

**Heads of Terms for a  
S106 Agreement relating to  
Land to the West of Watling Street, Park Street, St Albans**

22 May 2023 - DRAFT

1.	Background	<p><u>The Property</u> Land to the West of Watling Street, Park Street, St Albans – as per Land Registry Title Number HD517612 and shown on Plan 1.</p> <p><u>The Owners</u> Tracy Good of 111 Harrowden, Bradville, Milton Keynes, MK13 7BY and Wayne Hughes of 42 Wyness Avenue, Little Brickhill, Milton Keynes, MK17 9NG and Justin Hughes of Mill Dam Cottage, Wem, Shropshire, SY4 5HF and Trudie Sutton of 13 Kings Close, Wavendon, Bucks, MK17 8RP.</p> <p><u>The Council</u> St Albans City and District Council of District Offices, St Peters Street, St Albans, Hertfordshire, AL1 3JE.</p> <p><u>The County Council</u> Hertfordshire County Council of County Hall, Hertford, Hertfordshire, SG13 8DE.</p> <p><u>Planning Application</u> Outline Planning Application reference 5/2022/0267.</p>
2.	Affordable Housing	<ul style="list-style-type: none"> <li>▪ 40% of the Dwellings shall be constructed for Affordable Housing.</li> <li>▪ A ratio of 2:1 Affordable Rented Housing to Shared Ownership Housing (or such other tenure mix as may be agreed with the Council).</li> <li>▪ Not to commence the Development until the Affordable Housing Scheme has been submitted to and approved by the Council (such approval not to be unreasonably withheld or delayed).</li> <li>▪ Not to occupy more than 50% of the Market Dwellings until the Affordable Housing Units have been transferred to an Affordable Housing Provider.</li> </ul>
3.	Self-Build and Custom Housebuilding	<ul style="list-style-type: none"> <li>▪ 5% of the Dwellings shall be made available as Self-Build and Custom Housebuilding Plots.</li> <li>▪ Not to commence the Development until the Self-Build and Custom Housebuilding Scheme has been submitted to and approved by the Council (such approval not to be unreasonably withheld or delayed).</li> <li>▪ Not to occupy more than 50% of the Market Dwellings until the Self-Build and Custom Housebuilding Plots are made available in accordance with the approved Scheme.</li> <li>▪ If after exchange of contracts has not taken place within two years from the date of the commencement of marketing the Self-Build and Custom Housebuilding Plots, the relevant Self-Build and Custom Housebuilding Plots will be free from the restrictions in this Schedule and dwellings may be built to be sold on the open market.</li> </ul>

4.	Primary Education Contribution	<ul style="list-style-type: none"> <li>▪ Towards the expansion of Killigrew Primary School and/or provision serving the development.</li> <li>▪ Calculated in accordance with the Hertfordshire County Council Guide to Developer Infrastructure Contributions – Technical Appendix 3 (Mainstream Schools).</li> <li>▪ Not to occupy more than 50% of the dwellings before the Primary Education Contribution has been paid to the County Council.</li> </ul>
5.	Secondary Education Contribution	<ul style="list-style-type: none"> <li>▪ Towards the expansion of Marlborough School and/or provision serving the development.</li> <li>▪ Calculated in accordance with the Hertfordshire County Council Guide to Developer Infrastructure Contributions – Technical Appendix 3 (Mainstream Schools).</li> <li>▪ Not to occupy more than 50% of the dwellings before the Secondary Education Contribution has been paid to the County Council.</li> </ul>
6.	Special Educational Needs and Disabilities Contribution	<ul style="list-style-type: none"> <li>▪ Towards the delivery of new Severe Learning Difficulty (SLD) special school places (WEST), through the relocation and expansion of Breakspeare School and/or provision serving the development.</li> <li>▪ Calculated in accordance with the Hertfordshire County Council Guide to Developer Infrastructure Contributions – Technical Appendix 4 (Special Schools and Specialist Provision).</li> <li>▪ Not to occupy more than 50% of the dwellings before the SEND Contribution has been paid to the County Council.</li> </ul>
7.	Youth Service Contribution	<ul style="list-style-type: none"> <li>▪ Towards the re-provision of the St Albans Young People’s Centre in a new facility and/or provision serving the development.</li> <li>▪ Calculated in accordance with the Hertfordshire County Council Guide to Developer Infrastructure Contributions – Technical Appendix 5 (Services for Young People).</li> <li>▪ Not to occupy more than 50% of the dwellings before the Library Service Contribution has been paid to the County Council.</li> </ul>
8.	Library Service Contribution	<ul style="list-style-type: none"> <li>▪ Towards increasing the capacity of St Albans Central Library and/or provision serving the development.</li> <li>▪ Calculated in accordance with the Hertfordshire County Council Guide to Developer Infrastructure Contributions – Technical Appendix 6 (Libraries).</li> <li>▪ Not to occupy more than 50% of the dwellings before the Library Service Contribution has been paid to the County Council.</li> </ul>
9.	Sustainable Transport Contribution	<ul style="list-style-type: none"> <li>▪ The sum of £6,826 per dwelling towards the off-site works / mitigation (s278) identified in the planning conditions, funding of the Travel Plan (measures and monitoring), and associated schemes for active travel betterment identified in the County Council’s Local Transport Plan.</li> <li>▪ The monies will in the first instance be used to fund Travel Plan (measures and monitoring) and off-site works identified in the planning conditions, providing active travel betterment in the vicinity of the site for new and existing residents.</li> <li>▪ Any unspent contribution will be payable to the Highway Authority who will distribute the monies to the associated schemes identified in the County Council’s Local Transport Plan and it’s supporting documents, South Central Hertfordshire Growth &amp; Transport Plan.</li> <li>▪ Not to commence on-site works above slab level until a detailed scheme for the highway improvement works has been submitted to</li> </ul>

		<p>and approved in writing by the Council (such approval not to be unreasonably withheld or delayed).</p> <ul style="list-style-type: none"> <li>▪ Not to occupy any dwelling until either the highway improvement works have been completed in accordance with the approved details; or the Sustainable Transport Contribution has been paid in full to the County Council.</li> </ul>
10.	County Council Monitoring Fee	<ul style="list-style-type: none"> <li>▪ The sum of £340 (adjusted for inflation against RPI from July 2021) per relevant trigger.</li> </ul>
11.	Open Space Provision	<ul style="list-style-type: none"> <li>▪ To deliver the on-site Open Space in accordance with the approved Open Space Scheme, Open Space Programme, and Open Space Management Scheme.</li> <li>▪ Not to commence the Development until the Open Space Scheme, Open Space Programme, and Open Space Management Scheme has been submitted to and approved by the Council (such approval not to be unreasonably withheld or delayed).</li> </ul>
12.	Biodiversity Net Gain Provision	<ul style="list-style-type: none"> <li>▪ Not to commence the Development until the Biodiversity Onsite Compensation Scheme (to deliver an on-site Biodiversity Net Gain of not less than 10%) and Biodiversity Monitoring Schedule has been submitted to and approved by the Council (such approval not to be unreasonably withheld or delayed).</li> </ul>

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