

27 March 2017

ENVIRONMENT COMMITTEE

A meeting of the Environment Committee will be held on **THURSDAY 6 APRIL 2017** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00 pm.**



David Hagg
Chief Executive

Please Note: This meeting will be filmed for live or subsequent broadcast via the Council's internet site (www.stroud.gov.uk). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

AGENDA

- 1 APOLOGIES**
To receive apologies for absence.
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest.
- 3 MINUTES**
To approve the minutes of the meeting held on 16 February 2017.
- 4 PUBLIC QUESTION TIME**
The Chair of Committee will answer questions from members of the public submitted in accordance with the Council's procedures.
DEADLINE FOR RECEIPT OF QUESTIONS
Noon on MONDAY 3 APRIL 2017.
Questions must be submitted in writing to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and sent by post or by Email:
democratic.services@stroud.gov.uk

- 5 **WORK PROGRAMME**
To consider the work programme.
- 6 **BUDGET MONITORING REPORT 2016/17 – REPORT 3**
To present a forecast of the outturn position against the revenue budget and capital programme for 2016/17.
- 7 **PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)**
To adopt the Planning Obligations SPD.
- 8 **MEMBERS' QUESTIONS**
See Agenda Item 4 for deadline for submission.

Members of Environment Committee

Councillor Simon Pickering (Chair)
Councillor Paul Denney (Vice-Chair)
Councillor Chris Brine
Councillor Jim Dewey
Councillor Chas Fellows
Councillor Skeena Rathor

Councillor Sue Reed
Councillor Haydn Sutton
Councillor Brian Tipper
Councillor Jessica Tomblin
Councillor Ken Tucker
Councillor Tim Williams

ENVIRONMENT COMMITTEE

16 FEBRUARY 2017

7.00 pm – 8.30 pm

Council Chamber, Ebley Mill, Stroud

3**Minutes****Membership:**

Councillor Simon Pickering**	P	Councillor Sue Reed	A
Councillor Paul Denney *	P	Councillor Haydn Sutton	A
Councillor Chris Brine	A	Councillor Brian Tipper	P
Councillor Jim Dewey	P	Councillor Jessica Tomblin	A
Councillor Chas Fellows	P	Councillor Ken Tucker	P
Councillor Skeena Rathor	A	Councillor Tim Williams	A

** = Chair * = Vice Chair

P = Present

A = Absent

Officers in Attendance

Strategic Head (Development Services)	Principal Planning Officer (Planning Strategy)
Planning Strategy Manager	Senior Policy Officer/Project Lead Officer
Principal Planning Officer	Democratic Services Officer

Other Members Present

Councillors Steve Lydon and Mattie Ross.

EC.040**APOLOGIES**

Apologies for absence were received from Councillor Jessica Tomblin. Belated apologies were received from Councillor Haydn Sutton.

EC.041**DECLARATIONS OF INTEREST**

There were no declarations of interest.

EC.042**MINUTES****RESOLVED**

That the Minutes of the Meeting held on 15 December 2016 are approved as a correct record and signed by the Chair.

EC.043**PUBLIC QUESTION TIME**

There were none.

EC.044 **WORK PROGRAMME**

Future items for the work programme for the new civic year 2017/18 will be considered at the meeting on 28 March 2017.

RESOLVED **To note the work programme.**

EC.045 **ENVIRONMENT POLICY**

The Senior Policy Officer/Project Lead Officer outlined the policy which had been revised working in consultation with colleagues. The policy is a requirement of our current EMAS accreditation.

During debate the Chair commented that this is an important policy to adopt and tribute was paid to Councillor Chas Fellows for the work on the 20 year strategy which was started in 2007. This Policy brings the work up-to-date.

RESOLVED **The Environment Policy as set out in Appendix 1 be adopted.**

EC.046 **THE FUTURE OF TOWN CENTRES**

The Principal Planning Officer presented the report which puts into context the challenges and opportunities for town centres and what they may look like in 2031. The next stage is consultation with all stakeholders, work on this will start in March/April 2017.

RESOLVED **To approve the Draft Future of Town Centres report (Appendix A) for the purposes of stakeholder engagement.**

EC.047 **ADOPTION OF DELIVERY POLICY ES1 CHECKLIST**

The Principal Planning Officer, Planning Strategy outlined the above report and explained that the Local Plan Inspector in 2015 made reference to a 'checklist' to ensure that sustainable construction is part of developments. After public consultation in November/December 2016, a checklist was developed to help developers with sustainable construction and design.

The checklist will be publicly available and discussion took place on how it could become part of everyday construction, not only in new housing but also in housing being renovated.

RESOLVED **Adopt the Delivery Policy ES1 Checklist as set out in Appendices A-C as Supplementary Planning Document (SPD).**

EC.048 **SLIMBRIDGE DESIGN STATEMENT**

The Principal Planning Officer, Planning Strategy outlined the above design statement explaining that it is compliant with the Local Plan and can now be recommended for Supplementary Planning Advice (SPA).

It was noted that the Legal Implications in the report should be corrected to remove the reference to Uley & Owlpen Community Design Statement.

RESOLVED **That the Slimbridge Design Statement is adopted as Supplementary Planning Advice (SPA).**

EC.049 **KINGSWOOD NEIGHBOURHOOD PLAN: PROGRESS TO REFERENDUM**

The Planning Strategy Manager introduced the report, explaining the modifications proposed in the Examiner's Report, setting out how the Plan meets the basic conditions and outlining the process for the Neighbourhood Plan to proceed to referendum. All Neighbourhood Plans have to generally conform to the Local Plan, and once a referendum has taken place, which 50+1% of the electorate have voted for, the Plan would be "made" by Full Council. The referendum has to take place within 56 working days of the Committee's decision.

RESOLVED **1. To accept all recommended modifications of the Examiner's Report (Appendix A);**
2. That the Kingswood Neighbourhood Development Plan, as modified, meets the basic conditions, is compatible with the Convention rights, complies with the definition of a neighbourhood development plan (NDP) and the provisions that can be made by a NDP;
3. To take all appropriate actions to progress the Kingswood Neighbourhood Development Plan to referendum on the 4th of May 2017.

EC.050 **MEMBERS' QUESTIONS**

There were none.

The meeting ended at 8.30 pm.

Chair

6 APRIL 2017

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WORK PROGRAMME

1. This meeting is the last for the committee within the civic year 2016/17. Consequently the committee may wish to consider in anticipation of its next meeting within civic year 2017/18 (anticipated to be 22 June 2017) matters for inclusion in next year's work programme.
2. In accordance with the Council's resolved Guide to Committees (2015), the committee should discuss and resolve its work programme for the year. Although the programme needs to include matters which have to be considered as a matter of law, the content of the programme should be driven by members of the committee. The items listed below, in Table 1, are simply those which the lead officer for the committee considers, or are otherwise anticipated as matters that, will in any event need to be addressed.

Table 1 – Preliminary work programme for 2017/18

Date of meeting	Matter to be considered (ie insert report/project title)	Notes (eg lead member and officer)
22.06.17 To be confirmed	Work Plan 2017/18	Leads: Chair and Strategic Head (Development Services)
	Budget Monitoring Report 2017/18	Lead: Accountancy Manager
	Appointment of Performance Monitoring Representatives	Committee Decision
	Nominations for Outside Bodies	Committee Decision
	Local Plan Review: Issues Consultation	Lead: Planning Strategy Manager
	Draft Green Infrastructure Strategic Framework	Lead: Principal Planning Officer (Planning Strategy)

Date of meeting	Matter to be considered (ie insert report/project title)	Notes (eg lead member and officer)
14.09.17 To be confirmed	Work Plan 2017/18	Leads: Chair and Strategic Head (Development Services)
	Budget Monitoring Report 2017/18	Lead: Accountancy Manager
	Performance Monitoring	Lead: Councillors
	Severn Estuary Interim Mitigation Strategy	Lead: Principal Planning Officer (Planning Strategy)

Date of meeting	Matter to be considered (ie insert report/project title)	Notes (eg lead member and officer)
14.12.17 (Budget) To be confirmed	Work Plan 2017/18	Leads: Chair and Strategic Head (Development Services)
	Performance Monitoring	Lead: Councillors
	Budget Monitoring Report 2017/18	Lead: Accountancy Manager

Date of meeting	Matter to be considered (ie insert report/project title)	Notes (eg lead member and officer)
08.02.18 To be confirmed	Work Plan 2017/18	Leads: Chair and Strategic Head (Development Services)
	Performance Monitoring	Lead: Councillors

Date of meeting	Matter to be considered (ie insert report/project title)	Notes (eg lead member and officer)
05.04.18 To be confirmed	Work Plan 2017/18	Leads: Chair and Strategic Head (Development Services)
	Performance Monitoring	Lead: Councillors
	Budget Monitoring Report 2017/18	Lead: Accountancy Manager

STROUD DISTRICT COUNCIL
ENVIRONMENT COMMITTEE

AGENDA
ITEM NO

6 APRIL 2017

6

Report Title	Budget Monitoring Report 2016/17 – Report 3
Purpose of Report	To present to the Committee a forecast of the Outturn position against the revenue budget and Capital programme for 2016/17.
Decision(s)	<p>The Committee RESOLVES:</p> <p>a) to note the outturn forecast for the General Fund Revenue budget and the Capital programme for this Committee.</p> <p>b) RECOMMENDS: to Strategy & Resources that the provisional carry forward as set out in paragraph 8 are approved (subject to the outturn position)</p>
Consultation and Feedback	Budget holders have been consulted about the budget issues in their service areas. The feedback has been incorporated in the report to explain differences between budgets and actual income and expenditure.
Financial Implications and Risk Assessment	<p>The outturn forecast for the committee's budget shows a net overspend of £320k. This will be included in the overall General Fund outturn forecast reported to Strategy and Resources committee in April 2017. The committee's Capital budgets are likely to spend as per budget apart from capital slippage</p> <p>As highlighted in paragraph 9, there is likely to be a further net overspend on Waste and Recycling budgets. The forecast in this report has not been updated to reflect this position. An update will be provided to members of the committee in due course.</p> <p>David Stanley – Accountancy Manager Tel: 01453 754100 Email: david.stanley@stroud.gov.uk</p>
Legal Implications	<p>The report is for information only and does not raise any legal implications at this point</p> <p>Alan Carr, Solicitor Tel: 01453 754357 Email: alan.carr@stroud.gov.uk</p>

Report Author	Adele Rudkin, Accountant Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk
Options	None
Performance Management Follow Up	Budgets will continue to be monitored on a regular basis by budget holders supported by Finance. The outturn position will be reported to Strategy and Resources committee in June 2017
Background Papers/ Appendices	None

Background

1. This report provides the monitoring position statement as at 31 January for the financial year 2016/17. The purpose of this report is to notify members of any known significant variations to budgets for the current financial year, highlight any key issues, and to inform members of any action to be taken if required.
2. **Due to the volume of information contained in the report, it would be helpful where members have questions on matters of detail if they could be referred to the report author or the appropriate service manager before the meeting.**

Revenue Budget position

3. The original net General Fund Revenue budget for 2016/17 is **£16.103m** as approved by Council at their meeting on 28 January 2016. This has now been revised to **£16.424m**. The latest budget for Environment Committee is £6.771m (Original Budget was £6.219m).
4. The monitoring position for the service at 31 January 2017 shows a projected net overspend **of £320k** against the latest budget, as summarised in Table 1. This overspend is stated net of transfers to reserves and carry forwards. The overall position on the General Fund will be considered by Strategy and Resources committee at their meeting on 13 April 2017.
5. The outturn position is mainly attributable to the major items outlined in Table 1 with an explanation of the significant variances that have arisen. (a significant variation is defined as being +/- £20,000 on each reporting line) in Appendix A provides a more detailed breakdown on the committee's budgets

Table 1 – Revenue outturn forecast

Environment Committee	Para Refs	2016/17 Revised Budget (£'000)	2016/17 Spend to date (£'000)	2016/17 Forecast Outturn (£'000)	2016/17 Outturn Variance (£'000)
Canal	22	86	182	229	143
Strategic Head (Development Services)		127	106	126	(1)
Head of Environmental Health		73	63	74	1
Environmental Health	23	1,328	1,055	1,161	(167)
Statutory Building Control	24	444	174	292	(152)
Planning Strategy/Local Plan	25	332	327	278	(54)
Development Control	26	631	701	771	139
Economic Development		212	160	229	17
Carbon Management		104	114	89	(15)
Waste and Recycling	27	2,770	2,299	3,139	370
Street Cleansing	28	664	588	702	39
Environment TOTAL		6,771	5,770	7,091	320
Transfer to Reserves					183
Carry Forwards (provisional)					101
Underlying Variation					402

Key report headlines

Major Variations

6. The report sets out the forecast outturn position on the committee's budgets, with Appendix A providing more detailed explanations on the major variances.
7. As previously reported to members, there are significant variations across Multi-Service budgets (Waste and recycling in particular). Adverse variations on Waste & Recycling are a concern, with the Garden Waste Service operating at a loss this financial year. The nature of the contract with Ubico introduces an element of risk to the budgets as both costs and income will fluctuate during the year.
8. This report updates members on the £394k adverse variation first highlighted in the MTFP report to Strategy and Resources committee in January 2017 (now reported at £370k). As a result, the MTFP allocated £1.15m of further resource across the medium term period, with a £400k provision included in the General Fund revenue budget in 2016/17 and 2017/18.
9. **However, officers were made aware late in February of a further adverse variation on the Ubico contract** which is likely to overspend by £275k this year (as opposed to £100k which is included in the overall £369k variation). To date, officers have not received detailed supporting information from Ubico. Therefore, the variation in this report has not been fully updated. However, income streams from recycling and waste

diversion will be more resilient than forecast due to the positive outcomes of the new Waste and Recycling service. Therefore, an updated forecast will be made available to members of the committee in due course, once detailed information has been provided by Ubico.

10. Environmental Health is forecasting a significant favourable variance of (£167k) incorporating salary savings and additional income.
11. The net variation of £139k on Development Control largely relates to costs incurred in engaging consultants for expert advice on planning applications and costs associated with Planning Appeals.

