

**Appendix D – Peterborough Draft Developer Contributions
Supplementary Planning Document**



Peterborough City Council

Developer Contributions Supplementary Planning Document (SPD)

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Developer Contributions SPD 2015

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1. Introduction

1.1 Purpose of this document

1.1.2 The purpose of this Supplementary Planning Document (SPD) is to set out the city council's approach towards securing funding from developers to provide infrastructure to support development. It is set within the context of the council's adoption of a Community Infrastructure Levy (CIL) by April 2015. For the majority of planning applications CIL will become the primary method by which the council secures funding for infrastructure to support development. The SPD does not set policy. It provides a framework for implementation of existing policies contained in the adopted [Core Strategy DPD¹](#) (2011), [Minerals and Waste Core Strategy DPD²](#) (2011), [Planning Policies DPD³](#) (2012) and [City Centre DPD](#) (2014) relating to the impacts of development. The main policy this SPD supports is Core Strategy policy CS13: Developer Contributions to Infrastructure Provision. Should a new Local Plan be prepared it will confirm the ongoing status of this SPD.

1.1.3 This SPD:

- Clarifies the relationship between Planning Conditions, Planning Obligations and the Peterborough CIL;
- Explains how Planning Obligations CIL might be sought for different types of infrastructure;
- Helps ensure the timely provision of infrastructure to support growth;
- Aids the smooth functioning of the planning application process by explaining the council's process and procedures for using Planning Obligations; and,
- Assists in securing both local and national objectives in respect of the provision of sustainable development in Peterborough.

1.1.4 This SPD supersedes the Peterborough Planning Obligations Implementation Scheme SPD (adopted February 2010) which was formally revoked at the same time this SPD was adopted.

1.2 Status

1.2.1 The Developer Contributions SPD, once adopted, will be a material planning consideration in the determination of planning applications.

1.2.2 The policies this SPD supplements have been subject to Sustainability Appraisal. The SPD itself has been prepared in accordance with the plan making regulations⁴ and having regard to the National Planning Policy Framework (NPPF)⁵.

¹ <http://www.peterborough.gov.uk/pdf/Plan-policy-ldf-cs-adoptedCS.pdf>

² <http://www.peterborough.gov.uk/pdf/MWCSAdopted.pdf>

³ <http://www.peterborough.gov.uk/pdf/env-plan-ldf-ppdpd-adopted%20DPD.pdf>

⁴ Town and Country Planning (Local Planning) Regulations 2012

⁵ NPPF Paragraph 153

1.2.3 Peterborough City Council's CIL Charging Schedule will come into effect on 24 April 2015, the same date as this SPD.

2. Securing Developer Contributions

2.1 Developer Contributions

2.1.1 When assessing a planning application, the city council (as the local planning authority (LPA)) can take into account specific conditions, restrictions, activities or operations which would make the development proposal acceptable in planning terms, when the only other alternative would be to refuse it.

2.1.2 The council expects new development to contribute to site related and other infrastructure needs through a combination of the following mechanisms:

- Planning **Conditions** (site/development related);
- Planning **Obligations** to secure infrastructure provision through financial contributions or works in kind e.g. S106 Agreements or Unilateral Undertakings (site/development related);
- The Peterborough Community Infrastructure Levy (**CIL**) (Strategic, local and city wide requirements); and
- **Section 278 agreements** under the Highways Act 1980.

2.1.3 The distinctions between these mechanisms are highlighted below.

2.2 What are Planning Conditions?

2.2.1 Planning Conditions are requirements made by the council, in the granting of permission, to ensure that certain actions or elements related to the development proposal are carried out. In Peterborough such conditions are likely to cover, among other things: the requirement to undertake archaeological investigations; submission of reserve matters; controls over materials used; and the requirement to carry out work in accordance with the submitted plans such as landscaping, tree planting and drainage works.

2.2.2 Paragraph 203 of the NPPF states that LPA's should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. Paragraph 206 of the NPPF states that Planning Conditions should only be met where they are:

- Necessary;
- Relevant to planning;
- Relevant to the development to be permitted;
- Enforceable;
- Precise; and,
- Reasonable in all other respects.

The policy requirement is known as the six tests. Further explanation of the six tests are set out in the Planning Practice Guidance⁶. The council will consider whether an issue can be satisfactorily addressed through a condition, which meets the tests, before negotiating a Planning Obligation.

2.2.3 Where there is a choice between imposing Planning Conditions and entering into a Planning Obligation to manage the impacts of a new development, the use of Planning Conditions is always preferable.

2.2.4 Importantly Planning Conditions:

- cannot be used to secure financial contributions;
- cannot be used in relation to land outside of the application site; and,
- can be appealed against by the applicant if they believe them to be unreasonable.

2.3 What are Planning Obligations?

2.3.1 Planning Obligations are formal commitments given by an owner of land enforceable by a local authority against that owner and subsequent owners. They are a means of securing measures to make a development acceptable in planning terms and to accord with national or local planning policies. Planning Obligations can be used to mitigate the impact of a development; to compensate for loss or damage created by a development; or to prescribe the nature of a development.

2.3.2 Planning Obligations may be financial or in kind, and negotiated as part of planning applications. There may be cases where provision in kind is preferable and suitable, such as where finding land for a facility is an issue.

2.3.3 A Planning Obligation must meet all of the following statutory tests:

- It is necessary to make the development acceptable in planning terms;
- It is directly related to the development; and,
- It is fairly and reasonably related in scale and kind to the development.

2.3.4 The tests for Planning Obligations were made a statutory requirement by the CIL Regulations 2010 (as amended). The purpose of doing this was to distinguish the different roles that both CIL and Planning Obligations have when used together to support new development. The CIL Regulations also specify that by the adoption of CIL, or by 6 April 2015, whichever is sooner, the use of Planning Obligations must be scaled back. This is enforced by Regulation 123 which specifies that a Planning Obligation cannot be used to fund a project or type of infrastructure if there have been five separate obligations agreed since 6 April 2010 in relation to that project or type of infrastructure.

2.3.5 Unlike with Planning Conditions, a Planning Obligation can relate to land outside the application site and/or not under the control of the applicant. For example, a developer

⁶ NPPG - ID 21a-004-20140306

may be asked to contribute towards infrastructure costs arising out of the development, however this is subject to meeting the tests and pooling restrictions mentioned above.

2.3.6 Planning Obligations are legally binding agreements entered into between a Local Authority and a developer under Section 106 of the Town and Country Planning Act 1990. They are private agreements negotiated between planning authorities and persons with an interest in a piece of land. They run with the land and are enforceable against the original covenantor and anyone subsequently acquiring an interest in the land. They are registered as a local land charge.

2.3.7 Both draft and completed S106 Planning Obligations may be viewed by members of the public and are in no sense confidential documents.

2.4 How are Planning Obligations secured?

2.4.1 Section 106 of the Town and Country Planning Act 1990 states that Planning Obligations can be by way of “agreement or otherwise” and must be entered into by an instrument executed as a deed.

2.4.2 The city council uses two types of Planning Obligation:-

- **S106 Legal Agreement** - A S106 Agreement is the most common form and is made between the applicant, all other parties with an interest in the land and the LPA. The agreement commits each of the parties to the document. For example, an applicant may be committed to providing a certain number of affordable homes, or a financial contribution, which the LPA is committed to spend on a specific project;
- **S106 Unilateral Undertaking** - This is an undertaking made by the applicant to the authority to cover any planning issues before the granting of planning permission and may be offered at any point in the application process – but normally where agreement has not been reached. As the word ‘unilateral’ conveys, the undertakings are the developer’s commitment, unlike the S106 agreement where the council is also committed to deliver on one or more of the specified contributions. A unilateral undertaking does not require any agreement by the LPA. The LPA may therefore have no legal input into the drafting of such agreements. However, local authorities do not have to accept unilateral undertakings offered by the developers if they do not feel they deal with all the issues in granting planning permission. An applicant may offer a unilateral undertaking at a planning appeal against refusal to overcome the local authority’s objections. It will then be for the Inspector to decide its suitability or otherwise.

2.4.3 Timing of implementation is an important factor for most development projects, and it is important that the structure of the Planning Obligation reflects this. This often means that Planning Obligations are linked to and specify:

- the different agreed phases of development;
- timescales within which a developer is required to undertake certain actions;

- the time within which commuted sums are to be paid to the LPA, or on the occurrence of a certain event, such as the occupation of the nth dwelling or building;
- the appropriate building cost indices to be referenced and linked for occasions when there is a delay between financial contributions being agreed (date of planning permission issue) and the date of payment; and,
- the time within which the LPA must spend the financial contribution, otherwise the developer could be reimbursed including any interest accrued.

2.5 What is the Community Infrastructure Levy (CIL)?

- 2.5.1 The CIL is an optional charge which local authorities can place on developers to help fund infrastructure needed to support new development in their areas. Before CIL can be charged the authority must have an adopted CIL Charging Schedule in place.
- 2.5.2 CIL partially replaces the existing Section 106 Planning Obligations process by reducing the range of infrastructure types or projects that it will be appropriate to secure obligations for. CIL monies are pooled into a fund which the city council must use to provide, improve, replace, operate or maintain infrastructure to support the development of its area. Importantly, the CIL charge once introduced is non-negotiable.
- 2.5.3 Funds raised through the CIL can be used to pay for a wide range of community infrastructure (strategic, citywide and local) that is required to support the needs of sustainable development. The Peterborough CIL Regulation 123 list (R123 list) will set out the infrastructure that can be funded, in whole or part, by CIL (see Appendix C). Planning Obligations will not be used to secure infrastructure that has already been identified for delivery and investment from CIL funds through the R123 list.

2.6 Section 278 Agreements

- 2.6.1 Section 278 agreements under the Highways Act 1980 (as amended by S23 of the New Roads and Street Works Act 1991) are legally binding agreements between the Local Highway Authority and the developer to ensure delivery of necessary highway works to the existing highway network. They identify the responsibilities (financial or otherwise) of parties involved in constructing works on the public highway.
- 2.6.2 Where, as part of the assessment of a planning application, it is identified that it will be necessary to make modifications to the existing highway to facilitate or service a proposed development (typically these will be off-site works required to mitigate the impact of the proposed development) a S278 agreement will be used.
- 2.6.3 It is important to note that where a CIL has been introduced by an authority, and the R123 list includes a generic item (such as ‘transport infrastructure’), then S106 contributions should not normally be sought on any specific projects in that category.
- 2.6.4 Where a R123 List includes project-specific infrastructure, the LPA should seek to minimise its reliance on Planning Obligations in relation to that infrastructure.
- 2.6.5 S.278 Agreements cannot be required for works that are intended to be funded through CIL, with the exception of the Highways Agency where those restrictions do not apply.

3. Planning Policy Context and Infrastructure Needs

3.1 The National Planning Policy Framework (NPPF)

3.1.1 Paragraphs 203 to 206 of the NPPF set out the Government's policy on Planning Obligations. These paragraphs reiterate the tests for Planning Obligations set out in the CIL Regulations; restate the principle that Planning Conditions are preferable to Planning Obligations; require local authorities to take into account changes in market conditions over time in policies and Planning Obligations, and make sure they are sufficiently flexible to prevent planned development from being stalled.

3.2 Peterborough Local Planning Policy Framework

3.2.1 This SPD supports and supplements the local plan policy framework⁷, and so will be an important material consideration in the decision making process when considering future planning applications.

3.3 Peterborough Core Strategy

3.3.1 The Core Strategy has identified a minimum of 25,500 additional homes and the need for 213ha to 243ha of employment land between 2009 and 2026. This growth will result in increased pressure on local infrastructure, services and facilities, creating demand for new provision. The council and developers have a responsibility, through the planning process, to manage the impact of this growth and ensure that any harm caused by development is mitigated and that the necessary infrastructure is provided. The council expects new development to contribute to both on-site and strategic off-site infrastructure needs, this is established in Core Strategy policies CS12: Infrastructure and CS13: Developer Contributions to Infrastructure Provision, which provide the main hooks for the preparation of this SPD.

3.3.2 Other policies within the Peterborough Local Plan provide specific and detailed justification for various types of Planning Obligation e.g. Policy PP14 – Open Space Standards for new development. Such policies are referred to in the relevant sections of this SPD.

3.4 Infrastructure Needs

3.4.1 The identified infrastructure needs for the Core Strategy were set out in the Integrated Development Programme (IDP) (Dec 2009), which provides a costed, phased and prioritised programme of infrastructure development to support the proposed economic and housing growth.

⁷http://www.peterborough.gov.uk/planning_and_building/planning_policy/planning_policy_framework/development_plan_documents.aspx

- 3.4.2 An updated version of the IDP, the Infrastructure Delivery Schedule (IDS) was published in November 2012 to support the Community Infrastructure Levy Preliminary Draft Charging Schedule consultation. A further revised version of the IDS was published in 2014.
- 3.4.3 The IDS is Peterborough's 'live' evidence base of what infrastructure is needed to support growth across the District is. It will be updated on a regular basis in liaison with both internal and external infrastructure providers. The IDS forms an important source of infrastructure types and projects that the council will reference when determining the priority and timing of what infrastructure is required to ensure the sustainable delivery of the different development proposals which will comprise Peterborough's growth.

4. Peterborough's Approach to Planning Obligations and CIL

4.1 Introduction

4.1.1 Following the adoption of a CIL Charging Schedule in Peterborough the use of S106 Planning Obligations will be scaled back significantly, and it is expected that, for the majority of development, CIL will become the main source of infrastructure funding obtained through the development management process. However, on sites of 500 dwellings or more Planning Obligations will continue as the primary mechanism for securing infrastructure associated with these developments.

4.1.2 This section sets out the council's role and the process for securing CIL and S106 contributions. It also sets out when the CIL and S106 might be used for different types of infrastructure.

4.2 The council's role

4.2.1 It is the city council's role to:

- Lead discussions on securing developer contributions for infrastructure taking account of input from infrastructure/service providers and needs identified in the IDS and through consultation responses to planning applications;
- Notify developers of their CIL liabilities;
- Strive to ensure a balance is maintained between community infrastructure needs and development viability; and,
- Ensure that funds provided by developers are spent in an appropriate and timely manner that responds to the impacts of the development alongside other processes which may not be within its control (e.g. site access, legal processes, utility connections etc.).

