



WNDC Planning Obligation Strategy: Revised Document

October 2010

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## 1. Executive Summary

- 1.1 National planning policy seeks to ensure that all development contributes to the key objectives of delivering sustainable development and securing sustainable communities. There is a continuing need to ensure that development contributes in an appropriate way to those objectives and to ensure that it meets WNDC's own objectives of delivering regeneration and sustainable development in West Northamptonshire and assisting public sector partners and other providers to deliver their visions and objectives. The role of developer contributions remains key to these objectives.
- 1.2 WNDC's Planning Obligations Strategy (POS) was first adopted in 2008. The planning and economic context has changed considerably since that time and taking into account the issues arising from the operation of the POS so far, it has been concluded that it is prudent to undertake a review. WNDC consider that there is still a role for the POS but that it should be updated in order to continue to provide clear and consistent guidance to developers to minimise the time taken to negotiate and agree relevant planning obligation agreements.
- 1.3 The key points that have emerged thus far include:
- The requirement for developer contributions remains justified and relevant notwithstanding the recent change in government and likely changes to planning policy
  - A reconsideration of development viability demonstrates that a standard charge approach remains appropriate however there is justification for a reduction in the discounted standard charge (DSC) (albeit that the full standard charge level has not changed significantly)
  - An assessment of the Annex A items of infrastructure in respect of the CIL tests has shown that some items may no longer be justified on the basis of the evidence available
  - Where, notwithstanding the reduction in the DSC, developers consider that viability issues remain and are supported by an appropriate viability assessment, WNDC will take a flexible approach to negotiations and the means whereby the necessary infrastructure is provided
  - Where practical and appropriate the provision of on-site infrastructure is preferred
  - There is some justification for the consideration of geographic variations but these are unlikely to be significant given the broad range of related strategic infrastructure
  - WNDC's key objective to deliver sustainable development will remain the overriding consideration
- 1.4 It is accepted that this document can only provide interim guidance which is likely in due course to be replaced by some form of local tariff which will be brought forward in the individual local planning authority areas, or possibly one joint tariff for West Northamptonshire flowing from the Joint Core Strategy and associated infrastructure planning and delivery programme. However, it is intended that it will provide a sound base for the future development of such guidance.

## 2. Introduction & Background

- 2.1 The West Northamptonshire Development Corporation's (WNDC) statutory objective is to promote and deliver regeneration and sustainable development in West Northamptonshire. Its roles cover both planning and regeneration involving the determination of larger scale and strategic applications, delivering its regeneration programme and assisting public sector partners and other providers to deliver their visions and objectives. The role of developer contributions towards the provision of infrastructure to support and assist in the delivery of that growth remains key.
- 2.2 The position of the Coalition Government towards investing in the development sector and providing incentives to the development industry, councils and local communities continues to evolve. Detailed information on mechanisms such as the New Homes Bonus Scheme, business rate reform and a revision to the Community Infrastructure Levy are still awaited and likely to be included in or subsequently published as a direct response to primary legislation which is due to be laid before Parliament in the Autumn of 2010. As such, during this period of transition, this document does not attempt to incorporate or pontificate on the implications of these mechanisms upon the Planning Obligations Strategy. It is intended that these mechanism will be considered as they evolve as part of the revision process following the consultation exercise and prior to reporting back to the Corporation's Board.

### A New Approach

- 2.3 WNDC adopted the first Planning Obligations Strategy (POS) in December 2008 which established a standard charge approach based on development viability. Since that time there have been dramatic changes in the economic climate. In addition, whilst we are currently in a time of some uncertainty and change in the planning system, it is evident that the new government expects there to be continued housing and other growth, based on decisions made locally on what will constitute sustainable development within the basis of a 'national policy framework'<sup>1</sup>. The Government is also expected to set out transitional arrangements for the specific planning issues in the Government's housing growth areas e.g. Joint Planning Committees, in a later paper.
- 2.4 However, given that it will take some time for any new local planning system to be put in place, it is expected that developers will continue to need to make contributions toward additional necessary infrastructure to mitigate the impacts of the development and provide sustainable, mixed communities. Furthermore, whilst there may also be changes to the way in which planning obligations operate and a new single unified local tariff for both residential and non-residential development may be put in place to replace or modify CIL, WNDC's role to ensure that such

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(1) <sup>1</sup> Open Source Planning Green Paper February 2010

development contributes to the sustainable growth of the area will continue to be a legitimate one.

- 2.5 WNDC recognises that the delivery of strategic and sustainable growth in West Northamptonshire will continue to require significant investment in infrastructure and service provision. Without Government and other public sector infrastructure providers' investment, suitably timed, the cost of such infrastructure provision would inhibit developers bringing forward land and implementing the schemes required to deliver housing and jobs on the ground. In the light of the current economic downturn and public spending cuts this remains a significant challenge for all involved.
- 2.6 Whilst development will be expected to continue to contribute to this provision and WNDC will continue to take a positive approach with all its public and private sector partners to ensure that the above objectives are met, it is considered that there is a need to adopt a more pragmatic and flexible approach in seeking appropriate developer contributions. WNDC are of the view that there is a continuing role for the standard charge or tariff based approach (and it is anticipated that the new government will also take forward such an approach in any modification or reform of the system) but recognise that there is a need to respond to current challenges in a positive way to ensure that the area continues to grow and all involved can continue to deliver sustainable communities. In addition, it is recognised that there will be a need to respond positively to the changes to the planning system and to seek a collaborative approach with all local communities.

### **The Original Purpose and Role of the POS and the Need for a Review**

- 2.7 The POS comprises one of the key documents within WNDC's Regeneration Framework and seeks to establish a robust arrangement for securing appropriate developer contributions towards the provision of strategic and local infrastructure associated with development within West Northamptonshire. The document has provided clarity and certainty in the negotiation of S106 planning obligations.
- 2.8 Notwithstanding the 'state of flux' brought about by the change in government, WNDC had already identified a need to review the POS in the light of the economic downturn, the introduction of CIL and issues arising from the Daventry Co-joined Planning Inquiry. As such, there remains a legitimate need to ensure that current and anticipated development proposals, particularly in the short term before any new system is in place, can meet the need to provide for necessary supporting infrastructure and facilities whilst remaining viable.
- 2.9 The reviewed document will thus have continuing relevance in the short term before new Development Plan Documents<sup>1</sup> (DPD's) and systems of local tariffs are in place. It will, in

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(2) <sup>1</sup> West Northamptonshire Developer Contributions DPD expected to be adopted August 2012

particular, provide a refreshed framework within which S106 negotiations can be conducted in respect of existing and anticipated development proposals.

- 2.10 WNDC acknowledges that as it is not a 'plan-making' authority, the document cannot have the full status of a Supplementary Planning Document (SPD). However, it is intended that it be subject to the full process of consultation required for SPD adoption, (as set out in the relevant regulations<sup>1</sup>). Thus in accordance with paragraph 6.3 of PPS12 it is considered that 'weight commensurate with that of an SPD' can be afforded to it.

### **Policy Context and Relevant Statute**

- 2.11 The Government has now confirmed that the regional spatial strategies (RSS) have been revoked with immediate effect and they no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act (2004). All current Planning Policy Statements (PPS's) remain in force, although any references to the RSS's within them are no longer valid. The government has confirmed however that the RSS evidence base may be a material consideration in planning decisions and where still valid and appropriate may be used in the continuing development of local policy and guidance
- 2.12 The government has indicated that the system will continue to be reviewed and there may be some time before the anticipated new 'national planning framework' emerges and the new 'Local Plans' are drawn up. In the meantime, there will be a continuing need to deal with the current and anticipated planning applications and proposals to ensure that they meet relevant local and national policy and to provide fully sustainable development.
- 2.13 The government has also indicated that it expects developers to continue to contribute towards additional infrastructure needed to make their development integrate sustainably<sup>2</sup>. It is acknowledged that the Open Source Planning document was published by the Conservative Party as a Policy Green Paper during the pre-election period. However, at the time of writing there is no further up to date statement or policy document which sets out the coalition government's intentions in this respect and it is considered to provide a reasonable indication of how the present government is likely to move forward. Whilst the system of planning obligations and tariffs to deal with this may well change / be simplified, this will take some time to be put in place and therefore, as an interim document, the POS will provide material guidance in the determination of existing proposals.

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(3) <sup>1</sup> Town and Country Planning (Local Development) (England) Regulations 2004 (as amended)

(4) <sup>2</sup> Open Source Planning, page 12.

- 2.14 The main elements of policy and statute are considered below but a more detailed review is provided in the Supporting Technical Document: a) Relevant Policy and Statute Context.

*The Development Plan*

- 2.15 The current situation is therefore that the adopted development plan consists of the Northamptonshire Waste Local Plan, 2006, the saved policy (SDA1) of the Northamptonshire County Structure Plan (2004), (NSP) and the saved policies of the Daventry District Local Plan (1997) (DDLPL), South Northamptonshire Local Plan (1997) (SNLPL) and the Northampton Borough Local Plan (1997) (NBLPL).

*Local Guidance*

- 2.16 The local authorities, including the County Council, have also produced related SPG / SPD or local guidance to set out in more detail the basis on which planning obligations will be negotiated and have provided standard developer contributions charges for various forms of infrastructure. The government has also confirmed that the evidence base which informed the preparation of the revoked RSS's may also be a material consideration in the determination of planning applications. These include documents produced by bodies other than the local authorities.

*The Joint Local Development Framework (LDF)*

- 2.17 The Emergent Core Strategy was published for consultation purposes in July last year. Currently the Joint Planning Unit (WNJPU) is progressing towards the production of the submission Core Strategy, due to be considered by the Joint Strategic Committee in January 2011. This would be the level at which the housing need for the area would be set out and the targets set out in the East Midlands Regional Plan (EMRP) would have no relevance, notwithstanding that the local areas may of course decide that those levels remain appropriate.
- 2.18 As part of this process the WNJPU have continued work on infrastructure planning. Whilst the outcome of this is unlikely to be available in time to inform the public consultation process of the POS review, it is intended that the POS will be able to take this into account once it has been agreed.

*National Policy*

- 2.19 National policy within the Planning Policy Statements (PPSs) will continue to be relevant. For the purposes of the POS review, relevant policy is contained in PPS1: Delivering Sustainable Development, PPS3: Housing, PPS4: Planning for Sustainable Economic Growth, PPS5: Planning and the Historic Environment, PPS7: Sustainable Development in Rural Areas, PPS10: Planning for Sustainable Waste Management, PPS12: Local Spatial Policy, PPG13: Transport and PPS25: Planning and Flood Risk. .

*Statute and Policy Guidance on Planning Obligations*

2.20 The current system of planning obligations, under section 106 of the Town and Country Planning Act 1990, allows local planning authorities to accept contributions from developments in a wide range of circumstances, as well as imposing restrictions and requirements on land. However, recent changes arising from the introduction of the Community Infrastructure Levy (CIL) have resulted in further changes to the law. Regulation 122 of the CIL Regulations 2010 has brought into law 3 of the tests formerly set out within circular guidance (05/05 Planning Obligations). The regulation states:

*"A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:*

- (a) necessary to make the development acceptable in planning terms*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development;"*

2.21 The Circular sets out that for Planning Obligations (POs) to be acceptable they should be 'relevant to planning' and 'reasonable in all other respects'. The Circular also sets out a number of principles of which the following are considered to be particularly relevant:

- Para.B4. There are no hard and fast rules about the size or type of development that should attract obligations.
- Para.B9. Planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision.
- Para.B18. It may be appropriate for the developer to make provision for subsequent maintenance (i.e. physical upkeep). Such provision may be required in perpetuity.
- Para.B21. Where the combined impact of a number of developments creates the need for infrastructure it may be reasonable for the associated developers' contributions to be pooled, in order to allow the infrastructure to be secured in a fair and equitable way. (NB Whilst this paragraph effectively supports 'pooling' and a strategic approach to contributions, there is a need to consider the effect of Regulation 123 of the CIL regulations which limit the use of planning obligations to seek pooled contributions both in terms of number and type of infrastructure which can be so supported.)
- Para.B22. Spare capacity in existing infrastructure provision should not be credited to earlier developers.

- Para.B33. Local authorities are encouraged to employ formulae and standard charges where appropriate.
- 2.22 In addition, although the passage relates to development plan documents, paragraph B27 notes that local planning authorities may use Supplementary Planning Documents, based on the policies in the Circular, as a means of setting out their proposed approach.
- 2.23 As noted in paragraph 2.16 above, individual planning authorities have evolved their practice accordingly to require, for example:
- affordable housing to be provided on-site and, where this is inappropriate, financial contributions in-lieu;
  - the provision and long term maintenance of open space and the public realm;
  - the provision of, or contributions to, a wide range of community facilities which are related to the development; and
  - the provision of, or contributions to, infrastructure where this is necessary to enable the development to take place.
- 2.24 Para B10 of Circular 05/2005 is of particular relevance to the approach that WNDC has adopted to planning obligations in this Strategy:
- “In some instances perhaps arising from different regional or site-specific circumstances, it may not be feasible for the proposed development to meet all the requirements set out in local, regional and national planning policies and still be economically viable. In such cases and where the development is needed to meet the aims of the development plan, it is for the local authority and other public sector agencies to decide what is to be the balance of contributions made by developers and by public sector infrastructure providers.”*
- 2.25 The former government had published a consultation document, *New Policy for Planning Obligations*, which was intended to replace Circular 05/05. In the light of the new government's likely policy reforms, new guidance may well emerge and this will need to be taken into account.

#### *Community Infrastructure Levy (CIL)*

- 2.26 CIL was introduced by virtue of regulations which came into effect on 6 April 2010. The intention of CIL is to provide for a tariff which will apply to almost all new development (above certain threshold levels and in certain circumstances). It operates 'outside' the S106 regime and the amount payable would be fixed on the grant of planning permission and payable in the majority of cases on commencement of development.