Salary – Overspend

12. Budget holders and Finance worked together to review the establishment and associated staffing budgets for 2016/17, and budgets were set in accordance with the agreed establishment
13. The current forecast has identified a net overspend within the following services: Canal and Development Control. A corresponding underspend is forecast within the Building Control Service and Environmental Health. Whilst this overspend has been identified within Salaries, there are some significant offsetting income variances which are directly linked to several posts within the services.
14. As reported in the previous financial year, the salaries of the Canal Project Team are not being capitalised. It is anticipated that these will be funded from salary underspends within the General Fund as identified above.

Income – Surplus

15. Additional income streams have been forecast within Development Control, Environmental Health (Land Drainage) any surplus will be transferred to the reserve at year end as projects span several financial years. Supplementary funding in Strategic Planning of Local Plan for the Neighbourhood Planning Grant (Any surplus will be transferred to reserves to provide ongoing support for communities in the future).

Income – Shortfall

16. The Waste and Recycling Service is predicting an under achievement of income against budgets due to a slower take up of subscriptions for the new Garden Waste Service. Whilst the current subscription level continues to steadily increase and is forecast to reach 6,400 by the end of the calendar year, a 'Break-even' point of 8,000 customers was targeted to cover direct service costs.
17. There is a lower than expected JWC (Joint Waste Committee) incentive payment from Gloucestershire County Council (GCC) owing to the new service running for only five months instead of the originally anticipated 8 months; £133K was budgeted for this. A full year's income from this incentive payment has been estimated at £200k; a forecast of £80k (for 5 months) is expected during the current financial year albeit this is wholly

dependant on the success of the council's future collection services - updated commentary awaited from Carlos

Areas of Risk and Uncertainty

18. The forecast outturn variance of a net overspend of £320k highlighted in this report is based on known and estimated outcomes.

Waste & Recycling – (Narrative supporting the £370k variation)

- The Council has a service contract for the processing and sale of its dry recycling materials which currently results in a net cost to the council. The service contract provides for an annual review of gate fees (this will not affect the council during the current financial year) and, a six monthly income review; the review, which will be based on market values at the time will affect the council's income and therefore net costs from January 2017. The council is reliant on a stable, if not, improving market for its materials to ensure it remains within budget. Increasing material volumes resulting from the new service change will have an impact on the council's total net processing costs. The full impact cannot be determined at this stage
- The new waste and recycling service is anticipated to generate an incentive payment from GCC to support the council in achieving reductions in the amount of waste it sends to landfill. Such payments, anticipated to be £200k in a full year are driven by resident's willingness to comply with the new services. It is too early to determine the actual level of these payments but initial feedback from local residents has been positive.
- The new garden waste service is currently not achieving anticipated income levels. Work is underway to increase subscription rates to the levels mentioned in para 6 above. There are a number of properties within the district that the new service cannot currently service due to restricted access arrangements; changes to the vehicle fleet will improve accessibility to a proportion of these properties which will increase the potential customer base.

19. Carry Forwards- Provisional

- Carry forwards of budgets may be approved if there are valid reasons why the underspend has happened and there is supporting evidence behind the request. Such requests include where we have had external funding for a particular scheme that has a revised schedule into the next financial Year.

Table 2 – Proposed Carry Forwards

Committee	Service	Reason	Amount (£'000)
Environment	Land Drainage	(£60k) External funding from GCC and ESIF Funding. (£8.2k) Rural Suds project	68
Environment	Environmental Protection	External funding on joint flood alleviation projects	33
TOTAL Carry Forwards			102

Capital Programme

20. The latest revised Capital budget for Environment Committee is £1.5m following the approval of the carry forwards/slippage and profiling changes by Strategy and Resources Committee at their meetings in July 2016 and January 2017.

21. Table 3 below shows the Capital Outturn forecast for 2016/17 with a project outturn variance of (£27k).

Table 3 – Capital Outturn Forecast

Environment Capital Schemes	2016/17 Original Budget (£'000)	2016/17 Revised Budget (£'000)	2016/17 Spend to date (£'000)	2016/17 Projected Outturn (£'000)	2016/17 Outturn Variance (£'000)
Canal	773	773	566	773	0
CMP - Ebley Mill Hydro	362	0	0	0	0
CMP - Heat and Power	147	147	6	160	13
CMP - Target 2050 Loans	10	10	(1)	0	(10)
CMP - Invest to Save	30	30	0	0	(30)
MSC - Wheeled Bins	600	600	590	600	0
TOTAL Capital	1,922	1,560	1,162	1,533	(27)

Table 4 – Revenue budget outturn forecast

Environment Committee	Para Refs	2016/17 Revised Budget (£'000)	2016/17 Spend to date (£'000)	2016/17 Forecast Outturn (£'000)	2016/17 Outturn Variance (£'000)	Salary Variations (£000)	Expenditure Variations (£000)	Income Variations (£000)
Canal	22	86	182	229	143	143	0	0
Strategic Head (Development Services)		127	106	126	(1)	(1)	0	0
Head of Environmental Health		73	63	74	1	0	1	0
Environmental Health	23	1,328	1,055	1,161	(167)	(57)	3	(113)
Statutory Building Control	24	444	174	292	(152)	(101)	(11)	(40)
Planning Strategy/Local Plan	25	332	327	278	(54)	2	49	(105)
Development Control	26	631	701	771	139	60	194	(115)
Economic Development		212	160	229	17	1	6	11
Carbon Management		104	114	89	(15)	(6)	(9)	0
Waste and Recycling	27	2,770	2,299	3,139	370	0	240	130
Street Cleansing	28	664	588	702	39	0	39	0
Environment TOTAL		6,771	5,770	7,091	320	40	512	(231)
Transfer to Reserves					183			
Carry Forwards (provisional)					101			
Underlying Variation					402			

ENVIRONMENT COMMITTEE

22. Canal - £143k overspend

(Dave Marshall xtn 4646, dave.marshall@stroud.gov.uk)

Additional expenditure on the Canal project relates to salaries of the Canal Project Team. A decision was taken in 2015 not to capitalise the salaries as the project will be drawing to a close. This cost will be funded by salary savings across the General Fund. Currently the project is finalising restoration of the Cotswold Canals between Stonehouse and Brimscombe. Work is now complete at Cheapside, whilst remaining work at Bowbridge is led by Gloucestershire County Council. This leaves our focus on work at Wallbridge and lesser tasks such as towpath work and signage.

23. Environmental Health – (£167k) underspend

(Jon Beckett xtn 4443, jon.beckett@stroud.gov.uk)

There are a number of variations that make up this underspend.

A (£60k) saving is forecast on salaries. There have been a number of in year vacancies which have now been filled or in the process of being recruited to. There is also a saving around the Principal Environmental Protection Officer post. This variation will continue into 17/18 to allow for career progression within the service.

A projected underspend of (£67k) within Land drainage is forecast. This is due to an ongoing rolling programme of flood alleviation projects that will span several financial years. This funding is external and is requested to be carried forward to 2017/18.

An income surplus of (£40k) has also been identified across different areas of the service. This is predominately made up of external contributions to finance ongoing joint flood alleviation projects in conjunction with Gloucestershire County Council. Work on outstanding projects under development but not yet tendered in the Nailsworth Valley. (£33k) is proposed to be carried forward to 2017/18.

24. Statutory Building Control – (£152k) underspend

(Paul Bowley xtn 4250, paul.bowley@stroud.gov.uk)

Gloucestershire Building Control Partnership is a shared service with Gloucester City Council and hosted by Stroud. The service is provided under the auspices of the Building Act 1984, an element of the service is in competition with the private sector. The shared service was established on the 1st July 2015 and has resulted in an increase in income of (£40k) due to receiving applications from both Stroud and Gloucester areas.

There are in year salary savings of (£99k) as a result of 3 vacancies (Building Control Technician, Principal Building Control Surveyor and a Senior Business Support Officer). Both posts will be reviewed as part of the Shared Service Board meeting in April 2017. Any surplus arising from the partnership will be allocated to reserves to support the ongoing service.

The remaining (£13k) is a result of small underspends within the service.

25. Strategic Planning of Local Plan – (£54k) underspend

(Mark Russell xtn 4305, mark.russell@stroud.gov.uk)

A (£32k) underspend is forecast regarding the funding for the Neighbourhood Development Plan. The NDP gives local community groups the power to produce planning policies to guide the determination of planning applications within their area, and/or the power to grant planning permission for specific schemes i.e. a new community shop, sport pavilions, affordable housing, allotments etc.

The Council has a duty to guide and assist communities through the neighbourhood planning process. The Council is also responsible for publicising and submitting neighbourhood plans and proposals through an independent examination and referendum as well as taking decisions at key stages.

Up until March 2016, Central Government provided up to £30k in grant money to cover the costs imposed by the duties described above. The Council was entitled to apply to receive specific sums leading up to the £30k at different stages of the process. However, from March 2016 onwards, the amount of funding the Council is able to claim was reduced to £20k and the Council only becomes eligible for that sum at the end of the process, i.e once a referendum date has been set. Whilst the amount of funding the Council gets to support neighbourhood planning is capped, our duty to support communities is not. Any unspent funding will be transferred to reserves to cover the future costs of providing ongoing support for communities.

An additional underspend of (£22k) has been identified within Planning Strategy, this is an year salary saving which will be used to part fund the new Community Infrastructure Levy (CIL) Technician post appointed in February 2017.

26. Development Control – £139k overspend

(Geraldine LeCointe xtn 4233, geraldine.lecointe@stroud.gov.uk)

There a number of reasons for the net variation on this budget which are outlined below.

Application Fees are forecasting a surplus of (£114k). This figure has reduced slightly from the previous forecast due to the number of applications received dropping in comparison to this time last year. Analysis of the data suggests the trend reducing in Q2 (possibly because of economic uncertainty around Brexit), but then back on target for Q3. Anticipating income year on year is a perennial problem, as this is beyond the control of the service, but for the last two years, income surplus has paid for the salary overspend and the service will still exceed the budget for income again this year. Government propose to raise planning fees by 20% in July 2017, with the possibility of up to a further 20%, which should reduce the salary income gap in 2017/18.

A predicted Salary overspend of £68k – This variance is currently made up of two Case Management Assistant roles and casual staff. They are employed directly to manage the additional application fee workload, this overspend is offset against the income surplus above. The service also includes a number of statutory functions, such as dealing with tree and listed building applications, which do not generate any fee income.

A £75k overspend on consultants fees is predicted, required for essential expert advice which is not available in-house. This is has reduced significantly from last year due in part to the recruitment of our own Biodiversity Officer. The remaining (£10k) is made up of small over and under spends across the service.

Planning Appeal costs are anticipated to be £120k over budget. It is common for complex applications which do not accord with the local plan to go to appeal. Such appeals need to be defended robustly, which is expensive because of legal costs and specialist input. If appeal cases are not properly defended, this leaves the Council open to an award of costs, which will have to borne by the Council.

A proportion of the additional costs relating to planning appeals could be funded from the Planning Appeal reserve which will need to be considered by Strategy and Resources committee.

27. Waste & Recycling – £370k overspend

(Carlos Novoth xtn 4406, carlos.novoth@stroud.gov.uk)

The variation on the Waste and Recycling services is attributable to the following:

Refuse Collection - £322k overspend

A number of unanticipated additional costs have arisen from the time the original budget was approved by Council. Planned changes to the waste services were delayed up to four months: This was not factored into the original budget and has resulted in the increase in costs for the collection of refuse.

- The purchase and delivery of refuse sacks during the period July 16 to November 16 generally and more specifically for those residents unable to accommodate wheeled bin totaling **£58k**.
- Re-distribution of **£124k** of overheads across the multi service contract.
- **£140k** for additional staff and vehicles.

Recycling and Environmental Initiatives - £161k- overspend

The new garden waste service, introduced in February 2016, has shown a shortfall in the council's long term targeted income by **£200k**. The original level of income anticipated was indicative around the new service being fully established, in year 3 (customer base of 12,500). The service currently has a customer base of 6,350 residents, which is encouraging for its first year. A predicted increase to 8,000 Customers is foreseen for 2017/18. Longer term service costs will be dependant on the eventual growth if the service and re-organisation of operation to deal with its geographical spread. Additional costs of **£71k** have been incurred due to the location of the service in Cheltenham and rental of space to store Garden Waste bins at the start of the contract.

An income shortfall of **£47k** due to contributions for the food waste recycling.

The delay of the implementation of the new scheme has meant that a decrease in costs has arisen associated with food waste collection of **(£157k)**.

Multi-Bank Recycling Sites – (£113k) underspend

The successful introduction of the council's relatively new chargeable bulky waste collection service is expected to show an additional income of **(£37k)**. Re-distribution of overheads across the service has led to a savings of **(£75k)** and a **(£16k)** over achievement of income through the sale of recyclates through the 'Printwaste' contract. There is also **£16k** overspend due to increase in demand for green recycling boxes since the implementation of the new service.

28. Street Cleansing – £39k overspend

(Carlos Novoth xtn 4406 carlos.novoth@stroud.gov.uk)

This overspend directly relates to the new Street Cleansing Contract with Ubico. Whilst the council has signed off Ubico's budgeted proposal, there has been a minor redistribution of costs across services. This has resulted with the Street Cleansing service (Environment Committee) showing an overspend; whilst the Grounds Maintenance Service (Community Services & Licensing Committee) is showing a projected underspend this year.

