

Individual Decision

The attached report will be taken as
Individual Portfolio Member Decision on:

23rd February 2010

Ref:	Title	Portfolio Member(s)	Page No.
ID1966	Developer Contributions – Annual Price Revisions and Amendments to Topic Papers	Councillor Alan Law	3 - 97

Individual Executive Member Decision

Title of Report:	Developer Contributions – Annual Price Revisions and Amendments to Topic Papers
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	23 February 2010
Forward Plan Ref:	ID1966

Purpose of Report:

- (i) To provide an update on the current issues for developer contributions and the work of the developer contributions team
(ii) To consider the annual non-material updates to the SPG4/04 documentation, to take effect from 01/04/2010

Recommended Action:

- (i) That the contents of the report are noted
(ii) That the changes to the documentation are approved.

Reason for decision to be taken:

In order that the documents are amended to reflect current prices and to factually update the SPG as stated in the Core Guidance Paper.

Statutory:

Non-Statutory:

Other:

Other options considered:

- No update to the documents.
(i) Inflationary impacts would not be accounted for, resulting in unrealistic requests for contributions.
(ii) Opportunity to recover the full costs associated with the impact of development will be missed

Key background documentation:

SPG4/04 documentation

Portfolio Member Details	
Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Contact Officer Details	
Name:	Caroline Walsh
Job Title:	Developer Contributions Officer
Tel. No.:	01635 503018
E-mail Address:	cwalsh@westberks.gov.uk

Implications

Policy:	The Council's SPG will be kept up to date
Financial:	Contribution levels will be adjusted to take account of the most up-to-date costs of the provision of infrastructure.
Personnel:	
Legal/Procurement:	
Environmental:	
Partnering:	
Property:	
Risk Management:	
Community Safety:	
Equalities:	For advice please contact Principal Policy Officer (Equalities) on Ext. 2441.

Consultation Responses

Members:

Leader of Council:	Graham Jones	No comments
Overview & Scrutiny Management Commission Chairman:	Brian Bedwell	Response 27/01/10. Acceptance of the report
Select Committee Chairman:	Jeff Brooks	No comments
Ward Members:	Not Applicable	
Opposition Spokesperson:	Royce Longton	No comments

Local Stakeholders:

Officers Consulted:	Corporate Bd meeting on 05/01/10. Gary Lugg, Bryan Lyttle	No comments
Trade Union:	Not consulted	

Is this item subject to call-in.	Yes: <input checked="" type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by OSC or associated Task Groups within preceding 6 months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>

Supporting Information

1. Introduction

- 1.1 The purpose of this report is to request approval of non-material changes to the documentation and contribution levels for the Council's Supplementary Planning Guidance SPG04/4 – 'Delivering Investment from Sustainable Development'.
- 1.2 The amendments to the documentation are necessary to reflect
- (1) Changes to Government policy, and to Council policy
 - (2) Changes to wording to improve clarity for the developers and the public
 - (3) Changes to reflect changes in officers and the structure of the Council
- 1.3 Amendments to contribution levels are made, where necessary, on an annual basis to reflect the changes in costs of infrastructure which are required to mitigate the impact of development.
- 1.4 The amendments to contribution levels vary between service units, due to the individual methods of calculation. Section 7 of the report details the proposed change to contribution level for each service unit.
- 1.5 In summary the contribution level for a 1 bedroom dwelling will increase by 3.4%. The contribution level for a 4 bedroom dwelling will reduce by 2%. This is detailed in Section 8 of the report.
- 1.6 Officers are confident that the level of contributions sought meet the tests of the Government's Circular 05/2005, and mitigate the impact caused by development, by enabling enhancements to Council services and infrastructure.
- 1.7 The report also contains an update for Members on the following:
- (1) The financial benefits of the SPG
 - (2) The workload of the developer contributions team
 - (3) Our contact with Parish and Town Councils
 - (4) The Government's proposals for the introduction of the Community Infrastructure Levy

2. Summary of financial position for Developer Contributions for 2008/09

- 2.1 A report detailing the financial position to the year ending 31st March 2009 was taken to Management Board on 16th July 2009.
- 2.2 In summary, invoices raised during the financial year totalled approximately £5.78 million. It should be noted that contributions towards services and infrastructure were received for the Park Way development of £1.46 million. In addition, a sum of £0.95 million was received as a contribution towards affordable housing from a sheltered housing development within Newbury.
- 2.3 Expenditure for the financial year 2008/09, making use of previously received S106 monies, totalled approximately £6 million. Of this amount, over £3.2 million was

spent in improvements to Highways infrastructure, over £1 million spent on local schools, and over £600,000 spent on improvements to public open spaces, both in the Council's ownership, and open spaces owned by Parish and Town Councils.

3. Update on financial position for Developer Contributions for 2009/10

- 3.1 The developer contributions database currently holds in excess of 1,300 S106 agreements, made up of over 4,700 individual financial contributions or non-financial obligations. Systems and procedures are in place to monitor invoices raised, and service units are informed whenever monies are received.
- 3.2 New agreements added onto the database since 1st April 2009 included just over £2.45 million new contributions to mitigate the impact caused by development.
- 3.3 Monies received (invoices raised) in the first 7 months of this financial year total approximately £1.9 million.

4. Workload of the Developer Contributions Team

- 4.1 The workload of the developer contributions team (fte 1.5) has increased in recent months to accommodate a substantial increase in enquiries from the press, developers, Members, and Parish and Town councils. There have also been a number of requests under the Freedom of Information Act.
- 4.2 There has been a reduction in S106 receipts which can be attributed to the national recession. The number of bad debts (where invoices have not been paid) is at the highest level since the Developer Contributions Officer's post was created, and the workload attached to debt collection, both by the team and by officers in Legal and Electoral Services, must be acknowledged.
- 4.3 The high profile of developer contributions has resulted in the creation of two new Member groups, one being a sub-group of the Capital Group, the other being a sub-group of the Resource Management Committee. Both these groups are looking at systems and procedures around the timely and effective use of developer contributions by service units.
- 4.4 Both the posts in the Developer Contributions Team are fully funded by a Planning Administration charge levied on all applications which are subject to a S106 agreement. A fee of £525 is currently levied on all minor applications, with a fee of £1,050 levied on major applications. Income received to date in the current financial year has reduced slightly due to the recession, and the number of new planning applications being submitted. It is considered prudent to increase the administration fee to ensure that it will continue to fund the salary costs. It is proposed that these fees are increased to £550 and £1,110 respectively with effect from 1st May 2010.

5. Contact with Parish and Town Councils

- 5.1 Since April 2009 developer contributions in the region of £370,000 have been paid over to Parish and Town Councils to enable improvements to areas of open space within the Parish or Town Council's ownership. In addition, the Royal Berkshire Fire & Rescue Service has received contributions towards fire hydrants

required directly as a result of new development. The Oxford Diocesan Board of Education has also received a contribution towards improvements at a local school.

- 5.2 In April the Developer Contributions Officer gave a presentation to Parish Plan Groups.
- 5.3 In September the Council held a District Parish Conference where a presentation was given on Developer Contributions. In advance of this meeting the Portfolio Member for Finance sent a letter to all Town and Parish Councils together with a document outlining Developer contributions, and a list of the appropriate contact officers within the authority. The letter encouraged attendance at the District Parish Conference.
- 5.4 The Developer Contributions officer has also attended Parish and Town Council meetings, and has regular e-mail and telephone contact with many members of Parish and Town councils.
- 5.5 The annual parish report will be distributed to all Parish and Town Councils in April 2010 (with a copy sent to all Ward Members), showing details of S106 agreements relating to each area.

6. Community Infrastructure Levy

- 6.1 The Community Infrastructure Levy (CIL) is intended as a tool to secure contributions from developers towards improvements and enhancements to infrastructure required as a result of development.
- 6.2 It is intended as a replacement for the current S106 process, and therefore our SPG.
- 6.3 In July 2009 the Government produced for consultation detailed proposals and draft regulations for the introduction of the Community Infrastructure Levy in April 2010.
- 6.4 Members of the Planning Task Group approved West Berkshire Council's response to the consultation at their September 2009 meeting, and a presentation was given to officers on the subject in October, as part of the West Berkshire Core Strategy event.

7. Documentation Updates

- 7.1 As was stated in Paragraph 1.3 of this report, all the SPG documents have been reviewed and updated where necessary. The following paragraphs outline the changes to each document. Copies of the documents that have been amended are attached as appendices to this report.
- 7.2 It should be noted that each Service Unit has developed individual methods of calculating the level of contribution on a formulaic basis. As a consequence the changes to the Topic Papers and contribution levels will differ between Service Units.

7.3 Core Guidance (Appendix A)

- (1) Information on the Community Infrastructure Levy has been updated.
- (2) Changes to Government policy have been reflected.

7.4 Companion Note on Example Contributions (Appendix B)

- (1) Update of example contribution tables to reflect changes to levels of contributions, where requested by service units.
- (2) The increase in the Planning Administration Fee, as per Paragraph 4.5 above has been reflected in the document.

7.5 Topic Paper 1 – Affordable Housing (Appendix C)

- (1) The developer contribution tables have been updated to reflect current build costs and target rents. The contribution level has increased by 2.2%, due to an increase in building costs.

7.6 Topic Paper 2 – Transport

- (1) No amendments have been made to the document or to contribution levels

7.7 Topic Paper 3 – Education (Appendix D)

- (1) Contribution levels have been updated to reflect current costs. The contribution level has reduced by 5% overall, mainly due to the projected costs of building.

7.8 Topic Paper 4 – Public Libraries (Appendix E)

- (1) Contribution levels have been updated to reflect current costs. The contribution level has increased by 2.2%, due to an increase in building costs.
- (2) Officer contact details have been updated

7.9 Topic Paper 5 – Community Facilities

- (1) No amendments have been made to the document

7.10 Topic Paper 6 – Health Care Provision (Appendix F)

- (1) The list sizes have been updated; there has been no change to the contribution level.

7.11 Topic Paper 7 – Open Space (Appendix G)

- (1) Contribution levels have been updated to reflect current costs. This has resulted in a 1.3% increase overall. The main increase is due to the increased costs of play equipment.

7.12 Topic Paper 8 – Recycling Facilities

- (1) No amendments have been made to the document

7.13 Topic Paper 9 – Environmental Enhancements (Appendix H)

- (1) Small changes have been made to wording to improve clarity.

7.14 Topic Paper 10 – Archaeology, Conservation and the Historic Environment (Appendix I)

(1) Officer contact details have been updated.

7.15 Topic Paper 11 – Fire & Rescue Infrastructure (Appendix J)

(1) The cost of fire hydrants has been updated

7.16 Topic Paper 12 – Preventing Crime and Disorder (Appendix K)

(1) Officer contact details have been updated and other small changes to wording to improve clarity.

7.17 Proposed Topic Paper 13 – Adult Social Care (Appendix L)

(1) Contribution levels have been updated to reflect current costs, resulting in a 14% increase, due to increased costs of provision and increased demand for services.

(2) Changes to wording to strengthen the links to Government Circular 05/2005

8. Effect of revised documents on Levels of Contribution Sought

8.1 The following tables provide a comparison between the existing levels of contribution (which have been sought since 17th August 2009), and the proposed revised levels contained within the Topic Papers (which will take effect from 1st May 2010).

8.2 Table 1 – Likely Contributions for 1no 1 bed dwelling

Contributions for 1 bed dwelling	Current Level (£)	Proposed Level (£)	Increase / (-) decrease (£)	Percentage Increase / (-) decrease
Transport	1,000	1,000	0	n/a
Education	0	0	0	n/a
Open Space	251	249	-2	-0.8%
Libraries	130	133	3	2.3%
Health Care	90	90	0	n/a
Adult Social Care	384	438	54	14.1%
Planning Administration Cost	525	550	25	4.8%
Total	2,380	2,460	80	3.4%

8.3 Table 2 – Likely Contributions for 1no 4 bed dwelling

Contributions for 4 bed dwelling	Current Level (£)	Proposed Level (£)	Increase / (-) decrease (£)	Percentage Increase / (-) decrease
Transport	4,000	4,000	0	n/a
Education	11,211	10,667	-544	-4.9%
Open Space	2,333	2,364	31	1.3%

Libraries	320	327	7	2.2%
Health Care	221	221	0	n/a
Adult Social Care	665	759	94	14.1%
Planning Administration Cost	525	550	25	4.8%
Total	19,275	18,888	-387	-2.0%

8.4 In addition legal fees are charged separately by the Council's legal team. The fees that are charged vary based on the complexity of the agreement and the time taken.

9. Approval Process

9.1 Members of the Planning Task Group confirmed their support to the changes to the documentation as set out in the report.

9.2 Changes to the documents will be approved by the Portfolio Member for Planning, Housing & Transport Policy as an Individual Decision on 23rd February 2010.

9.3 The following timetable is proposed:

	Date of Meeting
Planning Task Group	15 th December 2009
Corporate Board	5 th January 2010
Management Board	18 th January 2010
Individual Decision	23 rd February 2010
6 week advertisement period	1 st March to 12 th April 2010

9.4 The amended Topic Papers and the revised contribution levels will apply to all applications received, and all appeals considered on or after 1st May 2010.

Appendices

Appendix A – Core Guidance

Appendix B– Companion Note of Example Contributions

Appendix C – Affordable Housing Topic Paper

Appendix D – Education Topic Paper

Appendix E – Libraries Topic Paper

Appendix F – Healthcare Topic Paper

Appendix G – Open Spaces Topic Paper

Appendix H – Environmental Enhancements Topic Paper

Appendix I – Archaeology, Conservation and the Historic Environment Topic Paper

Appendix J – Fire & Rescue Infrastructure Topic Paper

Appendix K – Preventing Crime and Disorder Topic Paper

Appendix L – Adult Social Care Topic Paper

APPENDIX A

Delivering Investment from Sustainable Development

West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities

Core Guidance

Adopted September 2004

Document Updated – Effective from 1st May 2010

1.0 Introduction

- 1.1 Well planned and sensitive development offers great benefits to society. It provides the homes, workplaces and facilities that we need and stimulates the economy. However, development of all scales also creates considerable impacts on the environment, facilities and services of the area in which it is located and places burdens and costs on the community. The Council wishes to ensure that the impacts of new development in West Berkshire are minimised and that such development provides appropriate social, economic and environmental benefits to the community as a whole.
- 1.2 To implement these objectives and its Development Plan policies, the Council will seek developer contributions, via Section 106 or Section 111 agreements and other statutory measures, in order to provide for additional facilities and the infrastructure demands that are generated as a result of new development. It will also require suitable obligations to restrict or control the use of land to mitigate development impacts and secure any necessary benefits.
- 1.3 Planning obligations will continue to be considered on their merits and negotiated separately with developers in accordance with the provisions of Circular 05/2005. However, it is recognised that similar types of development create similar impacts and that contributions should be made in a consistent and transparent way. Therefore, this supplementary planning guidance (SPG) provides landowners, developers, and West Berkshire residents with guidance on the type and scale of contributions and other obligations which the Council will seek for defined types and scales of development.

2.0 Format of Supplementary Planning Guidance

- 2.1 The SPG is presented as a set of documents – a core guidance paper supported by topic papers. This Core Guidance element of the SPG sets out the Council's overall approach to the provision of developer contributions and other forms of planning obligation in support of development plan policies. It also sets out the forms of development from which the Council will seek contributions, the nature of what will be sought and the scale of development from which particular types of contribution will be sought.

2.2 This Core Guidance is accompanied by a set of topic papers which set out details of the contributions and obligations which the Council will seek on a topic basis. The current set of supporting topic papers covers the following matters:

1. Affordable Housing
2. Transport
3. Education
4. Public Libraries
5. Community Facilities
6. Health Care Provision
7. Open Space
8. Recycling Facilities
9. Environmental Enhancements
10. Archaeology, Conservation and the Historic Environment
11. Provision of Fire and Rescue Infrastructure
12. Preventing Crime and Disorder
13. Adult Social Care

3.0 Legislative and Policy Framework

3.1 The Town and Country Planning Act 1990 (Section 106) includes a power which allows any person interested in land to enter into a planning obligation which:

- Restricts the development or use of land in a specified way
- Requires specific operations to be carried out
- Requires the land to be used in a specified way
- Requires a sum or sums of money to be paid to the local authority

3.2 Planning obligations are legal agreements by developers to undertake to do something in connection with their development that could not be secured by imposing a planning condition or by other statutory means. Planning obligations are a proper and recognised part of the planning system. They can enhance the quality of development and enable proposals to go ahead which might otherwise be refused if such provision was not made. However, packages of developer contributions will not render acceptable developments which are inappropriate in principle in terms of their impacts and relationship to planning policy.

National Policy

3.3 The principle that a development should bear a proportion of the cost of facilities, for which it creates a need, is supported in Government policy. Circular 05/2005 (which has replaced Circular 01/97) provides the Government's current guidance on the concept of planning obligations. It sets out that these may be negotiated to provide for on and off site community facilities and infrastructure requirements related to the development or in the case of small developments to provide a contribution to local provision.

3.4 Circular 05/2005 states that planning obligations should only be sought when they are necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and

reasonable in all other respects. The Circular advises that contributions should be linked to:

- the proposed development both on and off-site, e.g. highways or public transport contributions, environmental improvements; and to
- identified service requirements related to the development, e.g. housing, education, or community facility requirements.

- 3.5 The Circular goes on to encourage local authorities to employ formulae and standard charges where appropriate.

Proposed Future Reform of Planning Obligations

- 3.6 The Barker Review of March 2004 proposed that Government should use tax measures to extract some of the windfall gain that accrues to landowners from the sale of their land for residential development. The government believes that this principle applies for both residential and non-residential development.
- 3.7 On 27th November 2007 the Government introduced the Planning Bill into Parliament. It detailed a number of planning reforms. Included within the main changes are plans for a Community Infrastructure Levy (CIL).
- 3.8 The Secretary of State has the power to introduce the Community Infrastructure Levy by subordinate legislation. The Levy is in effect the latest incarnation of the Planning Gain Supplement which was subsequently replaced with proposals for a Planning Charge. As this is empowering legislation, details of the Levy remain to be determined. Consultation took place in Summer 2009, and the new powers will come into force in April 2010.
- 3.9 The detailed proposals and draft regulations for the Community Infrastructure Levy, published on 30th July 2009, can be downloaded from the website of the Department for Communities and Local Government (DCLG) at www.communities.gov.uk.

Development Plan Policies

Structure Plan / Regional Spatial Strategy

- 3.10 The general basis for the need to provide contributions towards community infrastructure, service and amenity was initially set out in the Berkshire Structure Plan 2006- 2016. This was replaced on 6th May 2009 by the South East Plan, the Regional Spatial Strategy for South East England. Policy S6: Community Infrastructure says:

The regional planning authority and regional partners, including SEEDA, will work with Government and other agencies to increase investment in physical and social infrastructure and secure co-ordination between development and essential infrastructure provision.

Where appropriate, the mixed use of community facilities should be encouraged by local authorities, public agencies and other providers, through local development documents and other measures in order to make effective use of resources and reduce travel and other impacts.

