

**APPENDIX 9: HENLEY GATE, IPSWICH GARDEN SUBURB - OFF-SITE CYCLE  
INFRASTRUCTURE IMPROVEMENTS AND FIG 03**

## Henley Gate, Ipswich Garden Suburb- Off-Site Pedestrian and Cycle Infrastructure Improvements

1. Prior to the consideration of the planning application detailed discussions were held with Suffolk County Council and a walkover was undertaken of routes to/from the site to provide connections to the surrounding area to identify where improvements made be needed to ensure access to the proposed development.
2. These improvements were in addition to the identify offsite highway works which include improvements to facilities for pedestrians and cyclists, especially when crossing Valley Road.
3. Off-site pedestrian and cycle infrastructure improvements will be provided to ensure connectivity between the site and the existing pedestrian/cycle network, and in particular on routes between the site and Town Centre. The pedestrian/cycle route between the Henley Gate site and Town Centre will primarily be via Henley Road and Dale Hall Lane, whilst the Fonnereau and Red House sites will primarily use routes via Westerfield Road.
4. These pedestrian/cycle infrastructure improvements will be delivered by Suffolk County Council, with funding provided via financial contributions.
5. The routes identified on which off-site pedestrian/cycle infrastructure improvements will be provided are shown on **Figure F03**.
6. The financial contribution will be used by Suffolk County Council to facilitate the following improvements, together with contributions from the Fonnereau and Red House developments:
  - Provision of pedestrian/cycle specific signage, lighting, road markings, surface improvements and creation of shred footway/cycleways (including of changing of legal status where appropriate), as appropriate:
    - Henley Road- north of Valley Road (between the junctions with Defoe Road and Valley Road);
    - Dale Hall Lane- north of Valley Road (between the junctions with Larchcroft Road and Valley Road);
    - Henley Road- south of Valley Road (between the junctions with Valley Road and Fonnereau Road);
    - Fonnereau Road (between the junctions with Henley Road and Crown Street);
    - Dale Hall Lane- south of Valley Road (between the junctions with Valley Road and Henley Road);
    - Kingsfield Avenue;
    - The Avenue;
    - Park Road (between the junctions with Henley Road and The Avenue);
    - Bridleway to the west of Christchurch Park;
    - Neale Street;

- High Street; and
  - Crown Street (between the junctions with High Street and Fonnereau Road).
  - Provision of pedestrian/cycle crossing facilities on the following roads as appropriate (detailed design and locations to be determined by Suffolk County Council):
    - Henley Road- south of Valley Road;
    - Park Avenue
7. In recognition that the proposed development will be implemented over a number of years and that local circumstances may change there needs to be some flexibility on where the proposed contribution may be spent.
8. The proposed contribution could therefore be used to fund alternative improvements to those identified which improve pedestrian/cycle connectivity to the site providing that this is agreed between Ipswich Borough Council, Suffolk County Council and Crest Nicholson as the Developer.



Key:

- Henley Gate Gardens
- 1 Fonnereau Village
- 2 Red House
- Walking and Cycling Routes

Crest Strategic Projects

Henley Gate, Ipswich

## Walking and Cycling Route Improvements



Network Building, 97 Tottenham Court Road, London W1T 4TP  
Tel: 020 7580 7373 Email: london@vectos.co.uk www.vectos.co.uk

DRAWN: HA

CHECKED: ID

DATE: 08/02/2019

SCALE: NTS

DRAWING REFERENCE: Figure 3



## APPENDIX 10: TERMS OF REFERENCE FOR DELIVERY BOARD

### Project: Ipswich Garden Suburb (IGS)

#### 1. Purpose and Role of the Delivery Board:

1.1 In accordance with the Ipswich Garden Suburb Supplementary Planning Document (IGS SPD) adopted 22<sup>nd</sup> March 2017, a Delivery Board is to be formed to oversee the delivery phases of the Ipswich Garden Suburb (IGS).

