

# Developer Contributions Supplementary Planning Document

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

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## 1 Introduction

- 1.1** This Supplementary Planning Document (SPD) sets out Huntingdonshire District Council's policy for securing developer contributions from new developments that require planning permission. This SPD is supplementary to the Adopted Huntingdonshire Core Strategy, particularly Policy CS10 and should be considered alongside the Draft Community Infrastructure Levy Charging Schedule November 2011 or any successor documents.
- 1.2** The District Council expects all eligible types and sizes of new development in Huntingdonshire to contribute to site related and broader infrastructure through a combination of the following mechanisms including:
- Planning conditions (development and project specific)
  - Planning obligations e.g. Section 106 Agreements (development and project specific)
  - Community Infrastructure Levy (District wide)
- 1.3** The necessity for site related developer contributions, secured through planning conditions and section 106 Agreements, is assessed against the needs of each site and project.
- 1.4** The Community Infrastructure Levy (CIL) is charged on most new development, based on an approved CIL Charging Schedule. Some types and sizes of development, including small extensions and development by some charities, are exempt from liability to pay a levy under the CIL Regulations 2010. A Preliminary Draft Community Infrastructure Levy Charging Schedule was consulted on at the same time as the draft of this SPD. A Draft Charging Schedule is being consulted on at the time of publication of this SPD and it is anticipated that a Charging Schedule will be adopted by Huntingdonshire District Council in Spring 2012.

### Planning Conditions and Obligations

- 1.5** The District Council negotiates financial or other contributions for site related infrastructure improvements that are required to enable planning permission to be granted as they make a new development acceptable or successful.
- 1.6** The developer contributions are secured by applying conditions to planning permissions or through a negotiated planning obligation, also known as a Section 106 Agreement, which is prepared and concluded as part of the planning application process.
- 1.7** Planning conditions and obligations are a tried and tested mechanism to require individual developments to provide or pay for the provision of development specific infrastructure requirements. They are flexible and have historically delivered a wide range of site and community infrastructure benefits, including the transfer of land for community use.

### The Community Infrastructure Levy (CIL)

- 1.8** The District Council is entitled to charge a Community Infrastructure Levy (CIL) on new developments within the District<sup>(1)</sup>. The CIL applies to most new developments and charges are based on the size and type of the new development. The basis for the CIL charge for each development type is detailed in the District Council's Draft Community Infrastructure Levy Charging Schedule or successor documents.
- 1.9** The CIL will generate funding to deliver a range of District-wide and local infrastructure projects that support residential and economic growth, provide certainty for future development, and benefit local communities.

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1 Community Infrastructure Regulations 2010 (as amended)

# 1 Introduction

- 1.10** It allows the District Council to work with infrastructure providers and communities to set priorities for what the funds should be spent on, and provides a predictable funding stream so that the delivery of infrastructure projects can be planned more effectively.
- 1.11** The CIL is designed to give developers and investors greater confidence to invest because there will be more certainty 'up front' about how much money they will be expected to contribute towards community infrastructure. Equally, the community will be better able to understand how new development is contributing towards prioritised infrastructure projects across the District.
- 1.12** It is envisaged that local communities which accept new development in their areas will be allocated a 'meaningful proportion' of the collected CIL funds to help support their own local infrastructure projects.

## Highway Improvements

- 1.13** Agreements for the private sector funding of works on the Strategic Road Network would normally be made under section 278 of the Highways Act 1980, as amended by Section 23 of the New Roads and Street Works Act 1991. These agreements provide a financial mechanism for ensuring delivery of mitigation works identified and determined as necessary for planning permission to be granted. Under certain circumstances, particularly where works are required as mitigation for multiple developments, CIL may be the more appropriate funding mechanism. Neither mean that the Highways Agency will support a developer in any planning application or subsequent proceedings.
- 1.14** Section 278 Agreements are not the responsibility of the Local Planning Authority. Further guidance on the Section 278 process and the steps which will need to be taken by a developer and others, when such an agreement is contemplated, can be found on the Department for Transport website and the Cambridgeshire County Council website.

## 2 The Purpose of the SPD

- 2.1** Huntingdonshire is a focus for housing and economic growth in Cambridgeshire. Huntingdonshire District Council, Central Government and Cambridgeshire County Council are committed to building sustainable communities through a plan led system.
- 2.2** The purpose of the Developer Contributions SPD is to:
- Explain the District Council's policies and procedures for securing developer contributions through planning conditions and obligations.
  - Explain the relationship between the required developer contributions and the Community Infrastructure Levy in a fair and transparent way.
  - Provide evidence and guidance to developers and landowners about the types of contributions that will be sought and the basis for charges.
- 2.3** This will ensure that new development is supported by locally and democratically prioritised community infrastructure.

### Planning Legislation

- 2.4** The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 (1) of the Planning and Compensation Act 1991. The Government's Office of the Deputy Prime Minister (ODPM) Circular 05/2005 requires planning obligations to meet all of the following tests. They have to be:
1. Necessary to make a proposal acceptable in planning terms.
  2. Directly related to the proposed development.
  3. Fairly and reasonably related in size and type to the proposed development.
  4. Relevant to planning.
  5. Reasonable in all other respects.
- 2.5** The Planning Act (2008) also provides the enabling powers for Local Authorities to apply a Community Infrastructure Levy (CIL) to development proposals to support infrastructure delivery in an area. Local Authorities are entitled to charge a Levy on the basis that it can contribute to well evidenced, costed and justified community infrastructure.
- 2.6** The CIL Regulations 2010 which provide the detail on the implementation of CIL were published in April, 2010. Developer Obligations and CIL need to be complementary contribution mechanisms. The Department for Communities and Local Government (DCLG) New Policy Document for Planning Obligations Consultation Draft March 2010 outlined new statutory restrictions on planning obligations in line with the CIL regulations that:
- Put 3 of the 5 Circular 5/05 tests (numbers 1, 2 and 3 in list above) on a statutory basis for developments which are capable of being charged CIL.
  - Ensure the local use of CIL and planning obligations do not overlap.
  - Limit pooled contributions towards infrastructure which may be funded by CIL.

### Planning Policy Context

- 2.7** Forthcoming planning reforms are likely to change the planning policy context, particularly through the introduction of a new National Planning Policy Framework (NPPF) and the Localism Act. However, at this time, the planning policy context is as set out below.

# 2 The Purpose of the SPD

- 2.8 Planning Policy Statement (PPS) 12: Local Spatial Planning 2008** states that infrastructure planning is central to the plan making process. It expects Core Strategies to be supported by evidence of what physical, social and green infrastructure is needed to enable the growth identified to happen.

*"Good infrastructure planning considers the infrastructure required to support development, costs, sources of funding, timescales for delivery and gaps in funding. This allows for the identified infrastructure to be prioritised in discussions with key local partners. This has been a major theme highlighted and considered via HM Treasury's CSR07 Policy Review on Supporting Housing Growth. The infrastructure planning process should identify, as far as possible:*

- *infrastructure needs and costs;*
- *phasing of development;*
- *funding sources; and*
- *responsibilities for delivery."*

- 2.9** The **East of England Plan (EEP)** is the Regional Spatial Strategy (RSS) for the Eastern Region. It was published in May 2008 and sets the regional framework for preparation of local development documents. The EEP sets specific targets and policy requirements. It requires Huntingdonshire to deliver a minimum of 11,200 homes in the period 2001 – 2021, and provide a share of 75,000 new jobs for Cambridgeshire over the same period.
- 2.10** The Government has indicated that it intends to abolish the RSS. It has been established that this intention is not a material consideration for plan production, therefore until the Localism Bill is enacted and comes into force the EEP remains part of the Development Plan.
- 2.11** The planning policy context for planning related developer contributions in Huntingdonshire District Council is established through the Local Development Framework (LDF) and other related documents and evidence.
- 2.12** The adopted **Huntingdonshire Core Strategy** is the development plan for Huntingdonshire for the period from 2009 to 2026. It sets out the District Council's vision for the sustainable development of the District, including a policy framework for addressing the infrastructure requirements necessary to meet the planned growth of the district to 2026.
- 2.13** Core Strategy Policy CS10 sets out the contributions that may be required for infrastructure and will be applied to all housing and commercial developments across the administrative area of Huntingdonshire.
- 2.14** The **Development Management Development Plan Document (DPD)** Proposed Submission, which during preparation was known as the Development Control Policies DPD, will be part of the Local Development Framework (LDF) and the statutory development plan. It will support the Core Strategy and the East of England Plan. It will set out the Council's policies for managing development in Huntingdonshire and will be used to assess and determine planning applications.
- 2.15** The Development Management Policies reflect the spatial vision and objectives of the Core Strategy. The policies rarely include cross-references to other policies as all the policies should be read together alongside the policies of the Core Strategy. More site-specific policies will be introduced through the Planning Proposals DPD that may be relevant. Where necessary, detailed guidance will be provided through Supplementary Planning Documents or Masterplans. The production of a Supplementary Planning Document on Planning Obligations to provide details on the range and level of infrastructure provision required was highlighted in the section on Contributing to Successful Development as one of the mechanisms, along with the Community Infrastructure Levy, for securing appropriate infrastructure contributions.
- 2.16** **Huntingdonshire's Sustainable Community Strategy 2008 – 2028** shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.

## Evidence Base

**2.17** Huntingdonshire is a focus for economic and residential growth and the adopted Core Strategy identifies the key directions of growth. The table below highlights the projected growth within the spatial planning areas from 2011 to 2026, including sites already with planning permission, as taken from the Annual Monitoring Report 2010.

**Table 1 Dwelling Numbers across the District**

	2011 - 2016	2016 - 2021	2021 - 2026	Total
Huntingdon SPA*	1067	1564	160	2791
Ramsey SPA*	298	110	0	408
St Ives SPA*	612	559	0	1171
St Neots SPA*	2043	1743	1000	4786
Fenstanton KSC <sup>+</sup>	45	80	0	125
Sawtry KSC <sup>+</sup>	175	100	0	275
Yaxley KSC <sup>+</sup>	69	10	40	119
Other KSCs <sup>+</sup>	48	8	0	56
Sites outside SPAs / KSCs	19	0	0	19
Small sites district wide (under 9 dwellings)	281	0	0	281
<b>Total</b>	<b>4657</b>	<b>4174</b>	<b>1200</b>	<b>10031</b>
* Spatial Planning Area				
+ Key Service Centre				

**2.18** The main local evidence base that justifies developer contributions, and CIL in particular, is the Huntingdonshire Local Investment Framework (LIF) 2009. The LIF is a study that supports the adopted Core Strategy 2009. It details the physical, social and green infrastructure needs arising from the planned growth of Huntingdonshire to 2026 and the potential funding sources, including developer contributions, that could viably be obtained to help meet this need. The LIF is supported by a detailed viability assessment and a CIL project list.

**2.19** The infrastructure needs and costs identified in the LIF have been updated as part of this work and the Community Infrastructure Levy implementation. The key evidence review has been:

- Huntingdonshire Market Report by Drivers Jonas Deloitte, August 2010.
- Huntingdonshire District Council Viability Testing of Community Infrastructure Levy Charges by Drivers Jonas Deloitte, 2011.
- Huntingdonshire District Council CIL Addendum Report by Drivers Jonas Deloitte, November 2011
- Draft Charging Schedule Infrastructure Project List, November 2011.

