

**Planning Obligations Strategy
Supplementary Planning Document (SPD)
Consultation Draft
September 2009**

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1. Introduction

- 1.1 This Supplementary Planning Document (SPD) sets out proposals for an improved approach to negotiating and securing planning obligations associated with new development in Central Bedfordshire, for the former Mid Bedfordshire area. A similar document is being produced in Central Bedfordshire for the former South Bedfordshire area.
- 1.2 It is intended to provide users of the planning service in the former Mid Bedfordshire area with greater transparency and certainty of what planning obligations will be sought in conjunction with planning applications for development.
- 1.4 The SPD was published in draft for formal consultation in accordance with the Council's Statement of Community Involvement (SCI) (February 2006). Consultation began on Friday 6th July and concluded on Friday 17th August 2007. Comments received upon the draft SPD were fully considered by the Council's Local Development Framework (LDF) Task Force on 24th January 2008. Following revisions to take account of comments received through consultation the final SPD was approved by the Executive on 20th February 2008.
- 1.5 The SPD comprises 3 parts:
- **Part A: Overview of the new approach to Planning Obligations adopted by the Council**
 - **Part B: Planning Obligations to be sought in association with new development**
 - **Part C: The Council's procedures for securing and delivering Planning Obligations**
- 1.6 Supporting documents are:
- | | |
|-----------------------------------|---------------|
| Background Paper | |
| Sustainability Appraisal | February 2008 |
| Statement of Community Engagement | |

2.0 What are 'Planning Obligations?'

- 2.1 The regional plan for the East of England (RSS1 4) requires that the former Mid Bedfordshire area should provide for at least 14,230 new homes between 2001 and 2021 at just over 700 dwellings a year and indicates that, a similar rate of housing growth should continue in the year's immediately beyond, up to 2031. In addition, the regional plan requires the Council to plan for delivery of at least 11,000 new jobs up to 2021. This level of housing, jobs and population growth is slightly higher than has been achieved in the past. It will place increasing pressure on the existing infrastructure, services, facilities, environment, biodiversity and green infrastructure of the area and its communities.
- 2.2 Core Strategy sets out the Council's policies, providing the long term vision and the direction for future development in the District over the period 2001 – 2026. The East of England Plan states local authorities should provide for housing growth to 2021. However, Planning Policy Statement 3: Housing requires local authorities to "enable continuous delivery of housing for at least 15 years from the date of adoption". In response to this requirement, the LDF plans for housing development up to 2026. The Core Strategy therefore plans for the delivery of 17,950 homes and 17,000 new jobs between 2001-2026. However for the purposes of the Planning Obligations Strategy, the Council will plan for contributions from housing growth until 2021, of 14,230 houses and 17,000 new jobs.
- 2.3 Planning obligations are primarily intended to make acceptable those developments that would otherwise be unacceptable in planning terms. In accordance with national planning policy contained in PPS1, local planning authorities are required to ensure that new development is planned to be sustainable. Where communities continue to grow, many require additional infrastructure, services and facilities such as schools, playspace, bus services, health care etc. to ensure that growth in those communities is fully sustainable.
- 2.4 Further investment from public and private sector will be crucial to help address current and future needs for infrastructure provision, however, it is equally important that new development make commensurate contributions towards new and improved local infrastructure where that development will add to infrastructure needs and requirements locally. Cumulatively, even smaller developments create significant additional demands for new infrastructure, services and facilities within an area.
- 2.5 Planning obligations can take the form of unilateral undertakings made by a developer, or agreements made jointly between local authorities and developers through negotiation in the context of granting planning permission. Obligations provide a means to enable the proposed development to proceed taking account of and/or compensating for its

impacts

- 2.6 Developers can fulfil their planning obligation by making necessary provision for new facilities on-site or often, by making cash or in-kind contributions towards new infrastructure and facilities off-site.

3.0 The Current Legislative Framework and National Guidance for Achieving Planning Obligations

- 3.1 The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990.

- 3.2 Current Government policy for achieving planning obligations is set out in Circular 05/2005, "Planning Obligations" (succeeding previous Circular 1/97). The circular requires fair, open and reasonable negotiation of planning obligations, so that the obligations enhance the quality of development and enable proposal to go ahead which might otherwise be refused.

- 3.3 The Circular advises that the local authorities should not seek a contribution through a planning obligation unless it is:

- relevant to planning;
- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects.

This policy in the Circular mentioned above has become known as the 'Necessity Test'.

- 3.4 Case law has allowed a broader interpretation of the type of developer contribution that can be secured. *Tesco Stores Ltd v. Secretary of State for the Environment* [1995] clarified that a failure to comply with the requirements of the then current Circular 1/97 would not invalidate a planning permission as a matter of law. Local planning authorities are thus not legally bound to apply the Secretary of State's policy and so would not be acting unlawfully if they failed to apply the 'necessity test' in considering whether a planning obligation should be accepted. Hence, only a connection between an obligation and development judged to be 'greater than *de minimis*' is required in practice rather than meeting the 'necessity test' in full.

- 3.5 However, the Circular makes clear that the use of planning obligations must be governed by the fundamental principle that planning permission may not be bought or sold. Similarly, the Circular makes clear that planning obligations should never be used purely as a means of securing for the local community a share in the profits of development (i.e. a betterment levy). Planning obligations may therefore be used to:

- Prescribe the nature of development in order to achieve specific planning objectives (i.e. to set a requirement for a given proportion of housing to be affordable);
- Mitigate the impact of development (i.e. by contributing towards or providing additional infrastructure needed as a result of the development, such as education facilities or public transport services);
- Compensate for the loss or damage caused by a development (i.e. by replacing an area of open space lost to development with new provision elsewhere).

4.0 An Improved Approach: The Government's Aspirations

4.1 The need for improvements to be made to the way planning obligations are delivered has been well documented. The Government recognises that planning obligations play an integral role in the delivery of sustainable development. Following wide consultation, proposals for a Community Infrastructure Levy (CIL) to deliver the new infrastructure that new homes and communities need were included in the Planning Bill published on 28 November 2007.

4.2 There are some important foundations that have been set down at this stage:

- CIL will empower local authorities to levy a charge to help deliver the infrastructure needed to support the development of their area. While CIL will make a significant contribution to infrastructure provision, local authorities will need to utilise CIL alongside other funding streams to deliver infrastructure plans locally.
- CIL will improve predictability and certainty for developers as to what they will be asked to contribute; will increase fairness by broadening the range of developments asked to contribute.
- Charges will be indexed to an index of inflation. The charging authority will need to be careful that CIL should not be set at such a level that it risks the delivery of its development plan, because development is rendered unviable by the charge proposed.
- CIL should only be levied where there is a genuine infrastructure need to support development of the area. Decisions to levy a CIL should go hand-in-hand with a considered approach to infrastructure planning, as endorsed by Planning Policy Statement 12, to ensure that contributions work towards delivering the future vision of each local area.
- Local authorities will be able to decide whether the circumstances in their area make the introduction of CIL appropriate and at what level to set the charge.

- One important premise is that the facility to enter into a negotiated planning obligation using section 106 of the 1990 Act will remain when CIL is introduced. This is because planning obligations can ensure that the specific impacts of a development can be mitigated.
- Where an authority has in place policies, such as a Planning Obligations SPD, the Government does not propose to provide for the automatic conversion of these types of document into CIL. Obligations signed before any scaling back will remain in force.

5.0 Aims of the Planning Obligations SPD

5.1 Reflecting Government's aspirations, this SPD looks to build upon and improve the Council's existing approach to securing planning obligations. Its specific aims are:

- To help deliver the development of sustainable communities;
- To ensure that the additional impacts, including those upon infrastructure, services, facilities and the natural environment which arise from new development are adequately mitigated or compensated for by that development;
- To provide a more transparent, streamlined, practical, consistent and accountable approach to the negotiation of planning obligations;
- To accord with the requirements of Circular 05/2005, national planning guidance, the regional and local development plans and best practice;
- To contribute towards achieving the aims and objectives of the Community Plan and those of the Local Strategic Partnership.

6.0 Status of this SPD and its relationship to the Development Plan

6.1 The intention to prepare this SPD is set out in the Council's Local Development Scheme (LDS). The SPD is primarily intended to provide detailed guidance upon how the Council will deliver Policy CS2 of the Adopted Core Strategy.

6.2 This SPD will be a material consideration in the determination of planning applications and refusal of planning permission is likely when development proposals do not comply with its requirements. Where obligations are sought and not agreed, developers will need to justify why they consider the obligations sought to be inappropriate and whether there are any other material considerations that the Council should take into account.

6.3 The Government Office for the East of England has prepared regional planning guidance for the period to 2021. The Regional Spatial Strategy for

the East of England was approved by the Secretary of State for Communities and Local Government and published in May 2008. The relevant policies set within this document are referenced within the tables under each obligation.

7.0 Sustainability Appraisal

- 7.1 The Government is committed to creating sustainable communities; communities that will stand the test of time, where people want to live and which enable people to meet their aspirations and potential.
- 7.2 Aligned to this commitment, a Sustainability Appraisal (SA) of the Planning Obligations Strategy has been carried out which incorporates the requirements of the European Strategic Environmental Assessment (SEA) Directive (2001/42/EC). This is to ensure that the SPD supports the delivery of social, environmental and economic aspects of sustainability. A copy of the SA/SEA is available as a separate document.

8.0 Adoption and Review of this SPD

- 8.1 The Council first adopted this SPD in the context of the Adopted Local Plan (2005) Policy DPS1 on 20 February 2008.
- 8.2 This SPD review is the first of biennial reviews. Reviews of this SPD consider the subject matters and standard charges.
- 8.3 It should be noted that charges will be kept up to date through index linking as set out in Section 17.0. If circumstances arise that require a significant change to, or addition of, an obligation then the Authority may propose an alteration to this SPD. This would be subject to public consultation and formal consideration prior to adoption.

9.0 General Principles

This SPD promotes the Council's adoption of planning obligations where they can be clearly justified by the inability of the quality and capacity of existing facilities to cope with demand arising from development. It provides a process of speed, predictability, transparency and accountability **primarily through the use of standard charges** together with standard clauses and agreements. Planning obligations are not proposed to make-up existing deficiencies in service provision.

- 9.1 The area is expected to continue to experience a pattern of development that includes many small residential developments. Collectively these create additional demands. The use of standard charges provides a mechanism to ensure that smaller-scale development can meet its obligations to fairly and reasonably contribute towards new infrastructure and facilities. Therefore, development as small as one dwelling will be required to make contributions relevant to service provision in its locality. This will require the pooling of contributions, which will be functionally and geographically linked to the application. Funds will be used in targeted areas to address particular needs arising in both the rural areas and the towns within the former Mid Bedfordshire area. Commercial developments vary considerably in terms of impact on infrastructure and services. The principle of requiring obligations applies to commercial development.
- 9.2 The Council has not adopted a 'blanket approach' to the application of planning obligations. All obligations will be assessed on a site-by-site basis. Where there is a need, standard charges will apply. In the case of large and/or complex developments it is expected that obligations will be tailored to the particular scheme. This could include a brownfield site where there is a need for considerable remediation.
- 9.3 Applicants should note that on-site provision of new facilities will often be preferable to the use of standard charges for off-site provision/improvements. Indeed, on large developments, it is likely that most new infrastructure and facilities will be provided on-site. A major housing scheme, for example, will be expected to provide a range of facilities to serve its residents. The size of built facilities and level of contribution will be negotiated on an individual basis. The provision on-site by the developer or other agency may well mean a particular obligation has been met without the need for a financial contribution. Off-site provision is likely to focus on mitigation of environmental impacts. In cases where off-site provision might be justified, for example, through site conditions then the alternative must be equally convenient to users.
- 9.4 **Applicants are encouraged to engage with the Council in pre-application discussions to identify the nature and scope of obligations necessary to the particular development.** It is open to applicants to justify why certain charges should not apply to a scheme.

10.0 Application Considerations

- 10.1 Planning Obligations may be sought from all housing, large commercial and mixed-use developments. Where a new scheme replaces an existing development the assessment will normally be applied to the net impact of development. This section includes guidance on thresholds by which the Council will assess whether or not planning obligations will be required. Some cases where obligations will not be sought are set out with further details under each topic.
- 10.2 In the case of applications for outline planning permission where the dwelling mix may not be known, either a general standard of 2.40 occupants per dwelling will be used or a formula approach that can be worked out at a later stage in the planning process. The formula approach should be agreed by the Council using established assumptions about quantity and density. A table would be appended to the S106 agreement and at a later stage in the planning process, when the dwelling mix is known, it will be clear from the table what will be the final contributions. More details of the approach are set out in the introduction to the Background Paper.
- 10.3 Consideration may be given to seeking contributions for facilities beyond the Council's administrative boundary where they are designed to meet the needs of the particular development within the district. Contributions may also be sought for regional/subregional projects.