- 2.27 The regulations also introduced statutory tests which apply to all planning obligations as set out in paragraph 2.20 above.
- 2.28 The monies collected are to be spent on 'infrastructure projects' as set out in the relevant charging schedule. There is a formal process for the approval of the charging schedule, akin to a DPD examination, which itself must be informed by the infrastructure plan for the area. Once CIL is in place, the intention is that planning obligations should not be used to fund infrastructure generally and the regulations do not allow them to be used to seek contributions towards any identified CIL infrastructure projects. They may however be used a limited number of times to fund a specific piece of infrastructure or infrastructure project not intended to be funded by CIL.
- 2.29 As referred to above, however, it is anticipated that CIL will be replaced or modified by the current government through the introduction of 'a single unified local tariff applicable to all residential and non-residential development (even a single dwelling), but at graded rates depending on the size of the development'. These local tariffs rates will be set and published by local planning authorities in their 'local plans'. Whilst the money raised is intended, in the main, to meet infrastructure provided by higher level authorities, a percentage will be passed down to the local community in which the development takes place. Details of how such a system will operate will emerge in due course but it would appear that the system is not radically different from CIL except that it may involve a more limited use of planning obligations, ie. that they will not be able to be used for any form of pooling of contributions.
- 2.30 In any event CIL, or its replacement, is unlikely to be in place in the short term and therefore there is a continuing justification for WNDC to set out its interim approach in the short term as intended through this POS review document.

### *Conclusions*

- 2.31 The policy and statutory context has changed somewhat since the preparation of the original POS. However, it is clear that developer contributions towards various forms of infrastructure and facilities / services to support development in order to provide sustainable development will continue to be necessary and justified. The use of pooled contributions will be possible in the interim until a CIL or its replacement is in place though these should be set out as formulae or standard charges supported by appropriate evidence in a public document.
- 2.32 The CIL Regulation 122 tests are considered to have the following implications for any review of the Corporation's POS :
- (a) Necessary - there will need to be a clear justification for the requirement in that without those obligations the development would otherwise be refused.

- (b) Directly related - there will be a need for a clear link or relationship between the development and the contribution being sought, either through policy or through an impact of that development.
  - (c) Fairly and reasonably related - this essentially requires that there is a reasonable / proportionate link between the scale and nature of the proposed development and the level of contribution sought.
- 2.33 The effect of the new regulations is that where a PO is to be relied on as a reason for granting planning permission, it is now a legal requirement for them to be properly and transparently justified through Regulation 122, notwithstanding that the tests were previously within Circular advice. Circular 05/05 advice (and that contained in the more recent consultation document<sup>1</sup>) continues to be to encourage the use of formulae and standard charges where appropriate as part of the framework for negotiating and securing planning obligations. Such information should be published in advance in a public document.
- 2.34 W N D C also consider the advice in paragraph B21 to B24 to be particularly relevant which sets out the approach in respect of pooled contributions. The cumulative impact of a number of developments as is anticipated in West Northamptonshire is expected to have wide implications on the need for supporting infrastructure and it is important that all development makes contributions towards it in a fair and equitable way. In this context, paragraph B22 in particular notes that it may be appropriate to seek contributions to specific future provision, subject to the demonstration of need, and in these instances spare capacity in existing infrastructure provision should not be credited to earlier developments.

### **Status and Application**

- 2.35 The revised POS will form part of W N D C's emerging Regeneration Framework. While it is a non-statutory document, it can be afforded weight as a material planning consideration, commensurate with an SPD due to the process of consultation that it will have been through. W N D C have sought to fully consult with all local planning authorities and as key partners in the process, it is hoped that they will 'sign up' to the final POS and will apply it within their areas.
- 2.36 The POS will help to guide negotiations on S106 planning agreements and W N D C planning decisions and it is intended that the revised Strategy will be formally applied in relation to all applications that are not the subject of a resolution to grant consent as of the 4<sup>th</sup> January 2011. It will also inform W N D C's position where applications have been appealed or called in by the Secretary of State but remain undetermined.

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(5) <sup>1</sup> *New Policy Document for Planning Obligations, March 2010*

*Consultation*

- 2.37 As referred to in paragraph 2.10 above, the strategy adopted toward the Review has been to follow as closely as possible the requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). A process of pre-consultation including two stakeholder workshops has already been undertaken and the findings have been taken into account in the drafting of this first revision document. A period of 4 weeks full public consultation supported by further meetings with key stakeholders will take place from the middle of October to mid November. The comments received will be tabulated, responses noted and further revisions made to the POS document as necessary. The final version supported by all relevant documents will be reported in full to Board, the expected timing of which is likely to be December 2010.
- 2.38 A full version of the relevant Consultation Statement is provided as a supporting document to this consultation document.

*Sustainability Appraisal*

- 2.39 This Strategy has not been the subject of a sustainability appraisal. WNDC has sought legal advice on this matter and has been advised that the POS is not a document capable of being a "Plan or Programme" to which the Strategic Environmental Assessment Directive and the Plans and Programmes Regulations would apply. Instead its purpose is to provide a basis upon which a standard approach to securing contributions towards infrastructure required within the Corporation's administrative and wider area is justified. The plan and programmes setting out the framework against which it decides an application for a "development consent" is set out in the Development Plan documents and not the POS. Therefore there is no requirement nor do WNDC consider it necessary that a Sustainability Appraisal is carried out in this context.

### 3. Approach and Methodology

- 3.1 This section outlines in more detail the proposed approach and methodology of the revised POS for the purposes of decision making on planning applications. In principle it is considered that the standard charge approach remains valid. However, it has become apparent that a clearer and more flexible approach is required in circumstances where the simple application of the standard charge may not be appropriate.

#### The Standard Charge Approach

##### *Introduction*

- 3.2 One of the fundamental elements of the POS review has been to re-evaluate the level of Full Standard Charge (FSC) / Discounted Standard Charge (DSC) that can be expected from development in the light of the economic downturn. This has also taken into account other relevant changes referred to in section 1.
- 3.3 In this context and as a result of funding and restrictions placed upon public expenditure, it is also clear that there is a need for service providers and others to reconsider the ways in which necessary services and facilities are provided in order to identify cost and efficiency savings. WNDC has sought to encourage all key public sector partners to consider such an approach.
- 3.4 It is considered that the revised POS can still operate on the same basis as the current POS, ie. based on a discounted standard charge related to the costs of necessary infrastructure, taking into account development viability. This provides a relatively straightforward system whereby the application of the standard charge simplifies the calculation of necessary contribution amounts. This gives certainty and clarity to developers. However, there is a need for a more flexible approach to deal with the larger sites and the issues arising from those. This will also involve a review the mechanics of the system to allow for this and to set out in more detail how those situations will be dealt with in relation to the basic standard charge approach.
- 3.5 The current POS established an overall FSC of £31,300 per dwelling, based on the level of infrastructure necessary to meet the overall growth requirement of the area. The DSC, based on an assessment of development viability was set at a reduced rate of £20,000 per dwelling.

##### *Viability Assessment*

- 3.6 The level of the discounted charge has been given a thorough re-appraisal in the light of the economic downturn. It is of note that a recent High Court decision which was recently upheld in

the Court of Appeal<sup>1</sup>, held that it is appropriate to consider both current and improved market conditions provided that is reasonable taking account of the timescales involved. There is also support for the 'residual land value' approach as used in the original POS<sup>2</sup>.

- 3.7 It is clear that the full costs of meeting all the necessary infrastructure requirements remains beyond the ability of developers to fund. The funding and delivery of the FSC remains reliant on the public sector to facilitate and deliver, and it is clear that in the current circumstances the reconsideration of wider public sector service standards and funding models will be necessary to deliver these full requirements. Through the review process it is likely that the total FSC will be reduced as a number of the previous components will not currently satisfy the Regulation 122 tests. That said, it is concluded, that the critical matter remains a developer's ability to meet the costs associated with the mitigation of the impacts of their development and hence the review has focused on assessing the level of the discounted standard charge (DSC). Notwithstanding the likely reduction in the level of FSC, given the current difficulties in bringing forward development, it may be that the differences between the FSC and DSC will not be that significant.
- 3.8 The full viability assessment has been undertaken as part of the Review (see Supporting Technical Document (b)). The key matters of note are set out below:-
- a) there is a local land value level at which owners are likely to sell
  - b) whilst there is no doubt that the sharp downturn in sales values has stalled many schemes, there are signs of improvement, though it is noted that buyer confidence has been hit by lower mortgage offers
  - c) current modelled residential values do not take account of all off-site or extraordinary costs, such as highway costs to both the local and strategic networks
  - d) the standard charge cannot be too punitive otherwise it will not be readily accepted in the majority of cases and contested
  - e) in 2007/08 developers were known to be prepared to accept a (discounted) standard charge of £18,000 and at the Daventry inquiry (2009), contributions equivalent to values around £15,000 and in excess of £18,000 were agreed.
  - f) whilst the £18,000 level may still remain difficult to negotiate, a lower level of DSC may have little effect on some smaller schemes which are more dependent on agreed land value and deals secured with other funders. A lower DSC may also be used as a benchmark by the developers of the bigger schemes. It is thus recommended that the rate remains set at a target rate of £18,000 and where developers choose to submit viability assessments, WNDC should promote deferred payment contributions (see below).

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(6) <sup>1</sup> Barratt Developments PLC v The City of Wakefield Metropolitan District Council and ANR, [2010] EWCA Civ 897

(7) <sup>2</sup> Appeal decision Countryside Properties, Clay Farm, Cambridge APP/Q0505/A/09/2103599

- g) Consideration should be given to allowing for geographic variations where these are justified by varying sales values, infrastructure requirements and/or to comply with the CIL Regulations.

3.9 It is concluded therefore that while there may in some circumstances be a justification for a reduction in the DSC, given the current situation, it is reasonable for the DSC to remain and be set at around £18,000 per dwelling across WNDC's area for all scales of residential development in order to ensure that appropriate levels of contribution towards the necessary infrastructure can still be achieved. This may have to be amended in due course where justified to reflect slight geographic variations within each of the three towns.

#### *Commercial Development*

3.10 The ability of applying a standard charge to commercial development is more difficult due to the fact that the range of actual / potential schemes and site circumstances are so varied. It is acknowledged that in respect of 'brownfield' sites in particular there may be significant costs involved in site preparation and construction. Furthermore, there will be a range of impacts and not all of the infrastructure items set out in Annex A are likely to be relevant. It is intended therefore that contributions will thus continue to be negotiated on a case by case basis having regard to specific site circumstances and the identified impacts of those developments.

3.11 However, in order to assist negotiations further consideration is being given to the use of a 'standard benchmark' to assess schemes, particularly those involving greenfield B2 / B8 development and retail development where the costs and values are more consistent. The viability report identifies a benchmark of between £30 and £50 per sq.m for B2/B8 and £107 per sqm for retail development<sup>1</sup>. No standard benchmark has been set for other commercial uses such as offices, hotels, leisure development etc. Discussions on Section 106 contributions for uses not defined within the standard benchmark will be considered on a case by case basis and are likely to require viability submissions to be provided.

#### **Review of Infrastructure Requirements**

3.12 A thorough review and assessment of the necessary levels of infrastructure and programmes for their delivery to support the planned growth in West Northamptonshire is currently being undertaken as part of the work by the West Northamptonshire Joint Planning Unit (WNJPU) on the Joint Core Strategy (JCS). This work is unlikely to be published for consultation until early 2011 as part of the pre-submission version of the Joint Core Strategy. The view has been taken that it would not be possible in the time available, nor would it be sensible, to seek to cut across or pre-

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(8) <sup>1</sup> Annex C Viability Report POS Technical Document

empt this work. Therefore it has been decided to take a relatively straightforward view on the level and nature of the necessary infrastructure requirements based on existing published guidance of the service providers and an assessment of existing and proposed strategic development schemes. In these circumstances, it is considered that this provides a robust and justified approach in the interim.

- 3.13 The original Annex A list has been reviewed against the development plan and national policy context, the current and known requirements associated with existing proposed developments (both application and pre-application stages) and the most recent information provided by the public sector providers, most notably Northamptonshire County Council, and other evidence which has been prepared through the preparation of the JCS.
- 3.14 It has also been thoroughly assessed against the Regulation 122 tests, as set out above in paragraph 2.20. It has been concluded that there are some elements previously included which cannot be supported at this time due to the lack of evidence demonstrating a clear need and / or specified programmes / projects. In addition, whilst the test of 'clearly related' is met in many instances, in the absence of any costings for any specific item of infrastructure or details of any programme for project delivery coming forward, it is difficult to ascertain what the level of contribution 'reasonably related in scale and kind' would be, thus it is deemed to be inappropriate to identify specific contributions for these elements of infrastructure. It is also necessary to ensure that there is a clear audit trail between the contributions made and the infrastructure provided.
- 3.15 However, where it is known that service providers are in the process of re-assessing requirements with a view to producing programmes and strategies for facilities and/or infrastructure that still meet the other Regulation 122 tests, the incorporation of those sums will be reconsidered as part of an ongoing review of Annex A. In the absence of clarity over the necessary strategic cost of that infrastructure across the Corporation's area, there is likely to be an on-going need to negotiate these elements on a case-by-case basis through the determination of individual applications.
- 3.16 The revised schedule is provided as Annex A to this document. It is not intended to publish individual unit costs at this time, as work on this matter is ongoing. This is not considered significant in the context of taking forward the review of the POS, as the critical factors in determining individual planning applications relate to ensuring any approval is policy compliant and infrastructure related to the development is secured within a viable and deliverable scheme.

### **Strategic Sites - Interim Infrastructure Schedule**

- 3.17 As indicated above it has not been possible in the time available to undertake a full and thorough assessment of all strategic infrastructure requirements and this work is progressing in association with the work being done on the emerging JCS by the WNJPU.

- 3.18 However, through consultation on current applications and pre-application schemes it has been possible to obtain comments on the specific and general impacts of those developments, the necessary mitigation and to estimate the timing of such provision based on likely build out programmes. This has enabled WNDC to draw up a 'Strategic Sites - Interim Infrastructure Schedule' which has been used to identify, prioritise and programme necessary infrastructure in relation to those sites. Through the consultation process and in association with work being undertaken to develop the JCS, it is envisaged that this list will be amended and refined as matters progress.
- 3.19 The Interim Infrastructure Schedule, included as part of the revised POS, will function as a living document and will evolve and develop until matters are formally taken forward through the adoption of the Joint Core Strategy. This approach should provide clear guidance in respect of those identified schemes and should be read in the context of the Annex A schedule. The value of any on-site infrastructure provision will need to be assessed and off-set against the DSC in accordance with the parameters as set out in Section 4 below.
- 3.20 The Interim Infrastructure Schedule is attached as Annex B to this document.