# 2 The Purpose of the SPD

- 2.20** The Infrastructure Project Plan list will be reviewed annually in consultation with stakeholders and partners. The phasing of development (housing trajectory) is updated each year in line with the annual monitoring exercise. Additional information on funding resources from other organisations has been added to the model and the CIL levy refined to keep it in line with current economic conditions.
- 2.21** In determining infrastructure needs at this stage, the Council and partners have had to translate dwelling growth figures into population generation. This has been undertaken by utilising the anticipated change in average household sizes 2006 – 2026 as shown in the following table<sup>(2)</sup>:

**Table 2 Change in Household Size**

	<b>2006</b>	<b>2011</b>	<b>2016</b>	<b>2021</b>	<b>2026</b>
Average household size	2.40	2.33	2.25	2.19	2.16



## 3 The Planning Contributions Framework

- 3.1** Planning conditions and obligations have, to date, been the standard planning process mechanisms for ensuring that development proposals are acceptable and can be granted planning permission. Following the legislative and policy changes outlined earlier in this SPD, the mechanisms used to ensure appropriate funding to meet the needs of a planning application have changed to include the Community Infrastructure Levy as well as the aforementioned planning conditions and obligations (S106 Agreements).

### The Community Infrastructure Levy (CIL)

- 3.2** The Community Infrastructure Levy (CIL) applies to most new developments and charges are based on the size and type of the new development. The basis for the CIL charge for each development type is detailed in the District Council's Draft Community Infrastructure Levy Charging Schedule, which is being consulted on between 23rd November 2011 and 3rd January 2012. It is anticipated that, following an Examination in Public, the Huntingdonshire Charging Schedule will be adopted in Spring 2012.
- 3.3** The CIL will generate funding to deliver a range of District-wide and local infrastructure projects that support residential and economic growth, provide certainty for future development and benefit local communities. Infrastructure needs identified as part of the CIL will not be duplicated in any S106 Agreement.

### Planning Conditions

- 3.4** Planning conditions are requirements made by the Local Planning Authority for actions that are needed in order to make a development acceptable in planning terms. They cannot be used to secure financial contributions but can be used to ensure that certain elements related to the development proposal, and which may benefit the wider community, are carried out. In Huntingdonshire such conditions are likely to cover, amongst other things, the requirement to:
- undertake archaeological investigations
  - implement necessary local site-related transport improvement
  - undertake appropriate flood risk solutions.

### Planning Obligations

- 3.5** Planning obligations, also known as Section 106 Agreements, are legal agreements between Local Planning Authorities and developers, usually negotiated in the context of planning applications. Their purpose is to make unacceptable development acceptable in planning terms. Government Circular 05/2005 (ODPM) permits planning obligations to be used in the following ways:
- Prescribe the nature of a development e.g. by requiring a proportion of affordable housing within a development
  - Secure a contribution from a developer to compensate for loss or damage created by a development e.g. loss of open space.
  - Mitigate the impact of a development impact, e.g. through increased public transport provision.
- 3.6** The introduction of the Community Infrastructure Levy has restricted the use of planning obligations so that they must meet three new statutory tests, they cannot be used to double charge developers for infrastructure, and they cannot be used in the form of a pooled tariff system. Affordable housing and other site and development specific measures that cannot be funded from the CIL are able to be funded through planning obligations.

# 3 The Planning Contributions Framework

- 3.7** In Huntingdonshire, planning obligations will be used to secure significant site related community infrastructure on the large scale major<sup>(3)</sup> developments that have been identified through the adopted Core Strategy and related Urban Design Frameworks, Development Briefs and other policy documents. The CIL will also apply to these developments to enable contributions to District wide and local community infrastructure.
- 3.8** Planning obligations can be secured through:
- In-kind and financial contributions. These could include, for example, the provision of land, facilities, or funds that enable the delivery of development related community needs.
  - One-off payments and phased payments, and maintenance payments. These could include, for example, funds provided to be invested to enable land and facilities to be maintained to agreed specifications over a period of time.
  - Pooled contributions, for example, towards the cost of a large strategic project that could include improvements to existing strategic roads, to be delivered at a later date taking into account the limiting of pooling contributions towards infrastructure introduced through the CIL Regulations 2010.
  - Unilateral Undertakings by developers. This involves the applicant undertaking to the Authority to deal with specified planning issues before planning permission is granted. It may be offered at any point in the application process or where agreement has not been reached after initial negotiations.
- 3.9** Planning obligations may be:
- Unconditional or subject to conditions.
  - Positive, requiring the developer to do something specific.
  - Negative, restricting the developer from doing something.
  - Related to specific financial payments based on a formula and often referred to as a commuted sum.
- 3.10** Planning obligations “run with the land” and are linked to specific planning permissions. They are registered as a land charge and will form part of the planning register, which is available for public inspection. They are enforceable against the original developer and anyone who subsequently acquires an interest in the land.
- 3.11** Timing of implementation is an important factor, especially in the following circumstances:
- If a planning obligation specifies a timescale within which the developer is required to undertake certain actions.
  - If the planning permission refers to the phasing of development, the planning obligation may be linked to this phasing arrangement.
  - If the planning obligation provides for a commuted sum to be paid to the Local Planning Authority the money must be spent within a specified period.
  - If money raised through a planning obligation is not spent within the agreed period, the developer could be reimbursed with the outstanding amount, together with any interest accrued.

## The Interaction between Planning Obligations and CIL

- 3.12** Following the adoption of a Charging Schedule, CIL will become the main source of funding available through development management decisions for the majority of sites.
- 3.13** The provision of affordable housing lies outside of the remit of CIL and will continue to be secured, in the main, through Section 106 Agreements as well as some exception sites. Section 106 Agreements and planning conditions will also continue to be used for local infrastructure requirements on development sites, such as site specific local provision of open space, connection to utility services (as required by legislation), habitat protection, access footpaths and roads, and archaeology. The principle is that all

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3 DCLG Development Control PS 1/2 statistical definition 2007/8

# The Planning Contributions Framework 3

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eligible developments must pay towards CIL as well as any site specific requirement to be secured through Section 106 Agreements. Further details on the levy charge can be found in the Draft Community Infrastructure Levy Charging Schedule, or successor documents, and should be read in conjunction with this document.

- 3.14** Large scale major developments<sup>(4)</sup> usually also necessitate the provision of their own development specific infrastructure, such as schools, which are dealt with more suitably through a Section 106 agreement, in addition to the CIL charge. It is important that the CIL Charging Schedule differentiates between these infrastructure projects to ensure no double counting takes place between calculating the district wide CIL rate for funding of infrastructure projects and determining Section 106 Agreements for funding other development site specific infrastructure projects.
- 3.15** The large scale major developments identified so far which will necessitate Section 106 Agreements covering development specific infrastructure in addition to their CIL levy in the District are:
- St Neots Eastern Expansion (development site to East of the East Coast mainline railway) as defined in approved Urban Design Framework
  - St Ives West (as defined in the emerging Urban Design Framework)
  - Huntingdon West (as defined in the Area Action Plan)
  - RAF Brampton (as defined in the emerging Urban Design Framework)
  - Bearscroft Farm, Godmanchester (as defined in the SHLAA)
  - Ermine Street (Northbridge), Huntingdon (as defined in the SHLAA)
- 3.16** In line with Policy CS10 of the Core Strategy, to prevent avoidance of contributions any requirement will be calculated on the complete developable area, rather than the area or number of homes/ floorspace of a proposal, where the proposal forms a sub-division of a larger developable area, such as an identified large scale major development.
- 3.17** It is advisable for each large scale major development to come forward in its entirety at outline application stage in order for the scheme as a whole to be considered. Outline applications will need to agree phases of development in order for each phase to be considered as a separate development and enable CIL to be levied per agreed phase.<sup>(5)</sup>
- 3.18** This is not an exhaustive list and may change in time, should new large scale major developments come forward.

## Range of Developer Contributions

- 3.19** Developer contributions will be used to deliver the Huntingdonshire Local Development Framework Core Strategy, the Huntingdonshire Local Strategic Partnership's Community Plan, and emerging Neighbourhood Development Plans.
- 3.20** National planning policy recognises that where existing infrastructure is inadequate to address the impact of new development, it is reasonable to expect developers to contribute towards the financing of new or improved infrastructure:
- Directly relating to the development, through planning conditions and obligations
  - Required within the wider community, through a Community Infrastructure Levy
- 3.21** Developer contributions through planning obligations will be sought towards a range of community infrastructure, including:

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4 DCLG Development Control PS 1/2 statistical definition 2007/8

5 Regulations 8 - 9 Community Infrastructure Regulations 2010 (as amended.)

# 3 The Planning Contributions Framework

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- Affordable Housing
- Green Space
- Footpaths and Access
- Health
- Community Facilities
- Library and Life Long Learning Facilities
- Education and Schools (including Early Year's and Children's Centres) Provision
- Residential Wheeled Bins

## Regeneration Projects

- 3.22** The Council continually reviews opportunities to regenerate and enhance local communities. Additional projects may necessitate further contributions. In doing so, it will be ensured that the tests of lawfulness are met with regards S106 contributions, CIL requirements and meeting the planning policies as given in the Huntingdonshire Core Strategy 2009, the Development Management DPD: Proposed Submission 2010, the Huntingdon West Area Action Plan 2011 and any successor documents or guidance.
- 3.23** Projects identified where additional contributions may be required, on a site by site basis without exceeding policy levels and in line with the 3 statutory tests, include:
- St Neots Town Centre regeneration
  - St Ives Town Centre regeneration
  - Huntingdon Town Centre regeneration
  - Huntingdon West re-development
  - St Neots LCDI Renewable energy project.
- 3.24** This is not an exhaustive list and will be updated as necessary. Development briefs and other guidance relating to these projects will provide more detail on these projects as they become applicable.

## Status of the Developer Contributions SPD

- 3.25** The SPD forms part of the Huntingdonshire Local Development Framework and is a material consideration when assessing planning applications within the District. It links with the adopted Huntingdonshire LDF Core Strategy and its associated Development Plan Documents and Supplementary Planning Documents.
- 3.26** Other elements of the Huntingdonshire District Council Local Development Framework, including the evidence base that underpins it, can be found at [www.huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk).

## 4 The District Council's Approach to Developer Contributions

- 4.1** As Local Planning Authority, Huntingdonshire District Council has a fundamental legal role and responsibility in implementing the Developer Contributions process. In particular, the process needs to ensure that a balance is maintained between development-related and competing community infrastructure needs of the District.
- 4.2** It is the District Council's role to lead Planning Obligation (S106) negotiations, to notify developers of their CIL liabilities, and to ensure that funds provided by developers are spent as planned in conjunction with the agreed requirements of other authorities and implementation agencies. These may include, for example, education and transport requirements of Cambridgeshire County Council, and health service requirements of the Primary Care Trust or successor organisations.