10.4 Residential

- 10.4.1 The standard charges relate to developments of one or more dwellings. A dwelling is defined as any self-contained unit of residential accommodation. Where there is a net increase in the number of dwellings, charges will be applied to the resultant net increase in bedroom content. In the case of no net change in the number of dwellings, charges will be applied where there is an increase of 2 or more bedrooms. The calculation will be the net difference between the total applicable charges for the new dwelling(s) and the existing according to the number of bedrooms. Charges will not be applied to house extensions including granny annexes or to temporary mobile homes. In certain planning obligations exemptions relate to small units such as 1 bedroom flats and developments such as wardened accommodation, nursing homes or others similar in institutional development.

For some obligations a threshold may be prescribed above a single dwelling because of justification/resourcing difficulties. The standard charges per dwelling are based on household occupation rates published within the ONS/DEFRA 2002/03 Survey of English Housing as used in the Adopted Local Plan as follows:

Average per dwelling	1 Bed	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7,7+ Beds
2.4 persons	1.3 persons	1.9 persons	2.6 persons	3.2 persons	3.6 persons	3.9 persons	4.4 persons

10.4.2 Affordable Housing. All developments sites above the dwelling unit/site area thresholds set out in Policy CS7 of the Core Strategy and the Affordable Housing SPG (July 2004) require the provision of affordable housing. Planning applications for such sites will be required to make appropriate on and off site provision for facilities and infrastructure. They will be subject of a Planning Obligation, which will need to incorporate the delivery of affordable housing, **and, where appropriate, all the relevant obligations set out in this SPD.** This applies equally to Registered Social Landlords (RSLs) as to developers promoting mixed-use schemes that make provision for affordable housing. Obligations will be negotiated on site-by-site basis, which will enable a developer to justify why any particular contribution should not be included.

10.5 Non-Residential Development

Obligations may also be sought from commercial development. The range of possible developments apart from large industrial/business schemes includes mixed-use, retail, hotels, and holiday/leisure attractions. They may require mitigation and/or generate needs to provide additional facilities to assist employees and/or the local community such as libraries, childcare, open space and sports provision. The need for Planning Obligations will be considered on a case-by-case basis and generally applied to the net increase in floor space. Obligations likely to be sought from commercial development are set out in the tables below where a indicative threshold may be included.

10.6 Indicative Range Of Obligations

The basis of the standard charges is set out in the Background Paper to this SPD. The Summary Table 1 below indicates the range of obligations and where they will **normally** be applied as a standard charge (SC) or negotiated on a case-by-case basis (N). Full details are set out in subsequent sections.

Table 1: Summary of Types of Planning Obligations Sought for Residential Development			
Obligation	Specific matters	Standard Charge(SC) or Negotiated case-by-case (N)	Primary Responsibility for agreeing obligation
Education:	1. Mainstream Education: Lower, Middle & Upper Schools	SC	CBC
	2. Early Years Education and Daycare	SC	CBC
	3. Children's Centres and Children's Social Services	SC	CBC
	4. School Transport	N	CBC
Sustainable Transport:	1. Transportation: General Requirements	N	CBC
	2. Highways Works	N	CBC
	3. Walking/Cycling and Safer Routes to Schools. Mid Beds Cycle Network	SC	CBC
	4. Public Transport/Sustainable Transport Measures	N	CBC
Health Care:	1. Health Care Facilities	SC	CBC
Environmental Impacts:	1. Archaeology	N	CBC
	2. Historic Environment	N	CBC
	3. Biodiversity and Geology	N	CBC
	4. Landscape	N	CBC
	5. Flood Risk Management	N	Beds & Ivel IDB
Mix of Housing:	1. Affordable Housing	SC	CBC
	2. Extra care and Enhanced Sheltered Housing	N	CBC
Leisure, Recreational Open Space & Green Infrastructure:	1. Indoor Sports and Leisure Centres	SC	CBC
	2. Recreational Open Space	SC	CBC
	3. Allotments	N	CBC
	4. Countryside Recreation Space, Green Infrastructure and Forest of Marston Vale	SC	CBC
	5. Right of Way	N	CBC
Community Facilities and Services:	1. Village & Community Halls	SC	CBC
	2. Youth Services	N	CBC
	3. Libraries	SC	CBC
	4. Local Shops and Services	N	CBC
	5. Places of Worship	N	CBC
	6. Cemeteries & Burial Grounds	SC	CBC
Community Cohesion:	1. Welcome Information Packs	SC	CBC
	2. Information Technology and Community Websites	N	CBC
Waste Management:	1. Waste Collection; Kerbside Bring Recycling Facilities	SC N	CBC
Emergency Services:	1. Fire and Rescue Services	N	CBC
	2. Policing	SC	CBC
Public Realm and Community Safety:	1. Public Art	SC	CBC
	2. CCTV	N	CBC

11.0 The Basis of Planning Obligations Sought

11.1 Education

- 11.1.1 As the Education Authority, Central Bedfordshire Council (CBC) has the statutory responsibility for the provision of education services. This provision includes nursery, lower, middle and upper education plus sixth-form education and special needs services and facilities.
- 11.1.2 In accordance with the Sustainable Communities Plan, the Council wishes to ensure that the impact of new development is managed and that additional educational infrastructure and services needed as a result of new development are provided in tandem with that development.
- 11.1.3 Bedfordshire County Council had operated a system of seeking developer contributions for education provision since 2002. This system was incorporated into the County Council's **Developer Contributions Strategy (adopted March 2007)** and is now adopted within this SPD. In accordance with the that adopted policy, planning obligations will be sought by this Council towards the following:

- **Mainstream Education Needs: Lower, Middle and Upper Schools;**
- **Early Years Education and Daycare;**
- **Children's Social Services and Children's Centres;**
- **School Transport.**

11.1.4 **Mainstream Education Requirements: Lower, Middle and Upper Schools**

The demand for school places from each new development is calculated by the Education Authority, Central Bedfordshire, using a census-based model, which forecasts the number of children generated in each age group. The model takes into account the number, (and where known) the type and mix of dwellings proposed. The cost of individual places is then multiplied by the child generation figures to result in a contribution figure per dwelling. The cost per pupil is based on current DCFS guidance on cost per pupil place, adjusted to reflect Central Bedfordshire's costs.

Table 2: Mainstream Education Requirements

<p>Type of facility for which provision may be needed</p>	<ul style="list-style-type: none"> Finance for additional educational provision at lower, middle and upper schools. New sites and buildings. <p>Where developments require new buildings the full capital costs will be sought including the fitting out of the building, laying out or extending playing fields etc, initial costs of equipment for the school, and fees for the design /supervision etc. Also for new schools the costs of providing a "schools safety" scheme near the school entrance(s) may be sought as part of infrastructure within the housing based on the School Travel Plan and Accessibility strategies. In the event of the developer providing a building, it will need to be built to an agreed Council specification, with the developer paying the costs of the Council for preparing and checking that the specification is complied with before handover. Where several sites contribute to the need for a new school or extension the cost of land and buildings may be spread between the sites on the basis of a formulaic "standard charge". Timing of contributions and provision will be assessed on a case-by-case basis.</p>
<p>Current policy/guidance on the issue</p>	<p>Guidance on Contributions for Education Provision was approved by the former Bedfordshire County Council in 2002. However the opportunity was taken to update the guidance in light of 2001 census and proposed delivery of affordable housing in smaller groupings. Annex 1 of the Background Paper accompanying this SPD includes current DCSF guidance on cost/pupil place. Annex 2 includes information on site sizes and site suitability. Adopted Core Strategy Policy CS2. RSS Policy SS2</p>
<p>Geographical areas where known issues</p>	<p>Annex 1 contains maps and schedules which are also available on the Council's website. School capacity varies and consultation with the Children's Services department is required on all sites of 10 or more dwellings. The Council's Education team can give details of school capacities and numbers on roll using existing and updated data sources.</p>
<p>Basis of Children's Services department assessing need and contributions.</p>	<p>The estimated pupil numbers to arise from a new development on the basis of 4 children/age group/100 dwellings is compared with capacity in local catchment area school and forecast school rolls, taking into account new housing permitted but not built. Capacity excludes temporary accommodation. Where there is insufficient capacity then contributions will be sought on the basis of DCSF current indicators of cost/pupil place for extensions unless there is a costed feasibility scheme or actual scheme that can be used to assess costs, or a new school or site is needed. Central Bedfordshire operates a lower, middle and upper schools system. For assessing need the pupils are taken as comprising 5-year groups at lower school level (aged 5-9), 4-year groups at middle school level (aged 9-13) and 4-year groups at upper school level (aged 13-18, this includes the two years of sixth form which currently is equivalent to one year group).</p>
<p>Current cost guidelines</p>	<p>The current DCSF figures for cost/pupil place in 2008/9 for extensions are £11,965 lower school, £15,049 middle school and £18,455 upper school</p>
<p>Threshold/type of development which may trigger need</p>	<p>Residential development of 1 dwelling or more will be expected to contribute towards new provision in areas of need. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix. More details are included in Background Paper Annex 1.</p>

Charging Method

Standard Charge for new residential development

where there is insufficient capacity to provide for additional educational needs arising from the development proposed. Generic standard charges are:

- £2,393 per dwelling for lower school provision**
- £2,408 per dwelling for middle school provision**
- £2,953 per dwelling for upper school provision**
- £7,754**

Derived Standard Charges for dwellings are:

	2 Bed house	2 Bed flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
Lower	£1894	£947	£2592	£3191	£3590	£3889	£4387
Middle	£1906	£953	£2609	£3211	£3612	£3913	£4415
Upper	£2338	£1169	£3199	£3937	£4430	£4799	£5414
Total	£6138	£3069	£8400	£10339	£11632	£12601	£14216

Where developments are of a scale that may require new schools, or cause serious problems for existing schools, provision will be negotiated on a case-by-case basis by Central Bedfordshire Council.

Note: The current system of Mainstream Education splits pupils into three age groups aged 5-9, 9-13 and 13-18. Legal agreements will continue to be worded flexibly so that expenditure can be used to tackle shortfalls in provision for the appropriate age group in the catchment areas irrespective of the location/tier.

11.1.5 Early Years Education and Daycare

The Council's requirements for new development to contribute towards the additional provision of pre-school education and day care are set out below:

Table 3: Early Years Education and Daycare Requirements															
Type of facility for which provision may be needed	3+ nursery class on proposed new school, 3+ unit on existing school, Community centres suitable for pre-school use, 3+ Early years provision in Children's Centre, Day nursery from 0+, site (0.2ha) or facility on land for large developments, Provision for Early Years and Extended Services at new or existing school, 3+ provision can be made in several ways but any facility would need to meet government guidelines for sessional or day care for the age group														
Current policy/guidance on the issue	All children 3+ are entitled to 5 half-day sessions of pre-school education/week funded by the government. Childcare Act 2006 requires local authorities to secure adequate early learning provision and to secure sufficient childcare for parents who wish to work. Government policy is for extended schools for childcare and Children's Centres where health/social services etc. outreach provision is made. School sites are viewed as a good location for these facilities. Adopted Core Strategy Policy CS2. RSS Policy SS2														
Geographical areas where known issues	Annex 1 contains a plan showing areas where there are or will be capacity issues - Ampt Hill, Biggleswade, Flitwick, Harlington, Henlow, Houghton Conquest (Wixamsonly), Meppershall, Potton and Shefford.														
Basis of assessing need and contributions	Using same pupil generation rates as for education, an assessment is made of the number of children between the age of 3 and school entry age that will be entitled to early years education. Then the DCSF cost/pupil place (primary) is applied. More details in Annex 1 of the Background Paper.														
Current cost guidelines	30 place 3+ unit as part of new school will cost approx. £250,000 and a 50 place unit approx. £350,000. A new 'standalone' facility will cost more.														
Threshold/type of development which may trigger need	Residential development of 1 dwelling or more will be expected to contribute towards new provision where needed locally. Sites/facilities for new on-site day care provision may be sought from large housing sites of 500 units or commercial/employment developments of 1000 employees or more. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.														
<p>Charging Method</p> <p>Standard Charge for new residential developments of 1 or more dwellings where there is insufficient capacity at present to provide for additional early years educational needs arising from the development proposed. Standard charge is: £718 per dwelling</p> <p>Derived Standard Charges are</p> <table border="1"> <thead> <tr> <th>2 Bed House</th> <th>2 Bed flat</th> <th>3 Beds</th> <th>4 Beds</th> <th>5 Beds</th> <th>6 Beds</th> <th>7+ Beds</th> </tr> </thead> <tbody> <tr> <td>£568</td> <td>£284</td> <td>£778</td> <td>£957</td> <td>£1077</td> <td>£1167</td> <td>£1316</td> </tr> </tbody> </table> <p>Commercial development of 1000 employees to be negotiated on a case-by-case basis by Central Bedfordshire Council as the Education Authority.</p>		2 Bed House	2 Bed flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£568	£284	£778	£957	£1077	£1167	£1316
2 Bed House	2 Bed flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds									
£568	£284	£778	£957	£1077	£1167	£1316									