### **Application of the Charge**

#### *Development Type*

- 3.21 As with the previous POS, the standard charge will apply to all forms of housing to be determined by WNDC, including that provided within mixed-use developments, affordable housing (AH) and specialist housing, in that all of these give rise to requirements for a range of infrastructure and community facilities.
- 3.22 It is acknowledged that affordable and other types of specialist housing will not be liable to CIL and that is likely to be the case with any new tariff proposed by the government. However, at least in the case of the latter, it is noted that the government intends to introduce various incentives to encourage the provision of AH. Currently it is envisaged that this is to be in the form of a 'Matching Fund' which will provide for 125% of the Council Tax for an AH unit to be provided for a period of 6 years. However, until such time as these financial incentives are in place there is still a need to mitigate the impact on infrastructure, services and facilities by AH and thus it is intended that the DSC will apply to AH until such time as alternative funding is available.
- 3.23 Commercial development will be generally negotiated on a site by site basis, though as indicated in paragraph 3.11 above, it is intended that a standard benchmark value will be used in respect of B2 and B8 uses on green field sites and retail development as the associated costs and values are more consistent than other commercial forms of development.

### *Geographic Variations*

- 3.24 The work on the POS review has also considered in some detail whether there is justification for a variation between different geographic areas. For instance, in carrying out the viability study it was found that there is a 10% range in average residential sale price across the three towns. However, this factor on its own was not considered to be sufficient to justify a geographic variation in the charge.
- 3.25 There may be justification for a variation due to the different levels of local infrastructure required and the need to ensure that each item satisfies the Regulation 122 test of 'directly related'. For instance, the existing provision in schools and local sports facilities varies between the main towns and therefore the levels of existing available capacity will also vary. However, it must be remembered that the proposed growth levels for each town also vary and therefore any variation to the 'standard charge' should reflect the different costs of certain types of necessary infrastructure taking into account the likely levels of growth within those areas and how that is likely to impact on infrastructure provision and services. Thus the availability of apparent 'spare capacity' will need to be considered carefully in the context of the overall level of growth identified for the area.
- 3.26 In any event, there will still be a requirement for all development to contribute to certain larger elements of infrastructure which are intended to serve a wider catchment / population across and between the three towns. In all likelihood, these elements will be the more costly, eg. strategic transport schemes and thus the variation between towns / local areas may not be that significant.
- 3.27 It is therefore intended to apply the DSC consistently across the three towns as this allows for ease of strategic application across West Northamptonshire and to allocate and spend the monies within the local area of the development except where it is clear that there is a need to mitigate wider impacts. This may be in relation to such items as strategic transport or where the supporting community infrastructure is provided within the wider area (usually within the Principal Urban Area of Northampton), eg regional / sub-regional sports facilities, parks & gardens, public realm and cultural investment, and Green Infrastructure. Where developers consider a reduction in the charge to be appropriate to reflect more local contexts, they will be encouraged to demonstrate this through the submission of evidence relating to viability and/or infrastructure provision/ capacity.

## A New Approach - the 'Cascade'

### *Background*

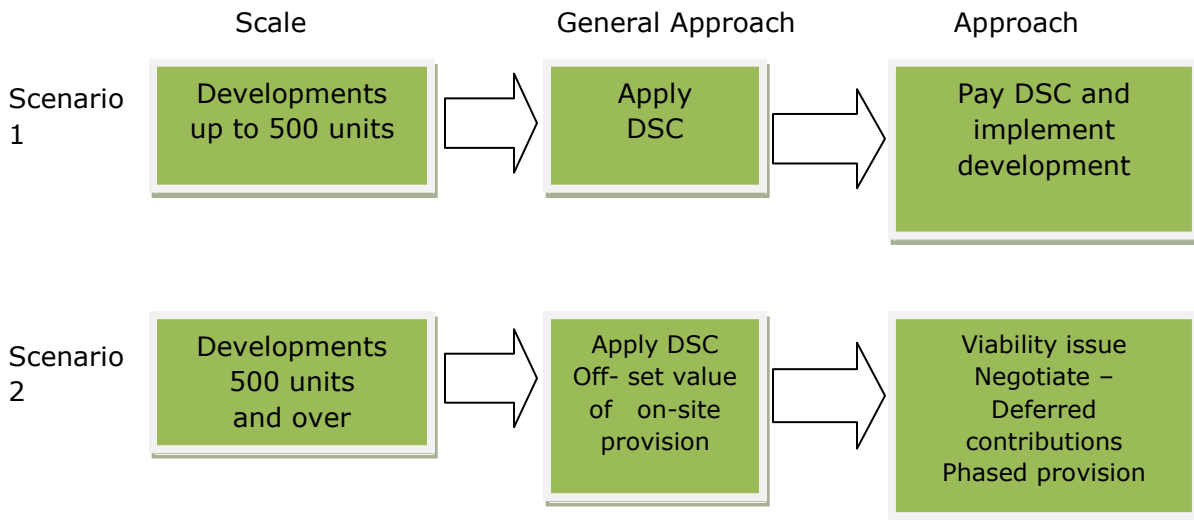
- 3.28 It has become clear that differing roles are played by varying scales of development in terms of the nature of their contribution to infrastructure provision. The negotiation and agreement of the standard charge has been reasonably straightforward on the smaller / medium sites. This appears to be because it provides a relatively straightforward means of making the appropriate and necessary level of contribution in providing a level of certainty where issues such as land acquisition and scheme funding appear to be the more difficult areas. In addition, these sites generally have less ability to provide any meaningful levels of on-site infrastructure and the payment of contributions enables WNDC to secure appropriate facilities on other sites or through other service providers.
- 3.29 In contrast, the larger sites and in particular, the Sustainable Urban Extensions (SUEs), which the Corporation has dealt with or is dealing with are often more readily able to contribute through the provision of 'physical' on-site infrastructure rather than through financial contributions. In these circumstances, this is also WNDC's preferred approach to seeking the necessary infrastructure, as indicated in the original POS as it enables the provision of the associated infrastructure in a timely manner to support the creation of sustainable communities. It also enables the consideration of whether it is appropriate to seek to negotiate whether such sites can provide for infrastructure (in the form of land and/or buildings) to support the smaller sites.
- 3.30 However, a weakness in the original POS was that it had little detail in terms of how such situations would be dealt with. In particular, how the value of the on-site provision would be calculated so as to determine whether there would be any implications for the standard charge that would otherwise have been applicable. In addition, it has become clear that issues related to viability could have significant implications for the way in which such sites are brought forward.

### *'Cascade' Approach*

- 3.31 In view of the differing circumstances that will arise in relation to the above situations, it is likely that in practice a more straightforward approach will be taken in the case of small / medium developments in that these are likely to be dealt with in the main with a 'simple' discounted charge approach.
- 3.32 However, the larger scale developments where a significant proportion of on-site provision is likely to be made will likely revert to a more 'negotiated' approach which whilst using the discounted charge for each item of infrastructure as a benchmark, will be subject to variation depending on the amount / value to be off-set arising from any wider off-site capacity and/or

on-site provision. In addition such a negotiated approach will enable any viability issues, as demonstrated by appropriate evidence, to be taken into account.

**Strategic cascade flow-diagram**



- 3.33 The above diagram sets out the basic strategic approach to be taken in fairly simple terms dependant on the size of the development proposal. For the smaller schemes, a straightforward approach will be taken as this has proved so far to be the most practical and enables the development to go ahead with most certainty and clarity. Applicants will be expected to meet the costs associated with the DSC in a timely manner and readily implement their schemes. Those schemes which are able to demonstrate viability issues will be required to follow the approach set out below in order to agree a reduced level of DSC.
- 3.34 In respect of the larger schemes, a rather more complex ‘hybrid’ approach will need to be negotiated, taking into account the amount and level of any on-site provision. WNDC’s preference is that ‘physical’ infrastructure is provided on-site if it is appropriate and sustainable to do so. Details of how the value of on-site infrastructure and other provision is to be assessed and off-set against the DSC is set out in paragraph’s 4.26 to 4.28 below.
- 3.35 In order to move away from the DSC and seek reduced contributions, applicants will be expected to provide the evidence set out within a viability assessment. It is recognized that developers are best placed to identify whether their schemes are being adversely affected by economic conditions and/or abnormal costs associated with development. It is also worthy of note, that the Corporation would not wish to prevent any developer from seeking to enter into viability discussions.

- 3.36 That said, those that wish to exercise this option, will be expected to meet the Corporation's full cost towards the assessment and verification of submitted financial appraisals by an independent and appropriately qualified expert. In order to assist with the seamless transition from the DSC approach into the viability cascade and assist the market with this process the Corporation has established a set of Viability Assessment Guidelines. These are included within the POS Supporting Technical Document.

### Specific Types of Development Scenario

#### *Other Development including Residential Development in the Northampton Central Area*

- 3.37 Planning obligations for all other types of development that fall to WNDC to determine, including development within the Northampton Central Area, will be taken forward through the standard approach, unless viability matters dictate otherwise. Where viability issues can be demonstrated proposals will be negotiated as above (under scenario 2), on a scheme-by-scheme basis, taking account of the nature of the proposed development, site circumstances and the need to manage any potential impacts of the development.

#### *Mixed Use Developments*

- 3.38 The standard charge arrangements will apply to the residential element of any mixed use proposal. Planning obligations sought in respect of all other proposed uses will be considered separately, taking account of the nature of the proposed uses, site circumstances and the need to manage any potential impacts arising as a result of the proposed uses. Those which include B2 / B8 development which is located on a Greenfield site or retail development(s) will be negotiated having regard to the standard benchmark for that element.

#### *Public Sector Land*

- 3.39 The standard charge will apply to all land within WNDC's area, including land owned by WNDC, the local authorities and other public bodies.

#### *Cross-boundary Applications*

- 3.40 Where the development site and planning application falls partly in another local planning authority area, WNDC will encourage that authority to apply a similar approach to the types of infrastructure and level of any financial contribution to ensure consistency in the obligations sought. To the extent that a conflict arises in connection with the determination of an application and the type or form of obligations to be sought, then both authorities will have to negotiate

planning obligations, for the portion of the development that fall to them to determine, in accordance with their own approaches.

- 3.41 As noted above, in respect of the larger sites, these are those identified as being so significant that they will be implemented well beyond the life time of the Corporation and as such could be considered as forms of 'legacy'. In these circumstances, it is likely that a 'hybrid' approach will be adopted and therefore it will be possible for other authorities to be a party to those agreements.

#### *Provision of Affordable Housing*

- 3.42 Affordable housing provision does not fall within the standard charge contribution, but where required as part of a development proposal by any relevant local policy, appropriate provision should be made as set out below. WNDC are aware that in the current economic climate, the provision of affordable housing may be directly affected by viability issues. However, national policy and local policy (as demonstrated by recent local housing assessments) stress the need to make appropriate provision for the needs of all the community. Thus with the ability to access an affordable home also being directly affected by the current economic downturn, WNDC wish to retain the ability to negotiate on a site by site basis where the 'normal' requirements cannot be met to ensure that the development meets sustainability objectives.
- 3.43 Residential development is required to provide affordable housing consistent with the requirements of the development plan, with Planning Policy Statement 3 (PPS3) and with the findings in general of any applicable Local Authority managed Housing Market Assessments. It is of note that the WNJPU have also published a consultation version of the Affordable Housing SPD (May 2009) which sets out more detailed requirements in respect of the local policies. In relation to the level of provision of affordable housing for a particular site, WNDC will in the first instance seek to follow the level set by the respective local authorities. It is noted that a recent Strategic Housing Needs Assessment has been undertaken but has yet to be taken forward on any formal policy basis. Therefore until such time as this level of provision is formally reviewed, WNDC intend to refer to current policy, albeit accepting that the above may gain weight as a material consideration in any negotiations on individual sites.
- 3.44 The general presumption is that affordable housing will contribute towards creating a mix of housing and WNDC considers this is best achieved if all such provision is on the application site. This approach is supported by PPS3 and other relevant local policies. Only in exceptional circumstances where it has been demonstrated as justified / necessary by appropriate evidence, will alternative provision such as off-site or financial contributions, be considered (see paragraph 3.48 below).
- 3.45 WNDC will expect the terms of any proposed affordable housing planning obligation to cover the following matters:

- Overall quantum - normally minimum 35% (expect in Towcester where this level is 40%)
- Tenure split – normally comprising 25% social rented, 10% intermediate
- Cluster size – maximum 6 dwellings; for flats as negotiated in consultation with social landlords (derived from draft SPD)
- Governance – the means by which such housing will be made available for those in housing need in perpetuity – Registered Social Landlord's are the preferred means although other arrangements may be considered
- Availability of land at nil net cost
- The number, type and mix of size of units to be provided
- The means by which the housing will be first occupied and thereafter passed on – to include reference to LA nomination rights and letting arrangements
- The location, phasing and trigger points for provision.
- The level of Social Housing Grant (SHG) (if applicable)

3.46 A model agreement with appropriate clauses will be provided by the Corporation in due course.

3.47 In exceptional circumstances where supported by a viability study and at its discretion, WNDC may agree to negotiated modifications to the above requirements to provide alternative arrangements for the provision of affordable housing. The alternative arrangements which will be considered by WNDC are set out below. In the event that WNDC agree that on site provision in accordance with paragraph 3.45 above cannot be met and this has been demonstrated by appropriate evidence and is robustly justified, it will consider which if any of the following (in order) is most appropriate in the circumstances:

- A variation to the tenure split and/or provision of the stated minimum % on a phased basis – to be set out within the agreement or agreed as a matter to be negotiated on a phased basis if the scheme is large enough to justify such a phased approach
- A variation to the type of 'affordable housing' provided – housing built as Market Housing to normal size and specification and subsequently made available for discounted sub market rent may, in appropriate circumstances at WNDC's discretion, be classified as affordable housing if provided under equivalent rental arrangements to social rented housing. However, housing built as market housing at low cost by way of an overall reduced floor area or lesser specification or other "low cost market housing" or housing offered as market housing for sale at a discounted sale price due to market difficulties cannot be classified as affordable housing (at this time).
- The provision of part, or all, of the affordable housing off site.
- Financial contributions of equivalent value in lieu of on site provision.