1.2 The purpose and role of the Delivery Board will be:

- To assist and facilitate a co-ordinated approach to the delivery of strategic infrastructure, and to identify any issues that would impede the delivery of such infrastructure which is required to be delivered by specified triggers;
- To assist and facilitate the delivery of a high quality form of development in this garden suburb in accordance with the guidance set out in the IGS SPD;
- To assist and facilitate, where appropriate, securing of external funding to help deliver IGS;
- To assist and facilitate agreement and the delivery of long term management and governance arrangements for the phases of IGS;
- To monitor progress of the delivery of the IGS and inform the Authority Monitoring Report (as detailed in Paragraph 7.32 of the IGS SPD);
- To receive updates from Members of the Delivery Board on progress of the phases of IGS and any engagement with other landowners and those with third party interests;
- To identify and discuss possible solutions to issues which arise that may stall the delivery and progress of the high quality development of IGS.

#### 2. Membership of the Delivery Board:

2.1 The Delivery Board would include key stakeholders who have an interest or knowledge in aspects of the delivery of the IGS.

2.2 The core membership would include:

- Chair – IBC Chief Executive
- Deputy Chair – IBC Head of Development
- Developers (Master Developers) - S106 includes obligations for involvement
- IGS Landowners
- IBC – appropriate Officers to include those from Special Projects, Housing, Economic Development, Parks and Legal Teams
- SCC – appropriate Officers to include those from Planning, Education, Libraries, Highways and Flood and Water Management.

2.3 Members will be encouraged to nominate suitable deputies and suggest relevant guests to attend appropriate for the agenda items being discussed. Based on these recommendations and nominations, IBC will invite attendees for each meeting. Depending on the agenda, additional representation may be sought from a range of organisations, including:-

- Councillors (IBC and SCC)

- Home England
- Network Rail
- IBC Technical Consultants (e.g. Ecologist)
- Utility Companies
- Suffolk Constabulary
- NHS
  - East Suffolk Council
  - Natural England
  - Chamber of Commerce
- Local Enterprise Partnership

2.4 Membership will be reviewed and refreshed annually.

### 3. **Terms of Reference:**

3.1 IBC will establish the delivery board within three months of the first permission (including outline) being granted on any part of the IGS.

3.2 The Delivery Board will meet on a quarterly basis in an appropriate location for Members, with additional meetings convened as required.

3.3 Members of the Delivery Board will provide relevant information relating to their areas of interest and as may be reasonably requested by the Delivery Board.

3.4 Members of the Delivery Board will respect the views of other Members.

3.5 Where such items are highlighted as confidential, Members of the Delivery Board will respect the sensitive and confidential nature of the issues raised and discussed by the Delivery Board.

3.6 The content of meetings shall be topic based matters derived from objectives of the IGS SPD such as:

- Housing delivery and site updates
- Public realm, Open Space and Country Park (including Visitor Centre)
- Community development and services
- District and Local Centres
- Highways
- Rail
- Education
- Infrastructure including bridges, health provision, police facilities, library etc.
- Housing Infrastructure Fund and other external funding
- Conditions and S106 Obligations including Monitoring.

3.7 Project teams or task groups will be arranged by the Delivery Board to work on individual project plans for certain issues and topics where considered necessary.

3.8 Agenda and supporting papers for each meeting will be circulated at least 5 working days prior to the meeting by IBC.

3.9 Minutes of meetings covering the main points discussed and actions will be circulated to Members, subject to commercial sensitivity, by IBC.

3.10 Members will agree a rolling forward work programme.

3.11 A review of the operation of the Delivery Board will take place after first year.

4. **Decisions**

4.1 The Delivery Board is to support the coordinated delivery of the IGS, and assist with project management. The remit of the Delivery Board is not to make decisions regarding the delivery and implementation of IGS but to identify, discuss and work on any issues and their potential solutions. As such there will be no voting arrangements required to be put in place for the Delivery Board membership.

4.2 Commitments to participation in the Delivery Board for Developers, Landowners and IBC are drafted into the relevant S106 Obligations.