4.2.2 The city council Planning Services offer a pre-application advice service which can provide more detailed information in relation to potential developer contributions for specific proposals. Further details are available on the [city council's website](#)⁸.

4.2.3 The benefits of an early negotiated approach include:

- Ensuring that developers are aware of the scale and nature of likely contributions required for a proposed development at the earliest opportunity;
- Assisting in determining project viability;
- Providing greater clarity and certainty to the process; and,
- Helping to minimise the timescales involved in determining affected planning applications.

⁸ http://www.peterborough.gov.uk/planning_and_building/making_a_planning_application/get_pre-application_advice.aspx.

4.3 The range of infrastructure requirements

4.3.1 An indication of the range of infrastructure requirements that the council will give consideration to, as part of the assessment of planning applications, is indicated below. It should not be considered as a definitive list. However, the topics listed below are the more common infrastructure types considered and often required as a result of new development.

- Transport
- Education
- Affordable Housing
- Lifetime & Wheelchair Homes
- Primary Health Care
- Crematoria/Burial grounds
- On site Open Space
- Strategic Open Space and Green Infrastructure
- Indoor Sports Facilities
- Community Facilities
- Libraries and Life Long Learning
- Public Realm / Urban Design
- Waste Management
- Environment Capital
- Site Drainage and Flood Risk Management

4.3.2 Sections 5 to 19 of this SPD provide the detail of when CIL or S106 will be required for the above infrastructure requirements, with a summary overview in Table 3.

4.3.3 When considering the infrastructure requirements for a development, the capacity of existing infrastructure will be considered to ensure that obligations are only necessary where the current capacity would not be able to accommodate the additional need generated by the proposed development.

4.4 Planning Obligations Process

4.4.1 Planning Obligations will be used to fund on-site or site related infrastructure only. The council’s role and the process involving Planning Obligations is outlined in Table 1 below.

Table 1: Overview of Planning Obligations Process

| Steps | S106 Planning Obligations – Agreements & Unilateral Undertaking (UU) |
|-------|---|
| 1 | As part of the documentation submitted with the planning application, the developer provides a draft Planning Obligations Heads of Terms form, using the template available on the city council’s website. |
| 2 | Draft Heads of Terms are agreed in principle. |
| 3 | Once the Local Planning Authority is minded to approve the application, the city council’s Legal Services Team are instructed to prepare a draft S106 Agreement / UU. Minimum charge of £550 to be paid by applicant. |
| 4 | S106 Agreement / UU is signed and sealed and planning permission can then be granted. Details will be registered by the city council’s Land Charges Section. |
| 5 | The agreed Planning Obligations and their relevant triggers are entered on the city council’s Planning Obligations Database. Implementation of approved applications is monitored through to completion. |

| | |
|---|---|
| 6 | On discharge of all Planning Obligations the city council's Land Charges Section will remove the charge from the Land Charges Register. |
|---|---|

4.5 Peterborough Community Infrastructure Levy

4.5.1 Peterborough City Council adopted its CIL Charging Schedule (See Appendix F) on 15/04/2015. The Peterborough CIL Charging Schedule sets CIL rates by type of development, size of development and location. Peterborough CIL rates are set out in table 2 below. A map of charging zones is presented in Diagram 1. The principle is that all eligible developments must pay the CIL charge, as well as any site specific requirement(s) to be secured through planning conditions or Planning Obligations. The CIL charge is non-negotiable. If a proposed development is CIL liable the relevant CIL charge will be levied.

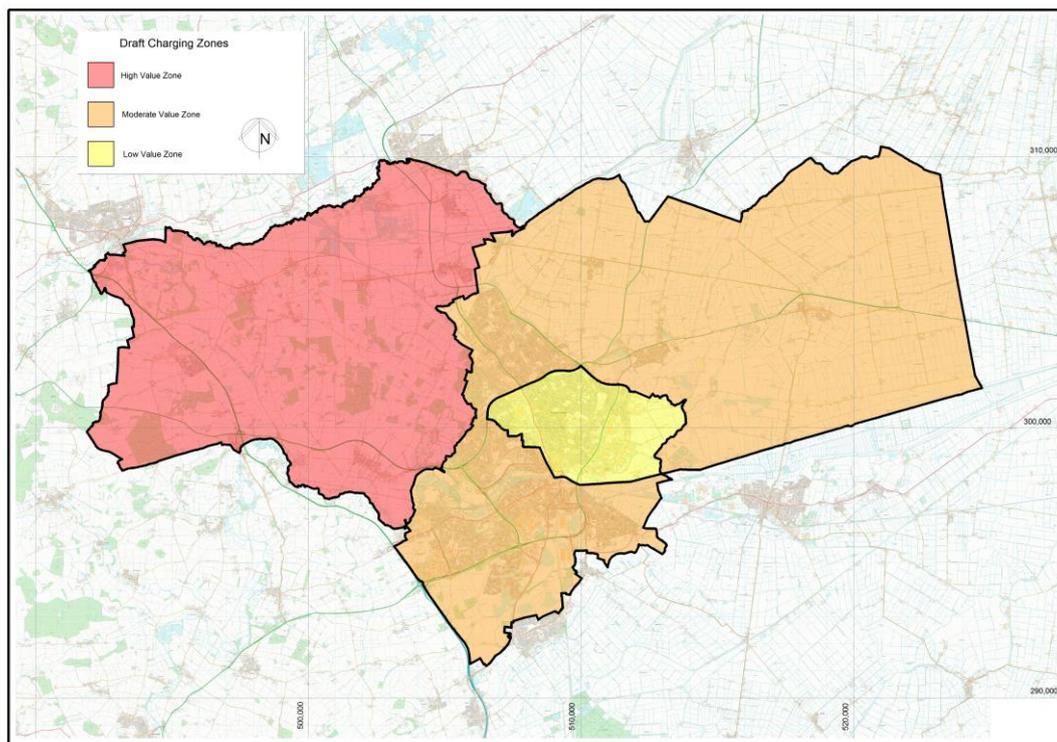
Table 2 Schedule Rates

| Development Type | Charging Zone | | |
|--|---------------|--------|------|
| | High | Medium | Low |
| Market Housing on sites of less than 15 units | £140 | £120 | £100 |
| Market Housing on sites of 15 or more units | £70 | £45 | £15 |
| Apartments on sites of less than 15 units | £70 | £45 | £15 |
| Residential development comprising 500 or more dwellings | £0 | £0 | £0 |
| Supermarkets | £150 | | |
| Retail Warehouses | £70 | | |
| Neighbourhood Convenience Stores | £15 | | |
| All other development | £0 | | |

All charges are £ per m²

(Source: CIL Charging Schedule – see Appendix F)

Diagram 1 – Peterborough CIL Charging Zones



- 4.5.2 CIL receipts may be used to address in full, or in part, the infrastructure necessary to support the cumulative impact of development. Appendix C contains Peterborough’s Regulation 123 List (R123), at the point of adopting this SPD. The R123 List is a list of infrastructure types or projects, which the receipted CIL monies may help to fund in whole or in part. Where the R123 List includes a generic item such as ‘education’ or ‘transport’, or a specific project, then a S106 Planning Obligation cannot be sought for that item or type of infrastructure. The R123 List may be revised by the council at any time, subject to appropriate local consultation. If there is any dispute / conflict between what is stated in this SPD and any updated version of the R123 List, then the R123 List takes precedence.
- 4.5.3 The adopted CIL Charging Schedule and associated policies, the latest R123 List, as well as further background to the CIL in Peterborough; including the infrastructure and viability evidence that have been used to justify the charge set; and, details of public consultations and examination hearings can be found on the CIL pages of the council’s website – www.peterborough.gov.uk .
- 4.5.4 The CIL charge will be applied on each square metre of net additional floorspace in new buildings, with a minimum threshold of 100 square metres or a single dwelling. Some types of development are exempt from CIL, for example affordable housing is eligible for 100% relief. The process for securing CIL payments is set out on the council’s CIL administration webpage – www.peterborough.gov.uk .

4.6 Relationship between CIL and S106

- 4.6.1 Table 3 below sets out what infrastructure types could be provided / funded via S106 Planning Obligations and what types may be funded, in whole or part by the Peterborough CIL. This table is intended as a guide only. Where thresholds apply, they have been indicated, however, the table should be read in conjunction with the more detailed policy guidance that is set out in the remainder of this SPD as well as the most up to date version of the council’s R123 List.
- 4.6.2 It may not always be necessary or appropriate to seek a Planning Obligation for each infrastructure type, this will need to be assessed on a case by case basis.

Table 3: Summary of the relationship between S106 Planning Obligations / Planning Conditions and CIL

| Infrastructure | CIL | S106 or planning condition |
|---------------------------|------------------------------|---|
| Transport | Strategic city-wide projects | Site-specific requirements |
| Education | Education facilities* | Education facilities directly related to sites of 500 or more dwellings |
| Affordable Housing | N/A | Affordable housing requirements |
| Lifetime homes | N/A | Lifetime homes requirements |

| Infrastructure | CIL | S106 or planning condition |
|---|---|---|
| Wheelchair homes | N/A | Wheelchair homes requirements |
| Emergency services | Emergency services* | Emergency Services requirements directly related to sites of 500 or more dwellings |
| Primary Health Care | Primary health care facilities* | Primary health care facilities directly related to sites of 500 or more dwellings |
| Crematorium / burial grounds | Crematorium / burial grounds requirements | N/A |
| Non-strategic outdoor open space | N/A | Non-strategic outdoor open space requirements |
| Strategic outdoor open space | Strategic outdoor open space requirements | N/A |
| Indoor sports facilities | Indoor sports and recreation facilities* | Indoor sports and recreation facilities directly related to sites of 500 or more dwellings |
| Community buildings | Community buildings requirements* | Community buildings requirements directly related to sites of 500 or more dwellings |
| Libraries, museum and lifelong learning | Libraries, museum and lifelong learning facilities* | Libraries, museum and lifelong learning facilities directly related to sites of 500 dwellings or more |
| Public realm | Public realm facilities | N/A |
| Environment Capital | N/A | Environment capital requirement |
| Flood risk management | Strategic / city wide flood risk management schemes | Site-specific flood risk management schemes |
| Waste management | Waste management requirements* | Waste management requirements directly related to sites of 500 or more dwellings |
| Other | Refer to council R123 List | Case by case basis |
| * excluding requirements directly related to sites of 500 dwellings or more | | |

5. Transport

5.1 Introduction

- 5.1.1 Investment in transport infrastructure represents one of the greatest challenges to Peterborough's growth agenda. Overall traffic levels in Peterborough have increased over the last decade, leading to increased congestion and a range of associated problems such as increased air pollution, noise impacts and visual intrusion. It is critical to the successful and sustainable growth of the city that major transport improvements are delivered. Without this, the Core Strategy targets will not be achieved.
- 5.1.2 Core Strategy Policy CS14 Transport is aimed at reducing the need to travel by private car and delivers a sustainable transport package capable of supporting growth and the Environmental Capital aspirations. The detail of the transport package is set out in the [Peterborough Local Transport Plan 3 \(LTP3\) and the Long Term Transport Strategy \(LTTS\)](#). The LTP3⁹ covers the short term (2011-2016) setting out the authority's transport policy and strategy. The LTTS is the 15 year plan of how transport provision can support the authority's sustainable growth agenda, as set out in the Core Strategy.

5.2 Types of facilities that may be required

- 5.2.1 The type of transport infrastructure that is required to support growth is wide ranging and includes schemes such as new access roads, parkway widening, junction improvements, bridges, cycle-ways, footpaths, bus lanes, bus stops, station improvements and park and ride. The LTTS transport improvements are reflected in the IDS

5.3 What can be funded by CIL?

- 5.3.1 The cumulative impact of development often leads to pressures on the transport infrastructure network which are 'off-site' and beyond the immediate proximity of proposed developments. Strategic 'city-wide' transport improvements to support growth, including measures to promote walking, cycling, prioritise public transport and highway traffic calming and capacity improvements where appropriate could benefit from CIL funds.

5.4 When will Planning Obligations be sought?

- 5.4.1 Most developments generate new transport movements and many development schemes require either on or off-site specific works to mitigate their direct impact on the transport network. Where such a site-specific impact is identified a Planning Obligation may be sought to mitigate its impact. The impact is something that will be determined on a case by case basis.
- 5.4.2 Provision to be made for site-specific impacts can be made through Planning Conditions, a Section 278 Agreement or a S106 Planning Obligation. In most circumstances the obligation will be on the developer to implement the approved works via the relevant legal

⁹ <http://consult.peterborough.gov.uk/file/2159565>

agreements. However, there may be some circumstances where it would be acceptable to contribute a sum of money to the council to implement the works on the developer's behalf. Financial contributions will be negotiated on a case by case basis, and will be subject to the limitations on pooling funds from different schemes imposed by the CIL Regulations 2010 (as amended).

5.5 What Planning Obligations might be sought?

5.5.1 Although this list is not exhaustive, obligations could be sought in relation to:

- New access roads;
- Improved junction layouts;
- Public transport accessibility;
- Measures for cyclists / pedestrians;
- Traffic management/highway safety measures; and,
- Travel information.

5.5.2 When developers apply for planning permission, the council may ask them to produce a Transport Assessment (TA) or Transport Statement (TS) to provide a technical assessment of the accessibility issues and transport implications of their proposal. The TA or TS would be used to allow the council to assess the impact of the development and any mitigation measures that may be necessary.

5.5.3 The wider transport implications of a development may also be addressed, in whole or part, through a Travel Plan.

5.5.4 For all developments of 10 - 80 dwellings a TS will be required, potentially committing the developer to implement a number of Travel Plan measures, including Household Travel Information Packs as a minimum. These packs are provided to residents on first occupation of each dwelling comprising the new development. Whilst these can be prepared by the developer, readily prepared packs are available from the Travelchoice Team¹⁰ priced £10 per pack and available in bundles of 10. The developer will be required to include a covering letter explaining the reasoning behind the Packs and a tear-off slip offering the first occupancy household to receive either:-

- a free 1 month Megarider pass for use on Stagecoach buses in Peterborough, or
- a cycle voucher up to the value of £100 for a bike (subject to indexation) and a Peterborough Cycle Map.

