

23/02096/OUT - APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning Obligation			Regulation 122 Assessment
Detail	Amount	Trigger point	
Health Care	£77,760 Final figure to be agreed	Health Care Contribution 50% prior to the first Occupation of any Dwelling; remainder prior to the first Occupation of 50% of the Dwellings	<p>Necessary - contribution towards improvements of the Deddington Health Centre</p> <p>Directly related – For use of future occupiers by the development</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>
Public Transport	£101,970 (RPI-x Dec 21)	No more than SEVENTY PER CENT (70%) of the Dwellings shall be Occupied until the Practical Completion Certificate has been issued	<p>Necessary – to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency.</p> <p>Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality.</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>
Public Transport infrastructure – Real Time Information screens at the nearest bus stops	£20,620 (RPI-x Oct 21)	No more than SEVENTY PER CENT (70%) of the Dwellings shall be Occupied until the Practical Completion Certificate has been issued	<p>Necessary – to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency.</p>

			<p>Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality.</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>
Highway Works	<p>a) New bellmouth site access junction on the A4260, complete with kerb realignment and white lining</p> <p>b) Removal and repainting of the speed limit roundel and the “dragon’s teeth” markings</p> <p>c) Conversion of existing footway to 3.5m wide shared use cycle track from the site access southwards to the Toucan crossing</p> <p>d) New bellmouth car park access junction on Earls Lane</p> <p>e) New 2m wide footway on the north side of Earls</p>	<p>No more than SEVENTY PER CENT (70%) of the Dwellings shall be Occupied until the Practical Completion Certificate has been issued</p>	<p>Necessary – towards a new bellmouth site access junction, new bellmouth car park access junction on Earls Lane, new controlled crossing build-out feature plus signage, a new off road shared cycling and walking path from the development site to the School Lane junction</p> <p>Directly related as these will benefit the future occupants of the site and to mitigate against the impact of the development</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>Lane and existing footway widened to 2m on the south side</p> <p>f) New uncontrolled crossing build-out feature plus signage</p> <p>g) Consultation on changes to Traffic Regulation Orders, and implementation, as necessary</p>		
Travel Plan Monitoring	£1,890 (RPI-x Dec 21)		<p>Necessary – to mitigate against the increase in residential numbers on the highway network</p> <p>Directly related as these will benefit the future occupants of the site and to mitigate against the impact of the development</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>
Traffic Regulations Order	TBC		<p>Necessary – to mitigate against the increase in residential numbers on the highway network</p> <p>Directly related as these will benefit the future occupants of the site and to mitigate against the impact of the development</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.
Community Hall facilities	£102,903.72 Final figure to be agreed.	Prior to the First Occupation of any Dwelling on the Site	<p>Necessary - contribution towards improvements of the Windmill Community Centre</p> <p>Directly related – For use of future occupiers by the development</p> <p>Fairly and reasonably related in scale and kind – In accordance with Policy BSC 12 – The council will encourage the provision of community facilities to enhance the sustainability of communities</p>
Outdoor Sport Provision	£181,532.70 Final figure to be agreed	Off-site Outdoor Sports Facilities Contribution in the following instalments: 50% prior to the first Occupation of any Dwelling; remainder prior to the first Occupation of 50% of the Dwellings	<p>Necessary - contribution towards enhancement of the outdoor sports facilities at the Windmill Community Centre, or other outdoor sports facilities in Deddington parish</p> <p>Directly related – For use by future occupiers of the development</p> <p>Fairly and reasonably related in scale and kind – In accordance with Policy BSC 10 Ensuring proposals for new development contribute to sport and recreation provision commensurate to the need generated by the proposals. Policy BSC 11 – Local standards of provision – outdoor recreation</p>
Indoor Sports Provision	£75,145.21 Final figure to be agreed	Off-site Indoor Sports Facilities Contribution 50% prior to the first Occupation of any Dwelling; remainder	Necessary - off-site indoor sport contribution towards indoor sports facilities at the Windmill Community Centre, or other indoor sports facilities in the locality