### Consultation, Negotiation and Notification

- 4.3** The District Council's Planning Service leads the Developer Contributions process, with input from a range of other District Council service areas, partner authorities and other public bodies.
- 4.4** Whilst the guidance provided in this Developer Contributions SPD aims to be as clear as possible, developers will benefit from seeking early negotiations with Planning Services officers to agree planning obligations and understand their CIL liabilities prior to submitting planning applications.
- 4.5** Negotiations will include consultation with other District Council service areas where appropriate (e.g. where open space or affordable housing is to be provided) and others including Cambridgeshire County Council regarding contributions or obligations relating to their responsibilities (e.g. transport and education).
- 4.6** The benefits of this approach include:
- It ensures that developers are aware of the scale of likely contributions required for a proposed development at the earliest opportunity.
  - It assists in determining project viability.
  - It provides greater clarity and certainty to the process.
  - It minimises the timescales involved in determining affected planning applications.

### Developer Contributions Process

- 4.7** Prior to submitting a Draft Heads of Terms with a planning application, developers will need to consider a range of factors that influence contributions.
- 4.8** The household size of residential developments will need to be considered in order to understand the population change. The following table is taken from the Development Management DPD: Proposed Submission 2010 and indicates the average number of people living in new dwellings according to the size of the property.

**Table 3 Average Number of People per Household**

Number of bedrooms	Average people per household
1 bedroom	1.21
2 bedrooms	1.86

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Number of bedrooms	Average people per household
3 bedrooms	2.25
4 bedrooms	2.90
5 bedrooms	3.45
6 bedrooms	4.80

**4.9** Where the household size is not known then an average should be used. The Huntingdonshire Local Investment Framework provided a forecast for the change in average household sizes as:

**Table 4 Forecast average household sizes**

	2011 - 2016	2016 - 2021	2021 - 2026	2026 - 2031
Average household size	2.33	2.25	2.19	2.16

**4.10** The Draft Community Infrastructure Levy Charging Schedule has considered the average housing mix based on the Huntingdonshire market behaviour applied numbers from the Cambridgeshire Horizons Property Size Guide 2010.

**Table 5 Average housing mix (market behaviour applied)**

	Minimum mix %	Maximum mix %	Assumed mix %	Area sq m
1 bed	3	5	4	45
2 bed	13	22	22	67
3 bed	22	39	30	85
4 bed	27	48	34	108
5+ bed	8	14	10	128

**4.11** Where the housing mix is not known then an average area should be used of 92 sq m.

**4.12** The District Council's process for agreeing Developer Contributions involves a series of steps, set out in Table 6, that are designed to ensure that the process is as swift and transparent as possible.

**Table 6 Steps in the Developer Contributions Process**

Steps	Planning Obligations	Community Infrastructure Levy
1	As part of the documentation submitted with the planning application, the developer provides draft Planning Obligations Heads of Terms form, using the template that will be available on the District Council's website. Planning applications may not be validated if the developer does not provide a draft Planning Obligations Heads of Terms form.	The developer provides the appropriate floorspace details with the application, where available. An Assumption of Liability Notice should be completed and included with the paperwork.
2	After the planning application is validated and the draft Heads of Terms are agreed in principle, the District Council's Legal Services team are instructed to prepare a draft Section 106 Agreement once the Local Planning Authority is minded to approve the application.	Once full details of the planning proposal are known, the District Council will determine the levy based on the adopted charges.
3	Once the developer and the District Council have agreed the draft Section 106 Agreement, the S106 Agreement has been signed and sealed and planning permission has been granted, details will be registered by the District Council's Land Charges section.	If planning permission is granted, a Liability Notice will be issued and the levy rate will be registered by the District Council's Land Charges section.
4	The agreed Planning Obligations and their relevant triggers are entered on the Council's Planning Obligations database. Implementation of agreed projects is monitored through to completion.	Once verification of commencement date has been received, a Demand Notice/s will be issued to the person/s liable to pay the CIL.
5	On final payment of the outstanding S106 contributions, the District Council's Land Charges section will remove the charge from the Land Charges Register.	On final payment of the outstanding CIL charge, the District Council's Land Charges section will remove the charge from the land charges register.

NB: the above table is for indicative purposes only.

## Legal Information

- 4.13** Developers will need to produce satisfactory proof of title for their particular site and all persons with an interest in the development site including mortgagees, tenants and option holders must be party to the agreement.

## Local Land Charges

- 4.14** Planning obligations have to be registered as local land charges. Applicants will therefore need to produce title to the site and third parties, such as mortgagees, may have to be party to agreements.

## Inflation

- 4.15** All Developer Contributions payments will be index linked to inflation. Any increase in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyor(s) will result in an equivalent increase in the value of financial contributions and the figure for a given year is the figure for 1st November of the preceding year, as is the case with

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the Community Infrastructure Levy. In the event that the All-in Tender Price Index ceases to be published, the index to be used will be the retail prices index; and the figure for a given year is the figure for November of the preceding year.

### Administration Charges

**4.16** A S106 management fee will be charged for each S106 agreement. The fees for this will be reviewed on an annual basis and published separately on the Council's website. The current fees (2011/12) are as follows:

- 0.8% of the total value of financial contributions for the first £1million and 0.4% of any remaining value above £1million;
- a fixed charge to manage non-monetary obligations of £350 per type of obligation;
- a separate one-off fee of £250 will be charged for a deed of variation; and
- additional legal costs based on an hourly charge of £120 to £150 per hour, dependent on the officer involved.

**4.17** The revenue generated from the fee will be used for S106 administration, monitoring and management purposes.

**4.18** The administration fee for the Community Infrastructure Levy is incorporated within the Levy itself, so no separate additional fee is payable.

### Late Interest Payments

**4.19** In the event of any delay in making any payment required under a S106 Agreement interest shall be payable on the amount payable at the rate of four per cent per annum above National Westminster Bank Plc base lending rate from time to time in force from the date that the relevant payment falls due to the date of actual payment.

### Triggers for Planning Obligations

**4.20** Planning Obligations are normally triggered on commencement of development i.e. the date on which works to begin the development start, as defined by the carrying out of a material operation (section 56 of the 1990 Town and Country Planning Act), but may be earlier or later e.g. first occupation.

### Timing of Developer Contribution Payments

**4.21** The timescale for payment of planning contributions will be set out in the agreement. This will normally be due on commencement of development, but maybe prior to completion or first occupation. In the case of significant major development, payments may be phased to ensure development viability.

### Viability

**4.22** The contributions details in Section Five are considered to be reasonable and fairly related to the scale of development planned and its impact.

**4.23** The Council has tested the viability of development in Huntingdonshire as part of the development of the Draft Community Infrastructure Levy Charging Schedule, on the basis of current conditions and taking into account the provision of 40% affordable housing with no grant provision, in line with current HDC policy requirements.

**4.24** The Homes and Communities Agency HCA '2011/15 Affordable Homes Programme - Framework' published on 14 February 2011 introduces two major changes. They are (i) a reduction in grant funding and (ii) a new product called 'Affordable Rent (AR)', which at 80% of market rents are higher than 'Social Rent'. AR has now been included in the definitions of affordable housing in PPS3 but it does not currently feature in any local policy. Similarly, the HCA's Framework comprises requirements for Registered Providers



(RPs) that may not comply with current local planning policies. Until Affordable Rent can be written into policy, it has to be assumed that Registered Providers will deliver affordable housing in line with local policy. The Localism Bill will also oblige Local Authorities to produce a Strategic Tenancy Policy (STP) to outline its response to these proposals. In determining its STP, the council will take into account the affordability of AR relative to local incomes. The STP will inform the council's policy on affordable housing tenures but it should be stressed that PPS3 adds AR to the definitions of affordable housing and does not exclude other forms such as 'Social Rent' and this, more affordable tenure, may still feature in the Council's STP.

- 4.25** The costs incurred in delivering a workable, high quality development are to be expected and should have been reflected in the price paid for land, and will not normally reduce the ability of a site to provide the required obligations. Expected costs will include affordable housing, site clearance and remediation, good quality, design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision (which may include highway and public transport measures). Developers will be required to demonstrate any abnormal development costs at the earliest possible stage, in order that their impact on the viability of a scheme may be assessed. Price paid for land may not be a determining factor if too much has been paid or historic land values or developer profit margins are being protected at the expense of required contributions such as affordable housing.
- 4.26** If an exceptional circumstance does arise whereby a developer wishes the Council to reconsider the required contributions due to the impact on the viability of the scheme, the developer will need to submit a written request to the Local Planning Authority.
- 4.27** In line with exceptional circumstances procedure for the Community Infrastructure Levy, a claim for required planning obligations on a specific development to be reconsidered will need to:
- a. be submitted to the Local Planning Authority in writing;
  - b. be received by the Local Planning Authority before commencement of the development;
  - c. include the relevant particulars requested by the Local Planning Authority; and
  - d. be accompanied by—
    - i. an assessment carried out by an independent person of the cost of complying with the planning obligation mentioned and the CIL charge,
    - ii. an assessment carried out by an independent person of the economic viability of the development,
    - iii. an explanation of why, in the opinion of the claimant, payment of the planning obligations, and any CIL charge, would have an unacceptable impact on the economic viability of that development,
    - iv. where there is more than one material interest in the relevant land, an apportionment assessment, and
    - v. a declaration that the claimant has sent a copy of the claim, including all accompanying paperwork, to the owners of the other material interests in the relevant land (if any).
- 4.28** The independent person referred to above appointed to carry out an economic assessment must have appropriate qualifications and experience and be appointed by the local planning authority at the reasonable agreed cost of the claimant.
- 4.29** Based on the independent financial viability findings, developer contributions may be discounted or the phasing of infrastructure altered where this would not make the development unacceptable in planning terms. In certain circumstance, the Local Planning Authority may need to make a judgement as to whether a development would still be acceptable in planning terms with a reduced level of contributions where other funding sources cannot be found. Some development may simply need to wait until development values improve, land values can be renegotiated or alternative funding sources lined up.

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- 4.30** In exceptional circumstances where discounted contributions are agreed, these should be distributed between the identified requirements, depending on individual factors affecting the site, the availability of mainstream funding and the District Council's priorities informed by the Huntingdonshire Local Strategic Partnership Sustainable Community Strategy 2008 – 2028, or successor documents.
- 4.31** If discounted payments are approved, the Council may seek to recover all or part of the costs of discount at a later date through the use of deferred contribution clauses, where there are indications that the market could rise in the medium term.
- 4.32** In the case of applications for 100% affordable housing (for example, on rural exception sites), the Council will consider reducing the basic contributions/standard charges as part of the planning application process.

## Spending Financial Contributions

- 4.33** Time limits for the expenditure of financial contributions will be included within planning obligations. The agreed timeframe will depend on the purpose and amount of contribution received. The policy agreed at Huntingdonshire District Council with its partners is to have a 5 year time limit in which to spend the contribution on the infrastructure identified in the signed agreement. However, for large scale major developments<sup>(6)</sup> and general transport obligations a 10 year time limit will be given. Where maintenance contributions are included, this is calculated over a 15 year maximum period and is not time limited.

## Monitoring of Developer Contributions

- 4.34** It is important that the negotiation of planning obligations and subsequent expenditure of any contributions received from developers is carefully monitored so that the handling of developer contributions is managed in a transparent and accountable way.
- 4.35** The District Council's systems for managing this process will include:
- The S106 Advisory Group: comprising members of the Development Management Panel, make decisions on the scope and detail of large scale Planning Obligations related to major development proposals.
- 4.36** The District Council will:
- maintain an ongoing overview of progress with the implementation of site specific and community infrastructure projects. The Planning Services team will provide a focus for liaising between the various District Council Service Areas, partner Authorities and other delivery agencies which are responsible for ensuring particular projects are completed satisfactorily.
  - maintain a Developer Contributions Database to record progress with all Section 106 Agreements and CIL contributions, and enable the correct procedures to be followed and notices issued as projects move forward.
  - prepare a comprehensive Developer Contributions Annual Monitoring Report which will be published on the District Council's website.