5.5.5 A Travel Plan will be required for residential applications of 80 or more households. In all other cases the thresholds for TA and therefore a travel plan are to be found in Appendix F. For the developments listed below, a Travel Plan must be submitted at the point of submitting the planning application. Travel plans may also be required for developments

¹⁰ <http://travelchoice.org.uk/developers/residential-travel-plans/>

under the TA threshold. The criteria below are a reflection of the fact that some smaller scale developments can have significant transport impacts. A Travel Plan will be required for:

- Any development in or near an Air Quality Management Area;
- Any development in an area that has been identified within the Local Transport Plan (LTP) for the delivery of specific initiatives or targets for the reduction of traffic, or the promotion of public transport, walking or cycling;
- Any area specified in the Local Plan, where it is known that the cumulative impact of development proposals is a cause for concern;
- The provision of new or extended school and other educational facilities;
- An extension to an existing development that causes the travel impact of the site to exceed the threshold for a TA; and,
- All instances where the local planning authority requires it.

6. Education

6.1 Introduction

6.1.1 Education infrastructure is an integral component of balanced sustainable communities. It is the council's vision to ensure that the highest quality opportunities exist in education, learning and training, by improving school performance and raising aspirations and standards of achievement for all age groups.

6.1.2 It is widely accepted that the provision of appropriate education facilities is a fundamental infrastructure requirement of sustainable growth. Core Strategy CS12 Infrastructure and CS13 Developer Contributions to Infrastructure Provision provide the policy link to successful delivery.

6.1.3 Development of new homes creates a need for additional school places at early years centres, primary schools and secondary schools and other educational establishments. Recent demographic changes in Peterborough and the cumulative impact of the growth of the city mean that there is, and will continue to be, a compelling need for additional capacity in the city's education infrastructure throughout the Core Strategy plan period (2006-2026) and beyond. The evidence in relation to school capacity is kept under constant review by the council's Children's Services Department.

6.2 What can be funded by CIL?

6.2.1 Education facilities required as a result of new development that are not directly related to strategic sites of 500 dwellings or more, could benefit from CIL funds.

6.3 When will Planning Obligations be sought?

6.3.1 Planning Obligations will only be sought for education facilities associated with strategic sites of 500 dwellings or more.

6.4 What S106 Planning Obligations might be sought?

6.4.1 Although this list is not exhaustive, on sites of 500 dwellings or more, obligations could be sought in relation to:

- The on-site provision of land within the development to accommodate identified education and school facilities, including early years centre provision. It is expected that fully serviced land will be provided by the developer at nil cost to the city council;
- In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required;

- The construction or funding of the identified facilities. Consideration will be given, where appropriate, to the developer building the required infrastructure to an agreed specification; and,
- Contributions to secure the necessary provision of new school places. This includes the provision of children’s centre places, early years places, primary education places, secondary education places and post-16 education places.

6.4.2 It is acknowledged that any financial contribution towards education infrastructure will be subject to the pooling restrictions imposed by the CIL Regulations 2010 (as amended). This emphasises the need for sites of 500 dwellings or more to meet their education requirements on-site.

6.5 Provision Requirements

6.5.1 The number of pupils living on a new development is usually linked to the size of dwellings proposed. In general terms, the larger the dwelling (number of bedrooms) the greater the number of pupils there is likely to be.

6.5.2 The ‘child yield multipliers’ that will be used in Peterborough to calculate the expected number of children and school places are derived from the Peterborough School Organisation Plan 2013-18, which is based on the number of school places per 100 dwellings and is shown in the table below.

Table 4 - Child Yield Multiplier

| Child Yield | Number of Bedrooms | | | | |
|--|---------------------------|----|----|----|----|
| Places per 100 dwellings | 1 | 2 | 3 | 4 | 5+ |
| Pre School Age | 0 | 2 | 3 | 4 | 5 |
| (0-3 year olds) | 0 | 10 | 35 | 65 | 90 |
| Primary School age (4-10 year olds) | 0 | 5 | 25 | 45 | 60 |
| Secondary School age (11-15 years old) | 0 | 0 | 5 | 10 | 15 |
| Post-16 | 1 | 2 | 3 | 4 | 5+ |

Source: Peterborough School Organisation Plan 2013-18, April 2013

6.5.3 The table below converts the data from the above child yield table, to simplify interpretation when considering development from a dwelling based perspective.

Table 5 - Dwelling Multiplier

| Dwelling Multipliers | Pre-school | Primary | Secondary | Post-16 |
|-----------------------------|-------------------|----------------|------------------|----------------|
| 1 bed dwelling | 0 | 0 | 0 | 0 |
| 2 bed dwelling | 0.02 | 0.1 | 0.05 | 0 |
| 3 bed dwelling | 0.03 | 0.35 | 0.25 | 0.05 |
| 4 bed dwelling | 0.04 | 0.65 | 0.45 | 0.1 |
| 5+ bed dwelling | 0.05 | 0.9 | 0.6 | 0.15 |

Source: Peterborough School Organisation Plan 2013-18, April 2013

6.5.4 At the outline application stage if the detailed housing mix is not known, the following guideline will be used for the purpose of calculations, until the detailed information becomes available:

Table 6 - Assumed mix of bedrooms

| No. of Bedrooms | Assumed Mix % | Example of a 500 dwellings scheme |
|-----------------|---------------|-----------------------------------|
| 1 | 12 | 60 dwellings |
| 2 | 24 | 120 dwellings |
| 3 | 44 | 220 dwellings |
| 4 | 16 | 80 dwellings |
| 5+ | 4 | 20 dwellings |

Source: 2011 Census

6.5.5 Using the above guidance it is possible to calculate the number of education places required for the development proposal. The availability of spare capacity at near-by facilities should be discussed with the city council before converting the number of school places required into facility requirements, using the following guidance.

6.6 Primary Education

- 1FE Primary School (210 places), with Early Years provision and offering extended school services, will require, in general, a 1.2 hectare site;
- 2FE Primary School (420 places), with Early Years provision and offering extended school services, will require, in general, a 2.0 hectare site; and,
- 3FE Primary School (630 places), with Early Years provision and offering extended school services, will require, in general, a 2.8 hectare site.
(FE= Forms of Entry)

6.6.1 The city council will consider requests for primary schools which meet the above guidance, taking into account existing spare capacity of near-by schools, planned expansions and other planned residential development.

6.7 Secondary Education

6.7.1 For new or expanding secondary schools/ academies, the guideline that will be used is taken from the DfE recommended standards for total site area within DfE Building Bulletin 98 'Briefing Guide for Secondary School Projects' and set out below:

Table 7 - Secondary School Site Areas

| School Size | DfE Minimum Area (Ha) | DfE Maximum Area (Ha) |
|-------------|-----------------------|-----------------------|
| 4 FE | 5 | 6 |
| 5 FE | 6 | 7 |
| 6 FE | 7 | 8 |
| 7 FE | 8 | 9 |
| 8 FE | 9 | 10 |
| 9 FE | 10 | 11 |

| School Size | DfE Minimum Area (Ha) | DfE Maximum Area (Ha) |
|-------------|-----------------------|-----------------------|
| 10 FE | 11 | 12 |
| 11 FE | 12 | 13 |
| 12 FE | 13 | 14 |

6.7.2 The city council will consider requests for secondary schools within the above range, taking into account existing spare capacity of near-by schools, planned expansions and other planned residential development.

6.8 Post-16 Education

6.8.1 The city council now also has the responsibility for commissioning the provision of post-16 education and is tasked with establishing any additional or revised pattern of provision that may be required as a result of major developments. The city council does not support the provision of facilities providing fewer than 150 places. The new Commissioning Plan for Post-16 provision will form the basis for calculating any necessary developer contributions on a case by case basis.

6.9 Indicative Costs for Buildings

6.9.1 An indicative cost for school building provision is tabled below:-

Table 8 - Indicative build costs

| Facility Type and Size | Cost of Building* |
|---|-------------------|
| 2 FE (420 place) Primary School | £6.5m |
| 5 FE (750 place) Secondary School | £18m |
| Community Room for 48 place Pre- School | £0.75m |
| Children's Centre | £0.75m |

Source: Peterborough School Organisation Plan 2013-18, April 2013 - Figures shown are for 2013/14 (* - Assumes fully serviced land will be provided by the developer at nil cost).

6.10 Conclusion

6.10.1 As stated, Planning Obligations for education will only be sought in relation strategic residential sites of 500 or more dwellings, subject to pooling restrictions and the Regulation 122 tests. The commentary in the above paragraphs are helpful, but only a starting point, for negotiations on education contributions on sites of 500 or more dwellings.

7. Affordable Housing

7.1 Introduction

- 7.1.1 The Core Strategy's vision recognises the need for marketability, social integration and housing types in both the rural and urban areas that match the needs and aspirations of existing and future residents in terms of affordability and sustainability.
- 7.1.2 'Affordable housing' is a term that incorporates a range of housing need types and accommodation types. It is inclusive of affordability needs and the specialist needs of the elderly, young persons and those with mental health and/or physical impairment issues for those persons or households who are unable to access such accommodation without financial assistance.
- 7.1.3 The [Peterborough Housing Strategy 2011 to 2015](#)¹¹ and Strategic Housing Market Assessment (SHMA) quantify the local needs and the policies to support social integration, improve the existing housing stock and set out the housing priorities to contribute towards the key strategic aims of the local authority.

7.2 What can be funded by CIL?

- 7.2.1 In line with the CIL Regulations CIL will not be charged on affordable housing. The Regulations also rule out the use of CIL for the provision of affordable housing.

7.3 Delivery of affordable housing via Planning Obligations

- 7.3.1 Core Strategy policy CS 8 Meeting Housing Need seeks to meet the pressing need for new affordable housing, and thereby ensure the delivery of a wide choice of high-quality homes to create sustainable, mixed and balanced communities. This includes securing planning obligations to deliver affordable homes.

7.4 When will S106 Planning Obligations be sought?

- 7.4.1 Only a Local Plan policy can set the thresholds in terms of how much and what sites will affordable housing be sought. The current Local Plan policy, CS8, seeks the provision of affordable housing from residential developments of 15 dwellings or more, whether new build or conversion. In such cases, qualifying developments will seek provision, through negotiation of 30% of the dwellings as affordable homes.
- 7.4.2 Contributions for affordable housing will not be required from care / nursing homes or student accommodation, where occupation is restricted by Planning Conditions or legal agreements to such uses. Provision for affordable housing will be required from sheltered and supported housing schemes, recognising the requirement to meet the housing needs of all sections of our communities.
- 7.4.3 The artificial sub-division of sites resulting in applications below the threshold, or developments at densities below that which is reasonably appropriate to the site, will not be acceptable.

¹¹ <http://www.peterborough.gov.uk/pdf/env-cc-Housing%20Strat1.pdf>

- 7.4.4 If a development scheme comes forward which does not require the provision of affordable housing, but the scheme is followed by an obviously linked subsequent second development scheme at any point where the original permission remains extant, or up to 5 years following completion of the first scheme, then if the combined total of dwellings provided by the first scheme and the second or subsequent scheme provides 15 or more dwellings, then the affordable housing thresholds will apply cumulatively. The precise level of affordable housing to be provided will be ‘back dated’ to include the first scheme.
- 7.4.5 For example, if permission is granted in year 1 for 10 dwellings. In accordance with Core Strategy Policy CS8, nil affordable housing provision is required. All 10 dwellings are built in year 2. In year 6, a second application is received for an adjacent site for a further six dwellings. For affordable housing purposes, this second application is assessed in combination with the first application. As such, the total number of dwellings is 16 and thus meets the affordable housing threshold set out in policy CS8. Therefore, four affordable homes will be required for the second application. Development viability will be assessed on the entire scheme (i.e. both application sites), not the second site in isolation.

7.5 Involvement of Registered Providers (RP)

- 7.5.1 The council strongly prefers all on-site affordable housing provision to be provided in conjunction with a Registered Provider (RP). They can secure effective and long-term management of the affordable housing, as well as ensuring the benefits of ‘stair casing’ (when occupiers purchase an additional % of a shared ownership house) are recaptured and recycled into alternative affordable housing provision.
- 7.5.2 Developers are encouraged to work in collaboration with the council and a RP (typically selected by the developer as the preferred partner) to deliver affordable housing on any particular site.

Eligibility

- 7.5.3 Affordable housing units must be allocated to people in genuine housing need. People registered on the Peterborough Choice Based Letting Scheme will be eligible for affordable housing provided through the planning system. Priority for affordable home ownership will be given to existing social housing tenants and serving military personnel, in accordance with Government policy. The council will keep this situation under review and adjust affordable housing requirements accordingly if a change in affordable need arises.

7.6 Financial considerations

On-site provision

- 7.6.1 It is important for developers to have a clear understanding of the likely financial impact of the affordable housing contribution in advance of acquiring land or making a planning application.

Off-site provision or commuted sums

- 7.6.2 Core Strategy Policy CS8, which is supported by paragraph 50 of the NPPF, only allows for off-site provision or commuted payments *in lieu* of on-site affordable housing where

the developer can ‘demonstrate exceptional circumstances which necessitate provision on another site, or the payment of a financial contribution (of broadly equivalent value) to the council to enable some housing need to be met elsewhere’.

Calculating the contributions (off-site commuted sums)

- 7.6.3 Calculation to commuted sums for affordable housing will be dealt with by the Council’s S106 team on a case by case basis. Please contact planningobligations@peterborough.gov.uk for further information on how these contributions will be calculated.

7.7 Pre-application discussions

- 7.7.1 As discussed in section 4.2.2 the council strongly encourages pre-application discussions with regard to Planning Obligations including affordable housing.

8. Lifetime Homes and Wheelchair Homes

8.1 Introduction

8.1.1 The Peterborough Housing Strategy recognises the need to provide homes for all segments of society, including households with physical and / or mental disabilities, and elderly households with varying care needs. Producing a precise model of need and requirement, which also reflects economic and institutional change, makes long-term planning a challenge. The Peterborough SHMA is the vehicle to do this. It has highlighted a long term need for housing that offers flexibility for a households long-term changing needs. Lifetime homes and Wheelchair Homes offer a recognised approach to help meet such needs.