Environment Committee	Para Refs	2016/17 Original Budget (£'000)	2016/17 Revised Budget (£'000)	2016/17 Spend to date (£'000)	2016/17 Forecast Outturn (£'000)	2016/17 Outturn Variance (£'000)
Canal Partnership	22	85	86	182	229	143
Strategic Head (Development Services)		127	127	106	126	(1)
Head of Environmental Health		73	73	63	74	1
Environmental Health Team		224	231	180	210	(21)
Contaminated Land		40	38	27	27	(11)
Dog Warden Service		120	134	82	139	5
Environmental Protection		245	235	187	202	(33)
Food Safety		203	208	163	202	(7)
Health and Safety		121	116	86	102	(14)
Land Drainage		72	180	137	111	(68)
Public Health		89	64	71	55	(9)
Pest Control		109	90	93	86	(5)
Port Health		15	16	12	12	(3)
Planning Liaison		19	16	17	16	(0)
Environmental Health	23	1,257	1,328	1,055	1,161	(167)
Planning and Building Control Admin		313	318	235	286	(32)
Building Control		(19)	(7)	(190)	(117)	(110)
Securing Dangerous Structures		20	20	20	18	(2)
Building Regulation Enforcement / Advice		106	110	110	101	(8)
Street Naming		2	3	(0)	3	0
Building Control	24	422	444	174	292	(152)
Planning Strategy		336	332	327	310	(22)
Preparation of Core Strategy		0	0	0	(32)	(32)
Planning Strategy/Local Plan	25	336	332	327	278	(54)
Development Control		295	304	313	332	29
Trees		49	49	42	49	0
Conservation		75	72	72	81	9
Appeals		0	0	0	0	0
Planning Appeal Costs		81	81	188	201	120
Enforcement		128	127	85	109	(18)
Footpath Diversion		(1)	(1)	1	(1)	0
Development Control	26	628	631	701	771	139

Environment Committee	Para Refs	2016/17 Original Budget (£'000)	2016/17 Revised Budget (£'000)	2016/17 Spend to date (£'000)	2016/17 Forecast Outturn (£'000)	2016/17 Outturn Variance (£'000)
Economic Development		54	54	17	58	4
Market Town Projects		24	24	22	32	8
Regeneration		131	134	121	140	6
Economic Development		210	212	160	229	17
Carbon Management		121	104	114	89	(15)
Refuse Collection		1,293	1,311	1,419	1,633	322
Multi-Bank Recycling Sites		807	1,257	928	1,144	(113)
Recycling and Environmental Initiatives		201	201	(48)	362	161
Waste and Recycling	27	2,301	2,770	2,299	3,139	370
Street Cleansing	28	661	664	588	702	39
Environment Total		6,219	6,771	5,770	7,091	320

'Transfer of BC Shared income to Reserve £152K'

STROUD DISTRICT COUNCIL
ENVIRONMENT COMMITTEE

**AGENDA
ITEM NO**

6 APRIL 2017

7

Report Title	PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)
Purpose of Report	To adopt the Planning Obligations SPD.
Decision(s)	Committee resolves to:- (a) adopt the Planning Obligations document set out in Appendix A as a Supplementary Planning Document. (b) approve the responses to the consultees set out in Appendix B .
Consultation and Feedback	A six week period of public consultation has taken place. Feedback from consultees and a recommended Council response is set out in Appendix B.
Financial Implications and Risk Assessment	There are no direct financial implications arising from the adoption of the Planning Obligations document. However where a development requires more complex monitoring the Council may seek a contribution towards future costs. Adele Rudkin, Accountant Tel 01453 754109, Email adele.rudkin@stroud.gov.uk The main risks relate to the ability to deliver affordable housing and infrastructure efficiently and effectively. The adoption of the SPD and the implementation of CIL will minimise these risks.
Legal Implications	There are no significant legal implications which are not dealt with in the report and the SPD. Mike Wallbank, Solicitor Tel: 01453 754362 Email: mike.wallbank@stroud.gov.uk
Report Author	Mark Russell, Planning Strategy Manager Pippa Stroud, Policy Implementation Manager Tel: 01453 754305/01453 754099 Email: Mark.Russell@stroud.gov.uk Pippa.Stroud@stroud.gov.uk
Options	Options are: 1. approve the draft SPD; or 2. amend the contents of the draft SPD, or 3. decide to determine applications without the preparation of guidance

Performance Management Follow Up	The document will be a material planning consideration in assessing future planning applications. The delivery of affordable housing and infrastructure will be subject to regular monitoring.
Background Papers/ Appendices	Appendix A – Planning Obligations SPD Appendix B – Consultation report

1. BACKGROUND

- 1.1** The Stroud District Local Plan contains policies relating to the delivery of affordable housing (Policies CP9 Affordable Housing and HC4 Local Housing Need (exception sites). It also contains various policies relating to the delivery of infrastructure, including Policy CP6 Infrastructure and Developer Contributions.
- 1.2** The delivery of affordable housing and infrastructure can be secured through planning obligations that are agreed when planning permission is granted. Planning obligations can be secured under S.106 of the Town and Country Planning Act 1990 or S.278 of the Highways Act 1980.
- 1.3** The Council is introducing a Community Infrastructure Levy (CIL) which will replace many current planning obligations with a single non-negotiable “roof” tax. However, affordable housing cannot be secured under CIL and planning obligations will remain as a way of paying for site specific infrastructure necessary to make development acceptable in land use terms.
- 1.4** The purpose of this Supplementary Planning Document (SPD) is to explain to developers, stakeholders and local neighbourhoods how policies relating to affordable housing and infrastructure provision set out in the Local Plan will be delivered, including through the use of planning obligations.

2. SUMMARY OF DOCUMENT

- 2.1** The document is in two parts. Part 1 sets out the general policies and procedures which will operate in relation to seeking planning obligations, including the process from pre-application to post decision stages, legal and financial administration, the timing and phasing of provision, monitoring and viability matters.
- 2.1** Part 2 sets out the guidance relating to affordable housing and to different types of infrastructure. The affordable housing section of the SPD will replace the Council's existing SPD Affordable Housing Guidance which was last revised in November 2008. While Local Plan policies secure a proportion of affordable housing in new housing developments through the planning process, the affordable housing SPD seeks to ensure that the mix, type, tenure, design, size and location of affordable homes provided are in line with local requirements, and help to create integrated and sustainable communities.

- 2.2** Guidance relating to transport and education matters reflects guidance set out in the Local Developer Guide (Gloucestershire County Council, March 2017). Guidance relating to drainage and the use of SuDS reflects detailed guidance in the Gloucestershire SuDS Design & Maintenance Guide (Gloucestershire County Council, November 2015). Whilst the SPD refers to certain types of infrastructure, other site specific measures may be necessary and the guidance states that requirements will be assessed on a case by case basis.

3. PUBLIC CONSULTATION

- 3.1** The draft Planning Obligations SPD was subject to six weeks of public consultation on its contents. Consultation included:
- Publishing documents on the Council website for comment
 - Documents available at libraries, town and parish council offices open to the public
 - Letters to all, town and parish councils, statutory consultation bodies, agents and developers and other local bodies
 - Press release leading to articles in local newspapers
- 3.2** 19 organisations and individuals responded to the consultation. A summary of their comments, together with recommended responses are set out in Appendix B.

4. RECOMMENDED CHANGES TO THE PLANNING OBLIGATIONS SPD

- 4.1** The final SPD reflects recent clarification by the Planning Inspectorate on the status of a written ministerial statement (WMS) regarding affordable housing thresholds issued in 2014 and subject to a Court of Appeal decision in May 2016. The SPD makes clear that whilst the WMS is a material consideration it does not automatically outweigh Local Plan policies. The SPD therefore provides guidance on when the Council will continue to seek affordable housing from smaller sites and when it will not.
- 4.2** A number of areas were highlighted by consultees where improvements could be made. A series of other changes are therefore proposed to the document. The main changes proposed are:
- Clarification of definitions to reflect the NPPF and national Planning Practice Guidance (PPG);
 - Changes to sections on triggers and monitoring fees;
 - Updates to reflect the current position regarding starter homes;
 - References to minimum dwelling sizes to be identified as best practice;
 - References to Vacant Building Credit added;
 - Enhancements and clarification made to Green Infrastructure section;
 - References to travel planning and technology based “smart” solutions added to transport section.

Stroud District Local Plan: Planning Obligations Supplementary Planning Document

Environment Committee

April 2017

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Chief Executive: David Hagg



Part 1: Policy and procedure

1. Purpose and status

- 1.1 This Supplementary Planning Document (SPD) sets out Stroud District Council's (the Council) approach to planning obligations when considering planning applications for development in Stroud District.
- 1.2 Planning obligations are negotiated between local authorities and developers in the context of granting planning permission. They provide a means to ensure that a proposed development contributes to the provision of necessary infrastructure and facilities required by national and local planning policies.
- 1.3 The purpose of the SPD is to provide clarity to developers, stakeholders and local neighbourhoods regarding the basis on which planning obligations will be sought. It details the obligations that may be required from different types and quantum of development and sets out the basis on which the level of obligation will be calculated, where appropriate.
- 1.4 This SPD supplements Policy CP6 of the adopted Stroud District Local Plan which seeks to ensure infrastructure is in place at the right time to meet the needs of the District and to support the development strategy. This SPD also provides detail on how other policies related to infrastructure provision in the Local Plan will be implemented. This SPD is in conformity with these policies and consistent with national policy. Consequently, this SPD is an important material consideration in the decision-making process.
- 1.5 The development plan for Stroud District also includes waste and minerals local plans and neighbourhood development plans. The specific requirements of these other plans are not set out in this SPD and will need to be taken into consideration by developers.

2. The Council's approach to planning obligations and CIL

- 2.1 The Council intends to implement a Community Infrastructure Levy (CIL) for Stroud District in 2016, in order to secure contributions from development to support growth. Consequently, this SPD deals only with affordable housing provision and site-specific obligations necessary to make development acceptable in land use terms.
- 2.2 To ensure developers do not pay twice for the same items, the Council will publish a Regulation 123 list of infrastructure that the Council intends will be, or may be, wholly or partly funded by CIL. Once CIL is in place, these types of infrastructure cannot be funded through Section 106 planning obligations.

3. National and local policy context

- 3.1 The legislative framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act.

- 3.2 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations and Paragraph 204 of the NPPF set out the following tests that must be satisfied in order for obligations to be required in respect of development proposals:
- the obligation must be necessary to make the proposed development acceptable in planning terms;
 - the obligation must be directly related to the proposed development;
 - the obligation must be fairly and reasonably related in scale and kind to the proposed development.
- 3.3 Regulation 123 of the Community Infrastructure Levy (CIL) Regulations prevents the pooling of Section 106 contributions from more than five developments to enable the provision of new infrastructure. However, the provision of affordable housing remains within the remit of Section 106 obligations.
- 3.4 The National Planning Policy Framework at paragraph 203 advises that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 3.5 The Stroud District Local Plan was adopted in November 2015 and sets out the development strategy and policies for delivering growth in the District to 2031. To support the level of development set out in the Plan, Core Policy CP6 requires contributions towards the delivery of additional or improved infrastructure where there is a need.
- 3.6 In addition, the following policies in the Local Plan require the provision of infrastructure to meet the needs of development:
- EI12 – Transport infrastructure
 - ES11 – Canals
 - ES14 – Natural green space
 - ES15 – Outdoor play space
 - ES16 – Public art
- 3.7 Core Policy CP9 of the Local Plan sets out the policy requirements relating to affordable housing and Delivery Policy HC4 provides the policy framework for rural exception sites.

4. Priorities

- 4.1 Part 2 of this SPD sets out the different types of planning obligations which a development may be required to address. It is not possible to provide a priority list of planning obligations that may be sought, as the relative importance of an obligation will depend on the development proposal being considered. This will be a judgment to be made by the Council when considering the planning application.
- 4.2 In coming to a decision on priorities, the Council will have regard to the Local Plan; any adopted Neighbourhood Plans; advice from statutory consultees including town and parish councils, the financial viability of the proposals if necessary; and individual site characteristics.

5. Procedures

- 5.1 Developers are strongly advised to initiate negotiations at a pre-application stage with officers of the Council, since it may be necessary to take into account several potential planning obligations in their calculations of the development value of a site and to ensure that they are reasonable and related in scale and kind. Staff in the Development Control section of the Planning service act as the first point of contact. They will outline to developers the areas where planning obligations may be required at the preliminary stages of their development appraisals, and liaise with their colleagues in other services and councils. The Council stresses the importance of pre-application discussions, as this can significantly reduce the time taken to reach the release of a planning permission.
- 5.2 Planning obligations will usually be negotiated by the Council with applicants / developers, although all landowners will need to be party to any formal deed which will set out the obligations. On occasion, separate documents will need to be entered into with other statutory bodies under separate legislation (e.g. highway works will be the subject of Section 278 Highways Act 1980 agreements with the Highways Authority).
- 5.3 The applicant will be required to pay the Council's legal costs in connection with the preparation and execution of an agreement. The Council's Solicitor will require an undertaking from the Solicitor acting on behalf of the applicant to pay the Council's reasonable legal costs in full whether or not the agreement is completed. The Council is prepared to provide an estimate of costs at the commencement of the legal process.
- 5.4 Councillors are able to publicly debate the contents of planning obligations at the Development Control Committee. Also, draft and final planning obligations will be available on a public register kept by the Council.
- 5.5 The developer will be expected to produce planning obligations promptly in the event of appeals to the Planning Inspectorate.
- 5.6 A flowchart showing procedural stages of the consideration of planning obligations (from pre-application advice to the granting of a planning permission) is set out in Appendix A.

6.0 Timing and phasing of provision

- 6.1 The Council will expect planning obligations to match the additional demands that the development creates on existing services, landscape, ecology, amenity and infrastructure as they arise. Hence the Council may specify the point(s) at which obligations need to be implemented. Within a comprehensive development scheme it may be necessary to require some infrastructure as part of a first phase to ensure new residents/employees have the necessary amenities upon initial occupation of the first units. There may even be occasions where an obligations to fund will need to be paid no later than commencement of the development.

- 6.2 Developers will be expected to volunteer payments when triggers are reached. The Council will work with developers to find solutions in cases where they have difficulty in making payments at the trigger set out in the agreement. However, where it is imperative that the relevant measure is in place prior to a development being occupied, the obligations to fund it will always become payable on commencement of the development. Late payments may accrue interest. The Council will enforce obligations through the relevant legal channels once all other reasonable approaches to remedying a failure to comply with the obligations have been exhausted. In such cases, the Council will seek to retrieve its legal costs in taking action against the party that is in breach of its obligations.
- 6.3 On matters where the details of the proposal are reserved for subsequent decision, it may be necessary to frame the planning obligation to ensure that payment towards the provision of facilities and infrastructure will be required and assessed on the basis of subsequent details.