5. **Financial**

5.1 The Delivery Board will not have any direct financial responsibilities.

**APPENDIX 11: VIABILITY APPRAISAL INPUTS**



**SCHEDULE 2: PART 2**  
**Draft Viability Assessment Template**  
**As at [Date]**

**REVENUE**

				<b>TOTALS</b>
<b>Residential – Open Market Sale</b>				
Gross Sales Revenue (note 1)				<b>A</b>
<b>Residential Affordable Units</b>				
Gross Sales Revenue (note 2)				<b>B</b>
<b>Non-Residential Space</b>				
Commercial Space Sales Revenue (note 3)				<b>C</b>
<b>Ground Rents (if applicable)</b>				
Total No. of Units	Variable	sqft		D1
Average Revenue/Unit (note 4)	Variable	sqft		D2
			= D1xD2	<b>D</b>
<b>Car Parking (if applicable)</b>				
Total No. of Units	Variable	sqft		E1
Average Revenue/Unit (note 5)	Variable	sqft		E2
			= E1xE2	<b>E</b>
<b>REVENUE SUMMARY</b>				
Residential for Sale	=	A		
Affordable Housing	=	B		
Commercial	=	C		
Ground Rents	=	D		
Car Parking	=	E		
<b>TOTAL GROSS DEVELOPMENT VALUE (GDV)</b>				<b>F</b>
			<b>= A+B+C+D+E</b>	

## DEVELOPMENT COSTS

<b>Land Cost</b>					
Land Value	£129,000 per gross acre	Index Linked			G1
SDLT	Variable %	(G2)	=G2xG1		G3
Legal & Surveyors fees	1.75 %	(G4)	=G4xG1		G5
<b>Total Land Cost</b>				= G1+G3+G5	<b>G</b>
<b>Build Cost (note 6)</b>					
Total Area by Housing Type			Variable		H1
BCIS Cost by Housing Type			Variable		H2
<b>Total Build Cost</b>				=H1xH2	<b>H</b>
<b>Other Costs</b>					
Planning Applications			Variable		J1
Section 106 Costs			Variable		J2
Infrastructure (note 7)			Variable		J3
Abnormals (note 7)			Variable		J4
Sales Incentives			Variable		J5
Garages			Variable		J6
Construction and design contingency	5% on infrastructure, abnormal and garage costs (excluded from already constructed elements if not incurred)				J7
Professional Fees	8% on build cost, garages, infrastructure & abnormal costs (unless fees already included in cost plan for the latter)				J8
Residential sales, marketing and legal	3.5% on GDV of residential element				J9
Commercial sales, marketing and legal	1.5% on capital value of commercial element				J10
Commercial letting and legal fees	0.25% on agreed annual rental income of commercial element				J11
Commercial purchaser agency fees	1% on capital value of commercial element				J12
<b>Total Other Costs</b>				=J1+J2+J3+J4+J5+J6+J7+ J8+J9+J10+J11+J12	<b>J</b>
<b>Total Finance Cost</b>	6% p.a.		Variable as per cash flow		<b>K</b>
<b>Developer Margin</b>					
Residential for Sale	20% of GDV	(L1)	=L1 x A + D + E		
Affordable Housing	6% of GDV	(L2)	= L2 x B		
Commercial Space	15% of GDV	(L3)	= L3 x C		
<b>Total Developer Margin</b>			=L1 + L2 + L3		<b>L</b>
<b>Total Development Costs</b>				<b>= G+H+I+J+K+L</b>	<b>M</b>

## SCHEME SUMMARY

TOTAL GROSS DEVELOPMENT VALUE	=F
Less	
TOTAL DEVELOPMENT COSTS	=M
Equals	
DEFICIT/SURPLUS	=F-M

- Note 1: To be determined from actual sales values (net of sales incentives) for plots sold where applicable and where actual sales values are not available detailed plot pricing of each unit from the best available market evidence.
- Note 2: To be determined from a detailed appraisal of each unit taking account of the agreed rents and intermediate affordability.
- Note 3: To be determined from actual letting values for commercial units where applicable and where actual letting values are not available to be determined from the total of the best available market evidence for each commercial unit.
- Note 4: The average price per unit is determined from a valuation of the market rate for ground rents chargeable on each unit type, divided by the total number of units and multiplied by the appropriate capitalisation rate determined from market evidence.
- Note 5: The average price per unit is determined from the total achieved or achievable revenue divided by the total number of parking spaces sold.
- Note 6: To be determined by taking the median quartile BCIS cost for each type of housing (terrace, semi-detached, detached and apartments) as at the date of the viability assessment and adjusting it to allow for locational weighting, a net to gross allowance of 15% on apartments, an external cost allowance of 10% and a contingency allowance of 5%. The resultant figure is then multiplied by the area of each type of housing.
- Note 7: To be determined from actual costs of implemented infrastructure and abnormals where applicable and where actual costs are not available to be determined from a cost plan prepared by a QS. All residential and commercial units are to bear an appropriate share of infrastructure/abnormal costs.