8.2 Types of facilities that may be required

8.2.1 Core Strategy policy CS8 Meeting Housing Needs requires that on all development sites on which :-

- 15 or more dwellings are proposed, 20% of the dwellings will be constructed to Lifetime Homes Standards, until such time as the construction of all dwellings to that standard becomes a mandatory part of the national Code for Sustainable Homes.
- 50 or more dwellings are proposed, there will be an additional requirement to provide 2% of the dwellings as Wheelchair Homes.

8.3 What can be funded via CIL?

8.3.1 CIL will not be used for the provision of lifetime homes or wheelchair homes.

8.4 Delivery of Lifetime Homes and Wheelchair Homes

8.4.1 The delivery of Lifetime Homes and Wheelchair Homes should be considered as part of the design process and incorporated into the planning application. These requirements will normally be dealt with by way of a planning condition to reinforce the normal design / development requirements.

8.4.2 Contributions for Lifetime Homes and / or Wheelchair Homes will not be required from care / nursing homes or student accommodation, where occupation is restricted by Planning Conditions or legal agreements. Contributions for Lifetime Homes and / or Wheelchair Homes will be required from sheltered and supported housing schemes, recognising the requirement to meet the housing needs of all sections of our communities.

8.5 Provision Requirements and Indicative Costs

8.5.1 Lifetime Homes should be built to the Lifetime Homes Standards (revised standards of July 2010). Currently all homes built to level 6 of the Code for Sustainable Homes will be built to meet the Lifetime Homes criteria.

8.5.2 'Wheelchair Homes' should be designed and built in accordance with the Housing Corporation Scheme Development Standards, 2003 or The Wheelchair Housing Design Guide (WHDG), by Habinteg, 2006.

9. Primary Health Care

9.1 Introduction

9.1.1 The [Peterborough Local Commissioning Group](#)¹² (LCG) provides a network of primary care facilities and services throughout the city. The council recognises the social benefits of the provision of excellent primary healthcare facilities to the community. New residential developments put pressure on existing health facilities and cumulatively create the need for additional facilities and services. In order to cope with pressures arising from the growth of the city, new investment will be needed in a number of primary care facilities.

9.1.2 Core Strategy policy CS5 (Urban Extensions) recognises the need to make provision for an appropriate amount of (amongst other things) health facilities to meet local needs without having unacceptable impact on the vitality and viability of existing centres.

9.2 Types of facilities that may be required

9.2.1 An indicative range of primary health care services and facilities that may be required, includes:-

- Primary Care: GP services;
- Intermediate Care: Day places and beds;
- Acute facilities: elective, non-elective and day care beds;
- Mental Health Services.

9.2.2 Primary health care provision is constantly changing in terms of commissioning and delivery, and with it a changing range and scale of facility needs. For this reason, the list above is at best indicative. The LCG, or any successor NHS body will assess the impact of the development and indicate the service or facility requirements.

9.3 What can be funded by CIL?

9.3.1 Healthcare facilities required as result of new development, except for healthcare requirements directly related to strategic sites of 500 dwellings or more, could benefit from CIL funds.

9.4 When will S106 Planning Obligations be sought?

9.4.1 Planning Obligations will only be sought in relation to new residential developments of 500 dwellings or more, where:

- New premises/facilities are required as a result of the increased needs arising from the development;

¹² <http://www.cambridgeshireandpeterboroughccg.nhs.uk/Peterborough>

- Current facilities are inadequate for the additional users, in terms of their quality or accessibility for users (based on accepted NHS standards) and therefore need to be improved or extended in order to meet the needs of the development; and/or,
- Inadequate alternative funding is available to provide the additional facilities or services required as a result of the development.

9.5 What S106 Planning Obligations might be sought?

9.5.1 The city council and health care partners will take into account existing spare capacity, planned expansions or losses, ease of access and adequacy of near-by facilities; and other planned residential development. This will be done on a case by case basis.

9.5.2 The following are options where obligations might be sought:

- Free, serviced land contributions or a financial contribution to purchase the land will be required as a minimum for the erection of appropriate primary health care facilities;
- In certain circumstances a financial contribution towards the delivery of the required infrastructure may be appropriate.
- If appropriate, consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners;
- In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required.

9.5.3 It is acknowledged that any financial contribution towards healthcare infrastructure will be subject to the pooling restrictions imposed by Regulation 122 of the CIL Regulations 2010 (as amended). This emphasises the need for residential sites of 500 dwellings or more to meet their healthcare requirements on-site.

9.6 Provision Requirements and Costs

9.6.1 Requirements will vary with each development. The need for on-site development is dependent on the viability, proximity and capacity of other health infrastructure. This assessment will be made by the LCG, or any successor NHS body. Strategic planning of health services and infrastructure may identify a particular development site as a preferred location for a health facility to serve the development alone or including a wider area than the development itself.

9.6.2 It is likely that health service provision will involve a range of services that can be delivered most cost efficiently and effectively from a shared facility, enabling build cost savings to be made too.

9.6.3 It is recognised that facilities and needs will vary greatly and costs will therefore vary accordingly. For this reason Planning Obligations will be negotiated on a case by case basis.

9.7 Conclusion

- 9.7.1 Planning Obligations for healthcare requirements will only be sought in relation to strategic residential sites of 500 or more dwellings, subject to pooling restrictions and the Regulation 122 tests.

10 Crematorium and Burial Grounds

10.1 Introduction

10.1.1 To address the long-term burial needs of the city's population, the council has identified that the capacity of the existing burial grounds will be exceeded by 2023, i.e. before the end of the plan period.

10.1.2 The council is currently seeking a new site of approximately 10ha to accommodate and make provision for the long-term needs, with a capacity of 15,000 burial spaces and associated facilities to accommodate the different expectations and requirements of a diverse community. The cost of providing the 15,000 grave facility is estimated at £1.158m. By 2026, it is calculated that a second chapel at the city crematorium will also be required to provide sufficient capacity, and is estimated to cost in the region of £2.62m.

10.2 What can be funded by CIL?

10.2.1 Requirements for crematoria and burial grounds arising as a result of new development could be funded by CIL.

10.3 When will S106 Planning Obligations be sought?

10.3.1 Following the adoption of the CIL Planning Obligations will not be used to secure crematoria and burial grounds.

11 Site Drainage & Flood Risk Management

11.1 Introduction

11.1.1 Peterborough city lies just a few metres above sea-level and some of the rural parts of the council's administrative area lies below sea-level, making the area particularly vulnerable to the effects of flooding. The key challenges relate to potential development in flood risk areas, and surface water runoff caused by development in times of heavy rainfall, by already saturated soils. Surface water drainage is a particular issue, for example, in the Padholme area of Peterborough where a strategic flood protection strategy has been put in place, which development in the area has made contributions to.

11.1.2 Core Strategy policy CS22 Flood Risk states that development site proposals need to be informed by an upfront sequential test; an exception test where required; and an appropriately detailed site specific flood risk assessment.

11.1.3 Detailed guidance is made available in the [Flood and Water Management SPD](#)¹³ which supports Core Strategy policies CS12 and CS22; and Planning Policies PP16 and PP20.

11.2 Types of facilities that may be required

11.2.1 Measures identified by a flood risk assessment as being needed to enable development and mitigate or manage existing flood risk are likely to be site specific and most likely secured by planning condition.

11.2.2 Surface water flood risk on-site should be managed using sustainable drainage systems such as swales, filter drains, detention basins and green roofs. From 6 April 2015 it is 'the government's expectation that sustainable drainage systems (SuDS) will be provided in new developments, as part of the planning system, wherever this is appropriate'. Planning policy relating to major development is to be amended to ensure that SuDS are put in place and the city council, and other LPA's, are expected to use Planning Conditions and Planning Obligations to make sure that there are clear arrangements in place for ongoing maintenance over the lifetime of the development.

11.2.3 One of the options that will be available to developers is that the city council may offer to adopt their SuDS. This would require a commuted sum to support the cost of maintenance. There will also be other maintenance options open to developers such as working with the local water company and these may require different conditions or Planning Obligations.

11.2.4 Features related to water supply such as rainwater harvesting provide additional benefit to development sites and are encouraged from a water efficiency perspective. However, such features cannot be considered to be part of the sustainable drainage systems that will be adopted by the council. This is because they are temporary in nature, and often integral to the design of building(s) on site, which will not be adopted as part of the SuDS.

¹³ <http://www.peterborough.gov.uk/pdf/env-wm-FWMSPD%20adopted%20Dec12.pdf>

11.3 What can be funded by CIL?

11.3.1 Strategic flood risk management schemes could benefit from CIL funds. Such projects have been established in the past as a means of enabling land development (Padholme Strategic Flood Management Scheme) and others may arise in the future. For example, within the city centre it may be necessary to develop a strategic level flood protection scheme to enable the development potential of a number of city centre sites (identified within the Peterborough City Centre DPD) to be unlocked.

11.4 When will S106 Planning Obligations be sought?

11.4.1 S106 planning obligations will only be sought in relation to the development, where flood, drainage and water management schemes are required both on-site and/or off-site as a direct result of the proposed development. On-site schemes will generally be secured by planning condition. For situations where Planning Conditions alone are insufficient to secure the required infrastructure or scheme, it may be necessary to utilise a S106 planning obligation.

11.5 What S106 Planning Obligations might be sought?

11.5.1 For off-site schemes that are directly related to the development site, the city council may require developers to provide a financial contribution towards the delivery of the required infrastructure, subject to the pooling restrictions imposed by the CIL Regulations 2010 (as amended). If appropriate, consideration will be given to the developer building the required infrastructure to an agreed specification in consultation with appropriate partners.

11.5.2 An obligation might also be sought to secure the necessary maintenance regime to preserve the effectiveness of the scheme, where this involves the council in some way (e.g. the council has agreed to adopt the Scheme on completion and approval of its functionality and specification standards).

12 Non-Strategic Open Space

12.1 Introduction

12.1.1 Core Strategy Policy CS19 - Open Space and Green Infrastructure makes it clear that “all new residential development will make appropriate provision for, or improvements to, public green space, indoor and outdoor sports facilities and play facilities” and “Where the scale of a proposed development would be too small to make the provision of open space on-site feasible, the council will seek contributions towards the provision of open space elsewhere or to the improvement of existing open spaces, in accordance with Developer Contributions policy CS13”.

12.1.2 The [Peterborough Open Space Study](#)¹⁴ 2011 Update takes account of the planned growth of the city to 2026, together with the current shortfall of open space provision by type, across the district, and identifies target areas for future provision or improvements.

12.2 Types of facilities that may be required

12.2.1 Planning Policies DPD, Policy PP14 and Appendix B, set out the standards of open space provision required from new development.

12.2.2 Non-strategic open space includes the following categories:

Table 9 - Non-Strategic Open Space Requirements

| Non-Strategic Open Space types for which on-site provision may be required (via S106) |
|--|
| Doorstep outdoor play space (or LAP's –Local Areas of Play) |
| Junior outdoor play (or LEAP's) |
| Youth outdoor play space (NEAP's) |
| Neighbourhood Parks |
| Allotments |
| Natural greenspace |
| Playing pitches / outdoor sports |
| Amenity greenspace |

(A glossary of the above open space types is provided at Appendix D)

12.3 What can be funded by CIL?

12.3.1 CIL will not be used to fund the provision of non-strategic open space.

12.4 When will S106 Planning Obligations be sought?

12.4.1 S106 Planning Obligations may be sought in relation to non-strategic open space provision on all residential development where non-strategic open space provision is required as a direct result of new development.

¹⁴ <http://consult.peterborough.gov.uk/file/2159584>

12.5 What S106 Planning Obligations might be sought?

12.5.1 Planning Obligations could be sought in relation to:

- As a first principle, the city council expects developers to provide non-strategic open space on-site in accordance with the Local Plan policy and the size thresholds outlined in Table 10 below. The land and any equipment will be provided by the developer and must be in appropriate condition for the intended purpose;
- In certain circumstances it may be more appropriate to make provision at an alternative location off site. In such circumstances, a proportionate financial contribution to purchase land, or provision of the land as an in-kind payment, will be required, together with contributions to make the land and any equipment in a condition for its intended purpose;
- Off-site provision may be in the form of an appropriate enhancement or expansion of an existing open space facility(s), within a reasonable proximity of the development. In such circumstances, a proportionate financial contribution towards the provision will be required;
- Where only partial provision can be met on-site, the developer may be expected to make a proportionate financial contribution towards the provision of off-site open space to redress the on-site; and,
- An obligation may also be required for the future maintenance of the open space - where this involves the council in some way. For example, where the council has agreed to adopt the open space on completion, and approval of its functionality and specification standards.

12.5.2 It is acknowledged that any financial contribution towards non-strategic open space will be subject to the pooling restrictions imposed by the CIL Regulations 2010 (as amended). This emphasises the need for all sites to meet their non-strategic open space requirements on-site.

12.6 Provision Requirements and Indicative Costs

12.6.1 Policy PP14 Open Space Standards and Appendix B of the Planning Policies DPD sets out the quantitative standards for non-strategic open space. These can be converted to indicative costs as outlined in Table 10 below.

12.6.2 Standards should not be simply added together to generate a total requirement for open space. This is because it can be possible to provide some open space types within the boundary of another. For example, a neighbourhood park may contain one or a number of the other open space types such as a LEAP, NEAP, allotments and amenity greenspace. This is reflected in the table below as a '15% discount'.

12.6.3 In recognition of this and in order to provide some guidance, the city council will apply a 15% discount to the requirement values. In cases where it can be demonstrated through an on-site scheme that the requirement can be met more effectively and efficiently, the council may accept a lower land take.