7.0 Monitoring and enforcement

- 7.1 Where a large development requires monitoring over time, and includes multiple clauses and/or triggers, the Council may, in exceptional circumstances, seek a contribution towards the cost of future monitoring made necessary by the approval of the development. However, a monitoring fee will not be required in cases where a CIL payment is due, in addition to the entering into of planning obligations.
- 7.2 The Council has the power to enforce obligations which are not complied with. In cases where enforcement action is required, the Council will also seek to recover any costs incurred in taking such action against the body breaching its obligations.

8.0 Maintaining the value of financial contributions

- 8.1 In order to maintain the real value of a payment to the Council, as development progresses, it is usual for the financial sums required to be paid to be indexed linked. The indexation applied may vary depending upon the particular type of works to which the contribution will relate (e.g. CPI or BCIS).
- 8.2 All financial contributions calculated from formulae contained in this SPD will be index linked from the date of adoption of this SPD. Most other financial contributions are to be index linked to the date that Committee or delegated approval is given for the relevant planning application. The exception is where commuted maintenance payments are required and in these instances the payment will be index linked from the point at which the maintenance costs are agreed.

9.0 Viability

- 9.1 The Council accepts that there may be occasions where the level of planning obligations required would render the development proposal unviable. Where the Council is satisfied that an otherwise desirable development cannot be fully policy compliant and remain viable, a reduced package of planning obligations may be accepted.

- 9.2 In such cases where the developer considers viability is an issue, the developer will be required to provide all necessary cost and income figures to the Council using a residual land value approach. This means that the starting point for a viability assessment is to be the existing use value (i.e. what the site is worth in its current condition for the use that it has planning consent for).
- 9.3 The Council may also commission District Valuer Services (or a suitably qualified and independent chartered surveyor) to consider the developer's assessment. The costs of this work are to be met by the developer. The information may be kept confidential if required by the developer.

Part 2: Types of contributions

1. Affordable housing
2. Education
3. Flood risk alleviation and drainage measures
4. Green infrastructure
5. Social and health infrastructure
6. Transport
7. Other contributions

1. Affordable Housing

Definitions

- 1.1 Affordable housing is a distinct housing product with specific ownership or management arrangements in place to protect it as an affordable home. Affordable housing is provided specifically for those households who cannot meet their needs in the open market. Affordable housing obligations will continue to be dealt with by Section 106 deeds (whether agreements or unilateral deeds) when CIL is introduced, as the latter does not apply to affordable housing.

Social rent

- 1.2 Social rented housing is owned by local authorities and private registered providers (also known as housing associations), for which rents are determined through the national rent regime. It may also be owned by other persons, subject to satisfying national requirements, and provided under equivalent rental arrangements as agreed with the local authority or with the Homes and Communities Agency. Generally speaking, social rented properties are let on secure or assured tenancy types. Households living in social rented properties may have the Right to Buy or the Right to Acquire full ownership of the property, subject to meeting various statutory criteria.

Affordable rent

- 1.3 Affordable rented housing is generally owned and managed by local authorities or registered providers. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable). Generally speaking, affordable rented housing is let on assured or secure tenancies. Households living in affordable rented properties may have the Right to Buy or the Right to Acquire full ownership of the property.

Intermediate

- 1.4 Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing. Shared ownership properties are the most common type of intermediate affordable housing and are a well-established affordable housing product.
- 1.5 Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Starter Homes

- 1.6 The 2017 White Paper proposed an income cap for starter homes, and stated that the NPPF will be amended to ‘introduce a clear policy expectation that housing sites deliver a minimum 10% of affordable home ownership units. It will be for local areas to work with developers to agree an appropriate level of delivery of starter homes,

alongside other affordable home ownership and rented tenures.’ Until the NPPF is revised, starter homes proposals will be considered on a site-by-site basis.

Mortgageability

- 1.7 Some intermediate affordable homes to purchase may meet the definition of affordable housing, but can be extremely difficult for individual purchasers to secure a mortgage against. Where any doubt exists, the applicant will be expected to demonstrate that mainstream lenders will lend against that particular product at rates broadly comparable to average market rates.

Pre-application advice

- 1.8 Planning and housing policy officers will be able to advise on general issues and policy requirements. The Council encourages the involvement of housing and planning policy officers, and input from registered providers, in early discussions when there is an opportunity to positively influence the design of a scheme and explore funding options to support a development.
- 1.9 A full breakdown of any affordable housing contribution (numbers, tenure split, unit size, location etc) should be provided to demonstrate how policy requirements will be addressed. An applicant/agent should discuss a potential scheme with registered providers and provide evidence of any discussions, including how comments raised have been addressed; funding options explored, and be able to demonstrate that the proposal is in line with the Council’s affordable housing priorities.

Written Ministerial Statement on the exemption of small sites from planning contributions

Introduction

- 1.10 A Written Ministerial Statement (WMS) was laid before the House of Commons on 28 November 2014 which, amongst other things, indicated that planning contributions should not be sought for developments of 10 units or less. It was followed by additions to the online Planning Practice Guidance. However, on 31 July 2015 the High Court handed down judgment in *West Berkshire Council v SSCLG* (2015). The judgement found the policy expressed through the Written Ministerial Statement to be unlawful and quashed the relevant parts of the PPG. On 11 May 2016 the Court of Appeal handed down judgment in the Government’s appeal reversing the High Court order. Accordingly, the PPG was amended on 19 May 2016.
- 1.11 The Council’s current policy is to be found in Core Policy CP9 of the Local Plan and sets out that the Council will seek contributions for affordable homes on all developments of 4 dwellings or more. These contributions should be in the form of dwelling units rather than financial contributions, except in exceptional circumstances. The Local Plan is up to date and was adopted in November 2015, following examination.

- 1.12 Outlined in the statement below is the Council's position on the WMS and PPG and how it intends to take forward decisions where there is a conflict between local and national policy.

Consideration of the Written Ministerial Statement on small site exemption within the planning system

- 1.13 Whilst the WMS is clear with regard to the Government's intentions on planning obligations in relation to small sites, the weight to attach to a policy within the development plan and to other material considerations, in a given set of circumstances is a matter of discretion for the decision maker, a point expressly confirmed by the Court of Appeal. The conflict between Policy CP9 and the WMS still requires the decisions maker to assess the weight it attaches to both sides of that conflict, as well as other material considerations. Ultimately it is for the Local Planning Authority to decide on each relevant application whether there are sufficient local circumstances to allow the implementation of Policy CP9. These local circumstances are considered below.

Affordable housing need

- 1.14 The provision of housing in general in the district is established through the Local Plan process. The need for affordable housing in particular is determined by the Gloucestershire Strategic Housing Market Assessment. This document, along with any relevant updates, can be found on the council's website at www.stroud.gov.uk. The Stroud Strategic Housing Market Assessment (SHMA) 2015 sets out that the net need for affordable housing, taking into account turnover of existing units and pipeline supply, is for an additional 446 units per annum.
- 1.15 There is also the opportunity to look at other information in order to inform the most appropriate mix and type of affordable housing provision for a site or area. These include recent local surveys, where parish councils or a housing provider have undertaken housing needs surveys of their local area, analysis of Gloucestershire Homeseeker choice-based lettings system, and data from the Help to Buy website for intermediate affordable housing.
- 1.16 The average rate of delivery of new affordable homes in the Stroud district is 120 per annum, which is clearly not meeting the need identified by the SHMA.
- 1.17 For those households resorting to privately rented properties instead, the SHMA identified that in March 2015, the entry-level open market rental cost of a two bedroom property was £575 per month.
- 1.18 The SHMA also identified that between March 2009 and March 2012, average property prices rose by 19% in the district to £234,210. Perhaps more significantly, the median purchase price of a two bedroom property in March 2013 was £157,000. Alongside this the median annual gross household income in the Stroud district is £27,560, leading to a significant and growing affordability gap between local incomes and entry-level rents and house prices.

Importance of small sites

- 1.19 Within the Stroud district, a significant proportion of the sites that are developed are small in comparison to those found in more urban areas.
- 1.20 As at 1st April 2016, there were a total of 2,753 commitments on sites of 10 or more dwellings, and commitments of 569 on sites of 1 – 9 dwellings.
- 1.21 Some larger and more urban parishes in the district show a consistent history of delivery of new housing over the last 10 years (source: HLA 2016). Accordingly, the Council will not be pursuing affordable housing contributions on sites of less than 10 units in these parishes:
- Cainscross
 - Cam
 - Dursley
 - Hardwicke
 - Minchinhampton
 - Nailsworth
 - Stonehouse
 - Stroud
 - Upton St Leonards
 - Wotton Under Edge
- 1.22 Sites with a capacity of between 1 and 3 units have also been considered. Policy CP9 seeks a financial contribution, where viable, towards affordable housing from these sites rather than on-site provision. Given that this policy has now been tested and it has been shown that the majority of these very small sites have been unable to support a payment towards affordable housing, the Council will only be pursuing an affordable housing contribution in respect of sites of less than 4 units where the combined floor area of the units exceeds 1000m².

Conclusion

- 1.23 Policy CP9 was tested at the Local Plan examination and accepted as being viable and appropriate. As outlined above, it is evident that sites of between 4 and 10 units remain a significant source of new affordable homes within the district. The Council will ensure that the contributions made by these sites do not introduce a disproportionate burden on the developer through the use of viability assessments on all developments where the applicant considers the contributions make the development unviable. This enables the Council to reduce or waive any contribution on the basis of viability.
- 1.24 A letter written in March 2017 by the Planning Inspectorate in response to a complaint from London Boroughs of Richmond and Wandsworth clarified that the 'effect of the WMS was not to reduce the weight that should be given to the statutory development plan, or automatically to outweigh relevant development plan policies.'

- 1.25 The Council needs to balance the Government's policy on delivering development and continue to deliver affordable units as required under paragraph 50 of the NPPF. To achieve this, the Council must consider on a case by case basis whether local circumstances in regard to affordable housing and the nature of the development sites in the district are sufficient to warrant the application of CP9 or whether greater weight should be attached to the Written Ministerial Statement.
- 1.26 Therefore the Council will continue to consider Policy CP9 Affordable Housing as part of the decision making process for any relevant application. Where applicants consider that the charge is disproportionate the Council will request that the relevant information setting out scheme viability is submitted for independent assessment. All relevant evidence will then be considered on a case by case basis and be used to assess the weight to be attached to local and national policies.

Vacant building credit

- 1.27 Alongside changes to affordable housing contributions the Government have also reintroduced the Vacant Building Credit (VBC). This policy allows developers to take account of existing floorspace on a site that is to be brought back into use or demolished and replaced with a new building to be offered a credit equivalent to that floorspace when the LPA calculates any affordable housing contribution.
- 1.28 As there is no conflict with regard to the Local Plan on this matter the Council will take account of the VBC as set out in national guidance when calculating planning obligations for affordable housing on all new applications. If you have a planning application that is currently being considered and have any further queries please contact your case officer.

Housing on-site or commuted sum?

- 1.29 The preference remains for on-site provision. On smaller sites, or sites where the conversion of an existing building is proposed, the Council recognises it can be difficult to meet full policy requirements on tenure and mix. The Council is keen to be involved in discussions to find the right proposal for a scheme to reflect site constraints and the location. A contribution to off-site affordable housing provision would only be considered acceptable to the Council where there is evidence from a number of registered providers with full and proper reasons for the unsuitability of on-site provision, having fully explored alternative delivery options.

Site Size

- 1.30 In deciding whether a particular site qualifies as being above the requisite site size thresholds, the Council will assess not merely the proposal submitted but the potential capacity of the site. The Council welcomes proposals that make efficient use of the whole site but will be alert to any attempts to deliberately circumvent site size thresholds. Where the splitting up of a site results in two or more sites which physically abut each other, the Council will treat them as one site for the purposes of the policy. The Council will be alert to applications that are submitted on a contrived phased basis in order to try to avoid providing affordable housing.

Calculating the level of affordable housing

- 1.31 Generally the percentage of affordable housing is calculated on the total number of units. Where housing applications involve dwellings with larger numbers of habitable rooms per dwelling, or non-standard sizes of habitable rooms, it may be more appropriate for the calculation of the affordable housing proportion to be in terms of habitable rooms or floor area.

Part commuted sums

- 1.32 Where a 30% calculation results in a fraction of a unit - for example 30% of 12 totals 3.6 units – the applicant has the option of either rounding up to the next full unit, or providing the fraction as a commuted sum.

Design and Integration

- 1.33 As with market housing, the Council expects affordable housing to be well designed and built to a high standard. The affordable and market housing should be indistinguishable by location, design, external appearance or parking arrangements.

Distribution and Phasing

- 1.34 Small clusters of affordable homes will be acceptable to the Council, but these clusters should not exceed a maximum of 8 houses or 12 flats on larger schemes, unless site constraints or compelling design reasons suggest that this number can be exceeded without compromising the Council's aim to create mixed and sustainable communities.
- 1.35 Affordable housing is generally delivered via the use of Section 106 deeds, in particular agreements which are negotiated by the developer and the Council, ideally in consultation with a registered provider. The Council's standard approach is to secure the delivery of affordable homes at the outset, usually by way of seeking a contractual commitment between the developer and affordable housing provider. This ensures that the affordable housing provider is party to the scheme at an early date. Following this, the delivery of affordable housing should be in step with the delivery of the market housing, and the Council is keen to ensure that any risk of non-delivery of any affordable homes is minimised. This is usually sought via a mechanism in the s.106 to restrict occupancy of the market homes until all the affordable homes have been completed and handed over to the provider.
- 1.36 For larger, phased schemes the affordable housing should be well distributed throughout each phase, and delivered in step with the market housing. Where phases abut each other, care should be taken to ensure that the affordable housing remains well distributed and adjoining phases don't together create unacceptably large clusters of affordable homes.

Dwelling mix

- 1.37 In order to create balanced communities, the mix of affordable housing should broadly reflect the mix of market housing on the site. However, in some circumstances this may not meet housing need and a different mix may be required

in order to balance provision. Early discussion with the Council is encouraged in order to agree the most appropriate mix for a site.

- 1.38 Developers are strongly discouraged from assuming that large numbers of flats are appropriate as affordable housing. While the provision of some flats may be acceptable in order to meet need, care should be taken to avoid scenarios where the affordable housing is obviously segregated by unit type; for example where the only flats on the scheme are affordable housing.

