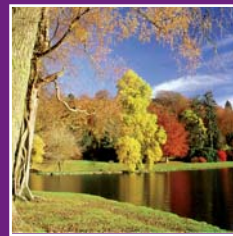


# Topic Paper 1 1



## Planning obligations



# LDF Topic Paper

## PLANNING OBLIGATIONS.

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### Issues and Options Summary

In order that development is sustainable, and does not place an additional burden on services, the infrastructure that supports it needs to be looked at. Under existing rules, councils are able to collect money towards the infrastructure if there is a proven need for it.

#### National context

The concept of planning obligations was enshrined in circular 1/97. This was revised by circular 05/05, which updated the government's guidance on planning obligations. The principal objective of the planning system is to deliver sustainable development, through which key Government social, environmental and economic objectives are achieved. The delivery of these goals is provided for in a framework of development documents, in which local communities are positively involved, and through a transparent system of decision-making on individual applications.

**Planning obligations** (or "s106 agreements") are private agreements negotiated, usually in the context of planning applications<sup>1</sup>, between local planning authorities and persons with an interest in a piece of land (or "developers"), and **intended to make acceptable development which would otherwise be unacceptable in planning terms.**

The circular establishes all the tests that apply to obligations. A planning obligation must be:

- (i) relevant to planning;
- (ii) necessary to make the proposed development acceptable in planning terms;
- (iii) directly related to the proposed development;
- (iv) fairly and reasonably related in scale and kind to the proposed development; and
- (v) reasonable in all other respects

#### Regional context

The South West plan says this about infrastructure in Policy D

*Local authorities working with GOSW, the RDA and other significant regional bodies (such as the Strategic Health Authorities) will co-operate across administrative boundaries to ensure that existing infrastructure is used most effectively and infrastructure required to support strategically significant development is secured and investment in transport infrastructure, community services such as education, health, culture, faith, sport and green infrastructure is phased in step with economic, residential and other development proposals. Delivery of the Draft RSS will require:*

- **Local authorities, working in partnership with GOSW, the SW RDA and other regional bodies, to ensure that development contributes to the cost of necessary infrastructure and environmental improvements and will bring forward supplementary planning documents to secure new arrangements for infrastructure funding from developers and from other sources**
- *Mechanisms to be established to provide forward funding for infrastructure, which enables the sub-regional development strategies contained in Section 4 to be implemented*
- **Resources from public funding sources throughout the plan period to contribute towards the costs of transport, social and community infrastructure needed to ensure that high quality living and working environments are created.** *Strategic Transport Authorities and GOSW will ensure that investment identified through Local Transport Plans supports the delivery of strategic development proposed*

#### Local context

Policies R2 and R4 of the local plan has been very successful in negotiating and providing additional play facilities, recreational open space and community facilities. We also collect money towards education and transportation measures. There has been feedback from the parish councils and councillors that the scope should be widened to include more community facilities. Looking at what other local authorities are collecting obligations for, there is scope that we could collect money for a wider range of benefits, within the parameters set down by the government.

Below is a list of areas that others are collecting contributions towards and that we could collect for if there is a proven local need.

- Affordable housing
- Education
- Community facilities, meeting places (community halls)
- Health services
- Recreation provision, including public open space, plays and sports provision
- Allotments
- Highway infrastructure
- Pedestrian, cycleway and public transport initiatives
- Nature conservation, wildlife and biodiversity mitigation measures
- Town centre improvements
- CCTV and security measures
- Library, museum and theatre funding
- Public art
- Public realm
- Local labour and training initiatives
- Flood risk management schemes
- Waste management
- Community waste and energy projects
- Tourism

## Questions

Do you agree with the principle that all new development should pay money or mitigate towards the full social and environmental impacts of development?

What types of infrastructure would a tariff approach suit. Can you provide / signpost us to the evidence to back up this need?

Should we identify all the infrastructure that development will need to contribute to and what type of development will need to contribute to certain infrastructure?

Which infrastructure should be provided by developers in kind?

What should the threshold be for tariffs? Single dwellings? Any increase in floorspace (retail and employment land) ?