11.1.6 Children's Centres

The Council's requirements for new development to contribute towards the additional provision of children's centres and children's social services are set out in the table below:

Table 4: Children's Centres and Children's Social Services															
Type of facility for which provision may be needed	Additional accommodation to form children's centres at schools. Centres also provide accommodation for outreach worker.														
Current policy/guidance on the issue	Government publication "Every Child Matters" 2003. Adopted Core Strategy Policy CS2. RSS Policy SS2														
Geographical areas where known issues	Amphill, Arlesey, Aspley Guise, Clifton, Clophill, Cranfield, Flitton and Greenfield, Henlow Camp, Henlow Village, Houghton Conquest (Wixams only), Langford, Maulden, Meppershall, Potton, Pull Oxhill, Sandy, Shillington, Silsoe, Stondon, Tingrith, Westoning and Woburn														
Basis of assessing need and contributions	Children's centres are to be provided for every 800 children to provide joined up services. A social worker is needed for about every 100 houses, though only the capital costs of local outreach/counselling facilities will be sought for children's services. Social Services suggest 1 room and store is required for every 500-1000 houses. See Annex 1 of the Background Paper.														
Current cost guidelines	Freestanding Children's centres cost approximately £450,000 to provide. The cost of providing additional permanent room space to operate Children's Social Services may cost in the region of £300,000.														
Threshold/type of development which may trigger need	Standard Charge for new residential developments of 1 or more dwellings where there is insufficient capacity Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.														
<p>Charging Method</p> <p>Standard Charge for new residential developments of 1 or more dwellings where new or upgraded children's centres are needed locally. Standard charge is: £203 per dwelling</p> <p>Derived Standard Charges are:</p> <table border="1"> <thead> <tr> <th>2 Bed House</th> <th>2 Bed flat</th> <th>3 Beds</th> <th>4 Beds</th> <th>5 Beds</th> <th>6 Beds</th> <th>7+ Beds</th> </tr> </thead> <tbody> <tr> <td>£161</td> <td>£81</td> <td>£220</td> <td>£271</td> <td>£305</td> <td>£330</td> <td>£372</td> </tr> </tbody> </table> <p>New children's centres associated with the provision of new school on a development will be negotiated on a case-by-case by Central Bedfordshire Council as the Education Authority.</p>		2 Bed House	2 Bed flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£161	£81	£220	£271	£305	£330	£372
2 Bed House	2 Bed flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds									
£161	£81	£220	£271	£305	£330	£372									

11.1.7 School Transport

The Council's requirements for new development to contribute towards the additional provision of school transport services are set out in the table below:

Table 5: School Transport	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> Funding for school transport for pupils from large developments until on site school provision is made. Also interim "gap" funding for school transport in initial years (up to 3 yrs) between children moving into new developments and budget provision. Facilities at destination schools for buses to "drop off" pupils Pick up facilities close to the site itself.
Current policy/guidance on the issue	The Council's policy on school transport to bus pupils up to age 16 on distance or highway safety grounds. Adopted Core Strategy Policies CS2, and CS4. RSS Policy T1
Geographical areas where known issues	Obligations may apply district wide
Basis of assessing need and contributions	Where under the Council's School Transport Policy requirements there is a need for provision of school transport and problems are likely to arise. Costs estimated on cost of providing for the estimated number of children coming forward each year, as the site is developed likely to be eligible for school transport.
Threshold/type of development which may trigger need	Residential developments of 50 dwellings or more. Contributions are not sought for elderly, student or 1 bedroom flats/houses and up to a 50% allowance may be made for 2 bedroom flats when there is firm information on the dwelling mix. More details are included in Background Paper Annex 1.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council as the Education Authority.

11.2 Sustainable Transport

11.2.1 PPG13 "Transport" promotes accessibility to jobs, shopping, leisure facilities and services by public transport walking and cycling and seeks to reduce the need to travel, especially by car. The PPG makes it clear that planning obligations may be used to achieve improvements to public transport, walking and cycling where such measures would be likely to influence travel patterns to the development involved, either on their own or as part of a package of measures. Obligations may therefore include both off-site and on-site measures such as pedestrian and cycling facilities, public transport facilities and services, new roads and junctions, traffic calming and other highway safety measures, travel plans and parking management, with the emphasis upon maximising access by public transport, walking and cycling.

11.2.2 For major development proposals it is normally possible to identify specific transportation measures and highway works required. These requirements are usually identified through Travel Assessments (TAs) or through site-specific negotiations. Smaller developments do not require TAs but the cumulative impacts of those smaller developments are very significant and

together, may exceed those of larger developments. therefore that there is a need for all developments maximising accessibility by non-car modes, in line Bedfordshire Local Transport Plan (LTP2) and the Cou Strategy and Development Management Policies DPD.

The Council considers to contribute towards with PPG13, the Council's adopted Core

11.2.3 Central Bedfordshire Council is the authority primarily responsible for co-ordinating transportation services and infrastructure improvements locally. It actions local improvements, in particular in relation to the cycleway network, which it helps deliver in accordance with the former Mid Bedfordshire Cycle Mapping Project. The Highways Agency may be involved where schemes affect Trunk Roads.

11.2.4 The Council's approach to negotiating planning obligations upon transportation issues is incorporated into the former County Council's Developer Contributions Strategy (adopted March 2007). The Council has adopted the former County Council's requirements within this SPD as the basis of planning obligations for additional transportation provision required in association with new development. Details are set out below.

Transportation – General Requirements

Table 6: Transportation: General Requirements	
Type of facility for which provision may be needed	Requirements will often be identified through Travel Assessment and Travel Plans. Obligations may cover: <ul style="list-style-type: none"> • Highway Works, traffic calming and management (see Table 7) • Improvement to the local highway network with particular emphasis on walking, cycling and safer routes to schools (see Table 8) • Public transport, improvement of facilities and services (see Table 9) • Travel information packs with information on public transport and other local sustainable travel opportunities. More details below in separate sections.
Current policy/guidance on the issue	National Planning Policy Guidance Notes, in particular PPG13. Former Bedfordshire County Council's document Approach to Highway and Transportation Issues, updated November 2006 - this is reproduced at Annex 3 in view of its key role in identifying the range and scope of works and contributions required, in the context of the Local Transport Plan (LTP2) and DfT Guidance on Accessibility Planning. Adopted Core Strategy Policy CS4 and Development Management Policy DM11. RSS Policies SS2 and T1 See Annex 3 of Background Paper
Geographical areas where known issues	Obligations may apply district wide. The transportation issues associated with a development will vary throughout the district and between rural and urban locations but all substantial new developments in the district are likely to require transportation obligations.
Basis of assessing need and contributions.	Local Plan, Travel Assessment, Travel Plan which is a key tool in identifying needs for all modes of transport, negotiation at planning application, Design and Accessibility Statement.

Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its size and location. Travel Plans will generally be required for residential development of 50 or more dwellings and employment areas of more than 10 000sq. m gross floor area. It is expected that these will accompany planning applications.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council as the Highways Authority.

Highway Works

Table 7: Highway Works	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • Major new roads as part of development proposals • Off-site highway works such as junction improvement, traffic calming and management • Mitigation “pot” for major sites to deal with future improvement works as part of a “plan, monitor, manage approach” together with funding for traffic count monitoring. <p>See Annex 3 of the Background Paper for further information.</p>
Current policy/guidance on the issue	PPG13, and the former Bedfordshire County Council document Approach to Highway and Transportation Issues, March 2007 – see Annex 3. Adopted Core Strategy Policy CS4 and Development Management Policy DM11. RSS Policy T1
Geographical areas where known issues	Applies to the whole of the former Mid Bedfordshire area. All substantial new developments in the area are likely to require transportation obligations.
Basis of assessing need and contributions.	Local Plan/LDF, Local Transport Plan, Travel Assessment and Travel Plans are the key tools used to identify the need for obligations.
Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its size and location.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council as the Highways Authority.

Walking/Cycling and Safer Routes to School

Table 8: Walking/Cycling and Safer Routes to School																				
Type of facility for which provision may be needed	<ul style="list-style-type: none"> Former Mid Bedfordshire Council Cycleway Network Project New or improved routes for pedestrians and cyclists to link development to existing/planned cycleway and footpath networks and services/facilities in nearby settlements – on or off road as appropriate (preferably off road for routes to lower/middle schools) Safe crossing points such as light controlled crossings (sometimes in association with traffic calming), bridge, and underpass. Where a particular problem is envisaged CCTV provision may also be required, including reasonable contribution towards maintenance of cameras etc. Otherwise ducting may be required. Cycle parking <p>See Annexes 3&4 of the Background Paper for further information.</p>																			
Current policy/guidance on the issue	<p>PPG13, the former Bedfordshire County Council publication Cycle Stand, School Travel Plan Strategy, DfT Good Practice Guide (October 2005).</p> <p>Adopted Core Strategy Policy CS4 and Development Management Policy DM11. RSS Policies T1, T4 and T9</p> <p>The Former Mid Bedfordshire District Cycle Mapping Project identifies the need for cycleway improvements across the district as part of the creation of a single and comprehensive network.</p>																			
Geographical areas where known issues	Obligations will apply across the whole of the Former Mid Bedfordshire area.																			
Basis of assessing need and contributions	<p>Local Plan, Travel Assessment and Travel Plan accompanying or required as part of planning application.</p> <p>The basis for calculation of the charge is set out in Annex 4 of the Background Paper.</p>																			
Current cost guidelines	<p>Zebra crossing £25,000; Puffin crossing £35,000; Lighting £2000 per column; New footway/cycleway (2-3 m wide) £70-£100/metre excluding design/supervision.</p>																			
Threshold/type of development which may trigger need	<p>Residential development of 1 dwelling or more for the district wide cycle network and any development may have some additional obligation commensurate to its size and location.</p> <p>Travel Plans are generally required for residential development of 50 or more dwellings/1000sq.m gross floor area for commercial.</p>																			
Charging Method																				
<p>To ensure development reasonably contributes towards maximising accessibility by non-car modes, a Standard Charge will be applied to all new residential development to contribute towards delivery of the wider district cycle network.</p> <p>The Standard Charge is: £467;</p> <p>Derived Standard Charges are:</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="background-color: #2e8b57; color: white;">Bedroom</th> <th style="background-color: #2e8b57; color: white;">2 Beds</th> <th style="background-color: #2e8b57; color: white;">3 Beds</th> <th style="background-color: #2e8b57; color: white;">4 Beds</th> <th style="background-color: #2e8b57; color: white;">5 Beds</th> <th style="background-color: #2e8b57; color: white;">6 Beds</th> <th style="background-color: #2e8b57; color: white;">7+ Beds</th> </tr> </thead> <tbody> <tr> <td style="background-color: #2e8b57; color: white;">£253</td> <td style="background-color: #2e8b57; color: white;">£370</td> <td style="background-color: #2e8b57; color: white;">£506</td> <td style="background-color: #2e8b57; color: white;">£623</td> <td style="background-color: #2e8b57; color: white;">£701</td> <td style="background-color: #2e8b57; color: white;">£759</td> <td style="background-color: #2e8b57; color: white;">£856</td> </tr> </tbody> </table> <p>This standard charge will be required in addition to any other obligations providing more local pedestrian and cycle linkages needed to improve accessibility or provide safer routes to school, which will be negotiated on a case-by-case basis by Central Bedfordshire Council as the Highways Authority..</p>							Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£253	£370	£506	£623	£701	£759	£856
Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds														
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Public Transport/Sustainable Transport Measures

Table 9: Public Transport/Sustainable Transport Measures	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • Financial Contribution to improved public transport services or Demand Responsive Transport service in early years of development • Contribution towards railway stations, improvements and interchange facilities • Provision of bus routes within the development, completed to surface course for early bus route provision • Bus priority lanes or "gates" on/off site • Improvements to bus stops for low level buses, disabled access • Planned provision of bus stops/shelters (and associated wider footways) • Real time information displays • Publicity and promotion of public transport through welcome packs for instance provided by developers • Contribution to Park and Ride facility and services in lieu of town centre parking provision • Car sharing schemes, travel information systems/broadband connection <p>See Annex 3 of the Background Paper for further information.</p>
Current policy/guidance on the issue	<p>PPG13, Former Bedfordshire County Council document Planning Policy, Highway and Transportation Issues, updated Nov 06- see Appendix 3.</p> <p>Adopted Core Strategy Policy CS4 and Development Management Policy DM11. RSS Policies SS2, T1, T7 and T13</p>
Geographical areas where known issues	Applies across the whole of the former Mid Bedfordshire area.
Basis of assessing need and contributions	Travel Assessment / Residential or Workplace Travel Plan or School Travel Plans.
Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its size and location.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council as the Highways Authority..