- 3.48 The affordable housing requirement applies to residential developments of 15 or more dwellings within the Northampton Central Area. Outside the Northampton Central Area, the same levels of affordable housing requirements apply to all other residential developments for which WNDC is the determining authority.
- 3.49 Applicants are advised to discuss their proposed scheme with WNDC at pre-application stage to agree the proportion and mix of affordable dwellings prior to submitting the application, especially if the applicant is proposing a variation to the above minimum requirements, variation to the normal on-site arrangements or provision other than on-site.
- 3.50 The Strategy assumes that sufficient Social Housing Grant will be available to make the affordable housing 'nil net cost or value' to the developer. However, it is the responsibility of the applicant, through early discussions with WNDC and an RSL, to assess the availability of grant and the impacts upon a scheme if grant is not forthcoming. This should be addressed through any viability assessment put forward.
- 3.51 In determining the final arrangement to be included in any particular S106 planning agreement, WNDC will take account of the local need for affordable housing, site circumstances, and development viability, which may require an 'open book', development viability appraisal. In such cases, WNDC may consider the phased provision of affordable housing provided that overall the development can satisfy the principle of sustainable mixed communities.

## 4. The Process for Negotiating the Standard Charge and other Planning Obligations

### Pre – Application Discussions

- 4.1 In accordance with the advice set out in PPS1 and WNDC's own Planning Principles, prior to submitting a planning application, applicants are strongly encouraged to engage with WNDC to discuss the planning issues and requirements to be taken into account in preparing the development proposal. The pre-application discussion should also extend to the impacts of the proposed development and any specific planning conditions or obligations required to manage and / or mitigate those impacts.
- 4.2 This Strategy document is intended to provide clear and consistent advice in order that developers will be fully aware of the obligations that will be necessary to support their development proposals. However, it is acknowledged that there may be site specific considerations that need to be taken into account and it is intended that such pre-application discussions be conducted in as open a way as possible to ensure that all matters are fully considered at the initial stages of scheme preparation.
- 4.3 It is intended that consultation with the public sector and others will be undertaken at the pre-application stage, if necessary, to seek advice on levels of contribution sought and how they are to be dealt with.

### Statement of Proposed Obligations

- 4.4 Applicants will be requested to provide a 'Statement of Proposed Obligations' with any application to which the strategy applies. For the smaller sites this should simply comprise the following:
- agreement to meet the standard charge
  - agreement to meet the requirements of the Model Planning Agreement;
  - details of the provision of any affordable housing proposed, to include any variation proposed to phased provision;
  - agreement to meet WNDC's legal costs of preparation; and
  - agreement to meet the appropriate monitoring contribution
- 4.5 In respect of the larger schemes, in addition to the above, Annex A should be used to identify infrastructure requirements and to note how these are being met either through on-site physical infrastructure provision or by way of standard charge contribution. Where the on-site provision does not meet the full impacts arising from the development, this should be highlighted in order to enable discussion / negotiation regarding the most appropriate means of meeting the 'shortfall'. Similarly, where the on-site provision exceeds that required specifically to meet the

needs and impacts of the development proposed, the applicant should clearly identify the additional provision. This will assist WNDC to identify and assess any off-set / in-kind payments applicable.

- 4.6 Clearly if there are viability issues the process of 'open book' viability assessment will need to be followed, although the provision of a draft statement to be used as an aid to discussion will still be useful as part of that process.

#### **Model Planning Agreement / Clauses**

- 4.7 A model planning agreement to be used in the case of the application of the standard charge has been prepared and will be made available on the WNDC website. It has been prepared to assist developers and landowners to understand how the arrangements will work, in detail, and help with the timely consideration of planning applications. It is designed to cover the standard charge and other non-financial obligations. In instances where developers are prepared to accept the standard charge approach, following pre-application discussion, a draft agreement should be provided with any application submission.
- 4.8 In respect of the larger schemes, where it is likely that the obligations will 'cascade' into the hybrid approach of part 'traditional' obligations and part standard charge contributions, or where viability is an issue, further guidance in respect of how certain schedules / clauses of development will be drafted will be made available via the Corporation's website. These matters can usefully be discussed at the pre-application stage to enable any variation from the 'standard approach' to be agreed in advance.
- 4.9 Through the pre-application process, consideration should be given at an early stage to the intended mechanism to be adopted in maintaining and managing community assets and public open space. The Corporation's preferred approach is to seek to maximise local accountability and engagement in the management of assets and hence the use of Local Development Trusts is promoted. In these circumstances, developers should ensure that a sustainable financial model is applied. In all other circumstances, contributions will be sought to secure an adequate and proportionate maintenance standard, the period of which will be defined by the type and scale of community/ public infrastructure proposed. Whichever approach to maintenance is taken, the Corporation will seek to liaise closely with the relevant local authority to ensure that any asset is maintained to an appropriate standard and for an appropriate period.

#### **Viability Assessments, Deferred Contributions and DSC Reductions**

- 4.10 Where an applicant proposing an otherwise acceptable scheme has good reason to seek a reduction to the discounted standard charge, supported by evidence of unusual or exceptional circumstances, WNDC will take this into account, by seeking the submission of an 'open book' development viability for review by WNDC and verified by a suitably qualified independent

adviser. In such circumstances, WNDC will be prepared to negotiate the deliverability of necessary infrastructure. Options such as reductions to the DSC, deferred charges, phasing / delayed triggers of payment, or delayed (phased) provision of affordable housing may be appropriate. WNDC's key objective underlying such negotiations will however remain the need to ensure that the development is compliant in planning policy terms and contributes to the creation of sustainable communities.

#### *Viability Assessment – the general approach*

- 4.11 Where issues of viability become apparent, the Corporation will seek to apply a consistent approach across differing scales of development through adopting common approaches towards developing and assessing viability assessment. It is recognised that developers are best placed to assess the viability and feasibility of delivering viable schemes and it is not for the Corporation to specify one particular viability model above all others. However, it is critical that a common understanding and language is used to develop and assess viability assessments in an open and transparent way. To assist this process, a standard list of inputs to any viability assessment has been developed these are set out in the Guidelines for Viability Assessments topic paper within the Supporting Technical Document.
- 4.12 Through the review, the difficulties of delivering developments, especially large scale proposals, which are viable and comply with government policy are recognised. Whilst the merits of development must be considered on a case by case basis, it is acknowledged that a degree of consistency and clarity of approach is necessary to expedite the delivery of sustainable growth.
- 4.13 It is proposed that a “cascade” mechanism be introduced which comprises a number of checks to expedite any proposed viability case put forward. In terms of application, it is considered that the revised DSC is an acceptable benchmark which most developers will be able to afford. In this circumstance, the DSC should be paid in line with the approach as set out in the POS.
- 4.14 In those circumstances where a developer submits to the Corporation initial evidence of viability issues associated with scheme delivery, the Corporation should explore with the developer the cause for such concerns. Where it becomes apparent, at a strategic level, that a development's reasonable costs of delivery cannot be afforded (land purchase cost, S106 requirements, construction/ development costs, profit level), then the developer will be invited to participate in an open book appraisal. The requirements of such are discussed above. It should be noted, that those invited should not assume that planning permission will be issued in due course, as the Corporation has an overarching objective to deliver sustainable development which fulfils national policy requirements.

- 4.15 There is also a recognition that a viability assessment may lead to the construction of a complicated set of S106 requirements which necessitate the need to move away from WNDC's standard S106 template (see deferred contributions/ timing of payments etc below).
- 4.16 As the cost of the POS is set at a reasonable level, any variation from that level will place an unexpected additional burden upon the Corporation's financial and staff resource. In acknowledging and applying the need for a flexible approach to resolve concerns over viability, it should be expected that the development industry meet the reasonable costs toward this work. Where issues over viability are known early enough in the process and prior to developers commissioning their own independent expert whereby the expert provides impartial advice to all parties, the Corporation may consider entering into a joint commission, through a duty of care mechanism. Although, the costs of this approach would still have to be met by an applicant, it is anticipated that this will be less than those costs incurred by an applicant paying for the Corporation's own expert.

#### *Deferred Contributions*

- 4.17 As indicated above there remains a need to consider, in exceptional circumstances, whether a mechanism to allow deferred contributions is appropriate. In this context it should be noted that whilst WNDC wish to accommodate developers requests for lower up front contributions, where fully justified, there is a need to ensure that this is not at the expense of being able to fully fund and bring forward necessary infrastructure.
- 4.18 It should be noted that deferred contributions are not a means to seek additional contribution amounts over and above that required to mitigate development impacts, by way of, for instance, profit-sharing. Rather they are a means whereby in recognition of on-going cashflow issues and affordability related to development implementation, the necessary and appropriate contributions can be made at an appropriate, agreed point during the development process. In general this would allow for a reduced amount to be paid initially with the deferred element being payable, subject to certain predetermined viability criteria being met, at a later date. Such an approach is contained within the current POS. This position has been re-appraised and informed by a topic paper which is provided at appendix C of the Supporting Technical Document.
- 4.19 The adopted mechanism will be based on the principle that the developer will know the maximum liability at the start of the development but may pay less if market conditions and scheme viability do not facilitate full payment. The topic paper proposes a number of options for taking forward the deferred contribution mechanism and views on the appropriate mechanism(s) are sought through the consultation process. Although, it is likely that a number of approaches may have to be available to deal with the variety of circumstances encountered across the range of planning applications dealt with by the Corporation.

### *DSC Discounting*

- 4.20 There are occasions where developers have chosen to provide infrastructure works in advance of development which that infrastructure would be required to serve. In these instances, the Corporation will work proactively with the developer to identify the infrastructure relevant to any subsequent application submitted for determination. Where a clear link between infrastructure provision and the proposed development can be established and agreement reached to the apportionment of capacity, cost and (wider) profit achieved (where relevant) a discount to DSC will be available. Applicants wishing to follow this route, should note that the reasonable costs incurred by the Corporation in verifying any submitted information will be expected to be met by them.

### **Other Matters**

#### *Costs to be met by Developers and Landowners not to be Offset against Standard Charge*

- 4.21 WNDC does not anticipate further contributions from developers beyond the standard contributions (where relevant, offset by any agreed physical infrastructure provision by the developer in lieu of a charge) to meet the cost of infrastructure specified in the infrastructure cost schedule. There will, obviously, be additional on and off site infrastructure requirements, which were not considered in calculating the standard charge, the need for which directly arises as a consequence of the development proposals. These will be subject to conditions and/or further obligations.
- 4.22 The cost of on-site infrastructure, including those identified as a condition or requirement of the grant of planning permission, are considered 'normal' development costs, which WNDC considers should be accounted for in any negotiations with the landowner. Other than exceptional on or off site infrastructure costs, WNDC do not anticipate making any further allowances in relation to such costs.

#### *Building Standards / Design Quality*

- 4.23 Local and national policies set out that high standards of design and build quality will be expected in all development. This is endorsed in WNDC's corporate and business approach and the corporation supports the national standard for well designed homes and neighbourhoods as set out in 'Building for Life'. WNDC also wishes to encourage a flexible and forward looking approach to development and as new technologies arise, applicants are encouraged to consider alternative, sustainable forms of construction.
- 4.24 WNDC has adopted a corporate approach in relation to sustainability and to seek to move towards zero carbon development, has produced a suite of documents setting out the approach.

The Manual for Design Codes provides advice on site layout and built form in respect of energy efficiency measures and the West Northamptonshire Sustainability Manual provides a framework and guide for low and zero carbon energy measures. It is intended that the Planning Obligations Strategy will set out the means whereby development is enabled to offset its carbon emissions by securing allowable off-site solutions through carbon trading. This element will be optional and operate outside the standard charge but could apply to all types of development.

- 4.25 WNDC take the view that in the context of existing and emerging national and local policy, standards which apply at the commencement of development are taken to be 'normal' development costs and no further reduction should be made to the discounted standard charge. As set out in the Sustainability Manual, any 'higher level' costs associated with the achievement of zero carbon development may be off-set against development costs or alternatively, the development will be enabled to make appropriate contributions as part of the suggested 'carbon off-set' contribution impacts. It is acknowledged that national policy is continually emerging on this matter but on the basis that a formal policy basis for carbon off-setting is likely to emerge, WNDC wishes to ensure that the POS includes relevant criteria. Further information and the current local evidence base is set out within revised Annex A to this consultation document.

*Off-set / In-Kind Payments - Land and Construction Costs*

- 4.26 WNDC's approach will be to encourage the provision of on-site physical infrastructure wherever practical and appropriate. In general it will be assumed that any on-site provision will need to be such as to provide for the needs and mitigate the impacts of the development itself, eg. open space or community facility buildings in accordance with the adopted standards, usually in the form of a quantum of space / amount related to population numbers.
- 4.27 However, there may be instances where it will be desirable or practical to provide a facility which is in excess of the size that would be required only by that development, particularly where a need has been identified through other development requirements where it is not possible to provide any on-site facilities in relation to that development. In these instances it will be necessary to consider whether there is a need to take into account or off-set the benefits / value of that part of the infrastructure over and above that necessarily required to mitigate the impacts of that particular development. Such 'off-set' payments will need to take into account the clear 'excess' that is being provided and a value attributed to that element only. Clearly, some infrastructure provision has a minimum size threshold (eg. Primary and secondary schools) which cannot for practical reasons be reduced below that minimum size. This will be taken into account when assessing the amounts to be off-set.
- 4.28 The value to be assigned will be based on land and construction costs of the particular facility in question. Normally, the appropriate land value will be determined by the District Valuer having regard to any appropriate alternative use. In the main it is considered that this will be a

'community land value' and a residential land value will only be agreed where it can be demonstrated that such use is a viable and appropriate alternative use to the land in question.

#### *Maintenance Costs*

- 4.29 Most items of physical community infrastructure will require ongoing maintenance the cost of which will be borne by the body which retains or is transferred ownership. This cost is included in the DSC and will thus be covered where the standard charge approach is to be followed. However, where related to on-site physical infrastructure provision, it will be appropriate to require a developer contribution towards maintenance costs (eg. where public open space is to be transferred to a local authority). This approach is supported by Circular 05/05 paragraph reference. B18 – B20. The annual cost and number of years covered will be specifically related to the type of infrastructure provision in question.
- 4.30 However, as noted in paragraph 4.9 above, WNDC will promote the setting up of Local Development Trusts (LDT), where appropriate, to take on board responsibility for the future running and maintenance of such community facilities so as to enable full local accountability. In such instances whilst the payment of maintenance contributions may not be appropriate, provided it can be demonstrated that such costs will be fully met through a 'residents levy' or similar, it may be necessary for the developer to provide an up front 'pump priming' payment to enable the LDT to be up and running at the earliest practical opportunity. Further guidance as to how the setting up of such organisations can be secured through a planning obligation is set out in the Community Centre Specification Topic Paper included within the Supporting Technical Document.