Should there be any exemptions from tariffs? For example affordable housing,? Contaminated land? Brownfield land?

Should these "community funds" be able to be spent within the wider community?

How should these communities be defined? By community area, neighbouring parishes, hub theory (relationship that larger villages and towns have with the neighbouring parishes.) or another way.

Are there any other areas / issues specific to Salisbury that we should seek to collect contributions for?

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  - b. Regional Spatial Strategy
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4. Priorities at community level.
5. Learning from Experience
  - a. How do our existing policies perform ?
  - b. What are others doing to tackle similar problems ?
6. Key Issues and Spatial Patterns
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# 1. ISSUES FACING SALISBURY DISTRICT

## What is a planning obligation?

There are two types of obligations that authorities can collect. Firstly there are tariff based obligations which are in the form of a financial contribution, and secondly other obligations that require the developer to provide facilities. Both have to be justified with evidence of need.

At present, the council secures both types of obligations, examples of which are below.

<b>Tariff / financial contributions</b>	<b>Facilities provided</b>	
Children's play areas	Affordable housing	Shop
Education contributions	Pub	Community hall
Highways contributions	Doctors / dentist accommodation	Highway improvements
Maintenance sums	School	Library
Contributions towards park and ride	Tourist facilities	Cemetery
Contributions towards cycle ways	Sports pitches / playing fields	Public realm / art
Community facilities	Sustainable drainage systems	Travel plans
CCTV	Nature conservation measures, eg bat boxes	

The District currently has a range of policies that helps secure these benefits. Policy R2 is a district wide policy, whereby and new residential development is expected to contribute towards.

All of the facilities that have been provided by the developers are either on large allocated residential and employment developments, or on other large developments (eg, redevelopment of Maltings, Stonehenge visitor centre).

The housing policies that allocate land for development, if required, set out the facilities that these developments will be expected to provide. Further details of the obligations are contained in the adopted development briefs that are prepared for the allocated sites.

From this it can be seen that the district is very successful in securing the range of benefits highlighted above. However, not all development has to contribute towards providing all or some of the facilities, which if a tariff system was introduced throughout the district, all development could be liable to contribute towards facilities that the new development would place a burden on.

There has been feedback from the parish councils and councillors that the tariff system should be widened to include more community facilities. The new LDF process is a real opportunity for us to broaden the scope of tariff based planning obligations to target the real areas of social and physical infrastructure need. Having benchmarked with other local authorities, there is scope that we could collect money for a wider range of benefits, within the parameters set down by the Government.

The Government are currently consulting on changes to the planning obligations system, and are proposing to introduce a "Planning Gain Supplement" (PGS). If PGS is introduced as proposed in the consultation document, then the scope of obligations will be scaled back to include affordable housing, direct replacement / substitution and development site acceptability. This will **exclude** social or community infrastructure. If PGS in its current form does come to fruition, then many of the areas that we would like to include in a policy on infrastructure to provide facilities or contribute towards them, would not be able happen. However, some of the PGS money collected could be used to provide these facilities.

PGS will secure money by calculating the uplift in land value then multiplying it by a figure yet to be determined by the government. Developers will only have to pay the money when they want to commence development, and will then have 60 days in which to pay. The money will not come to the local authority, but will be paid to HM revenue and Customs. It is unclear from the current consultation how local authorities will be able to access the money to provide the infrastructure and community facilities provided.

Under the existing system of planning obligations, the council collects and spends the contributions in accordance with the legal agreement. The key example of this is policy R2, whereby we are able to collect money to offset the impact that any new development will have on recreational open space. We currently set the level for the charges, administer the money and help facilitate the parish councils to spend the money. This way, there is confidence that the money is being spent in the area that the demand occurs and in accordance with any terms set out in the legal agreement. If the new system of PGS comes into being, then we will no longer be able to collect money in this manner.

Circular 05/05 on planning obligations encourages local planning authorities to have a plan led system for planning obligations, and that the details of planning obligations and areas in which they will be sought should be in the LDF as part of the relevant topic based development plan document. It also encourages the use of formulae and standard charges for negotiating and securing planning obligations.