11.3 Health Care Facilities

- 11.3.1 The levels of housing and population growth planned for the former Mid Bedfordshire area will place additional pressure on existing health and social care provision. Whilst in some instances, existing infrastructure has capacity to cope with growth; NHS Bedfordshire indicates that a number of communities will need new or extended health facilities to cater for this growth. There will also be additional needs for Secondary and Mental Health Care facilities.
- 11.3.2 The basis of health proposals and priorities is set out in the NHS Bedfordshire medium term strategy “A Healthier Bedfordshire 2007–2012”
- 11.3.3 Work undertaken by the NHS Bedfordshire identifies the cost of a 4-GP Primary Healthcare Centre as being in the order of £1.87m (accommodation and land). This equates to a contribution for health care of an average £703 per dwelling.
- 11.3.4 Additional placements generated by population growth for Secondary and Mental Health Care have been costed by the NHS Bedfordshire and equate to an average per dwelling of £568 and £32 respectively.
- 11.3.5 The calculation basis for these charges are set out in Annex 5 of Background Paper. These standard charges are set out in the table below:

Table 10: Health Care Facilities	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • New Primary Care Centres • Additional Secondary Care facilities • Additional Mental Health Care facilities.
Current policy/guidance on the issue	Adopted Core Strategy Policy CS3. RSS Policy SS2
Geographical areas where known issues	The whole of the former Mid Bedfordshire area for Secondary and Mental Health Care. Primary care in areas of need: Ampthill, Arlesey, Biggleswade, Cranfield, Flitwick, Marston Moretaine, Sandy/Potton and Stotfold
Basis of assessing need and contributions.	NHS Bedfordshire contribution calculation set out in Annex 5 of the Background Paper. Where charges for Primary Health Care are required in defined areas of need and extensions to existing facilities are required then only the buildings element of the charge would be applicable.
Threshold/type of development which may trigger need	All new residential development. Health Impact Assessments (HIA) will be used as follows: 50–199 dwellings within areas of need 200–999 dwellings – all areas – high level HIA 1000+ dwellings full HIA

Charging Method

Standard Charge for all new residential development where new facilities are needed to help provide for additional health care needs arising from the development proposed.

The standard charges are:

Primary Health Care - £444 (Buildings), £156 (Land) - £600 total

Derived Charges are:

	1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
Building	£241	£352	£481	£592	£666	£722	£814
Land	£85	£124	£169	£208	£234	£254	£286
Total	£326	£476	£650	£800	£900	£976	£1100

Where extension to premises are needed then only the Buildings charge would apply

Secondary Health Care: £568

Derived Charges are:

Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£308	£449	£615	£757	£852	£923	£1041

Mental Health Care: £32

Derived Charges are:

Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£18	£26	£35	£43	£49	£53	£59

11.4 Environmental Impacts

11.4.1 In response to the issue of climate change and in particular, the Government's aspiration that all new development should be 'carbon neutral' by 2016, consideration has been given to the introduction of a planning obligation on all new development to ensure that the impact of carbon generation involved in the production and construction of development is off-set. This off-setting could be achieved through the payment of a carbon impact contribution based upon the costs of new tree and woodland planting sufficient to 'lock up' carbon produced by new development. This SPD includes the partial achievement of these objectives through implementation of Green Infrastructure and Forest of Marston Vale charges. In addition it is now intended to achieve the zero carbon code level 6 for new homes by 2016 through progressive changes to the Building Regulations from April 2008 onwards and to secure similar standards for commercial development. Accordingly this SPD does not include a carbon offset charge.

11.4.2 Planning obligations will also be sought to mitigate a number of 'direct' site related environmental impacts of development upon archaeology, the historic environment, biodiversity, geology, landscape and flood risk management. These are separate to the Green Infrastructure standard charges set out in Table 20, which include these impact topics. The direct environmental impacts will be negotiated on a case-by-case basis and this

will ensure that obligations are not sought twice.

11.4.3 The basis for securing planning obligations to deal with these environmental impacts is set out below.

Archaeology

Table 12: Archaeology	
Type of facility for which provision may be needed	Archaeological investigation; protection, management, interpretation and enhancement of sites and features.
Current policy/guidance on the issue	PPG's 15 and 16. Adopted Core Strategy Policy CS15. RSS Policies ENV6 and C1
Geographical areas where known issues	Any areas of archaeological interest within the former Mid Bedfordshire area
Basis of assessing need and contributions	On an individual case-by-case basis dependant on the assessment of impacts and relevant policy and guidance. Generally archaeological issues are dealt with by condition after initial assessment but there are occasions when S106 agreements are recommended as the most appropriate way to deal with specific issues directly related to the sites such as archaeological investigation, protection, management and enhancement of sites and features. Public access to sites and provision of interpretation boards will also be considered.
Threshold/type of development which may trigger need	Any development affecting areas of archaeological interest and Scheduled Ancient Monuments
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council

Historic Environment

Table 13: Historic Environment (not included under Archaeology)	
Type of facility for which provision may be needed	Repair, protection monitoring, restoration, conservation management, enhancement, public access to and interpretation of historic environment assets such as historic buildings, structures and areas (including listed buildings and conservation areas) and historic parks and gardens (including registered historic parks and gardens).
Current policy/guidance on the issue	PPGs 15 and 16. Adopted Core Strategy Policy CS15 and Development Management Policy DM15 RSS Policies ENV6 and C1
Geographical areas where known issues	Applies across the former Mid Bedfordshire area.
Basis of assessing need and contributions	On an individual case-by-case basis dependant on the assessment of impacts and relevant policy and guidance. Generally historic environment issues are dealt with through the application and by condition. There are occasions where S106 agreements are recommended as the most appropriate way of dealing with specific issues e.g. repairs to a historic asset secured through a development or monitoring of its condition.
Threshold/type of development which may trigger need	Any development affecting features and areas of architectural or historic interest.

Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council.
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Biodiversity and Geology

Table 14: Biodiversity and Geology	
Type of facility for which provision may be needed	Creation and long-term implementation of a protection and management regime for existing habitats, species or geological sites. Creation of new habitats, sites for species conservation or geological sites and adequate provision to secure long-term management.
Current policy/guidance on the issue	PPS9; Defra Circular 01/2005; ODPM/Defra/English Nature (2005) Planning for Biodiversity and Geological Conservation: A Guide to Good Practice. UK and Local Biodiversity Action Plans and Local Geodiversity Plan. Adopted Core Strategy Policy CS18 and Development Management Policy DM17 RSS Policies ENV1, ENV3 and SS8
Geographical areas where known issues	Applies across the former Mid Bedfordshire area.
Basis of assessing need and contributions	On a case-by-case basis dependant on assessment of ecological/geological impacts of development.
Threshold/type of development which may trigger need	Any development, which has an impact on priority habitats, species or geology (defined in UK and Local Biodiversity Action Plans and Local Geodiversity Plan, BAP and GP). Any development that has an impact on sites or species protected by law or on locally designated sites. (County Wildlife Sites, Regionally Important Geological Sites, sites identified as of local biodiversity significance in local greenspace or other strategies). Any development assessed as having significant resultant impact on important priority habitats/ species/geological sites, sites and species protected by law or locally designated site.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council.

Landscape

Table 15: Landscape	
Type of facility for which provision may be needed	Conserving and adding to landscape character through: <ul style="list-style-type: none"> enhancement and long term management of existing landscapes creation, establishment and long term management of new landscaping integrating new developments and landscaping with existing <p>This section covers hard and soft landscaping. Landscape renewal needs to take account of cultural and ecological resources and the potential for enhancement, as well as the existing characteristics and condition of the landscape.</p>
Current policy/guidance on the issue	PPS7; Adopted Core Strategy Policies CS16 and Development Management Policy DM16; RSS Policies SS8 and ENV2 The Bedfordshire Landscape Character Assessment. Countryside Agency: Countryside In and Around Towns; Bedford/Milton Keynes Canal Corridor.
Geographical areas where known issues	Applies across the former Mid Bedfordshire area. National, regional and local priorities for conservation/enhancement include the Chilterns AONB, Forest of Marston Vale, growth areas and other landscape areas identified in the Bedfordshire Strategic Green Infrastructure

	Plan.
Basis of assessing need and contributions.	On a case-by-case basis, following landscape assessment and a study of the visual impact on the surrounding landscape.
Threshold/type of development which may trigger need	Any development, which has a resultant impact on landscape character, resulting in the need to restore, enhance or protect existing features and/or to create a new, appropriate landscape context.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council.

Flood Risk Management

Table 16: Flood Risk Management	
Type of facility for which provision may be needed	Future maintenance, refurbishment and replacement of flood risk management facilities provided by developer to serve development. Contribution to improve existing off-site system which development outfalls into, so as to achieve the required standards of service that may differ from pre to post development.
Current policy/guidance on the issue	PPS25. Adopted Core Strategy Policy CS13 and Development Management Policy DM4 RSS Policies SS2, WAT2 and WAT4
Geographical areas where known issues	Applies across the former Mid Bedfordshire area.
Basis of assessing need and contributions	All developments require a flood risk assessment in accordance with PPS25. On an individual case-by-case basis dependant on the Flood Risk Assessment prepared by the developer to the satisfaction of the Operating Authority.
Threshold/type of development which may trigger need	All development.
Charging Method	To be negotiated on a case-by-case basis with the Bedfordshire and River Ivel Internal Drainage Board if the site is within, or there are impacts on the drainage in the Board's district. Consultation with the Environment Agency

11.5 Mix of Housing

- 11.5.1 Policy DM12 of the Core Strategy and Development Management Policies DPD expects all new residential developments to provide a mix of housing types, tenures and sizes in order to meet the needs of all sections of the community. This includes the provision of 'Lifetime Homes'. The Council may also produce a further guidance note or supplementary planning document to clarify the mix required. Where appropriate, planning obligations may be used by the Council to secure these requirements for housing mix.

Affordable Housing

- 11.5.2 This SPD sets out new Council guidance relating to planning obligations for affordable housing.
- 11.5.3 The Council's current requirement for affordable housing is 35% on qualifying sites in order to deliver 28% of affordable housing overall. Of this provision, the Council expects that 44% should be provided as affordable rented and 56% intermediate rent, shared ownership and discount market/shared equity tenures.
- 11.5.6 Comprehensive guidance detailing the Council's approach to planning obligations for affordable housing provision is set out in former the Mid Bedfordshire Council's Supplementary Planning Guidance on Affordable Housing (Adopted July 2004). That guidance will be reviewed in the light of subsequent work to update former Mid Bedfordshire Council's Housing Requirements Study (ORS 2003) and current work to help determine future site thresholds for affordable housing provision.

Extracare and Enhanced Sheltered Housing

- 11.5.7 The Council's Social Services indicates an increasing need for the provision of 'extracare' and enhanced sheltered (ES) housing. Extracare housing is in essence, purpose built accommodation in which varying amounts of care and support can be offered and where some services and facilities are shared. Such housing 'bridges the gap' between nursing home accommodation and owner/occupier retirement homes. Review of housing and care needs of older people in Bedfordshire: Report from the extraCare Charitable Trust and Contact Consulting to the former Bedfordshire County Council (September 2006) indicated a shortfall in the period to 2015 of 180 units of extracare housing, 72 units of rented ES housing and 144 units of leasehold ES housing in the former Mid Bedfordshire area. Provision is usually in 40-60 units.
- 11.5.8 In accordance with Adopted Core Strategy Policy DM12 and the former Bedfordshire County Council's Developer Contributions Strategy (March 2007), major new housing schemes over 500 dwellings will be expected to provide for such housing as part of their overall mix.

