

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>

		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.	the latest guidance and the approach to VBC has now been inserted.	VBC (see Part 2, para.1.27-1.28).
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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.