#### **Monitoring and Legal Costs**

- 4.31 Applicants will be required to pay WNDC's legal and other professional costs incurred in preparing individual planning agreements and reviewing 'open book' development viability appraisals (in accordance with paragraph 4.16 above) .
- 4.32 A separate monitoring contribution will also be payable dependant on the number, type and complexity of planning obligations contained in the agreement. Full details of how such contributions are calculated are contained in the supporting document Monitoring Contributions Topic Paper in the Supporting Technical Document. It is considered that such contributions are justified in the context of ensuring that developments are able to proceed in a timely manner and also to ensure that there is a proper recording of the whole process to demonstrate a clear audit trail as set out in Circular 05/05. Such monitoring will also include the provision of regular monitoring reports so as to demonstrate full accountability and to identify how schemes are progressing towards the delivery of sustainable communities.

## 5. Collection & Spending of Contributions and Delivery of Infrastructure

### Collection of the Charge / Contributions

#### *Implementation*

- 5.1 The Strategy will be applied in relation to all applications that are not the subject of a resolution to grant permission as of the 4th January 2011. It will also inform WNDC's position where applications have been appealed or called in by the Secretary of State but remain undetermined.

#### *Timing of Payments*

- 5.2 25% of the total financial contribution for the application site (or for phases on larger sites) will normally become payable on commencement on site, with the balance payable quarterly based on unit completions over the previous quarter. Any variation sought in respect to the amount or timing of the payments will need to be agreed by WNDC and the applicant prior to the grant of planning permission, and will be set out in the S106 planning agreement. Further information on these approaches, can be found in the deferred contributions (Section 3) and the Deferred Contributions Topic Paper (contained within the Technical Document).

#### *Long Stop Date*

- 5.3 WNDC will set a 'long stop' date, which will relate to the scale of development proposed and will be conditional upon commencement of development, where all charges owed will need to be paid. The 'long stop' date recognises that WNDC and other service providers may need to forward fund the provision of infrastructure items ahead of development taking place.

#### *Index Linking*

- 5.4 The standard charge will be indexed from April 2008 to the date of payment(s) using the higher of BCIS Construction Cost Index or Nil, applicable to WNDC. The nominal value for the land cost included in the standard charge will not be index linked but will be the subject of review at such time as the Strategy is reviewed.

#### *Security*

- 5.5 Initially, WNDC will rely on the value of the land with the benefit of planning permission as the security for unpaid contributions. Security may be required in relation to payments falling due later in the development programme and for deferred charges. The model planning agreement contains provisions to this effect.

### *Collection Arrangements*

- 5.6 WNDC will be the holding and 'collection authority' for standard contributions and any other payments made under s106 agreements for applications determined by WNDC. WNDC will normally be the sole signatory to planning agreement. For those schemes that are strategic or legacy based projects in their own right, the Corporation in discussion with the relevant local authorities will consider whether other parties should sign the agreement.

### **Covenants and Commitments to be made by the Developer and WNDC**

#### *Developer Commitments*

- 5.7 As indicated above, WNDC will expect there to be early pre-application negotiations in order to identify any key issues early in the process, particularly where the developer is seeking to vary any provisions or obligations from that set out in this document.
- 5.8 As part of the obligation, the developer will be required to notify WNDC of various stages in the development programme and triggers in order to ensure that monitoring of the obligations can be carried out as efficiently as possible. In relation to monetary contributions, WNDC will expect these to be made in a timely manner in full accordance with the terms of the agreement.
- 5.9 In terms of the provision of specific elements of on-site infrastructure, it will be important that they are brought forward in a timely manner to ensure that the occupants of the development are served by an appropriate level of facilities. Trigger dates by which time certain infrastructure or facilities are provided, negotiated and agreed as part of the detailed planning obligations should therefore be adhered to. Where it becomes evident that programmes for delivery may be at risk, the developer should inform WNDC at the earliest opportunity to discuss how this should be managed. WNDC will seek to ensure that this is done in a consistent manner and to ensure the provision of sustainable communities. Trigger levels will normally be equated with occupancy levels to ensure that the local population is supported by appropriate and accessible facilities and the levels which will normally apply are set out in the accompanying topic paper in the Supporting Technical Document.
- 5.10 It should be noted that in respect of public transport provision, particularly in the case of new or improved bus services, and other elements of any travel plan, certain measures or facilities may be required very early on in development phases in order to ensure that there is the best possible chance of such facilities being well used and hence achieving the desired levels of modal choice.

### *WNDC Commitments*

- 5.11 WNDC will use 'reasonable' endeavours to deliver the projects identified in the Interim Strategic Infrastructure Schedule where it has the ability to do so. WNDC will only consider covenanting to bring forward a particular facility which is required in connection with a specific development, if it is fully fundable from existing receipts or spending commitments or the applicant undertakes to meet any funding shortfall. Projects which are the responsibility of other providers will be outside the direct control of WNDC but reasonable endeavours will also be used to ensure that those projects / facilities are brought forward in a timely manner.
- 5.12 WNDC expect that the full amount of standard charge receipts will be expended in providing the necessary facilities and infrastructure required for the regeneration of the area and do not envisage any circumstances where it would need to repay any financial contributions. However, if, after provision of all infrastructure to mitigate the impacts of development, a surplus remains, WNDC will follow best practice guidance and covenant to use reasonable endeavours to return that surplus on an equitable basis.
- 5.13 WNDC will not normally impose conditions restricting development by reference to infrastructure that it is committed to providing, other than by reference to the programme date of delivery. Accordingly, if WNDC have programmed a new junction or a school required to serve a development by, say 2014, there will not normally be any condition that prevents development after July 2014 relating to the provision of that junction or school.

### **Spending and Delivery**

- 5.14 In the period before the JCS Infrastructure Delivery Programme is approved, monies will be spent in accordance with existing published infrastructure programmes or as specifically identified within individual planning obligations. In addition, the Interim Strategic Infrastructure Schedule sets out in some detail the projects on which contributions arising from relevant developments will be spent. The timing of provision of those elements will be as set out in the published programmes or other relevant documents.
- 5.15 WNDC will undertake to follow a 'Partnership Working' approach involving both public and private sector partners. WNDC propose to set up an Infrastructure Advisory Group, which will include representatives of WNDC and the key public service providers (including the Joint Planning Unit), to advise the Board on the delivery of infrastructure (and the expenditure of standard charge receipts). A wider Developers Forum, that will include developers and landowners, will also be convened from time to time to ensure that development interests are properly represented.
- 5.16 The Infrastructure Advisory Group will be responsible for advising on the infrastructure provision to be prioritised in the Infrastructure Delivery Programme and included for delivery in the WNDC

Annual Investment Programme. WNDC considers that this approach promotes co-ordinated investment in infrastructure delivery and helps service providers to consider options for service delivery beyond the scope of negotiations on an individual scheme by scheme basis and to seek funding via their own means towards enhanced or new provision to cater for the needs of both new and existing communities.

## 6. Monitoring and Review

### *Monitoring of Obligations*

- 6.1 WNDC already has in place a monitoring system enabling the recording and monitoring of all agreements. Throughout the monitoring period, WNDC will maintain contact with the developer and other key partners in the process to seek to ensure that obligations are fulfilled in a timely fashion and monetary contributions are properly secured and recorded. WNDC intend to produce twice yearly reports setting out the status of individual obligations and more general information relating to monies received / spent, progress on physical infrastructure provision and the monitoring of other programmes and projects on which monies have been committed.
- 6.2 The County Council have indicated an intention to have in place a monitoring and financial system that ensures all contributions are tracked over time and information on their spending is readily available. The County Council will produce mid-year and annual monitoring reports. These will outline the monies agreed, received and spent and development facilitated. The County Council is also intending to explore the ability to establish a web-based monitoring system. WNDC intends to continue to liaise with the County in order to establish joint or linked systems wherever possible. This should avoid duplication and may reduce the costs associated with the maintenance of the systems. It is not the intention of the Corporation through the POS to seek additional monitoring contributions to cover the costs of the County undertaking its monitoring role and above those already sought by the Corporation in discharging its monitoring function.

### *Review of the Strategy*

- 6.3 WNDC intend to undertake regular reviews of various elements of the POS, including the progress on the setting up of specific programmes and projects which might legitimately form part of any of the identified infrastructure and facilities provision identified in Annex A. It will also continue to review the costs of those items and the need for individual developments to contribute to those elements subject to compliance with the Regulation 122 tests.
- 6.4 It is known that there are various plans and strategies underway at present, including most importantly, the production of the West Northamptonshire JCS, the outcome of which is likely to have a significant impact on this document. Close liaison and discussions have taken place between the Corporation and the JPU to ensure that the revisions proposed are in principle supported and follow the approach being adopted in taking forward the JCS.

**Revised POS Annex A - Initial Assessment (incorporating Regulation 122 test, relevant policy, evidence base)**

The previous Annex A list has been reviewed particularly in the light of the CIL Regulations and clearer links with policy and evidence base identified. *Full costings are to be added at a later date as these are dependent on further engagement with service providers.*

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	Evidence Base: <i>Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
Primary School including Early Years (and all Special Needs)	PPS1 PPS3	a) Where can be demonstrated that lack of capacity generally will be justified on basis that clear impacts ie lack of infrastructure to support increased population generation b) Generally accepted that where new residential development proposed it will impact on educational facilities within the relevant catchment area; c) NCC evidence so far is not fully detailed enough to demonstrate that there will always be an impact ie. is there any spare capacity within any such areas? Arguably there is a need to identify a more localized approach to support the pooling of contributions and how they will be spent.	(a) <i>Northamptonshire County Council Planning Obligations and Local Education Authority Facilities SPG, which was adopted in 2004 and later updated in 2006</i> (b) <i>NCC's Draft Planning Obligation Framework and Guidance (Jan 2010)</i> (c) <i>BSF Minimum design standards; <a href="http://www.cabe.org.uk/design-review/schools/minimum-design-standard">http://www.cabe.org.uk/design-review/schools/minimum-design-standard</a></i> (d) <i>Building Bulletin 98 and 99</i>  <i>NB Based on people generation survey, 2005, which is to be updated this year (2010)</i>	Yes	No	
Secondary School including Post-16	PPS1 PPS3	a) In situation of full capacity clear need to contribute to provision of necessary infrastructure b) Residential development – associated population increase / pupil generation c) Per pupil / per dwelling contribution calculated on basis of above but need to consider how in kind to be offset.	(a) <i>NCC's Draft Planning Obligation Framework and Guidance (Jan 2010)</i> (b) <i>Northamptonshire County Council Planning Obligations and Local Education Authority Facilities SPG, which was adopted in 2004 and later updated in 2006, from Tables 7 and 8, derived from Pupil Generation Survey for Northamptonshire County</i>	Yes	Yes	

(9)

(10)

