

<b>Environmental Enhancements</b>	
Summary of Comments Received (respondent ref in brackets)	Council's Response
<b>Overall approach</b>	
Agreed (2)	This support for the overall approach taken is welcomed.
Welcomes the Council's aim that it expects new development to improve the quality of the environment (16)	This support for the principle is welcomed.
Concern that para 2.1 gives the impression that the Council would be prepared to grant permission for development which would be contrary to policy and harm the environment if contributions could be negotiated. (24)	Para 3.2 of the Core Guidance makes it clear that developer contributions will not render acceptable any developments which are inappropriate in principle in terms of their impacts and relationship to planning policy. Paragraph 1.1 of this Topic Paper makes it clear that the Council expects new development to improve the quality of the environment. <b>Revised paragraphs 2.1 and 2.3 have been amended to reflect this further.</b>
<b>Compliance with Government guidance</b>	
The requirements of Circular 1/97 should be satisfied (23) (26) Paras. 2.1, 2.4 and 2.10 should make reference to the 5 planning obligations tests set out in the Circular 1/97 (14)	This is made clear in the Core Guidance. Various revisions have been made to the draft SPG and the Council considers that it fully complies with Circular 1/97.
<b>Commuted sums</b>	
Revenue costs with multiplier of up to 20 years is excessive (1) (3). Maintenance payments should be sought for no more than 5 years (1)	It is important to secure the on-going maintenance of enhancements established through S106 agreements and developer contributions to ensure that the impact of the development is mitigated for the life of the development without placing undue demands on the public purse. Without appropriate arrangements to ensure on-going future maintenance the Council considers the impact of the development will be merely delayed rather than met. The Council recognises the advice provided within Circ 1/97, however it also notes that Circ 1/97 states that planning obligations "can provide a means ...to meet the costs imposed as a result of the development – e.g. the full cost of essential community facilities required as a direct result of a proposed development .... Where development will create a need for extra facilities - ... - it may be

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	reasonable for developers to meet ....the cost of providing such facilities”.
Commuted maintenance sums should take account of interest accruing on the reducing balance, as well as inflation (12)	The Council considers that the inclusion of a discount rate within the methodology would preclude on-going maintenance other than through additional demands placed on the public purse, and considers that to be unacceptable in principle.
Object to use of Spon’s External Price Book as the basis of costing landscape maintenance to calculate commuted sums (24) – this was for topic paper 7 but would also apply here as well	<p>Spon’s Landscape and External Works Price Book provides industry standard costs for maintenance and is based on surveys from over 150 companies and organisations involved in providing landscape work. It is an appropriate source of information from which to establish maintenance costs. In recognition that Spon’s does not necessarily cover all landscape and maintenance costs Topic Paper 7 has been amended to further clarify that the Council’s in-house costs will be used in cases where the maintenance figure cannot be calculated using Spon’s .</p> <p>The Council has evidence to suggest that the rates set out within Spon’s tend to be lower than the Council’s maintenance costs or those achieved through competitive tender. Accordingly the Council is satisfied that the approach taken by the topic paper is reasonable.</p> <p>The Council accepts that costs for maintenance may vary as a result of factors such as local labour rates which may not be reflected in Spon’s Topic Paper 7 has therefore been amended to clarify that lower maintenance costs than those set out within Spon’s may be applied where there is clear evidence that the required maintenance can be provided at a lower cost than that calculated using Spon’s and conversely that in exceptional circumstances the Council may apply maintenance costs that exceed those set out in Spon’s.</p>