Dwelling Size

- 1.39 In order to meet need, affordable homes should be of sufficient size to accommodate households in a range of circumstances with a range of needs and developers are strongly discouraged from assuming that very small properties are suitable for households in need of affordable housing. In order to prevent excessively small properties being offered as affordable housing, the following sizes should be treated as best practice minimum sizes:

- 1 bed flat: 45m²
- 2 bed flat: 67m²
- 2 bed house 75m²
- 3 bed house 85m²
- 4 bed house 110m²

Rural exception sites – Delivery Policy HC4

- 1.40 An exception site is one that would not normally secure planning permission for market housing. These sites are usually outside of, but adjoining, the development boundaries of smaller settlements. Rural exception sites seek to address the needs of the local community by accommodating households who have a strong local connection either by current or recent past residency or via an existing family or employment connection. Preference will be given to those with a strong local connection to the parish, followed by those with a strong local connection to the adjoining parishes, then to the Stroud District as a whole. An up to date local Housing Needs Survey produced either by the Parish or by a housing provider using a methodology agreed by the District Council provides evidence of the extent and nature of local housing need.
- 1.41 National policy suggests that local planning authorities should consider whether allowing some market housing on exception sites would facilitate the provision of significant additional affordable housing to meet local needs. In response, the Council will consider proposals where a majority of affordable homes are cross-subsidised by the provision of a minority of market housing, subject to the production of a detailed viability study demonstrating the requirement for cross-subsidy. The Council will require the affordable properties to be managed by a registered provider and preference will be given to sites where the market housing element is also responsive to local needs. For example, in some areas smaller family homes or older person's accommodation may be appropriate as market homes.

- 1.42 The Council expects to see cross-subsidy developments follow the same design and integration standards as other mixed market and affordable schemes.
- 1.43 Particular importance is given to sustainability considerations including the location of a site in relation to an existing settlement and local services, the scale of development proposed, the impact on the character of surrounding development, the landscape and countryside, as well as other planning criteria. Where a small number of dwellings are proposed, and other suitable sites are not available in the Parish, the requirement to have reasonable accessibility to local services could be outweighed by an identified pressing need for affordable housing.

Economic viability

- 1.44 To inform the preparation of the Local Plan, research was undertaken on the impact of policy requirements to ensure that they are deliverable in terms of financial viability.
- 1.45 Where viability is an issue for an individual site, the onus will be on developers to produce a financial assessment showing the maximum amount of affordable housing that could be achieved. Financial assessments should be positively prepared, with options to include affordable housing taken as a starting point and fully explored. There needs to be full consultation with registered providers in this process in order to fully test whether alternative types or tenures of affordable housing could be provided; this testing will need to be demonstrated in any resulting report.
- 1.46 The Homes and Communities Agency's (HCA) toolkit or a similar model can be used in presenting the viability of a scheme involving affordable housing.
- 1.47 Applicants/agents/developers will be expected to pay for viability assessments and the cost of independent assessment of the figures presented. It is common practice for developers to fund the cost of independent validation where they are arguing for reduced amounts of affordable housing. An independent assessment greatly helps to build confidence for the Council that the stance being taken is reasonable where an exception to policy is being considered, and assists the developer/applicant to address a key area of potential contention.

Land Values

- 1.48 The Council will expect developers to have taken into consideration any abnormal costs in developing a site before acquiring land or agreeing an option. Policy requirements and associated costs should be factored into negotiations on land values, addressing affordable housing requirements in addition to other planning obligations.

Providers of Affordable Housing

- 1.49 The Council expects all developers to ensure that they identify a provider to support the delivery of affordable housing on site. In this way negotiations on viability will include the resources available to the provider which can be taken into account early in the planning process. It is expected that viability appraisals will need to

demonstrate how affordable housing is being maximised with providers optimising their use of all available resources including borrowings, recycled capital grant and any new grant, should it be available.

Reducing planning obligations

- 1.50 The Council will only consider reducing planning obligations if fully justified through a financial appraisal model. This will be the exception rather than the rule. The Council will expect this contribution towards affordable housing in addition to any other requirements. If, due to viability, the Council will consider accepting a reduction in contributions, consideration will be on a case by case basis as to whether to prioritise funding for affordable housing or other priorities such as education and transport.

Deferred Contributions

- 1.51 If a reduced proportion is agreed following the validation process the Council has a number of options it will consider:

1. Supporting the injection of public subsidy to achieve the full affordable housing requirement via a funding bid to the HCA.

2. Altering the unit mix or tenure split to facilitate a more viable scheme while still addressing the housing needs of the District.

3. Altering the percentage affordable housing sought on the site to reflect the viable position.

- 1.52 To take account of economic uncertainties, it may be appropriate to consider whether to put in place provisions for re-appraising the viability of schemes prior to implementation or following completion of a particular phase. In respect of larger schemes anticipated to deliver low levels of affordable housing, these provisions would allow for a future review to take account of the market values of the site when a phase is completed, which could result in a higher affordable housing contribution on further phases. This may be referred to as overage or clawback. As set out above, applicants/agents/developers will be expected to pay for future reassessments of viability and any cost of independent verification.

- 1.53 In these cases an overage clause will be included within the S.106 agreement to capture any market improvement value between the time of the validation and commencement or completion of the site (or phases on large site). The overage clause will seek to secure payments which would provide the equivalent on site affordable housing value via a commuted sum provision, should the viability of the scheme allow such payment.

Financial Contributions

- 1.54 A financial contribution is unlikely to be acceptable to the Council as an alternative to on-site affordable housing provision. However, in certain circumstances or where a

30% calculation results in a fractional unit, it will be necessary to calculate the relevant financial contribution.

1.55 For simplicity, the Council suggests that financial contributions are calculated on the basis of the values that registered providers of affordable housing normally pay to acquire affordable housing. During the 2009 Lydney appeal in the Forest of Dean, the Inspector accepted that RPs would normally pay around 55% OMV for affordable units. On this basis, commuted sums will be calculated at a rate of 45% OMV of a notional affordable unit in order to reflect the 'developer subsidy' element of affordable housing provision.

Worked example:

A site for 12 units gives rise to an affordable housing component of 3.6 units. Three units are to be provided on site; the remaining 0.6 will be paid as a financial contribution. .

Open Market Value (OMV) of a two bedroom open market property = £170,000

55% OMV = £93,500

£170,000 – £93,500 = £76,500

£76,500 x 0.6 = **£45,900**

Legal Agreements

1.56 Affordable housing agreed through negotiation, including any specified financial contribution, is normally secured via a legal agreement (S.106 Agreement or Unilateral Undertaking). A legal agreement normally covers the following items:

- Location of the affordable units on the site
- Number, tenure and size of the affordable housing units
- Details of phasing of provision of affordable housing units, particularly on larger schemes or those with a mix of private and affordable housing, or mixed use schemes, to ensure affordable housing units are completed within a reasonable timeframe
- Any standards which the affordable housing must meet, such as design, quality, size and sustainability
- Terms covering allocation of the properties
- Terms to ensure affordable homes remain affordable or for disposal proceeds to be reinvested in affordable housing
- Mechanisms to index link contributions (e.g. to the BCIS All-in Tender Price Index (covering all building work) / provisions for re-appraising the viability of schemes prior to implementation (deferred obligations)

2. Education

- 2.1 Population increase from new developments creates the need for additional school places and increased pressure on the use of education facilities. New pre-school childcare facilities, primary and secondary schools and improvements to existing schools, will be funded through CIL except where developments are of sufficient size to generate the demand for a new school on-site.
- 2.2 On-site provision will be made in accordance with the requirements of the County Council as Local Education Authority. The expansion of the academies initiative and the introduction of free schools have not diminished the responsibility of the County Council in ensuring sufficient school places are made available for local communities. Therefore, developers must continue to negotiate directly with the County Council and not individual education establishments when considering schools infrastructure within new development. An in-principle agreement made with an individual school or group of schools may not accord with the County Council's more holistic position and may result in development proposals being objected to and recommended for refusal.
- 2.3 On-site provision will cover the full cost of building a new school including site infrastructure and playing fields. All new schools provided in this way will need to meet County Council design standards according to best practice at the time.
- 2.4 In addition, the County Council may also seek to utilise the opportunity of new schools to help accommodate other community infrastructure. This integrated solutions accord with a number of wider planning objectives and conform with a key Council Council's priority: -
'...to be as efficient as possible and save money by joining up with partners.'
- 2.5 Potential shared uses include: - pre-school and after-school childcare; parental support including access to information, advice and family learning opportunities; and adult & wider community access for life-long learning, sport, arts and ICT. The decision on whether an integrated solution will be pursued will be taken on a case-by-case basis and will very much depend upon the compatibility of the main school use with each additional use being considered. It will also be reliant upon the ability to achieve meaningful delivery in a timely fashion with other organisations that are responsible for providing and operating local community infrastructure. Furthermore, future new schools are going to be set-up and managed by organisations other than the County Council. These will need to be fully involved in delivering shared-use facilities.
- 2.6 Further guidance on contributing to education services can be found in the Local Developer Guide (Gloucestershire County Council, March 2017).

3. Flood risk alleviation and drainage measures

- 3.1 The District has an abundance of rivers, streams and brooks, as well as the estuarine coastline. The western half of the District, characterised by the low lying landscape of the Severn Vale, includes extensive areas of land liable to flooding which extend eastwards along the river corridors within the Stroud Valleys.
- 3.2 Historically, surface water drainage systems have been designed to remove surface water from a site as quickly as possible by means of underground piped systems. This has the potential to increase flooding problems downstream, which is particularly problematic for settlements downstream of watercourses in the Stroud Valleys and does not contribute to the natural recharge of groundwater levels. Such systems contribute to the transport of pollutants from urban and agricultural areas to watercourses and groundwater. With concerns surrounding the impacts of climate change and the requirements of legislation including the Water Framework Directive, a more sustainable approach to drainage is required to reduce flood risk, manage water quality, provide integrated amenity benefits and reduce costs associated with the loss of land and property value and associated economic productivity.
- 3.3 The favoured approach in Stroud District to dealing with surface water is through Sustainable Drainage Systems (SuDS) as they aim to mimic natural drainage processes and remove pollutants from run-off at source. They comprise a wide range of techniques, including:
- Green Roofs
 - Permeable Paving
 - Rainwater Harvesting
 - Swales
 - Detention Basins
 - Ponds
 - Wetlands
 - Natural flood management – e.g. woody debris dams
- 3.4 They can also provide, as part of an above ground focus, alongside flood alleviation and attenuation measures, green corridors and wildlife habitat creation and therefore could provide holistic solutions for development sites as part of a wider green infrastructure network.
- 3.5 On site management of surface water, including SuDS, at strategic site allocations and at other development sites will be sought through planning obligations, subject to meeting statutory tests. Wider flood risk alleviation projects, such as improvements to the Severn Estuary flood defences, rural sustainable drainage projects along river corridors and restoration of the canal network for flood risk enhancements will be sought through CIL.
- 3.6 Consultation and discussion should take place with the Lead Local Flood Authority (LLFA), which is the County Council, responsible for managing local flood risk from surface water, groundwater and ordinary watercourses. Such discussions should focus upon the run-off destination hierarchy set out in the National Standards for Sustainable Drainage Systems.

3.7 Approval of SuDS will be undertaken through the regular planning process. The design approval of SuDS comprises of three stages and follows the regular planning approval stages:

- Pre-planning consultation: This preliminary design stage provides an opportunity for the developer to indicate the nature of the proposals and discharge location for development runoff.
- Outline planning application: A preliminary SuDS design statement to explain the proposal is required which should include preliminary calculations to quantify pre- and post-development run-off rates and volumes.
- Full planning application: Detailed design proposals should be submitted in order to discharge drainage conditions and should include final detailed drawings and appropriate calculations together with copies of all relevant permissions or agreements. These drawings should be approved prior to commencement of the construction. A maintenance plan for SuDS elements should be in place at this stage. Any asset that cannot be maintained will not be approved.

3.8 For the success of sustainable drainage systems, long-term maintenance arrangements need to be assured; developers will have responsibility for ensuring such arrangements are secured as a requirement of their planning application, whilst the Council should be contacted for pre-application advice on maintenance. It will be particularly important to ensure effectiveness and longevity for developers to ensure that sufficient marketing is carried out and information is available to enable future occupiers to be aware of the function and benefits of SuDS. Each development could have a number of different options for maintenance arrangement and this should be considered and discussed with the Council at the pre-planning stage.

1. Private management – SuDS located within property boundaries are the responsibility of the property owner and may include green roofs, permeable driveways, water butts, garden soakaways and rain harvesting. Maintenance of SuDS may be secured through a Section 106 agreement and can cover a whole new housing estate and contain the details of soakaways in individual properties as well as shared SuDS.

2. Commercial/industrial sites, shared private space or roads– SuDS located within development that provide a source or site control function include filter strips, normal and under-drained swales, bio-retention areas and rain-gardens, filter drains, permeable pavement and other local infiltration systems. Underground storage structures such as oversized pipes and geo-cellular boxes are usually located in this area of management. The developer must ensure that a maintenance agreement is in place which could be either through setting up a management company, or discussing future maintenance or potential adoption with the local water company or the Council.

3. Public Open Space – SuDS located in open green space, either owned by Local Authorities or with full public access, provide conveyance and open storage of clean water that flows from development and include basins, ponds and wetlands linked by swales, linear wetlands and other open channels. Again, the developer must ensure that a maintenance agreement is in place which could be either through setting up a

management company, or discussing future maintenance or potential adoption with the local water company or the Council.