Evidence gathering has already taken place to help underpin the possible broadening of the tariff system of obligations. If the new PGS system does come in, this evidence and the subsequent SPD on obligations will be used to justify the priority and the projects that the PGS money will be spent on.

## **2. THE NATIONAL AND REGIONAL POLICY FRAMEWORK**

### **National Policy Guidance**

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 7 – Sustainable Development in Rural Areas  
Planning Policy Guidance Note 17 – Open Space, Sport and Recreation

### **ODPM Circular 05/2005 Planning obligations**

Annex B

The principal objective of the planning system is to deliver sustainable development, through which key Government social, environmental and economic objectives are achieved. The delivery of these goals is provided for in a framework of development documents, in which local communities are positively involved, and through a transparent system of decision-making on individual applications.

#### **What are planning obligations?**

The circular states that "Planning obligations (or "s106 agreements") are private agreements negotiated, usually in the context of planning applications, between local planning authorities and persons with an interest in a piece of land (or "developers"), and intended to make acceptable development which would otherwise be unacceptable in planning terms. For example, planning obligations might be used to prescribe the nature of a development (e.g. by requiring that a given proportion of housing is affordable); or to secure a contribution from a developer to compensate for loss or damage created by a development (e.g. loss of open space); or to mitigate a development's impact (e.g. through increased public transport provision). The outcome of all three of these uses of planning obligations should be that the proposed development concerned is made to accord with published local, regional or national planning policies."

Planning obligations are unlikely to be required for all developments but should be used whenever appropriate according to the Secretary of State's policy set out in this Circular. There are no hard and fast rules about the size or type of development that should attract obligations.

The circular also requires local authorities to include as much information as possible in the Local Development Framework, and that these generic policies should cross-refer to the relevant topic specific development plan document policies. More detailed policies applying the principles set out in the DPD should be included in SPD. These more detailed policies may include matrices for predicting the size and types of obligations likely to be sought for specific sites, sub plan areas or windfall sites.

### **Communities and Local Government. December 2006. Changes to planning obligations. A planning gain supplement consultation. HMSO**

The Government are currently consulting on changes to the planning obligations system, and are proposing to introduce a "planning gain Supplement"(PGS) .If PGS is introduced as proposed in the consultation document, then the scope of obligations will be scaled back to include affordable housing, direct replacement / substitution and development site acceptability. This will **exclude** social or community infrastructure. If PGS in its current form does come to fruition, then many of the areas that we would like to include in a policy on infrastructure to provide facilities or contribute towards them, would not be able happen. However, some of the PGS money collected could be used to provide these facilities.

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Customs. It is unclear from the current consultation how local authorities will be able to access the money to provide the infrastructure and community facilities provided.

However, until the government comes to a conclusion on this exercise, it is important that planning obligations are still covered in the core strategy and subsequent Supplementary Planning document. If the new PGS system does come in, the evidence in the SPD will be used to justify the priority and the projects that the PGS money will be spent on.

### **Planning Policy Statement 1: Delivering Sustainable Development**

27. In preparing development plans, planning authorities should seek to:

- (i) Promote national, regional, sub-regional and local economies by providing, in support of the Regional Economic Strategy, a positive planning framework for sustainable economic growth to support efficient, competitive and innovative business, commercial and industrial sectors.
- (ii) Promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places.
- (iii) Promote communities which are inclusive, healthy, safe and crime free, whilst respecting the diverse needs of communities and the special needs of particular sectors of the community.
- (iv) Bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing, for industrial development, for the exploitation of raw materials such as minerals, for retail and commercial development, and for leisure and recreation – taking into account issues such as accessibility and sustainable transport needs, the provision of essential infrastructure, including for sustainable waste management, and the need to avoid flood risk and other natural hazards.
- (v) Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car, while recognising that this may be more difficult in rural areas.
- (vi) Focus developments that attract a large number of people, especially retail, leisure and office development, in existing centres to promote their vitality and viability, social inclusion and more sustainable patterns of development.
- (vii) Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges.
- (viii) Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set for development on previously developed land.
- (ix) Enhance as well as protect biodiversity, natural habitats, the historic environment and landscape and townscape character.
- (x) Address, on the basis of sound science, the causes and impacts of climate change, the management of pollution and natural hazards, the safeguarding of natural resources, and the minimisation of impacts from the management and use of resources.