Local planning authorities, in consultation with those delivering services using community infrastructure (including the Third Sector and Faith organisations), will ensure facilities are located and designed appropriately, taking account of local needs and a whole life costing approach.

Policies should also ensure that:

- i. community infrastructure supports economic growth and regeneration, with particular priority for health and education provision
- ii. creative thinking and action on new mixes of cultural and community facilities is encouraged
- iii. appropriate facilities are made accessible to all sections of the community, in both urban and rural settlements

Local Plan

3.11 Policy OVS.3 of the adopted West Berkshire District Local Plan 1991 – 2006 says;

The District Council will require to be satisfied that the infrastructure, services and amenities made necessary by the development are provided or will be provided at the appropriate time so as to ensure the proper planning of the area. In addition, when considering proposals for development, opportunities will also be sought for securing environmental improvements and community benefits. Such provision will relate to those works necessary to grant of planning permission, and which are relevant, reasonable and directly related and fairly and reasonably related in scale and kind to the proposed development, and may for example include:

Affordable housing; and/or

Landscaping, including major structural landscaping on sensitive or exposed sites; and/or

Improved access for pedestrians, cyclists and people with disabilities; and/or

Public transport facilities and services, public car parking, provision for services vehicles or other highway improvements; and/or

Green travel plans where major developments are proposed; and/or

The implementation of measures enabling the use of sustainable transport modes, such as walking, cycling and public transport; and/or

Space and facilities for recreation and community facilities; and/or

Provision of re-cycling facilities; and/or

The repair of listed buildings and the preservation/enhancement of Conservation Areas and sites of archaeological interest; and/or

The management of land and water area for nature conservation purposes; and/or

Public art in appropriate places.

3.12 Further details of the provision sought by the Council is set out in polices:

HSG.9	Affordable Housing For Local Needs
OVS2	Core Policy
SPD	Quality Design – West Berkshire SPD

3.13 These policies will remain relevant until they are replaced by forthcoming documents in the Local Development Framework. For further information on the progress of the Local Development Framework please refer to the Planning Policy Pages of the Council's website.

4.0 Application of Supplementary Planning Guidance

- 4.1 Developer contributions will be sought in accordance with Circular 05/2005 from both residential and commercial development, for both on and off site provision. In all cases contributions will be agreed through negotiation based on the provisions of this supplementary planning guidance and any other relevant considerations. In cases where contributions are not agreed the Council is likely to refuse planning permission for a development proposal as it is unlikely that the proposal will have made provision for the impacts it creates.
- 4.2 The contributions and obligations sought will be based on the Council's assessment of the needs created by the development as indicated in this supplementary planning guidance. The Council will keep the needs arising from development under review and will bring forward revisions to this guidance as required. In some cases the developer will be required to carry out assessments of need in connection with planning applications.
- 4.3 The tables at the end of this document summarise the form of contribution and other obligations which the Council is likely to expect for different types and scales of development. Details of the type and scale of contribution which may be expected are set out in the relevant supporting papers.

Thresholds

- 4.4 Contributions will be sought from developments which generally fall above the thresholds stated below.
- **Residential:** Proposals of **1 dwelling** or more (for proposals of 1 – 4 dwellings the focus will be on transport provision, education, open space, libraries, primary health care facilities and Adult Social Care but other contributions may be necessary)
 - **Commercial:** Proposals above approximately **200m²** of B1 office floorspace (or equivalent for other Use Classes)

- 4.5 The Council will carefully scrutinise proposals which appear to fall artificially below any thresholds which may indicate a possible attempt to avoid making appropriate contributions. Such proposals are likely to be refused planning permission where they fail to make efficient use of land.
- 4.6 The Council considers that even relatively small forms of development create direct pressures on local services, facilities and infrastructure leading to a need for improvement. They add to the demands on West Berkshire's transport system, affect the needs for affordable housing and place demands on community facilities, open space and schools. This is particularly the case when the impacts of such developments are cumulative.

Residential Development

- 4.7 The Council considers that the creation of a single new dwelling results in significant pressures on local services, infrastructure and facilities that should be addressed by developer contributions. Those pressures increase with development of larger numbers of dwellings and cumulative impacts grow. The framework in **Table 1** summarises the nature of contributions the Council is likely to seek. This forms the framework for negotiations on such contributions. Details of contributions are set out in the topic papers, and the current levels of contributions sought are set out in the Companion Guide.

Very large schemes – approximately 200 dwellings or more

- 4.8 Such schemes are assessed as for schemes of 1 dwelling and above. However, due to the large scale of proposals the contribution sought may be of a special character.
- 4.9 Contributions towards particular services will not be sought from certain types of development where it is clear such services will not be required. For example, education contributions will not be expected from elderly person's accommodation.

Commercial Development

- 4.10 Commercial development also creates impacts on local services and infrastructure. The Council considers that it is appropriate for development equivalent to about 200m² of B1 office floorspace (able to accommodate, on average, about 10 employees) should routinely make contributions to address the impacts created. The Council may seek contributions from smaller developments where they are likely to create impacts which need to be addressed. In a smaller mixed use development, where individual uses may fall below the threshold, the impact of the whole development will be assessed. Details of the approach to contributions from commercial developments are set out in **Table 2** which provides a framework for the starting point for negotiations.

5.0 Processes and Implementation

- 5.1 One of the aims of this SPG is that it will assist the development industry by giving a framework for developers to identify contributions at an early stage. The Council also recognises that it is important that securing appropriate developer contributions does not result in undue delays in the determination of planning applications once they are submitted.
- 5.2 The Council would like as far as is possible to assist those considering the development of land to understand the likely scope and scale of developer contributions which may be sought. In cases where impacts of development are reasonably predictable it is possible to determine the likely scale of contribution with reference to Table 1 and 2 below and the relevant formulas in the Topic Papers. In some cases the impacts and likely mitigation through contributions are less predictable and can only be established through site specific investigation. To assist those at an early stage of land acquisition, Table 1 and 2 give examples of potential types of contribution towards particular facilities or services.
- 5.3 When land becomes available for purchase the Council is frequently inundated with requests for information, including likely levels of developer contributions. The Council is unable to give detailed advice in response to these early, speculative queries but it recommends that this SPG is used to gain a general impression. **However, negotiations for purchase of land should only be undertaken on the basis that any developer contributions which may be sought can only be finally determined through the planning application process.**

Legal Fees and Planning Administrative Costs

- 5.4 The Council will seek contributions towards both the legal fees and administrative costs of planning obligations. Such costs will be relatively limited as a proportion of contributions overall but will enable the Council to deploy resources which will enable the negotiation and completion of legal agreements associated with planning applications to be carried out effectively. In addition to meeting legal costs such contributions will help to fund systems which manage and co-ordinate the process of handling applications liable to result in developer contributions from start to finish.

Fund for Focusing Contributions

- 5.5 Many developments may not by themselves generate the need for major investment in new infrastructure. However, a series of developments will have a cumulative impact on infrastructure, services and facilities. Those responsible for their provision will find it more cost effective to make a single improvement after a number of smaller developments have been carried out. There, where appropriate, service providers will create funds into which financial contributions arising from legal agreements will be paid which will be directed towards the cost of the additional infrastructure required on a phased basis.

Parish Plans

5.6 Parish plans will often identify services and facilities in local communities which would be subject to increased pressures in the event of new development. These may be taken into account by the Council when assessing the likely impacts of new development. Developer contributions may be sought which contribute towards the enhancement of such services and facilities.

6.0 Review – Keeping this SPG Up to Date

6.1 The SPG will be kept up to date in the following ways:

Up-dating costs and factual information

6.2 This paper and the accompanying topic papers of the supplementary planning guidance will be posted on the Council's web site www.westberks.gov.uk where they can be viewed or downloaded free of charge.

6.3 Information on costs which form the basis of developer contributions will be updated annually. For example, the Department of Children, Families and Schools' cost multipliers are issued every year in January and this influences the cost of providing additional school places. This annual up-dating will also take into account the retail price index and any inflationary impacts particularly associated with construction costs or service provision costs where there is an implication for developer contributions.

6.4 Factual up-dating which does not materially change the SPG will be made as and when required.

New or Revised Topic Papers

6.5 It may be necessary from time to time to issue new topic papers or revise existing ones. Where material revision is needed the Council will undertake public consultation on its proposed changes.

Comprehensive Review

6.6 When the need arises this SPG will be subject to a comprehensive review. The new Supplementary Planning Document will be subject to public consultation before it is adopted.

7.0 Public Consultation

7.1 This supplementary planning guidance was adopted following public consultation. Details of the consultation exercise are set out in the 'Delivering Investment from Sustainable Development Statement of Consultation on Supplementary Planning Guidance' which is available on the Council's web site. Paper copies are available on request from the Planning Policy Team (Tel: 01635 519505)

Schedule of Revisions

Since adoption in September 2004 this document has been factually revised as follows:-

March 2006	Document updated to reflect latest National Policy, and to include explanatory paragraphs on the Proposed Future Reform of Planning Obligations
March 2007	Document updated to reflect latest information available on the Proposed Future Reform of Planning Obligations, and to add new paragraph 3.12 to provide the current position on the LDF process
October 2007	Para 3.11 updated to take account of expired and saved policies 2007. Table 1 updated to reflect use of DCLG Survey of English Housing, resulting in graduated payment based on unit size for Open Spaces, Libraries and Healthcare.
August 2008	Document updated to reflect latest information available on the Proposed Future Reform of Planning Obligations.
March 2009	Document updated to reflect latest information available on the Community Infrastructure Levy, and to provide further clarity on Commercial development thresholds.
March 2010	Paragraphs 3.8 and 3.9 updated to reflect latest information available on the Community Infrastructure Levy. Paragraph 3.10 updated to reflect latest Government policies. Small changes to wording to improve clarity.

Delivering Investment from Sustainable Development
Core Guidance

Table 1 – Summary of contributions likely to be sought from residential development

	Indication of Potential Contribution. For information regarding the current levels of contributions please refer to the Companion Guide	
Affordable Housing -	see Topic Paper 1	30% on site provision of affordable housing without grant funding support on schemes of 15 dwellings (0.5 ha) or more – for details see topic paper
Transport	see Topic Paper 2	Cost of highway works and transport improvements dependent on requirements arising from the proposal from proposal of one dwelling or more – for details see topic paper
Education	see Topic Paper 3	Contribution amount varies according to size of development, and may be adjusted where capacity exists at catchment school. For the likely maximum level of contribution refer to the Companion Guide.
Public Libraries	see Topic Paper 4	Contribution amount varies according to size of dwelling, Refer to Companion Guide for current levels
Community Facilities	see Topic Paper 5	Varies according to development. Financial contributions may be made for example to improvements to a village hall. Parish plans may provide an indication of local needs
Health Care Provision	see Topic Paper 6	Contribution amount varies according to size of dwelling, Refer to Companion Guide for current levels
Open Space	see Topic Paper 7	Amount varies within overall formula for calculation depending on whether land purchase is required, specific space requirements and type of accommodation proposed
Recycling Facilities	see Topic Paper 8	Varies according to the proposal and relates to thresholds in the Waste Local Plan for Berkshire Policy WLP9
Environmental Enhancements	see Topic paper 9	Varies according to the proposal.
Archaeology, Conservation and the Historic Environment	see Topic Paper 10	Varies according to the proposal
Provision of Fire and Rescue Infrastructure	see Topic Paper 11	Varies according to layout and density of a proposal
Preventing Crime and Disorder	see Topic Paper 12	Varies according to the proposal.
Adult Social Care	see Topic Paper 13	Contribution amount varies according to size of dwelling, Refer to Companion Guide for current levels
Legal and Administration Costs		Dependent on time taken and complexity. Covers legal costs and the Council's co-ordination, management and monitoring of the process of securing contributions from start to finish
<p>In all cases other contributions, or other forms of obligation, may be sought where the development results in impacts not otherwise fully addressed by the contributions listed above.</p> <p>Very large schemes - Due to the scale of development it may not be possible to mitigate the impacts by a cash contribution or solely in the form indicated in the table above. For example, a development may require the construction of an entirely new facility, such a medical surgery, on or off site. The developer may need to carry out or fund studies to ascertain the impacts of a development and then to secure the solution to those impacts. For more details see the relevant topic papers.</p>		

Table 2 – Summary of Contributions Expected from Commercial Development

The contributions from commercial development are calculated in various ways according to the topic and the specific impact of the development type. In many cases the approach is based on the average number of employees likely to occupy the new floor space. The table below shows the average number of employees the Council assumes will occupy new floor space

Use and Use Class	Floorspace:Employee Ratio	Approximate threshold above which contributions will be expected (Gross Floorspace)
Office B1a	20 m ² :1	200 m ²
Light industrial B1c	25 m ² :1	250 m ²
Industrial B2	33 m ² :1	330 m ²
Distribution B8	48 m ² :1	480 m ²
Retail	27 m ² :1	270 m ²
Retail Warehouse	90 m ² :1	900 m ²

Derived from: Babbie Employee ratio study 1998 (based on "Use of Business Space" by Roger Tym/SERPLAN1997) and English Partnerships Employment Densities guide.

Delivering Investment from Sustainable Development
Core Guidance

Contributions will be sought as set out below:

	Indication of Potential Contribution. For information regarding the current levels of contributions please refer to the Companion Guide	
Transport	see Topic Paper 2	Contribution to provision of transport facilities based on the scale and impacts of the proposal
Public Libraries	see Topic Paper 4	Contribution per employee based on average floorspace ratios
Open Space	see Topic Paper 7	Contribution per employee based on average floorspace ratios
Recycling Facilities	see Topic Paper 8	Varies according to the proposal
Environmental Enhancements	see Topic paper 9	Varies according to the proposal
Archaeology, Conservation and the Historic Environment	see Topic Paper 11	Varies according to the proposal
Provision of Fire and Rescue Infrastructure	see Topic Paper 13	Varies according to proposal. Determined on a risk assessment basis
Preventing Crime and Disorder	see Topic Paper 14	Varies according to the proposal
Legal and Administrative Costs		Dependent on time taken and complexity
<p>Commercial development may also need to contribute to provision of skills training, child care facilities and other services/facilities which mitigates its impact on the demand for housing, labour and skills.</p> <p>In all cases other contributions, or other forms of obligation, may be required where the development results in impacts not otherwise fully addressed by the contributions listed above.</p> <p>Very large schemes - Due to the scale of development it may not be possible to mitigate the impacts by a cash contribution or solely in the form indicated in the table above. For example, a development may require the construction of an entirely new facility, such as a child care facility, on or off site. The developer may need to carry out or fund studies to ascertain the impacts of a development and then to secure the solution to those impacts. For more details see the relevant topic papers.</p>		

Although number of employees is a key factor in assessing the impact of commercial schemes it is also necessary to consider the impacts in terms of matters such a number of visitors/clients, amount and character of traffic created, visual impacts, potential for noise and pollution and crime and disorder matters. For example, a retail development will create impacts in terms of its employees and also in terms of shoppers generated, the need to prevent crime and disorder and the effects of delivery vehicles. Therefore, contributions may be expected from development which generally has fewer than 10 employees but which creates other impacts.

Other Forms of Commercial Development

The contributions to be made from other forms of commercial development will be assessed having regard to the matters set out above. For example a sui generis¹ development that is similar in character to an office use will be assessed having regard to the number of employees generated on average by a B1 office and any specific impacts associated with the development.

¹ Not falling within a Use Class as defined by the Town and Country Planning Use Classes Order

APPENDIX B

SPG 04/4 Delivering Investment from Sustainable Development

Companion Note - Example Contributions

Document Updated – Effective from 1st May 2010

The Council would like as far as is possible to assist those considering the development of land to understand the likely scope and scale of developer contributions which may be sought. In cases where impacts of development are reasonably predictable it is possible to determine the likely scale of contribution with reference to Table 1 and 2 in the Core Guidance document and the relevant formulas in the Topic Papers. In some cases the impacts and likely mitigation through contributions are less predictable and can only be established through site specific investigation.

When land becomes available for purchase the Council is frequently inundated with requests for information, including likely levels of developer contributions. The Council is unable to give detailed advice in response to these early, speculative queries but it recommends that the SPG is used to gain a general impression.

To further assist, the Council has produced the following tables of example contributions. They aim to set out, as far as is possible, a typical picture of contributions which will be sought from residential proposals of various scales and from commercial development. However, they only act as an indicator of the scale and scope of contributions which may be necessary as these will vary according to the proposal. **Negotiations for purchase of land should only be undertaken on the basis that any developer contributions which may be sought can only be finally determined through the planning application process.**

Please note that the prices set out below are subject to change to take account of annual cost variations and other factual updating. The base date for individual prices is set out in the topic papers. This paper will be updated as necessary to take account of such changes.

Planning Application Processes

The Council wishes to ensure that securing necessary developer contributions does not result in delays to processing planning applications.

Minor Applications

In the case of minor applications (e.g. residential developments up to 9 dwellings, commercial developments under 1000m²), a letter will be sent to the applicant (or agent if one is used) confirming the likely contribution with reference to the table of example contributions. This letter will be sent out at the beginning of the process, usually once the application has been validated. It should be noted that the assessment of likely financial contributions is subject to consultation and verification with the service units concerned (for instance Education, Highways etc), and figures could change as a result.

Applicants will be required to enter into a legal agreement as defined by S106 of the Town & Country Planning Act 1990. These agreements are known as S106 agreements.

There will be a charge for the Council's legal costs in drawing up the agreement, and all agreements must be completed and signed within the timescale for the determination of the planning application. The legal agreement will only come into force upon approval of the application, and it will require financial contributions to be paid upon commencement of development. A S106 agreement is registered as a charge on the land, and is payable by the owner of the land at the time the development commences, so, if the land is sold on, the new owner is liable, not the applicant. Any subsequent applications on the same site are dealt with by means of a further legal agreement.

The Council will aim to determine all minor applications within 8 weeks of registration.

Major Applications

For major applications (of 10 dwellings or more or commercial development of over 1,000m²) a similar process may be followed. However, applicants are strongly encouraged to seek pre-application discussions so that financial contribution matters can be determined in advance. A legal agreement will be required with such developments. There will be a charge for the Council's legal services, and legal agreements must be completed within the timescale for the determination of the planning application.

More information on processes for dealing with planning applications is available on the Planning pages of the Council's website. The SPG Core Guidance and Topic Papers are available on the Planning Policy pages of the Council's web site.

To provide further help and guidance this Companion Note includes some Frequently Asked Questions, which are shown at the end of the document.

EXAMPLE CONTRIBUTIONS

Residential - 1 to 9 dwellings (net)

Example Contribution (in £s)							
	1 bedroom units	2 bedroom flats	2 bedroom houses	3 bedroom units	4 bedroom units	5+ bedroom units	
Dwelling Occupancy Rate ¹	1.3	1.8	1.9	2.6	3.2	4.0	
Transport ²	1,000	2,000	2,000	3,000	4,000	5,000	See Topic Paper 2
Education ³	0	1,950	2,477	6,342	10,667	21,556	See Topic Paper 3
Open Space ⁴	249	1,330	1,404	1,921	2,364	2,955	See Topic Paper 7
Libraries ⁵	133	184	194	266	327	409	See Topic Paper 4
Health Care ⁶	90	124	131	180	221	276	See Topic Paper 6
Adult Social Care ⁵	438	541	512	718	759	873	See Topic Paper 13
Example totals per unit	£1,910	£6,129	£6,718	£12,427	£18,338	£31,069	
Administration Cost ⁷	£550 per application						
Legal Cost ⁸	payable only when legal agreement is required						

¹ Occupancy rates obtained from DCLG Survey of English Housing, April 2003 to March 2006 (Table S182). Rates are used to calculate contributions for Open Space, Libraries and Healthcare only.