**IPSWICH GARDEN SUBURB VIABILITY REVIEW TEMPLATE**  
**SCHEDULE OF VARIABLE INPUTS AND SOURCES OF INFORMATION**

Rev C

Ref.	Item	Description	Information Source
1	Residential Values	Sale Value of each residential unit type or Capital Value of units for open market rental. All to be net of incentives	RICS local valuer Internet Research Local Estate Agents Evidence from the IGS development
2	Self Build Income	Value of each plot sale to a self-builder	RICS local valuer Internet Research Local Estate Agents Evidence from the IGS development
3	Base Build Costs	Building Costs for each type of building including locational weighting at valuation date exclusive of abnormal costs	BCIS
4	Abnormal Costs	Those costs over and above the normal costs allowed in the assessment of the base build as noted in 3 above. eg: Decontamination, Demolition, Site Preparation, Archeological Surveys Foundations in excess of 1m deep Basement or Undercroft Parking applied as a per unit cost	Quantity Surveyor's Cost Plan supported by evidence from appropriate surveys and engineer's reports
5	Infrastructure	Cost of roads, sewers, utilities and engineering works to service the land	Quantity Surveyor's Cost Plan supported by evidence from appropriate surveys and engineer's reports
6	Affordable Housing Income	An offer from an agreed Registered Provider for the purchase of the Affordable Homes or Details of Affordable Rents First Tranche Sales and Equity Rent for Shared Ownership, yields to be applied to rents and management costs to be deducted	Registered Provider RICS valuer familiar with Affordable Housing. Council Housing Dept Evidence from the IGS development
7	Social Housing Grant	Amount of Grant to be offered to the Registered Provider to assist in purchasing the affordable housing	Registered Provider HE Investment Team Council Housing Dept
8	Other forms of Funding	HE grants for Infrastructure EU Grants Cross Subsidy from the Registered Provider for the purchase of the Affordable Homes Other sources of Funding	Appropriate funding body
9	Planning Obligations	Capital & Maintenance Sums included in the S.106 Agreement or agreed subsequently applied on a per unit basis	Council / S.106 Agreement
10	Acquisition Costs	Stamp Duty	HMRC
11	Residential Unit Mix	Building Type, Unit Type and Number of Each Size (Net Internal Area and Gross Internal Area) Tenure of each dwelling type	Architect's or Developer's accommodation schedule
12	Ground Rents	Annual ground rents	RICS local valuer Internet Research Local Estate Agents Evidence from the IGS development
13	Non Residential/Commercial land value indexation	Nationwide Building Society Property Index or a suitable alternative agreed by the parties	Nationwide Building Society
14	Non Residential/Commercial land acreage	Area of land designated for this use	Architect's or Developer's accommodation schedule
15	Number of 3,4, and 5 Bed Houses	Used to calculate the number of garages on the remainder of the scheme	Architect's or Developer's accommodation schedule
16	Benchmark Land Value Indexation	Nationwide Building Society Property Index or a suitable alternative agreed by the parties	Nationwide Building Society

**APPENDIX 12: VIABILITY REVIEW EXPLANATORY USER GUIDE AND USER  
TEMPLATE**

## **Ipswich Garden Suburb –Viability Review – Explanatory User Guide**

The following user guide is appended to the s106 agreement, not as a legally binding document, but to provide an overview to anyone using or reviewing the s106 agreement, seeking to ascertain how the Viability Reviews in Schedule 2 of the Agreement are intended to operate.

As such this note contains a guide of general principles in a non-legal and/or binding explanation of the Viability Review process. It should not be regarded as a substitute for or an alternative to the detailed drafting of the Agreement which is legally binding. If there is any inconsistency between this User Guide and the detailed drafting in the S.106 Agreement then the detailed drafting in the Agreement shall always prevail.