Table 10 Open Space Provision Requirements (excluding land and maintenance)

| Non-Strategic Open Space types for which on-site provision may be required | Ha per 1,000 persons | M ² per person | M ² Per Dwelling* | Cost of Provision £/M ² | £ Per Dwelling* |
|---|----------------------|---------------------------|------------------------------|------------------------------------|-----------------|
| Doorstep outdoor play space (or LAP's –Local Areas of Play) | No standard | No standard | No standard | No standard | No standard |
| Junior outdoor play (or LEAP's) | 0.031 | 0.31 | 0.8 | £62.95 | £48.39 |
| Youth outdoor play space (NEAP's) | 0.0117 | 0.117 | 0.3 | £62.95 | £18.16 |
| Neighbourhood parks | 1.49 | 14.9 | 36.7 | £42.29 | £1550.10 |
| Allotments | 0.28 | 2.8 | 6.9 | £30.78 | £212.01 |
| Natural greenspace | 1.0 | 10 | 24.6 | £15.65 | £384.99 |
| Playing pitches / outdoor sports | 1.0 | 10 | 24.6 | £46.01 | £1131.85 |
| Amenity greenspace | No standard | No standard | No standard | No standard | No standard |
| Total | 3.81 | 38.13 | 93.9 | | £3,345.5 |
| Minus 15% discount | 3.24 | 32.4 | 79.8 | | £2,843.7 |

Based on average household size of 2.46

- 12.6.4 The city council will take into account existing open space provision, capacity, accessibility and condition within the area, along with other planned provision for the area, when interpreting the open space standards and requirements. Ideally, pre-application discussion or negotiation as part of the planning application process can be beneficial to all in order to provide the most appropriate open space provision for the development and the wider community.
- 12.6.5 When considering the open space standards, requirements and existing provision within the area, the city council will apply the standards in a flexible manner in order to achieve the best outcome for the development, locality and city. Application of the standards in a rigid way is unlikely to be beneficial for any party, though the financial value of what is provided should remain broadly consistent with that calculated when determining the open space requirement in relation to the proposal.
- 12.6.6 When considering existing provision regard must be given to the open space standards 'accessibility guidelines' which provide an indication of what is considered to be an acceptable distance persons might travel to use such facilities. The accessibility guidelines are set out below. If accessible provision of one type of open space already exists, the council may seek to vary the composition of the open space it seeks to secure.

Table 11 Open Space Accessibility Guidelines

| Non-Strategic Open Space types | Accessibility Guidelines |
|--|---------------------------------|
| Doorstep outdoor play space (or LAP's – Local Areas of Play) | No standard |
| Junior outdoor play (or LEAP's) | 450m radius |

| Non-Strategic Open Space types | Accessibility Guidelines |
|------------------------------------|---|
| Youth outdoor play space (NEAP's) | 800m radius |
| Neighbourhood parks | 560m radius |
| Allotments | 560m radius |
| Natural greenspace | 300m to natural greenspace of at least 2ha |
| Playing pitches / outdoor sports | 260m/480m radius to informal/formal outdoor sports provision respectively |
| Amenity greenspace | No standard |

12.7 Calculating the contributions (off-site commuted sums)

12.7.1 The council's preferred approach is the provision of open space on-site. However, off-site contributions for open space provision may need to be calculated in some instances. The methodology for calculating such contributions is outlined below

- Land purchase –land purchase cost will be charged at £6/m2.
Plus
- Provision Costs - will be charged pro-rata in accordance with Table 10 costs of provision, £ per m2.
Plus
- Maintenance Costs

12.7.2 Any financial contribution agreed will be subject to the Regulation 122 tests and the pooling restrictions introduced by Regulation 123 of the CIL Regulations 2010 (as amended).

12.8 Maintenance Costs (for both on-site and off-site provision)

12.8.1 The council is normally prepared to adopt and maintain properly laid out green space, play space or playing pitches that are intended for wider public use, where these amenities are provided by the developer on-site as part of a development, and meet agreed standards.

12.8.2 This will be subject to a payment towards the future costs of maintenance by the council. This commuted sum is normally calculated for a 15 year period as a negotiated element of the Section 106 agreement, calculated on the basis of costs set out in Table 12 Schedule of Landscape Maintenance Rates.

12.8.3 The Schedule of Landscape Maintenance Rates does not provide an exact match to all open space types identified in the open space standards. For example, it can be seen that the maintenance rate (15year period) for a Junior Outdoor Play Area (LEAP – 5 items) is specified, but a neighbourhood park is not. The reason for this, is that the neighbourhood park may constitute a wide range of the items set out in the Landscape Maintenance Schedule.

12.8.4 For adoption purposes, each area of open space will be assessed on a case by case basis. The actual calculation will be dependent on the composition of the open space to be assessed.

12.8.5 If the developer does not intend to offer areas for adoption, then the council needs to be assured that satisfactory alternative arrangements are in place for maintenance in the future.

Table 12 Schedule of Landscape Maintenance Rates (To be reviewed annually)

| Open Space / Equipment type | Rate for 15 year period (per hectare unless otherwise specified) |
|--|---|
| Balancing Area (mainly dry pond) | £35,843.00 |
| Balancing Area (mainly wet pond) | £31,360.00 |
| BMX Track | £26,700.00 each |
| Concrete Skate Park | £81,900.00 each |
| Ditches - Digging | £9.54 per linear metre |
| Ditches - Flailing | £4.23 per linear metre |
| Footpaths - Hoggin | £3.26 per m2 |
| Footpaths - Tarmac | £21.11 per m2 |
| Formal Shrubbery | £48.93 per m2 |
| French drain - Jetting/inspection | £5.30 per linear metre |
| French drain - Manhole emptying | £158.00 each |
| Hedges | £3,060.00 per 1000m ² of hedge face |
| MUGA | £35,050.00 each |
| MUGA Floodlit | £45,050.00 each |
| Open Space (conservation) | £33,599.00 |
| Open Space (formal) | £43,681.00 |
| Play Area LAP (3 items) | £18,600.00 each |
| Play Area LAP (5 items) | £38,700.00 each |
| Play Area LAP (8 items) | £44,450.00 each |
| Sports Pitch | £105,993.00 |
| Stilling Ponds - Emptying | £95,013.00 per pond |
| Stilling Ponds - Hardstanding | £3.26 per m2 |
| Stilling Ponds - Inspection/repair | £21,114.00 per pond |
| Swales | £87,358.00 |
| Swales with shrubbery | £49.00 per m2 |
| Village Pond/Open Water (over 0.05ha) | £44,798.00 |
| Village Pond/Open Water (up to 0.05ha) | £34,720.00 per site |
| Woodland (existing mature) | £31,360.00 |
| Woodland (new buffer/copse) | £27,999.00 |

13 Strategic Open Space & Green Infrastructure

13.1 Introduction

13.1.1 This section sets out how strategic or city wide open space requirements, identified in Table 13, will be funded.

Table 13 – Strategic Open Space Requirements

| Requirements |
|--------------------------------|
| Country Parks |
| Synthetic Turf Pitches |
| Family Play Spaces |
| Strategic Green Infrastructure |

(A glossary of the above open space types is provided at Appendix D)

13.1.2 Core Strategy Policy CS21 - Biodiversity and Geological Conservation promotes the management of biodiversity in light of the threats and opportunities arising from climate change. This will include, for example, the provision of wildlife corridors and stepping stones which will be essential for the migration, dispersal and exchange of wild species, all contributing to the creation and effective functional green grid across Peterborough.

13.1.3 This approach is also promoted through the Planning Policies DPD, notably policies PP15 Nene Valley, PP16 - The Landscaping and Biodiversity Implications of Development, and, The Peterborough Flood and Water Management Supplementary Planning Document.

13.1.4 The Peterborough Green Grid Strategy¹⁵ sets out a proposed range of strategic level initiatives, projects and opportunities which helpfully illustrates the 'what, when and where' of multifunctional green infrastructure locally.

13.1.5 The Peterborough Open Space Study 2011 Update takes account of the planned growth of the city to 2026 and the current shortfall of open space provision by type across the district, and identifies target areas for future provision. The study has informed the open space standards.

13.2 Types of facilities that may be required

13.2.1 Strategic space includes country parks, synthetic turf playing pitches and family play areas (all of which are identified as elements of the Planning Policies Open Space Standards). Each type is described below:-

- **Country Parks** –The identified areas for country park provision are Hampton /Haddon and North/North East of Peterborough urban area. The Hampton/Haddon area already has an area of land identified and referred to as the Crown Lakes country park, though its qualitative credentials do not yet align with the Natural England Country Parks Accreditation Scheme (NECPAS) criteria. The CIL could be used to enhance this existing provision to meet NECPAS criteria, in the south of the

¹⁵

city and to purchase land or seek long-term land stewardship agreements to secure provision in the north/north east of the city;

- **Synthetic Turf Pitches** – the Open Space Study 2011 identified need for two facilities, with target areas being Hampton /Haddon and Stanground College or Orton Bushfield area;
- **Family Play Space** – the Open Space Study 2011 identified a shortfall of seven family play spaces across the district, if the policy standards were to be met;
- **Strategic green infrastructure** - This relates to wider strategic level projects which aim to establish or enhance habitat corridors or connectivity, sometimes across districts and counties, to redress or balance the cumulative impacts of growth on existing habitats (loss, damage or erosion over time). Strategic green infrastructure should provide where possible multifunctional uses, i.e. wildlife, recreational and cultural experiences, as well as delivering ecological services, such as flood protection and microclimate control.

13.3 What can be funded by CIL?

13.3.1 Strategic Open Space may be funded in whole or in part by CIL.

13.4 Use of Planning Conditions

13.4.1 Ecological mitigation including avoidance, mitigation and compensation will be secured through planning condition to reinforce the policy requirements.

13.5 When will S106 Planning Obligations be sought?

13.5.1 Planning Obligations will not be used for the creation or expansion of strategic outdoor open space and off-site green infrastructure.

14 Indoor Sports Facilities

14.1 Introduction

14.1.1 The council does not have a specific planning policy standard for indoor sports facilities, other than as covered by the generic policy CS12 – Infrastructure in the Peterborough Core Strategy DPD 2011. Nevertheless, the Peterborough Sports Strategy 2009-2014 identified a number of priority areas to be addressed in terms of indoor sports facility provision and this strategy is due to be updated in 2015/16.

14.2 Types of facilities that may be required

14.2.1 Please refer to the latest version of the Peterborough Sports Strategy which can be found on the council's website – www.peterborough.gov.uk

14.2.2 Swimming pools - Peterborough residents have less access to swimming pools than residents in the nearest neighbouring authorities. The level of accessible swimming pool provision is also below the industry standard.

14.3 What can be funded by CIL?

14.3.1 Indoor Sports facilities required as a result of new development, that are not directly related to sites of 500 dwellings or more, could benefit from CIL funds.

14.4 When will S106 Planning Obligations be sought?

14.4.1 Planning contributions will only be sought in the form of S106 Planning Obligations on sites of 500 dwellings or more where site specific opportunity / impact arises, and the obligation accords with the statutory tests for Planning Obligations and pooling restrictions imposed by the CIL Regulations 2010 (As amended).

14.4.2 The most up to date Peterborough Sports Strategy will inform what may be appropriate contributions.

15 Community Buildings

15.1 Introduction

- 15.1.1 Community buildings are multipurpose buildings for the community to use. Community halls are important to both rural areas and residential neighbourhoods and meet a local need in an ever changing society.
- 15.1.2 Community buildings can come in many forms and are increasingly multi-functional spaces that can be a hub for the local community. These spaces need to provide easy and open access for the community, for a range of local activities and increasingly for community services, such as social activities, sports and recreation activities, arts activities, local democratic engagement and educational activities.
- 15.1.3 Demand for community buildings generated by new development should be catered for within easy reach of the new homes, by requiring developers to contribute towards the improvement of an existing building or the provision of a new one.

15.2 Types of facilities that may be required and thresholds

- 15.2.1 Community buildings can come in a range of forms and styles. Provision of 50-100m² for a community room within a building may be appropriate in some cases. However, as a basic guide, a multi-purpose community building will minimally comprise of a main hall with toilets and kitchen. The main hall will provide a space of at least 7m (H) x 9m (W) x 16.4m (L), plus toilets and kitchen – approx. floorspace 200m².
- 15.2.2 Where new developments consist of more than 1,000 dwellings, consideration of the need and opportunity to provide additional space for a separate meeting/activity room(s) would be appropriate.
- 15.2.3 The city council will consider the needs derived from the development, taking into account the existing capacity, proximity and quality of near-by facilities.
- 15.2.4 Requirements will vary with each development, based on design issues and the existing capacity, proximity and quality of near-by facilities. Provision requirements will be dealt with on a case by case basis.

15.3 What can be funded by CIL?

- 15.3.1 Community facilities required as a result of new development that are not directly related to sites of 500 dwellings or more could benefit from CIL funds.

15.4 When will Planning Obligations be sought?

- 15.4.1 Planning Obligations for community facilities will only be sought in relation to new residential developments of 500 or more dwellings, where;
- New community buildings are required as a result of the need arising from the development;

- Current facilities are inadequate for the additional users, in terms of their quality or accessibility for users and therefore need to be improved or extended in order to meet the needs of the development;
- Inadequate alternative funding is available to provide the additional facilities or services required as a result of the development.

15.5 What S106 Planning Obligations will be sought?

15.5.1 Planning Obligations will be required in a number of forms as outlined below, taking into account specific site requirements.

- Free, serviced land or a financial contribution to purchase land will be required as a minimum for the erection of appropriate facilities;
- The city council, with appropriate partners, will negotiate with prospective developers with a view to securing the necessary community buildings and fit-out needs for the development;
- A financial contribution towards the delivery of the required infrastructure may be required;
- Consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

15.5.2 It is acknowledged that any financial contribution towards community facilities will be subject to the pooling restrictions imposed by the CIL Regulations 2010 (as amended). This emphasises the need for residential sites of 500 dwellings or more to meet their community facility requirements on-site.

16 Libraries, Museums and Life Long Learning

16.1 Introduction

16.1.1 New residential developments put pressure on existing library, museum and life-long learning services. It is reasonable to expect developers to contribute towards the costs of such infrastructure where the need arises directly from the development. Indeed, to cope with pressures arising from the growth of the city, further investment will be needed in existing libraries and potential additional library provision.