## Public Access to Planning Obligations

- 4.37** Planning Obligations form part of the planning permission. This is a public document and will be placed on the public planning register together with the planning decision notice. This information will be made available on the District Council's website.
- 4.38** Furthermore, to continue the transparent process and accountability with regards planning obligations, details of member decisions will continue to be made available via the Council website.

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6 DCLG Development Control PS1/2 statistical definition 2007/8

## 5 Planning Obligation Requirements

**5.1** The following pages provide the policy guidance for requiring planning obligations. They relate to:

- Affordable Housing
- Green Space
- Footpaths and Access
- Health
- Community Facilities
- Library and Life Long Learning Facilities
- Education and Schools (including Early Year's and Children's Centres) Provision
- Residential Wheeled Bins

**5.2** In considering the planning obligations requirements for a development, the current capacity of infrastructure will be considered to ensure that obligations are only necessary where present facilities are not able to accommodate the additional need generated by the development.

### Negotiated Requirements

**5.3** In addition to the requirements noted above, there may also need to be additional elements to the planning obligation, particularly for major developments. Such negotiated elements could include a variety of planning obligation areas dependent on the specific development and its impact on the local area, in accordance with the three statutory tests.

**5.4** This could include:

- Social and economic inclusion projects;
- Revenue services gap funding;
- Indoor sports facilities;
- Public realm, including art, environmental improvements and heritage initiatives;
- Carbon off-setting;
- Biodiversity;
- Waste Management<sup>(7)</sup>;
- Archaeology<sup>(8)</sup>;
- Transport/Highways<sup>(9)</sup>; and
- Flood risk management solutions.

**5.5** It should be noted that specifically in relation to transport contributions, the Cambridgeshire Local Transport Plan 2011 - 2026: Implementation Plan identifies the importance of securing development funding. It notes that significant contributions to improving transport are expected from developers through Section 106 agreements negotiated as part of planning permissions by the County and District Council. Funding for transport gained through the planning process will be used to help deliver measures contained within the Market Town Transport Strategies. In addition to funding infrastructure measures arising from development, funding will also be required to contribute towards revenue funding of transport initiatives.

**5.6** Market Town Strategies have been written for each of the market towns in Huntingdonshire and approved by Cabinet. Each strategy provides a programme of integrated and costed transport initiatives.

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7 Responsibility of Cambridgeshire County Council

8 Responsibility of Cambridgeshire County Council

9 Responsibility of Cambridgeshire County Council

# A: Affordable Housing

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## A: Affordable Housing

### Context

- A.1** Housing is a fundamental need and it is well documented that unsuitable housing conditions or being unable to access affordable housing can affect the quality of life of people. The need to make links between housing and health, social care, community safety, social inclusion, transport, energy efficiency, sustainability, education and employment is fully recognised.
- A.2** The District Council will continue to seek to secure appropriate affordable housing provision on development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010 and the Huntingdonshire Housing Strategy 2006 – 2011 or successor documents and policies as appropriate.
- A.3** Specifically, Core Strategy Policy CS4 sets out the affordable housing in development requirements and CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- A.4** Local policies, such as the Huntingdonshire Housing Strategy, are based on national and local policy guidance and evidence from the Strategic Housing Market Assessment (SHMA), and other relevant surveys and analysis. The District Council's planning policy framework adequately addresses the issue of delivering affordable housing and details a developer's contribution in this respect, alongside the other development contributions outlined in this SPD.
- A.5** A number of proposed reforms to social housing were announced by the government in late 2010 as part of the Spending Review. In future, social housing is expected to reflect more effectively individual needs and changing circumstances. Social Landlords will be able to offer a growing proportion of new social housing tenants new intermediate rental tenancies at Affordable Rent (AR) levels.
- A.6** AR homes will be made available to tenants at a higher rent than traditional Social Rented housing (SR) up to a maximum of 80% of market rent and allocated in the same way as SR housing is at present. Landlords will have the option to offer AR properties on flexible tenancies tailored to the housing needs of individual households. The government has introduced a series of other measures such as changes to tenure (no longer a requirement to offer lifetime tenancies, flexibility to offer shorter terms with a minimum of two years); greater flexibility for local authorities in their strategic housing role and options to increase mobility for social tenants.
- A.7** The Localism Act also obliges Local Authorities to produce a Strategic Tenancy Policy (STP) to outline its response to these proposals. This is required by November 2012 but is likely to be earlier in Huntingdonshire. In the background of significant change the Council will produce its STP in this timeframe and it is anticipated that an Affordable Housing Delivery Guidance Note or revised SPD will be issued. Developers will be expected to have due regard to these documents and their content may be regarded as material considerations in determining a planning application. In determining its STP, the council will take into account the affordability of AR relative to local incomes.
- A.8** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities/ services for which provision may be required:

- A.9** On site provision of affordable housing or, in exceptional circumstances, land off-site or a financial contribution to off-site provision.

## Type and threshold for size of development for which contributions are appropriate:

- A.10** New housing developments within the District will trigger a need for affordable housing. The Core Strategy Policy CS4 states that affordable housing obligations will apply to residential developments of 15 or more dwellings / 0.5 hectares (1.24 acres) irrespective of the number of dwellings, or in smaller rural settlements 3 or more dwellings / 0.1 hectares (0.25 acres).

## Form in which contributions should be made:

- A.11** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
- The District Council will seek to achieve 40% affordable homes (calculated to the nearest whole number) where the thresholds above are met.
  - The mix in terms of property types will be provided by the Council's Housing Policy and Enabling Officer who will assess need by reference data such as the Council's Housing Register (including special needs), information held by the Homebuy Agent, the SHMA, and specialist providers of special needs housing. Units will be required to be distributed throughout the proposed development area; small clusters comprising not more than 15 units should be provided. Design Standards shall be as dictated by the Homes and Communities Agency regardless of whether Social Housing Grant has been secured.
  - The Council's forthcoming Affordable Housing Advice Note will seek to clarify the Council's approach to the negotiation of affordable housing.
  - The District Council takes the view that costs incurred in delivering a workable, high quality development are to be expected and should be reflected in the price paid for the land. These factors will, therefore, not normally reduce the ability of a site to contribute towards affordable housing provision.
  - Expected costs will include site clearance, good quality design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision (which may include highway and public transport measures). Developers will be required to demonstrate any abnormal development costs at the earliest possible stage, in order that their impact on the viability of a scheme may be assessed. (see also paragraphs 4.22 to 4.31).
  - As a minimum, developers will be expected to provide serviced free land for the affordable housing.

## Provision Required

- A.12** Affordable housing units should be provided via a Registered Provider (RP) at a cost that enables the RP to deliver the necessary mix and tenure of units. Given the overwhelming need to provide affordable housing it will only be in very exceptional circumstances that a capital contribution/commuted sum may be acceptable in lieu of on-site provision. The minimum sum paid will be equivalent to the market value of the land assuming private development, that would otherwise have been required to provide affordable housing. The council will appoint a suitably qualified surveyor to assess the value and developers would be required to meet the costs of this.
- A.13** The provision of affordable housing has been incorporated into the viability testing undertaken during the production of the Draft Community Infrastructure Levy Charge and, as such, viability is not likely to be a general consideration. The viability testing assumes that no grant will be provided. However, if an exceptional circumstance does arise whereby a developer wishes the Council to reconsider the required contributions due to the impact on the viability of the scheme, the developer will need to submit a written request to the Local Planning Authority as outlined at paragraph 4.27.

# A: Affordable Housing

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- A.14** In cases where the council agrees (by reference to the viability assessment and other relevant factors) that on site provision cannot be achieved, alternative options for the contribution may be considered including changes to the affordable tenure mix, the number of affordable units, the phasing of delivery, the provision by the developer of an alternative suitable site for the affordable housing, whether grant may be available and whether a financial contribution would be acceptable.

## B: Green Space

### Context

- B.1** Open spaces are an essential element in the delivery of sustainable communities. They not only contribute to the health and well-being of the area, they are also essential to the biodiversity and delivery of a high quality designed development.
- B.2** The District Council will continue to seek to secure appropriate open space and sports facilities on development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, the Open Space, Sports and Recreational Needs Assessment and Audit 2006, the Sports Facilities Strategy for Huntingdonshire (2009) or successor documents as appropriate.
- B.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- B.4** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities/ services for which provision may be required:

- B.5** On-site provision of land that is required for open space within the development, including the capital costs associated with the provision of children and young people's play equipment, parks and gardens, allotments/ community gardens layout such as fencing and laying water to the site and outdoor sports provision.
- B.6** However, if a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council, contributions will only be required from:
- All schemes for the development specific provision of the land only required for informal and formal open space contributions
  - Large scale major<sup>(10)</sup> residential developments of 200 units or above additionally for the capital cost of children and young people's play equipment, parks and gardens, allotments/community gardens layout such as fencing and laying water to the site and outdoor sports provision. All other requirements will be met by the Community Infrastructure Levy charge.

### Type and threshold for size of development for which contributions are appropriate:

- B.7** New housing and commercial developments within the District will trigger a need for green space and associated set up costs. Green space land contributions will apply to residential developments of 10 or more units and commercial developments of over 1000 sq m or where the site area is 1 hectare or more.
- B.8** The following associated contributions thresholds will also apply unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council in which case the contributions will only apply to large scale major residential developments of 200 units or above:
- In the Market Towns and Key Service Centres, play equipment contributions will apply to residential developments of 69 or more units.
  - In all other locations outside of the Market Towns and Key Service Centres, play equipment contributions will apply to residential developments of 18 or more units.
  - Allotments / Community gardens capital layout contributions will apply to residential developments of 10 or more units.

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# B: Green Space

## Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

- Outdoor sports contributions will apply to residential developments of 10 or more units.
- Maintenance contributions will be required to support any facility provision.

### Form in which contributions should be made:

**B.9** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.

- **Informal Green Space Contributions** will be required from proposals for residential development of the provision of 2.12ha of land per 1,000 population for usable, informal green space and play facilities to meet the anticipated needs of residents for casual active pursuits. This should incorporate 0.8ha of land for play facilities per 1,000 population to the standards set out in the Development Management DPD: Proposed Submission 2010 or any successor documents, except for any supported housing element of the development proposal.
- The informal green space should be distributed broadly in the proportions below, taking into account the nature of the development proposed and existing local provision:
  - 0.48ha for parks and gardens
  - 0.23ha for natural and semi-natural green space, primarily for wildlife conservation
  - 1.09ha for amenity green space (excluding domestic gardens) incorporating Children's play space
  - 0.32ha for allotments and community gardens, including orchards
- The above informal green spaces are exclusive of highway verges, shelter belts, structural planting, existing woodland and areas of open water.
- **Formal Green Space Contributions** will be required from proposals for residential development of the provision of 1.61ha of land per 1,000 population for outdoor sports facilities to meet the anticipated need of resident for formal active pursuits. At least half of all playing pitch and court provision should be freely accessible for community usage.
- The District Council takes the view that open space is a key component to delivering a workable, high quality development and, as such, the design and layout of the open space will need to be agreed as part of the overall design of the scheme.
- **Children's play space capital contributions** will be required for equipped and designated children's play spaces on 0.25 ha of informal green space per 1,000 population or 2.5m<sup>2</sup> per person, within the 0.8ha of land for play facilities per 1,000 population as noted above.
- **Allotments / community gardens layout capital contributions** will be required to support the associated land provision.
- **Outdoor sports provision capital contributions** will be required on a negotiated basis.