### **Regional Spatial Strategy for the South West**

The emerging South West Regional Spatial Strategy has policy **SD4** on Sustainable Communities

Growth and development will be planned for and managed positively to create and maintain Sustainable Communities throughout the region by:

- Realising the economic prosperity of the South West and reducing disparity
- Setting a clear vision and strategy to meet the diverse needs of all people in existing and future communities, based on the role and function of cities, towns and villages and their local character and distinctiveness
- Linking the provision of homes, jobs and services based on role and function so that cities, towns and villages and groups of places have the potential to become more self contained and the need to travel is reduced
- Promoting a step change in public transport, taking steps to manage demand for travel, and promoting public transport 'hubs' and access to them
- Encouraging business activity and particularly small businesses and their contribution to the region's prosperity, including through promoting regional sourcing
- Making adequate and affordable housing available for all residents, including the provision of a range and mixture of different housing types to accommodate the requirements of local communities

- Making the best use of existing infrastructure and ensuring that supporting infrastructure is delivered in step with development
- Investing in and upgrading cultural facilities, including their marketing and management
- Creating healthy, safe and secure places to live, for example by following Lifetime Homes and Secure by Design principles
- Providing homes which are adaptable to the changing needs of individuals and provide an opportunity for live/work space
- Delivering a step change in the quality of urban living
- Providing networks of accessible green space for people to enjoy
- Supporting social and economic progress by enhancing education, skills development and training

## **Development Policy D Infrastructure for Development**

Local authorities working with GOSW, the RDA and other significant regional bodies (such as the Strategic Health Authorities) will co-operate across administrative boundaries to ensure that existing infrastructure is used most effectively and infrastructure required to support strategically significant development is secured and investment in transport infrastructure, community services such as education, health, culture, faith, sport and green infrastructure is phased in step with economic, residential and other development proposals. Delivery of the Draft RSS will require:

- Local authorities, working in partnership with GOSW, the SW RDA and other regional bodies, to ensure that **development contributes to the cost of necessary infrastructure and environmental improvements** and will bring forward supplementary planning documents to secure new arrangements for infrastructure funding from developers and from other sources
- Mechanisms to be established to provide forward funding for infrastructure, which enables the sub-regional development strategies contained in Section 4 to be implemented
- **Resources from public funding sources throughout the plan period to contribute towards the costs of transport, social and community infrastructure needed to ensure that high quality living and working environments are created.** Strategic Transport Authorities and GOSW will ensure that investment identified through Local Transport Plans supports the delivery of strategic development proposed

## **Other Sources of Guidance**

The following sources underpin this topic paper:

- ODPM Circular 05/2005 Planning obligations
- HM Revenue and Customs. December 2005. Pre budget report – PN 4 The governments response to Kate Barkers review of housing supply. HMSO
- HM Treasury December 2005. Planning gain supplement: a consultation. HMSO
- The Audit Commission. August 2006. Securing community benefits through the planning process. The Audit Commission.
- HM Government. 2006. Government response to the Communities and local government committee's report on planning gain supplement. HMSO
- Communities and Local Government. December 2006. Changes to planning obligations. A planning gain supplement consultation. HMSO
- HM Revenue and Customs. December 2006. Valuing planning gain: a planning gain supplement consultation. HMSO
- HM revenue and Customs. December 2006. Paying PGS: a planning gain supplement technical consultation. HMSO.

## **Original Research**

The following is a list of some of the documents produces as part of the evidence base for the LDF.

- **Rural facilities survey.**  
<http://www.intelligenetwork.org.uk/library.aspx?library=732&search=Rural%20facilities%20survey>

This research was undertaken by Wiltshire County Council in 2005, and consists of a questionnaire sent to most villages within the county. It asks a series of questions relating to the number and types of facilities provided within each settlement. The data is then analysed to see if there has been any change in the level of services. It also ranks settlements into groups of those with the most facilities, down to those with no facilities. This information can be further analysed to assess whether there is a shortfall in certain facilities that could be contributed towards if there is any new development in the settlement.