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	<i>Evidence Base: Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
			<p><i>Council, BMG Research, Final Report, May 2005</i></p> <p><i>(c) DTZ's Strategic Housing Market Assessment for West Northants (June 2007): Figure 8.17 – dwelling requirement by size to accommodate household growth in Western Northants 2006 to 2021</i></p> <p><i>(d) Calculated from (iii), (iv) and (v)</i></p> <p><i>(e) Calculated from (vii) and (i)</i></p> <p><i>(f) Calculated from (viii) and (vi)</i></p> <p><b><i>NB Based on people generation survey, 2005, which is to be updated this year (2010)</i></b></p>			
Libraries	PPS1 PPS3	<p>a) Yes – increased population equates to increased demands</p> <p>b) Yes – clear links to residential</p> <p>c) Need more localized information to identify capacity / need in separate towns. Any justification for contributions to County wide provision in Northampton?</p>	<p>a) NCC Library Strategy to 2021 (target of 85% population to be within 2 miles of library – through improved existing or new)</p> <p>b) NCC's Consultation Draft Planning Obligation Framework and Guidance (Jan 2010); based on Public Libraries, Archives and New Development prepared by Museums Libraries Archives (MLA) South East (June 2008)</p> <p>c)</p>	Yes	Unknown	
Archives	PPS1 PPS3	<p>a) No clear evidence base demonstrating need for individual provision at this time – although can be considered to constitute part of library provision</p> <p>b) Yes – would meet this test as linked to population increase</p> <p>c) Costs met as part of library provision</p>	<p>a) NCC's Consultation Draft Planning Obligation Framework and Guidance (Jan 2010);</p> <p>b) Public Libraries, Archives and New Development prepared by Museums Libraries Archives (MLA) South East (June 2008)</p> <p><b>NB The County Council will be establishing a service plan to highlight the impact of growth on the service and</b></p>	Yes (to be provided as part of library facilities)	-	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	<i>Evidence Base: Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
			identify where new or expanded services are required to support growth in the county - this provision is referred to in the various Cultural Strategies of the LPA's and it is therefore relevant to include this within the Library element			
Community Centres / Halls (may include sports facilities / hall - see sports hall below)	PPS1 PPS3 Emerging JCS policy on existing and future neighbourhoods	a) Yes – clearly need to ensure sustainable cohesive communities b) Equally related to residential or commercial development c) Clear relationship between the level of costs related to population increase	(a) <i>Sport England Design Guidance Notes: Village and Community Halls, 2001.</i> (b) <i>SPG on Planning Obligations for Leisure, Recreation and Sport Facilities (2004) Milton Keynes Borough Council (guidance on size of community centre)</i> (c) <i>DDC Interim Infrastructure SPD</i> (d) <i>Northamptonshire Community Cohesion Framework, 2006</i> (e) <i>DDC Older Persons Strategy</i> (f) <i>Daventry District Community Cohesion Strategy, 2007</i> (g) <i>WNDC guidance on multi-use buildings</i>	Yes	Potentially (need to consider variation of existing capacity between towns)	
Play space (equipped and non-equipped)	PPS1 PPS3 PPG17 H14 & L4, L6(NLP) RC10 (SNLP) RC1, RC12, RC14 (DDL) Emerging JCS policy on Leisure, Sport and Recreation Draft PPS on Planning for a	a) Policy need to provide for play space to service residential development b) Clear link between population increase in impact on use / need for additional play space c) Costs of increased provision and maintenance can be identified and linked to population / dwelling increase	(a) <i>Planning and Design for Outdoor Sport and Play, Fields in Trust (formerly NPFA) standards</i> (b) <i>Open Space Standards for Northampton Borough Data taken from PMP/ Northampton Borough Council (2006)</i> (c) <i>NBC Open Space, Sport and Recreation Needs Assessment and Audit, Update Report Sep 2009</i> (d) <i>NBC Open Space Strategy, 2009</i> (e) <i>Open Space Standards for Daventry District (Northampton fringe sub-area). Data taken from PMP/</i>	Yes	Potentially (WNDC's approach to adoption and maintenance and liaison with LPA's)	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	<i>Evidence Base: Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
	Natural and Healthy Environment		<p><i>Daventry District Council (2008) Draft Open Space, Sport and Recreation Needs Assessment and Audit.</i></p> <p>(f) <i>Play Strategy 2007-2011, Daventry District Council</i></p> <p>(g) <i>Open Space Standards for South Northamptonshire Council (rural areas) Data taken from PMP/ Northamptonshire District Council (2006) South Northants Open Space Strategy 2007-2021(Dec. 07)</i></p>			
<i>Playing pitches</i>	<p><i>PPS1, 3 and PPG17</i></p> <p><i>H14 &amp; L4, L6 (NLP)</i></p> <p><i>RC12 (DDL P)</i></p> <p><i>RC10 (SNLP)</i></p> <p><i>Emerging JCS policy on Leisure, Sport and Recreation</i></p> <p><i>Draft PPS on Planning for a Natural and Healthy Environment</i></p>	<p>a) Policy requirement linked to population increases</p> <p>b) Increase in population has clear and measurable impacts on pitch provision</p> <p>c) Requirements and costs known which can be used to identify clear and reasonable contributions</p>	<p>(a) <i>Sport England Toolkit(2<sup>nd</sup> Quarter 2008);</i></p> <p>(b) <i>Sport England Planning Kitbag and Sports Facilities Calculator, 2010.</i></p> <p>(c) <i>Planning and Design for Outdoor Sport and Play, Fields In Trust</i></p> <p>(d) <i>Sports Facilities Strategy for West Northamptonshire April 2009</i></p> <p>(e) <i>Open Space Standards for Northampton Borough, Data taken from PMP/ Northampton Borough Council (2006)</i></p> <p>(f) <i>NBC Open Space, Sport and Recreation Needs Assessment and Audit, update report, PMP, (Sep. 09)</i></p> <p>(g) <i>Northampton Playing Pitch Strategy (2005)</i></p> <p>(h) <i>Open Space Standards for Daventry District (Northampton fringe sub-area). Data taken from PMP/ Daventry District Council (2008) Draft Open Space, Sport and Recreation Needs Assessment and Audit.</i></p> <p>(i) <i>Open Space Standards for South</i></p>	Yes	Yes – See above	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	<i>Evidence Base: Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
			<p><i>Northamptonshire Council (rural areas) Data taken from PMP/ Northamptonshire District Council (2006) Open Space, Sport and Recreation Needs Assessment and Audit.?</i></p> <p><i>(j) SNC Playing Pitch Strategy, (Dec. 07)</i></p>			
Parks & Gardens	PPS1 PPS3 PPG17 Draft PPS on Planning for a Natural and Healthy Environment	<p>a) Policy need to provide for parks and gardens as element of open space requirement to assist healthy and cohesive communities</p> <p>b) Clear link between population increase in impact on use / need for additional space</p> <p>c) Costs of increased provision and maintenance can be identified and linked to population / dwelling increase</p>	<p>a) <i>NBC Open Space, Sport and Recreation Needs Assessment and Audit, update report, PMP (Sep. 09)</i></p> <p>b) <i>Open Space Standards for Daventry District (Northampton fringe sub-area). Data taken from PMP/ Daventry District Council (2008) Draft Open Space, Sport and Recreation Needs Assessment and Audit</i></p> <p>c) <i>Daventry District Council Open Space, Sport and Recreational Facilities Strategy, PMP, April 2009</i></p> <p>d) <i>Open Space Standards for South Northamptonshire Council (rural areas)Data taken from PMP/ Northamptonshire District Council (2006) Open Space, Sport and Recreation Needs Assessment and Audit.(Updated 2008)</i></p> <p>e) <i>Northampton Central Area Action Plan, Aug. 09, (Emerging Strategy Document)</i></p> <p>f) <i>SNC Moat Lane, Towcester, Planning Brief, (Nov. 07)</i></p> <p>g) <i>Daventry and Towcester Masterplans</i></p> <p>To include provision/extension of existing Country Parks, eg. Daventry; enhancement of existing parks in</p>	Yes	Yes (will vary between towns although more significant provision in Northampton likely to serve the whole area)	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	<i>Evidence Base: Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
			Northampton (City Meadows) and Towcester (Water Meadows)			
Green infrastructure (GI) (incl. Woodlands and SUDS)	PPS1 PPS3 PPS9 PPS12 PPG17 H14 (NLP) RC12 (DDL) RC10, EV21, 24, 25 (SNLP) Emerging JCS policy on Green Infrastructure Draft PPS on Planning for a Natural and Healthy Environment	Policy requirement the need for which derives from increased use by rise in population or increase use by local workers / employers / employees; area requirement can be based on population / dwelling or related to increased floorspace	<p><i>h) Northampton Landscape Sensitivity and Green Infrastructure Study (Prepared by Living Landscapes Consultancy Ltd On behalf of the River Nene Regional Park CI Final Report, February 2009)</i></p> <p><i>i) Open Space Standards for Northampton Borough, Data taken from PMP/ Northampton Borough Council (2006)</i></p> <p><i>j) NBC Open Space, Sport and Recreation Needs Assessment and Audit, update report, PMP (Sep. 09)</i></p> <p><i>k) Open Space Standards for Daventry District (Northampton fringe sub-area). Data taken from PMP/ Daventry District Council (2008) Draft Open Space, Sport and Recreation Needs Assessment and Audit</i></p> <p><i>l) Open Space Standards for South Northamptonshire Council (rural areas)Data taken from PMP/ Northamptonshire District Council (2006) Open Space, Sport and Recreation Needs Assessment and Audit.(Updated 2008)</i></p> <p><i>m) Towcester Landscape Sensitivity and Green Infrastructure Study Prepared by Quartet Design on behalf of the West Northamptonshire Joint Planning Unit June 2009</i></p> <p><i>n) Northampton Central Area Action Plan, Aug. 09, (Emerging Strategy Document)</i></p>	Yes	Yes – Dependant on local/ scale of development	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	Evidence Base: Sources and calculations Project Details (where relevant)	To be taken forward	Geographic Variations	Cost (per unit)
			<i>o) SNC Moat Lane, Towcester, Planning Brief, (Nov. 07)</i>			
Public realm & Town Centre Enhancements	PPS1 PPS3 PPS4 PPG13 Emerging JCS Design Policies Emerging Northampton Central Area Action Plan	a) Mitigation of legitimate impacts on public realm and town centre(s) and reduce the need / necessity for new residents to travel to access appropriate town centre facilities b) Both residents and workers benefit / place demands upon such infrastructure c) Need for clear costs / details of proposed projects in order to calculate proportionate contributions	a) <i>Northampton Central Area Action Plan, Aug. 09, (Emerging Strategy Document)</i> b) <i>NBC Open Space, Sport and Recreation Needs Assessment and Audit, update report, PMP (Sep. 09)</i> c) <i>Town centre strategies &amp; materplans– DDC</i> d) <i>SNC Draft Towcester Masterplan SPD, (2009)</i> e) <i>SNC Moat Lane Towcester, Planning Brief SPD, (Nov. 07)</i>	Yes	Yes plus additional charge for Northampton PUA	
Cultural investment (arts, theatre, heritage etc & archives if justified)	PPS1 PPS3 PPS4 PPS5 PPG13 Emerging JCS policy on Culture and Cultural Heritage	a) Mitigation of impacts b) Increased population arising from residential development would place additional demands on such facilities c) Need to be clear about costs / projects and proportionate amount of contribution required	(a) <i>The Place of Choice A Cultural Strategy for the East Midlands 2006 – 2011</i> (b) <i>Creating Connections – A Strategy for Culture and Sport in Northamptonshire 2009-2012, Northamptonshire County Council (Draft?)</i> (c) <i>Northampton Borough Council (Interim) Cultural Strategy 2008 – 2013 (section 2.1 for list of properties / programmes / events)</i>	Yes	Yes	
Burial grounds / cemeteries	PPS1 PPS3 PPG17	a) Clear link to mitigation of impacts b) Link to residential – increase in population within an area – geographic link? c) Directly relate to costs of provision	a) <i>Open Space Standards for Northampton Borough Data taken from PMP/ Northampton Borough Council (2006) Open Space, Sport and Recreation Needs Assessment</i>	Yes	Yes	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	<i>Evidence Base: Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
			<p><i>and Audit, Update Report Sep 2009.</i></p> <p><i>b) Open Space Standards for Daventry District (Northampton fringe sub-area). Data taken from PMP/ Daventry District Council (2008) Draft Open Space, Sport and Recreation Needs Assessment and Audit.</i></p> <p><i>c) Open Space Standards for South Northamptonshire Council (rural areas) Data taken from PMP/ South Northants District Council (2006) Open Space, Sport and Recreation Needs Assessment and Audit.</i></p>			
Sports hall	PPS1 PPS3 PPG17	<p>a) Mitigation of impacts arising from increased use of facilities</p> <p>b) Can arise both in relation to residential and commercial development as residential population and workforce will use</p> <p>c) Town/County based and relative to capacity</p>	<p><i>(a) Sports England Toolkit (2<sup>nd</sup> quarter 2008)</i></p> <p><i>(b) Sport England Planning Kitbag and Sports Facilities Calculator, 2010.</i></p> <p><i>(c) Sports Facilities Strategy for West Northamptonshire April 2009</i></p> <p><i>(d) Daventry Sports Development Strategy, 2005-09</i></p> <p><i>(e) South Northants Leisure Needs Study (produced by Nortoft Consultants) (2010)</i></p>	Yes	Yes	
Swimming pool	PPS1 PPS3 PPG17	<p>a) Mitigation of impacts arising from increased use of facilities</p> <p>b) Can arise both in relation to residential and commercial development as residential population and workforce will use</p> <p>c) Town based and relative to capacity? Is there a County wide facility which needs to be taken into account?</p>	<p><i>a) Sports England Toolkit (2<sup>nd</sup> quarter 2008)</i></p> <p><i>b) Sport England Planning Kitbag and Sports Facilities Calculator, 2010.</i></p> <p><i>c) Sports Facilities Strategy for West Northamptonshire April 200</i></p> <p><i>d) Daventry Sports Development Strategy, 2005-09</i></p> <p><i>(f) South Northants Leisure Needs Study</i></p>	Yes	Yes )	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	Evidence Base: <i>Sources and calculations Project Details (where relevant)</i>	To be taken forward	Geographic Variations	Cost (per unit)
			<i>(produced by Nortoft Consultants) (2010)</i>			
Police Facilities	PPS1 PPS3 PPS12	a) Policy requirement b) Residential and commercial development will impact on resources and facilities c) Once full projects / costings identified and demonstrated will be possible to satisfy	(a) Draft ACPO toolkit, 2010 Refer to Police Contributions Topic Paper within Technical Document(b) Section 17 of the Crime and Disorder Act	Yes	No	
Fire & Rescue Facilities	PPS1 PPS3	a) on basis of existing evidence it is not clear that such a contribution is necessary as there appears to be no evidence to justify this b) If the above can be evidenced there would be a clear link to population / dwelling / commercial floorspace increase c) Once costs known and justified these can be fairly and reasonably related	<i>NCC's Draft Planning Obligation Framework and Guidance (Jan 2010) The above document assumes a continuation of the existing level of service (ie. X persons per fire station) However, there is no justification given for simply continuing with this level of provision nor is there a capital programme to identify where such monies would be spent.</i>	No	-	
Health centre	PPS1 PPS3	a) Ppolicy requirement / context for provision to ensure sustainable and healthy communities - b) Llink to population increase c) Known costs of increased provision therefore can be fairly and reasonably related	(a) <i>Government target for average number of patients per GP (implicit in GP contracts)</i> (b) <i>Technical Report on Infrastructure Requirements in the South East 2006-2026" SQW for SEERA (Sept 2006) – advice from Dept of Health (b)</i> (c) <i>Northamptonshire Teaching Primary Care Trust (communication June 2008)</i> (d) <i>Calculated from (ii) and (iii)</i>	Yes	No	
Dentist (incorporate in health centre)		As these are essentially commercial businesses their provision could logically and practically be incorporated within health centres	(a) <i>Northamptonshire Teaching Primary Care Trust (communication June 2008)</i>	Yes (within health centres)	No	
Acute hospital	PPS1 PPS3	No current programme for delivery though Estates Strategy nearing agreement / adoption??	(a) <i>Northamptonshire Teaching Primary Care Trust, based on HUDU model</i>	No		

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	Evidence Base: Sources and calculations Project Details (where relevant)	To be taken forward	Geographic Variations	Cost (per unit)
			(communication June 2008)			
Intermediate health care provision	PPS1 PPS3	No current programme for delivery though Estates Strategy nearing agreement / adoption??	(a) Northamptonshire Teaching Primary Care Trust, based on HUDU model (communication June 2008)	No		
Waste disposal		a) At present there is no evidence that development results in additional costs / need for improved or new services – therefore does not meet necessity test at present b) Yes – would comply if above proven c) Yes – once costs known contribution can be fairly and reasonably related	Northamptonshire County Council Planning Obligations and Local Education Authority Facilities SPG, which was adopted in 2004 and later updated in 2006  NCC's Consultation Draft Planning Obligation Framework and Guidance (Jan 2010) <b>NB current review being undertaken in relation to the HWRC provision – no exact costs or projects to provide costings at present</b>	No	-	
Transport (to be identified separately as Strategic and local requirements)	PPS1 PPS3 PPG13  SP policy SDA1  T4 (NLP), CM7, CM8, CM9, CM10, (DDLDP)	a) Policy context which requires development to ensure that is appropriately and safely served in most accessible and sustainable way  b) Impact of development can be clearly set out / identified in TA etc.  c) Relevant costs of necessary infrastructure can be identified  Costed items associated with Northampton, Daventry, and Towcester, and proposed mainly for funding by developers, County Council or regionally	"Transport Strategy for Growth", Northamptonshire County Council (Sept 2007): <a href="http://www.northamptonshire.gov.uk/en/councilservices/Transport/TP/Pages/Strategy_Growth.aspx">www.northamptonshire.gov.uk/en/councilservices/Transport/TP/Pages/Strategy_Growth.aspx</a> Travel Plans: <a href="http://www.dft.gov.uk/pgr/sustainable/travelplans/rpt/makingresidentialtravelplans5775">http://www.dft.gov.uk/pgr/sustainable/travelplans/rpt/makingresidentialtravelplans5775</a> Town Strategies / costs: <a href="http://www.northamptonshire.gov.uk/en/councilservices/transport/tp/pages/default.aspx">http://www.northamptonshire.gov.uk/en/councilservices/transport/tp/pages/default.aspx</a> Local Transport Plans: <a href="http://www.northamptonshire.gov.uk/en/councilservices/Transport/TP/Pages/LTP.aspx">http://www.northamptonshire.gov.uk/en/councilservices/Transport/TP/Pages/LTP.aspx</a>	YES	YES plus possible additional strategic road network contributions for Access Management Project	