² A separate contribution for highway works may also be required

³ It is recommended that contributions are calculated using the example contributions above. The Council will make an assessment of the impact on the catchment schools during the course of the application which may result in an amendment to the final contribution.

Please contact the Education Assets Officer (01635 519065) for information on 'other' dwellings (which includes caravans and mobile homes at a fixed address).

⁴ Example contribution is towards improvements to off site provision and excludes assumed land cost

⁵ Payment is per dwelling

⁶ Payment is per dwelling in areas served by an 'under pressure' facility

⁷ Payable for all permitted applications. Will be refunded in the case of a refusal of permission

⁸ Legal fees will be charged separately by our legal team, and will depend on complexity of agreement and time taken

Notes – 1 - 4 dwellings: -

- For proposals of 1 – 4 dwellings the focus will be on impacts upon transport provision, education, open space, libraries, primary health care facilities, and adult social care, but occasionally contributions to mitigate other impacts may be necessary

Notes – 5 - 9 dwellings: -

- On schemes for 5 –9 dwellings contributions may also be required for the following depending on the character and location of the proposal:

▪ Community Facilities	See topic paper 5
▪ Recycling	See topic paper 8
▪ Environmental enhancements	See topic paper 9
▪ Historic environment	See topic paper 10
▪ Fire and rescue infrastructure	See topic paper 11
▪ Preventing Crime and Disorder	See topic paper 12

Residential - 10 to 14 dwellings (net)

Example Contribution (in £s)							
	1 bedroom units	2 bedroom flats	2 bedroom houses	3 bedroom units	4 bedroom units	5+ bedroom units	
Dwelling Occupancy Rate ¹	1.3	1.8	1.9	2.6	3.2	4.0	
Transport ²	1,000	2,000	2,000	3,000	4,000	5,000	See Topic Paper 2
Education ³	0	1,950	2,477	6,342	10,667	21,556	See Topic Paper 3
Open Space ⁴	On site provision is normally required						See Topic Paper 7
Libraries	133	184	194	266	327	409	See Topic Paper 4
Health Care ⁵	90	124	131	180	221	276	See Topic Paper 6
Adult Social Care	438	541	512	718	759	873	See Topic Paper 13
Administration Cost ⁶	£1,110 per application						
Legal Cost ⁷	payable only when legal agreement is required						

¹ Occupancy rates obtained from DCLG Survey of English Housing, April 2003 to March 2006 (Table S182). Rates are used to calculate contributions for Open Space, Libraries and Healthcare only.

² A separate contribution for highway works may also be required

³ It is recommended that contributions are calculated using the example contributions above. The Council will make an assessment of the impact on the catchment schools during the course of the application which may result in an amendment to the final contribution.

Please contact the Education Assets Officer (01635 519065) for information on 'other' dwellings (which includes caravans and mobile homes at a fixed address).

⁴ Provision is normally on site – costs will depend on how initial provision is made and on future ownership and maintenance arrangements

⁵ Payment is per dwelling in areas served by an 'under pressure' facility

⁶ Payable for all permitted applications. Will be refunded in the case of a refusal of permission

⁷ Legal fees will be charged separately by our legal team., and will depend on the complexity of the agreement and time taken

Notes – 10 – 14 dwellings: -

▪ On schemes for 10 - 14 dwellings contributions may also be required for the following depending on the character and location of the proposal:

▪ Community Facilities	See topic paper 5
▪ Recycling	See topic paper 8
▪ Environmental Enhancements	See topic paper 9
▪ Historic Environment	See topic paper 10
▪ Fire and Rescue Infrastructure	See topic paper 11
▪ Preventing Crime and Disorder	See topic paper 12

Residential - 15 dwellings or more

On schemes of 15 dwellings or more contributions may be required for the following depending on the character and location of the proposal as indicated in the topic papers:

Affordable Housing (applies to sites of 15 units gross or 0.5 ha or more)	See topic paper 1
Transport	See topic paper 2
Education	See topic paper 3
Libraries	See topic paper 4
Community Facilities	See topic paper 5
Health Care	See topic paper 6
Open Space	See topic paper 7
Recycling	See topic paper 8
Environmental Enhancements	See topic paper 9
Historic Environment	See topic paper 10
Fire and Rescue Infrastructure	See topic paper 11
Preventing Crime and Disorder	See topic paper 12
Adult Social Care	See topic paper 13
Administration Costs	£1,110 per application
Legal Costs	Cost dependent on complexity of agreement

Very Large Residential Schemes – approximately 200 dwellings or more

Due to the large scale of proposals the contribution sought may be of a special character. See topic papers for specific references.

Commercial development

Contributions from commercial development will generally be sought from proposals above the thresholds set out in the Core Guidance Table 2 (e.g. B1 development over 200m²). However, it may be necessary to seek contributions on schemes below those thresholds depending on the character and location of the proposal.

The table below gives an indication of the levels of contribution typically sought from commercial development. However, due to the diverse nature of such development and the impacts it creates, other or additional contributions may be required.

	Example Contribution (in £s per m ²)				
	A1	B1a	B2	B8	
Transport ¹	120.00	60.00	40.00	40.00	See Topic Paper 2
Open Space ²	7.07	9.55	5.79	3.98	See Topic Paper 7
Libraries ³	1.21	1.64	0.99	0.68	See Topic Paper 4
Example sub totals per m ²	£128.28	£71.19	£46.78	£44.66	
Planning Administration cost	An administration charge of £550 or £1,110 will be made on schemes of under 1000m ² or 1000m ² and over respectively..				
Legal fees	Legal fees will be charged on proposals where there is to be a legal agreement; the cost will depend on the complexity of the agreement.				
¹ A separate contribution for highway works may also be required ² The example contribution is towards improvements to off site provision and excludes assumed land cost. Payment is based on £191 per employee. ³ Contribution is based on £32.73 per employee.					
For employment generating developments contributions may also be required for the following depending on the character and location of the proposal:					
▪ Recycling Facilities					See topic paper 8
▪ Environmental Enhancements					See topic paper 9
▪ Historic Environment					See topic paper 10
▪ Fire and Rescue Infrastructure					See topic paper 11
▪ Preventing Crime and Disorder					See topic paper 12

Frequently Asked Questions

Is a contribution required when a house is being replaced?

No. Contributions are only sought in cases where there is a net increase in dwellings. Where a dwelling is knocked down and replaced with one other no contribution will be sought. Where a single dwelling is replaced with two, contributions will be sought for the one new dwelling (net) which has been added.

The only exception to this general approach is for schemes of 15 dwellings (gross) or more. In those cases an affordable housing contribution will normally be sought regardless of any demolitions.

Is there a charge for house extensions?

No. Contributions are sought from residential developments of 1 dwelling (net) or more. See the Core Guidance paper on the Council's web site. This explains the development size thresholds above which contributions will be sought.

Do contributions have to be made when outline applications are submitted?

Outline applications determine the principle of development, and as such a legal agreement will be required in order to secure contributions.

Do contributions have to be made in reserved matters applications?

In most cases there would be no contribution requirements attached to reserved matters applications. Exceptionally, where the outline scheme was very generalised (e.g. the number of dwellings was not stated) it may be necessary for contributions to be sought. Such cases are rare.

Is the amount of contribution always the same regardless of site circumstances?

No. An assessment of the impact of the scheme is made in each case. However, the impacts of development on local services and infrastructure are generally predictable. The examples in this note are based on the formulas and standard charges set out in the SPG. Please see SPG4/04 on the Council's web site for further details.

I am planning to demolish one 3 bed house and erect 3 new 4 bed houses. How will the Council assess the impact of the development?

The Council will take account of the size and scale of the dwelling(s) being demolished, and will reduce the contribution required for the development accordingly, so that the net impact of the development is mitigated. In this example, the contributions for the 3 bed dwelling being demolished will be deducted from the contributions payable for the 3no 4 bed dwellings being erected.

My plans show a study/playroom. How are the contributions calculated in this case?

Each planning application is assessed individually by the service units and the case officer. However, if the drawings show a room that could accommodate a single bed, and therefore could be used as a bedroom, the service units, with discussion with the case officer, may decide to treat it as such. This could include rooms described as 'study', 'playroom', 'dressing room,' 'bonus room' (e.g. in loft space) etc. The council has to make sure that the impacts of any development are fully mitigated.

If you have any further queries please contact the Planning & Trading Standards Service on ☎01635 519111

Sources / Documents referred to:

www.communities.gov.uk/housing/housingresearch/housingsurveys/surveyofenglishhousing/sehlivetables/trendstrenure/ table S182

Schedule of Revisions

Since first publication in October 2004 this document has been revised as follows:-

November 2004	Frequently asked questions added. Confirmation that housing contributions are for net additional dwellings
22 December 2004	Education contribution for 2 bed units in schemes of 1 – 4 dwellings amended to £3051
15 April 2005	Figures for education provision in residential schemes of 1 – 4 dwellings updated to take account of annual changes to DFES cost multipliers Sixth paragraph amended to read 'to enter into a legal agreement'
11 July 2005	Frequently asked question commencing 'I want to change the design...' deleted as the information had become out of date.
March 2006	Example contribution tables updated to show new contribution levels. Amendments to FAQ's
March 2007	Example contribution tables revised to include information on 5+ dwelling properties. Figures updated to show new contribution levels, where they have changed. Amendments and additions to FAQ's.
October 2007	Costs updated to reflect the Council's use of DCLG Survey of English Housing, which gives an average occupancy for different sized dwelling units. This has resulted in a graduated payment based on unit size for Libraries, Healthcare and Open Spaces.
August 2008	Paragraphs on the Planning Application Process expanded to improve clarity. Example contribution tables updated to show new contribution levels. Amendment to contribution levels for Education to reflect material changes to the Topic Paper. Amendment to contribution tables to include new Topic Paper for Adult Social Care
March 2009	Annual Update: Paragraphs on the Planning Application Process, and FAQ's amended to reflect current Council policy. Example contribution tables updated to show new contribution levels.
March 2009	Factual Update to Education only: Example contribution tables updated to show new contribution levels, following amendments to child yields and adjustment to reflect the impact of children at the Early Years stage of Education.
April 2009	Factual Update to Adult Social Care only: Example contribution tables updated to show new contribution levels, following amendments to adult occupancy rates.
May 2009	Addition of new FAQ to reflect amendment to Council Policy. Wording on footer corrected.
March 2010	Annual Update: Example contribution tables updated to show new contribution levels.

APPENDIX C

Delivering Investment from Sustainable Development

Topic Paper 1 - Affordable Housing

Adopted September 2004

Document Updated – Effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary planning guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards affordable housing will be sought.

Aim

The overall aim of the Council's affordable housing planning policies and this SPG is to deliver, as far as possible, balanced and integrated communities, and to ensure that those in housing need in West Berkshire, both now and in the future, have access to decent affordable homes. Ensuring that there is an adequate supply of affordable housing is one of the Council's corporate priorities.

1.0 Introduction

- 1.1 The Government's Planning Policy Statement 3, November 2006, enables local authorities to seek affordable housing on suitable sites. PPS3 says:

In Local Development Documents Local Planning Authorities should:

*-Set an overall (i.e. plan-wide) **target** for the amount of affordable housing to be provided*

The Government expects local authorities to seek affordable housing on suitable sites to tackle identified shortfalls. It also supports the development of balanced communities.

'In planning at site level. Local Planning Authorities should ensure that the proposed mix of housing on large strategic sites reflects the proportions of households that require market or affordable housing and achieves a mix of households as well as a mix of tenure and price. For smaller sites, the mix of housing should contribute to the creation of mixed communities having regard to the proportions of households that require market or affordable housing and the existing mix of housing in the locality

- 1.2 This paper specifically acts as supplementary planning guidance to policies HSG.5 and HSG.9 of the adopted West Berkshire District Local Plan (WBDLP) and supports the Council's Housing Strategy. This guidance will be reviewed in

response to the preparation of the Local Development Framework for West Berkshire, any developments in the need for affordable housing and any changes to Government policies and programmes for affordable housing.

- 1.3 The Council will continually monitor the delivery of all forms of affordable housing and the impact of changes in the housing market on housing needs. This will be reflected in its negotiations in respect of the required tenure mix on individual sites.
- 1.4 The Council's priority is to secure on site provision of affordable housing on qualifying sites. However, in exceptional circumstances, for example if the type of units proposed are not suitable for affordable housing or do not fit the need profile in the local area of the site, the Council recognises that this may not be appropriate. In such circumstances, the Council will consider whether a financial contribution in lieu of on site provision is appropriate, or whether alternatives, such as replacement provision on a separate site would meet its strategic priorities.
- 1.5 Developers and landowners seeking to submit planning applications are encouraged to contact the Council directly for site specific advice.

2.0 Housing Needs in West Berkshire

- 2.1 The Council is seeking to address a range of affordable housing needs with the most vulnerable being its priority. The normal operation of the housing market does not act to meet these needs. Housing is in great demand and new dwellings secure high prices (usually above average prices), which are beyond the means of a significant proportion of those needing housing. Providers of subsidised housing are unable to compete with the private sector to secure land in the right locations to build affordable dwellings. Therefore, in accordance with Government policy it is necessary for the Council to intervene to ensure that the burden of providing affordable accommodation is shared with the development industry, rather than falling purely on the local community.

3.0 What is affordable housing?

- 3.1 PPS3 defines affordable housing as:

'Affordable housing includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.

- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision'.

- 3.2 Affordable housing encompasses both low cost homeownership and rented

housing. In order to accord with the definition, accommodation secured through planning policies must, regardless of tenure, be genuinely affordable to those in need having regard to the relationship between costs/rents and incomes.

- 3.3 The Council considers it is critical for prices or rents of property of any form of tenure to be affordable to those categories of persons the Council is seeking to assist as a priority. These categories of persons are defined in the West Berkshire District Local Plan (paragraph 3.10.2).
- 3.4 Therefore, in assessing any affordable housing proposals, the Council will consider the projected cost, (whether via fixed equity, shared ownership or rent), and the level of incomes of households targeted.

Meeting Priority Needs

- 3.5 The Council's Housing Strategy states that a broad range of affordable housing types and tenures will be required if the objectives of PPS3 and the needs of the whole community are to be met. Therefore, the Council will not accept forms of affordable housing provision which will solely meet the needs of one particular group to the exclusion of others. Such provision will not be considered to provide affordable housing in terms of local plan policies and proposals for such forms of provision will not be permitted unless there are sound reasons.

Types of Affordable Housing

- 3.6 There are a number of different ways of providing affordable housing. The most common forms of provision are outlined in Appendix 1, although the Council will encourage developers and Registered Social Landlords to bring forward innovative proposals which meet the demonstrable needs of local communities.

4.0 The Level and Type of Affordable Housing Obligations

- 4.1 This section sets out how the Council will consider individual development proposals and what form of affordable housing contribution will be sought. Provision of affordable housing or contributions towards such provision will be sought from the following forms of development in accordance with the West Berkshire District Local Plan:
- i) Sites specifically allocated for housing
 - ii) Unallocated sites of 15 dwellings or 0.5 hectares or more
- 4.2 The WBDLP explains that on-site provision of affordable housing will be sought in all but exceptional cases. Today the Council faces a climate of reduced public finance following the cessation by the Government of Local Authority Social Housing Grant, which subsidised the delivery of affordable rented homes, in particular. The Housing Corporation, now the Homes and Communities Agency, stated in 2003 that, in future, it would not expect to grant fund schemes negotiated through Section 106 agreements.
- 4.3 Due to these changes the Council will have to balance its primary aim of securing

on-site provision of dwellings with the necessity to secure financial contributions to enable dwellings to be developed elsewhere. It will also be necessary to adopt measures which compensate for lack of Social Housing Grant funding on Section 106 sites in future.

- 4.4 Therefore, on sites where planning applications are submitted for residential development the required level of affordable housing must now be provided without undue pressure on public finance. The Council therefore needs to ensure that affordable housing developed on these sites is passed on to housing associations at a cost which ensures that it is really affordable to those in the priority need groups. Appendix 2 sets down the values at which affordable housing will be made available to Registered Social Landlords in West Berkshire, that is the developer's contribution on qualifying sites.

i) Allocated Local Plan sites

- 4.5 The sites identified in HSG.5 (see West Berkshire District Local Plan) have largely been completed or are under construction. These sites have provided excellent opportunities for the family size affordable housing most required across the district.

ii) Unallocated housing sites providing 15 dwellings or more or of 0.5 hectares or more in area

- 4.6 Unallocated sites in this context are residential development sites which come forward during the Plan period which have not been specifically allocated in the WBDLP. The supporting texts to Policy HSG.9 of the Local Plan indicate that the Council will seek at least 30% of the dwellings to be affordable housing, on residential developments of 15 dwellings or more (or land comprising 0.5 hectares or more).
- 4.7 The size, location and character of unallocated sites vary considerably from densely developed sites in town centres to development in suburban areas, villages and countryside locations. Almost all such sites contain no obstacles to the provision of affordable housing in terms of the Council's policies and Government guidance.
- 4.8 The Council needs to achieve a balance between the provision of affordable housing dwellings on sites where it is important to do so and seeking financial contributions towards provision elsewhere in lieu of all or some on-site provision on other sites. The Council will consider a range of options for affordable housing obligations on unallocated sites from:
- full on-site provision;
 - a mix of on-site provision and a financial contribution; to
 - full provision on an alternative site or financial contribution

The priority will be for full on-site provision unless there are exceptional reasons why this is not appropriate or an alternative approach is required in order to meet the Council's strategic housing priorities. It will be for the Council to determine in

each case the appropriate form of obligation to be provided. In assessing the type and balance of provision of affordable housing obligations it will seek from unallocated sites, the Council will have regard to the following factors:

- The degree and type of housing need in the locality of the site
- The desirability of securing additional on-site provision having regard to the site's size or location
- The proposed or potential form of the residential development
- Existing provision of affordable housing in the vicinity, including proposed development sites likely to deliver on-site provision in the near future

The Council's expected tenure mix for affordable housing will be a 70:30 split in favour of affordable rented accommodation, with new build homebuy contributing the remaining 30%. This ratio reflects the housing needs requirements of the District and is in line with recommendations set out in the Regional Housing Strategy for affordable housing provision on planning gain sites.

Financial contributions

- 4.9 It will be a requirement that a full consideration of other options is made before the Council agrees to accept a financial contribution in lieu of on-site provision.
- 4.10 Where financial contributions are considered appropriate in place of some or all on-site provision, the value of the contribution will be calculated as set out in Appendix 3.
- 4.11 The financial contribution will be required on completion of the first dwelling within a development and will be ring-fenced by the authority for the procurement of affordable housing.