This User Guide seeks to capture the basic principles and methodology sitting behind the Viability Review Templates (VRT(s)) and appraisal assumptions on which the viability review process is based. The expression IBC means Ipswich Borough Council and The Owner is the developer(s) of the Development.

### **Introduction**

The Viability Review provisions contained in Part 2 of Schedule 2 of the Agreement will determine the level of any Deferred Affordable Housing, Deferred Affordable Housing Contribution and/or any Deferred Contributions that would be provided if either of the Viability Reviews show a surplus.

Subject to the paragraph below, for the purposes of calculating any additional obligations addressing Deferred Affordable Housing, Deferred Housing Contribution and/or any Deferred Contributions, the Development shall be subject to two separate Viability Review phases.

The methodology outlined below assumes that the Owner has or will meet its obligation under paragraph 2 part 1 of Schedule 2 whereby they have completed and made available for occupation 30 units together with associated infrastructure within 2 years of the 1<sup>st</sup> residential reserved matters planning consent being granted.

The methodology also assumes the Owner has met their obligations to provide 5% of the whole scheme as affordable housing in Phase 1 of the development, prior to the occupation of 400 units.

For information on how the original Viability Review was carried out and the assumptions/data used at that time the assessors should refer to the Financial Viability Assessment dated March 2018 by Turner Morum which supported the planning application and was reported to planning committee.

### **VRT Structure**

Both Viability Reviews will follow the same process, with the number of units to be included within each outlined below.

## Triggers for Viability Reviews

The first Viability Review must be submitted by the Owner to the Council prior to the submission of Reserved Matters Applications for not more than 401 Residential Units, but no earlier than Legal Completion or Occupation of any more than 50 Residential Units.

The Owner shall not submit Reserved Matter Applications for more than 401 Residential Units, nor Legally Complete or Occupy more than 400 units before the Viability Review is submitted.

The intent of the first Viability Review is to determine the additional amount of Deferred Affordable Housing, Deferred Affordable Housing Contribution, and/or Deferred Contributions that can be provided (if any) in the second viability phase of the development, i.e. from unit 401 onwards. However, the Agreement does allow the Owner to submit Reserved Matters Applications for up to 700 units assuming 0% additional Affordable Housing provision and 0% Deferred Contributions until the first Viability Review is agreed by the parties or determined by an Expert.

Reserved Matters submissions for not more than 700 Residential Units may be permitted before the first Viability Review has been agreed between the parties or determined by an expert. After the first Viability Review has been agreed or determined there will be no further restrictions on the submission of RM applications.

The second Viability Review must be submitted to the Council no earlier than the Legal Completion or Occupation of 600 Residential Units and no later than the Legal Completion or Occupation of 650 Residential Units. The Owner shall not Legally Complete or Occupy more than 650 Residential Units until the Viability Assessment has been submitted.

The Owner shall not Legally Complete or Occupy more than 850 Residential Units until the second Viability Review has been agreed by the parties or determined by an Expert.

The intent of the second Viability Review is to determine the additional amount of Deferred Affordable Housing, Deferred Affordable Housing Contribution and/or Deferred Contributions that can be provided (if any) in the third viability phase of the development, i.e. unit 701 onwards. However, the Agreement does allow the Owner to occupy up to 850 units assuming 0% additional Affordable Housing provision and 0% Deferred Contributions until the second Viability Review is agreed by the parties or determined by an Expert.

Each VRT utilised in the first and second Viability Reviews will use the assumptions as noted below or unless otherwise agreed by the Borough Council at its absolute discretion or as determined by an Expert.

## Type

The Affordable Housing to be delivered on site as part of the first 400 Residential Units in the Development is to be provided in accordance with the residential mix included within Schedule 2 Part 1 Paragraph 9 of the S.106 Agreement. The residential mix of any Affordable Housing included in any Deferred Affordable Housing Scheme shall be as identified in that agreed Deferred Affordable Housing Scheme.

The location and design of any Deferred Affordable Housing within each relevant phase will be determined by approval of any Deferred Affordable Housing Scheme submitted in accordance with Part 2 of Schedule 2 of the s106 Agreement.