### Provision Required:

#### LAND

**B.10** Contributions for informal open space, based on the provision required per person as noted above, will be required in the form of free public land.

**B.11** Amount of space per person = 2.12ha of land / 1,000 population = 0.00212ha per person, which is sub-divided into:

- 0.48ha for parks and gardens/ 1,000 population = 0.00048ha per person
- 0.23ha for natural and semi-natural green space/ 1,000 population = 0.00023ha per person
- 1.09ha for amenity green space (excluding domestic gardens)/ 1,000 population = 0.00109ha per person
- 0.32ha for allotments and community gardens/ 1,000 population = 0.00032ha per person



- B.12** Of the above 1.09ha amenity green space requirement, 0.8ha of land per 1,000 populations should be for play facilities, which equates to 0.0008 ha per person.
- B.13** Children's play space shall be delivered in line with the guidelines set out in the Field in Trust (FIT) Planning and Design for Outdoor Sport and Play (2009). In line with FIT recommendations this should be distributed with 0.25 ha per 1,000 population or 2.5m<sup>2</sup> per person allocated to equipped and designated children's play spaces. The remaining 0.55 ha per 1,000 population or 5.5 m<sup>2</sup> per person should comprise casual/informal play space.
- B.14** On schemes of 10 or more dwellings where it is not desired to deliver Parks and Garden's, Natural and Semi Natural Green Space or Amenity Green Space (excluding equipped children's play) land within a scheme then off-site contributions will be required. This contribution will enable either the enhancement of existing local facilities or the development of additional facilities to serve the development.
- B.15** If these areas of space are not delivered on-site, an off-site contribution will be required, in accordance with the three statutory tests and CIL Regulations 2010 (as amended).
- B.16** The open space requirement per person is:  
Parks and Gardens- 4.8m<sup>2</sup> per person  
Natural and Semi Natural Green Space- 2.3m<sup>2</sup> per person  
Amenity Green Space- 10.9m<sup>2</sup> per person  
**Total requirement per person – 18m<sup>2</sup>**
- B.17** The land purchase cost including any landscape works is £7.52 per metre, which covers land value of £5 per metre and the cost of any soft landscape works at £2.52 per metre.
- B.18** Based on the above, a contribution of  $18 \times 7.52 = £135.36$  per person will be required for off-site contributions to Parks and Garden's, Natural and Semi Natural Green Space or Amenity Green Space (excluding equipped children's play). For an average dwelling of 2.33 occupants the required contribution will be £315.38.
- B.19** For schemes of between 10 and 199 dwellings, or where it is not feasible for on-site delivery of allotment or community garden land, an off-site contribution will be required, in accordance with the three statutory tests and CIL Regulations 2010 (as amended).
- B.20** The open space requirement per person- 3.2m<sup>2</sup> per person. The land purchase cost including laying out and preparation for allotment cultivation (including water supply, fencing and plot preparation) £10.00 per m<sup>2</sup>.
- B.21** Based on the above, a contribution of  $3.2 \times 10 = £32.00$  per person will be required for off-site contributions to allotment and community gardens. For an average dwelling of 2.33 occupants the required contribution will be £74.56.
- B.22** Commercial scheme contributions will be individually assessed or calculated dependent on the details of the development, its location and other site specific details.
- B.23** Contributions for formal open space, in the form of outdoor sports pitches and courts will also be required in the form of free public land or off-site contributions in lieu of such provision.
- B.24** The amount of outdoor sports pitch and court space per person = 1.6ha of land / 1,000 population = 0.0016 ha per person.
- B.25** At least half of all sports pitch and court provision shall be freely accessible for community usage.

# B: Green Space

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- B.26** For all large scale major<sup>(11)</sup> developments on-site provision of formal playing pitches and courts should be discussed with the Council at the earliest opportunity.
- B.27** On developments of 10 or more dwellings where open space and/or facilities are delivered on-site, in the first instance such land and facilities must be offered to local Town and Parish Councils for adoption. In the event of the Town or Parish Council being unable to consider adoption, this requirement will revert to the District Council. Should the District Council not be in a position to agree to the adoption, developers must submit a proposal to the Head of Planning detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are implemented.

### CAPITAL PLAY EQUIPMENT / FACILITIES

- B.28** In the Market Towns and Key Service Centres, a minimum threshold of 69 dwellings shall apply before play provision must be delivered on site.
- B.29** In the Market Towns and Key Service Centres where existing play provision is typically well distributed it is not deemed necessary for LAPs (Local Areas for Play) to be provided. Consequently the larger LEAP (Local Equipped Areas for Play) category of provision has been set as the minimum threshold for on-site delivery of equipped play spaces.
- B.30** In large scale major developments it will be expected that NEAPs (Neighbourhood Equipped Areas for Play) shall also be provided, in addition to the requirement for LEAPs.
- B.31** Large scale major developments may also require, in addition to provision of LEAPs/NEAPs, Multi-Use Games Areas (MUGAs) and wheeled sports areas. It is recognised that MUGAs and wheeled sports areas serve large areas of population and therefore the decision to request these facilities may vary depending on existing local facilities. Furthermore in some instances if there is a close proximity to an existing skate park an earth/crushed limestone surfaced BMX track may be more appropriate. These will be negotiated on a case-by-case basis.
- B.32** In all other locations, excluding Market Towns and Key Service Centres, a minimum threshold of 18 dwellings shall apply before play provision should be delivered on site. In the event of a proposed development being served by an existing play facility, an off-site contribution in lieu of this provision will be more appropriate. This contribution will enable the enhancement of existing facilities to meet the needs of the additional population.
- B.33** The method of calculation is: number of residential units x average household population x 2.5m<sup>2</sup>.
- B.34** For example an 18 unit development would bring a population of 41.94, calculated from 18 units x 2.33 average household size. Applying the policy requirement of 2.5m<sup>2</sup> per person for equipped play would then produce a development requirement of 104.8m<sup>2</sup> or 1 x LAP.
- B.35** A 69 unit development would bring a population of 160.77, calculated from 69 units x 2.33 average household size. Applying the policy requirement of 2.5m<sup>2</sup> per person for equipped play would then produce a development requirement of 401.9 m<sup>2</sup> or 1 x LEAP.
- B.36** LEAPs, NEAPs and LAPs that all satisfy FIT design criteria will cost the following amounts excluding VAT (as at 01/04/11):
- LAP - £17,458
  - LEAP- £46,555
  - NEAP-£69,832

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- B.37** A wheeled sports facility consisting of a concrete skate park constructed in-situ will cost £120,000 excluding VAT at current prices (2011).
- B.38** An earth/crushed limestone BMX track will cost £25,000 excluding VAT at current prices (2011).
- B.39** A MUGA (0.07ha) will cost £90,000 excluding VAT at current prices (2011). Should floodlighting be required this will add a further £20,000 excluding VAT on to the project cost.
- B.40** All of the above types of facility will also require ancillary items including shelters, seating and signage and litter bins at a maximum guide cost of £18,000 per project excluding VAT (2011). Requirements will be considered on a case-by-case basis. It will be expected that the developer will provide the required ancillary items on agreement.

## CAPITAL ALLOTMENTS AND COMMUNITY GARDENS

- B.41** Based on the policy requirement for 0.32 ha per 1000 population, or 3.2m<sup>2</sup> per person, allotment land will generally only be delivered on site on large scale major<sup>(12)</sup> developments. The layout and requirements for on-site facilities are detailed in the District Council's specification for the setting out of allotment land.
- B.42** An allotment site including fencing, roadways and a water supply to plots will cost £10 per m<sup>2</sup> to lay out.

## CAPITAL OUTDOOR SPORTS

- B.43** A minimum threshold of 450 units shall apply before outdoor sports facilities must be delivered on-site. This is based on the fact that taking an average household size of 2.33, the provision of two senior football pitches would not be required before this level of population growth and the provision of the necessary formal open space. Such provision should be negotiated with the Council at the earliest opportunity. Current standards of provision for a range of outdoor sports facilities have been adopted by the Council and can be seen in Appendix One - this is for guidance only and the facilities required will be dependent on the development needs and current capacity. As such, the necessary requirements will vary from one development to another.
- B.44** Developments of between 10 and 449 units will be required to provide an off-site contribution for outdoor sports to enhance existing facilities to meet the needs of the population growth, where appropriate, and will be negotiated on a case-by-case basis.

## MAINTENANCE

- B.45** Developers will be required to pay appropriate commuted sum payments to cover future maintenance requirements to the local Town, Parish or District Council. Commuted sum payments will be calculated using the District Council's Schedule of Landscape Maintenance Rates (see Appendix Two), covering a fifteen year period and will be revised annually.
- B.46** In addition to the landscape maintenance schedule, the following commuted sums have been calculated over a fifteen year period and are updated annually:
- LAP - £18,600 to cover weekly inspection and repairs and maintenance provision
  - LEAP- £38,700 to cover twice weekly inspections and repairs and maintenance provision
  - NEAP- £44,450 to cover twice weekly inspection and repairs and maintenance provision
  - Concrete skate park- £81,900 to cover inspections required on a daily basis (364 days/year)
  - Earth/crushed limestone surfaced BMX track- £26,700 to cover weekly inspection and annual grading/topping up of surfaces
  - MUGA- £35,050 to cover twice weekly inspection, annual surface spraying, renewal of line marking and deep cleaning of surface .

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# C: Footpaths and Access

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## C: Footpaths and Access

### Context

- C.1** Footpaths, cycleways and bridleways are an important resource for recreation, healthy living and sustainable transport and are key to creating sustainable and networked communities.
- C.2** The District Council will continue to seek to secure appropriate footpaths and access on development sites in accordance with the Adopted Core Strategy and the Development Management DPD: Proposed Submission 2010 or successor documents as appropriate. The County Council is the responsible Authority for such infrastructure.
- C.3** Specifically, Core Strategy Policy CS10 sets out the contributions that may be required for infrastructure and will be applied to all development proposals across the administrative area of Huntingdonshire.
- C.4** Cambridgeshire County Council has published a document "Public Rights of Way: A Guide for planners and developers" that summarises the statutory provisions and best practice relating to Public Rights of Way (PROW). The County Council also publishes the Cambridgeshire Public Rights Of Way Improvement Plan. This aims to manage, improve and promote a Public Rights of Way network as an integral part of a wider transport system, which meets the needs of that community for safe, sustainable local transport, and which improves public health, enhances biodiversity, increases recreational opportunities and contributes to the rural economy.
- C.5** Cambridgeshire Local Transport Plan (LTP3) 2011 – 2026 seeks to address existing transport challenges as well as setting out the policies and strategies to ensure that planned large-scale development can take place in the county in a sustainable way. Making sustainable modes of transport a viable and attractive alternative to the private car; ensuring people – especially those at risk of social exclusion – can access the services they need within reasonable time, cost and effort wherever they live in the county; and protecting and enhancing the natural environment by minimising the environmental impact of transport are just some of the challenges it hopes to address.
- C.6** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities/ services for which provision may be required:

- C.7** On site provision of appropriate publicly accessible routes to move within the site and in and out of the development.