5.0 Layout, Design and Integration

Integration of affordable housing

- 5.1 The Council wishes to ensure that new developments form balanced and mixed communities. In the past, the absence of a 'tenure mix' approach precipitated the neighbourhood problems and unbalanced communities which it is now in the public interest to avoid.
- 5.2 To ensure satisfactory integration, affordable housing on new developments should be fully integrated within the general market housing. The Council expects affordable housing to be 'pepper potted' throughout a development. Where practicable, this means that affordable housing should be in groups of not more than 5 dwellings at any single location within the development.

This approach is fully consistent with Government policy. PPS3 recognises - *the need to develop mixed, sustainable communities across the wider local authority area as well as at neighbourhood level.*

It places the responsibility upon the Local Planning Authority to determine the

strategy for the need and provision for addressing housing need on a local level.

- 5.3 The report on Responses to Housing Green Paper (December 2000) highlighted the practical value of pepper potting. Paragraph 8.5 states:

'On the issue of mixed tenure development a number of respondents point out that mixed tenure developments may be more successful if the social element of the development is pepper-potted within the development, rather than concentrated within one specific area. Regardless of size of development, pepper potting is seen to be the best approach, integrating the tenures and not creating a recognised 'social housing' area or block of dwellings.'

Design

- 5.4 To complement the pepper potting approach it is essential that affordable housing is of good quality and indistinguishable from general market housing. The Council will take into account the quality of layout and design of the affordable dwellings. In addition, to ensure that rented homes are sustainable for families in the long term, and to ensure the development qualifies for any grant funding which might become available, all affordable housing must conform to the latest Design and Quality Standards published by the Homes and Communities Agency (HCA).
- 5.5 All new build affordable housing should be constructed to a standard which accords with the approaches to energy and resource efficiency referred to in the Council's supplementary planning document 'Quality Design' West Berkshire - Part 4 Sustainable Design Techniques'

Sustainable Development

- 5.6 In line with its Housing Strategy and its planning policies the Council will encourage developers and RSLs to provide affordable housing which is environmentally sustainable in the use of energy and water. Where possible affordable housing should include the following features:
- Rainwater collection butts
 - Low energy light fitting
 - Condensing boilers
 - Use of passive solar gain
 - Solar hot water systems
- 5.7 It is more cost effective to incorporate such measures at the initial construction stage of a new dwelling rather than add them later. Such features also contribute to reducing energy consumption helping with the continuing affordability of each unit.

Accessibility

- 5.8 All the affordable dwellings should be constructed to Lifetime Homes standards to ensure that they are readily adaptable for those with special needs if required.

Further information on the Lifetime Homes standards can be found at www.jrf.org.uk/housingandcare/lifetimehomes

6.0 Special needs

- 6.1 The Council's Housing Strategy highlights the needs of particular categories of persons with a special need for supported or adapted housing. The target group for specialist housing changes from time to time depending on changes in legislation (such as the Homelessness Act 2002), government funding priorities, changes in legislation (such as National Care Standards which affect residential care home standards), gaps in local provision identified through the Supporting People programme etc. As the Planning, Housing, and Social Services Authority, the Council has a duty to ensure that affordable housing is provided to meet a whole range of needs. Future revisions of the Housing Strategy will include details of housing priorities for special needs groups.
- 6.2 Developers will be expected to consider the inclusion of special needs housing on appropriate sites. These will be part of the 30% affordable housing provision. However, where larger residential or shared housing is required, the affordable housing requirement will be calculated based on the assumption that the average affordable dwelling size required is 76 m² and a shared housing project larger than this will be equivalent to more than one affordable dwelling.
- 6.3 The vast majority of special needs housing delivered on private sites will be for tenants who are already living independently. In most cases, the affordable housing will not require any special facilities or adaptations. There is however need for a greater proportion of wheelchair 'standard' housing as part of the affordable housing element. Developers should discuss the number of wheelchair standard housing within the site with the Council.

7.0 Phasing of the Affordable Dwellings

- 7.1 The Council will normally require all affordable housing to be in place before, as a maximum 80% of the market housing on the site has been completed. A phased implementation approach will be expected on larger sites and will be agreed on a site-by site basis.

8.0 Summary – contents of S106 agreement

- 8.1 Section 106 agreements for developments of more than 15 dwellings (or 0.5ha) will be required to cover the following issues as set out in detail above:
- Arrangements for, and cost of transfer of affordable units
 - Methods of securing affordability in perpetuity
 - Proportion, mix of types and tenure of affordable dwellings
 - Design and construction standards

- Creation of small groups of dwellings
- Inclusion of environmental design features
- Any arrangements for off site provision or financial contribution
- Arrangements for special needs dwellings

9.0 Rural Exceptions Schemes

9.1 Policy HSG.11 allows for the development of small scale affordable housing schemes to meet identified needs on sites in rural areas which would not otherwise receive planning permission for housing development. The Council expects exception schemes to be supported by the local Parish Council and actively encourages Parishes which are aware of a need for affordable housing to work with the Rural Housing Trust or Rural Housing Enabler to undertake housing needs analysis.

Schedule of Revisions

Since adoption in September 2004 this document has been factually revised as follows:-

March 2006	Insertion new Para.5.5 relating to construction standards. Developer contribution calculation tables updated to reflect inflationary increase
March 2007	References to PPG3 and Circular 6/98 deleted, replaced by PPS3 references and definitions. Insertion of Council's expectation of tenure mix. Developer contribution calculation tables updated to reflect inflationary increase
August 2008	Para 1.2 - Reference to HSG.10 removed. Para 4.5 and 4.6 Update of position re Local Plan Sites Appendix 2 - Developer contribution calculation tables updated to reflect inflationary increases Other amendments to text to improve clarity
March 2009	Appendices 2 and 3 - Developer contribution calculation tables updated to reflect latest available cost indicators and contribution levels
March 2010	Appendices 2 and 3 - Developer contribution calculation tables updated to reflect latest available cost indicators and contribution levels

Appendix 1: Types of Affordable Accommodation

Affordable housing encompasses both rented housing and low cost housing for sale. As outlined above, the key test will be whether it is genuinely affordable.

The Council wishes to see developments which meet a broad range of needs, from the most vulnerable groups, those with special needs or the homeless to those on modest incomes such as key workers who need a more limited level of subsidy to enable them to purchase a home. Affordable housing will always need to meet local needs. As a general guide large developments of around 10 affordable dwellings or more, should include a mixed scheme of subsidised rented and some form of low cost ownership (LCHO). The Council's expected tenure mix for affordable housing will be a 70:30 split in favour of affordable rented accommodation, with new build homebuy contributing the remaining 30%. This ratio reflects the housing needs requirements of the District and is in line with recommendations set out in the Regional Housing Strategy for affordable housing provision on planning gain sites.

The various forms of affordable housing provision, and their suitability to meet needs in West Berkshire, are explained in more detail below.

AH1 - Affordable Dwellings for Rent from a Registered Social Landlord

This form of affordable housing contributes most to meeting housing needs in West Berkshire, and will therefore be the expected on most sites where provision is to be made. Delivery of affordable housing through a Registered Social Landlord (RSL) ensures appropriate building and space standards for housing for rent. The Council will expect all affordable housing (whether via an RSL or not) to meet the HCA's current Design and Quality Standards published April 2007 or subsequent versions.

Subsidised rented housing is especially important as it is the only tenure available to individuals or families who are unable to obtain a mortgage to purchase even a significantly discounted property e.g. households in receipt of benefits or those with support needs. RSL rents are regulated by the HCA. This ensures homes are affordable in perpetuity.

While the Council will not impose a particular RSL partner on any developer, it will advise developers on those RSLs which are currently active in the West Berkshire area. The Council will normally only support development by those RSLs which have existing stock in or near West Berkshire, those which have a particular expertise which may be lacking amongst the RSLs already active in the area or those which can demonstrate that they can maintain on-going investment within West Berkshire.

The Council considers it is important that the units for rent are let at affordable rents, are available for rent in perpetuity and are built to the required standard. Long term ownership and management by an RSL partner is the Council's preferred option for the majority of the affordable housing to be provided on residential development sites. However, the Council will consider alternative models which achieve these aims.

Housing management standards should comply with the Housing Corporation's document: How We Regulate, Management, 7 published by the Housing Corporation in September 2005 or subsequent updates.

AH2 - Shared Ownership

Shared ownership refers to dwellings which are part purchased and part rented to leaseholders, usually but not exclusively by an RSL freeholder. It is normally built to the same standards as rented accommodation but shared ownership requires occupiers to purchase a part share of a property (say 25-50%) and rent the remaining share from the freeholder. It is therefore affordable to a narrower range of people. To be affordable such accommodation needs to be targeted towards particular income groups. Proposals for shared ownership will be expected to demonstrate that the prices, inclusive of mortgage, rent and service charges, are affordable to the income group at which they are aimed.

Shared ownership leaseholders usually have the right to 'staircase up' their equity share, even to full ownership. If this is permitted in the leasehold agreement and the section 106 planning agreement, the leaseholder is able to purchase additional equity at the current property valuation pro rata. Where an RSL owns the freehold, the proceeds of sale by the leaseholder's purchase, must be used by the RSL to fund additional affordable housing in West Berkshire in some other way. It is also essential that the RSL has the first option on the eventual resale of a shared ownership property so that it remains affordable for subsequent occupiers.

The Council's preferred model is for shared ownership to be provided and managed by a RSL. The Council will consider models which do not involve an RSL provided the basic parameters described above are applicable.

AH3 - Key Worker Accommodation

The difficulties with recruitment and retention of key workers, due in part to the high cost of housing in the South East are well documented. The Council has participated in a joint project with other Berkshire authorities, which has identified a need in the District for this type of accommodation and the Council will continue to assess proposals for the provision of accommodation of this type on a site by site basis.

Appendix 2: The developer's contribution to on site affordable housing

The Council will apply the rental stream approach in order to calculate the developer's contribution towards the provision of affordable housing for rent. The formula uses an average sum related to Total Capital Costs inflated by the General Building Costs Index (Building Costs Information Service - BCIS) to calculate the shortfall arising from the loan which can be supported by the "target rent" for each type of property.

The table below shows the cost at which affordable rented units will be provided by developers in 2010/11. This table will be updated annually to reflect increases in build costs and rents.

The calculation is the value in column "A" minus the value in column "B" equals the value (developer's contribution) in column "C". Column B reflects the sale price of the affordable housing units to the RSL.

Unit type	Assumed area in square metres	A Total capital costs inflated by BCIS ¹	Assumed maximum annual rental income (based on rent cap levels) ²	B Capital loan supported by rental income	C Funding shortfall (representing the developer's contribution)
1 bedroom	46	£119,511	£5,893	£ 57,847	£61,663
2 bedroom	76	£173,475	£6,239	£ 75,298	£98,177
3 bedroom	86	£191,463	£6,585	£ 90,711	£100,751
4+ bedroom	96	£209,328	£6,932	£100,129	£109,200

¹ BCIS Quarter Briefing Oct 2009

² Rents, rent differentials and service charges for housing associations 2010/11, Tenant Services Authority

Where an element of the on-site affordable housing is for shared ownership or fixed equity, the amount of the developer's contribution will be calculated as 35% of the open market value for each unit type. The open market value will be agreed between the receiving Registered Social Landlord and the developer, or, in the event that agreement cannot be reached between those parties, by an average of three independent valuations.

Appendix 3: Calculation of financial contributions

In the exceptional cases where the Council agrees to accept a financial contribution in lieu of on site affordable housing there are two stages to calculating the level of financial contribution. The first stage calculates the equivalence of the site, and the second stage calculates the level of the financial contribution.

Stage 1: Calculating the affordable housing contribution from the site

A greater contribution towards affordable housing is sought from financial contributions to reflect the benefit the developer gains through 100% facilitation of the site as private market accommodation (compared to 70% when on-site affordable housing is provided) and to ensure equitable distribution of both private market and affordable housing to meet the needs of the local community.

The element of affordable housing contribution from the site will therefore be calculated as follows:

$$\frac{\text{Number of units}}{70 (\% - \text{private market housing})} \times 100 = \text{Affordable housing contribution}$$

Example

In a scheme of 30 units, the Council's normal on-site affordable contribution is up to 30% (9 units) and thus the private market provision is 70% (21 units).

However, where a financial contribution is accepted in lieu of on-site provision, all 30 dwellings are for private market accommodation. The in-lieu payment will be used to provide affordable accommodation elsewhere, and should take into consideration all new housing units resulting from the facilitating site. The 30 housing units should still reflect 70% of the overall development.

The total development resulting from the facilitating site is therefore calculated as:

$30/70 \times 100 = 42$ units

30% of 42 units = 12 affordable units

Total equivalence of site = 30 private market dwellings and 12 affordable dwellings

Stage 2: calculating the level of financial contribution

The level of the financial contribution sought will equate directly to the cost of delivering elsewhere the affordable housing requirement generated by the site in question. It will be calculated using the rental stream approach. The formula uses an average sum related to Total Capital Costs inflated by BCIS, less the capitalised rent.

The calculation is the value in column "A" minus the value in column "B" equals the value (developer's contribution) in column "C"

Unit type	Assumed area in square metres	A Total capital costs inflated by BCIS ¹	Assumed maximum annual rental income (based on rents cap levels) ²	B Capital loan supported by rental income	C Funding shortfall (representing the developer's contribution)
1 bedroom	46	£119,511	£5,893	£ 57,847	£61,663
2 bedroom	76	£173,475	£6,239	£ 75,298	£98,177
3 bedroom	86	£191,463	£6,585	£ 90,711	£100,751
4+ bedroom	96	£209,328	£6,932	£100,129	£109,200

¹ BCIS Quarter Briefing Oct 2009

² Rents, rent differentials and service charges for housing associations 2010/11, Tenant Services Authority

In determining the unit type of the affordable housing element for the purposes of calculating the financial contribution, initial regard will be had to the proportionate mix of the open market element of the facilitating site. For example, if the open market element is 30% 3-bed units, 50% 2-bed units and 20% 1-bed units, the affordable housing element will be considered to comprise the same.

APPENDIX D

Delivering Investment from Sustainable Development

Topic Paper 3 - Education **Adopted September 2004**
Document Updated – Effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards education provision will be sought.

1 Introduction

1.1 West Berkshire Council is responsible for education provision in West Berkshire. In accordance with Government guidance, the Council recognises the importance of making proper provision for education needs in the early years, primary (ages 5 –11), secondary (ages 11-16) and sixth form (16-19) age groups. The Council also recognises the need to make suitable and sufficient provision for pupils with Special Educational Needs.

1.2 New housing development generates an increased demand for school places. Where a new residential development generates additional demand for school places, from early years to secondary, which cannot be adequately met by existing provision, a contribution will be sought. This contribution will be used to meet the impact of the development and may include the provision of additional accommodation and ensuring that statutory site requirements are met.

1.3 Examples of additional accommodation include extended teaching areas, extensions to non-teaching areas, or internal reorganisations that allow for the creation of extra space. Site requirements could include improved access, additional security requirements although it should be noted that this is not an exhaustive list.

2 Assessing the application

2.1 Each application is assessed by reference to the following:

- The likely child yield from the development.
- The likely yield of pupils with Special Educational Needs, requiring specialist provision, from the development
- The ability of the schools within the catchment area to meet the impact of the development and accommodate any additional pupils.
- The cost of providing extra pupil places.
- The impact of other proposed developments in the catchment area.
- The cost of the development and delivery of a project to meet the impact of the development.

3 The Child Yield

3.1 *The Yield of Pupils in Mainstream Schools*

3.2 The child yield likely to be generated by a development is derived from research commissioned by five of the ex-Berkshire Unitary Authorities. An independent market research company carried out doorstep interviews across more than 500 new homes in West Berkshire in 2005. A representative sample of dwelling types and sizes across the district was included in the survey. This survey updated the original housing study that was carried out by Revolution Research on behalf of all the ex-Berkshire unitary authorities in 2001. A copy can be made available electronically upon formal written request.

3.3 The child yield will be calculated on the basis of the actual impact and will not be rounded up or down. The child yield will therefore be shown in fractions. The primary and secondary child yield calculations will be reduced by 1% to allow for the number of pupils requiring specialist SEN provision.

3.4 *The Yield of Pupils with Special Educational Needs*

3.5 Of the population of West Berkshire schools 1% require specialist educational provision, therefore 1% of the child yield generated by the development will be considered as requiring this specialist provision and a contribution will be sought at an appropriate level.

3.6 This provision is organised across the district rather than in local areas due to the complexity and variety of these needs, and therefore the contribution will be used across the district.

3.7 This calculation will be the subject of an annual review, at the same time as the rest of the Topic Paper, to ensure that the percentage used reflects the level of need at that time.

4 The Capacity of the Catchment Area Schools

4.1 The capacity of schools within the catchment area of the development will be assessed to determine whether the pupils generated from the development could be accommodated.

4.2 The capacity of the school is based on the Net Capacity methodology provided by the DCSF (Department of Children, Families and Schools). This provides us with the capacity and the associated admission number of the school. This is updated annually and changes are provided to the DCSF. The capacity figures will be updated from the 1st April each year.

4.3 The number on roll (NOR) figure will be based on the School Census information provided to the DCSF. At secondary stage there is one point of entry therefore the

September count will be used, which is available in October and therefore will be updated annually from 1st November. At primary and early years there are two points of entry but at two points, part time pupils may attend school but will not appear on the statutory figures therefore the May count will be used, which is available in June and therefore will be updated annually from 1st July.

5 The Cost of Providing Pupil Places

5.1 *The Cost of Providing Mainstream School Places*

5.2 The cost of pupil places is based on the latest Cost Multiplier figures, provided by the DCSF. The DCSF also provide the regional factor, to reflect the costs of providing these places in West Berkshire. The pupil place costs will be updated on an annual basis using either a recognised construction cost index or updated DCSF figures and will take effect from the 1st April each year.

5.3 *The Cost of Providing SEN Places*

5.4 The costs shall be calculated using the following calculation :

5.5 An average of the latest published DCSF cost rates (sqm) for Special Schools multiplied by the average gross internal floor area per pupil multiplied by the latest regional factor.

5.6 The latest figures were calculated in the financial year 2004/05 and have therefore been uplifted using a recognised construction cost index inflation figure. This will be the basis of future increases, in line with the provision of pupil places above.

5.7 The pupil place costs will be updated on an annual basis using a recognised construction cost index or updated DCSF figures and will take effect from the 1st April each year.

6 The Impact of Other Developments

6.1 A rolling calculator is kept to monitor the cumulative impact of housing developments on the catchment area schools. This log includes all live and approved applications; withdrawn and refused applications are removed as soon as decisions are communicated. Details of developments will remain on the log, and will be taken into account when assessing the available capacity of a school, until contributions have been received in full to address the impact of the relevant developments. Developments will be logged as the consultation papers are received and will be considered on this basis.

7 Calculating the Contribution

7.1 Once the likely child yield, capacity of the school(s), cost of providing places, cost of SEN places and impact of other developments have been established the contribution can be calculated. The cost of providing the places required for the likely child yield from the development is identified using a Development Impact Calculator (DIC). The calculator can be used to calculate the **maximum** contribution the Council may seek towards Education provision for developments that do not create the need for a completely new school or where the size or nature of the development or catchment school(s) requires it.