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Element of double counting with the Public Open Space topic paper (3)	Topic areas have been assessed individually to provide clarity, transparency and consistency. Each application will be individually assessed to ascertain the impact it creates in accordance with the Council's strategic policy framework and there will be no double counting of contributions.
There is no specific provision for this item – is it included in the final 30% non specific allocation of the contribution (6)	This comment relates to the Core Guidance. The basic level of contribution approach has been deleted from the SPG. The approach is now that schemes of 1 dwelling or more will be assessed for contributions based on the approach set out in this Topic Paper.
<u>Condition v obligation</u>	
Many of the requirements would be more properly addressed through conditions rather than obligations (12) Para 2.6 should recognise that landscaping details and subsequent management plans can be secured effectively by condition (14)	The Topic Paper makes it clear in Paragraphs 2.3 and 2.4 that obligations will only be used where the works cannot be dealt with by condition.
<u>Relationship to the development</u>	
<ul style="list-style-type: none"> <li>▪ Connection between much of the 'wish list' and developments is dubious e.g. strategic environmental improvements and maintenance costs (3)</li> <li>▪ The Council will find it difficult to justify requirements for off-site improvements which do not relate reasonably closely to the site or development itself (12) (26)</li> <li>▪ Contributions should only be sought where a definite impact can be anticipated from the specific development. It should not be sufficient to state that a number of small developments would have an impact without there being a requirement to identify or quantify the impact from each individually. This should be the case with local and strategic initiatives (12)</li> <li>▪ Contributions to off-site enhancements should only be sought where an environmental asset is to be lost and its replacement</li> </ul>	Each application will be individually assessed to ascertain the impacts it creates in accordance with the Council's strategic policy framework. Contributions sought will be necessary, relevant to planning, related directly to the proposed development, fairly and reasonably related in scale and kind to the proposed development and otherwise reasonable.

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required, not to developments which themselves are proposing enhancements to the environment or which would bring enhancement through their implementation, such as the remediation of previously developed sites. (24)	
<b>Scope</b>	
Concerned about the ongoing loss of ancient woodland and thinks this should be reflected in the paper .The Paper should state that “applications that will damage valuable and irreplaceable habitats, particularly ancient woodland, should not be permitted. Where development sites border irreplaceable habitats, such as ancient woodland, careful natural buffering should be established to protect the habitat both during the development phase and the post-construction potential increased impact on wildlife and the site in general” (16)	These comments are noted, however the Council’s policy approach is already outlined in the Local Plan. This Topic Paper makes it clear that each application will be assessed individually.
The opportunity to offset the climate change impacts of new development by encouraging higher standards of energy efficiency and incorporating locally community energy generation within or adjacent to developments (20) In line with the proposed amendments to RPG9 the Council should incorporate best practice into the SPG by requiring that the principles of good sustainable design are incorporated into all new developments and that obligatory sustainable energy appraisals are carried out. For larger developments (10 dwellings or more and large scale commercial) a minimum of 10% of the site’s heat and power needs to be met from renewable energy sources (20)	This is an important cross-cutting issue which needs to be incorporated in SPG. However, it is considered that this is most appropriately dealt with in the Council’s proposed SPG on Design and Sustainability which deals with the principles of good sustainable design. Part of a developer’s approach to achieving good design will include the undertaking of a sustainable energy appraisal. The role of this particular SPG on securing developer contributions will be to ensure that environmental gain is achieved. Contributions will therefore be sought for monitoring and management of features such as sustainable drainage systems.
Para 2.3 It may not be sufficient to undertake landscape and visual impact assessment, environmental ones may also be necessary to evaluate fully any proposals (22)	<b>The words ‘landscape and visual impact’ have been replaced with ‘environmental’ in revised paragraph 2.1.</b>
Following assessment more clarity should be given to the fact the	<b>Revised paragraph 2.3 has been amended to reflect this.</b>

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<p>developer contributions may need to address either the need to reduce, mitigate or compensate for any environmental impacts and/or to restore, create or manage features of nature conservation interest (22)</p>	
<p>Much more could be made for the need for 'no net loss' and the 'precautionary principle' to set the scene. Referencing ALGE's 'Developing Naturally' (2000) may also be useful.</p>	<p><b>Revised paragraphs 2.2 and 2.3 have been amended to reflect this.</b></p>
<u>Other</u>	
<p>The requirement for site surveys, landscape assessments etc reflects the development briefs which the Council has issued previously on housing sites identified in the Local Plan (12)</p>	<p>Noted.</p>
<p>In assessing the level of any contribution it should be borne in mind that in allocating a site for B2 or B8 that the size of the building requirement may have an initial impact on the surrounding area. If a substantial landscaping scheme is included that addresses this issue by the time that the scheme has matured then the site should be exempt from a further contribution. (27) Similarly for a 'brownfield site' any impact should be judged against any additional impact above that of the current development on the site. A contribution should also only be sought as a direct result of a loss of an environmental asset (27)</p>	<p>The aim of the SPG is to ensure that all development addresses the impacts it creates in accordance with the Council's strategic policy framework. This Topic Paper makes it clear that the Council expects new development to improve the quality of the environment but that each development will be assessed individually.</p>