### Type and threshold for size of development for which contributions are appropriate:

- C.8** New housing and commercial developments within the District will trigger a need for publicly accessible routes. Contributions will apply to residential developments of 10 or more units and commercial developments of over 1000 sq m or where the site area is 1 hectare or more unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council in which case contributions will only apply to large scale major<sup>(13)</sup> developments.

### Form in which contributions should be made:

- C.9** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.

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- The District Council will negotiate with prospective developers to secure the necessary footpath and access needs for the development.
- The District Council takes the view that footpaths and access are a key component to delivering a workable, high quality development and, as such, the design and layout of such provision will need to be agreed as part of the overall design of the scheme.
- Free, publicly accessible land contributions will be required as a minimum.
- Financial contributions will also be required to support the delivery of appropriate supporting infrastructure, such as fencing, gates, stiles, seating, bins, interpretation boards and signage.

## **Provision Required:**

- C.10** Contributions will be required to provide publicly accessible land for the provision and upgrading of necessary footpaths and other forms of access to move within the site and in and out of the development. The amount of provision will depend on the location and size of each site and its surrounding area. As such, cases, whether for residential, commercial or mixed development, will be negotiated and form part of the agreed design process.
- C.11** Contributions will also be necessary to the legal consents required for the construction of new links.

## D: Health

### Context

- D.1** The District Council will continue to seek to secure appropriate health service facilities related to development sites. In considering whether contributions will be sought towards the provision of health service facilities, the Council will liaise with their local National Health Service (NHS) Primary Care Trust (PCT), or successor bodies, and other relevant agencies. Consideration will be given to relevant health documents such as the Strategic Plan Document 2010 - 2015, the Corporate Strategy and the Strategic Services Delivery Plan (currently under development 2011). Health needs are informed by the Joint Strategic Needs Assessment (JSNA) which is a suite of documents that include an overall summary plus client group or themed areas including a JSNA for New Communities.
- D.2** In addition, the Government White Paper "Our Health, Our Care, Our Say", the Lord Darzi Interim Review of the NHS, the latest White Paper "Equity & Excellence; Liberating the NHS" and the NHS Future Forum recommendations seek to shift more health and social care into community settings, closer to peoples homes and continue the ongoing modernization of service delivery. The impact of development therefore goes far beyond the need for GP facilities and services which have often been the only element of health services considered in the past.
- D.3** The District Council will continue to seek to secure appropriate health service facilities to meet the needs of communities from new development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, or successor documents as appropriate.
- D.4** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- D.5** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.
- D.6** The Spatial Planning and Health Group (SPAHG), a group of planning and health experts, aims to improve public health through the positive use of spatial planning. It was first convened as part of NICE's<sup>(14)</sup> Spatial Planning and Health Programme Development Group. At the conclusion of that research in November 2010, SPAHG was formed to take forward the work of developing and implementing key themes and actions. In June 2011, the Group published "Steps to Healthy Planning: Proposals for Action", which identifies 12 key action points to guide and help those involved in health and planning to improve health through spatial planning.

### Types of facilities/ services for which provision may be required:

- D.7** On site provision of land for space within development to accommodate identified health needs. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of these health service facilities. The range of services that this could include is;
- Primary Care: GP Services
  - Intermediate Care: Day Places and Beds
  - Acute Facilities: elective, non-elective and day care beds
  - Mental Health Services

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14 NICE, the National Institute for Health and Clinical Excellence, is an independent organisation responsible for providing national guidance on promoting good health and preventing and treating ill health.

**D.8** The above is open to change due to policy and legislative changes.

**Type and threshold for size of development for which contributions are appropriate:**

**D.9** New housing developments within the District will trigger a need for health facilities. Health facilities contributions will apply to any development of 10 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council in which case contributions will only apply to large scale major<sup>(15)</sup> residential developments.

**Form in which contributions should be made:**

**D.10** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.

- The District Council will negotiate with prospective developers with a view to securing the necessary health service facility needs for the development.
- Free, serviced land contributions or a financial contribution to purchase the land will be required as a minimum for the erection of appropriate health facilities.
- As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.
- In assessing whether contributions should be required, a range of factors will need to be considered including:
  - Will the development create a demand for new facilities or services?
  - Can existing facilities or services absorb the new patients and/or users?
  - Will new patients/users generated by the development be able to access existing services and facilities easily?
  - Will the development result in the loss of existing health facilities and is adequate alternative provision being made?
  - Can the increased needs arising from the development be met by existing resources and funding regimes?
- Contributions will be sought where, as a result of the development;
  - New premises/facilities are required as a result of the increased needs arising from the development.
  - Current facilities are inadequate for the additional users, in terms of their quality or accessibility for users (based on accepted NHS standards) and therefore need to be improved or extended in order to meet the needs of the development.
  - Inadequate alternative funding is available to provide the additional facilities or services required as a result of the development.

**Provision Required:**

**D.11** Contributions will vary with each development. The need for on-site development is dependent on the viability and proximity of other health infrastructure. Strategic planning of health services and infrastructure may identify a particular development site as a preferred location for a health facility to serve the development alone or including a wider area than the development itself.

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# D: Health

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- D.12** The impact of any individual development is clearly dependent on the factors detailed above and can vary considerably. The PCT, or any successor NHS body, will therefore assess the impact of the development using the factors detailed above.
- D.13** The contribution will be negotiated case by case. As a guide, at this time, an equivalent cost for a 2GP practice is in the region of £735,000, dependant on the individual requirements for each facility. Each GP may have up to 1800 patients registered to them.
- D.14** Indicative cost per person for a 2GP practice =  $\text{£}735000 / (1800 + 1800) = \text{£}204$  per person
- D.15** Indicative cost for a new Primary Care Centre ( GP, dentist, community & other health services) with approximately 1000 sq m internal space = £2,100,000.



## E: Community Facilities

### Context

- E.1** The level of provision of community buildings, including such buildings as village halls, faith and cultural facilities, has a direct influence over the quality of life one can expect to achieve. The local environment for a community is greatly enhanced by the provision of such infrastructure and aides to promote healthy and socially inclusive communities.
- E.2** The District Council will continue to seek to secure appropriate community facilities to meet the needs of communities from new development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, or successor documents as appropriate.
- E.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- E.4** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities /services for which provision may be required:

- E.5** On-site provision of land for space within development to accommodate identified community building needs. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of said community facilities. The facility could entail a building within which a series of infrastructure facilities are co-located and this would be considered on a case-by-case basis.

### Type and threshold for size of development for which contributions are appropriate:

- E.6** New housing developments within the District will trigger a need for community facilities. Community building contributions will apply to any development of 10 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council at which time contributions will only apply to large scale major<sup>(16)</sup> residential developments.

### Form in which contributions should be made:

- E.7** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
  - The District Council will negotiate with prospective developers with a view to securing the necessary community facility building needs for the development.
  - Free, serviced land or a financial contribution to purchase the land will be required as a minimum for the erection of appropriate new facilities.
  - Financial contributions will be required to support the delivery of the infrastructure and running costs to the appropriate body.
  - As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

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# E: Community Facilities

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## Provision Required:

- E.8** Contributions will vary with each development. There is no standard amount set for community facilities. The costs can be broken into 3 distinct parts: land purchase, construction costs and fixtures / furnishings.
- E.9** A standard of 61sqm per 1,000 persons<sup>(17)</sup> was used in the Local Investment Framework calculations. More locally and more recently, in November 2009, an informal standard of 111 square metres per 1000 heads of population<sup>(18)</sup> was set in South Cambridgeshire. This is an increase of over 80% of the LIF calculations. The most recent example of a community facility to have received funding through a Section 106 Agreement is with regards the facility to the large scale major development<sup>(19)</sup> at Loves Farm of 1350 dwellings. The building planned is 285 sq m in size. Taking the average household size of 2.33<sup>(20)</sup> this results in a development population of 3145. From this we can state that local provision is currently providing 91 sq m per 1000 population, which is part way between the LIF standard used from the East Midlands and the local standard from neighbouring South Cambridgeshire.
- E.10** The building planned for Loves Farm will cost in the region of £500,000 including all professional costs but excluding land purchase. For the development size in question, notably 1350 dwellings, this equates to an average cost of £370 per dwelling.
- E.11** On developments of 10 or more dwellings where community facilities are delivered, in the first instance such facilities must be offered to local Town and Parish Councils for adoption. In the event of the Town or Parish Council being unable to consider adoption, this requirement will revert to the District Council. Should the District Council not be in a position to agree to the adoption, developers must submit a proposal to the Head of Planning detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are implemented.

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17 Milton Keynes SPG Social Infrastructure Works 2005

18 South Cambridgeshire District Council Community Facilities Assessment (CFA) 2009

19 DCLG Development Control PS 1/2 statistical definition 2007

20 Local Investment Framework 2009, Table 5.4

## F: Libraries and Life Long Learning

### Context

- F.1** Public libraries are an important asset to local communities. They provide free access to books and information services, and the internet, as well as opportunities for life long learning and leisure. Local authorities must ensure that their libraries meet national standards and expectations, and provide the quality of service that people need, expect and will use.
- F.2** The District Council will continue to seek to secure appropriate library and life long learning facilities to meet the needs of communities from new development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, or successor documents as appropriate. The County Council is the responsible Authority for such infrastructure.
- F.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- F.4** The Public Libraries, Archives and New Development: A Standard Charge Approach was first published by the Museums, Libraries and Archives (MLA) Council in 2008 and sets the nationally recognised standards. The latest update to this was published in May 2010.
- F.5** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities/ services for which provision may be required:

- F.6** On site provision of land for space within development to accommodate an identified library facility. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of said library service facilities, including fit-out costs. This could entail a building within which a series of infrastructure facilities are co-located and this would be considered on a case by case basis.

### Type and threshold for size of development for which contributions are appropriate:

- F.7** New housing developments within the District will trigger a need for library and life long learning facilities. Library and life long learning contributions will apply to any development of 10 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council at which time contributions will only apply to large scale major<sup>(21)</sup> residential developments.