7.2 There are separate DICs for each size of dwelling (2-bed, 3-bed, etc...) and also separate calculators for 2-bed flats and houses to reflect the differing nature of these properties. A development will therefore be assessed on a by bed basis but on a net gain of dwellings not bedrooms.

7.3 In circumstances where the size and type of a dwelling being demolished is not replaced in the new housing development, the child yield from the existing dwelling which is to be demolished will be calculated (in the same way as child yield from a new dwelling) and deducted from the total child yield for the new development, to arrive at the relevant contribution.

7.4 The cost of providing sufficient pupils places/infrastructure will be made up of the total of the calculators added together at early years, primary, secondary, sixth form and SEN stages. A detailed breakdown of dwelling types and sizes will therefore be required to provide this figure. Should this information not be available a general DIC will be used, that will give a cost for a mixed development based on the housing study and taking into account all the dwellings sampled, until a mix of dwellings can be provided. It should be noted that 1-bed dwellings will be included in the general calculation but will be excluded from the by-bed calculations.

7.5 The figure arrived at will only be altered if there is some available capacity at one or all of the catchment schools or if the development comes under the Major Development category described below.

8 The Cost of Project Development and Delivery

8.1 Once the contribution has been calculated, an additional 1% of the total cost will be sought. This will cover the costs of an Education Assets Officer's involvement in the development and delivery of a project. This will be directly related to the development and will take place solely to mitigate the impact caused by the development.

9 Exceptions

9.1 The exceptions will be the following types of developments from which the Council will not seek such contributions:

- Housing specifically restricted by planning condition or agreement to occupation by those aged 55 years or more.

- Developments consisting solely of 1-bed dwellings or Studio apartments/flats

10 Major Developments

10.1 Major housing development, as defined by the Supplementary Planning Guidance document, may generate the need to provide a new school on a suitable local site, may require extensive remodelling of a school or the schools provision within an area may need to be re-organised. The details of the contribution to be sought from the developer will be a matter for discussion at the time of a proposal and it is advisable that early discussions take place.

10.2 In addition to the provision of the necessary facilities developers will be expected to finance the options appraisal studies and any necessary public consultation exercises which have been made necessary by the proposal.

11 Contacts

11.1 For further information please contact:

Education Assets Team
Education Service
West Berkshire Council
West Street House
West Street
Newbury
RG14 1BD

Tel: 01635 519065
E-mail: fsimmonds@westberks.gov.uk

12 Sources/ Documents referred to:

Building Bulletin 99: Briefing Framework for Primary School Projects – DCSF
Building Bulletin 98: Briefing Framework for Secondary School Projects – DCSF
Building Bulletin 77: Designing for Pupils with Special Educational Needs and Disabilities in Schools
Survey establishing the number of pupils resulting from new development 2005 – E-feedback Ltd on behalf of five of the Berkshire Unitary Authorities
Survey establishing the number of pupils resulting from new development 2001 - Revolution Research on behalf of Berkshire Unitary Authorities

Schedule of Revisions

Since adoption in September 2004 this document has been factually revised as follows:-

January 2005	Approach to education provision for 1 – 4 dwellings clarified. Paragraph 3.2
15 April 2005	Paragraph 2.3 – Table updated to take account of annual changes to DfES cost multipliers and regional allowance Paragraph 3.2 - Figures for education provision in residential schemes of 1 – 4 dwellings updated to take account of annual changes to DfES cost multipliers
March 2007	Paragraph to explain Cost of Providing Pupil Places amended to reflect change in method of calculation
August 2008	Material changes following consultation process: 1. Inclusion of contribution towards Special Educational Needs 2. Inclusion of contribution towards project development Non material changes: Removal of references to DfES, replaced with DCSF Small changes to wording to improve clarity
March 2009	Amendment to contact details
August 2009	Paragraphs 7.2 and 7.3 – Wording updated to reflect change in methodology following Appeal reference APP/W0340/A/08/2084785. Amendment to wording of Paragraph 6.1
March 2010	Amendment to contact details

APPENDIX E

Delivering Investment from Sustainable Development

Topic Paper 4 - Public Libraries

Adopted September 2004
Document Updated – Effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards public library facilities will be sought.

1.0 Introduction

- 1.1 Libraries play a key role in underpinning education in its broadest sense. The information they supply promotes a wider understanding of the past, offers individuals the opportunity to acquire new skills and knowledge and gives everyone the opportunity to enjoy a rich and varied cultural life.
- 1.2 Public libraries have an increasingly important role to play in making available the wealth of information now being provided electronically across the world, they also often form a focal point for the local community improving self confidence and stimulating learning at all levels. New technologies will allow citizens to use their local libraries as an interface with Government at all levels.
- 1.3 West Berkshire Library and Information Service aims to provide access to informational, educational, cultural and recreational library materials in a variety of formats and technologies and to be responsive to the public library needs of the community. The service seeks to encourage independent learning and lifelong reading enjoyment.

2.0 National Library Standards

- 2.1 As a library authority West Berkshire Council has a statutory duty to provide a public library service and to ensure that it is "comprehensive and efficient". Whilst its obligation to lend extends only to those who live, work or study full time in the District, it has a duty to allow access to all comers to each of the District's libraries.
- 2.2 In addition to its statutory duties, the library service is measured against a number of benchmarks for quality of service which together constitute a nationally recognised acceptable level of service. Additional development will have a direct effect on a number of these measures, in particular those requiring:
 - Total material acquisitions per 100 population
 - Available ICT time in libraries per 1000 population

2.3 In planning to provide a service to meet the benchmarks, the Council has taken into account the current population. Any development, be it residential or commercial, which increases the potential number of library users to which the authority has an obligation to lend, will undoubtedly impose an additional financial burden on the service. While the revenue costs of providing such a service should be met by increased council tax collection, the initial one off costs cannot be met in this way and a contribution from developers is sought for service improvements appropriate to the scale and nature of the development. These improvements will range from the enhancement of stock and ICT facilities to the extension of existing buildings or provision of new buildings. All contributions will underpin the existing service provision and will ensure that the Council maintains progress towards meeting the national standards.

3.0 Service Provision Requirements

3.1 In addition to striving to achieve and exceed the benchmarks standards, each authority is required to set local standards and targets. West Berkshire's local standards for library service provision state that the Council will seek to ensure that:

- Communities with up to 1,500 people are to be served by mobile libraries;
- Communities with populations between 1,500 and 4,000 are to be served by permanent or container libraries open from 10 - 30 hours a week;
- Communities with a population of 5,000 or more are to be served by a branch library open not less than 30 hours per week;
- Space standards in static libraries were set so that any new library building provided 28 square metres of space per 1,000 catchment population.

3.2 3.2 A report on S106 contributions for library services in the South East commissioned by South East Museums Libraries and Archives Council called "Paying for Growth" recommended a minimum space standard of 30 square metres per 1000 population based on an average of a number of different authorities' standards and this increased space requirement is recommended for West Berkshire libraries. The report was updated for 2007 with the same recommended space requirement and an increased cost per m2 based on building inflation rates.

3.3 3.3 For 2010 the Building Costs Information Service (BCIS) general building costs index increase of 2.2% has been applied to the calculation of the S106 contribution for the library service.

4.0 Provision of Libraries

4.1 The West Berkshire Library Service is currently provided from nine static libraries and two mobile libraries). The mobile libraries cover every parish within the authority's boundaries, providing library and information services to the rurally isolated, the housebound and those in residential or care homes.

- 4.2 The additional need generated by a development may be met in a number of ways. A development may justify the provision of a new library or require the upgrading of an existing service, e.g. from a container or mobile library service to a permanent building, an extension to an existing building, additional mobile library stops, or a combination of the above.
- 4.3 For smaller developments, contributions may be sought for additional stock or public access PCs. As West Berkshire Library Service operates as a single unit with book stock being accessible through all libraries, any additional stock will form part of the total stock of the service and would not necessarily all be located permanently in the library nearest the development.
- 4.4 New developments which include the provision of sheltered accommodation or other specialised housing for elderly or disabled people may require the extension of the mobile or housebound library service.
- 4.5 The level of provision required will be based on the estimated increase in library use the development is expected to generate. The cost of provision includes the cost of stock and furniture and fittings as well as the building itself. The required standards and precise nature of contributions will reflect local need; but as a guide will be sought on the basis set out below.

5.0 Cost of Enhancement / New Facilities

Residential Development

- 5.1 Based on West Berkshire's minimum library floorspace standards per 1,000 population, it is possible to attribute the additional library space generated by each additional dwelling (using information on average occupancy per size of dwelling unit). This can then be multiplied by the cost per square metre of library floorspace. The cost of library buildings has been calculated as £3,410 per m² using the BCIS General Building Costs Index increase of 2.2%.
- 5.2 West Berkshire makes use of the DCLG Survey of English Housing from April 2003 to March 2006, which gives an average occupancy for different sized dwelling units. This results in a graduated payment based on size of dwelling unit.
- 5.3 In order to determine an appropriate level of contribution per additional dwelling, the following formula has been derived:-

Contributions from Residential Development per person

$$\frac{\text{Total cost of floorspace}}{\text{Total floorspace}} \text{ (actual and estimated costs) = Average cost per m}^2$$

$$\text{Average cost per m}^2 = \mathbf{£3,410}$$

West Berkshire minimum floorspace requirements for a static library:
30m²/1000 population = 0.030m² per person

$$\text{Floorspace (m}^2\text{) per person x cost per m}^2 = \text{cost per person}$$

$$0.030\text{m}^2 \times \mathbf{£3,410} = \mathbf{£102.31} \text{ per person}$$

- 5.2 The following table shows the cost per dwelling based on unit size. This level of contribution will be expected to ensure that adequate provision can be made for the increased demand in the district.

	1 bed unit	2 bed flat	2 bed house	3 bed unit	4 bed unit	5 bed unit
Occupancy Rate	1.3	1.8	1.9	2.6	3.2	4.0
Cost Per Dwelling	£133	£184	£194	£266	£327	£409

Commercial Development

- 5.3 Contributions will also be expected from commercial development on the basis that library authorities have a statutory obligation to lend to those who work in the district. The level of contribution required has been set with reference to the number of library members living outside West Berkshire as a proportion of total library membership. This is based on the premise that a proportion of commuters into West Berkshire will make use of library services. In the absence of travel to work data from the 2001 census, it is considered appropriate to use this methodology as being representative of the potential number of additional non-resident library members that will be generated by additional commercial development.
- 5.4 An alternative approach would be to apply the following methodology. Information on the total number of employees in employment in West Berkshire is taken from the Annual Employment Survey. By applying the same proportion of residents commuting out of West Berkshire as recorded in the 1991 census and subtracting it from the current economically active population, it is possible to ascertain the number of commuters into the district. Based on this methodology, 35% of employees in West Berkshire live outside the district. This compares well with information on current non-resident library membership levels of 32%.

- 5.5 It is recognised that different types of commercial development will generate different levels of employees. The floorspace: employee ratios set out within the core guidance are applied to ascertain an appropriate level of contribution per person. The floorspace: employee ratios are derived from English Partnerships and on a study by Roger Tym for SERPLAN in 1997 and are considered conservative estimates (see this SPG's Core Guidance Paper Table 2). Contributions will be assessed on the net additional number of employees generated as follows:-

Contributions from Commercial Development

Cost of Library Provision per person = £102.31

$\frac{\text{Library Members Outside West Berks}}{\text{Total Number of Library Members}} \times 100 = \text{Commercial Membership Rate (\%)}$

Commercial Membership Rate x Cost per Person = Contribution per Person

32 % x £102.31 = **£32.73 per person**

$\frac{\text{Total Floorspace}}{\text{Floorspace: Employee Ratio}} \times \text{Contribution per person} = \text{Floorspace Contribution}$

- 5.6 A contribution of £32.73 per person will therefore be expected from commercial developments which meet the thresholds set out in this SPG's Core Guidance Paper Table 2, having regard to the table of Floorspace: Employee Ratios.

6.0 Contacts

For more information please contact:

Planning Policy Team
Planning & Trading Standards
West Berkshire District Council
Council Offices
Market Street
Newbury
RG14 5LD

Tel: (01635) 519111
Email: planning@westberks.gov.uk

Library Services Manager
Cultural Services
West Berkshire District Council
Council Offices
West Street House, West Street
Newbury
RG14 1BD

Tel: (01635) 519904
Email: cowen@westberks.gov.uk

Sources/ Documents referred to:

National Library Standards – Department of Culture Media and Sport
 Annual Employment Survey – Nomis
 Paying for Growth. Professor Martin Elson. November 2005. Report commissioned by Semlac. See http://www.semlac.org.uk/payingforgrowth_finalreport.html#tariff
 The South East Public Library Tariff. MLA SE. Revised edition January 2007
 BCIS Quarterly Briefing October 2009

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

<i>March 2006</i>	<i>Section 5 – costs updated</i>
<i>March 2007</i>	<i>Para 3.2 updated to reflect latest available information. Section 5 updated to reflect latest costs</i>
<i>October 2007</i>	<i>Section 5 – costs updated to reflect use of DCLG Survey of English Housing, resulting in graduated payment based on unit size.</i>
<i>August 2008</i>	<i>Sections 2 and 3 - Changes to wording to reflect new benchmarks and explanation of inflationary increase. Section 5 – cost of library buildings updated resulting in inflationary increase.</i>
<i>March 2009</i>	<i>No Updates</i>
<i>March 2010</i>	<i>Para 3.2 updated to reflect latest available information. Section 5 updated to reflect latest costs. Small changes to wording to improve clarity</i>

APPENDIX F

Delivering Investment from Sustainable Development

Topic Paper 6 - Health Care Provision**Adopted September 2004****Document Updated – Effective from 1st May 2010**

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards health care provision will be sought.

1.0 Introduction

- 1.1 The provision of adequate levels of health care is an essential part of any sustainable community; as such developers will be required to make contributions to help meet any new requirements. Within larger new developments land may be allocated for the provision of health care facilities. Alternatively financial contributions may be required to support the needs of new development either to provide new facilities in larger schemes or as a contribution towards improving existing facilities that are needed to meet the additional demand arising from development.
- 1.2 National planning guidance recommends focusing the provision of new public and community facilities in larger settlements where providers can build upon existing provision and there is greater accessibility to the population. Although a local planning authority does not have direct control over the provision of health services delivered in the District, the Council has a responsibility to set out the policy framework to enable those who provide services to make investment decisions.
- 1.3 The National Improvement Plan for the NHS (June 2004) describes the investment, new capacity & diversity of provision to be pursued by the NHS. This includes a wider range of primary care services to facilitate greater access and convenience for all and an increasing number of diagnostic procedures for NHS patients.

2.0 Primary Care Trusts

- 2.1 Primary Care Trusts (PCTs) are responsible for the planning and securing of health services and improving the health of the local population. They must make sure there is sufficient Primary Care capacity to provide for the population and that the service is accessible to patients. Primary care general practitioners (GPs) are not employed by the PCT - they run as independent contractors supported by their PCT.

2.2 The Berkshire West Primary Care Trust is responsible for judging the adequacy or otherwise of community health facilities within West Berkshire.

2.3 Berkshire West Primary Care Trust (PCT) has responsibility for providing care for approximately 148388 residents that are registered with GP practices within the West Berkshire Council boundary.

3.0 General Practitioners

3.1 Everybody who lives permanently in England and Wales is entitled to the services of a general practitioner (GP). Although patients can approach any practice to ask to be registered there, doctors do not have an obligation to automatically accept patients.

3.2 GPs are self-employed contractors who have a contract with their local Primary Care Trust for the provision of general medical services. GPs operate in single-handed practices or in group partnerships, operating from the same premises. Although in theory a single GP could have up to 3,500 patients, list sizes are usually far smaller. The 35,000 GPs in the UK have an average list size of 1838.

3.3 Information on the number of patients per GP in West Berkshire has been provided by the Thames Valley Primary Care Agency. Based on this information, it is possible to ascertain those GP practices in West Berkshire that are "under pressure" at the current time and which may need to be extended to accommodate further development in the area. The potential for developer contributions for such facilities is identified for those settlements served by an "under pressure" facility.

3.4 The list below shows the Average List Size per whole time equivalent GP as at 1st October 2009..It is subject to change either due to a significant increase/decrease in patient population or a change in the number of GP's working in a practice within year. Each application will be individually assessed based upon the most up-to-date information available at the time.

Practice Name	Average List Size Per Whole Time Equivalent GP
The Bucklebury Practice	1862
The Burdwood Surgery	2462
The Downland Practice	1764
The Eastfield House Surgery	2069
The Hungerford Surgery	1513
The Kintbury Medical Practice	1938
The Lambourn Practice	2220

The Northcroft Practice	2263
The St. Mary's Road Practice	1930
The Falkland Surgery Practice	1798
The Thatcham Group Practice	2280
The Burghfield Health Centre	2278
The Mortimer Surgery	2027
The Pangbourne Medical Practice	1912
The Theale Practice	2208

- 3.5** The average list size for a whole time equivalent GP in West Berkshire is approximately 2000 patients. A contribution is likely to be required from new developments where the list size of the local GP practice is greater than the UK average of **1838**.
- 3.6** The level of contributions that will be expected will clearly depend upon the scale and type of the development proposed, and the amount, if any, of spare capacity in the local GP practice. Proposals which result in more than 1838 new residents may require a new facility to be provided as part of the development, to be either funded or constructed by the developer. On smaller residential development sites, and where the new development places demands on community facilities, the need for full provision will be replaced by the requirement for contributions. The Council will consult the appropriate organisations with regard to the need for provision as a direct consequence of development.
- 3.7** The majority of developments by themselves will not warrant a new facility or even an extension to an existing facility. However, a number of small developments are likely to have a cumulative impact on the provision of existing medical services. Accordingly consideration will be given to negotiating appropriate contributions to primary health care facilities from all developments where it is likely to generate the need for such services. Contributions will be placed in a fund controlled by the Council or by the Primary Care Trust and may be 'pooled' to be used to supplement primary health care practices within the locality of new developments. The level of contributions required will be based on the estimated number of patients generated by the development.