- **Open space survey.** [link](#)

In line with government policy, the council have commissioned an open space survey of the district. The study includes natural and semi natural green space, amenity green space, sports pitches, green corridors and allotments. On the whole, the study shows that there is a shortfall in all of the sectors, therefore it may be appropriate that any new development should contribute towards open space, so that the existing deficiency is not added to by new development.

Key headline findings of the study set the following action areas:

- ❑ Although residents are generally content with the quality of existing parks and gardens, there is a challenge to provide the same level of access to them for all residents, especially those in urban areas.
- ❑ The District is well provided for natural and semi-natural green space but there are a few areas without access to a site within 15 minutes. Therefore the Council should concentrate upon improving existing sites in both quality and accessibility.
- ❑ There are some gaps in providing amenity greenspace (those green areas in and around housing which provide informal space for recreation and leisure), and there is a need to provide access to such a space for all urban areas.
- ❑ Particularly outside of the main urban areas there are a shortage of play facilities for young people.
- ❑ While the vast majority of residents are within the recommended catchment area for an outdoor sports facility, many of these are actually schools with limited access. The Council needs to concentrate on qualitative and accessibility issues.
- ❑ There is a lack of allotments in the more rural settlements and Parish Councils should identify to the Council where there are waiting lists for plots so that provision can be led by demand at the local level.
- ❑ The District has a wealth of footpaths and this existing footpaths and this network should be developed to further enhance accessibility of the countryside to residential areas. There are key opportunities to develop pathways along routes of the rivers as well as extending the cycle route network.

- **Clubs and meeting places survey.**

Along with the county council's rural facilities survey, the district council sent with it a series of questionnaires on clubs and meeting places. The main purpose of this was to see how many meeting places there are, how well they are used, and the condition that they are in. This information can be analysed to assess whether there is a shortfall in certain facilities that could be contributed towards if there is any new development in the settlement, and whether local standards should be set for contributions towards these facilities.

- **Housing needs and market survey.** [link](#)

In 2005, the council commissioned a study of the local housing market. The study, based on a postal questionnaire, looked at arising market and affordable housing needs across the district. This information provides the primary source of information in how the LDF should plan for housing

- **Retail and Leisure Needs Assessment (GVA Grimley – 2006)**

In June 2006, GVA Grimley were commissioned by Salisbury District Council to undertake a Retail and Leisure Needs Study for Salisbury district in accordance with Planning Policy Statement 6: Planning for Town Centres.

The appointed consultant was expected to carry out a retail and leisure needs assessment in accordance with the methodology set out in the brief provided and PPS6. The work was split into two categories retail and leisure. The study was required to cover the following facilities in urban and rural areas:

**Convenience shopping** - including supermarkets, superstores and smaller local outlets.

**Comparison shopping** - including retail warehouses, retail parks, warehouse clubs, factory outlet centres, regional and sub-regional shopping centres.

**Leisure** - including cinemas, indoor bowling centres, night clubs, restaurant, bars and fast food outlets, bingo halls and health and fitness centres.

The area of study identified was Salisbury City with a subsidiary study looking at retail and leisure need in Amesbury. The consultants were also required to look at the key rural villages of Tisbury, Mere, Wilton and Downton.

The consultants were required to undertake both quantitative and qualitative need for new retail and leisure floorspace and facilities. Whilst quantitative need takes precedence as the key driver for assessing the level of future retail

floorspace needed, qualitative need is also an important aspect of overall need. The assessment of quantitative need for further retail development was based on the catchment area of the retail centres. This catchment extends substantially further than the boundaries of Salisbury District itself.

### **3. LINKING IT TOGETHER – WHAT DO OTHER LOCAL STRATEGIES SAY?**

There are no other local strategies that deal with planning obligations.

