

## CP9 Developer Contributions



### Supporting Documents:

PPS12  
ODPM Circular 5 - 2005  
DCLG Planning Obligations Practice Guidance - 2006  
Audit Commission - Securing Community Benefits through the Planning Process - 2006  
Draft South East Plan -2006  
Infrastructure Capacity Study – 2006  
The emerging Developer Contributions SPD.  
Reducing Inequality Review 2008

### Introduction

3.67 In ensuring the best for the city from all development, the council will continue securing contributions towards adequate and effective provision of new or upgraded infrastructure to ensure that development functions in its surroundings. Developer Contributions ensure for the future that the impact of new development is minimised and that development provides appropriate contributions for creating sustainable communities as a whole as well as improving the quality of our built environment.

### Preferred Option CP9 – Developer Contributions

The council will require that all new development is accompanied by the necessary provision of social and physical infrastructure. Any infrastructure required before the development is occupied should be provided on time.

1. Inadequacies in infrastructure arising from proposed development will be mitigated through Developer Contributions, secured through a Legal Agreement/ Planning Obligation that will provide sufficient and appropriate improvement, through upgrade, enhancement or new infrastructure.
2. Contributions will relate to all aspects of land use, community infrastructure and services that may be affected by development and which accord with the council's identified local priorities and objectives for delivering sustainable communities.
3. Specific infrastructure/service priorities have been identified in Part 2 of the plan related to the Development Areas, Special Areas and Sustainable Neighbourhoods proposals.
4. The cumulative impact of all development and differing needs for infrastructure provision and appropriate community needs will be reflected in the level and type of developer contributions being sought.

5. Further detailed information on the circumstances and range of contributions that may be sought from development will be set out in a Developer Contributions SPD which will establish a sound basis and methodology for agreeing the level and type of infrastructure requirements necessary from development and a method for calculation of costs to deliver that service or provision.

### Supporting Text

**3.68** The Preferred Option accords with Government advice in PPS12 and Circular 5/05. This is also reflected the views of the local community and other stakeholders as expressed in consultation and the priorities set out in the various preferred Core Policies.

**3.69** The requirement for developers to contribute towards necessary physical and social infrastructure and environmental benefits is highlighted in the majority of the Development Areas detailed proposals and it is important that all priorities in the relevant areas are considered. Priorities will also derive from key strategic objectives or key local needs identified in strategies, plans and commissioned studies.

**3.70** The range of infrastructure and service provision where contributions may be sought will include:

- Sports, recreation, youth facilities, play space and amenity space
- Employment and regeneration initiatives including training/apprenticeship
- Health and well being including social services
- Education and learning including schools and libraries
- Biodiversity, countryside and open space including access and interpretation
- Public art, public realm and environmental improvements
- Sustainability measures – construction and sustainable building design
- Affordable housing, including accessibility and life-time homes
- Sustainable transport initiatives including public transport, walking and cycling
- Highways infrastructure and local utility infrastructure
- New/replacement community rooms and mixed use facilities
- Tourism, culture and heritage
- Reducing crime, policing and community safety
- Design & conservation of historic buildings

**3.71** The Government's Planning Policy Statement 12 - Local Spatial Plan (PPS12) states that the provision of infrastructure is important in new developments and that the capacity of existing infrastructure and the need for additional facilities should be taken into account in the preparation of all local development documents.

**3.72** The Government Circular 5/05: Planning Obligations provides guidance on the use of Planning Obligations for ensuring that the planning system delivers sustainable development, together with greater emphasis on the requirement for obligations to be necessary in order to make the development acceptable in planning terms. Either the infrastructure should be adequate to meet the needs of new development; or development proposals must take into account any pressures on infrastructure that may

arise from such development; or the need for any such provision by new development should be secured through a Section 106 Agreement for appropriate contributions.

### **Implementation**

**3.73** The Circular 5/05 advises that guidance on Planning Obligations, secured through Developer contributions, should be set out in a Supplementary Planning Document (SPD). Currently a Developer Contributions SPD is being produced that broadens and develops the current Local Plan policies SU15 Infrastructure, and QD28 Planning Obligations.

**3.74** Planning will continue to monitor the implementation of planning obligations in a systematic and transparent way and rigorously enforce compliance with legal agreements/ planning obligations. Both the SPD and implementation process will provide a consistent and co-ordinated approach, ensuring delivery of new or improved infrastructure, working in partnership where necessary with other public and private service providers.