hall or other community building.</p> | <p>Up to £85,753.10 (based on 75 dwellings). Final calculation to be based on calculation outlined in the Developer Contribution SPD</p> | <p>To be delegated to officers</p> | <p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based</p> |

| | | | |
|---|---|-----------------------------|--|
| | | | on the final mix of housing and number of occupants. |
| Contributions to bins | £106 per dwelling | To be delegated to officers | <p>Necessary – The dwellings will required adequate waste receptacles for future occupants and in accordance with the advice in the Developer Contribution SPD</p> <p>Directly related – The need for these comes from the increase in the number of dwellings</p> <p>Fairly and reasonably related in scale and kind – Costs in accordance with the advice in the Developer Contribution SPD</p> |
| Affordable housing provision on site | <p>At least 35% of total number.</p> <p>25% First Homes</p> <p>70% Social/affordable rent</p> <p>-5% Intermediate housing such as shared ownership.</p> <p>To be in accordance with the standards outlined in Developer Contributions SPD</p> | To be delegated to officers | <p>Necessary – as would provide housing for those who are not able to rent or buy on the open market pursuant Policy BSC3 of the Cherwell Local Plan</p> <p>Directly related – The affordable housing would be provided on-site in conjunction with open market housing</p> <p>Fairly and reasonably related in scale and kind – Based on the Cherwell Local Plan requirement for percentage of affordable housing.</p> |
| Provision of Landscape and Ecological Management Plan and long term management arrangements (including funding) for the land proposed for biodiversity enhancement identified in the blue line. | To be provided and managed long term in accordance with the LEMP | To be delegated to officers | <p>Necessary – In order to provide sufficient space to allow a net gain in biodiversity to be achieved on site in accordance with Policy ESD10 and the NPPF</p> <p>Directly related – The development will impact on the current ecological value of the site and the area of land is required to provide opportunities for a net gain in biodiversity.</p> |

| | | | |
|---|--|-----------------------------|--|
| | | | Fairly and reasonably related in scale and kind – To off-set the impacts of the development and provide a net gain. |
| Financial contribution to Oxfordshire Clinical Commissioning Group to support capital projects associated with either plans for surgery alterations/extensions or support patient services to increase capacity | £360 per person generated (from SHMA occupancy) based on final housing mix | To be delegated to officers | Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy INF1 and advice in the Developer Contribution SPD Directly related – The future occupiers will place additional demand on existing facilities. Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD and evidence from OCCG based on the final mix of housing and number of occupants. |
| Monitoring Fee Contribution towards the Council's (both district and County Council) costs of monitoring compliance with the agreement or undertaking | To be confirmed | To be delegated to officers | Necessary in order to ensure the planning obligations are complied with. Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered. Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored. |
| Public transport contribution of £1,133 per dwelling to maintain the operation of the bus service serving Launton | £1,133 per dwelling | To be delegated to officers | Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency. Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality. Fairly and reasonably related in scale and kind. The contributions are in scale with the |
| Public transport infrastructure contribution of £96,305 | £96,305 | | |

| | | | |
|---|---------------------------------|-----------------------------|---|
| | | | development and would be directly benefiting residents of the future development. |
| Public Rights of Way of £15,000 toward improvements to PROW in the vicinity of the site. | £25,000 | | Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency. Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality. Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development. |
| Delivery of a public footpath from the new pedestrian overbridge to Station Road and connection to existing PROW network. | New public footpath | | Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency. Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality. Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development. |
| Obligation to enter into a S278 agreement to secure: 1. New site access Blackthorn Road and as shown on drawing 001 Rev P9 with a visibility splay of 2.4m x 120m 2. New 3m wide footway as shown on drawing 001 Rev P9 3. Realignment of existing kerblines over a distance of approximately 83m to accommodate shared footway / cycleway as shown on drawing 001 Rev P9. | To be delivered on and off site | To be delegated to officers | Necessary to provide safe and suitable access to the site and the highway network and ensure the development does not result in unacceptable impacts on highway safety. Directly related. This will provide safe and suitable access to the site and as a result of additional traffic and pedestrian movements associated with the development. |

| | | | |
|--|---|------------------------------------|--|
| <p>4. Relocation of speed limit terminal signs and village entry feature</p> <p>5. Provision of the bridleway/cyclepath to link with Bridleway (105/6/20) and details of how this will be facilitated and constructed to adoptable standards.</p> <p>6. Street lighting to be agreed in line with the agreed highway boundary.</p> | | | <p>Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development.</p> |
| <p>Secondary education capacity contribution and contribution towards secondary school land in Bicester</p> | <p>£598,266 towards secondary education capacity and £63,144 towards secondary school land contribution for secondary school places secondary school places in Bicester to ensure adequate secondary school provision</p> | <p>To be delegated to officers</p> | <p>Necessary to provide adequate education provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>Directly related. Will provided additional school places for children living at the proposed development</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision of new school places based on cost per additional pupil.</p> |
| <p>Special School contribution to be spent on expansion of SEN school capacity</p> | <p>£44,871 (final amount to be based on final housing mix)</p> | <p>To be delegated to officers</p> | <p>Necessary to provide adequate education provision in the locality as existing infrastructure is at capacity with planned growth.</p> |

| | | | |
|---|--------|-----------------------------|--|
| | | | <p>Directly related. Will provided additional school places for children living at the proposed development</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision of new school places based on cost per additional pupil.</p> |
| Contribution towards expansion and efficiency of Household Waste Recycling Centres. | £7,047 | To be delegated to officers | <p>Necessary to provide adequate waste and recycling provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>Directly related. Will provided additional capacity for household waste recycling centres which the occupiers of the proposed development will utilise.</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision based on build costs.</p> |