### **4. PRIORITIES AT COMMUNITY LEVEL.**

#### **Local Community Plans (Parish, Ward and Market Town Plans)**

The Community Plans for the five areas within Salisbury District are an excellent way of gauging what the communities see as their highest priorities through to 2009. In specific terms the priorities highlighted by each of our defined community areas relating to the topics that a tariff based obligations system could address is as follows:

<b>Planning area</b>	<b>Issues relevant to Planning Obligations</b>
<b>City</b>	Additional CCTV
<b>Southern</b>	Greater access to Downton library. Extent of mobile library. Arts provision Improved child care facilities
<b>Four Rivers</b>	Larger library needed (Wilton) Wilton town centre looks old and dirty Improved recycling facilities Facilities for young people Better play facilities Cinema for the area Skateboard park Youth club / centre Affordable housing
<b>Mere and District</b>	Services and resources (such as drainage and health) are being stretched by new housing. The ability of healthcare facilities to keep up with new housing is of concern. Affordable housing Increase recycling Young people and access to skills Inadequate sports facilities Improved arts venues Youth facilities
<b>Stonehenge</b>	Improve access to NHS dental care within the area Elderly and disabled groups require active support.
<b>Nadder</b>	Improve local GP services Access to NHS dentist in community area Family centre in Tisbury Need a pre school in Tisbury Community transport Future of Tisbury swimming pool and sports centre Youth club More affordable housing

## **5 Learning from Experience**

### **a) How do our existing policies perform ?**

The adopted local plan had been very successful in collecting commuted sums via a tariff based approach for facilities. Over the past 4 years we have secured the sums below.

Transport	over £445,000
Community facilities	over £800,000
Education	over £1,130,000
Recreational open space	over £3,200,000
Maintenance	over £900,000

The adopted local plan has policies that set out the principle for collecting commuted sums. Policies R2, R3 and R4. The first two policies relate to outdoor open space provision, and R4 is for indoor community and leisure provision. Policies R2 & 3 were justified using the national playing field association standards, and a survey of the District was carried out using this standard. This survey revealed an overall deficit in open space provision, and so that any new development, even one house will not add to the deficit.

However, PPG 17 on outdoor sport and recreation calls for authorities to set local standards for open space provision, and that blanket standards (eg, NPFA) are no longer appropriate. Therefore policies R2 and 3 are already out of date with national guidance.

Policy R4 does not provide any formula approach to working out when community and leisure facilities should be provided. As part of the evidence base for the LDF, the provision of community facilities and the possibility of having a local standard is being pursued. It can be seen from the contributions collected above, that money collected for community facilities is a lot less than for the other areas, as there is no formula used to calculate the sums, nor a policy that requires all developments to contribute.

The current policies, whilst out of date, have been very successful in generating funds towards the areas collected. Policy R2 has been a very successful tariff based policy, therefore the principle of a tariff based approach should be looked at for a wider variety of topic areas.

The housing and employment policies that allocate land for development, if required, set out the facilities that these developments will be expected to provide. Further details of the obligations are contained in the adopted development briefs that are prepared for the allocated sites.

Therefore, none of the existing policies will fully meet the governments objectives on planning obligations, however, these policies should be "saved" until the core strategy and SPD are adopted.

## **b) What are others doing to tackle similar problems ?**

There are a number of local authorities that have adopted SPG on planning obligations, with a formula / tariff approach. This approach sets out the contributions that all developments will be expected to contribute towards and is fully justified with robust evidence of need and with costed projects. Therefore any developer knows exactly the amount of contributions that the planning authority will be seeking and can factor this into their negotiations when purchasing the land.

Good examples include:

- Swindon <http://www.swindon.gov.uk/environment/environment-forward/developercontributions.htm>
- Milton Keynes <http://www.milton-keynes.gov.uk/local%5Fplan%5Freview/DisplayArticle.asp?ID=29011>
- Royal Borough of Windsor and Maidenhead. [http://www.rbwm.gov.uk/web/pp\\_publication.htm](http://www.rbwm.gov.uk/web/pp_publication.htm)
- Newport South Wales
- Cambridge City Council <http://www.cambridge.gov.uk/ccm/content/development-control/leaflets/planning-obligation-strategy-2004-final.en>
- Southampton City Council <http://www.southampton.gov.uk/building-planning/planning/ldf/supplementary-plan-docs/planning-obligations.asp#0>

## **6. KEY ISSUES AND SPATIAL PATTERNS**

### **Emerging Policy Options**

There is a requirement to express the objectives and main themes of this topic as a set of policies which will allow the desired outcomes to be effectively delivered through the planning process. At this stage these references are quite broad and are only indicative at the level and form that such a policy or policies could take.