- 3.9 Developers are advised to contact the Council for guidance on adoption before submitting a planning application.
- 3.10 Before approving a SuDS scheme and finally discharging the drainage condition, the Council will request from the developer a verification report that the SuDS system has been constructed in accordance with the approved design drawings and in accordance with best practice.
- 3.11 Further guidance on the use of SuDS can be found in the Gloucestershire SuDS Design & Maintenance Guide (Gloucestershire County Council, November 2015)

4. Green Infrastructure

- 4.1 Green Infrastructure (GI) is a network of high quality multi-functional green spaces and other environmental features that together are capable of delivering a wide range of environmental, health and wellbeing and other quality of life benefits (ecosystem services) for local communities. GI includes parks, open spaces, playing fields, woodlands, wetlands, grasslands, river and canal corridors, allotments and private gardens. The greatest benefits will be gained when it is designed and managed as a multifunctional resource. For example, street trees add aesthetic quality to an urban area, but will also reduce airborne pollution, provide shade, reduce urban heat island effects, mitigate wind chill and turbulence and increase biodiversity.
- 4.2 In 2015 the Local Nature Partnership (LNP) published “A Strategic Framework for Green Infrastructure in Gloucestershire” that includes a schematic diagram of strategic GI showing existing resources and needs and opportunities to create or enhance the network of green and blue space, focusing on:
- those areas with the highest concentration of environmental assets
 - key linkages between urban and rural areas
 - main watercourses, catchments and floodplains
 - significant landscape scale biodiversity
 - community projects
 - important sustainable transport routes (cycling and walking)
 - key urban settlements and areas identified for large scale new development .
- 4.3 Strategic allocations and other large development sites should be subject to masterplans which translate GI aspirations into detailed proposals. For example, masterplans should identify:
- key existing habitat areas to be protected, enhanced and/or expanded;
 - supplementary / transitional habitats as part of the wider greenspace resource;
 - existing access and rights of way to be protected, enhanced and/or expanded;
 - measures to maximise the contribution of the built environment to biodiversity and habitat creation.
- 4.4 On-site provision will be made in accordance with the space standards contained within Local Plan Delivery Policy ES14 (provision of semi-natural and natural green space with new residential development). Delivery Policy ES6 sets out biodiversity and geodiversity interests that should be taken into account in formulating development proposals with GI. Delivery Policy ES8 identifies that development should seek where appropriate to enhance and expand the District’s tree and woodland resource.
- 4.5 To contribute to the extension of the GI network, developers are encouraged to:
- protect and enhance existing corridors;
 - identify and plug existing gaps in connectivity between GI assets;
 - ensure new GI assets connect to the wider GI network;
 - improve accessibility along existing green corridors subject to nature conservation or public safety interests;

- protect and enhance the local diversity and distinctiveness of the landscape character areas;
 - explore opportunities to create new habitats, particularly in the Strategic Nature Area.
- 4.6 When preparing their proposals, developers should consult with the Council's appointed ecological advisers and other relevant agencies such as Gloucestershire Wildlife Trust and the Local Nature Partnership as well as with the local parish council and community groups.
- 4.7 Gloucestershire Wildlife Trust (GWT) is currently working with developers to identify a GI benchmark of good practice with sections relating to wildlife, water and wellbeing. Developers are encouraged to utilise the technical guidance included in GWT's GI benchmark to ensure development proposals aim to create and sustain high quality GI from the design stage through to implementation, management and maintenance. The Council advocates this whole lifecycle approach to GI. The benchmark will thereby help to contribute to the delivery of the infrastructure set out in sections 3-5 of this SPD.
- 4.8 There are a number of different models for the long-term management and maintenance of GI assets. Developers are responsible for ensuring arrangements are put in place as a requirement of their planning application and the Council and the local parish council should be consulted on this at the pre-planning stage. The GWT GI benchmark may be used as a helpful resource to guide the creation of a GI management plan which considers the multi-functionality of GI on site going forwards, for longevity of benefit to people and communities, and for wildlife and the wider landscape.

5. Social and Health Infrastructure

- 5.1 Social infrastructure includes community buildings, GP surgeries, places of worship, nurseries, cultural facilities including museums and libraries, sports and play facilities. They provide the focal points for successful communities. Population increase from new developments creates increased pressure on the use of social infrastructure and new development should contribute to its provision.
- 5.2 New facilities and improvements to existing facilities, including community buildings and public open space, will be funded through CIL except where developments can provide their requirements on-site.
- 5.3 On-site provision of outdoor play space will be made in accordance with the space standards contained within Local Plan Delivery Policy ES15 (Provision of outdoor play space). Delivery Policy E111 sets out the requirements for new sports, cultural and leisure facilities.
- 5.4 New community buildings are required on strategic sites at West of Stonehouse (Policy SA2), North East Cam (SA3) and Hunts Grove (Policy SA4) and these should be provided by the developer as part of planning permission for the development. Serviced land for other community uses is also required as part of the development of local centres at West of Stonehouse and Hunts Grove.
- 5.5 Planning obligations for the provision of on-site outdoor play facilities will be identified by the Council at the pre-application stage. The developer will need to make reference to the following list when considering the inclusion of outdoor play areas within the boundaries of a residential development site:
- location
 - area
 - layout and equipment
 - landscaping and planting
 - future maintenance arrangements
 - phasing proposals (for developments planned over a number of years)
- 5.6 The developer will need to provide the outdoor playing space and associated facilities to the satisfaction of the Council. In the case of equipped children's play areas, the developer will be required to ensure that the facilities are inspected and certified by a relevant and recognised organisation, such as RoSPA.
- 5.7 Outdoor playing space should be integrated with the wider GI network wherever possible, for example through the use of naturalistic landscaping and planting and designed to optimise use in all seasons.
- 5.8 Developers providing on-site outdoor play space facilities will also be required to make a one-off commuted sum payment for their future maintenance for a period of 15 years, following their installation. Maintenance costs per facility or type of outdoor play area are outlined in Appendix B. These are calculated using rates from the current Spon's external works and landscape price book. The figures are only intended to act as a guide for negotiation and the exact level of contributions will vary according to site characteristics and over time, reflecting changes in maintenance

costs. The scale of the maintenance contributions payable by developers will be reviewed annually to take account of changing circumstances in the costs of playing equipment and installation.

6. Transport

- 6.1 The County Council has a duty to manage the local road network with a view to securing the expeditious movement of traffic. The District Council seeks advice from the County Council on most transport related matters, particularly regarding the maintenance of highway safety and in assessing and identifying solutions to resolve transport challenges resulting from new development. This process of engagement is detailed within the Manual for Gloucestershire Streets.
- 6.2 Transport infrastructure including highway improvement schemes, cycling and walking infrastructure and public transport will be funded through CIL except for development specific highway access arrangements and mitigation works, travel planning, on site cycling and walking routes, on-site traffic calming, on-site bus stops and shelters at strategic site allocations and other development sites where they will be sought through planning obligations, subject to meeting statutory tests.
- 6.3 Those involved in promoting new development are expected to demonstrate that any impacts on the transport network are insignificant, or that improvements can be cost effectively undertaken and that the reliability of the transport network will not be severely degraded. The County Council expects to be fully involved at the earliest possible stage in assessing new development proposals. This should avoid unnecessary delays in decision making process and help facilitate the best possible transport solutions.
- 6.4 Where a mitigation package for transport is needed, the County Council will look favourably upon proposed measures that will seek to limit the number of additional car journeys upon the local network; aid walking and cycling over short distances; stimulate the use of local public transport for accessing community services, leisure purposes and school based journeys; and which will facilitate opportunities to use regionally or nationally orientated public transport including rail and coach for long distance travel. Other important outcomes include assisting access for efficient local deliveries of goods and services incorporating for community social care providers and preventing the degradation of key local environmental indicators such as noise and air pollution.
- 6.5 Demonstrating the deliverability of a transport mitigation package is of key importance to the County Council. Therefore where existing local transport infrastructure is insufficient, the County Council may pursue capacity-building or network efficiency improvements through the use of developer contributions. More often than not these will be a combination of planning conditions and S.106 planning obligations.
- 6.6 Developer contributions must solely assist in mitigating against the adverse impacts of new development on the local transport network. They cannot be used as an alternative funding stream for addressing pre-existing infrastructure issues, unless in doing so it can be justified as a demonstrable mitigation measure. However, there may be circumstances where proposed mitigation aligns with pre-identified infrastructure priorities set out within the Gloucestershire Local Transport Plan. Consequently, the County Council will seek to promote technology based “smart”

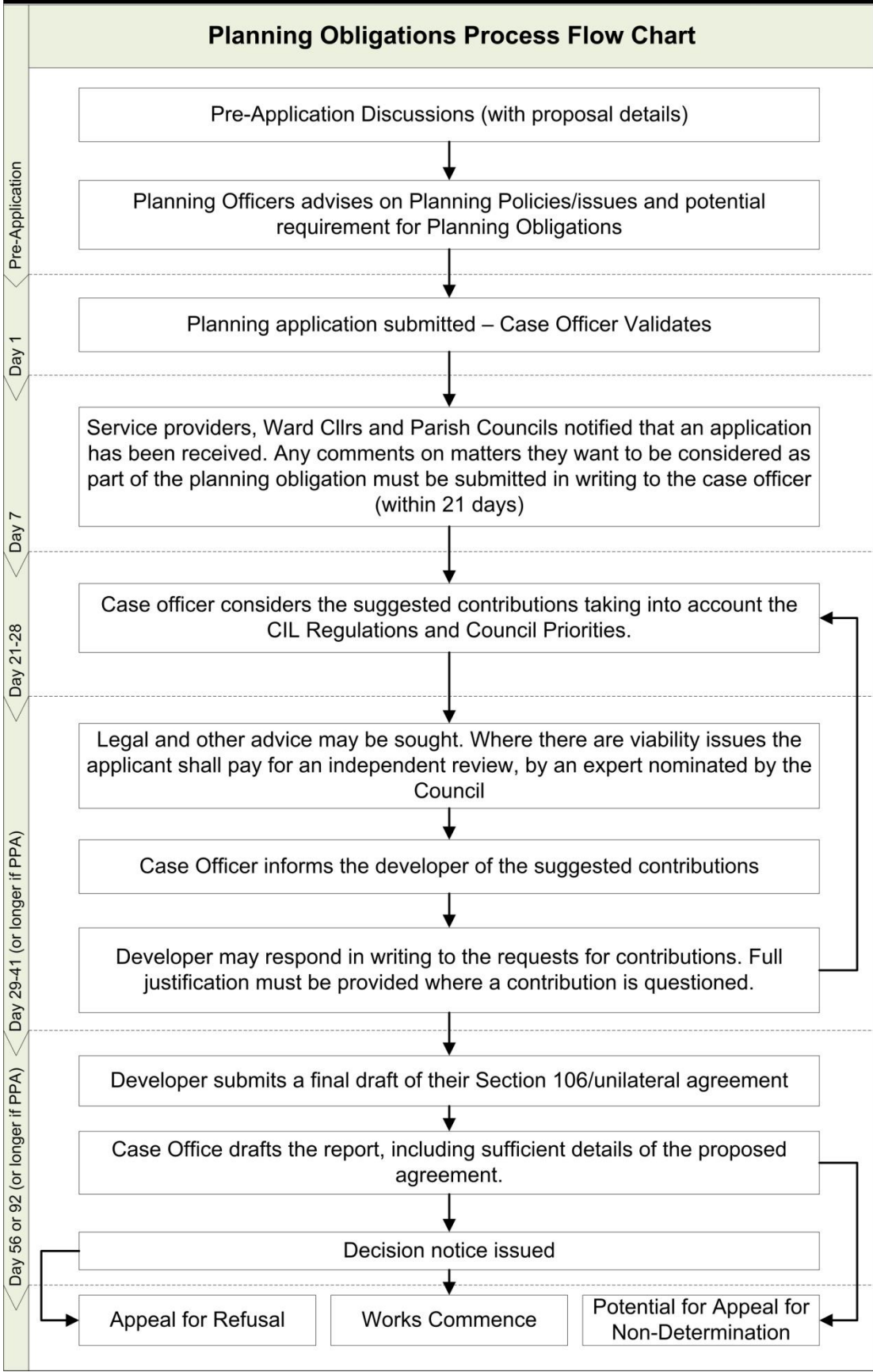
solutions which future proof infrastructure and allow demand management and travel solutions to make use of advances in technology.

- 6.7 All new infrastructure concerned with the local highway must be designed in accordance with either national guidance set out in the Design Manual for Roads and Bridges (DMRB) or relevant local guidance, which is presently contained within the Manual for Gloucestershire Streets. It should also comply with the Gloucestershire Enhanced Materials Policy. For all transport-related mitigation proposals, appropriate audits must be undertaken covering road safety, mobility, walking, cycling and quality, before any final designs can be approved.
- 6.8 Further guidance on contributing to transport infrastructure can be found in the Local Developer Guide (Gloucestershire County Council, March 2017).

7. Other contributions

- 7.1 On-site mitigation measures required to make the development acceptable will continue to be secured through planning obligations and conditions. Examples include archaeological investigation and contaminated land remediation.
- 7.2 Other site specific measures may be necessary and planning obligations including the following areas may also be sought. Requirements will be assessed on a case by case basis. It is recommended that applicants and developers engage with the Council at an early stage to determine if their specific proposal will result in a requirement for obligations such as:
- Waste and recycling collection facilities and waste reduction initiatives
 - Public realm/ public art provision
- 7.3 The absence of detailed guidance for a particular planning obligation does not rule out the Council requiring one where that request meets relevant national guidance or legal requirements.