Facility	Policy Context	Compliance with CIL Regulation 122: a) Necessary to make development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind	Evidence Base: Sources and calculations Project Details (where relevant)	To be taken forward	Geographic Variations	Cost (per unit)
Land		Relates to the land element of infrastructure provision and the costs associated with purchase. To be considered in relation to the need to value land which is to be offered as part of in-kind payment <b>NB the calculation of how such value is to be assessed in the case of in-kind (on site physical infrastructure provision is to be carried out on a site by site basis.</b>	<i>To be investigated further – some land value assessments have been undertaken in relation to the viability report. Where land is provided by the developer which exceeds the amount directly required by that development, the amount to be off-set will be determined by applying a ‘community land value’ to that part of the site which is provided over and above the direct requirements</i>	Yes	YES	
Employment Training - 'Construction Futures'	PPS1 PPS3 PPS4	a) Integral part of creation of sustainable/cohesive communities and support the development itself b) All development will have an impact on and need for provision of training schemes c) Costs of relevant projects can be assessed and related to increases in population / development size	<i>Construction Futures Programme: <a href="http://www.constructionfutures.org.uk">http://www.constructionfutures.org.uk</a> Refer to CF Topic Paper in Technical Document</i>	Yes	NO	
<b>REVISED ITEMS</b>						
Community Cohesion  Replaces  'Voluntary Sector'	PPS1 PPS3	a) Integral part of creation of sustainable and cohesive communities b) All development will have an impact on and need for community cohesion c) Costs of relevant projects can be assessed and related to increases in population	Northampton Community Foundation: <a href="http://www.ncf.uk.com">www.ncf.uk.com</a> <i>Northamptonshire Community Cohesion Framework, 2006 Daventry District Community Cohesion Strategy, 2007 Refer also to Topic Paper within Technical Document</i>	Yes	YES (extent of need may vary between towns but wider needs in addition)	

**NOTES:**

**Policy Context** (Refer to the Evidence Base document where all relevant documents are listed)

<sup>1</sup> The following policy context is relevant to all infrastructure elements - Policy E19 and B13 of the Northampton Local Plan (1997) and Policy IMPI of the South Northants Local Plan (1997) which provide for ensuring that development provides necessary supporting infrastructure and community facilities. At the national level there are various relevant Planning Policy Statements (PPS) but of particular note are PPS1 (Delivering Sustainable Development), PPS1 Supplement on Climate Change, PPS3 (Housing) and PPS4 (Planning for Sustainable Economic Growth), PPS12 (Local Spatial Planning), The Draft PPS, Planning for a Natural and Healthy Environment is also relevant. .

The additional policies referred to are specific to the types of infrastructure / facilities listed.

<sup>2</sup> Whilst the RSS policies have been revoked the evidence base may contain relevant material. SP policy SDA1 only refers to the Strategic Development Areas (mixed-use urban extensions) The Community Infrastructure Levy Regulations 2010, regulation 122 in particular. Circular 05/05 Planning Obligations

**The following adopted SPG / SPD is also relevant:**

Daventry District Council Infrastructure Interim Supplementary Planning Document (2004))  
Daventry District Council Design Codes (2005)  
Daventry District Council Energy and Development SPD (2007)  
Northamptonshire County Council Planning Out Crime SPD (2005)  
Northamptonshire County Council Planning Obligations and LEA Schools Provision SPG (2004)  
Northamptonshire County Council Sustainable Communities Planning Obligations Framework and Guidance, Jan 2010  
South Northamptonshire Council's Affordable Housing SPG (2003)

***Draft SPD and other guidance:***

Interim Draft Daventry Masterplan (2006)  
DDC Draft Infrastructure Schedule (2007)  
South Northamptonshire Council Developer Contributions SPD Consultation Draft (May 2010)  
Draft Towcester Masterplan, SPD, (2009)  
WNDC Manual for Design Codes , 2009  
WNDC Sustainability Manual, 2010

**Community Strategies**

Northamptonshire: The Best Place to Grow in England: Sustainable Communities Strategy for Northamptonshire (2008)  
Northampton's Sustainable Community Strategy, 2008-2011 (2008)  
Daventry Sustainable Community Strategy (2007)  
South Northamptonshire Community Strategy, 2004-09

<i>PROPOSED SECTION 106 ITEMS SITTING OUTSIDE THE FULL STANDARD CHARGE/ DISCOUNTED STANDARD CHARGE</i>						
<i>Carbon Offset / Climate Change Projects</i>	PPS1 PPS1: Climate Change Supplement Emerging JCS policy on Climate Change	a) Integral part of the creation of sustainable communities b) All development will have an impact unless it has been demonstrated that through use of sustainable construction and design the development in question would be zero carbon or have neutral impact on climate change c) Can relate to amount development and take into account what measures are proposed as part of the development	<i>The Climate Change Act 2008 The UK Low Carbon Transition Plan, 2009 Reviewing Renewable Energy and Energy Efficiency Targets for the East Midlands, Final report East Midlands Regional Assembly 12 June 2009 Tackling Climate Change in the East Midlands, a Regional Programme of Action, 2009-11 Draft Northamptonshire Climate Change Strategy 2010-2014, Northamptonshire Partnership: <a href="http://www.northamptonshireobservatory.org.uk/publications/document.asp?documentid=1725">http://www.northamptonshireobservatory.org.uk/publications/document.asp?documentid=1725</a> Draft South Northamptonshire Climate Change Strategy, 2010-2014. Community Energy Fund (Govt. initiative) UK Green Building Council Energy Saving Trust LA's and local trust delivery programme</i>		No	
<i>Adult / Child Social Care / day centres / facilities (incl. Older Persons needs )</i>	PPS1 PPS3	a) Integral part of creation of sustainable and cohesive communities b) All development will have an impact on and need for social care unless it is specifically provided for within the development proposal c) Costs of relevant projects can be assessed and related to pop. increases	<i>Northamptonshire Community Cohesion Framework, 2006 DDC Older Persons Strategy? Daventry District Community Cohesion Strategy, 2007 Older People's Housing Needs Study For East Midlands Regional Assembly Final Report, April 2009</i>		Yes	
<i>ICT Development</i>	PPS1 PPS3	a) Clear link and requirement of sustainable development b) All forms of development likely to have some impact	<i>Broadband Delivery UK, DCMS, June 2010 (Statement) PROPEL NORTHANTS Supplementary Report Environmental Benefits and Costs of Next-Generation Broadband Networks, University</i>		No	

		c) Need for provision can be related to the type of development proposed	of Northampton, March 2010			
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## NOTE ON SUGGESTED ADDITIONAL ITEMS

### Carbon Offset / Climate Change Projects

National Policy in PPS1, Climate Change Supplement, sets out that the Government believes that climate change is the greatest long-term challenge facing the world today. Addressing climate change is therefore the Government's principal concern for sustainable development. Policies and priorities for action, both in the UK and internationally, are set out in the Climate Change Programme<sup>4</sup> and the 2007 Energy White Paper<sup>5</sup>. The Climate Change Act 2008 and The UK Low Carbon Transition Plan, 2009, set out more recent strategies.

It is acknowledged that there is little by way of adopted local development plan policy although it is noted that the Emergent Joint Core Strategy sets out a policy approach in relation to climate change which will seek to reduce impacts by promoting the enhancement of the GI network, increasing woodland cover, safeguarding wetlands and considering impacts on the water cycle. WNDC has committed to the development of sustainability advice and guidance (Planning Principles 2009). This has resulted in the production of a Sustainability Manual which provides a legacy setting framework to guide considerations on policy issues and technology options directed towards securing highly sustainable forms of development. It provides clarity to all those involved in the development process through setting a clear framework against which the components of planning applications will be assessed. In summary the framework provides a means whereby the sustainability impacts of a development can be fully assessed so as to ensure compliance with national policy and other relevant guidance. Development that is unable to fully mitigate its own impacts by other means may be able to do so through contributions towards other carbon offset or climate change projects.

This is provided for by the PPS1 Climate Change Supplement at paragraph 45 where it states "*Planning conditions or planning obligations can be used to secure the provision and longer-term management and maintenance of those aspects of a development required to ensure compliance with the policies in this PPS.*" WNDC note that similar tariff schemes have been set up by the MK Partnership and it is intended that a similar approach can be justified locally and could link to the recent consultation document, the Northamptonshire Climate Change Strategy 2010-2014 (Northamptonshire Partnership) and to deliver programmes and projects run by the local authorities.

### Adult / Child Social Care / day centres / facilities (including Older Persons needs)

A key objective of government policy is to create sustainable communities and one element of this is to meet the diverse needs of all people in existing and future communities, promoting personal well-being, social cohesion and inclusion and creating equal opportunity for all citizens. Relevant local policies seek to ensure a mix of housing types and sizes to provide for all sections of the community. NCC's Consultation Draft Planning Obligation Framework and Guidance (Jan 2010) identifies a need for social care facilities to support the vulnerable but also sets out that as far as possible the needs of such persons should be met in their own homes, either through

appropriate new build or adaptation of the existing stock. The document identifies the following relevant factors that need to be addressed:

The Strategic Housing Market Assessments highlight the numbers of people with high needs as a result of frailty, disability or ageing. These are significantly higher in Northamptonshire than the national average. As a result more people in Northamptonshire are currently living in inappropriate accommodation or their home will not be suitable for long-term habitation. The availability of affordable and social rented accommodation is significantly below market requirements. Demographic growth will see increasing life expectancy. This will result in greater numbers of frail, disabled and older people. These impacts put pressure on the availability of housing for vulnerable people and therefore the demand on social care funded residential.

Generally it is to be expected that the needs of such sections of the community will be met through the design and implementation of development, through for instance the requirement for Lifetime Homes and Secure by Design standards. Day centre facilities however, will where possible need to be accommodated within proposed community centres or local centres and for developments which are unable to make such on-site contributions, it may be appropriate to require contributions. The NCC document sets out the level of contributions expected. **[NB the actual costs are not given just expressed as a simple cost per person (based on cost of existing provision x persons within development)]**

(Strategic Housing Market Assessments (SHMA): North Northamptonshire SHMA, Fordham Research, August 2007 and West Northamptonshire SHMA, DTZ, April 2007)

### **ICT Development**

The importance of technological advance is recognised in PPS1 and PPS4 in supporting sustainable economic development and helping to combat climate change. Of particular importance is enhanced, next generation, broadband which can bring significant benefits to the delivery of services, production, quality and cost reduction. Such supporting infrastructure may be provided as part of the development proposal (on-site infrastructure) but there may also be justification to seek contributions towards the general enhancement within the wider area to achieve much more wide ranging benefits.

## Annex B: Strategic Sites - Interim Infrastructure Schedule

### 1. Introduction

1.1 As set out within the main body of the Strategy above (paragraphs 3.18 to 3.20), through a review of the Corporations current submitted applications and also those in pre-application discussion, it has been possible to develop an Interim Infrastructure Schedule. This Schedule focuses on providing strategic certainty in business and corporate decision making in advance of the Joint Core Strategy and its associated Infrastructure Delivery Programme being adopted. This work has enabled WNDC to draw up a 'Strategic Sites - Interim Infrastructure Schedule' based on the planning status of each strategic site and this has been used to identify, prioritise and programme necessary infrastructure in relation to those sites.

### 2. Infrastructure Categorisation and Prioritisation

2.1 As part of the process of prioritising the infrastructure requirements and programmes of each of the strategic sites, categories of infrastructure priority have been defined. It is not intention at this stage in the development of the Interim Infrastructure Schedule to link this prioritisation to specific items of infrastructure across the specific sites. It is anticipated that these linkages are better defined as part of the consultation process and through further engagement with public sector partners. This will be finalised as part of the conclusion of the POS Review.

2.2 Categories have been defined linking infrastructure items with the stage at which it impacts on the implementation of a development scheme. The categories set are primary, secondary and tertiary infrastructure, a summary definition of each of these is given below:

- a) Primary items are those which must be delivered to render the buildings usable. They tend to be basic physical items such as roads and sewers, and will generally be provided on-site. By definition, these items need to be delivered before the development is occupied.
- b) Secondary items are those which are needed to meet the everyday needs of residents, once the development is occupied. Some will need to be provided before the first building is occupied, others will be triggered by a certain number of completions. They can be provided on- or off-site, depending on what provision is available elsewhere. Good examples include education, healthcare and playspace.
- c) Tertiary items are those which help turn a development into a community. Few of these could be deemed 'essential physical infrastructure', rather they add to the residents' quality of life. Examples include libraries and country parks. More often than not, tertiary items will be provided off-site, often serving more than one community.