4.0 Calculation of Contributions

- 4.1** Resources are allocated to GPs working for the NHS, including reimbursement of expenses on practice accommodation, under the Rent and Rates Scheme rules which are laid down in the “Statement of Fees and Allowances” and administered by the relevant Primary Care Trust. The schedule of overall areas and costs provides maximum sizes against which to judge proposed areas for general medical services (GMS) accommodation.¹ These sizes are established in accordance with the number of GPs expected to practice from the proposed premises.
- 4.2** Using information on Gross Internal Areas (GIA) and National Building Cost Allowances from the “Statement of Fees and Allowances” (April 2002), it is possible to attribute the cost of provision of the additional floorspace made necessary by new development. This can then be translated into a cost per patient.
- 4.3** As there is not a direct relationship between the amount of floorspace required and the number of GPs in a particular practice (larger practices benefit from certain economies of scale), an average floorspace has been calculated. This is based on the Gross Internal Areas of practices ranging from between one and ten GPs. At present – there are no GP practices in West Berkshire with more than 10 GPs. The additional floorspace required per additional GP works out at an average of 127 square metres, with the cost of provision equating to approximately £1,000 a square metre.
- 4.4** As primary care practitioners such as GPs are run as independent businesses, an appropriate mechanism is needed to ensure that any facilities paid for by developer contributions remain in community use in perpetuity. It would be inappropriate to seek funding for community facilities without such an agreement being in place.
- 4.5** The calculation of the cost per patient is shown below:

$\text{Floorspace per GP} \times \text{Cost of Floorspace per m}^2 = \text{Cost of GP}$ <p style="text-align: center;">OR</p> $127\text{m}^2 \times \text{£}1,000 = \text{£}127,000$ $\frac{\text{Cost of GP}}{\text{GP Average List Size}} = \text{Cost Per Patient}$ <p style="text-align: center;">OR</p> $\frac{\text{£}127,000}{1838} = \text{£}69.10$
--

¹ Significant changes are expected to be made to the way GP surgeries are funded following the review of the General Medical Services Contract.

- 4.6 Based on the above formula, the contribution towards health facilities equates to £69.10 per person / patient. In order to calculate a cost per dwelling, West Berkshire Council makes use of the DCLG Survey of English Housing from April 2003 to March 2006. This results in a graduated payment based on size of dwelling unit, and the cost per unit is shown in the following table.

	1 bed unit	2 bed flat	2 bed house	3 bed unit	4 bed unit	5 bed unit
Occupancy Rate	1.3	1.8	1.9	2.6	3.2	4.0
Cost Per Dwelling	£90	£124	£131	£180	£221	£276

- 4.7 This methodology is intended only as a starting point for negotiations; each development must be considered in view of the prevailing local circumstances and its impact assessed in consultation with the relevant health agency.

5.0 Contacts

For more information please contact:

Planning Policy Team
Planning and Transport Strategy
West Berkshire Council
Council Offices, Market Street
Newbury
RG14 5LD

Tel: 01635 519111

Fax: 01635 519408

e-mail: planning@westberks.gov.uk

Sources/ Documents referred to:

“Statement of Fees and Allowances” (April 2002) – Department of Health
Thames Valley Primary Care Agency
Berkshire West Primary Care Trust

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

March 2006	Para 2.3 – resident numbers updated
	Para's 3.3 and 3.4 – List sizes updated
March 2007	References to 'Newbury and Community PCT' and 'Reading PCT' deleted, replaced by Berkshire West PCT following a restructure. Average List sizes updated
October 2007	Costs updated to reflect use of DCLG Survey of English Housing, resulting in graduated payment based on unit size.
August 2008	Para 3.4 and 3.5 – list sizes updated
March 2009	Para 3.4 and 3.5 – list sizes updated
March 2010	Para 3.4 and 3.5 – list sizes updated

APPENDIX G

 Delivering Investment from Sustainable Development
Topic Paper 7 - Open Space**Adopted September 2004****Document Effective from 1st May 2010**

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards open space will be sought.

1.0 Introduction

1.1 The West Berkshire District Local Plan 2002, defines public open space as land available to satisfy the recreation and leisure needs of the community. The Plan notes that such open space can fulfil a number of functions including:

- Areas for formal sporting activity;
- Areas for informal recreation and leisure purposes;
- Play areas; and
- Amenity land.

1.2 This Supplementary Planning Guidance uses the same definition of open space as that set out within the Local Plan. Accordingly, the following guidance should be considered as valid for sports provision, informal recreational provision, children's play areas, and other amenity space.

1.3 Notwithstanding the above, Planning Policy Guidance (PPG) 17 (July 2002) advises that open space should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and recreation and can also act as a visual amenity.

1.4 Policy RL1 of the West Berkshire Local Plan 2002 sets a public open space standard for developments of between 3 and 4.3 hectares per thousand population in such form, scale and distribution as may be considered appropriate depending on local circumstances. West Berkshire's standards for both Playing Fields, and for Equipped Play Space, are in line with the NPFA (National Playing Fields Association) recommended levels. The standard is broken down as follows:

Playing fields and specialist activity areas	1.60 ha
Equipped Play Space	0.25 ha
Public Amenity Space	1.15 to 2.45 ha
Total	3.0 to 4.3 ha

- 1.5 Policy RL1 recognises the form, scale and distribution of the public open space will depend on local circumstances, however, in determining the appropriate mix of open space types, the above breakdown will be used. It should also be noted that the above standards are minimum standards.

2.0 Value of Open Space

- 2.1 PPG17 (July 2002) establishes that open spaces, sport and recreation all underpin people's quality of life, and that well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering the Government's objectives and supporting urban renaissance, rural renewal, health and well-being and promoting social inclusion, community cohesion and sustainable development.
- 2.2 West Berkshire District Council, in line with government guidance, recognises the value of open space, sport and recreation facilities. The West Berkshire Local Plan sets out the Council's aims for the provision of open space, sport and recreation. These aims are:
- To ensure the appropriate level and distribution of public open space and recreational facilities to meet local needs;
 - To improve available opportunities for recreation provision in West Berkshire and to make them accessible to as wide a section of the community as possible;
 - To seek improved access to the countryside in a manner which conserves its landscape and wildlife value, is sustainable in the long term, and which minimises the conflict between users, landowners and local residents;
 - To continue to support the restoration of the Kennet and Avon Canal and measures to enhance its recreational value, providing such measures do not demonstrably harm the environmental character and ecology of the canal;
 - To identify and maintain an appropriate balance between recreation and nature conservation in areas important for both activities.
- 2.3 In setting out the planning policies, the Local Plan establishes a standard of open space provision designed to help meet the aims as set out above.

3.0 Commuted Maintenance Sums for Developments of 10 or More Dwellings

- 3.1 Policy RL.1 of the local plan requires developments of ten or more dwellings to provide open space at a standard of between 3 and 4.3 hectares per 1000 population, and seek the transfer of the open space to local authority ownership, together with any appropriate sum for ongoing maintenance.

Methodology

- 3.2 The Council's methodology for calculating the appropriate sum for ongoing maintenance is set out below:
- 3.3 The sum is calculated according to an approved landscaping plan for the open space to be provided, as set out within the approved planning application (normally

dealt with by way of a condition requiring the submission and agreement of a landscape plan prior to development commencing). The approved landscape plan should show all relevant details of proposed landscaping, shrub planting and trees and, as appropriate, any recreational facilities such as play areas and equipment.

- 3.4 The Council recognises Spon's "Landscape and External Works Price Book 2010" (Spon Press 2010) as providing the industry standard costs for the majority of grounds maintenance work, and will use the prices set out within the document to calculate the cost of maintenance per annum. As the "Landscape and External Works" document is updated annually, to reflect changing costs for maintenance, the Council's grounds maintenance costs will be subsequently updated in line with revised editions of "Landscape and External Works Price Book"
- 3.5 In recognising Spon's Price Book as providing industry standard costs, the Council also recognises that Spon's does not necessarily provide figures for all landscaping and maintenance activities. Additionally the cost of landscaping and maintenance may vary as a result of factors such as local labour rates. In order to accommodate this variation the Council will apply in-house cost rates where costs cannot be calculated using Spon's. It may also apply landscape and maintenance costs lower than those set out within Spon's where there is clear evidence that the required maintenance can be provided at a lower cost than that calculated using Spon's. Conversely the Council also recognises that in exceptional circumstances required landscape and maintenance costs may exceed those set out in Spon's. Accordingly where there is clear evidence that the required works can only be provided at a higher cost than that calculated using Spon's the Council will apply the higher costs.
- 3.6 Where it appears that the grounds maintenance figure cannot be calculated using Spon's "Landscape and External Works Price Book" or that it would be inappropriate to do so in the light of other factors (such as those set out in the above paragraph) applicants are advised to contact the Council's Grounds Maintenance Manager.
- 3.7 The cost of the maintenance per annum figure is then multiplied by 20 years, including compound growth of the maintenance cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement.

4.0 Off-Site Financial Contribution for Open Space Provision or Improvements to Existing Facilities for Developments of 10 or More Dwellings

- 4.1 Policy RL2 of the Local Plan, maintains that the provision of public open space may be satisfied by:
- i. Provision within a development site;
 - ii. Provision made through formal agreement on other land in the applicants control which is readily accessible from the development site and appropriate for public open space/recreational use;
 - iii. In certain circumstances by making payment to meet the necessary public open space or other recreational requirements within a reasonable distance of

the development site. The Council will accept such a payment only if it is able to provide new public open space or other appropriate recreational facilities easily accessible to the development site within a reasonable period of time. In this instance, the contribution sought will be based on the formulae used for smaller developments.

Or by a combination of i, ii and iii.

Methodology

- 4.3 Due to the fluctuating nature of land costs and the likelihood of it varying depending on availability and location within the West Berkshire area, no assumed land cost rate is included within this SPG.
- 4.4 In the majority of cases the Council expects the open space requirement to be met through the improvement to existing public recreational facilities. Where this is the case the Council will not seek to apply a land cost rate. For all other cases, in determining the land cost applicable the Council will have regard to local circumstances and the availability of suitable land, and will seek to apply a land cost rate commensurate with local circumstances.
- 4.5 The Council will normally calculate the cost of landscaping using relevant data from Spon's "Landscape and External Works Price Book". However, in line with paragraph 3.5 (see above) the Council, where applicable, will apply its in-house cost rates. The landscaping to be provided will be as set out within a landscape plan, agreed between the Council and the applicant, normally prior to the granting of permission.
- 4.6 The cost of ongoing maintenance of the resulting open space will be calculated using the methodology for calculating commuted maintenance sums, as set out above.

5.0 Residential Developments of less than 10 Dwellings.

- 5.1 In line with Policy OVS.3 of the Local Plan, the Council considers it appropriate to seek contributions towards open space provision from residential developments of less than 10 dwellings, as the cumulative effects of such development places additional demands on the existing open space provision within the District.
- 5.2 Where developments of less than ten dwellings are sought, the Council considers it would be generally inappropriate to seek on-site provision of open space due to site constraints and the likelihood that any such provision would result in open space areas of unusable size. The Council will therefore seek contributions towards the improvement and maintenance of the nearest or most appropriate open space to the development or, where appropriate, the provision and subsequent maintenance of new open space.
- 5.3 It is recognised that the contribution sought from new development may be insufficient or uneconomic on its own to provide new open space or improvements to existing open space. This may be particularly the case in some areas where a

limited level of new development would be expected. The Council may therefore consider it appropriate and cost effective to provide new open space or undertake improvements once funding has been secured from a number of smaller developments.

- 5.4 In determining the level of contributions required the Council will have regard to the public open space minimum standards set out in Policy RL.1 and paragraph 1.4 above.

Methodology

- 5.5 In line with paragraph 5.2 the sum per dwelling is calculated assuming the open space demands arising from the development will be met by improvements to existing open space, or where appropriate, the provision and subsequent maintenance of new open space, and will meet the minimum standards set out within Policy RL.1 and paragraph 1.4 above.
- 5.6 In line with the methodology adopted for developments in excess of 10 dwellings, the Council recognises that Spon's may not provide figures for all landscaping and maintenance activities and that costs may also vary as a result of factors such as local labour market rates. In order to accommodate this variation, the Council will apply in-house costs where costs cannot be calculated using Spon's. It may also apply landscaping and maintenance costs lower than those set out within Spon's where there is clear evidence that the required work can be provided at a lower cost than that calculated using Spon's. Conversely the Council also recognises that in exceptional circumstances required landscaping and maintenance costs may exceed those set out in Spon's. Accordingly where there is clear evidence that the required work can only be provided at a higher cost than that calculated using Spon's the Council will apply the higher costs.
- 5.7 For the purposes of providing a guide to developers, as to the likely sum per dwelling sought by the Council for the provision and subsequent maintenance of public open space arising from residential developments of less than 10 dwellings, the following methodology uses costs taken from Spon's "Landscape and External Works Price Book 2010" and the Council's current contract rates. These costs will be kept under review and will be subject to change in the light of revisions to Spon's and future contract rate changes.
- 5.8 The following formulae are used to calculate a likely cost per person, which is then translated into a cost per dwelling. West Berkshire Council makes use of the DCLG Survey of English Housing from April 2003 to March 2006 which gives an average occupancy for different sized dwelling units. This results in a graduated payment based on size of dwelling unit.

Land Cost (where applicable)

- 5.9 Where it is appropriate to apply an assumed land cost, the rate applied shall be commensurate with local market costs and calculated with regard to local circumstances and the availability of land (see paragraph 4.4).

- 5.10 Where a land cost is applied a cost per dwelling (cost per employee in the case of commercial development) shall be calculated based on the applied rate of provision (the minimum rate of provision is 3 hectares per 1000 population)

Initial Landscaping Cost

Playing fields and specialist activity areas	
Cost of landscaping	£ 39,390 per hectare
Minimum provision standard per 1000 persons	1.60 hectares
Landscaping cost per 1000 persons	£63,024
Landscaping cost per person	£63.02

- 5.11 The same methodology is also applied to equipped play space and public amenity areas, which results in the following costs:

Equipped Play Space	
Cost of provision	£992,838 per hectare
Minimum provision standard per 1000 persons	0.25 hectares
Provision cost per 1000 persons	£248,209
Provision per person	£248.21

Public Amenity Space	
Cost of landscaping	£23,160 per hectare
Minimum provision standard per 1000 persons	1.15 hectares
Landscaping cost per 1000 persons	£26,634
Landscaping cost per person	£26.63

Total initial landscaping cost per person	£337.86
--	----------------

Maintenance Cost

Playing fields and specialist activity areas	
Cost of maintaining playing fields	£983 per hectare
Minimum provision standard per 1000 persons	1.60 hectares
Maintenance cost per 1000 persons per year	£1,573
Maintenance cost per person per year	£1.57

- 5.12 The same methodology is also applied to equipped play space and public amenity areas, which results in the following costs:

Equipped Play Space	
Cost of maintaining equipped play space	£44,532 per hectare
Minimum provision standard per 1000 persons	0.25 hectares
Maintenance cost per 1000 persons per year	£11,133
Maintenance cost per person per year	£11.13

Public Amenity Space	
Cost of maintaining public amenity space	£1,924 per hectare
Minimum provision standard per 1000 persons	1.15 hectares
Maintenance cost per 1000 persons per year	£2,213
Maintenance cost per person per year	£2.21
Total maintenance cost per person per annum	£14.91 (2010 prices)

5.13 The cost of the maintenance per annum figure is then multiplied by 20 years, including compound growth of the maintenance cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement.

This gives a 20 year maintenance sum per person of £400.87 (2010 prices)

Total per person	£738.74 (2010 prices)
<i>(Sum of initial landscaping cost and commuted maintenance sum - excludes assumed land cost)</i>	

Exemptions

5.14 The West Berkshire Local Plan 2002 recognises that in respect of sheltered and other special needs housing greater flexibility may be applied in the application of this standard. For example, in such cases the Council accepts that the occupants are unlikely to have dependent children and are unlikely to have significant demands for playing fields and similar areas. The Council will not therefore seek contributions towards equipped play space or playing fields.

5.15 Similarly for one bedroom dwellings the Council recognises that occupants are unlikely to have dependent children and it will not therefore seek contributions towards the land, initial landscaping and maintenance costs of equipped play space. This approach is in common with Education contributions which are also not sought on one bedroom dwellings.

5.16 Having regard to the above exemptions, the following table shows the contribution to be sought per unit of accommodation, making use of average occupancy as explained in paragraph 5.8 above.

	1 bed	2 bed	2 bed	3 bed	4 bed	5 bed
	unit	flat	house	unit	unit	unit
Occupancy	1.3	1.8	1.9	2.6	3.2	4.0
Rate						

Cost Per Dwelling	£249	£1,330	£1,404	£1,921	£2,364	£2,955
-------------------	------	--------	--------	--------	--------	--------

6.0 Commercial Development

6.1 The Council considers that commercial, as well as housing development impacts upon existing public open space. In order to minimise this impact the Council will encourage open space provision and/or financial contributions towards existing open space provision from commercial development. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details.

Methodology

6.2 Notwithstanding the above, the Council considers it is appropriate to base the level of contribution from commercial development in line with that established for residential development (see above).

6.3 The Council recognises however, that the use of open space by employees and visitors to commercial developments will be unlikely to involve the use of equipped play space. Accordingly the methodology excludes equipped play space provision.

6.4 The maintenance contribution per person sought for developments of less than 10 dwellings, excluding equipped play space, is **£3.78** (see page 7). The cost of the maintenance per annum figure is then multiplied by 20 years, including compound growth of the maintenance cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement. This gives a 20 year maintenance sum per employee of **£101.72** (2010 prices).

6.5 Where it is appropriate to apply an assumed land cost, the rate applied shall be commensurate with local market costs and calculated with regard to local circumstances and the availability of land (see paragraph 4.4)

6.6 Where a land cost is applied a cost per employee shall be calculated based on the applied rate of provision (the minimum rate of provision for commercial development is 2.4 hectares per 1000 population)

6.7 The initial landscaping cost equates to £89.66 per person.

Total per employee	£191 (2010 prices)
<i>(Sum of initial landscaping cost and commuted maintenance sum - excludes assumed land cost)</i>	

6.8 The above contribution per person will be applied to the number of employees resulting from the commercial development. Unless otherwise given as part of the planning application process, and in cases where it appears to the Local Planning Authority that the number of expected employees resulting from the proposed

development is artificially low, the number of employees will be established using the floorspace to employee ratios given in the following table.

Use	Floorspace: Employee Ratio (gross floorspace)
Class B1a	20 m ² : 1
Class B1c (Light Industrial)	25 m ² : 1
Class B2 (Industrial)	33 m ² : 1
Class B8 (Distribution)	48 m ² : 1
Class A1 (Retail)	27 m ² : 1
Class A1 (Retail Warehousing)	90 m ² : 1
Class A3 (Restaurants)	13 m ² : 1

*Derived from: Babbie Employee Ratio Study (1998) and English Partnerships
"Employment Densities: a simple guide" Sept. 2001*

Exemptions

- 6.8 In addition to the exemption set out at paragraph 6.3, contributions towards public open space provision from commercial development proposals will not be sought where public open space is provided on site as an integral part of the development.

7.0 Planning Policy Guidance PPG17 (July 2002)

- 7.1 The Government's policy for planning for open space, sport and recreation is set out within PPG17. This requires local authorities to undertake robust assessments of the existing and future needs of their communities for open space, sports and recreational facilities. Local authorities are also charged with undertaking audits (in both quantitative and qualitative terms) of existing open space, sports and recreational facilities.
- 7.2 These assessments and audits are seen as necessary to allow the specific needs for open space, sport and recreational facilities in their areas to be identified, and the starting point for the local authority to establish an effective strategy for open space, sport and recreation.
- 7.3 West Berkshire District Council, in line with PPG17, is committed to undertaking an assessment and audit of the District's open space, which is partially complete. Following completion of the assessment and audit, the Council aims to review its standards for provision of open space and associated planning policies, including this supplementary planning guidance.