### Form in which contributions should be made:

- F.8** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
- The District Council, with appropriate partners, will negotiate with prospective developers with a view to securing the necessary library and life long learning facility and fit-out needs for the development.
  - Free, serviced land or a financial contribution to purchase land will be required as a minimum for the erection of appropriate facilities.
  - As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the

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# F: Libraries and Life Long Learning

## Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

### Provision Required:

- F.9** Contributions will vary with each development. The costs can be broken into 3 distinct parts: land purchase, construction costs and fixtures / furnishings.
- F.10** The level of provision required by a new build is specified in the Cambridgeshire County Council's agreed service levels policy for library and life long learning provision. In cost terms the investment figure is derived from recent local work and in line with the Museums Library and Archives Council Standard Charge approach to the provision of library facilities for new developments.
- F.11** The two main parameters of a standard charge for public libraries are:
- A **space standard**; the MLA recommends a figure of 30 square metres per 1,000 population as a benchmark for local authorities.
  - A **construction and initial fit out cost**; these can vary by site and area; taking the RICS (Royal Institution of Chartered surveyors) Building Cost Information Service data, this can be from £3,233 per square metre to £3,929 per square metre. A recommended current benchmark figure for East Anglia is £3,233 per square metre.
- F.12** A calculation using the benchmark figure above gives a cost of £96,990 (30 x £3,233) per 1,000 people, or £97 per person in new housing. These figures do not include any land purchase costs.
- F.13** However, where a contribution is required not for a new build facility but to make necessary enhancements and/ or expansions to existing provision, in order to meet the additional demands which will be placed on that provision by the increase in population, then the contribution required will draw on the Museums Library and Archives Council (MLA) Standard Charge approach:
- In relation to fitout, IT and bookstock by applying the MLA figure to the projected population growth
  - In relation to the building costs by using a multiplier based on 35% of the MLA construction figure. This is on the basis that what will be needed is not a complete new building or extension to existing buildings but changes to the internal configuration and layout. The figure of 35% is derived from the actual costs of adaptation work carried out in early 2011 at St Neots Library.
- F.14** On developments of 10 or more dwellings where library and life long learning facilities are delivered, in the first instance such facilities must be offered to Cambridgeshire County Council for adoption. In the event of the County Council being unable to consider adoption, this requirement will revert to the Town or Parish Council and then the District Council. Should the District Council not be in a position to agree to the adoption, developers must submit a proposal to the Head of Planning detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are implemented.

## G: Education and Schools

### Context

- G.1** Providing the necessary opportunities to raise the levels of achievement of all children and young people is fundamental to the future success of the district and its communities. Cambridgeshire's Vision for Education: Schools for the Future aims to inform all new school buildings as well as guiding schools in reviewing their own educational vision. The Vision is specific enough to brief designers of any new building on the overall concept required. The details will vary for each school.
- G.2** The District Council will continue to seek to secure appropriate education and schools facilities, including Early Year's and Children's Centres provision, in accordance with the requirements of the Local Education Authority and other education partners, on development sites in accordance with the Adopted Core Strategy and the Development Management DPD: Proposed Submission 2010 or successor documents as appropriate. The County Council is the responsible Authority for such infrastructure
- G.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- G.4** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities/ services for which provision may be required:

- G.5** On site provision of land for space within development to accommodate identified education and school facilities, including early year's and children's centres provision. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of said facilities.

### Type and threshold for size of development for which contributions are appropriate:

- G.6** New housing developments within the District will trigger the need for education and school provision. Education and school contributions will apply to any development of 4 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council at which time contributions will only apply to large scale major<sup>(22)</sup> residential developments.

### Form in which contributions should be made:

- G.7** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
  - The District Council, with appropriate partners, will negotiate with prospective developers with a view to securing the necessary provision of new school places. This includes the provision of early years facilities, primary education places, children's centres provision, secondary education places and post-16 education places.
  - Within the large scale major<sup>(23)</sup> developments, this is likely to necessitate the provision of free serviced land as a minimum for the erection of appropriate facilities.
  - As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the

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# G: Education and Schools

required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

- Contributions will not be sought from specialist older persons housing schemes, or 1 bed dwellings as these types of property are unlikely to accommodate any children.

## Provision Required:

**G.8** Contributions will vary with each large scale major<sup>(24)</sup> development.

**G.9** The number of pupils living on a new development is dependent on the size of the dwellings provided (number of bedrooms) and the mix of tenures between private market homes and social housing. Whilst the County Council will amend its demographic forecasts for an individual development when more detailed information on the housing mix is available, the location and size of school sites often needs to be identified as part of any masterplanning for a development well ahead of information on the detailed mix of housing being available.

**G.10** As a result, general multiplier ranges have been adopted by Cambridgeshire County Council of:

- 18-25 early years (0-4 year olds) of which 9-13 are pre-school aged children (3-4 year olds) per 100 new dwellings
- 25-35 primary age children (4-10 year olds) per 100 dwellings
- 18-25 secondary pupils (11-15 year olds) per 100 dwellings.

**G.11** Once detailed housing mix information for a development is available, the County Council will use the following detailed multipliers to calculate the expected number of children:

**Table 7 Detailed child yield multipliers for Cambridgeshire (number of children per 100 dwellings of given size)**

Age group	Number of bedrooms					
	Market housing			Social rent		
	2	3	4+	2	3	4+
0-3	0	20	30	30	60	60
of which pre school element (3-4)	0	10	15	15	30	30
4-10	0	30	50	0	80	140
11-15	0	20	35	0	40	120

**G.12** Although the costs of any provision on a large scale major<sup>(25)</sup> development will be considered on a case by case basis, the cost noted will be calculated on the basis of applying a cost per square metre building rate to the gross area of the building required. The gross floor area is derived from the government's Building Bulletin guidance and costs are based on contract data from the most recent capital projects undertaken in Cambridgeshire. It is expected that fully serviced land<sup>(26)</sup> will be provided by the developer at nil cost.

**G.13** For Primary school developments, the following guidance will be followed:

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25 DCLG Development Control PS 1/2 statistical definition 2007/8

26 Definition of fully serviced to be agreed with the appropriate infrastructure provider

- A 210 place (1 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 1.5 hectare site.
- A 420 place (2 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 2.3 hectare site.
- A 630 place (3 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 3 hectare site.

**G.14** In new developments, the County Council will request sites for primary schools within the range of 105 (0.5FE) to up to 630 (3FE) places where circumstances dictate this to be the best option.

**G.15** For new or expanding Secondary Schools, the site requirement is derived from DfES recommended standards for total site area contained within DfES Building Bulletin 98 “Briefing Guide for Secondary School Projects” as shown in the following table. It should be noted that all the secondary schools in Huntingdonshire have now gained Federation status and, as from September 2011, will each open as a new Academy underneath a multi-Academy Trust.

**Table 8 DfES recommended site areas for secondary schools**

Size of School	DfES Minimum Area (ha)	DfES Maximum Area (ha)
4 FE	4.5	5.0
5 FE	5.6	6.0
6 FE	6.0	7.0
7 FE	7.0	7.9
8 FE	7.8	8.6
9 FE	8.3	9.7
10 FE	9.2	10.4
11 FE	10.0	11.6
12 FE	10.8	12.2

**G.16** Secondary Schools within Cambridgeshire range in size from 4 FE (600 pupils) to 11 FE (1650 pupils). The Council will continue to operate without a strict policy on size of secondary school in order to promote diversity and reflect local circumstances and opportunities.

**G.17** Children’s Centres are the vehicle for providing services for families with children aged 0-4 years. A Children’s Centre will be requested in major development areas. In smaller developments a pro-rata contribution to the provision of a centre will be required from developers.

**G.18** The Local Education Authority now also has the responsibility for commissioning the provision of post-16 education and is tasked with establishing any additional or revised pattern of provision that may be required as a result of major developments. The County Council does not support the provision of facilities providing fewer than 150 places. The new Commissioning Plan for Post-16 provision will form the basis for calculating any necessary developer contributions on a case by case basis.

**G.19** The table below outlines indicative costs relating to the provision of new education and school facilities for large scale major<sup>(27)</sup> developments.

# G: Education and Schools

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**Table 9 Indicative Costs for Buildings**

Size of Facility	Cost of Building
2 FE (420) Primary School	£7.3m
5 FE (750) Secondary School	£21.7m
Community Room for 48 Place Pre-School	£0.5m
Children's Centre	£0.5m

**G.20** The cost per place for provision in relation to an existing facility is:

**Table 10 Cost per Place**

Facility	Cost per Place
Pre-school	£10,417
Primary	£17,381
Secondary	£28,933

**G.21** Contributions will be based on the cost of providing a school place (source – Cambridgeshire County Council), and the average 'child yield' per dwelling (see table above). Contributions will not be sought from specialist older persons housing schemes, or 1 bed dwellings as these types of property are unlikely to accommodate any children.

**G.22** The method of calculation is: Cost of a place x (child yield per 100 units / 100) = cost per unit

**G.23** For outline applications where the mix is unknown, the general multiplier ranges would be applied. Table 11 below details these costs, as at 2011, as provided by Cambridgeshire County Council and are subject to change.

**Table 11 Cost per dwelling**

Facility required	Cost per place	Average Child yield multiplier	Average Cost per dwelling
Pre-school	£10,417	0.11	£1146
Primary	£17,381	0.3	£5214
Secondary	£28,933	0.215	£6221

**G.24** For applications where the detailed housing mix is known, table 7 showing the Detailed child yield multipliers for Cambridgeshire (number of children per 100 dwellings of given size) would be used, as appropriate.

**G.25** All education contributions will be negotiated, as necessary, taking into account current spare capacity within the locality.



## H: Residential Wheeled Bins

### Context

- H.1** Household waste management is critical in developing sustainable communities to ensure that waste production is reduced and recycling is increased.
- H.2** The District Council will continue to seek to secure appropriate householder waste storage containers on development sites in accordance with the Adopted Core Strategy and the Development Management DPD: Proposed Submission 2010 or successor documents as appropriate.
- H.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- H.4** The Cambridgeshire and Peterborough Minerals and Waste Plan 2011 sets out a requirement for developments to make provision for waste storage, collection and recycling in accordance with the content of the RECAP Waste Management Design Guide, or successor documents as appropriate. The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Draft Supplementary Planning Document 2011 provides advice on the design and provision of waste management infrastructure.
- H.5** As a Waste Collection Authority, the District Council is responsible for the collection of household waste from kerbsides and also the provision of mini recycling centres throughout the District. Residential waste is collected via wheeled bins where possible. The three main waste streams collected are dry recycling, gardens & kitchen waste and domestic waste and, as such, 3 wheeled bins are required per house.
- H.6** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

### Types of facilities/ services for which provision may be required:

- H.7** Provision of waste storage containers (wheeled bins) required to meet the new residential needs.

### Type and threshold for size of development for which contributions are appropriate:

- H.8** New housing within the District will trigger a need for the provision of waste storage containers (wheeled bins). Contributions will apply to all residential developments.

### Form in which contributions should be made:

- H.9** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
- The District Council will require all residential developments to contribute to the provision of waste management infrastructure including waste storage containers.
  - The District Council takes the view that householder waste management infrastructure storage is a key component to delivering a workable, high quality development and, as such, the design and layout of such provision will need to be agreed as part of the overall design of the scheme.
  - Financial contributions will be required to allow for the provision of appropriate coloured waste storage containers (wheeled bins) by the District Council.

### Provision Required:

- H.10** Contributions will be required to allow for the provision of appropriate coloured waste storage containers (wheeled bins) by the District Council.

# H: Residential Wheeled Bins

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- H.11** Each dwelling will require the provision of one black, one blue and one green wheeled bin. The cost of such provision, in 2011, is £57.20 per dwelling and is reviewed annually.
- H.12** An integrated approach is required for provision in flats and apartments. It is unlikely that any one option will provide a complete solution and so a negotiated, integrated approach will be required in line with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Draft Supplementary Planning Document 2011 or successor documents.
- H.13** As an indication of the cost of provision, developments of 8 or more flats or apartments may benefit from the provision of communal 1100 litre bins. A scheme of eight units will require 1 x refuse and 2 x dry recycling 1100 litre capacity storage containers. Larger sized schemes will also be calculated on the basis of 3 communal bins per 8 properties. The cost of the provision is £620 (excluding VAT) per communal bin, to cover the provision of the bin, annual Health and Safety inspections and all repairs, calculated over a fifteen year period. The rate of £620 per communal bin is reviewed annually.