**Princess Marina Hospital - (Permission Granted - Qtr 4 2008/09)**

**Onsite Provision**

Equipped Play  
 Non-equipped play  
 Employment Training  
 Public Art  
 Health facility  
 Open Space/ District Park

**Financial Contributions – off site**

Primary School  
 Secondary School  
 Library  
 Community Centre  
 Sports Hall  
 Playing pitches  
 Green Infrastructure  
 Public Realm  
 Emergency Services

**Transport**

Roads  
 Public transport  
 Bus shelters  
 Enhanced bus services  
 Predominantly off site  
 Travel Plan 20% Modal Shift.  
 Contribution toward SRN Access Management Strategy

**Other**

Land for Commercial  
 Land for Residential  
 Affordable housing  
 Community Development Trust  
 Monitoring contribution

**Grange Park – Northampton (Persimmon Granted - Qtr 3 2009/10)**

**Onsite Provision**

Equipped Play  
 Non-equipped play  
 Employment Training  
 Public Art  
 Open Space/ District Park

**Financial Contributions – off site**

Primary School  
 Secondary School  
 Library  
 Community Centre  
 Sports Hall  
 Playing pitches  
 Green Infrastructure  
 Public Realm  
 Emergency Services  
 Health / Dental

**Transport**

Roads  
 Public transport  
 Bus shelters  
 Enhanced bus services  
 Predominantly off site On site - Travel Plan 20% Modal Shift.  
 Contribution toward SRN Access Management Strategy

**Other**

Land for Employment  
 Land for Hotel  
 Land for Residential  
 Affordable housing  
 Community Development Trust  
 Monitoring contribution  
 Upgrade of existing foul sewer at Saxon Roundabout  
 Contamination / remediation

**Upton Lodge - Northampton (Potential Committee Date - Qtr 3 2010/11)**

**Onsite Provision**

Primary School (x1)  
 Community Centre (x1)  
 Sports Hall (x1)  
 Equipped Play  
 Non-equipped play  
 Playing pitches  
 District Park  
 Green Infrastructure  
 Emergency Services (Police/ Fire/ Ambulance Services)  
 Health Centre/ Dental  
 Employment Training  
 Community Cohesion

**Financial Contributions – off site**

Secondary School  
 Library  
 Swimming Pool  
 Burial Grounds  
 Public Realm

**Transport**

Off site  
 Contribution toward SRN Access Management Strategy  
 Public Transport Contribution  
 CVLR  
 SLRR  
 Weedon Road Bus Lane.

**On site**

Travel Plan 20% Modal Shift.  
 Provision of Park & Ride Facility.  
 Residential Travel Plan

**Other**

1 District Centre & 2 local centres  
 Land for Residential  
 Affordable housing  
 Community Development Trust  
 Monitoring contribution

**Pineham Village – Northampton (Potential Committee Date - Qtr 4 2010/11)**

**Onsite Provision**

Equipped Play  
 Non-equipped play  
 Employment Training  
 Primary School  
 Community Resource Centre  
 Sports Hall  
 Playing pitches  
 Public Realm  
 Emergency Services  
 Community Cohesion

**Financial Contributions – off site**

Secondary School  
 Library  
 Green Infrastructure – Upper Nene Valley Country Park  
 Public Realm  
 Swimming Pool  
 Town Centre Regeneration and Enhancement  
 Health / Dental

**Transport**

Roads  
 Contribution toward SRN Access Management Strategy  
 Public transport  
 Bus shelters  
 Enhanced bus services  
 Residential Travel Plan  
 Travel Plan 20% Modal Shift.  
 Canal Bridge  
 Bridleway Upgrade

**Other**

Local centre  
 Land for Residential  
 Affordable housing  
 Community Development Trust  
 Monitoring contribution

## Ransome Road - Northampton (Potential Decision - Qtr 4 2010/11)

### **Onsite Provision**

Community Centre (x1)  
 Equipped Play  
 Non-equipped play  
 Emergency Services (Police/ Fire/ Ambulance Services – space available within community building)  
 Health Centre/ Dental (community building includes space for these facilities)  
 Employment Training  
 Green Infrastructure  
 Public Realm  
 Community Cohesion

### **Financial Contributions – off site**

Primary School (required to serve Ransome Road and Avon Nunn Mills sites)  
 Secondary School  
 Library  
 Swimming Pool  
 Burial Grounds  
 Playing pitches  
 District Park

### **Transport**

#### Off Site

Junction improvement at London Road/ Ransome Road junction (Note: it is assumed that the Bedford Road junction improvement costs to be met by Avon Nunn Mills sites)  
 Commuted sum for road bridge/ footbridge crossing over Northampton- Bedford safeguarded railway

#### On site

Travel Plan 20% Modal Shift.  
 Bus stop improvements.  
 Infrastructure leading up to road bridge

### **Other**

Local retail facilities  
 Land for residential  
 Pub/ Restaurant/ leisure facility at Delapre Lake  
 Affordable housing  
 Monitoring contribution  
 Flood defence scheme at Upton funded by EP (HCA) to enable brownfield initiative sites to proceed.  
 Remediation Strategy for former landfill site.  
 Community Development Trust

**Dallington Grange – Northampton (Potential Committee Date - Qtr 3 2011/12)**

**Onsite Provision**

Primary school (x2)  
 Secondary school  
 Community Centre – within Multi Use building (x1)  
 Sports Hall (4 court hall likely to be shared facility with school)  
 Children’s day nursery  
 Library/ Health and emergency services (within multi use community building)  
 Non-equipped play/ Equipped Play/ Playing pitches  
 District park  
 Employment Training  
 Green Infrastructure/ Community gardens/ allotments  
 Public Realm (Waterside public space/ riverside corridor)  
 Community Cohesion

**Financial Contributions – off site**

Swimming Pool  
 Burial Grounds  
 Town Centre Regeneration and Enhancement

**Transport**

Off Site  
 Contribution to strategic highway improvements – Northampton NW Bypass  
 Contribution toward SRN Access Management Strategy  
 Contribution to junction/ signalling improvements at the Cock Hotel junction - Kingsthorpe  
 Provision of vehicular link through to Kings Heath  
 Public Transport Contribution

On site

Travel Plan 20% Modal Shift.  
 Bus stop improvements.  
 Access road to Harlestone Road forms the first section of NW Bypass ( Mill Lane junction improvements  
 Improvements to footpaths/ bridleways  
 Links across bypass into Harlestone Firs.

**Other**

Local retail facilities  
 Land for Employment  
 Land for Residential  
 Affordable housing  
 Community Development Trust  
 Monitoring contribution

**Avon Nunn Mills – Northampton (Potential Committee Date - Qtr 3 2011/12)****Onsite Provision**

Community Centre (x1)  
Equipped Play / Non-equipped play  
Employment Training  
Green Infrastructure  
Public Realm (Waterside public space/ riverside corridor)  
Primary School (required to serve Ransome Road and Avon Nunn Mills sites)  
Health and emergency services  
Community Cohesion

**Financial Contributions – off site**

Secondary School  
Library  
Swimming Pool  
Burial Grounds  
Playing pitches  
District Park

**Transport**

Off Site  
Junction improvement at London Road/ Ransome Road junction (Note: Bedford Road junction improvement costs to be met by Avon Nunn Mills sites)  
Commuted sum for road bridge/ footbridge crossing over Northampton- Bedford safeguarded railway  
Contribution toward SRN Access Management Strategy

**On site**

Bedford Road junction improvements  
Improvements/ reinforcements to vehicular bridge across river  
Travel Plan 20% Modal Shift.  
Bus stop improvements.  
Infrastructure leading up to road bridge  
Footbridge linking site to Becket's Park/ town centre

**Other**

Local retail facilities  
Pub/ Restaurant/ leisure facility at waterfront  
Land for Employment  
Land for Residential  
Affordable housing  
Monitoring contribution  
WNDC CPO costs  
Community Development Trust

**Upton Park (Potential Committee Date - Qtr 3 2011/12)**

**Onsite Provision**

Primary school (x1)  
 Community Centre (possible multi-use centre)  
 Sports Hall  
 Library (within multi use community building)  
 Emergency services office (within multi use building)  
 Equipped Play/ Non-equipped play/ Playing pitches  
 District park  
 Employment Training  
 Green Infrastructure / Allotments  
 Community Cohesion

**Financial Contributions – off site**

Secondary school  
 Health  
 Swimming Pool  
 Burial Grounds  
 Public Realm

**Transport**

Off Site  
 Contribution toward SRN Access Management Strategy  
 Public Transport Contribution

On site  
 Roads  
 Public transport  
 Bus shelters  
 Enhanced bus services  
 Residential Travel Plan  
 Employment Travel Plan  
 Travel Plan 20% Modal Shift.

**Other**

Combined Heat and Power Facility  
 Land for Employment  
 Land for Residential  
 Affordable housing  
 Monitoring contribution  
 Community Development Trust

**Grosvenor Centre – Northampton (Potential Committee Year - 2012/13)**

**Onsite Provision**

Emergency Services (Police / Ambulance Services)

Public Realm

Employment Training

**Financial Contributions – off site**

Public Realm

Community Cohesion

**Transport**

Off site

Local highway improvements

Public Transport Enhancement/ Contributions

On site

Employment Travel Plan

**Other**

Land for employment

Land or Retail

Monitoring contribution

**Waterside – Northampton (Potential Committee Year - 2012/2013)**

**Onsite Provision**

Play areas  
 Green Infrastructure / Informal Open Space  
 Public realm  
 Employment Training  
 Community Cohesion

**Financial Contributions – off site**

Primary school  
 Secondary school  
 Public Realm  
 Burial Grounds  
 Swimming pool  
 Library  
 Health Centre  
 Formal Sports Provision  
 Police

**Transport**

Local Highway Contribution  
 Public Transport Contribution  
 Residential Travel Plan  
 Employment Travel Plan  
 Contribution toward SRN Access Management Strategy

**Other**

Land for Residential  
 Land for Employment  
 Affordable Housing  
 Community Development Trust  
 Monitoring contribution

St Johns/ Angel Street – Northampton (Potential Committee Year - 2012/2013)

**Onsite Provision**

Public Realm  
Employment Training  
Community Cohesion

**Financial Contributions – off site**

Primary school  
Secondary school  
Green Infrastructure  
Public Realm  
Burial Grounds  
Swimming pool  
Library  
Health Centre  
Formal Sports Provision  
Police

**Transport**

Local Highway Contribution  
Public Transport Contribution  
Residential Travel Plan  
Employment Travel Plan  
Contribution toward SRN Access Management Strategy

**Other**

Land for Employment  
Land for Retail  
Land for Residential  
Affordable Housing  
Community Development Trust  
Monitoring contribution

Castle Station – Northampton (Potential Committee Date Post 2015)

**Onsite Provision**

Public Realm  
Employment Training  
Community Cohesion

**Financial Contributions – off site**

Primary school  
Secondary school  
Public Realm  
Burial Grounds  
Swimming pool  
Library  
Health Centre  
Formal Sports Provision  
Play areas  
Green Infrastructure / Informal Open Space  
Police

**Transport**

Local Highway Contribution  
Public Transport Contribution  
Residential Travel Plan  
Employment Travel Plan

**Other**

New Rail Station Building and Associated Facilities  
Land for Employment  
Land for Residential  
Affordable Housing  
Community Development Trust  
Monitoring contribution

**Monksmoor - Daventry (Permission Granted - Qtr 4 2010)****Onsite Provision**

1 primary school  
Community centre  
(incl. sports hall& changing facilities for sports pitches)  
Play areas/sports pitches  
Green Infrastructure / Informal Open Space  
Site for a Health Centre

**Financial Contributions – off site**

Public Realm etc.  
Swimming Pool  
Police  
Health (in lieu of on-site)  
Employment Training  
Canal Towpath  
Burial Grounds  
Library

**Transport**

Strategic Road Network contribution  
Residential and Employment Travel Plan  
Travel plan coordinator contribution  
Public Transport contribution  
Bus stop contribution  
Pedestrian/cycle improvements to Welton Lane  
Welton Roundabout – contribution

**Other**

1 local centre  
Land for Residential  
Affordable Housing  
Land for Employment and live work units  
Extension to Daventry Country Park  
Community Interest Company incl. Start up contribution  
Green Infrastructure / Country Park Extension Maintenance Contribution  
Monitoring contribution

**Church Fields – Daventry (based on current Duplicate Scheme) (Potential Committee Date - Qtr 3 2011/12)****Onsite Provision**

3 primary schools  
1 secondary school  
Community Centre (incl. sports hall)  
Play areas / sports pitches  
Green Infrastructure / Informal Open Space  
Health Centre  
Main and Subsidiary Sports Pavilions  
Employment Training  
Community Cohesion

**Financial Contributions – off site**

Borough Hill Country Park  
Canal Towpath  
Public Realm etc (incl. burial/ cultural)  
Swimming pool  
Library

**Transport**

Norton traffic calming  
Local Highway Contribution  
Strategic Highway Contribution (including By-pass contribution)  
Public Transport Contribution  
Residential Travel Plan  
Employment Travel Plan  
Re-alignment of B4036

**Other**

1 District Centre & 2 local centres  
Extension to Daventry Country Park  
Land for Residential  
Affordable Housing  
Land for Employment  
Community Development Trust  
Monitoring contribution  
Undergrounding of onsite power lines

**Towcester Urban Extension – Towcester (Potential Committee Date - Qtr 2 2011/12)**

**Onsite Provision**

2 primary schools  
 1 secondary school  
 Community Centre (including emergency services office)  
 Play areas / sports pitches  
 Green Infrastructure / Informal Open Space  
 Health Centre  
 Main and Subsidiary Sports Pavilions  
 Community Cohesion  
 Employment Training

**Financial Contributions – off site**

Public Realm etc (incl. burial/ cultural)  
 Swimming pool  
 Library  
 Town Centre Enhancement including public realm improvements

**Transport**

Public Transport Contribution  
 Residential Travel Plan  
 Employment Travel Plan  
 Travel Plan coordinator contribution  
 Provision of Towcester south bypass  
 Improvement to A43 Tove Roundabout  
 Improvement to A43 Abthorpe Roundabout  
 Local highway network improvements

**Other**

One local centre and one neighbourhood centre  
 Land for Residential  
 Affordable Housing  
 Land for Employment  
 Hotel and conference facilities  
 Monitoring Contribution  
 Community Development Trust

**Related Documents:**

**POS Supporting Technical Document**

**Contents:**

- A. Policy and Statute Context
- B. Viability Topic Paper
- C. Deferred Contributions Topic Paper
- D. Guidelines for Viability Assessments
- E. Construction Futures Topic Paper
- F. Community Cohesion Topic Paper
- G. Triggers for infrastructure provision
- H. (i) Community Centres – example specification  
(ii) Local Development Trusts
- I. Police Contributions
- J. Monitoring Costs Topic Paper

**POS Consultation Statement dated October 2010**

**POS Board Report (6 July 2010)**

**POS Annex A Evidence Base Schedule dated October 2010**