Appendix A



Appendix B: Maintenance contributions for open space provision (as at 2016)

	MAINTENANCE COSTS PER ANNUM (2016)	COMMUTED PAYMENT (FOR 15 YEARS)
GRASS PLAYING PITCH	£3,814	£57,210
ARTIFICIALLY SURFACED PITCH	£4,425	£66,375
TARMAC TENNIS COURT	£571	£8,565
CHANGING ACCOMMODATION	£4,580	£68,700
LANDSCAPING/MISCELLANEOUS	£4,349	£65,235
EQUIPPED CHILDREN'S PLAY AREA	£2,745	£41,175

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Appendix B: Planning Obligations SPD Consultation Report

Summary of Consultation Responses Received

No.	Organisation	Summary of representation received	Council response	Proposed Changes
1.	Woodland Trust	<p>Whilst woodlands are being acknowledged as being part of green infrastructure contributions the Woodland Trust would like this category to also include trees and woodland.</p> <p>Creating woodland with developer contributions and inclusion of small areas of woodland in larger developments creating a woodland offsite can be very cost effective in terms of ongoing management for the local authority, and this should also be taken into account with your Planning Obligations SPD.</p> <p>The Woodland Trust would like to see a specific paragraph added supporting woodland creation as a key planning obligation tool to deliver green infrastructure.</p> <p>The SPD should also acknowledge the value of monitoring the implementation of your planning policies to assess their effectiveness.</p>	<p>The benefits of woodland planting are acknowledged. The definition of GI in the SPD includes woodland (see para. 4.1).</p> <p>Section 4 identifies the purposes of GI and how developers can extend the GI network. However, it is agreed to refer specifically to Policy ES8 which supports the enhancement and expansion of the District's tree and woodland resource.</p> <p>The Council welcomes support for the environmental policies of the Local Plan which are the subject of regular monitoring.</p>	<p>Add to the end of para.4.4: "Delivery Policy ES8 identifies that development should seek where appropriate to enhance and expand the District's tree and woodland resource."</p> <p>No change.</p>
2.	Tracy Organ	<p>SDC could do much more to encourage the sustainable Self-building of homes for local people.</p> <p>As of today (24th June 2016) there are no results when 'self build' or similar terms are searched on the council's website and there is no link to access a formal Self Build Register so that residents can express their interest.</p> <p>As per the recent Court of Appeal judgement, Planning Obligation payments (s.106) should not be levied</p>	<p>The Council is supporting self-builders through the new online register (see http://www.stroud.gov.uk/housing/self-build-housing) and through the Local Plan policy that requires 2% of houses on strategic sites to be made available for self and custom builders.</p> <p>In some cases, planning obligations are necessary even for the smallest</p>	<p>No change.</p>

		against Self Builders (as opposed to Developers who make a profit).	development. However, councils need to be mindful of national policy and the latest legal cases.	
3.	Stroud Town Council	In addition to comments on the CIL Draft Charging Schedule, the Town Council states that the infrastructure requirements identified in the Neighbourhood Development Plan should be mentioned.	It is recognised that other plans, including NDPs, may also require planning obligations.	Add new para..1.5: “The development plan for Stroud District also includes waste and minerals local plans and neighbourhood development plans. The specific requirements of these other plans are not set out in this SPD and will need to be taken into consideration by developers.
4.	Environmental Agency	<p>We note Part 2, Section 3 of the SPD outlines types of contributions associated with Flood Risk Alleviation and Drainage Methods. This primarily relates to surface water drainage. We have nine flood alleviation schemes (FAS) in your area. In addition to new schemes, planning obligations should consider the retention of existing publically funded FAS such as the cost of ongoing maintenance and deployment (where relevant).</p> <p>We would also recommend that a planning obligation could be used to secure developer contributions towards our flood warning system where a development is dependent on this service i.e. for flood evacuation and management. We generally recommend a contribution of £1,000 per new dwelling towards our flood warning system. Non-residential schemes would be advised on an individual basis.</p> <p>Contaminated Land - we would identify monitoring and remediation requirements as relevant to the forthcoming SPD. Groundwater planning obligations may be</p>	<p>The Council’s agreed approach towards flood alleviation schemes and flood warning systems is for CIL to apply to the funding of off-site schemes. However, planning obligations could be sought if the operation of a scheme depended upon on-site works.</p> <p>It is agreed that on-site obligations relating to contaminated land may be appropriate.</p>	<p>No change.</p> <p>Add new para. 7.1 to refer to contaminated land remediation.</p>

		required to ensure that remediation works are carried out and where relevant, to require notification of any significant unsuspected contamination encountered during development.		
5.	Sport England	<p>A suggested approach for sports facilities would be for specific strategic sport projects to be put on the Regulation 123 List for CIL funding, with smaller scale projects to be funded through s106 agreements from identified sites. Due to the pooling restrictions in place, the Council will need to think strategically and plan effectively for sports infrastructure delivery in the future, linking development sites with specific projects to meet identified sporting needs.</p> <p>The small scale sport provision (e.g. new pitches) may be better funded by S106 contributions. At present, the wording is considered very generic and as there is not a robust assessment of the need for outdoor sports pitches or indoor leisure facilities and centres, there is uncertainty over the sustainable delivery of sports provision</p>	<p>The Council's R.123 list identifies the intention to fund off-site sports, recreational and play infrastructure through CIL. Strategic sites are being planned to include sports provision on-site.</p> <p>On-site provision as set out in Section 5 will be made through planning obligations. There are specific standards of provision set out in the adopted Local Plan but specific requirements will be made on a case by case basis, having regard to the Council's evidence of local play deficits.</p>	<p>No change.</p> <p>No change.</p>
6.	Gladman Developments Ltd.	<p>Gladman supports the advice that developers should initiate discussions at pre-application stage. The quality of the advice given makes a big difference to processing the application and the quality of the scheme. We suggest that pre-application discussions are open, transparent and meaningful with a clear outcome rather than simply a re-iteration of what policies apply.</p> <p>Triggers for payments and phased payments are necessary but should not be prescribed in the SPD but varied on a case by case basis to avoid an impact on viability.</p>	<p>Welcome support.</p> <p>Agreed. However, further wording is needed to emphasise the importance of meeting triggers. The Council will work with developers to find solutions where triggers may not be met.</p>	<p>No change.</p> <p>Amend para. 6.2 to refer to developers volunteering payments and potential for interest on late payments.</p>

		<p>Gladman object to monitoring fees and would not agree to this (citing the case law that monitoring fees are not CIL compliant) as it is not necessary to make the development acceptable in planning terms. Payment of monitoring fees can only be required in exceptional circumstances and the Council would need clear justifications for this. Gladman recommend that the reference to monitoring fees within the SPD is removed.</p> <p>Gladman welcome the recognition that viability may necessitate a reduced package of planning obligations and we support the need for the authority to work with developers to consider the impact of planning obligations on development viability.</p> <p>We submit the provision of affordable housing can be adequately dealt with via condition and therefore does not need to be included in the S106. Gladman refer the Council to statements within national policy and guidance.</p> <p>The Council must not use the lack of land for new schools or the inability to expand existing schools as reasons for refusal. The Government has set out funding options including encouraging Free Schools funded upfront by the Government.</p> <p>Gladman recommend that the Council should be flexible in relation to the future maintenance of open space, and accept an alternative means could be through a</p>	<p>Agreed that changes are necessary to reflect the recent legal judgements.</p> <p>Welcome support.</p> <p>The guidance referred to suggests that it 'may' be possible to use conditions rather than entering into a planning obligation. Given the complex nature of affordable housing delivery, letting, and preservation for future occupiers, conditions are rarely able to satisfy these. The vast majority of affordable homes delivered by new market development are secured and delivered via planning obligations for very sound reasons.</p> <p>Planning obligations will be sought where on-site provision is required. Off-site contributions will be achieved through CIL.</p> <p>Section 4 recognises that there are a number of different models for the</p>	<p>Amend Section 1 para. 7.1 to remove the monitoring fee calculation and reflect the recent legal judgements.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>
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		<p>condition relating to a management company maintaining the onsite open space.</p> <p>The Council needs to ensure that transport requests are CIL compliant and don't use one development as a means to plug a funding gap for a highway improvement project.</p> <p>Paragraph 6.4 is out of date. The NPPF does not require a specific reduction in car use. Reference should be made to "sustainable travel modes" rather than public transport, walking and cycling.</p> <p>If the Council intends to seek "other contributions" then additional guidance should be made available to provide clarity and certainty.</p>	<p>long-term management and maintenance of GI assets. However, it is important that arrangements are put in place at application stage to ensure long term maintenance of open space can be delivered. The costs in Appendix C are a guide for negotiation.</p> <p>This is acknowledged.</p> <p>Paragraph 6.4 reflects Policy CP13 of the adopted Local Plan.</p> <p>It is not practical for the Council to provide guidance on every form of planning obligation that may be necessary. Policies are set out in the development plan to ensure no uncertainty.</p>	<p>No change.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>
7.	Natural England	<p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</p>	<p>Response noted.</p>	<p>No change.</p>
8.	Blue Cedar Homes	<p>Cites Court of Appeal order from 13/05/16 where the threshold of 10-units (or combined gross floorspace of 1000 m2), or lower threshold in rural areas has been upheld. As such, sites which fall under this threshold should be exempt from providing any affordable housing or tariff style planning obligations and this should be referenced in the SPD.</p>	<p>SPD will be updated to reflect current status of written ministerial statement (WMS).</p>	<p>Add new section on the WMS (see Part 2, para.1.10-1.28).</p>

		<p>We suggest C3 sheltered / retirement housing is subject to different levels of contribution across the authority. Factors such as higher build costs and longer selling period for our properties make retirement housing less viable than new homes in general.</p> <p>The Council should look at the contributions a C2 use class provides. The C2 classification means that developer do not have any obligations such as affordable housing. Our schemes generate a small level of affordable housing which would not be attractive to providers and thus commuted sums would be preferable.</p>	<p>Policy CP9 states that affordable housing will only be sought where viable; accordingly there is no need to differentiate between different uses within C3.</p> <p>There are providers of affordable housing within the district who will acquire low numbers of units; the need for affordable housing is so acute that even single dwellings are required.</p>	<p>No change.</p> <p>No change.</p>
9.	Tetlow King Planning on behalf of South West HARP planning consortium	<p>With reference to the recent Court of Appeal's decision regarding the affordable housing thresholds, it will be important for the Council to consider the impact of the reinstatement of the PPG guidance on its policy, CIL and Planning obligations SPD, particularly as the judgement clarifies that guidance set out by the Government is a material consideration to which decision makers must determine how much weight to give. As such it ought normally to be considered inappropriate to require affordable housing, though local plan thresholds may be given more weight in the consideration of individual applications where a local authority has an adopted plan policy supported by up to date evidence.</p> <p>The Starter Homes consultation document proposed a uniform requirement of 20% provision on all sites of 10 units or more, or 0.5 hectares. The Council will need to respond to the Regulations and make changes to the SPD once published.</p> <p>A High Court Judgement (OCC v CLG, CALA Land Management Ltd. And Others 2015) has determined that it is unreasonable to seek to cover the Council's</p>	<p>SPD will be updated to reflect current status of WMS.</p> <p>Agreed - when known, Starter Homes guidance will be taken into account.</p> <p>Agreed that changes are necessary to reflect the recent legal judgements.</p>	<p>Add new section on the WMS (see Part 2, para.1.10-1.28).</p> <p>Amend Part 2. para. 1.6 to update current situation..</p> <p>Amend Section 1 para. 7.1 to remove the monitoring fee calculation and reflect</p>

		<p>monitoring costs through an additional fee to the developer and this should be removed.</p> <p>The definition of affordable housing set out at paragraph 1.0 is incorrect; not all affordable housing is retained <i>in perpetuity</i>, nor is this what is intended by the definitions set out at Annex 2 of the NPPF.</p> <p>The statement at paragraph 1.6 that applicants need to demonstrate that lenders will fund intermediate affordable housing “<i>where any doubt exists</i>” is an unnecessary hurdle. Housing Associations will already have been through their own rigorous processes to proceed, and it would be appropriate to remove this guidance.</p> <p>Developer-led housing surveys are also equally valid evidence of housing need; this should be reflected in paragraph 1.8.</p> <p>Should the Council still seek financial contributions from small schemes it will be important to robustly justify this in the context of the PPG threshold.</p> <p>The Council cannot introduce minimum dwelling sizes through this SPD. The National Technical Space Standards permits local authorities to introduce those standards only, and only through a Local Plan policy. Paragraph 1.25, and the later paragraph 1.44 bullet point reference to space standards, should be removed.</p> <p>Employment land should not be protected in the long term. Paragraphs 1.26-1.27 should be removed.</p>	<p>Definition to be updated to reflect NPPG.</p> <p>TKP have misinterpreted this element. Commercial developers do try to introduce intermediate, discounted sale products without the use of an RP, hence the need for this safeguard.</p> <p>Developer-led surveys are acceptable when completed robustly.</p> <p>Agreed.</p> <p>Minimum space standards were set out in response to RP concerns about some developer AHUs. SPD will be updated to show these as best practice rather than a policy requirement.</p> <p>Employment land aspect has been largely overtaken by the VBC so SPD will be updated to reflect this.</p>	<p>the recent legal judgements.</p> <p>Amend definition at para. 1.1.</p> <p>No change.</p> <p>Amend para. 1.15 to also refer to housing providers.</p> <p>No change.</p> <p>Amend para. 1.39. to identify as best practice.</p> <p>Amend by deleting paragraphs 1.26 and 1.27.</p>
10.	Woodchester Parish Council	<p>Councillors welcomed the guidance and agreed it was important that Stroud District Council adhere to point 4.2 in the SPD, consulting with Parish Councils and having</p>	<p>Welcome support.</p>	<p>No change.</p>

		regard for a Parish Plan. Councillors agreed with the types of contributions set out in Part 2 of the document. The proposal for early consultation was welcomed.		
11.	Gloucestershire County Council	<p>The draft Planning Obligations SPD is welcomed. It will provide greater transparency and understanding of the process. It has extensive cross referencing to the GCC Local Developer Guide which sets out GCC's approach to securing planning obligations.</p> <p>The reference that providing site access to a highway, etc. will continue to be covered through s106 arrangements is welcomed. Travel Planning will need to be secured through appropriate planning obligations. This should be referenced in the Reg123 List and within the Planning Obligations SPD.</p> <p>Schools are often required in urban areas where there is no land for expansion or for provision of schools and there is a challenge to accommodate growth. Where this occurs, provision in-kind is preferred. As an indication, a primary school is required to service a development of ~600 dwellings. GCC preference is that these are provided in kind at this scale.</p> <p>Inclusion of further cross referencing to the Local Developer Guide: with reference to libraries and archives is required. Section 6 of the draft SPD covers "Health and Social Facilities" – which includes libraries. However, this should be made explicit, and the GCC approach embedded within the Stroud SPD.</p>	<p>Welcome support.</p> <p>Agreed that the SPD should refer to travel planning.</p> <p>Welcome support for strategic allocation sites to provide new schools in kind on-site. Smaller developments will make CIL contributions for the provision off-site.</p> <p>Agreed to make further cross references to the GCC Local Developer Guide.</p>	<p>No change.</p> <p>Add reference to travel planning in section 6 para. 6.2.</p> <p>No change.</p> <p>Amend section 5 para. 5.1 to refer to cultural facilities including museums and libraries. Amend section 6 para. 6.6 to reflect wording relating to technology smart solutions in latest version of Local Developer Guide.</p>
12.	Gloucestershire Wildlife Trust	Regarding the section 3, we welcome clear guidance on types of SuDS techniques for achieving multi-functionality through flood risk alleviation and drainage	Welcome support. Agreed to add a statement referring to SuDS having an above ground focus.	Amend section 3 para. 3.4 first sentence to read: "They can also provide, as