16.1.2 The council and Vivacity (the organisation responsible for managing many of Peterborough's cultural and leisure facilities, such as libraries, on behalf of the council) seek to provide a network of well stocked local libraries throughout the city, with the Central Library at the hub and two mobile library vehicles providing an outreach option.

16.2 Types of facilities that may be required

16.2.1 The provision of library and museum services may require the provision of a fitted out building, or suitable mobile transportation vehicle. Such services could be provided within a building used for other community uses, in a co-located fashion, providing a suitable and appropriate environment can be created for each of the uses.

16.3 What can be funded by CIL?

16.3.1 Libraries, museums and life-long learning facilities required as a result of new development, which are not directly related to sites of 500 dwellings or more, could benefit from CIL funds.

16.4 When will S106 Planning Obligations be sought?

16.4.1 S106 Planning Obligations will only be sought in relation to new residential developments of 500 dwellings or more, where;

- New premises/facilities are required as a result of the increased needs arising from the development;
- Current facilities are inadequate for the additional users, in terms of their quality or accessibility for users (based on accepted PCC standards) and therefore need to be improved or extended in order to meet the needs of the development;
- Inadequate alternative funding is available to provide the additional facilities or services required as a result of the development.

16.5 What S106 Planning Obligations might be sought?

16.5.1 The council, with appropriate partners, will negotiate with prospective developers with a view to securing the necessary library and life-long learning facility and fit-out needs for the development. Planning Obligations will be required in a number of forms as outlined below, taking into account specific site requirements.

- Free, serviced land or a financial contribution to purchase land will be required as a minimum for the erection of appropriate facilities;

- A financial contribution towards the delivery of the required infrastructure may be required;
- Consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

16.5.2 It is acknowledged that any financial contribution towards library, museum or life-long learning facilities will be subject to the pooling restrictions imposed by the CIL Regulations 2010 (as amended). This emphasises the need for residential sites of 500 dwellings or more to meet their provision requirements on-site.

16.6 Provision Requirements

16.6.1 Requirements will vary with each development, based on design issues and the existing capacity, proximity and quality of near-by facilities. Provision requirements will be dealt with on a case by case basis.

16.6.2 Where library, museum and life-long learning facilities are delivered they must be offered to the city council or vivacity (and/or contracted partner) for adoption. In the event of the council being unable to consider adoption, this requirement will revert to the parish council. Should the city council not be in a position to agree to the adoption, developers must submit a proposal to the council detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are put in place.

17 Public Realm

17.1 Introduction

17.1.1 The City Centre Plan aims to create a vibrant, mixed-use centre that is alive during the day and at night and supports growth elsewhere in Peterborough. This will incorporate, amongst other things, improvements to the public realm and establishment of the Cathedral Square as a community hub and meeting point.

17.1.2 Some of the planned public realm works have been implemented in the past few years, enhancing the city centre for all users. Further works, identified in the Peterborough Public Realm Strategy are programmed for the future in Long Causeway, Westgate, Riverside, Midgate, Queensgate & North Westgate and the Station Quarter areas of the city centre.

17.2 Types of facilities that may be required

17.2.1 Delivery of public realm projects is mainly about improvement works such as surfacing and street layouts, street lighting and street furniture and hard and soft landscaping works. There will also be occasion where public realm master planning is required.

17.3 What can be funded by CIL?

17.3.1 Public Realm infrastructure required as a result of new development could benefit, in whole or in part, from CIL funds.

17.4 What S106 Planning Obligations might be sought?

17.4.1 Following the adoption of CIL, the council will not seek to secure Planning Obligations for public realm projects.

18 Waste Management

18.1 Introduction

- 18.1.1 Both the Waste Management Plan for England (2013) and the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (Adopted July 2011) include policies encouraging all forms of new development to be designed and constructed in such a way as to minimise the production of waste, maximise the re-use of materials, and maximise the use of recycled materials; and to facilitate, by provision of adequate space and facilities, the ongoing recycling and recovery of waste as may arise from the completed development proposal. This includes the design and construction of single buildings through to whole communities in the form of urban extensions and new villages.
- 18.1.2 The Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS16 Household Recycling Centres and CS28 Waste Minimisation, Re-Use and Resource Recovery provide the policy basis for seeking contributions towards the provision of household recycling centres, bring sites and residential waste storage containers.
- 18.1.3 New developments should make provision for waste storage, collection and recycling in accordance with RECAP Waste Management Guide SPD16 (adopted February 2012). The document provides guidance on the design and provision of waste management infrastructure within a development's design, a toolkit to facilitate self –assessment of needs against standards. Many of these matters will be addressed as part of the design and dealt with by planning condition where necessary. The RECAP SPD also sets out a basis for Planning Conditions and /or Planning Obligations.

18.2 Types of facilities that may be required

- 18.2.1 The three main waste management infrastructure types sought through the above policy and guidance are:-
- Residential waste storage containers;
 - Bring Sites; and,
 - Household Recycling Centres.
- 18.2.2 Other forms of waste management infrastructure may also be required to support the growth of the city in a more sustainable way. These may include city-wide facilities such as materials recovery facilities (mechanical or biological), composting facilities, and energy from waste facilities where these are operated by or on behalf of the city council.

18.3 What can be funded by CIL?

- 18.3.1 Waste management infrastructure required as a result of new development, which is not directly related to sites of 500 dwellings or more, could benefit from CIL funds.

¹⁶ <http://www.peterborough.gov.uk/pdf/RECAP%20SPD%20web.pdf>

18.4 When will S106 Planning Obligations be sought?

18.4.1 S106 Planning Obligations for waste infrastructure will only be sought in relation to sites of 500 dwellings or more. However, relevant Planning Conditions may be imposed on all development schemes of any size.

18.5 What S106 Planning Obligations might be sought?

18.5.1 The city council will seek to negotiate an area of land / areas of land provided by the developer (at no cost to the Local Planning Authority / Waste Planning Authority), or conditions towards acquiring such land, sufficient in size to allow the creation and operation of new facilities, for

- Household Recycling Centres; (c 2.5ha) and,
- Bring Sites.

18.6 Provision Requirements

18.6.1 Requirements will vary with each development, based on design issues and the existing capacity, proximity and quality of near-by facilities. Provision requirements will be dealt with on a case by case basis.

19 Environment Capital (Carbon emissions reduction)

19.1 Introduction

19.1.1 Peterborough's ambition is to be the UK's Environment Capital. This includes putting in place the relevant infrastructure to support this ambition.

19.1.2 Another important aspect for such a rapidly growing city is to ensure growth is sustainable in all senses of the word. Core Strategy policy CS10 Environment Capital provides the means to encourage and deliver in this respect by requiring,

“All development proposals of one dwelling or more, and other non-dwelling proposals concerning 100 square metres or more, should explicitly demonstrate what contribution the development will make to the Environment Capital agenda over and above that which would be required by the Building Regulations in force at the time, other development plan policies or any other consents as required through regional and national legislation.”

19.2 Types of infrastructure that may be required

19.2.1 Core Strategy policy CS10 Environment Capital provides a number of examples of how developments may contribute to the Environment Capital agenda. Some of these are highlighted below in order to provide an indication of what is sought: -

- Achieving a greater reduction in carbon dioxide emissions than that required by national Building Regulations;
- Achieving a sustainability rating that results in higher levels of performance against the Code for Sustainable Homes of BREEAM;
- The use of innovative resource efficiency measures, which aim to minimise demand for water, energy or other natural resources beyond that which would normally be required or expected; and,
- Creation of areas of high biodiversity or other green infrastructure, beyond that which would normally be expected or required via other policies in the development plan.

19.2.2 The council will seek to secure this contribution to the environmental capital agenda on-site via Planning Conditions through design requirements.

19.3 What can be funded by CIL?

19.3.1 CIL will not be used to deliver Environment Capital infrastructure.

19.4 When will S106 Planning Obligations be sought?

19.4.1 In the event that a contribution to the environment capita agenda cannot be secured via Planning Condition, a Planning Obligation may be required. This will be subject to that Planning Obligation satisfying the statutory tests for Planning Obligations and pooling restrictions imposed by the CIL Regulations 2010 (as amended).

19.5 What S106 Planning Obligations might be sought?

19.5.1 Developer contributions to the environment capital agenda will normally be secured via Planning Conditions. In the event a Planning Obligation is used this will be negotiated on a case by case basis.

20 Other Potential Development Specific Requirements

20.1 What may be required via Planning Obligations?

20.1.1 Sections 4 to 19 may not represent all possible Planning Obligations requirements that may be applicable to any individual development. The precise circumstances of each development will be different and there therefore may be additional development specific requirements, such as mitigation measures, that may be needed to address the impact of individual developments. Such requirements by reason of their nature will need to be assessed on a site by site basis. The list below sets out some additional potential Planning Obligations that may be applicable, depending on the individual circumstances and constraints of the development site and the nature of the proposed development.

20.1.2 This list is not exhaustive, but provides examples.

- Emergency services;
- Impacts on the historic environment;
- Nature conservation mitigation measures;
- Pollution/air quality mitigation measures;
- CCTV.

21 Implementation of the SPD

21.1 Negotiation/Viability

- 21.1.1 Planning Obligations, like CIL, are a necessary cost of development and it will be expected that the likely cost of obligations, including the cost of affordable housing provision, will be factored into development from an early stage. The council has tested the viability of development as part of the preparation of the CIL charging schedule. The viability assessments tested the impact of the proposed CIL rates, alongside Local Plan policies and Planning Obligations on development. The results of these residual land value development appraisals produced land values that would still incentivise landowners to make their land available for development, even with additional headroom that is not relied on in practice.
- 21.1.2 The costs incurred in delivering a workable, high quality development should be anticipated and reflected in the price paid for land and will not normally reduce the ability of a site to provide the required Planning Obligations.
- 21.1.3 Anticipated costs will include affordable housing, site clearance and remediation, good quality, design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision. Price paid for land may not be a determining factor if too much has been paid or historic land values or developer profit margins are being protected at the expense of required planning contributions.
- 21.1.4 However, there may be exceptional circumstances where development proposals are unable to meet, in full, the policy requirements of the Development Plan. If the Applicant can demonstrate, to the satisfaction of the council, that the scheme cannot be fully compliant and remain financially viable, the council may consider a reduced level of contributions in one or more areas.
- 21.1.5 In order to determine such applications the applicant is required to submit an 'open book' viability assessment to the council. In all cases, the council requires viability assessment to be undertaken using a residual land value approach. The applicant should use the Homes and Communities Agency Development Appraisal Tool or an equivalent well recognised appraisal tool, to be agreed with the council in advance of the assessment. The viability assessment will need to address the fundamental issue of whether an otherwise viable development is made unviable by the extent of the Planning Obligations and CIL requirements.
- 21.1.6 The schedule of information to be provided as part of a Financial Viability Assessment on any development scheme can be found at Appendix B.
- 21.1.7 Once submitted, the viability assessment will be considered and assessed by the city council. Occasionally, it may be considered appropriate for complex schemes to appoint an independent viability advisor with reasonable costs to be borne by the applicant. Commercially sensitive information will be treated in due confidence, however it may be necessary to report the key issues and broad conclusions to elected members at the time of their consideration of the planning application.
- 21.1.8 Where the applicant fails to demonstrate that a reduced level of contributions should be applied or that the level of Planning Obligations that the development can viably support cannot mitigate the impact of the proposed development, then the planning application is likely to be recommended for refusal.

21.2 Process

21.2.1 The council's Section 106 template will be updated from time to time as appropriate to reflect the development plan. Where a Section 106 agreement is required, applicants will be expected to enter into Section 106 agreements in the form indicated in the template and in a timely manner, and to ensure that all parties with interests in the land, including charges, will join in the agreement before making the application.

21.2.2 The applicant will be expected to provide Heads of Terms reflecting the requirements in the template, the obligations outlined in this SPD, and reflecting all parties with interests in the relevant land.

Appendices

Appendix A

Approach for S106 Agreements / Unilateral Undertaking's

1. Introduction

- 1.1 Where it is agreed that it will be necessary to secure Developer Contributions via a S106 Planning Obligation (in the form of a S106 Agreement or Unilateral Undertaking) then a draft 'Heads of Terms' must be submitted with a planning application. Prior to submitting a Draft Heads of Terms, developers will need to consider a range of factors that influence contributions. The city council's Local Plan and supporting documentation is the primary source of information setting out the requirements of new development in Peterborough. The process for agreeing Developer Contributions involves a series of steps, set out in Table below, that are designed to ensure that the process is as swift and transparent as possible.

2. Legal and Monitoring Processes

- 2.1 S106 Agreements and UUs will normally be drafted by the city council's Legal Services Team; a service paid for by applicants. Title has to be deduced to the city council and all persons with an interest in the land must be party to the agreement. The city council carries out searches to make sure there have been no new owners or mortgages in the period before completion. Agreements and UUs are registered as local land charges and their provisions bind future purchasers/tenants of the site. Both draft and completed s106 Agreements and UUs may be viewed by members of the public and are in no sense confidential documents.
- 2.2 If contributions are being sought for a range of items, they will usually be addressed in a single document; however, some infrastructure is provided by outside agencies, for example, electricity and water. Their requirements may occasionally be set out in separate documents, but to save time and costs a combined S106 Deed is usually entered into.
- 2.3 Each Agreement or UU has to be entered into before any planning permission is granted. In non-appeal cases the city council seeks to issue the planning permission within one working day of completion of the Agreement or UU. In appeal cases the Agreement or UU needs to be completed before the appeal is determined by the Planning Inspectorate.
- 2.4 The council will track compliance with each provision contained in a legal agreement as a development proceeds to ensure that payment of financial contributions and completion of non-financial obligations is in accordance with the terms in the agreements. Late payment of contributions will incur additional interest charges at the rates set out in the Agreement.
- 2.5 The council will require a payment for the preparation of the legal agreement. The current minimum charge is £550.

2.6 Details regarding Planning Obligations and CIL payments will be recorded on a database. This will include what payments are due, triggers, and where/on what the funds are to be spent. Reports on the holding balances, and how the funds have been used will be made available annually within the planning authority's Annual Monitoring Report or equivalent.

