

BRICKKILN

DRAFT S106 HEADS OF TERMS

The purpose of this document is to serve as a live record of the Heads of Terms which are suggested for the proposed Section 106 Agreement and which will be required to be entered into by North Hertfordshire District Council, the landowners and the Applicants, Bloor Homes, prior to planning permission being granted for the proposed development.

The Heads of Terms are in draft form and are therefore themselves subject to further discussion and/or agreement. The obligations proposed will be in accordance with Circular 05/2005: Planning Obligations and generally in accordance with the Councils' Local Plan Policies contained within the adopted North Hertfordshire District Local Plan and the Planning Obligations Supplementary Planning Document (adopted 2nd November 2006). The obligations will also take into account evidence contained in the various documents submitted to the local planning authority with the planning application.

Certain matters listed herein may alternatively be addressed satisfactorily by means of Condition and can be so removed from the S106 Agreement. This requires detailed discussions with the LPA on the principle that conditions should always be used in the first instance as per government guidance.

The Draft Heads of Terms and obligations are as follows:-

Movement / Access (highways, cycle and pedestrian infrastructure, public transport)

- Timing for laying out, construction and completion of new movement / access infrastructure generally in accordance with the phasing plan
- Specification for new highway infrastructure (to be defined) to be agreed

- Matters in relation to highway works, including the provision of passing bays on Chalk Hill – financial contributions / improvements – linkage / cross reference / deferral to a S278 agreement
- Public transport – financial contributions for off-site provision (routes subsidy / upgrade / enhancement)
- Public transport – on site infrastructure including the provision of a dedicated public transport route allowing potential for integration with the Luton Dunstable Busway scheme (timing and specification)

Education

- Identification and reservation of land for a 2form entry primary school
- Arrangements for the transfer of land to the County Council in respect of the primary school land and obligations relating thereto
- Specification of primary school requirements including option for early years / accommodation
- Timing of construction of primary schools generally in accordance with the phasing plan
- Calculation of financial contributions towards primary and secondary education provision
- Timing of payment of financial contribution towards primary and secondary education provision

Affordable Housing

- Proportion of total dwellings that would be affordable
- Breakdown of affordable housing by dwelling type, size and tenure
- Arrangements for the provision of affordable housing
- Sequence and approximate timing of affordable housing completions

Community Infrastructure

- Requirement for community building / facility (as defined) to be provided as part of the local centre.
- Specification of community building / facility (as defined)
- Commuted sum towards the upkeep and maintenance of the community facilities
- Financial contribution towards a childrens centre and youth service provision
- Timing of provision of community building / facility
- Arrangements for procurement of community building / facility
- Financial contribution towards library - potential contribution to be sought by HCC and to be directed to the upgrading of an existing library service.
- Provision of, or contribution towards, CCTV for those areas incorporating leisure, retail, commercial and community uses
- Arrangements for the delivery of the Putteridge Bury Green Infrastructure and Biodiversity Management Plan (GIBMP)
- Financial contribution towards primary health care facilities

Review

- Review to be undertaken prior to the commencement of development to address: phasing, masterplan and land uses, housing mix, travel plan, retail floorspace, leisure / recreation (inc open space) floorspace, employment, relevant changes in legislation and policy affecting the standard of development
- Arrangements for Review (monitoring)
- Review to allow for amendment / variation by agreement