### VRT Inputs

The following inputs will be fixed in the respective VRTs for each of the Viability Reviews:

1. Non-Residential/ Commercial land – at £750,000 per acre (index linked as noted below)
2. Marketing fees – 3% of the Market Housing GDV, 0.5% for the affordable Housing GDV and 3.0% for any Non- Residential Income
3. BCIS allowances, for external costs (10%), contingency (2.5%), and the net to gross adjustment for apartments (15%)
4. Costs for single garages at £7,000 for every 3 and 4-bed house and double garages for each 5-bed house at £11,000 index-linked based on % increases to the average BCIS build costs
5. Professional fees allowance – 8.0%
6. Allowances for Developer Profit for the market housing (20% of market GDV), affordable housing (6.0% of the affordable GDV) and the non-residential element (at 15% of the non-residential GDV)
7. Finance cost calculations – 5% of total scheme costs
8. Benchmark Land Value (BLV) – at £125,000 per gross acre (index-linked as noted below)
9. Acquisition agency and legal fees allowance at 1.75% (combined) of the BLV including indexation
10. Land Areas - the gross acreage used within each Viability Review will be a straight-forward apportionment of the total gross acreage of the site. For VRT 1, the whole site gross acreage of 190.3 gross acres will be multiplied by 700 units and then divided by 1,100 units, to give 121.10 gross acres. For VRT 2, the whole site gross acreage of 190.3 gross acres will be multiplied by 400 units and then divided by 1,100 units, to give 69.20 gross acres.
11. Ground rents (if applicable) – capitalisation yield of 5%

The variable VRT inputs that will be updated at each Viability Review will be defined by reference to the data schedule attached at Appendix I which identifies suitable data sources for each input and are identified as follows:



1. Residential mix & unit types – to reflect the balance of the scheme.
2. Market revenues – based on appropriate/ recent net open market revenue evidence
3. Affordable revenues – will be based on completed affordable transaction evidence from the completed scheme or if this is not possible, the appointed valuers will seek to agree these values based on other evidence from RP's operating in the area.
4. Self-Build Income – will preferably be based on evidence from completed self-build plot sales but if not available the valuers will use their reasonable endeavours to establish an appropriate rate for each remaining self-build plot
5. Non-Residential/ commercial land value indexation – to be based on the Nationwide Building Society Property Index. The parties will agree a suitable alternative index if this index ceases to be published.
6. Non-Residential/ commercial land area – expressed in acreage terms as that provided on each viability review phase
7. Ground rents (if applicable) – number of qualifying dwellings and chargeable ground rents per annum
8. BCIS median average base build costs & locational weighting – based on the latest available information at the review point
9. Number of 3, 4 and 5-bed Houses (to calculate the garage numbers).
10. Abnormal/ infrastructure costs and cost of compliance with planning conditions, S106 works obligations and maintenance costs to be updated to reflect the whole scheme abnormal/ infrastructure costs at the time of the review, applied on an average rate per dwelling of the review phase. For the avoidance of doubt any limitations placed on the expenditure by the S.106 agreement will be taken account of in carrying out the VRT appraisal at each Review (eg: Commuted Sums for maintenance).
11. S106 contributions (including commuted sums and maintenance sums) together with any previously agreed or determined VRT contributions to be based on the whole scheme s106 costs (updated to reflect any indexation), applied on a rate per dwelling of the review phase.
12. BLV Indexation – based on the Nationwide Building Society property index. The parties will agree a suitable alternative index if this index ceases to be published.
13. SDLT - applied based upon prevailing SDLT rates at the time of the review
14. Grants – Housing Infrastructure Funding (HIF), Social Housing Grant or any other grants made to support the development that are not loans or required to be repaid

## Methodology

The simple premise within each VRT is that fixed formula inputs remain unchanged (in so far as how they are calculated; but their quantum may change) so that one only has to update the variable inputs at each review. The VRT will automatically calculate a level of Surplus or Deficit, this being the amount by which the Residual Land Value of the relevant review exceeds an index linked Benchmark Land Value of £125,000 per gross acre, thus yielding a Surplus, or the amount by which it falls below the Benchmark Land Value (a Deficit).