Table 17: Extracare and Enhanced Sheltered Housing

Type of facility for which provision may be needed	Site for, or provision of "extracare" retirement dwellings, minimum 40 units which may be leasehold (private) and/or shared ownership or housing association
Current policy/guidance on the issue	Adopted Core Strategy Policy DM12. RSS Policy SS2 September 2006 report by Extracare Trust to the former Bedfordshire County Council.
Geographical areas where known issues	Applies across the former Mid Bedfordshire area.
Basis of assessing need and contributions	Review of housing and care needs of older people in Bedfordshire: Report from the ExtraCare Charitable Trust and Contact Consulting (September 2006)
Threshold/type of development which may trigger need	All sites of 500+ dwellings. Objective to provide for 6-7% minimum of dwellings to be "Extracare"
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council.

11.6 Leisure, Recreational Open Space and Green Infrastructure

- 11.6.1 New residential development and significant commercial development brings with it additional demands for leisure infrastructure including new indoor sports/leisure facilities. It also often brings the need to provide for improved recreational open space, such as additional sports courts, pitches, amenity space, children's play space, allotments and access to the wider countryside for recreation. The Council's enabling role requires it to ensure the delivery of these facilities to the appropriate quality standard and in the appropriate location.
- 11.6.2 PPG17 makes it clear that planning obligations may be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision. It states that local authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development will increase local needs. To justify planning obligations however, PPG17 makes it clear that local authorities must have a sound understanding of leisure needs and should set local standards to confirm levels of provision required. The Council has carried out a PPG17 Study which has confirmed deficits in a number of areas of the District.
- 11.6.3 In general terms where additional leisure needs arise associated with new development that cannot be met through existing provision, it is expected that development should contribute towards new, extended or improved facilities. As a general principle contributions will be pooled and ring-fenced. Where development is of sufficient size and location to justify the provision of new facilities by itself, it will be expected to fund the total cost of such provision. Details of developer's planning obligations in respect of leisure and recreational facilities are set out below.

Indoor Sports and Leisure Centres

- 11.6.4 Within the former Mid Bedfordshire area, the Council currently operates four multi-purpose leisure centres at Biggleswade (x2), Sandy and Flitwick. It also works closely with town and parish councils and private local organisations to help provide smaller leisure facilities such as those at Sandy Upper School.
- 11.6.5 In response to growth and the aim of improving leisure provision within the district, the Council is now working with partners to provide a replacement leisure centre at Flitwick and a new centre at Stotfold. These centres will significantly improve the leisure facilities available to existing residents but are also intended to provide for the additional leisure needs of planned population growth from new development within their catchments (15 minute drive-time). The former Mid Bedfordshire District Council had established the Leisure Facility Strategic Partnerships to take forward other needs, which have been identified using Sport England and Active Places, Active People and Sports Facility Calculator methodology. In this context, the SPD proposes a standard charge to ensure development contributes to providing the facilities planned. The basis of that charge is calculated as set out in Annex 6 of the Background Paper accompanying this SPD.

Table 18: New Indoor Sports and Leisure Centres

Type of facility for which provision may be needed	Planned new multi-purpose leisure centres at Flitwick and Stotfold. Other needs include sport halls, health and fitness studios and indoor bowls.
Current policy/guidance on the issue	PPG17; Adopted Core Strategy Policy CS3 RSS Policies SS2 and C1
Geographical areas where known issues	15 minute drive time of those facilities and will therefore apply to the whole of the former Mid Bedfordshire area.
Basis of assessing need and contributions	See Annex 6 of Background Paper. Exemptions and/or partial exemptions may apply to Extra Care homes and other specialist housing to be negotiated on a case-by-case basis
Threshold/type of development which may trigger need	All new residential development. Non-residential development may be required to contribute; large commercial of 1000sqm or 50 or more employees; holiday accommodation such as holiday and caravan parks.

Charging Method

Standard Charge for all new residential development to help provide for new planned leisure centres: £338

Bedroom	2 Beds	3 Beds	4 Beds	5 beds	6 beds	7+ beds
£183	£268	£366	£451	£507	£549	£620

**Commercial development and holiday parks:
 Case-by-case basis**

Recreational Open Space

11.6.6 Policy SR5 of the Adopted Local Plan sets out standards for the provision of Children's Playspace, Outdoor Sporting Open Space and Informal Recreational (Amenity) Space. The Local Plan also includes specific guidelines of the circumstances in which open space provision should be made on-site (normally the first preference) or off-site. The standard of provision is set out below:

Category	Standard
Children's Playspace	0.7ha per 1,000
Outdoor Sporting Space	1.7ha per 1,000
Amenity Space	0.8ha per 1,000

11.6.7 Local needs for new or improved levels of recreational open space are set out in detail in the former Mid Bedfordshire Council's Recreational Open Space Strategy (ROSS) (2004) which is adopted as supplementary planning guidance. The Council has undertaken a study of Open Space as set out in PPG 17, which is intended to provide local standards for each type of open space. Although this study identifies the standards for open space, it does not currently include up to date costs. As such, in the interim it will be appropriate to continue to apply the charges derived from the ROSS. The costs and contributions are set out in the table below:

Table 19: Recreational Open Space	
Type of facility for which provision may be needed	New children's playspace, outdoor sporting open space (i.e. Playing pitches, courts etc.) and informal open space. Improvements to existing open space near to development sites as set out in the Council's Recreational Open Space Strategy.
Current policy/guidance on the issue	Adopted Core Strategy Policy CS3 and Development Management Policy DM19 and the Council's adopted Recreational Open Space Strategy. RSS Policies SS2 and C1
Geographical areas where known issues	Applies across the former Mid Bedfordshire area. The Recreational Open Space Strategy identifies the quantitative and qualitative needs for new or improved recreational open space on a parish-by-parish basis.
Basis of assessing need and contributions	See Annex 7 of Background Paper. The former Mid Bedfordshire Council Recreational Open Space Strategy provides the detailed basis of understanding need and the levels of contributions required. Consultation with the Play and Open Spaces Officer is essential prior to submitting an application.
Current cost guidelines	Set out in the Recreational Open Space Strategy.
Threshold/type of development which may trigger need	<u>All new residential development</u> Upto 9 dwellings standard charge 10 dwellings or more – assessed on a case-by-case basis Exemptions: Depending on the nature of the development and location contributions towards children's playspace will not be required for forest homes, nursing homes and hostels. Requirements for other specialist housing will be considered on its merits. <u>Non residential development</u> Large commercial of 1000sq m or 50 or more employees; holiday

	accommodation such as holiday and caravan parks may be required to contribute to Outdoor Sporting and Informal Space Health Facilities maybe required to contribute to open space.					
Charging Method						
Standard Charges for all new residential developments are:						
Children's Playspace: £1560 per dwelling						
Derived Charges are:						
Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£845	£1235	£1690	£2080	£2340	£2535	£2860
Outdoor Sporting Open Space: £727 per dwelling						
Derived Charges are:						
Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£394	£576	£788	£969	£1091	£1181	£1333
Informal Open Space: £233 per dwelling						
Derived Charges are:						
Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£126	£184	£252	£311	£350	£379	£427
Non Residential Development						
Large commercial development, holiday accommodation and Health facilities to be negotiated on a case-by-case basis for Informal Open Space and exceptionally Outdoor Sporting Space						

11.6.8 Open space contributions secured will be ring-fenced to provide open space improvements to a particular site or settlement. Where a contribution is secured towards improved open space provision, by itself it is often insufficient to fund a particular project. The Council therefore continues to operate a capital grant scheme to help provide for new and improve recreational open space facilities. Grant funds are used in combination with S106 contributions and other funds to bring improvement projects forward. To date numerous sites have benefited from a combination of S106 and grant funding.

11.6.9 In addition, planning obligations will continue to be used by the Council to secure commuted sums towards the maintenance of recreational open space for an initial 20-year period. The basis of calculating commuted maintenance sums is available on request.

Allotments

11.6.10 For schemes of 200 or more dwellings planning obligations will be negotiated on a case-by-case basis using the standards for allotments in the Open Space, Sports and Recreation Needs Assessment Technical Report 2008.

For schemes of 200 or more dwellings planning obligations will be negotiated on a case-by-case basis.

Countryside Recreation Space and Green Infrastructure

- 11.6.11** The Open Space, Sports and Recreation Needs Assessment Technical Report 2008 sets new district-wide standards for the provision of countryside recreation space or wider green infrastructure, as referred to in Annex E of the Core Strategy. However, it does not currently include up to date costs. We are currently undertaking further work to consider how to implement these standards. As such, in the interim the derived charges shown below will be applied.
- 11.6.12** The growth planned for the former Mid Bedfordshire area and neighbouring areas however, will undoubtedly place additional pressure on the existing green infrastructure network. In particular, a number of 'honeypot' recreation sites are likely to reach their usage capacity in environmental terms. Additional green infrastructure will be needed to provide for the increasing recreational demands of the existing population and moreover, an increased population arising from the additional development planned.
- 11.6.13** In order to plan for the additional green infrastructure necessary, a Bedfordshire and Luton Green Infrastructure (GI) Consortium has been set up. The consortium consists of a range of statutory agencies, local authorities and voluntary sector organisations. A Countywide Strategic GI Plan was adopted in March 2007 and a GI Plan for the former Mid Bedfordshire area is nearing completion. Sufficient work has been undertaken to identify and cost the priority work needed to deliver a multi-functional Green Infrastructure Network across the former Mid Bedfordshire area. This enables a Standard Charge to be applied to all new dwellings. For some elements of Infrastructure it may be appropriate to seek contributions from commercial development. These would be negotiated on a case-by-case basis.
- 11.6.14** Developers will also be required to contribute district wide towards the continued creation of the Forest of Marston Vale, now formally supported by Policy ENV1 and ENV5 contained in emerging RSS14, as a primary element of green infrastructure provision. The GI standard charge has been calculated to strip out proportionate woodland creation costs in the Forest of Marston Vale to avoid double counting. The GI charge includes costs for land acquisition and development of multi user green access corridor related to the Bedford-Milton Keynes Watlington Way Park.

Table 20: Green Infrastructure and Forest of Marston Vale

<p>Type of facility for which provision may be needed</p>	<p>Green infrastructure covers landscapes, biodiversity, historic environment, outdoor access and recreation and is strongly linked to public benefits. It includes a wide range of type of asset (e.g. countryside parks, historic landscapes, nature reserves, woodland, ancient monuments and footpaths) and activity (e.g. management, improvement and creation). Assets can have access for the public and may be owned by public bodies, the voluntary sector, private individuals or organisations. They include countryside and heritage sites owned by local authorities. The green infrastructure networks combine all these elements and deliver a number of functions at the same time and the aim is to improve, expand and link the network through proposals in GI plans. Key elements include Strategic Access Routes and Strategic Accessible Greenspace set out in Annex 8. The Forest of Marston Vale is a Community Forest established with the aim of leading the environmental regeneration of the Marston Vale through the creation of 30% woodland cover target set by Government and confirmed in RSS (Policy ENV5).</p> <p>Contributions sought are likely to be financial, but contributions of land/planting may also be appropriate in some circumstances.</p>
<p>Current policy/guidance on the issue</p>	<p>Extensive policy and guidance at national, regional, sub-regional and local level including PPG17, Adopted Core Strategy Policy CS17 and Development Management Policy DM18. RSS Policies SS1, SS2, SS8, C1, ENV1, 2, 3, 4, 5 and 6. The Council priority and action for managing growth and delivering improved infrastructure.</p>
<p>Geographical areas where known issues</p>	<p>Green Infrastructure and Forest of Marston Vale obligations will apply across the former Mid Bedfordshire area.</p>
<p>Basis of assessing need and contributions</p>	<p>Impact of new development upon usage of existing areas identified on a case-by-case basis, taking account of the emerging Strategic GI Plan and existing plans such as the AONB Management Plan and Basis of Green Infrastructure Standard Charge issued in Annex 8 and that for the Forest of Marston Vale in Annex 9 of the Background Paper.</p>
<p>Threshold/type of development which may trigger need</p>	<p>All new residential development. Commercial development of 1000sq.m or more</p>

Charging Method

Standard Charge for all new residential development: GI: £1529 and Forest of Marston Vale: £689

Derived Charges are:

	1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
GI	£828	£1210	£1656	£2039	£2294	£2485	£2803
FoMV	£373	£545	£746	£919	£1034	£1120	£1263
Total	£1201	£1755	£2402	£2958	£3328	£3605	£4066

**Commercial development of 1000sq.m or more
 To be negotiated on a case-by-case basis**

Rights of Way

- 11.6.15 As part of the Green Infrastructure charge, contributions will be directed at securing and enhancing strategic access routes. The need for improvements linked to development proposals to improve accessibility, surfacing and linkages to existing and proposed rights of way networks will, however, remain. Where the scale and location of development will require linkages and/or lead to increased use the Council will secure appropriate planning obligations.