3. Late Interest Payments

3.1 In the event of any delay in making any payment required under a S106 Agreement, (regardless of whether or not any formal demand for payment has been made by the council) interest shall be added to such contribution until payment is made on a daily basis at the rate of 5% per annum above the standard rate of Barclays Bank plc.

4. Triggers for Planning Obligations

4.1 Planning Obligations are normally triggered on commencement of development i.e. the date on which works to begin the development start, as defined by the carrying out of a material operation (Section 56 of the 1990 Town and Country Planning Act), but may be earlier or later e.g. upon first occupation.

5. Timing of Developer Contributions Payments

5.1 The timescale for payment of planning contributions will be set out in the Agreement. This will normally be due on commencement of development, but maybe prior to completion or first occupation. In the case of significant major development, payments may be phased to assist development viability.

6. Inflation

6.1 Unless otherwise stated to the contrary all contributions (sums payable) by the owner will be subject to increase by application of the principles of indexation. For the purpose of applying indexation the index will usually mean the Building Cost Information Service All-in Tender Price Index (TPI) (SE England excl. London) of the Royal Institution of Chartered Surveyors, however separate indices may be used for affordable housing contributions.

6.2 Indexation will commence on the date planning permission is issued and will end on the date(s) the Contributions or sums are actually paid in full.

6.3 Further detail on the above matters are set out in the S106 agreement documentation and via the council's Legal Service.

7. Use of S106 Financial Contributions

7.1 When a financial contribution is secured, the use of the funds will be stipulated in the S106 Agreement.

- 7.2** Time limits, usually ten years from the date that the contribution is paid in full (but potentially longer), for the expenditure of financial contributions will be included within the Planning Obligation agreements. After the agreed time limit, any unused contributions are returned to the developer with any accrued interest.

Appendix B

Viability

1. Principles

- 1.1** The costs incurred in delivering a workable, high quality development commensurate with local standards and expectations are to be expected and should have been reflected in the price paid for the land, and will not normally reduce the ability of a site to provide necessary developer contributions. Expected costs include affordable housing, site clearance and remediation, good quality design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision (which may include highway and public transport measures). Price paid for land may not be a determining factor if too much has been paid or historic land values or developer profit margins are being protected at the expense of necessary contributions.
- 1.2** The city council has tested the viability of development in Peterborough as part of the development of the CIL, on the basis of current conditions and taking into account the provision of 30% affordable housing with no grant provision, in line with current policy requirements.
- 1.3** Viability and deliverability issues are a reoccurring theme throughout the Core Strategy and supporting/associated documents. There is a balance to be struck between meeting all policy requirements considered necessary for achieving sustainable development and financial viability at the macro-scale.

2. The city council's approach to viability

- 2.1** A developer can easily calculate their likely CIL charge and can make a reasonable estimation for S106 Planning Obligations to address site specific impacts.
- 2.2** If developers wish to raise the viability of their development as an issue for its deliverability they will be expected to set it out in a formal submission to the city council prior to the submission of a planning application; including:
- Whether viability considerations mean that they are not able to provide the full policy requirements deemed to be necessary to be secured through a S106 (e.g. affordable housing) and the statutory CIL charges;
 - Why they consider not meeting the policy requirements should be found acceptable.
- 2.3** The assessment of this information will be considered on a case by case basis. It will involve weighing the additional benefits of a scheme (over and above for example the delivery of a development per se) compared with the degree of harm resulting from potential under-provision or delayed provision of infrastructure (including affordable housing). This will assist the city council in reaching a decision on whether or not the

benefits of the scheme outweighs the general principle that planning permission should be refused unless policy requirements are met.

3. Viability Assessments

3.1 If the principle that a reduction or deferral of contributions (including affordable housing) may be appropriate and has been discussed with the city council, then the developer will need to submit a viability assessment.

3.2 An evidential approach to viability and benefits is required and the city council will not consider possible policy compromises simply on the basis of generalised arguments about the economy at large. What matters is the specific development economics of the scheme and an informed view as to what policy requirements can and cannot be reasonably and fairly afforded and the benefits of progressing on that basis. This allows for a fair and even-handed approach.

3.3 The following additional guidance on viability assessments should be adhered to:

- Provision of financial information about the scheme will be on an “open book” basis;
- Developers should provide the following as part of their viability assessment:
 - Electronic version of the viability assessment in the form of the Homes and Communities Agency supported Development Appraisal Toolkit (DAT). Where appropriate other viability approaches may be acceptable subject to agreement with the city council;
 - Full Build Cost Plan;
 - Market Evidence for Sales Rates – set out in a sales and marketing report, including comparables;
 - Market evidence to support Gross Development Value and the assumptions on yield and financing costs. ;
 - Market Evidence for Site Value and/or legal evidence of land purchase price;
 - Development and Sales Programme;
 - Likely CIL charge including showing payments in line with the adopted Instalments Policy.
- The basis of the valuation will be on current values and costs, including current land values, rather than historic values or the price originally paid for the land. Larger schemes with longer development periods, phasing or with later implementation timeframes are likely to require a review of costs and values part way through the development;
- Any analysis will be based on land values as set by the application of planning policy in determining the permissible scope of development, rather than on the price actually paid for the land. For this reason valuations will be done on a residual basis where the value of land is an output of the process. Arguably no allowance should be made for the original cost of purchasing the land or for payments that are contracted to be made to the landowner or third party under an existing option, conditional land sale agreement, profit share (overage) or clawback arrangement. If it is suggested that the viability of the development is comprised as a result of an allowance for these items then it will be at the discretion of the city council as to what extent, if any, obligations are amended in recognition of them;

- A Development Appraisal will follow the principle as set out below:

$$\text{Gross Development Value} - \text{Total Build Costs} - \text{Developer's Profit} = \text{Residual Land Value.}$$

- The city council may seek independent valuation advice to review the viability assessment – the cost of that advice will be met by the developer;
- Any concerns regarding viability of the development must be highlighted by the developer at pre-application stage;
- Viability assessments should also be provided at the late/final pre-application stage, just before submission of the planning application, and certainly no later than when the planning application is submitted otherwise the application will not be validated.

3.4 If the proposal involves affordable housing, the valuation assessment must assess the scheme on the basis of no grant for affordable housing. Written confirmation is also required to demonstrate grant funding is not available. Where the scheme delivers significant social benefits, special account may be taken of this in assessing the appropriate level of contribution.

3.5 The Residual Value i.e. the payment to the landowner is a variable to take into account, assuming that sufficient positive land value is required for implementation of a permission. The Residual Land Value should exceed the Existing Use Value (EUV) and any Alternative Use Value (AUV) based on an extant planning permission for that use.

3.6 The key variables to be considered include:

Value of residential sales

Independent evidence and evaluation will be required to justify the values used.

Value of affordable housing

The council will require a statement setting out the assumptions made in terms of tenure, including where appropriate rents, yields, management costs and likely/agreed levels of Social Housing Grant if any.

Commercial values

Independent evidence and evaluation will be required to justify the values used, including rents, capital values and investment yields

Build Costs

A professional build cost plan will be required, including justification from a recognised quantity surveyor. Build costs must set out the quality of construction to be adopted including, if applicable, adopting building sustainability performance measures such as the Code for Sustainable Homes or Building Research Establishment Environmental Assessment Method. Any abnormal or exceptional costs that are identified must be explained and supporting evidence provided, including quotes for the identified works.

Planning Obligations

Planning Obligations in line with this SPD should be provided for, including affordable housing in compliance with the city council's adopted policy.

Finance Costs

Including borrowing rate and period of borrowing.

Developer's Profit

The appraisal must demonstrate the percentage profit that the scheme will deliver.

Existing Use Value or Alternative Use Value

A formal valuation in compliance with the requirements of the RICS Valuation Standards (the Red Book) will be required in support of the Existing Use Value and/or Alternative Use Value.

4. Potential actions if “benefits” are identified

4.1 If the city council considers that there are benefits of approving a non-policy compliant scheme, a number of potential courses of action will be considered to both enable the development to proceed but to also ensure the early delivery of the scheme and/or to capture any enhanced value arising from improved market conditions during the course of the development. These are as follows:

4.2 Deferred timing of Planning Obligations: This option will generally be explored first before considering reducing the quantum of contributions. Options that may be considered if justified include:

- Provision of site-specific infrastructure in phases with some on commencement of development and some at a later date, related to a specified trigger point.
- Deferral of financial payments due under a Planning Obligation to a later stage of the development – however the city council will be cautious of this as it could lead to difficulties in securing the funds at a later stage in the development.

4.3 The city council will expect appropriate mechanisms to be included in the S106 agreement to provide maximum security/minimum risk to the city council in relation to securing these contributions.

4.4 Reduce quantum of Planning Obligations including affordable housing: For this option to be used, the following principles apply:

- Reductions will be the minimum necessary to make the scheme viable;
- A judgment will be made by the city council in terms of the scale of reduction required relative to the benefits of the scheme.

4.5 CIL ‘Exceptional Circumstances’ Relief: In addition to the mechanisms set out in this SPD to introduce as much flexibility into the system as is reasonably possible without compromising the ability to secure sustainable development in Peterborough, there is

specific exceptional relief offered as part of the CIL. This is a last resort option and must be in line with the regulations permitting such relief.

4.6 Mechanisms to secure early delivery: Where changes to the timing or quantum of contributions are agreed the city council will likely seek the early delivery of the scheme. These may include:

- Granting of a short life planning permission – e.g. maximum of 12 months;
- Securing commitments to commence development within a specified period of time after the granting of planning permission;
- Specifying time limits on the time allowed to complete the scheme, and/or specific phases or elements of a scheme.

4.7 Securing additional funding: To help assist with the delivery of infrastructure and affordable housing, particularly where contributions have been reduced or the timing of infrastructure delayed as a result of viability considerations, the city council will expect developers and their partners to bid for funding streams where available. The city council will be able to offer information in relation to this on request.

4.8 Mechanisms to capture any uplift in the market: Where the city council has accepted reductions in the level of contributions/affordable housing based on the current viability situation, it will expect mechanisms to be put in place that allow additional contributions to be provided later in the scheme if and when viability has improved. This is likely to take the form of overage or clawback clauses in the S106 agreement. The city council will expect any such clauses to be based on the following principles:

- Any calculations of clawback should be based on the uplift in net profit of the scheme (not gross development value);
- The “clawback” should constitute a substantial element of the additional net profit, secured as additional financial contributions and/or affordable housing;
- Clawback/overage clauses will require a re-assessment of costs and values (and validation) of the scheme near to the end of the development, at around the time that 90% of the development has been completed;
- The re-valuation will require independent assessment (such as by the District Valuer) with the cost of this independent assessment to be met by the developer;
- Any enhanced value/profit identified from the scheme should not include any input from any grant secured – such grant should be used in full for delivering the infrastructure/affordable housing that it was provided for;
- Clawback may be accepted in the form of affordable housing units rather than financial contributions;
- The amount of clawback secured will be limited to the full policy requirement for the scheme.

Appendix C – CIL Regulation 123 List

Peterborough City Council Community Infrastructure Levy Regulation 123 List of Infrastructure

The Draft Regulation 123 list, as set out below, defines which projects and/or types/sections of infrastructure that the council will, or may, fund in whole or part through CIL revenues. In accordance with Regulation 123, developer contributions to the infrastructure listed below will not be sought through Planning Obligations.

The list is not definitive, and in no order of priority, as no formal decisions have yet been taken to confirm how CIL funds will be allocated amongst the listed infrastructure types/projects. It lists infrastructure types/projects that CIL could be used to fund, subject to council priorities and the levels of available CIL funding.

The Regulation 123 List takes effect on 24/04/2015.

Infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL:

| |
|--|
| Strategic / city wide impact transport projects |
| (excluding specific improvements necessary to make a development acceptable in planning terms) |
| Education facilities* |
| Health facilities* |
| Indoor Sports and recreation facilities* |
| Library, museum and life long learning facilities* |
| Waste Management infrastructure* |
| Emergency services* |
| Strategic Open Space |
| Strategic flood risk management schemes |
| (excluding flood risk measures required to facilitate the alleviation of flood risk in relation to a development site) |
| Public realm |
| Crematorium and burial grounds |
| * excluding where requirements are directly related to residential development comprising 500 dwellings or more |

Appendix D – Open Space Glossary

Doorstep Outdoor Play Space - DOPS (accompanied children up to 7 years of age - replacing LAPs)

These represent the base level of facility provision. The aim is to make them very accessible and therefore within easy reach of accompanied young children.

Because of the basic requirements, these facilities might be located on a wide range of open spaces that also serve other purposes. Parks and many existing green spaces will meet this requirement for a very local area for young children, and provision of playspace for the very young should therefore be considered in the context of the wider Open Space Strategy.

However, there are parts of the City not within easy reach of a park or green space, and there may be a need in such locations to consider LAP's.

DOPs should be within easy walking distance (5 minutes walking time from home). Wherever possible they should be located to coincide with routes and destinations for other regular trips (school, shops, parks etc). They may also be located on open space shared for other compatible recreation (such as in parks, playing fields, or general amenity space). They need to accommodate, for example, low-key games and exercise, imaginative/social play, and play with small toys. The emphasis is on encouraging younger children to be accompanied and regularly visiting whilst the parent/carer is on route to (say) school or local shops.

No minimum space specification is appropriate, subject to provision of sufficient space to allow for creative play taking into account surrounding physical constraints.

The funding and maintenance of such areas are addressed elsewhere in this Supplementary Planning Document.

Local Areas of Play (LAPs)

As above but inclusive of at least three pieces of play equipment and small low key games area with play features on approximately 50-100m².

Junior Outdoor Play Space (JOPS) (replacing NPFA LEAPs.)