VRT I Part 1 will be completed reflecting the balance of Affordable Housing yet to be provided from the base level. If the VRT illustrates a Deficit, the Affordable Housing is not required to increase. However, if a surplus is generated, 50% of that Surplus (being defined as the Borough Council's Surplus in paragraph 5.1 of Part 2 of Schedule 2 of the Agreement) will go to a Deferred Affordable Housing Contribution, Deferred Contributions, additional on-site affordable housing or a combination of the above. The priority for 50% of any Borough Council's Surplus will be Deferred Affordable Housing, with the remaining 50% going towards the Deferred Contributions. However, if 50% of the Borough Council's Surplus cannot support Deferred Affordable Housing, (or only part of it can support Deferred Affordable Housing), the remaining monies may be applied to the Deferred Contributions. Paragraph 5.1 of Part 2 of Schedule 2 makes it clear that where any Surplus is applied to the Deferred Contributions, the payment of the Deferred Waste Contribution will take priority, until it is paid in full, after which the monies can be applied to the Deferred Swimming Contribution and/or Deferred Affordable Housing Contribution.

In both Viability Reviews it is agreed that the remaining 50% share of any Surplus will be retained by the Owner

Any payments would be spread over the subject review phase and any additional affordable housing will be phased in accordance with paragraph 7 of Schedule 2 Part 2 of the s.106 Agreement.

If VRT Part 1 produces a Surplus, VRT Part 2 will be completed (with the Owner's 50% share of the surplus from VRT I Part 1 included as a development cost within VRT Part 2). The amount of affordable housing will be increased within VRT (Part 2), with a corresponding reduction in the number of market units until the first of the following alternatives occurs:

1. A zero surplus figure is produced in VRT Part 2 (or as near to zero as reasonably possible whilst remaining a positive amount), the balance of the surplus will be payable as a Deferred Affordable Housing Contribution or Deferred Contributions or
2. The number of affordable dwellings reaches 35% for the Development, across the remaining development (or such percentage as may be set out in local planning policy at the time of the viability review)

The Council will respond to the Owner with comments on the VRT Submission, until an agreed position is reached between the parties (agreement not to be unreasonably withheld) within 50 days of the Validation Date. Failing agreement within this time period, the Viability Review can be referred as a dispute for Expert Determination by either party pursuant to paragraph 4.4 of Part 2 of Schedule 2 of the s106 Agreement.

Where Expert Determination is required the scheme will continue until a determination is received on the Viability Review subject to the restrictions set-out in paragraph 1.4 and 1.5 in relation to the first Viability Review and paragraph 1.7 of the s106 Agreement in relation to the second Viability Review. Following determination of the Viability Review the Owner will implement the determined position in relation to any Reserved Matters applications yet to be submitted at the date of the determined position.

The above process will be repeated for the second Viability Review. Once each exercise has been carried out and agreed or determined, this will fix the level of additional S.106 obligations and the Viability Review for that viability phase will be deemed complete.

Appendix 1 – Schedule of Variable Inputs and Sources of Information

% Affordable 0%

% Affordable 0.00%

VRT Part 1 - Review 1 Base % Aff				
<b>DEVELOPMENT REVENUE</b>				
Market Housing	Units	Total f12	Income/ f12	Total Income
Estate Housing - Semi Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Terraced Generally	#DIV/0!		#DIV/0!	
Flats (Apartments) - Generally (Median)	0	0	#DIV/0!	
Affordable Housing				
Estate Housing - Semi Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Terraced Generally	#DIV/0!		#DIV/0!	
Flats (Apartments) - Generally (Median)	0	0	#DIV/0!	
Self Build Plots				
Total Units	0	0		
Affordable Housing Percentage	#DIV/0!			
Non-residential receipts				
Non-recoverable grant funding				
<b>Total Revenue</b>				£ -
<b>DEVELOPMENT EXPENDITURE</b>				
Marketing fees Market housing			3.00%	£0
Affordable Transfer fees			0.50%	£0
Non-residential marketing			3.00%	£0
BCIS Costs (Market & Affordable)	Units	Total f12	BCIS Costs/ f12	
Estate Housing - Semi Detached Generally	0	0	£0.00	£0
Estate Housing - Detached Generally	0	0	£0.00	£0
Estate Housing - Terraced Generally	0	0	£0.00	£0
Flats (Apartments) - Generally (Median)	0	0	£0.00	£0
Garages - Single (3 & 4 bed units)			£7,000	£0
Garages - Double (5 bed units)			£11,000	£0
Professional fees (8.0% of total building costs)			8.00%	£0
Developer Profit - Market Units			20.00%	£0
Developer Profit - Self Build Plot			15.00%	£0
Developer Profit - Affordable units			6.00%	£0
Developer Profit - Non-residential			15.00%	£0
Infrastructure/ Abnormal Costs	% of Units in Subject Phase		0%	£0
S106 Contributions			0%	£0
Finance costs (at 5% of total costs)			5.00%	£0
Benchmark Land Value	Gross acres	0.00	£125,000	£0
BLV Indexation (50/50 hybrid of Savill Land Index and Nationwide Building Society Index)				£0
SILT				£0
Agency/ Legals			1.75%	£0
Cross share of Surplus				£0
<b>Total Expenditure</b>				£ -
Surplus/ Deficit				£ -