- 7.4 PPG17 (2002) recognises the role of open space, sport and recreation and includes reference to commercial development. In reviewing its standards for provision of open space (following the programmed assessment and audit of the District's open space as set out above) the Council will take into account the potential impact of commercial development and expects to include new standards of provision for commercial development within its subsequent revision to this SPG. As an interim measure and until such time as the standards of provision are revised, the Council will continue to seek open space provision and/or financial contributions from commercial development in line with section 6.0 above.

8.0 Contacts

Planning Policy Team	Grounds Maintenance Manager
Planning & Trading Standards	Countryside & Environment
West Berkshire District Council	West Berkshire District Council
Council Offices	Council Offices
Market Street	Faraday Road
Newbury	Newbury
RG14 5LD	RG12 2AF
Tel: (01635) 519111	Tel: (01635) 519553
Fax (01635) 519408	Fax (01635) 519453
Email: planning@westberks.gov.uk	

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

March 2006	Recognition of use of Spon's 2006. Update of costs and calculation of updated contribution levels
March 2007	Update document to reflect use of Spon's 2007, and calculate contribution levels using 2007 cost levels.
October 2007	Costs updated to reflect use of DCLG Survey of English Housing, resulting in graduated payment based on unit size.
March 2009	Costs updated to reflect use of Spon's 2009 and current contract costs, to calculate contribution levels to be used from 1 st April 2009
March 2010	Costs updated to reflect use of Spon's 2010 and current contract costs.

APPENDIX H

Delivering Investment from Sustainable Development

Topic Paper 9 - Environmental Enhancements

Adopted September 2004
Document updated – Effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards environmental enhancements will be sought.

1.0 Introduction

- 1.1 The Council expects new development to improve the quality of the environment. To this end this topic paper has been guided by the specific aims contained within the relevant sections of the Overall Strategy and the Environment chapter of the West Berkshire District Local Plan 1991-2006 (adopted June 2002).
- 1.2 Planning Policy Statement 9 together with DEFRA Circular 01/2005 provide guidance on how Local Authorities should protect and enhance biodiversity and geodiversity. Section 40 of the Natural Environment and Rural Communities Act 2006 placed a duty on Local Authorities to conserve biodiversity so far as it is consistent with the proper exercise of its functions. It defines conserving biodiversity as including the restoration or enhancement of populations of a living organism or type of habitat.
- 1.3 It is also, in turn, supplemented by background strategies, plans and agreements which have increased information, understanding and consensus regarding the environmental qualities in the District. They ultimately provide a more detailed policy framework and include:
 - North Wessex Downs AONB Management Plan
 - Landscape Character Assessment for Berkshire
 - North Wessex Downs AONB Landscape Character Assessment
 - Newbury District-wide Landscape Assessment
 - Newbury 2025 A Vision for Newbury Town Centre
 - Lower Kennet Valley Management Plan
 - Framework for Biodiversity Action in Berkshire
 - Habitat Action Plans for Berkshire
 - Parish Plans/Village and Town Design Statements
 - West Berkshire Living Landscape Project Agreement

2.0 Assessing the contribution

- 2.1 Where planning applications affecting a site or feature of environmental interest are submitted, detailed site surveys will be sought from developers to establish

the quantity and quality of the existing features so that decisions may be made about those which should be safeguarded and enhanced and others where offsetting benefits may be acceptable. In large projects the Council will require an environmental assessment at the application stage.

- 2.2 The Council recognises that the Quality of Life Capital¹ approach is a useful tool which seeks to identify the actions needed to ensure that there is no overall loss to the environment and quality of life. It also signals where gains to the environment and quality of life will bring greatest benefit. It therefore creates clear messages about the objectives that should be aimed for on individual sites. As an approach it is not just concerned with the rare and special, but with conserving, enhancing and creating the more commonplace which provide a sense of locality and are valued by local people.
- 2.3 Any development, whether residential or commercial, which is associated with a site or issue of environmental significance will need to be assessed individually. Within the context of the development proposals, if the Council considers that environmental enhancements are required and that these cannot be appropriately secured through planning conditions, then the Council will seek to secure them through planning obligations. Consideration will be given to negotiating appropriate contributions to improvements to the local environment from all residential and commercial development where the development would:
- create a need for particular facilities
 - have a damaging impact on the environment or local amenity, thus creating a need to reduce, mitigate or compensate for environmental impacts and/or restore, create or manage features of environmental interest²
 - adversely affect national and/or local policies
- 2.4 Within the context of the development proposals, if the Council considers that environmental enhancements are required and that these cannot be appropriately secured through planning conditions, then the Council will seek to secure them through planning obligations.

Planning obligations could be used to:

- restrict development so as to reduce, mitigate or compensate existing features e.g. the protection and enhancement of appropriate habitats and species through translocation or other appropriate mitigation; pollution mitigation measures e.g. noise mitigation, soil decontamination, air quality amelioration measures, landfill gas management plans.
- secure the works necessary to restore, maintain or enhance existing features e.g. the improvement of visual amenity and biodiversity through tree and hedgerow planting and habitat management agreements.

¹ **Countryside Agency, English Heritage, English Nature, Environment Agency (March 2001)** *Quality of Life Capital – Managing environmental, social and economic benefits*, CAG Consultants and Land Use Consultants.

² The following document may be of assistance when considering nature conservation issues - **Oxford M. (2000)** *Developing Naturally, a Handbook for Incorporating the Natural Environment into Planning and Development*. Published by the Association of Local Government Ecologists (ALGE)

- secure the works necessary to create new features e.g. local environmental improvement schemes; village design/street scene improvements; habitat creation schemes; the provision of public art³
 - secure contributions to facilities in the vicinity of the site e.g. provision of a village/urban green, allotments, country park, pocket park, picnic site, visitor/interpretation centre; contributions to existing countryside sites e.g. Snelsmore Country Park, Thatcham Nature Discovery Centre including additional staff resources; access for informal recreation such as through a greenway system, waymarked trail, footpath/bridleway/cycleway, community woodland, nature reserve, payment for countryside access agreements, biodiversity education leaflets and interpretation boards.
 - secure management/monitoring to ensure that environmental gain is delivered e.g. funding of and monitoring of mitigation and/or enhancement schemes, such as air quality or flood defence; contributions to support the Thames Valley Environmental Records Centre; implementation of management plans/agreements; sustainable urban drainage systems (SUDS)⁴
- 2.5 The costs associated with such obligations will need to be individually assessed for each project/development and could involve either one of or a combination of the following:
- a cash commission of the relevant programme of work.
 - control of a sensitive site through an appropriate legal agreement in order to safeguard its future in the public interest.
 - commuted sum for capital costs of implementation and/or revenue costs for maintenance/monitoring.
- 2.6 Where appropriate, commuted sums will be calculated according to an approved environmental management plan for the site/area as set out within the approved planning application.
- 2.7 Such management plans should at least detail:
- All aims and objectives required to produce net environmental gain
 - All proposals to enable the creation, strengthening and enhancement of identified environmental features
 - Any requirements to ensure that any environmental features are adequately protected and enhanced
 - All necessary tree works to be carried out - including protection measures for planting trees, maintenance standards and a specification for planting to include size, density and species.
 - Specific timings for all works relating to the plan
 - Any restrictive requirements imposed on the applicant

³ Public art could include sculpture, engraving, paving designs, fountains, other water features, mosaics, murals, tapestries, flags, street furniture, fencing or railing, decorative walling, landscaping, planting schemes, festivals or other visual displays and creative or decorative lighting or illumination. Other forms of public art or contribution to culture will also be considered

⁴ The following document may be of assistance to developers - **National SUDS Working Group (May 2003) Framework for Sustainable Drainage Systems (SUDS) in England and Wales (Consultation Draft)**

- Proposals for the maintenance and monitoring of those identified environmental features over a specified period of time (not less than 5 years)
 - Proposals for the longer term management/maintenance of the site/features such as an agreement with the local Wildlife Trust, the Pang, Kennet, and Lambourn Valley Countryside Projects, the local parish council or West Berkshire Council (usually 10 - 20 years)
- 2.8 The Council recognises Spon's "Landscape and External Works Price Book" (Spon Press) as providing the industry standard costs for the ongoing maintenance of appropriate features, and will use the prices set out within the document (which is updated annually) to calculate the costs of implementation and also of maintenance per annum.⁵ In cases where this cannot be used the Council will substitute its existing 'in house' contract costs, or usual supplier costs, to calculate the appropriate sum or use costs identified by the Pang, Kennet and Lambourn Valley Countryside Projects, as appropriate. The cost of the maintenance per annum figure is then multiplied by 10 – 25 years (as appropriate), including compound growth of the maintenance cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement.
- 2.9 Although each planning application will be assessed individually, it is acknowledged that in general the larger the development the greater the cumulative impacts. This will be reflected in the contributions sought towards environmental enhancements. For example, as far as the provision of public art is concerned, smaller development should aim for an appropriate uplift over normal construction/finishing costs to incorporate artistic elements in the scheme. However, developers of major schemes will be expected to set aside a proportion of their budget to commission works of art that are fully accessible, for the benefit of the community and which make a significant contribution to the appearance of the scheme or the character of the area.
- 2.10 Similarly, as far as air quality is concerned, any major application should be accompanied by appropriate air quality amelioration measures. Larger developments are likely to have an effect upon air quality beyond their site boundaries, particularly through the additional traffic they may generate. The monitoring of air quality both within the locality of the proposed development and along identified transport routes is, therefore, vital in ensuring that national objectives are not exceeded. Contributions will therefore normally be sought from large developments of 550 dwellings or more and from industrial and commercial development on sites larger than 10 hectares, or with a gross floor space of more than 20,000 square metres. In addition contributions may be sought on smaller sites where the location or nature of development is felt to warrant monitoring of air quality. The financial contribution will need to be calculated on a site-by-site basis.
- 2.11 Conversely, it is recognised that particularly in some areas the level of contributions that will be sought from the limited level of new development that will take place may be insufficient on its own to lead to any new facilities or services being provided. However, a number of small developments are likely to have a cumulative impact on the local environment. It would therefore be more appropriate and cost effective to make a single improvement after a number of smaller developments have been completed.

⁵ In accordance and as outlined in Topic Paper 7

2.12 It may also be appropriate that in some cases contributions to more strategic environmental enhancements in the vicinity of the site may be appropriate. Applicants would help to implement wider policies for environmental enhancement by contributing to public sector initiatives that go beyond the nexus of a single project on a single site such as through the Pang, Kennet and Lambourn Countryside Projects, the Kennet Chalkstream Project, the River Lambourn Restoration Project, West Berkshire Council/BBOWT's Living Landscapes Project, or other Biodiversity Opportunity Area projects. Such contributions will have regard to the strategic policy framework as identified in paragraph 1.2 and the West Berkshire Sustainable Community Strategy 2008 – 2026 'A Breath of Fresh Air'. This will ensure that the justification for seeking contributions is relevant, undertaken in a clear and transparent way and channelled in the most appropriate way to maximise service delivery.

3.0 Contacts

3.1 Developers and landowners seeking to submit planning applications for residential and commercial development are encouraged to contact the Council's Planning Service and also Countryside and Environment Service directly for site specific advice at an early stage. (Contact details are provided below) Early discussions will provide guidance as to whether and how a site could be developed from an environmental perspective.

Planning Policy Team
Planning and Transport Strategy
West Berkshire Council
Council Offices
Market Street
Newbury
RG14 5LD
Tel: 01635 519111
Fax: 01635 519408

Countryside and
Environment
West Berkshire Council
Council Offices
Faraday Road
Newbury
RG14 2AF
Tel: 01635 519560

e-mail: planning@westberks.gov.uk

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

March 2006	No Updates
March 2007	No Updates
August 2008	New Para 1.2 – clarification of PPS9, DEFRA Circular 01/2005 and NERC Act 2006 Para 2.12 – addition of public sector initiatives. Other small changes to wording to improve clarity
March 2009	Small changes to wording in paragraphs 1.3, 2.4 and 2.7 to improve clarity. Correction of typing error in paragraph 2.12
March 2010	Small changes to wording to improve clarity.

APPENDIX I

Delivering Investment from Sustainable Development

Topic Paper 10 - Archaeology, Conservation and the Historic Environment

Adopted September 2004
Document effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards archaeology, conservation and the historic environment will be sought.

1.0 Introduction

- 1.1 The Government's policies on the conservation of the historic environment are set out in PPG15 *Planning and the Historic Environment* (1994). It states that the protection of all aspects of the historic environment should be taken fully into account both in the formulation of planning policies and in development control. The physical survivals of our past should be valued and protected for their own sake, as a central part of our cultural heritage and our sense of national identity. It attaches particular importance to early consultation with the local authority on development proposals which would affect historic sites and structures, whether listed buildings, conservation areas, parks and gardens, battlefields or the wider historic landscape. Developers should assess the likely impacts of their proposals on the special interest of the site or structure in question, and provide such information as necessary to understand the significance of a site or structure before an application is determined.
- 1.2 Its policies on archaeology are similarly set out in PPG16 *Archaeology and Planning* (1990). It states that there should be a presumption in favour of the physical preservation of nationally important archaeological remains, whether scheduled or not, and their settings. In appropriate circumstances it is reasonable for planning authorities to require an applicant for planning permission to provide information on the character and extent of archaeological remains on site. Where important remains are threatened by development, planning authorities may enter into legal agreements or impose conditions to secure the excavation, recording and publication of archaeological remains where these will be destroyed by development

2.0 Stewardship of the Historic Environment

- 2.1 West Berkshire has a very rich cultural heritage. The buildings, townscapes, landscapes, collections and archives that comprise the heritage of West Berkshire include many that are nationally and regionally significant. The heritage of West Berkshire contributes to the overall quality of life of everyone in the District. It represents many of the essential characteristics of the area which contribute to the pleasures of living and working in or visiting West

Berkshire. The future of this valuable resource depends on public understanding and appreciation - this is critical for its long-term care and well being.

2.2 To this end the West Berkshire District Local Plan 1991-2006 (adopted June 2002) aims:

- To maintain and strengthen the commitment to 'stewardship' of the historic environment in order to sustain environmental quality and to reflect this in policies, decisions and the allocation of resources;
- To have special regard to the preservation of listed buildings;
- To encourage the use of traditional building materials and techniques and to conserve the historic building forms typical of West Berkshire
- To preserve and enhance the Conservation Areas in West Berkshire. Any new development in Conservation Areas needs to be appropriate and sympathetic to the special character of the area. It must also address the quality of the townscape as well as the protection of individual buildings and preserving a sense of place;
- To support the preservation, restoration and management of historic parks and gardens including their settings;
- To support the preservation and management of historic landscapes and battlefield sites
- To ensure the archaeological heritage is preserved and properly managed.

3.0 Assessing the contribution

3.1 Any development, whether residential or commercial, which is associated with a site or issue of cultural or heritage significance (including archaeological remains) will need to be assessed individually.

3.2 Within the context of the development proposals, if the Council considers that archaeological or other works are required and that these cannot be appropriately secured through planning conditions, then the Council will seek to secure them through planning obligations.

3.3 The costs associated with such obligations will need to be individually assessed for each project/development. In most cases this will normally mean a cash commission of the relevant programme of work. In other cases it may mean that control of a sensitive site through an appropriate legal agreement might be appropriate in order to safeguard its future in the public interest. In addition, contributions to capital or revenue costs may also be appropriate for site management and/or on or off-site management/research/interpretation schemes such as:

- Historic Landscape Character Assessment
- Monument Management Project
- Projects identified through the North Wessex Downs AONB Management Plan
- Small Towns Survey
- SMR database enhancement and environment surveys

4.0 Archaeology

- 4.1 Where planning applications affecting a site identified as one of known or potential archaeological sensitivity are submitted and there is insufficient information to establish the potential impact of the proposed development on the archaeological remains, the applicant will be required to undertake an appropriate evaluation before the application is determined.
- 4.2 Where planning conditions are not appropriate, obligations will be used to secure the protection and/or investigation of archaeological remains in advance of development. For example, it may be appropriate to secure an area containing significant remains so as it is protected in perpetuity and incorporated into the design of the scheme. The best way to safeguard an archaeological site is for it to be preserved *in situ* and positively managed. Excavation is very much a second best option as although knowledge can be increased through this process, the site is destroyed. An obligation may, therefore, require the investigation, recording and excavation of any archaeological features and finds. There may also be occasions where obligations should be used to secure the conservation of archaeological finds recovered and/or the interpretation of the results of archaeological investigation through publication, touring exhibition or display. Contributions to existing Museums or other buildings and facilities or to new buildings or facilities to enable their touring exhibition or Museum display might also therefore be appropriate.
- 4.3 It is the responsibility of the developer to pay for any and all archaeological work required. This will include any fieldwork, the analysis of findings after fieldwork, conservation of objects where appropriate, report writing and publication, museum archiving, and any educational material required to explain the site or findings to the public. The Heritage (Archaeology) Service can provide a list of archaeological organisations available to carry out work in West Berkshire. The scope of any work that needs to be done should be agreed in advance with the Heritage (Archaeology) Service.

5.0 Listed Buildings, Conservation Areas, Historic Parks and Gardens, Historic Battlefields and the wider historic landscape

- 5.1 Where planning conditions are not appropriate, obligations will be used to enable restoration enhancement and/or other works to be carried out to a listed building or to enable restoration, enhancement and/or other works to be carried out on buildings, structures, or other land in a Conservation Area in order to conserve or enhance its character.
- 5.2 Similarly, obligations will be used to enable the restoration/enhancement and/or other works to be carried out to Historic Parks and Gardens, and to enable the preservation/management and/or other works to Historic Battlefields, locally significant historic features and the wider historic landscape.
- 5.3 There may also be occasions where obligations will be used to secure the off-site interpretation of particular sites through publication (e.g. cycle/walks leaflets, website development and/or enhancement), touring exhibition or display.

6.0 Museums and Heritage Facilities

6.1 Where appropriate, and in accordance with thresholds and other provisions set out in respect of contributions towards community facilities set out in Topic Paper 5, the Council will seek the provision and/or enhancement of museums and/or other heritage facilities within the District or contributions towards such provision. Such facilities may include the provision of space in new community buildings; adaptation, or extension of existing museums or other buildings to afford locations across the District suitable for the display of temporary or permanent museum or local history exhibitions or of archaeological discoveries such as those resulting from developer funded archaeology in the locality.

7.0 Contacts:

7.1 Developers and landowners seeking to submit planning applications for residential and commercial development are encouraged to contact the Council's Heritage and Planning Services directly for site specific advice at an early stage. (Contact details are provided below) Early discussions together with an examination of the Sites and Monuments Record/Historic Environment Records¹ will provide guidance as to whether a site could be developed from an archaeological and/or conservation perspective.