Table 21: Rights of Way	
Type of facility for which provision may be needed	New or improved routes (including footpaths, bridle ways and cycleways where appropriate) to existing or proposed network. To include surface improvements for desired use, erection of structures, which are access friendly (such as bridges and gates, not stiles), signage, lighting (where appropriate), dog bins and other works necessary to make routes accessible. Routes that are part of a strategy e.g. Sustrans National Cycleway/Marston Vale Forest Plan/Outdoor Access Improvement Plan and Green Infrastructure Plan will normally be provided through the Cycleway and GI contributions. Contributions may include commuted sum to cover establishment, management and maintenance where new routes are required.
Current policy/guidance on the issue	Adopted Core Strategy Policy CS4 Outdoor Access Improvement Plan. RSS Policies SS8, T1 and T9
Geographical areas where known issues	Applies across the whole of the former Mid Bedfordshire area. Particular consideration will be given to achieving off-site local pedestrian/cycleway routes which link developments with open spaces and leisure/community uses and strategic routes.
Basis of assessing need and contributions	Impact of new development upon usage of existing areas identified on a case-by-case basis, taking account of the Strategic GI Plan and existing plans such as those for Marston Vale Community Forest, AONB Management Plan etc.
Threshold/type of development which may trigger need	All residential and commercial development will be considered.
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council and the Council's Rights of Way Officers.

11.7 Community Facilities and Services

- 11.7.1 An appropriate range and scale of community facilities and local services is an essential ingredient of building cohesive, inclusive and sustainable communities.
- 11.7.2 Responsibility for the provision of community facilities lies primarily with other organisations although the Council often plays a critical enabling and/or co-ordinating role.
- 11.7.3 The additional growth planned for the former Mid Bedfordshire area will place additional pressure on existing facilities and may exacerbate existing deficiencies in certain areas. Equally, new development will generate extra demand and some areas may improve the viability and vitality of existing community facilities and services.

- 11.7.4 Local authorities, local organisations and local charities have traditionally been the source of funding for the provision of community facilities. Some facilities, such as shops, are generally privately funded. Post offices receive Government subsidy although financial constraints have led to increased scrutiny of the current network of facilities, with many smaller outlets facing closure. In some cases community shops, sometimes embracing a post office, have been established to provide a much needed facility.
- 11.7.5 Whilst such funding will need to continue, development will where appropriate, be expected to make a contribution towards new or enhanced facilities. Such contributions could take the form of land, buildings or other capital costs, or a combination. Additionally, as with many other service areas, pressure is growing to seek revenue contributions, particularly as 'pump-priming' for the early years of new provision.

Village & Community Halls

- 11.7.6 Village and community halls may offer a range of facilities such as meeting places, club venues, cultural, learning, sports and leisure. In many small rural communities in particular, they can be a hub of activities and a focus for local people. In a large new development provision may well be in a multi-use building.
- 11.7.7 In 2000/01 the Bedfordshire Rural Communities Charity (BRCC) Village Halls Advisor carried out an audit of all village/community halls across the county. Based on the hall's condition and construction costs at that time, it was estimated that the costs of providing necessary new, or refurbishing existing buildings in Bedfordshire would be in excess of £8 million. The former Mid Bedfordshire area share of that total was approximately £5 million, however, since the audit was undertaken, a number of the improved facilities have been provided. The BRCC's estimate of current needs in the former Mid Bedfordshire area is approximately £4 million.
- 11.7.8 These recognised needs, together with population increases arising from new development will increase the demands placed upon existing centres and halls. The Council would like to ensure that these continue to meet the needs of its new and existing residents. Therefore, contributions will be sought towards the provision of new centres, halls or enhancement of existing facilities, where they are necessary. In some instances revenue funding may also be sought in the form of facility management and maintenance costs for a limited period of time.
- 11.7.9 Based upon local experience of recent new developments, the standard provision for community centres is 100 sq metres of floorspace per 1000 people. This equates to 0.1 sq. metres per person. In smaller settlements, a higher ratio could be considered reasonable as there are often few or no other community facilities within the vicinity, the populations are generally smaller and there need to be a basic size of hall and standard of facilities to make the facility viable, however, the 0.1 sq. metres per person

standard will be applied by the Council in all circumstances where improvements are needed locally. Based on this standard, a standard charge for all new residential development is set out below:

Table 22: Community and Village Halls						
Type of facility for which provision may be needed	New community/village hall extensions/improvements to existing facilities.					
Current policy/guidance on the issue	Adopted Core Strategy Policy CS3. RSS Policies SS2 and C1					
Geographical areas where known issues	Improvements presently identified by BRCC in Ampthill, Biggleswade, Campton, Cranfield, Dunton, Flitton & Greenfield, Flitwick, Gravenhurst, Henlow, Houghton Conquest, Marston, Maulden, Meppershall, Mogerhanger, Old Warden, Potton, Pulloxhill, Ridgmont, Sandy, Shefford, Steppingley and Wrestlingworth.					
Basis of assessing need and contributions	The former Mid Bedfordshire Council Infrastructure Audit provides details of the settlements where new or improved community and village halls are needed. Large new residential schemes of 350 or more dwellings subject to individual assessment.					
Current cost guidelines	The standard charge is based upon the average costs of providing a new community/village hall at £1,879 per sq. metre. See Annex 10 of Background Paper.					
Threshold/type of development which may trigger need	All new residential development.					
Charging Method						
Standard Charge for all new residential development in defined Parishes is: £451						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£244	£357	£489	£601	£677	£733	£827
Residential developments of 350 dwellings or more negotiated on a case-by-case basis						

Youth Services

- 11.7.10 The 1944 Education Act requires the Council to provide youth services for 13-19 year olds such as social/meeting places plus support, information, advice and informal education opportunities. These responsibilities are distinct from that which is provided by the Council from a leisure perspective.
- 11.7.11 At present, youth clubs and centres operating in the former Mid Bedfordshire area are provided solely by voluntary groups, scouts or similar organisations and church groups. These organisations are not collectively linked or managed under any governing organisation and do not receive any funding from the Council's Youth Service. The former Bedfordshire County Council Developer Contributions Strategy indicated the following expectations for new development to contribute towards youth provision:

Table 23: Youth Provision

Type of facility for which provision may be needed	Space for Youth services – support for skills/education/IT, preferably in a community centre/library, school or similar.
Current policy/guidance on the issue	Government strategies: Every Child Matters; Youth Matters; Transforming Youth Work – Resourcing Excellent Youth Services. RSS Policy SS2
Geographical areas where known issues	Applies across the former Mid Bedfordshire area. Seeking a suitable base within the former Mid Bedfordshire area.
Basis of assessing need and contributions	No current standard to assess need. Need will be assessed on a case-by-case basis.
Current cost guidelines	None.
Threshold/type of development which may trigger need	200 houses or more Large commercial development 1000sq.m. or more
Charging Method	To be negotiated on a case-by-case basis by Central Bedfordshire Council.

Libraries

- 11.7.12 Library services contribute to the educational, economic, social, cultural and recreational well being of the community. The Council has a duty to provide a comprehensive and efficient library service for everyone who lives, works or studies in the area. Facilities can range from large central libraries within towns to community libraries, resource centres providing electronic access to services within multi-use buildings and mobile facilities.
- 11.7.13 New residential development will add pressure onto the existing library service. There are presently nine libraries serving residents in the district. The Library Service currently administer eight libraries within the district at Ampthill, Arlesey, Biggleswade, Flitwick, Pottton, Sandy, Shefford and Stotfold. Woburn Sands Library, just outside the area serves residents in an around Aspley Guise and is administered by the Milton Keynes Library Service. A mobile library visits other parts of the former Mid Bedfordshire area.
- 11.7.14 In planning for additional capacity to help improve facilities and services to serve population growth, the Council has identified the need for improvements. It is planning to provide new libraries at Wixams and to serve the Cranfield area. Milton Keynes Library Service considers there is a need in future to expand library space at Woburn Sands to serve a growing population.
- 11.7.15 The Council's requirements for new development to contribute towards the provision of library services are set out below.

Table 24: Libraries

Type of facility for which provision may be needed	<ul style="list-style-type: none"> • Additional equipment/bookstock. • New library, including fitting out and books. • Extension to existing library if capacity issue including commensurate increase in bookstock • Stopping place for mobile library. •
Current policy/guidance on the issue	DCMS Public Library Service Standards. Adopted Core Strategy Policy CS3. RSS – Policies SS2 and C1
Geographical areas where known issues	<u>Equipment/Bookstock etc.</u> : Ampthill, Arlesey, Aspley Guise (Woburn Sands catchment), Blunham, Cranfield, Everton, Eyeworth, Houghton Conquest (Wixams), Hulcote & Salford, Maulden, Millbrook, Mogerhanger, Potton, Sandy, Stotfold, Sutton, Tempsford and Wrestlingworth & Cockayne Hateley. <u>Library facilities</u> : Cranfield, Houghton Conquest (Wixams) and Hulcote & Salford.
Basis of assessing need and contributions	The Council aims to provide permanent library facilities to serve catchments of 6000+ populations requiring a standard of library space equating to 23sq.m per 1000 population. Minimum library size is about 150sq.m on site 0.2 ha. Equipment/Bookstock is provided at a ratio of 2 items per head at about £24 (i.e. £12 per item). See Annex 11 of Background Paper.
Current cost guidelines	150sq.m library about £375,000 + fitting out and bookstock 2 items/head of population at about £24 per person.
Threshold/type of development which may trigger need	All new residential development will be expected to contribute towards additional library equipment/bookstock and the capital costs of new/upgraded library facilities where they are required. Large commercial development with 100+ employees in the areas of need will be assessed on a case-by-case basis.

Charging Method

Standard Charge for all new residential development in defined Parishes to cover additional equipment/bookstock is: £58.

Derived Charges are:

Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£31	£46	£63	£77	£87	£94	£106

Standard Charge (including equipment/bookstock) for all new residential development in defined Parishes where new or upgraded libraries are required is: £195.

Derived Charges are:

Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£105	£154	£211	£260	£293	£317	£357

Commercial development to be negotiated on a case-by-case basis by the Council.

Local Shops and Services

- 11.7.16 Planning obligations may be used by the Council to secure the provision of neighbourhood shops and services when approving large new residential development. **Consideration will be given to securing neighbourhood shops and services on all new residential developments of 500 dwellings or more.**

Places of Worship

- 11.7.17 Traditionally places of worship are provided and sustained by the communities and congregations from whom they emanate. Places of worship undoubtedly contribute to the creation of a sustainable community.
- 11.7.18 Consequently, **on new residential developments of 500 dwellings or more, developers may be required to provide, or assist in the provision of a multi-faith meeting place.** This will usually take the form of a multi-function room within a community building. The level of provision will be related in scale to the development and if flexibly designed could meet a range of community activity needs.

Cemeteries and Burial Grounds

- 11.7.19 Churchyards and burial grounds in the district are owned and managed by a variety of organisations, though predominantly they are in the hands of the local parochial church councils (PCC). Many of these sites are identified as being near, or in some cases very near to their maximum capacity. Several PCCs and town/parish councils have been trying to secure additional land to extend their burial grounds for some time with limited success due to the high value attached to land in and around settlements.
- 11.7.20 More certainly than with any other facility, the need for burial and ashes space will continue, accounting for 30% of disposal needs. This need will be further increased by planned growth in the population. Seeking developer contributions for the provision of additional burial space is considered to be reasonable and justified. Contributions sought will be towards the capital provision of new or improved facilities.
- 11.7.20 Where a completely new burial ground is provided by development, some revenue funding may also be sought for initial facility management and maintenance costs, usually for a period of up to 3 years. The cost of a standard charge for contribution towards additional burial space is set out below. The detailed basis for this calculation is a further Annex 12 of the Background Paper accompanying this SPD.