VRT Part 2 - Review 1 Revised Affordable calculation				
<b>DEVELOPMENT REVENUE</b>				
Market Housing	Units	Total f12	Income/ f12	Total Income
Estate Housing - Semi Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Terraced Generally	#DIV/0!		#DIV/0!	
Flats (Apartments) - Generally (Median)	0	0	#DIV/0!	
Affordable Housing				
Estate Housing - Semi Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Detached Generally	#DIV/0!		#DIV/0!	
Estate Housing - Terraced Generally	#DIV/0!		#DIV/0!	
Flats (Apartments) - Generally (Median)	0	0	#DIV/0!	
Self Build Plots				
Total Units	0	0		
Affordable Housing Percentage	#DIV/0!			
Non-residential receipts				
Non-recoverable grant funding				
<b>Total Revenue</b>				£ -
<b>DEVELOPMENT EXPENDITURE</b>				
Marketing fees Market housing			3.00%	£0
Affordable Transfer fees			0.50%	£0
Non-residential marketing			3.00%	£0
BCIS Costs (Market & Affordable)	Units	Total f12	BCIS Costs/ f12	
Estate Housing - Semi Detached Generally	0	0	£0.00	£0
Estate Housing - Detached Generally	0	0	£0.00	£0
Estate Housing - Terraced Generally	0	0	£0.00	£0
Flats (Apartments) - Generally (Median)	0	0	£0.00	£0
Garages - Single (3 & 4 bed units)			£7,000	£0
Garages - Double (5 bed units)			£11,000	£0
Professional fees (8.0% of total building costs)			8.00%	£0
Developer Profit - Market Units			20.00%	£0
Developer Profit - Self Build Plot			15.00%	£0
Developer Profit - Affordable units			6.00%	£0
Developer Profit - Non-residential			15.00%	£0
Remaining Infrastructure/ Abnormal Costs	% of Units in Subject Phase		£0	£0
Remaining S106 Contributions			£0	£0
Finance costs (at 5% of total costs)			5.00%	£0
Benchmark Land Value	Gross acres	0.00	£125,000	£0
BLV Indexation (50/50 hybrid of Savill Land Index and Nationwide Building Society Index)				£0
SILT				£0
Agency/ Legals			1.75%	£0
Cross share of Surplus				£0
<b>Total Expenditure</b>				£ -
Surplus/ Deficit				£ -

	Average (£/m2)	Average (£/f2)	Localional Weibahinz	Net to Gross Allowance 25%	External Cost Allowance 20%	Contingency Allowance 2-3%	BCIS Figure
Estate Housing - Semi Detached Generally		£0.00	£0.00	-	£0.00	£0.00	£0.00
Estate Housing - Detached Generally		£0.00	£0.00	-	£0.00	£0.00	£0.00
Estate Housing - Terraced Generally		£0.00	£0.00	-	£0.00	£0.00	£0.00
Flats (Apartments) - Generally (Median)		£0.00	£0.00	£0.00	£0.00	£0.00	£0.00

Viability BCIS Costs per square foot	1127.47
Updated Average BCIS Costs per square foot	£0.00
Uplift	0.0%

Check

LPA Commuted Sum Payment	£ -	Total Dwellings	1100
or			
On-site Affordable	0.00%		