		<p>measures. Could we add a clear statement in here about a general requirement that SuDS have above-ground focus i.e. soft, GI approach to enhance opportunities for multi-functionality e.g. habitat creation.</p> <p>Regarding the section 4, Clarification needed in use of key terms. We could enhance this section further by including an introductory statement clearly defining GI as a multi-functional approach which delivers high quality green and open space, communities which are more resilient to flood risk, and delivers benefits to society and the health and wellbeing of individuals and communities.</p> <p>Further detailed changes suggested in terms of the clarification of terminology and ordering of sections.</p> <p>All in all, we welcome this as an exemplary document in terms of committing to a truly GI approach to planning, delivery and management/maintenance.</p>	<p>Agreed to add clarification to text.</p> <p>Agreed to add clarification to text.</p> <p>Welcome support.</p>	<p><u>part of an above ground focus, alongside flood alleviation measures...</u></p> <p>Amend section 4 para. 4.1 to read: “Green Infrastructure (GI) is a network of high quality multi-functional green spaces and other environmental features that together are capable of delivering a wide range of environmental, <u>health and wellbeing</u> and other quality of life benefits..”</p> <p>Amend section 4 para. 4.7 to refer to the GI benchmark contributing to sections 3-5 of the SPD.</p> <p>Add section 5 para. 5.7 to refer to outdoor playing space being integrated with the wider GI network.</p> <p>No change.</p>
13.	Robert Hitchins Ltd	<p>Whilst the provision of clarity within a SPD in respect of affordable housing delivery across the local authorities is welcomed, it is important that this does not seek to impose additional burdens upon development outside of the Local Plan process.</p> <p>The Council should consider removing the requirements</p>	<p>Agreed.</p> <p>Agreed that changes are necessary to</p>	<p>No change.</p> <p>Amend Section 1 para. 7.1</p>

	<p>for monitoring fees in the light of the recent High Court Judgment.</p> <p>Viability should relate to Threshold Land Value.</p> <p>Starter Homes should be covered, including the risks to developer in delivering this product.</p> <p>Grant funding not generally available to s.106 sites.</p> <p>Tenure / dwelling size proposals need to be considered in relation to site specific circumstances.</p> <p>Assessment of viability should be consistent with NPPF.</p> <p>A mechanism which acts as a betterment levy is inappropriate due to the high risk operating environment for developers.</p> <p>AH definitions unnecessary - should just refer to NPPF Annex 2</p> <p>Perpetuity wording needs to be revisited in light of</p>	<p>reflect the recent legal judgements.</p> <p>Threshold land value and the other more technical aspects of how viability assessments are not dealt with in the SPD but can be agreed, when required, on a site by site basis.</p> <p>Guidance on Starter Homes has not been clarified at time of writing but situation should be updated.</p> <p>Agreed - HCA grant funding is not generally available to s.106 sites but other forms of grant funding may become available.</p> <p>Wording should be amended to reflect that these should be regarded as best practice sizes, rather than prescriptive.</p> <p>SPD wording is not inconsistent with NPPF.</p> <p>Betterment mechanisms will only be brought into play where a developer is unable to meet the requirements of CP9 and so would only be used in exceptional circumstances. Smaller developers can find it useful to have definitions set out in the document.</p> <p>Agreed that definition needs to be</p>	<p>to remove the monitoring fee calculation and reflect the recent legal judgements.</p> <p>No change.</p> <p>Amend paragraph 1.6 to reflect most recent position.</p> <p>No change.</p> <p>Amend para. 1.39. to identify as best practice.</p> <p>No change</p> <p>No change.</p> <p>Amend paragraph 1.1.</p>
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	<p>Housing and Planning Act.</p> <p>Para 1.6 p8 - 'some' should be deleted.</p> <p>There is no requirement for mortgage rates to be equivalent to open market for affordable products.</p> <p>Other sources of needs information should be used to 'inform' not 'determine' mix.</p> <p>WMS needs to be reflected; no contributions on sites of 10 units or less.</p> <p>Site size - using potential capacity inappropriate.</p> <p>Contributions should be based on net development as per Policy CP9.</p> <p>Council should not impose calculation on habitable rooms or floor area.</p> <p>Design and integration - building regulations should be sufficient.</p> <p>Cluster size, phasing and location should be matters for</p>	<p>amended.</p> <p>Not all products are problematic to purchase, the word 'some' relates to these.</p> <p>Mortgage rates are highly relevant to affordability. An excessively high mortgage rate could result in a product being unaffordable.</p> <p>Agreed; changed to 'inform' from 'determine'.</p> <p>Document will be updated to reflect WMS.</p> <p>Site size - the Council has experience of applications which attempt to circumvent policy thresholds by using very low density development or artificially splitting sites and so this does need to be covered by the SPD for avoidance of doubt.</p> <p>Contributions - agreed, definition amended to net.</p> <p>The wording does not seek to impose calculation of habitable rooms or floor area, but to use this if and where it is more practicable.</p> <p>Building regulations do not cover tenure blindness or integration.</p> <p>Cluster size, phasing and location -</p>	<p>No change.</p> <p>No change.</p> <p>Amend paragraph 1.15.</p> <p>Add new section on the WMS (see Part 2, para.1.10-1.28).</p> <p>No change.</p> <p>Para. 1.16 deleted.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>
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	<p>negotiation.</p> <p>Dwelling mix wording needs to more closely reflect CP9.</p> <p>There is no policy basis preventing all flatted development as AH.</p> <p>Minimum sizes should not be imposed but 'encouraged'</p> <p>Policy CP9 does not allow different treatment of employment land.</p> <p>Prescription of affordable housing providers not supported by national policy.</p> <p>Disagrees with commuted sum calculation - should not be prescribed.</p>	<p>the SPD exists to help provide developers with more certainty about the Council's requirements. These aspects are an important part of ensuring integration of the affordable units with the wide community.</p> <p>Dwelling mix wording is intended to provide more detail on CP9.</p> <p>Agreed - that is not the intention of the wording which seeks to achieve high quality design and successful integration of the units.</p> <p>Agreed - wording to be amended to identify as best practice.</p> <p>Agreed - employment land section to be deleted as this is generally covered by the VBC.</p> <p>Agreed - delete 'registered'.</p> <p>The commuted sum calculation has been in use for over 10 years and is regarded as being straightforward and acceptable.</p>	<p>No change.</p> <p>No change.</p> <p>Amend para. 1.39. to identify as best practice.</p> <p>Delete para. 1.26 and 1.27.</p> <p>Amend paragraph 1.49.</p> <p>No change.</p>
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14.	Gloucestershire Campaign to Protect Rural England	<p>The word 'recent' should be inserted in front of 'housing need survey' to ensure that developers do not rely on an out of date and irrelevant document (s. 1.28)</p> <p>In para. 1.35, the developer can claim that their s106 obligations are not financially viable. Please add something to the effect of 'the absence of any required financial assessment will prohibit consideration of the proposed development.'</p> <p>It is also felt that planning approval should incorporate a demand that s106 obligations are delivered early on in a project.</p> <p>We suggest adding a paragraph to s. 7.2 ' any other consideration volunteered by the applicants which is not required by the regulations will not be taken into account by the council when making a decision whether to grant a planning application'.</p>	<p>Agreed.</p> <p>The SPD is clear that the onus is on the developer to produce a financial assessment.</p> <p>It would be unreasonable to require all s106 obligations to be delivered early on in the project. The SPD makes clear that requirements should be phased within a reasonable timeframe.</p> <p>The SPD makes clear in section 3 that all obligations must be necessary and satisfy regulations and national policy.</p>	<p>Amend paragraph 1.15.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>
15.	Persimmon Homes Severn Valley	<p>Definition of starter homes should be flexible.</p> <p>Calculating the AH contribution based on size of habitable rooms too vague; this should only apply to a reduced affordable housing proportion and not be used as a means of increasing the percentage of affordable housing.</p> <p>Support approach to small clusters.</p> <p>Housing standards should not be introduced in this</p>	<p>At time of writing, Starter Homes definition still under discussion by the government.</p> <p>The wording makes it clear that an AH calculation on number of rooms will only be used where more appropriate than the conventional calculation and will be a matter for negotiation.</p> <p>Support welcomed.</p> <p>Agreed – amend wording to reflect</p>	<p>Amend para. 1.6 to reflect latest known position.</p> <p>No change.</p> <p>No change.</p> <p>Amend para. 1.39.</p>

		<p>SPD; support national space standards but need to be justified.</p> <p>All former employment sites should be treated alike, including allocated sites.</p> <p>Rural exception site viability should be assessed on a site by site basis; it is not right to assume that affordable housing should be the majority of the site.</p> <p>Objects to paragraph 1.36 which is unrealistic</p> <p>Deferred contributions paragraph should equally allow for reappraisal of viability where affordable housing contribution is too high.</p>	<p>that these sizes will be treated as best practice.</p> <p>Agreed – delete employment site paragraphs.</p> <p>Rural exception site viability will be dealt with on a site by site basis; however, national planning policy states 'small numbers of market homes may be allowed at the local authority's discretion' which would support our approach.</p> <p>1.36 merely reflects the items which are normally taken into account when land is valued for development.</p> <p>National planning policy already contains these provisions.</p>	<p>Delete paras 1.26 and 1.27.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>
16.	Canal & River Trust	<p>It is not clear if CIL relates only to physical infrastructure such as locks and sluices and the creation of new towpaths or will also encompass improvements to the existing canal towpath such as resurfacing and widening to improve its use as a sustainable transport route or as a Green infrastructure asset. This type of improvement, where the towpath is part of a sustainable transport route for a proposed development adjacent or in close proximity to the canal may be better provided via S106. We suggest that where an improvement is required to make the development acceptable, it should be secured by s106 in order to provide more certainty that it will be delivered.</p> <p>It is the intention of the District Council to continue to use Section 106 agreements to fund infrastructure</p>	<p>The SPD makes clear that “transport infrastructure including highway improvement schemes, cycling and walking infrastructure and public transport will be funded through CIL except for development specific highway access arrangements and mitigation works, on site cycling and walking routes...” (para. 6.2)</p> <p>Off-site measures, together with the improvement and provision of</p>	<p>No change.</p> <p>No change.</p>

		projects needed to mitigate those matters directly related to site specific issues on site. However the SPD on developer contributions does not specify how the council intend to deal with off-site mitigation if required for non-strategic sites, nor does it include improvement or provision of linkages to existing facilities.	linkages to existing facilities, will be funded through CIL.	
17.	Savills on behalf of Housebuilders consortium	<p>Whilst it is noted that the Council's preferred scenario in relation to planning appeals is a unilateral undertaking, this will not be appropriate in all instances. This should be recognised in the SPD.</p> <p>It is noted that s1.17 makes reference to total number of units; rather than net number of units. This should be rectified.</p> <p>Loss of employment land approach is without policy basis and is incompatible with CIL</p> <p>The position that no allowance will be made in relation to abnormal costs will undermine the delivery strategy as it will likely result in a developer unwilling to reduce their profit to a level to meet landowner expectations.</p> <p>Deferred contributions approach is contrary to the NPPF and PPG; should only be used where development comes forward over a relatively long period.</p> <p>The provision of SUDs is supported.</p> <p>We support the Council's position in respect to transport, however are concerned that paragraph 6.7 seeks to imply that infrastructure must meet the DMRB.</p> <p>Finally, we would recommend that this document is</p>	<p>Agreed.</p> <p>Agreed - update wording to reflect net units.</p> <p>Agreed - delete employment paragraph.</p> <p>The wording reflects the council's expectation that abnormal costs are taken into consideration when acquiring a site; it does not state that no allowance will be made.</p> <p>Deferred contributions would only come into play in exceptional circumstances where a developer is unable to comply with policy CP9.</p> <p>Welcome support.</p> <p>The SPD refers to DMRB <u>or</u> local guidance.</p> <p>The SPD has been updated to reflect</p>	<p>Amend para. 5.5.</p> <p>Delete para. 1.16.</p> <p>Delete para.1.26 & 1.27.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p> <p>Add new section on the</p>

		<p>updated in line with the recently re-published PPG in respect to planning obligations and affordable housing contributions. It would also be an appropriate location to set out the Council's approach to Vacant Building Credit.</p>	<p>the latest guidance and the approach to VBC has now been inserted.</p>	<p>VBC (see Part 2, para.1.27-1.28).</p>
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18.	Mandy Gibbs on behalf of the Police and Crime Commissioner for Gloucestershire	<p>Draft Planning Obligations SPD is not consistent with the indicative draft regulation 123 list because there is no content relating either to Police or emergency services infrastructure needs. It is also inconsistent with paragraph 2.88 of the adopted local plan which includes emergency services.</p> <p>The following paragraph needs to be inserted into the draft planning obligations SPD.</p> <p>"The delivery of growth and new development imposes additional pressure on Gloucestershire Police Authority's infrastructure base, which is critical to delivery of effective policing and securing safe and sustainable communities. By way of examples of the types of police infrastructure that may be required, the Police seek contributions towards the following items of infrastructure including:</p> <ul style="list-style-type: none"> • Space within Community Hubs for Police use at nil cost • Police Cars • ANPR • Mobile Data Equipment 	The intention is that any infrastructure contribution for emergency services will be funded solely through CIL. The Regulation 123 List will be kept under regular review and consequential adjustments to this SPD may be made in the future subject to reasoned justification.	No change.
19.	Stroud Valleys Project	Stroud Valleys Project would be interested to work more with district, parish and town councils to improve outdoor spaces (from verges to parks and greenspaces) with volunteers from local communities so that greenspaces are in a good condition for people and wildlife. We are already working with several local councils doing this type of work.	Welcome support.	No change.