Table 25: Cemeteries and Burial Grounds

Type of facility for which provision may be needed	New burial ground or extension to existing burial ground.					
Current policy/guidance on the issue	Adopted Core Strategy Policy CS3. RSS Policies SS2					
Geographical areas where known issues	Applies district wide. Particular deficiencies at present in Clifton, Cranfield, Flitwick, Husborne Crawley, Langford, Lidlington, Marston, Maulden, Meppershall, Pottton, Sandy, Shefford, Stotfold, Sutton and Westoning.					
Basis of assessing need and contributions	Former Mid Bedfordshire Council's Infrastructure Audit provides details of the settlements where burial ground space is at or near ing capacity. See Annex 12 of the Background Paper. Large schemes subject to negotiation on a case-by-case basis					
Current cost guidelines	Estimated £130,000 to purchase land and provide 100 -space burial ground.					
Threshold/type of development which may trigger need	All new residential development.					
Charging Method						
Standard Charge for all new residential development in the defined Parishes is: £7						
Derived Charges are:						
Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£4	£6	£8	£9	£11	£11	£13
Residential developments of 500 dwellings or more		egotiated on a case-by-case basis				

11.8 Community Cohesion

Welcom Information Packs

- 11.8.1 Where new residential development takes place, it is important that incoming residents are made aware of the services and facilities that are available or being made available locally in association with development. In this context, when residents register as Council Taxpayers, the Council, working with local service providers and partners, will provide every household with 'Welcome to your Local Community' household information packs.
- 11.8.2 **The Standard Charge for these packs is £19 per dwelling. Contributions to cover the cost of these packs will be secured for all new residential development.** The detailed basis for this calculation is at Annex 13 of the Background Paper.

Information Technology and Community Websites

- 11.8.3 All new development will need to provide information technology cabling to enable up-to-date links to the Internet. **For larger residential schemes of 500 or more dwellings, developers may be required to establish or contribute towards the establishment of a community website where such facilities do not exist at present.** Requirements will be negotiated

on a case-by-case basis.

11.9 Waste Management

Waste Collection and Recycling Facilities

- 11.9.1 The Council is committed to minimising waste and increasing the level of recycling within the district in accordance with a national policy.
- 11.9.2 New residential development will give rise to the need for further waste collection and recycling facilities. Planning obligations will be sought for the capital costs of equipping all new residential properties with kerbside and domestic waste/recycling containers as appropriate.
- 11.9.3 In addition, larger residential schemes will be required to contribute towards the provision of 'bring sites/community recycling sites' in accordance with the Audit Commission standard of 1 bring site per 750 households.

Table 26: Waste Collection and Recycling Facilities

Type of facility for which provision may be needed	Kerbside and domestic waste/recycling containers. Provision of 'bring sites' for recycling glass, paper or larger "community recycling site" to include cardboard/textiles, or contribution to the provision or upgrade of an existing site. Approx 15m x 5m for a basic site and at least 20m from nearest residential property.
Current policy/guidance on the issue	Bedfordshire Minerals and Waste Local Plan (Adopted 2005), Waste Management Supplementary Planning Document "Managing Waste in New Developments" (Adopted April 2006) RSS Policies SS2, and WM6
Geographical areas where known issues	Kerbside and domestic waste/recycling containers - Applies districtwide. Additional Bring sites are presently needed in Ampt hill, Pulloxhill, Stondon and Tingrith.
Basis of assessing need/calculating contributions	See Annex 14 of Background Paper.
Current cost guidelines	See Annex 14 of Background Paper.
Threshold/type of development which may trigger need	Kerbside containers: All new residential development. Bring Sites: Residential developments of 50 dwellings or more may be required to contribute towards the provision of new bring sites where they are needed. Residential developments of 750 dwellings or more will be required to provide a new bring site as part of development.
Charging Method	For Kerbside Waste Collection/Recycling, the Standard Charge for all new residential development is: £46 per dwelling (for houses) £57 per dwelling (for flats/communal residents) The need for contribution towards bring sites in the defined Parishes and new bring sites for all large developments will be negotiated on a case-by-case basis

11.10 Emergency Services

Fire and Rescue Services

- 11.10.1 The Combined Fire Authority has the statutory duty to ensure that all development is provided with adequate water supplies for fire fighting. In urban areas, hydrants should be located 90 metres apart and in rural areas, 180 metres apart. Where large new developments are proposed, developers will often be required to provide new fire hydrants as part of their development. This provision will be sought through the standard wording in planning obligations as appropriate. In practice, the need for hydrants is determined at the time the water services for the development are planned in detail, which is usually after planning permission is granted. If adequate hydrants are available when the water mains are planned then no extra hydrants will be needed.
- 11.10.2 The Fire Service also has a policy of seeking sprinkler systems in new flattened/communal residential development, such as sheltered housing and in schools. The Council supports this requirement and will secure planning obligations to install sprinkler systems for such developments.
- 11.10.3 The ability of large-scale developments to be adequately served by fire and rescue services will be assessed on an individual basis. Any impacts will need to be addressed through planning obligations. This may be through the provision of a new fire station or contributions to extend an existing facility.

Police Force

- 11.10.4 The Bedfordshire Police Force indicates the additional officers and accommodation facilities likely to be required in the district as a result of planned population growth. A new Police base will be required at the Wixams to ensure a local neighbourhood policing presence. Additionally the existing police bases at Biggleswade, Ampthill and Shefford may require extensions. Additional custody facilities will also be needed at principal police stations to service the additional demand from Mid Bedfordshire. A methodology for calculating contributions to Policing infrastructure requirements has been developed which sets out the basis of a standard charge for residential development. This is set out in Annex 14 of the Background Paper.
- 11.10.5 The ability of large-scale developments to be adequately policed will be assessed on an individual basis. Any impacts will need to be addressed through planning obligations. This may be through the provision of a new police base or contributions to extend an existing facility. Some commercial developments, particularly those that might attract concentrations of people, may also be the subject of an obligation and will be negotiated on a case-by-case basis.

Table 27: Capital Costs of Additional Policing

Type of facility for which provision may be needed	New and upgraded general office accommodation and custody facilities. Enquiry points and neighbourhood policing offices, and additional vehicles.					
Current policy/guidance on the issue	RSS Policy SS2					
Geographical areas where known issues	Applies in the former Mid Bedfordshire area to areas of need.					
Basis of assessing need and contributions	See Annex 15 of the Background Paper.					
Current cost guidelines	See Annex 15 of the Background Paper.					
Threshold/type of development which may trigger need	All new residential development. Large schemes of 500 or more dwellings to be subject to individual assessment. Commercial developments such as Class A3, A5, A4, D2 and Nightclubs that involve concentrations of people. Indicative thresholds are 1000 sq m or 1 hectare or more					
Charging Method						
Standard Charge for new residential development in areas of need is: £207						
Derived Charges are:						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£112	£164	£224	£276	£311	£336	£380
Larger residential of 500 dwellings or more - to be negotiated on a case-by-case basis						
Commercial development - to be negotiated on a case-by-case basis						

11.11 Public Realm and Community Safety

Maintaining and Renewing the Public Realm

- 11.11.1 The quality of the environment within the former Mid Bedfordshire area's town, village and neighbourhood centres makes an important contribution toward maintaining sustainable communities. Development that attracts additional visitors and activity into the public realm will result in increased wear and tear. This in turn leads to an increase in the need to renew public space over time. Such renewal may incorporate the provision of new and re-designed public spaces, new surfacing, street lighting and furniture, hard and soft landscaping, improved signage, public art, litter bins and CCTV.
- 11.11.2 The Council, working in partnership with town councils, has recently completed a number of town centre environmental improvement schemes at Biggleswade, Ampthill, Sandy and Shefford. Partners are currently considering further schemes at Stotfold, Flitwick and Potton and additional schemes may be identified in future.
- 11.11.3 Where renewal schemes are planned, the Council considers it reasonable that **non-residential development in and adjacent to the defined Town**

Centre areas should contribute towards public realm renewal projects where it is evident that those developments will lead to a material level of increased usage. Contributions would be functionally and geographically linked to improvement schemes.

Public Art

- 11.11.4 Public art integrated with buildings and landscape is an important cultural asset that can enhance and enliven the local environment. The Arts Council endorsed 'Percent for Art' in 1988 as an important means to integrate the work of artists into the planned development of public space.
- 11.11.5 When provided as part of a development, public art should be fully integrated into that development and complement its overall objectives. It should be appropriate to the scheme and its location, both in terms of public usage and design context. The work should also be clearly visible by the public, preferably also publicly accessible and should remain on site permanently or for an agreed period of time.
- 11.11.6 The work is likely to be commissioned and created specifically for the development. It can take a wide variety of forms such as paintings, sculpture, murals, floor designs, memorials, street furniture and temporary work such as performance arts or installations. Materials and processes can involve woodwork, stone carving, metalwork, painting, glasswork, lighting, photography and textiles.
- 11.11.7 It is unlikely that structures or works located within the public highway will be considered eligible, as the Highway Authority will not normally accept the maintenance liability for such works.
- 11.11.8 The preferred method for securing public art will be as part of the design process and incorporated in the submitted planning application, where the public art can be secured by condition. An applicant could however also agree to a planning obligation to provide public art on site up to a certain value, in accordance with the Council's proposed standard charge. Exceptionally, a planning obligation for an off-site contribution will also be acceptable, but there must, in these circumstances, be a known opportunity for public art provision in the locality to which the contribution would be earmarked.

Table 28: Public Art															
Type of facility for which provision may be needed	Piece of public art on development site or contribution to commission piece of art or art project on site. Exceptionally, contribution towards off-site works in the locality will be considered.														
Current policy/guidance on the issue	Adopted Development Management Policy DM5. RSP Policy C1														
Geographical areas where known issues	Applies across the former Mid Bedfordshire area.														
Basis of assessing need/contributions	Contribution per dwelling of £200 adopted in December 2004 after index linking now £221. Needs for new public art on large developments of 100 or more dwellings will be assessed on a case-by-case basis using £221 per dwelling. Commercial development will be expected to contribute at a rate of £1 per sq. metre for 1000sq. metres or above. See Annex 16 of Background Paper.														
Current cost guidelines	£221 per dwelling for residential £1 per square metre for commercial development														
Threshold/type of development which may trigger need	New residential development of 100 dwellings or more and large scale commercial development such as significant new retail development or business/industrial parks of 1000sq. metres or more.														
<p>Charging Method</p> <p>Standard Charge for new residential developments of 100 or more dwellings is: £221 per dwelling</p> <p>Derived Charges are:</p> <table border="1"> <thead> <tr> <th>1 Bedroom</th> <th>2 Beds</th> <th>3 Beds</th> <th>4 Beds</th> <th>5 Beds</th> <th>6 Beds</th> <th>7+ Beds</th> </tr> </thead> <tbody> <tr> <td>£120</td> <td>£175</td> <td>£239</td> <td>£295</td> <td>£332</td> <td>£359</td> <td>£405</td> </tr> </tbody> </table> <p>Standard Charge for new commercial/retail development of 1000sq. metres or more is: £1 per sq. metre</p> <p>The determination of whether public art should be provided on or off-site will be determined on a case-by-case basis.</p>		1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£120	£175	£239	£295	£332	£359	£405
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds									
£120	£175	£239	£295	£332	£359	£405									

CCTV

- 11.11.9 'Safer Places: The Planning System and Crime Prevention' guide (ODPM 2004) states that the prevention of crime and consideration of community safety are matters that local planning authorities should consider in planning for new development. It also states that planning applications should demonstrate how crime prevention measures have been considered and that this should form part of the applicant's design statements submitted with an application. The Secure by Design award scheme is promoted by Bedfordshire Police as a means to achieve some of the aims of safer places. Applicants are advised to consult with the Council's Community Safety team before submitting an application.
- 11.11.10 The provision of CCTV may be identified as a need from the outset of a large scale development including residential but particularly mixed use schemes and those incorporating entertainment and leisure venues, commercial or retail. Other isolated areas may also require CCTV. All

these cases will be looked at on an individual basis. **Where it is felt necessary as a consequence of development, the provision of a contribution towards CCTV will be required.** This will include the cost of the equipment, its initial set up, linking to the control centre and annual maintenance/running costs over an agreed period of time, usually 5 years.