# Outdoor Sports Facilities Standards Appendix 1:

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## Appendix 1: Outdoor Sports Facilities Standards

**Table 12 Outdoor Sports Facilities Standards, July 2011**  
(reviewed annually) - for guidance only

Facility Type	Local Standards of provision per 1000popn		Provision per person	Cost per unit		Area (m <sup>2</sup> )	Cost per m <sup>2</sup>	Cost per person
	Standard	Sq m		per sq m	£			
Synthetic Turf Pitches	Sand filled 0.04 STPs (7526m <sup>2</sup> = 1 STP 301.04m <sup>2</sup> = 0.04 STP)	301.04	0.3010	730,000	7,526m <sup>2</sup> Senior Football fenced & floodlit 106x71	7,526	97.00	29.20
	3rd Generation 0.04 STPs (7526m <sup>2</sup> = 1 STP 301.04m <sup>2</sup> = 0.04 STP)	301.04	0.3010	790,000	7,526m <sup>2</sup> Senior Football fenced & floodlit 106x71	7,526	104.97	31.60
	Hockey pitch 0.04 STPs (6388m <sup>2</sup> = 1 STP 255.52m <sup>2</sup> = 0.04 STP)	255.52	0.2555	690,000	6,388m <sup>2</sup> Hockey Pitch 18mm sand dressed fenced & floodlit 101.4x63	6,388	108.02	27.60
Grass pitches (Senior Football Youth Football Mini Soccer Rugby Cricket) Ancillary changing provision etc needed - see pavilions	16,100m <sup>2</sup> 1.61ha/1000	16100	16.1000	75,000	7,697 m <sup>2</sup> £75,000 Senior pitch 107.90x71.33 Not inc land acquisition Min 2 pitch area requirement	7,697	9.74	156.88
	16,100m <sup>2</sup> 1.61ha/1000	16100	16.1000	25,000	1,843m <sup>2</sup> £25,000 Mini-soccer 53.04x34.75	1,843	13.56	218.39
	16,100m <sup>2</sup> 1.61ha/1000	16100	16.1000	65,000	6141m <sup>2</sup> £65,000 Youth Football 98.76x62.18	6,141	10.58	170.41
	16,100m <sup>2</sup> 1.61ha/1000	16100	16.1000	115,000	12,320m <sup>2</sup> £115,000 Rugby Union 154x80	12,320	9.33	150.28
	16,100m <sup>2</sup> 1.61ha/1000	16100	16.1000	200,000	21,070m <sup>2</sup> £200,000 Cricket pitch (126.12x167.06)	21,070	9.49	152.82
Outdoor Tennis Courts (2 courts)	0.45 courts (4,400 per 2 courts) 2/4,400x1,000 278.86m <sup>2</sup> 1227m <sup>2</sup> /4,400x1,000	278.86	0.2789	145,000	1,227m <sup>2</sup> 2 court macadam 36.58x33.53 Fenced & floodlit	1,227	118.17	32.95

# Appendix 1: Outdoor Sports Facilities Standards

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Facility Type	Local Standards of provision per 1000popn		Provision per person	Cost per unit		Area (m <sup>2</sup> )	Cost per m <sup>2</sup>	Cost per person
	Standard	Sq m	per sq m	£	Explanation			
Outdoor Bowling Green	1 rink per 2,000 people (min 5 rink facility 40m <sup>2</sup> ) (2/2000x1,000) (1,600 = 40x40 green 320m <sup>2</sup> = 1 rink (2,000popn) 160m <sup>2</sup> = 1,000popn)	160	0.1600	110,000	1,600m <sup>2</sup> £110,000 green Flat or crown green 40x40 Needs pavilion/clubhouse co-located as well - see pavilion costs	1,600	68.75	11.00
Changing Rooms	1 facility per 2 pitches 1 facility per 2,000 300m <sup>2</sup> (300/2,000 = 0.15m <sup>2</sup> )	150	0.1500	575,000	4 team pavilion & clubhouse	300	1,916.67	287.50
Watersports centre (inc changing & storage provision)	1 facility per 40,000 population 400m <sup>2</sup> (300m <sup>2</sup> pavilion plus 100m <sup>2</sup> for storage) 400m/40,000popn x 1,000	10	0.0100	600,000	575,000 pavilion & 25,000 for additional storage requirements	400	1,500.00	15.00
Trim Trials/ Active Places/ Outdoor Gyms (provision per person)	1 facility per 1,000 population 0.001 facility	1	0.0010	50,000	facility, maintenance & supervision/education			50.00

# Schedule of Landscape Maintenance Rates Appendix 2:

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

## Appendix 2: Schedule of Landscape Maintenance Rates

Table 13 Schedule of Landscape Maintenance Rates (to 31/3/12) - reviewed annually

Item	Rate (per hectare unless otherwise stated)
Village Pond/Open Water (up to 0.05ha)	£34,720.00 per site
Village Pond/Open Water (over 0.05ha)	£44,798.00
Open Space (formal)	£43,681.00
Sports Pitch	£105,993.00
Open Space (conservation)	£33,599.00
Woodland (existing mature)	£31,360.00
Woodland (new buffer/copse)	£27,999.00
Balancing Area (mainly dry pond)	£35,843.00
Balancing Area (mainly wet pond)	£31,360.00
Formal Shrubbery	£48.93 per m <sup>2</sup>
Hedges	£3,060.00 per 1000m <sup>2</sup> of hedge face
Play Area LAP (3 items)	£18,600.00 each
Play Area LEAP (5 items)	£38,700.00 each
Play Area NEAP (8 items)	£44,450.00 each
MUGA	£35,050.00 each
MUGA with floodlights	£45,050.00 each
Concrete Skate Park	£81,900.00 each
BMX Track	£26,700.00 each
Hoggin footpaths	£3.26 per m <sup>2</sup>
Tarmac footpaths	£21.11 per m <sup>2</sup>
French drain - Jetting/inspection	£5.30 per linear metre
French drain - Manhole emptying	£158.00 each
Swales	£87,358.00
Swales with shrubbery	£49.00 per m <sup>2</sup>

# Appendix 2: Schedule of Landscape Maintenance Rates

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<b>Item</b>	<b>Rate (per hectare unless otherwise stated)</b>
Ditches - Digging	£9.54 per linear metre
Ditches - Flailing	£4.23 per linear metre
Stilling Ponds - Emptying	£95,013.00 per pond
Stilling Ponds - Inspection/repair	£21,114.00 per pond
Stilling Ponds - Hardstanding	£3.26 per m <sup>2</sup>

## Glossary

### **Adoption**

The point at which the final agreed version of a document comes fully into use.

### **Affordable Housing**

Housing available at a significant discount below market levels so as to be affordable to householders who cannot either rent or purchase property that meets their needs on the open market. It can include social-rented housing and intermediate housing. It is defined in Planning Policy Statement 3: 'Housing'.

### **Annual Monitoring Report (AMR)**

Document produced each year to report on progress in producing the Local Development Framework and implementing its policies.

### **Community Infrastructure**

Facilities available for use by the community that could provide for a range of social, economic and environmental infrastructure needs.

### **Core Strategy**

The main document in the Local Development Framework. It is a Development Plan Document containing the overall vision, objectives, strategy and key policies for managing development in Huntingdonshire.

### **Development Plan**

The documents which together provide the main point of reference when considering planning proposals as defined in legislation.

### **Development Plan Documents**

A document containing local planning policies or proposals which form part of the Development Plan, which has been subject to independent examination.

### **Examination**

Independent inquiry into the soundness of a draft Development Plan Document chaired by an Inspector appointed by the Secretary of State, whose recommendations are binding.

### **Heads of Term**

The definition of the proposed terms of a S106 Agreement.

### **Infrastructure**

A collective term for services such as roads, electricity, sewerage, water, education and health facilities.

### **Interested Party**

An interested party or person is someone who needs to be involved in directly complying with the provisions of a S106 Agreement eg all those with a material interest in the land

### **Large Scale Major Development**

A development comprising of a:

- residential development of 200 or more dwellings or ,where the residential units is not given, a site area of 4 hectares or more, or
- any other development where the floor space to be built is 10,000 sq m or more or where the site is 2 hectares or more

as per the DCLG Development Control PS 1/2 statistical definition 2007/8.

### **Local Development Framework (LDF)**

The collective term for the group of documents including Local Development Documents, the Local Development Scheme and Annual Monitoring Reports.

# Glossary

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

## **Mitigation measures**

These are measures requested/ carried out in order to limit the damage by a particular development/ activity.

## **Open Space and Recreational Land**

Open space within settlements includes parks, village greens, play areas, sports pitches, undeveloped plots, semi-natural areas and substantial private gardens. Outside built-up areas this includes parks, sports pitches and allotments.

## **Planning Obligation**

Obligation (either an agreement or unilateral undertaking) under Section 106 of the Town and Country Planning Act 1990 (as amended).

## **Regional Spatial Strategies (RSS)**

Plan covering the East of England as a whole, and setting out strategic policies and proposals for managing land-use change (NB. The RSS/RS is to be abolished as a consequence of the Localism Act).

## **Spatial Planning**

Spatial planning goes beyond traditional land use planning. It brings together and integrates policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land use, for example, by influencing the demands on or needs for development, but which are not capable of being delivered solely or mainly through the granting of planning permission and may be delivered through other means.

## **Strategic Road Network**

The Trunk Road and Motorway network, which, in England, is managed on behalf of the Secretary of State

## **Submission**

Point at which a draft Development Plan Document (or the draft Statement of Community Involvement) is submitted to the Secretary of State for examination.

## **Supplementary Planning Documents**

Provides additional guidance on the interpretation or application of policies and proposals in a Development Plan Document.

## **Sustainable Development**

In broad terms this means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Government has set out five guiding principles for sustainable development in its strategy "Securing the future - UK Government strategy for sustainable development". The five guiding principles, to be achieved simultaneously, are: Living within environmental limits; Ensuring a strong healthy and just society; Achieving a sustainable economy; Promoting good governance; and Using sound science responsibly.

## **Unilateral Undertaking**

Where a planning obligation is required to secure a financial contribution, instead of agreeing obligations through the standard process of negotiation and agreement between the Council and the developer, developers may provide a Unilateral Undertaking. This is a document that contains covenants given by the developer and enforceable by the Council, but with no reciprocal covenants given by the Council. The Council will only rely on such a Unilateral Undertaking to secure a financial contribution if its provisions are acceptable to the Council. The provider of the undertaking will have to submit evidence of legal title to the application site with the undertaking and will be responsible for the Council's legal costs in checking the suitability and acceptability of the undertaking.

## **Use Class Order**

Planning regulations outlining a schedule of uses to which a given premises or building can be put. Some changes of use require planning permission.



**Vitality and Viability**

In terms of retailing, vitality is the capacity of a centre to grow or to develop its level of commercial activity. Viability is the capacity of a centre to achieve the commercial success necessary to sustain the existence of the centre.