		prior to the first Occupation of 50% of the Dwellings	<p>Directly related – For use by future occupiers of the development</p> <p>Fairly and reasonably related in scale and kind – Policy BSC 10 Addressing existing deficiencies in provision through enhancements of provision, improving access to existing facilities. Ensuring proposals for new development contribute to sport and recreation provision commensurate to the need generated by the proposals. Policy BSC 12 – Indoor Sport, Recreation and community Facilities. The council will encourage the provision of community facilities to enhance the sustainability of communities – enhancing quality of existing facilities and improving access</p>
Public Realm / Public Art	£20,160 Final figure to be agreed	No more than SEVENTY PER CENT (70%) of the Dwellings shall be Occupied until the Practical Completion Certificate has been issued	<p>Necessary - Public realm and public art can plan an important role in enhancing the character of an area, enriching the environment, improving the overall quality of space and therefore peoples’ lives. Public art and the quality of the public realm are important considerations in the design and layout of a development.</p> <p>Directly related – We are seeking public art in the locality of the development. The final location would need to be related to the proposed development site.</p> <p>Fairly and reasonably related in scale and kind – SPD 4.130 Public Realm, Public Art and Cultural Well-being. Public realm and public art can plan an important role in enhancing the character of an area, enriching the environment, improving the overall quality of space and therefore peoples’ lives. SPD 4.132 The Governments Planning Practise Guidance (GPPG) states public art and sculpture can plan an</p>

			important role in making interesting and exciting places that people enjoy using.
Early Years (Option 1)	Freehold of the proposed nursery site	TBC	<p>Necessary for expanding early years capacity serving the site</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 Council's standards for provision of new school places based on cost per additional pupil.</p>
Early Years (Option 2)	£113,268	TBC	<p>Necessary contribution towards expanding early years capacity through replacement and expansion of modular unit at Deddington Partnership Foundation Stage Unit</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 Council's standards for provision of new school places based on cost per additional pupil.</p>
Primary Education	£163,000 Final Figure to be agreed	TBC	<p>Necessary to provide adequate education provision in Christopher Rawlins primary school 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 Council's standards for provision of new school places based on cost per additional pupil.</p>

Secondary Education	£545,832 Final figure to be agreed	TBC	<p>Necessary contribution towards replacement of temporary provision at Warriner School.</p> <p>Directly related. Will provide 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 Council’s standards for provision of new school places based on cost per additional pupil.</p>
Library	£23,800		<p>Necessary contribution towards the expansion of capacity at Deddington library including the provision of additional book stock.</p> <p>Directly related. Will provide additional library facilities for residents of the proposed development</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Council’s standards for provision of necessary library facilities.</p>
Waste Management	£8,456 (BCIS All-in TPI 327) final figure to be agreed	TBC	<p>Necessary The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt.</p> <p>Directly related. Will provided expansion and efficiency of Household Waste Recycling Centre (HWRC) capacity.</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.
LAP/LEAP to be provided and maintenance towards upkeep	TBC	No more than SEVENTY PER CENT (70%) of the Dwellings shall be Occupied until the Practical Completion Certificate has been issued	<p>Necessary – Site based LAP required in accordance with Policy BSC10.</p> <p>Directly related – contribution towards the maintenance of the site-based LAP.</p> <p>Fairly and reasonably related in scale and kind – In accordance with Policy BSC 10 Ensuring proposals for new development contribute to play and recreation provision commensurate to the need generated by the proposals. Policy BSC 11 – Local standards of provision – outdoor recreation</p>
Affordable Housing	35% (with 25% of that 35% to be First Homes and 10% of the 90 to be Low-Cost Home Ownership/intermediate) i.e. for a dev of 90 dwh this would mean 23 rented, 8 First Homes, 1 shared ownership, but TBC	Not Occupy or cause to permit the Occupation of more than fifty per cent (50%) of the Market Dwellings until each area comprising the Affordable Housing Site has been offered to a Registered Provider	<p>Necessary – as would provide housing for those who are not able to rent or buy on the open market pursuant to 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>
Biodiversity Net Gain	TBC	TBC	Necessary – required in accordance with Policy ESD10 and legislation.

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