11.11.11 Where it is agreed that CCTV is required, developers will be expected to lay the necessary cabling and connections at the outset. This will avoid unnecessary disruption to local residents when cameras are installed and linked to the control centre. An indication of costs for CCTV cameras and annual maintenance/running costs is attached at Annex 17 of the Background Paper.

12.0 Summary of Obligations to be Sought for Residential Development

12.1 Table 29 below confirms those matters subject to standard charges for residential development by dwelling sizes. Appendix 1 shows an overall position including non-residential development.

Table29Obligation	Details	GenericAverage		1bed	2bed	3bed	4Bed	5Bed	6Bed	7+Bed
Education	Mainstream	£7754		nil	£6138	£8400	£10339	£11632	£12601	£14216
	EarlyYears	£718		nil	£568	£778	£957	£1077	£1167	£1316
	Children'sCentres	£203		nil	£161	£220	£271	£305	£330	£372
	Subtotal	£8675		nil	£6867	£9398	£11567	£13014	£14098	£15904
Transport	Cyclenetworkonly	£467		£253	£370	£506	£623	£701	£759	£856
Health	Primary(total)	£600		£326	£476	£650	£800	£900	£976	£1100
	Secondary	£568		£308	£449	£615	£757	£852	£923	£1041
	Mental	£32		£18	£26	£35	£43	£49	£53	£59
	Subtotal	£1200		£652	£951	£1300	£1600	£1801	£1952	£2200
IndoorLeisure		£338		£183	£268	£366	£451	£507	£549	£620
OpenSpace	Children'sPlay	£1560		£845	£1235	£1690	£2080	£2340	£2535	£2860
	OutdoorSports	£727		£394	£576	£788	£969	£1091	£1181	£1333
	Informalspace	£233		£126	£184	£252	£311	£350	£379	£427
	Subtotal	£2520		£1365	£1995	£2730	£3360	£3760	£4095	£4620
GreenInfrastructure &MarstonVale	GreenInfrastructure	£1529		£828	£1210	£1656	£2039	£2294	£2485	£2803
	ForestofMarstonV.	£689		£373	£545	£746	£919	£1034	£1120	£1263
	Subtotal	£2218		£1201	£1755	£2402	£2958	£3328	£3605	£4066
CommunityFacilities	CommunityHalls	£451		£244	£357	£489	£601	£677	£733	£827
	LibraryEquipment	£58		£31	£46	£63	£77	£87	£94	£106
	LibraryBuildings	£137		£74	£108	£148	£183	£206	£223	£251
	Cemeteries	£7		£4	£6	£8	£9	£11	£11	£13
	Subtotal	£653		£353	£517	£708	£870	£981	£1061	£1197
CommunityCoh	Informationpacks	£19		£19	£19	£19	£19	£19	£19	£19
WasteManagement		£46		£46	£46	£46	£46	£46	£46	£46
EmergencyServices	Policeonly	£207		£112	£164	£224	£276	£311	£336	£380
PublicRealm	PublicArtonly	£221		£120	£175	£239	£295	£332	£359	£405
Totalperdwellingassumingallcharges		£16564		£4304	£13127	£17938	£22065	£24821	£26879	£30313

Part C: Council Procedures for Securing and Delivering Planning Obligations

13.0 The Drafting and Completion of Legal Agreements

13.1 Pre-application discussions with a Planning Officer and other relevant parties are strongly recommended before a planning application is submitted. This will help establish the likely heads of terms and other planning requirements and ensure delays in registering and processing applications are avoided. The Council will seek to ensure that planning obligations are dealt with as quickly and effectively as possible. The Council's current procedures for assessing applications and concluding planning obligations are set out in the Council's S106 Procedure Guide.

13.2 The Council expects planning applications to be determined within the timescales set by Government. These targets are as follows:

- Major applications: 13 weeks
- Minor and other applications: 8 weeks

13.3 To help meet these targets, the Council will require that certain information is provided with a planning application where either a Unilateral Undertaking or an agreement under S106 of the Town and Country Planning Act 1990 is expected. The checklist below sets out the scope of the information required by the Council in order to validate an application for planning permission

Checklist:

- i. Proposed heads of terms (the main aspects) of a S106 legal agreement, or unilateral undertaking or a justification for non-compliance with the standard charges;
- ii. Proof of owners' Title. All the owners of the site will need to enter into the agreement. If the land is registered, this will be by recent office copy entries. If it is unregistered, an epitome of title should be provided;
- iii. Names and addresses of any charges, lessees, mortgages or other holders of security on the land, as all parties with an interest in the land.
- iv. A solicitor's undertaking to pay the Council's reasonable legal costs in connection with the negotiation and preparation of the legal agreement/unilateral undertaking;
- v. Contact details if there is a solicitor acting on behalf of the applicant.

- 13.4 The checklist was adopted by the former Mid Bedfordshire District Council as a direction under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988 and section 62 of the Town and Country Planning Act 1990 (as amended). Once adopted, failure to submit the information required by this Direction may result in an application being treated as invalid under Article 5(4) of the General Development Procedure Order 1995 (as amended).
- 13.5 Should the Council regard an application as invalid because the applicant has failed to provide the necessary information, the Council will write to the applicant explaining this and asking them to supply the information. The Council will acknowledge but not register the application until the information is supplied or written justification is provided as to why it is not appropriate in the particular circumstances.
- 13.6 Where an application is registered and the applicant fails to supply the necessary information within a reasonable period of 21 days, then the Council may decide to refuse permission because the appropriate mitigation cannot be provided in accordance with this SPD.
- 13.7 A timetable for completion of the legal agreement will be forwarded to the applicant following registration of the application. If a planning agreement or unilateral undertaking has not been completed within the appropriate time period and it is believed there has been an unreasonable delay, planning permission will be refused on the basis that planning obligations have not been entered into. A revised timetable may be agreed if a delay is considered by the Council to be unavoidable.

14.0 Template Agreement

In order to ensure a consistent approach to developments within the district, the Council will seek to use a standard form of legal agreement in dealing with all planning obligations. A copy of the Council's template agreement is available on request.

15.0 Costs of Preparing and Monitoring Legal Agreements

- 15.1 Draft legal agreements will normally be prepared by the applicant's solicitor. The Council's solicitor will then conclude the agreement. Whether the Council initially prepares the legal agreement, or it is drafted by the applicant's solicitor, the Council will expect to recover the full costs of preparing and/or concluding the agreement. Where paragraph 15.2 iv applies, the Council will require an undertaking from the solicitor acting on behalf of the applicant to pay the Council's legal costs for preparing a legal agreement regardless of whether it is completed. The undertaking should be given in the sum of £2000 for the Council. If negotiations exceed this amount, the applicant will be notified that the undertaking should be increased to reflect the additional costs. The legal fee will be collected at the time of entering into an agreement (i.e. the point at which the agreement is signed and sealed on the grant of planning permission). If planning permission is not granted no fees will be due.

15.2 The Council will charge applicant's to cover the legal costs of concluding legal agreements and unilateral undertakings. Fees will apply as follows:

- i. Unilateral undertakings: £310
- ii. S106 agreements where only standard charges apply £310
- iii. Standard S106 Agreements: £620
- iv. S106 Agreements for large-scale schemes (generally in excess of 50 dwellings or 2000sq.m commercial floorspace): individual basis.

15.3 Applicants should note that the current hourly costs of Central Bedfordshire Council's solicitor is £96 per hour. This is revised annually as part of the Council's review of charges. More complicated legal agreements may however be concluded on the Council's behalf by external solicitors or lawyers. Where this is so, rates of costs will be notified to the applicant in advance.

15.4 The Council will also expect applicants to pay towards the costs of administering and monitoring planning obligations once entered into. Administration/monitoring is charged at a rate of £25 per hour. Fees will apply as follows:

- i. Unilateral undertakings: £175
- ii. S106 agreements where only standard charges apply £175
- iii. Standard S106 Agreements: £350
- iv. S106 Agreements for large-scale schemes (generally in excess of 50 dwellings or 2000sq.m commercial floorspace) individual basis, based upon the cost of £175 per trigger point included in the agreement.

16.0 Timing and Phasing of Payments

16.1 The provision of infrastructure and the timing of payment of contributions will be negotiated on an individual basis for large developments. This may involve a phased programme of payments, which will include development completion/occupancy trigger points.

16.2 Applications involving a unilateral undertaking or a straightforward s106 agreement for smaller developments (e.g. 10 dwellings) will be expected to pay contributions prior to commencement of development.

16.3 Interest will be payable if contributions are not paid to the Council at the agreed time. This will be 4% above the Bank of England base rate. This is in addition to any index linking.

16.4 All contributions will be paid to the Council in the first instance unless specifically stated in the agreement. The Council will pass on any contributions intended for release to, or spending by another organisation in accordance with the requirements of the agreement.

16.5 The originator of the planning obligation will also be required to advise the Council if a site is sold on with the benefit of the planning permission and obligation. Where part of a development site is sold on, the original developer who entered the agreement is liable for fulfilling the obligation unless clear documentary evidence is provided to the Council to the contrary.

17.0 Index Linking of Contributions

17.1 The commencement of development may not take place immediately following completion of the legal agreement. Consequently, all contributions will be index linked to ensure that their value stays in line with inflation and reflects changes in costs. Details of indices are contained in the Background Paper. It is intended that all contributions within the Strategy will be updated annually or at least biennially to reflect current costs.

17.2 Unless otherwise stated in the Background Paper, index linking will be from October 2007 as this is the date of most of the base calculations. A range of index linking calculations will be used, relevant to the type of contribution, the main ones being the Retail Price Index (RPI) and the Building Costs Information Service (BCIS) Public Sector Quarterly Building Price and Cost Indices.

18.0 Bonds

18.1 Bonds will be required where a developer intends to carry out work themselves instead of payment of contributions to the Council. For example, building a community building agreed as a part of the development proposed. The bond sum can then be drawn upon by the Council to provide the facility if the works are not carried out as agreed.

18.2 Bonds will also be required where for example; the development is funding a school, where development is staged and not all in place prior to contract being let.

19.0 Viability

19.1 The purpose of this SPD is to provide developers with information on the planning obligations likely to be required in association with new development at the earliest stage, so that obligations on costs may be factored into negotiations on land acquisition. Where a developer considers that the requirements of the Council would have a significant impact on the viability of a proposal, the onus will be on the applicant to demonstrate this.

19.2 In instances where it is necessary to appoint an independent valuation advisor to assess the submitted viability evidence, the costs will be met by

the applicant. Proven impact on the viability of the scheme will be a material consideration in the assessment of the planning application.

20.0 Monitoring, Enforcement and Expenditure

20.1 Planning obligations will be monitored to ensure that they are being undertaken or paid at the agreed times. If there is a failure to comply, the Council will take appropriate enforcement action and a full cost recovery will be sought.

20.2 Financial contributions will normally be ring-fenced to be spent on specific projects. The spending/release of financial contributions will be monitored to ensure that contributions are spent by the Council and other relevant organisations as required by the agreement. Monitoring information will be presented in the Council's annual LDF Monitoring Statement each year.

21.0 Repayment of Unused Contributions

21.1 Contributions that have not been spent or released to another organisation for spending within 10 years of the date of receipt by the Council (or a longer term if stated in the legal agreement) will be returned to the developer. Contributions received by the Council will be held in interest bearing accounts, with interest paid to the developer on return of the contribution. Where contributions are made by a Unilateral Undertaking there is no provision for repayment.

22.0 Applications to Discharge or Vary a Planning Obligation

22.1 In exceptional cases, where an agreement has been entered into and a change in circumstances has resulted in the inability to carry out an obligation, applicants can apply for an obligation to be discharged or varied. An application to discharge or vary a planning obligation will only be agreed by the Council if it can be fully justified and is a last resort. This situation may arise where an anticipated need for a particular facility at the time of the grant of planning permission is no longer required. The variation or discharge of obligations will not be used as a means for developers to backtrack on obligations agreed where needs as a result of development still arise.

23.0 Commuted Sums for Maintenance of Facilities Secured through Planning Obligations

23.1 Where certain facilities are secured by planning obligations associated with the new development permitted, the Council will require commuted sums to be paid in respect of the initial maintenance of those facilities. The maintenance period covered will often be 20 years (e.g. for open space). Commuted sums will be calculated using current maintenance contract prices and will be index linked. Details of the Council's current commuted maintenance requirements are available on request.