The Core Strategy should have a policy that outlines the sort of obligations that are likely to be sought. The community will be consulted on what community infrastructure should be included within the core strategy. Having

benchmarked with other authorities below is a list of what is being achieved through either provision of facilities or contributions towards them.

- Affordable housing
- Education
- Community facilities, meeting places (community halls)
- Health services
- Recreation provision, including public open space, plays and sports provision
- Allotments
- Highway infrastructure
- Pedestrian, cycleway and public transport initiatives
- Nature conservation, wildlife and biodiversity mitigation measures
- Town centre improvements
- CCTV and security measures
- Library, museum and theatre funding
- Public art
- Public realm
- Local labour and training initiatives
- Flood risk management schemes
- Waste management
- Community waste and energy projects
- Tourism

It is clear that there is scope to seek more tariff based contributions within the district, but the areas of need will be highlighted from the other topic papers that are being written. The new LDF system has to be locally distinctive, that is should reflect the needs of the community that it will serve. Some of the obligations that others are collecting may be because there is a specific and identified need in that area. Some of the areas may not be relevant to Salisbury, therefore we will have to look closely at the evidence of need in this district and tailor our list accordingly.

The evidence base points towards a proactive approach that encourages front loading of the planning process in accordance with PPS1. In response to this there is a need for a three-stage policy approach. Firstly the requirement for all developers to take account of the community and cultural needs generated by their development will be signposted via a policy within the Core Strategy. The Core Strategy will also highlight strategic need that has been identified within the district and define what is meant by Community facilities. Thirdly there will be a need for a detailed Supplementary Planning Document (SPD). The SPD will identify the need for obligations on any of the areas that are identified in the core strategy. It will also set out the formula for calculating any contributions and the thresholds that the obligations will apply.

There is a real opportunity to ensure that all the infrastructure needed to sustain existing and new communities is provided. If the tariff approach is pursued, then this meets with the approach set out in PPS 1 and has the benefit of front loading the system so that all parties involved know what their obligations will be up front. This also benefits the service providers as they have to set out their programme for improvements / upgrades and that the money raised from contributions can be used towards their programme, thus enabling projects to be delivered within a reasonable timeframe.

Currently R2, highways and education contributions are calculated using specific and open formula. This approach could be extended to all contributions, which will assist with the transparency of negotiating contributions.

One of the drawbacks of the tariff approach is the actual provision of affordable housing and other site specific mitigation. As per the affordable housing SPG, the start point for affordable housing should be on site provision. If this is not practicable, then only in exceptional circumstances will off site provision be allowed. One of the reasons for this approach is that affordable housing providers are unable to compete on the open market for land. So if a tariff were adopted for affordable housing, then there are doubts over whether it will actually deliver the housing required. The Government acknowledge this in the PGS consultation, with the retention of affordable housing within the Section 106 system.

If the tariff approach is to be pursued in this District, then a robust evidence base will have to be published in order to justify the contributions. There will also need to be a rational behind what developments should contribute to each facility. For example, it would be unreasonable for housing for the elderly to contribute towards education provision, as they will not be placing any demands on the facility.

There would also need to be some form of hierarchy of need established, giving priority for spending the money on certain projects. This could be reviewed on an annual basis to ensure that the money is being targeted at those projects of higher priority.

Also, once the settlement strategy has been consulted upon and finalised, there may be scope to have some form of "hub" theory for the distribution of funds centred around local and major villages, so that money collected within a

defined set of parishes could be spent anywhere within the zone that would benefit the wider community. This would help spread the contributions collected to the benefit of all of our communities, and will help ensure that those communities where no new development is planned will not be left to stagnate and never improve the facilities for the existing residents.