These are aimed primarily at junior school children (although there should be consideration to the needs of younger accompanied children for equipped playspace). The following specification reflects evidence that most parents and many children prefer to walk further to get to better-equipped playspace as well as providing for ball and wheeled play and preferences for well-designed and landscaped play space.

| | |
|--------------------------|---|
| Provision per population | 1:2,000 people |
| Location | 10 minutes walking time from home – straight line distance 450 m. |
| Target age group | Accompanied and unaccompanied seven to eleven-year-olds. |

| | |
|-----------------------|--|
| | Consideration should also be given to accompanied younger children (segregated area). |
| Purpose | A Junior Play Area should cater for a large range of play activity, including an area for informal ball games and/or low key wheeled sports. |
| Equipment/Landscaping | <p>Play area designed as per good practice guidelines and include minimum 6 differing items of traditional play equipment.</p> <p>They should also contain 'low key' casual ball play and/or wheeled sports facilities. For example:</p> <ul style="list-style-type: none"> • An informal Wheel Play facility (Max height 1m approx); • A single ended 'multi use ball games area' comprising Goal mouth; Basket/netball hoop; Cricket Stumps; rear (ball retention) wall (3m high) on a tarmac playing surface. <p>Some form of Shelter (Meeting Place) should also be provided to give some protection from rain & wind.</p> <p>For the younger users equipment included should be small-scale and appropriate for young children.</p> <p>Also to include seating for adults.</p> <p>Landscaping to maximise play value.</p> |
| Area | <p>Activity zone minimum of 625 sq m.</p> <p>Buffer zone 30 m between the edge of the activity zone and residential property. The buffer zone should include footpaths and planted areas. Buffer zone landscaping to include child-friendly planting (e.g. natural scent, colour and texture).</p> |

Youth Outdoor Play Space (YOPS) (replacing NPFA NEAPS)

Designed specifically to meet the needs of older children and young people, reflecting their greater mobility and willingness to walk further than younger children.

| | |
|--------------------------|--|
| Provision per population | 1:8,000 people |
| Location | Within 20 minutes walking time from home – straight line distance 800m |
| Target age group | Primarily for unaccompanied and unsupervised 12-16 year-olds (some provision for younger children) |
| Purpose | Provides challenging and stimulating play opportunities and youth facilities |

| | |
|-----------------------|--|
| Equipment/Landscaping | <p>Play area designed as per good practice guidelines and include 2 separate Areas as below:</p> <ol style="list-style-type: none"> 1. A range of challenging and stimulating play facilities. At least 8 items (could be variously linked in multi-play units) with at least 4 items to encourage more adventurous climbing, swinging or gliding (e.g. aerial runway). 2. Hard surface floodlit Multi-Use Games Area of at least 465 sq m. and/or wheeled play facilities. <p>Landscaping to maximise play value.</p> <p>Also to include:</p> <ul style="list-style-type: none"> • Seating for adults. • Youth shelter/seating/meeting area for teenagers (well lit). <p>The site may also include additional/alternative youth facilities in line with consultation with local young people.</p> |
| Area | <p>Total Activity zone minimum of 1000 sq m.</p> <p>Buffer zone at least 35m from activity zone to nearest residential property (50m if formal skateboarding facilities included).</p> |

Family Outdoor Play Space (FOPS)

Within the city access to Family Play Facilities is an objective of the open space standards. These cater for all age groups (young accompanied children to youth). When planning new facilities consideration must be given to accessibility from the rural areas too.

| | |
|--------------------------|--|
| Provision per population | 1:35,000 people |
| Location | Within 20 minutes cycle-time (3 to 4 mile straight line distance) on safe routes, links to public transport, and normally linked to a popular city wide park destination. |
| Target age group | Families - Unaccompanied and accompanied under 19 year-olds. |
| Purpose | To provide challenging and stimulating play opportunities for all age groups. Family visits. |
| Equipment/Landscaping | <p>Play area designed as per good practice guidelines to include 3 separate Areas as below:</p> <ol style="list-style-type: none"> 1. <i>Toddler area (under 7s)</i> - small-scale and appropriate for the age; at least 3 types of equipment; seating and dog fencing. Landscaping to maximise play value. |

| | |
|--|---|
| | <p>2. Junior area (7-11s) - minimum 6 differing items of traditional play equipment.</p> <p>Containing 'low key' casual ball play and/or wheeled sports facilities. For example:</p> <ul style="list-style-type: none"> • An informal Wheel Play facility (Max height 1m approx); • A single ended 'multi use ball games area' comprising Goal mouth; Basket/netball hoop; Cricket Stumps; rear (ball retention) wall (3m high) on a tarmac playing surface. <p>3. Over 12s area - Hard surface Multi-Use Games Area of at least 465 sq m. and/or formal wheeled play facilities.</p> <p>Landscaping to maximise play value.</p> <p>Also to include:</p> <ul style="list-style-type: none"> • Seating for adults. • Youth shelter/seating/meeting area for teenagers. • Nearby toilets and facilities for refreshments <p>The site may also include additional/alternative youth facilities in line with consultation with local young people.</p> |
|--|---|

Family Outdoor Play Space (FOPS) cont'd

| | |
|------|---|
| Area | <p>Activity zone minimum of 1500m².</p> <p>Buffer zone 30 m between the edge of the activity zone and residential property. The buffer zone should include footpaths and planted areas. Buffer zone landscaping to include child-friendly planting (e.g. natural scent, colour and texture).</p> |
|------|---|

Allotments

| | |
|--------------------------|--|
| Provision per population | 0.28ha per 1,000 |
| Location | Within 15 minutes walking time from home – straight line distance 560m. |
| Target age group | Families - Unaccompanied and accompanied under 19 year-olds. Independent adults of all ages |
| Purpose | For allotment gardening / community farming |

| | |
|-----------------------|---|
| Equipment/Landscaping | Fencing, road/pathways and water supply to plots. |
| Area | Min size approx. 0.5ha |

Neighbourhood Parks

Neighbourhood Parks cater for all age groups (young accompanied children to youth).

| | |
|--------------------------|---|
| Provision per population | 1:2,500 people |
| Location | Within 15 minutes walking time from home – straight line distance 560m. |
| Target age group | Families - Unaccompanied and accompanied under 19 year-olds. Independent adults of all ages |
| Purpose | Formal and informal recreational pursuits for all age groups, including sitting out and walking. |
| Equipment/Landscaping | Landscaped area with formal and informal planting, providing a range of activities that may include outdoor sports facilities and playing fields, children’s play for different age groups. |
| Area | Between 1-6ha. |

Appendix E

Indicative Thresholds for Transport Assessments

| Thresholds based on size or scale of land use | | | | | | |
|---|--|---|------|---------------|---------------------|------------------------------------|
| | Land Use | Use/ description of development | Size | No Assessment | Transport Statement | Transport Assessment / Travel Plan |
| 1 | Food retail (A1) | Retail sale of food goods to the public – food superstores, supermarkets, convenience food stores. | GFA | <250 sq. m | >250 <800 sq.m | >800 sq. m |
| 2 | Non-food retail (A1) | Retail sale of non-food goods to the public; but includes sandwich bars – sandwiches or other cold food purchased and consumed off the premises, internet cafés. | GFA | <800 sq. m | >800 <1500 sq.m | >1500 sq. m |
| 3 | A2 Financial and professional services | Financial services – banks, building societies and bureaux de change, professional services (other than health or medical services) – estate agents and employment agencies, other services – betting shops, principally where services are provided to visiting members of the public. | GFA | <1000 sq. m | >1000 <2500 sq. m | >2500 sq. m |
| 4 | A3 Restaurants and cafés | Restaurants and cafés – use for the sale of food for consumption on the premises, excludes internet cafés (now A1). | GFA | <300 sq. m | >300 <2500 sq.m | >2500 sq. m |
| 5 | A4 Drinking establishments | Use as a public house, wine-bar or other drinking establishment. | GFA | <300 sq. m | >300 <600 sq.m | >600 sq. m |
| 6 | A5 Hot food takeaway | Use for the sale of hot food for consumption on or off the premises. | GFA | <250 sq. m | >250 <500 sq.m | >500 sq. m |
| 7 | B1 Business | (a) Offices other than in use within Class A2 (financial and professional services) (b) research and development – laboratories, studios (c) light industry | GFA | <1500 sq. m | >1500 <2500sq.m | >2,500 sq. m |

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| | | | | | | |
|----|--|---|---------------|----------------|---------------------|----------------|
| 8 | B2 General industrial | General industry (other than classified as in B1), The former 'special industrial' use classes, B3 – B7, are now all encompassed in the B2 use class. | GFA | <2500 sq. m | >2500 <4000 sq. m | >4000 sq. m |
| 9 | B8 Storage or distribution | Storage or distribution centres – wholesale warehouses, distribution centres and repositories. | GFA | <3000 sq. m | >3000 <5000 sq. m | >5000 sq. m |
| 10 | C1 Hotels | Hotels, boarding houses and guest houses, development falls within this class if 'no significant element of care is provided'. | Bedroom | <75 bedrooms | >75 <100 bedrooms | >100 bedrooms |
| 11 | C2 Residential institutions - hospitals, nursing homes | Used for the provision of residential accommodation and care to people in need of care. | Beds | <30 beds | >30 <50 beds | >50 beds |
| 12 | C2 Residential institutions – residential Education | Boarding schools and training centres. | Student | <50 students | >50 <150 students | >150 students |
| 13 | C2 Residential institutions – institutional hostels | Homeless shelters, accommodation for people with learning difficulties and people on probation. | Resident | <250 residents | >250 <400 residents | >400 residents |
| 14 | C3 Dwelling houses | Dwellings for individuals, families or not more than six people living together as a single household. Not more than six people living together includes – students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community. | Dwelling Unit | <10 units | >9 <80 units | >80 units |
| 15 | D1 Non-residential Institutions | Medical and health services – clinics and health centres, crèches, day nurseries, day centres and consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, non-residential education and training centres, places of worship, religious instruction and church halls. | GFA | <500 sq. m | >500 <1000 sq.m | >1000 sq. m |

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| | | | | | | |
|----|-------------------------|--|-----|--|--|--|
| 16 | D2 Assembly and leisure | Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos. other indoor and outdoor sports and leisure uses not involving motorised vehicles or firearms. | GFA | <500 sq. m | >500<1500 sq.m | >1500 sq. m |
| 17 | Others | For example: stadium, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, taxi businesses, car/vehicle hire businesses and the selling and displaying of motor vehicles, nightclubs, theatres, hostels, builders' yards, garden centres, POs, travel and ticket agencies, hairdressers, funeral directors, hire shops, dry cleaners. | TBD | Discuss with appropriate highway authority | Discuss with appropriate highway authority | Discuss with appropriate highway authority |

| Thresholds based on other considerations | | | | |
|--|---|----|----|-------|
| | Other considerations | TS | TA | TA/TP |
| 1 | Any development that is not in conformity with the adopted development plan. | | | ✓ |
| 2 | Any development generating 30 or more two-way vehicle movements in any hour. | | ✓ | |
| 3 | Any development generating 100 or more two-way vehicle movements per day. _ | | ✓ | |
| 4 | Any development proposing 100 or more parking spaces. | | ✓ | |
| 5 | Any development that is likely to increase accidents or conflicts among motorised users and non-motorised users, particularly vulnerable road users such as children, disabled and elderly people. | | | ✓ |
| 6 | Any development generating significant freight or HGV movements per day, or significant abnormal loads per year. | | ✓ | |
| 7 | Any development proposed in a location where the local transport infrastructure is inadequate. – for example, substandard roads, poor pedestrian/cyclist facilities and inadequate public transport provisions. | | ✓ | |
| 8 | Any development proposed in a location within or adjacent to an Air Quality Management Area (AQMA). | | ✓ | |

Appendix F – Peterborough CIL Charging Schedule



Peterborough City Council

Community Infrastructure Levy Charging Schedule

April 2015

Peterborough City Council

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Peterborough City Council Community Infrastructure Levy Charging Schedule

Peterborough City Council, as the local Planning Authority, is the Charging Authority and will also be the Collecting Authority. This Charging Schedule comes into force on 24/04/2015.

Liability to Pay CIL

A chargeable development is one for which planning permission is granted and which is liable to pay CIL in accordance with the Regulations.

Schedule of Rates

Peterborough City Council is proposing to charge CIL in respect of development at the following rates:

| Development Type | Charging Zone | | |
|--|---------------|--------|------|
| | High | Medium | Low |
| Market Housing on sites of less than 15 units | £140 | £120 | £100 |
| Market Housing on sites of 15 or more units | £70 | £45 | £15 |
| Apartments on sites of less than 15 units | £70 | £45 | £15 |
| Residential development comprising 500 or more dwellings | £0 | £0 | £0 |
| Supermarkets* | £150 | | |
| Retail Warehouses** | £70 | | |
| Neighbourhood Convenience Stores*** | £15 | | |
| All other development | £0 | | |
| All charges are £ per sq m | | | |

* Supermarkets are large convenience-led stores where the majority of custom is from people doing their main weekly food shop. As such, they provide a very wide range of convenience goods, often with some element of comparison goods. In addition to this, the key characteristics of the way a supermarket is used include the area used for sales of goods generally being above 500 sq m; the majority of customers using a trolley to gather a large number of products; the majority of customers accessing the store by car using the large adjacent car park provided; and servicing being undertaken via a dedicated service area rather than from the street.

** Retail warehouses are usually large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods. They can be stand-alone units, but are also often developed as part of retail parks. In either case, they are usually located outside of existing town centres and cater for mainly car-borne customers. As such, they usually have large adjacent dedicated surface parking.

***Neighbourhood convenience stores are used primarily by customers undertaking “top-up” shopping. They sell a limited range of convenience goods and usually do not sell comparison goods. The key characteristics of their use include trading areas of less than 500 sq m; the majority of customers buying only a small number of items that can be carried around the store by hand or in a small basket; the majority of customers accessing

the store on foot and as such there is usually little or no dedicated parking; and servicing being undertaken from the street rather than from dedicated service areas.

How will the Chargeable Amount be Calculated?

CIL charges will be calculated in accordance with CIL Regulation 40 (as amended). The chargeable amount will be equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates as set out in this charging schedule.

The chargeable amount will be index linked using the Royal Institution of Chartered Surveyors' All-in Tender Price Index figures for the year in which the planning permission is granted and the year in which this charging schedule took effect.

Date of Approval

This charging schedule was approved on 15/04/2015 (tbc)

Date of Effect

This charging schedule will take effect on 24/04/2015 (tbc)

Peterborough City Council Community Infrastructure Levy Charging Zones