### **Detailed Level – Supplementary Planning Document.**

The SPD will identify the need for obligations on any of the areas that are identified in the core strategy. It will also set out the formula for calculating any contributions and the thresholds that the obligations will apply.

### **Monitoring, Assessment and Review**

Local performance indicators will be introduced and monitored which will be used to assess the effectiveness of the policies and to justify a review if necessary. These indicators will be based on the following:

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Local Community Plans : City, Southern, Four Rivers, Mere and District, Stonehenge and Nadder <http://www.salisbury.gov.uk/living/your-community/community-planning/your-community-plans>

## 7. OPTIONS

Based on the issues identified and the policy framework in place, this section draws together options. The tables below represent a long list of options from which the most realistic are identified in the final row. The impacts identified are compared against the sustainability criteria in the Appendix of this topic paper

Option No.	Nature of the Option	Key Drivers	Positive Impacts	Negative Impacts	Viability of proceeding with the option ?	How will success be measured	Where is the option best pursued ?
1	Do you agree with the principle that all new development should pay money or mitigate towards the full social and environmental impacts of development?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	Benefit to local residents and certainty for developers	Impacts on social and environmental fabric of district	Good – in line with government guidance and mirroring what other authorities are doing.	Policy in core strategy and detail in obligations DPD	Core strategy
2	What types of infrastructure would a tariff approach suit. Can you provide / signpost us to the evidence to back up this need?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	Benefit to local residents and certainty for developers	If tariffs not introduced, the benefits will only come from larger developments	Good – in line with government guidance and mirroring what other authorities are doing.	Policy in core strategy and detail in obligations DPD	Core strategy
3	Should we identify all the infrastructure that development will need to contribute to and what type of development will need to contribute to certain infrastructure?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	Front loading of system so that developers and service providers know what they will have to contribute towards.	If tariffs not introduced, the benefits will only come from larger developments	Good – in line with government guidance and mirroring what other authorities are doing.	Policy in core strategy and detail in obligations DPD	Core strategy/ Obligations DPD
4	Which infrastructure should be provided by developers in kind?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	Certainty for planning authority and developers	none	Good. This is what we are currently doing	Policy in core strategy and detail in obligations DPD	Core strategy/ Obligations DPD
5	What should the threshold be for	Circular 05/05, PPS 1, RSS policies	All development contributing	If tariffs not introduced, the	Good – in line with government	Policy in core strategy and detail	Core strategy/ Obligations DPD

	tariffs? Single dwellings? Any increase in floorspace (retail and employment land) ?	SD4 and D Community Plans	towards social and environmental costs	benefits will only come from larger developments	guidance and mirroring what other authorities are doing.	in obligations DPD	
6	Should there be any exemptions from tariffs? For example affordable housing,? contaminated land? brownfield land?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	Sometimes it is beneficial for development to provide facility rather than money, eg affordable housing.	Could have money, bit no land to provide facility, and cost to provide could be more than the contribution received	Good. This is what we are currently doing	Policy in core strategy and detail in obligations DPD	Core strategy/ Obligations DPD
7	Should these "community funds" be able to be spent within the wider community?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	If they can be spent in wider community, it may benefit smaller parishes where little or no development takes place, but infrastructure is required	If not small parishes where little or no development will take place could stagnate and never improve their facilities	Good. Need to check how flexible we can be with the spending of funds	Policy in core strategy and detail in obligations DPD	Core strategy/ Obligations DPD
8	How should these communities be defined? By community area, neighbouring parishes, hub theory (relationship that larger villages and towns have with the neighbouring parishes.) or another way.	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	If they can be spent in wider community, it may benefit smaller parishes where little or no development takes place, but infrastructure is required	If not small parishes where little or no development will take place could stagnate and never improve their facilities	Good – we will need to define areas to spend the money in	Policy in core strategy and detail in obligations DPD	Core strategy/ Obligations DPD
9	Are there any other areas / issues specific to Salisbury that we should seek to collect contributions for?	Circular 05/05, PPS 1, RSS policies SD4 and D Community Plans	Mop up option if we have missed anything	N/A	N/A	N/A	Core strategy/ Obligations DPD



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