Heritage Service
 West Street House
 West Street
 Newbury
 RG14 1BD

Tel: 01635 519534
 Fax: 01635 519811
 e-mail: heritage@westberks.gov.uk

Conservation Officer
 West Berkshire Council
 Planning and Trading Standards
 Market Street
 Newbury
 RG14 5LD

Tel: 01635 519111
 Fax: 01635 519408
 e-mail: planning@westberks.gov.uk

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

<i>March 2006</i>	<i>No Updates</i>
<i>March 2007</i>	<i>No Updates</i>
<i>March 2009</i>	<i>No Updates</i>
<i>March 2010</i>	<i>Amendment to Contact Officer Details</i>

¹ The Sites and Monuments Record (SMR) / or Historic Environment Records is an index of all known archaeological and historical sites in West Berkshire. It also includes information on fieldwork and excavations (Events), bibliographic references (Sources) and archaeological objects (Finds). Much of this knowledge is stored in a database linked to a computerised map. At present over 5,700 monuments and nearly 5,600 objects are known. However, the record is growing all the time as new sites and objects are discovered. SMR resources also include books, articles and unpublished reports, aerial photographs, and historic and modern maps.

APPENDIX J

Delivering Investment from Sustainable Development

Topic Paper 11 - Fire and Rescue Infrastructure

Adopted September 2004
Document effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards fire and rescue infrastructure will be sought.

1.0 Introduction

- 1.1 The Council considers that Fire and Rescue infrastructure should not be distinguished from other items of community infrastructure necessitated by a development. Where development would result in increased risk or the extension of developed areas then contributions will normally be sought to safeguard the provision of adequate fire and rescue infrastructure.

2.0 Assessing the Contribution

- 2.1 Water supply works may be needed to fulfil the Royal Berkshire Fire Authority's duty to ensure the provision of an adequate supply of water for fire fighting. Requirements for the provision of fire hydrants and for other works necessary to ensure adequate supplies of water, in terms of both volume and pressure, may be sought through a planning obligation. Developers should bear in mind that these requirements may relate to small-scale developments, particularly in more isolated locations without adequate infrastructure.
- 2.2 The nature of risk will vary according to the type, density and location of development and each development will need to be assessed on an individual basis. The following guidelines are intended to inform and assist landowners and developers in assessing potential fire and rescue obligations;
- In residential areas fire hydrants should generally be positioned at 400 metre intervals and no dwelling should be more than 200 metres from the nearest hydrant. In industrial areas hydrants should be positioned at 250 metre intervals and not more than 125 metres from any development. Fire hydrants covering public buildings, hotels, and commercial developments should be spaced at distances determined on a risk assessment basis defined by the fire service.

- The cost of providing a new fire hydrant on a new water main will vary depending upon the size of the main with an average cost in the region of £650 (excluding VAT) in 2010.
- The size of water mains provided is determined by the Water Undertaking. Where water undertakers are not proposing to lay mains of adequate size for fire fighting purposes, the cost of a supply from the nearest main of adequate size would be determined on an individual basis. Before laying a main, confirmation from the fire service would be required that the intended size would fulfil the fire fighting needs identified for the nature of risk presented by the proposed development.
- In planning provision of fire hydrants in countryside areas, particular attention should be given to specific risks and no definitive distances can be provided.
- For developments that are considered to be of significant risk e.g. processing activities involving the use of highly flammable materials, proposals will be considered on their merits to ensure that the overall provision for fire fighting is adequate. This may include internal water based protection systems, private fire hydrants, statutory fire hydrants and other “open water” supplies where appropriate.
- Fire hydrants should be sited in positions to be agreed by the Royal Berkshire Fire Authority and the Local Planning Authority. Such locations will be at main roads, feeder roads or road junctions where they are readily visible.

3.0 Fire and Rescue Infrastructure Legal Agreement

- 3.1 Applicants or their agents will be required to enter into a legal agreement with the Council to safeguard the provision of adequate fire and rescue infrastructure in a reasonable time to meet the need generated by the development. Provision of fire and rescue services will normally be required prior to the construction works commencing. Construction sites are potentially high fire risk areas and should be supported by adequate water for fire fighting purposes

4.0 Contacts

For more information please contact:

Planning Policy Team
Planning and Trading Standards
West Berkshire Council
Council Offices
Market Street
Newbury
RG14 5LD

Tel: 01635 519111

Fax: 01635 519408

e-mail: planning@westberks.gov.uk

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

<i>March 2006</i>	<i>No Updates</i>
<i>March 2007</i>	<i>No Updates</i>
<i>March 2009</i>	<i>Amendment to Paragraph 2.2 to reflect current costs of fire hydrant provision</i>
<i>March 2010</i>	<i>Amendment to Paragraph 2.2 to reflect current costs of fire hydrant provision</i>

APPENDIX K

Delivering Investment from Sustainable Development

Topic Paper 12 - Preventing Crime and Disorder

Adopted September 2004
Document updated – Effective from 1st May 2010

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards preventing crime and disorder will be sought.

1.0 Introduction

- 1.1 Crime prevention can be a material consideration in the determination of a planning application and new development in the District should be designed to reduce the potential for crime. Failure to do so could result in the Council refusing planning permission.
- 1.2 Policy OVS.11 of the West Berkshire District Local Plan 2002 requires all development schemes within West Berkshire to be designed so as to reduce the potential for criminal activity and anti-social behaviour, and sets criteria to which development should comply.
- 1.3 The reasoned justification to the policy notes that reduction in the fear of crime is an important priority for the Council and that the Council also has an obligation to promote crime prevention through the control of the built environment.
- 1.4 The Local Plan recognises the principles for creating safe environments. These are:
 - Surveillance - the capacity of physical design to enable residents to view the public space.
 - Image - the capacity of design to improve building image and avoid stigma
 - Territoriality - the capacity of the physical environment to create a feeling of neighbourhood and encourage residents to exercise surveillance over the area of defensible space
 - Environment - the influence of a neighbourhood's geographical juxtaposition with safe or unsafe areas.

- 1.5 Policy OVS.1 is supported by Supplementary Planning Document 'Quality Design West Berkshire', which sets out guidelines for the design and layout of new development in District and encourages creative designs which balance the need to prevent crime with the need to create high quality environments.
- 1.6 This supplementary planning guidance is not intended as a substitute to the Council's existing SPD. It is not guidance on the layout of schemes or 'planning out' crime. This guidance provides an outline of the contributions the Council will seek from developers towards initiatives aimed at deterring and preventing crime and anti-social behaviour.

2.0 Government Guidance

- 2.1 The Government's Planning Policy Statement 1 (PPS1) 'Delivering Sustainable Development' states that planning authorities should seek to provide communities which are inclusive, healthy, safe, and crime free.
- 2.2 Planning authorities should have regard to good practice as set out in 'Safer Places: The Planning System and Crime Prevention (ODPM / Home Office 2004).

3.0 Crime and Disorder Act 1998

- 3.1 The Crime and Disorder Act 1998 places a duty upon local authorities to seek to prevent crime and disorder in its area in carrying out its duties.
- 3.2 Specifically, Section 17 of the Act requires:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."

- 3.3 The duty imposed by the Crime and Disorder Act therefore is for the Council to seek to prevent crime and disorder, to have regard to the crime and disorder implications of its decisions and the need to do all it reasonably can to prevent crime and disorder in its area. The duty applies to all of the Council's functions, therefore the issue is not the responsibility of any particular department nor one particular element of its theatre of operation, but a cross-departmental corporate responsibility. In this regard planning can contribute to the success of preventing crime and disorder, but does not operate in isolation and will not, on its own, provide the mechanism or the means for the Council to prevent crime and disorder in its area.
- 3.4 Under the requirements of the Crime and Disorder Act 1998, and in line with Government Guidance and Local Plan policy, the Council considers that it is appropriate to seek to minimise the impact of development on community safety and ensure the development contributes to measures to prevent and deter crime and vandalism and other anti-social behaviour.

4.0 Contributions from Development

- 4.1 In line with West Berkshire Council's SPD 'Quality Design – West Berkshire' (adopted June 2006) the Council expects all new development to be designed so as to reduce the potential for criminal activity and anti-social behaviour.
- 4.2 In addition, the Council considers it is appropriate to seek contributions towards wider crime prevention measures, where development would result in an increased risk to actual or perceived public safety or an increased risk of vandalism or anti-social behaviour. The Council considers such development will place a greater burden on the crime prevention initiatives adopted by the Council, (in association with its crime prevention partners), and will seek contributions based on the cost of mitigating this additional burden.
- 4.3 Contributions will be sought from both residential and commercial development proposals.
- 4.4 It is recognised that the contribution sought from new development may be insufficient or uneconomic on its own to meet the costs of the crime prevention initiatives (or parts thereof) identified as appropriate to the development. This may be particularly the case in some areas where a limited level of new development would be expected. The Council may therefore consider it appropriate and cost effective to seek to implement certain crime prevention initiatives (arising from the impact of the development) once funding has been secured from a number of developments.

Contributions from Residential Development

- 4.5 All residential developments will be expected to contribute towards crime prevention initiatives (see below).
- 4.6 Contributions will be individually assessed or calculated dependent on the details of the development, its location and other site specific details, and with regard to the aims and objectives of the Council's crime prevention initiatives.
- 4.7 The level of contributions will be based on both the cost of implementation and subsequent operation / monitoring (for a minimum period of 20 years) of the relevant element of the particular initiative to which contributions will be directed. In order to allow for inflation the contribution will be calculated including a compound growth cost to the operation / monitoring element, which will be based on the General Index of Retail Prices (all items) published by the Central Statistical Office at the time of the agreement.

Contributions from Commercial Development

- 4.8 The Council expects all commercial development schemes to recognise the need to prevent crime and ensure, through the design and layout of any scheme, that the potential for criminal activity and anti-social behaviour are reduced. However, the Council recognises the security risks for commercial development will differ from those for residential development.
- 4.9 The Council considers the impact of commercial development on the personal safety of employees of such development and the protection of land and buildings from anti-social actions should be the responsibility of the developer and/or employer. However, the Council considers commercial development should also contribute to the wider remit of crime prevention initiatives pursued by the Council, in the interests of maintaining a safe and secure environment for employees, visitors and the general public. Accordingly, where commercial development is proposed above the thresholds for contributions set out in Table 2 of the Core Guidance, the Council will seek contributions towards its crime prevention initiatives. The level of contribution sought will be individually assessed or calculated dependent on the details of the development, its location and other site specific details.
- 4.10 For all Use Classes except Class A3 and D2 uses the contributions sought will be based on net floor area of the proposal. For Class A3 and Class D2 uses the contributions sought will be based on the net floor area of the proposal and consideration of the visitor capacity of the development (for example the number of covers for a restaurant or the number of cinema seats).
- 4.11 The level of contributions will be based on both the cost of implementation and subsequent operation / monitoring (for a minimum period of 20 years) of the relevant element of the particular initiative to which contributions will be directed. In order to allow for inflation the contribution will be calculated including a compound growth cost to the operation / monitoring element, which will be based on the General Index of Retail Prices (all items) published by the Central Statistical Office at the time of the agreement.

5.0 Crime Prevention Initiatives.

- 5.1 With its partners the Council is engaged in a number of crime prevention initiatives. These are outlined below. Developers should not necessarily regard this list as exhaustive, as the Council will look to implement additional initiatives as and when resources permit and need arises.
- 5.2 In addition to those set out below, there are other initiatives and schemes promoted by other bodies that may provide assistance in reducing crime and disorder, such as 'Young Fire-fighter' schemes promoted by the Royal Berkshire Fire Authority. The provision of buildings or other facilities, or contributions towards such, in order to facilitate the implementation of such schemes may also be considered acceptable.

CCTV

5.3 The Council operates a CCTV system, known as the 'West Berkshire CCTV System' comprising a number of cameras installed at strategic locations throughout the district. The Council's CCTV Policy notes that the use of CCTV in West Berkshire is considered a necessary and suitable tool to help achieve a reduction in crime, reduce fear of crime and improve public safety. The stated objectives of the West Berkshire CCTV System are defined as:

- To help reduce the fear of crime
- To help deter crime
- To help detect crime and provide evidential material for court proceedings
- To deter vandalism
- To improve public protection
- To assist in the overall management of towns where CCTV is sited
- To enhance community safety, boost the economy and encourage greater use of the town centre / shopping mall etc
- To assist the Local Authority in its enforcement and regulatory functions within the town centre
- To assist with traffic management
- To assist in supporting civil proceedings help detect crime
- Any other objective agreed by the owners of the scheme.

5.4 The Council is committed to preparing a CCTV Strategy during 2009/10. This Strategy will be in accordance with the objectives detailed above and will be refreshed annually.

The Council intends to use the information provided within the CCTV Strategy to establish the level of contributions sought from development for the provision of CCTV, and will subsequently review the supplementary planning guidance. Until such time as this SPG is reviewed, the Council will continue to encourage and expect contributions towards CCTV provision. Any provision or contributions agreed will be individually assessed or calculated and will be dependent on the details of the development, its location and other specific details.

5.5 Where contributions are sought for the provision of CCTV, such contributions will be based on the provision of cameras and the cost of operation of the cameras including monitoring costs for a period of at least 20 years, including compound growth of the monitoring cost based on the General Index of Retail Prices (all items) published by the Central Statistical Office, at the time of the agreement.

5.6 Developers are advised to contact the West Berkshire CCTV System Manager for further information regarding the likely need and costs of CCTV provision arising from their development proposals.

Safer Communities Partnership

Partnership Strategic Assessment

- 5.7 The Crime and Disorder Reduction Partnership, of which the Council is a responsible authority, is required to annually conduct a Partnership Strategic Assessment following the review in 2006 of the Crime and Disorder Act 1998 and Police Reform Act 2002. The Partnership Strategic Assessment is required to:
- analyse levels and patterns of crime, disorder and substance misuse in West Berkshire;
 - analyse changes to these levels or patterns;
 - seek to determine why changes have occurred;
 - assess the extent to which the previous strategy or partnership plan was implemented.
- 5.8 The Strategic Priorities identified by the Partnership Strategic Assessment 2009/10 are:
- Domestic Abuse
 - House Burglary
 - Anti-social Behaviour
 - Criminal Damage
 - Alcohol Related Violence

Partnership Plan

- 5.9 The Partnership Plan sets out the Outcomes for each of these Strategic Priorities, objectives and actions
- 5.10 Developers are advised that further information on these initiatives can be obtained from the Council's Community Safety Manager.

6.0 Contacts

Planning Policy Team Planning & Trading Standards West Berkshire District Council Council Offices, Market Street Newbury RG14 5LD Tel: (01635) 519111 Fax: (01635) 519408 Email: planning@westberks.gov.uk	West Berkshire CCTV System Manager Safer Communities Partnership Team Policy & Communication West Berkshire District Council 20 Mill Lane Newbury RG14 5QU Tel: (01635) 264705 Fax: (01635) 264666 Email: swoollard@westberks.gov.uk
Community Safety Manager Safer Communities Partnership Team Policy & Communication West Berkshire District Council 20 Mill Lane Newbury RG14 5QU Tel: (01635) 264617 Fax: (01635) 264666 Email: rcraggs@westberks.gov.uk	Safer Communities Partnership Team Manager Safer Communities Partnership Team Policy & Communication West Berkshire District Council 20 Mill Lane Newbury RG14 5QU Tel. (01635) 264703 Fax. (01635) 264666 Email: spowell@westberks.gov.uk

Sources/Documents referred to:

PPS1 Delivering Sustainable Development – ODPM 2005
 Safer Places: The Planning System and Crime Prevention – ODPM / Home Office April 2004
 Quality Design West Berkshire – Supplementary Planning Document Adopted June 2006

Schedule of Revisions

Since first publication in September 2004 this document has been revised as follows:-

March 2006	No Updates
March 2007	No Updates
August 2008	Section 2 – references to Govt Guidance updated. Para4.1 – reference to SPG No 11 removed and replaced with SPD – Quality Design West Berkshire Para 5.4 – update re CCTV Strategy Paras 5.7 thru 5.9 – update re Safer Communities Partnership Section 6 / Contacts updated Other small changes to wording
March 2009	Small changes to wording to improve clarity
March 2010	Contact Details updated. Small changes to wording to improve clarity

APPENDIX L

Delivering Investment from Sustainable Development

Topic Paper 13 - Adult Social Care**Adopted July 2008****Document Updated - Effective from 1st May 2010**

This document is one of the supporting topic papers of West Berkshire Council's supplementary guidance series 'Delivering Investment from Sustainable Development – West Berkshire Council's approach to securing developer contributions towards local infrastructure, services and amenities'. It is intended as a guide for landowners, developers and residents and sets out how the Council will deal with planning applications where a contribution towards adult social care provision will be sought.

1 Introduction

1.1 West Berkshire Council is responsible for assessing the care needs of adults in West Berkshire, and commissioning services to meet these needs. In accordance with Government legislation, the Council has a duty to support those individuals with the greatest care needs, who are unable to finance their own care. Adults may have care needs because of impairment or disability, frailty through age or vulnerability and isolation. Many adults with care needs are supported by families, and the Council has a duty to offer support to family carers as well.

1.2 New housing development generates an increased demand for social care. Many of the key Government indicators measure the Council's performance by the proportion of the total population it is supporting, clearly showing an expectation that the service is directly linked to the number of people resident in the area. The nature of social care work is such that an individually tailored package of care has to be devised for each new person assessed as eligible for a service. This means that the costs of providing care are less able to be tied to specific buildings or capital projects, and need to fund the on-going flexible care for the person in need.

1.3 Furthermore, the Government requires the Council to offer people the option of a "Direct Payment", a cash sum to cover the assessed cost of their care needs, which they have control over. This is seen as encouraging people to remain independent, and Government expects us to promote the take up of this option. Clearly, the implication is that a cash contribution can be used where the care is most effective, and people with care needs have the choice of how, what and where they purchase their care. This is a disincentive for Councils to focus on being the main provider of services, whether they be Home Care, residential homes, or day centres; and requires us to be one player in a "mixed economy of care".

1.4 So, the main functions of the Council are the assessment of people against consistent criteria, to determine the level of their need, and having done so, to offer support to those in the greatest need, by giving them a choice of facilities or services, some, but not all of which, may be run by the Council itself. This function requires a skilled care management workforce, and support to secure a contract covering the

appropriate services. Financially, the Council requires revenue to pay its skilled workers, and to purchase care, and it is these budgets which come under most pressure when the overall population (and demand) increases.

2 Government Funding

2.1 The Government calculates the amount it believes each Council requires to provide adult social care services, based on the population in West Berkshire. This forms part of the annual settlement to the Council. It takes two years for increases in population to be reflected in government funding, i.e. a development in 2005 resulting in increased pressure on Adult Social Care services will not be reflected in government funding until the 2007 settlement. It is this two year lag in the funding for growth in population, as a direct result of the development, that the developers' contributions are designed to cover. This is in support of Paragraph B19 of Circular 05/2005 which states that:

“Where contributions to the initial support (“pump priming”) of new facilities are necessary, these should reflect the time lag between the provision of the new facility and its inclusion in public sector funding streams, Pump priming maintenance payments should be time-limited and not be required in perpetuity by planning obligations.”

3 Principles of the contribution formula

3.1 The formula for calculating developer contributions is based on the following principles:

- Extra population gives a pro-rata increase in demand for social care
- Extra demand causes extra revenue, rather than capital, cost pressures
- There is a two year gap between demand and government contribution

3.2 The contributions have been calculated purely on the costs of front-line staff and services: they have not included any marginal increase in premises, management or infrastructure costs.

4 Types of service included in the formula

4.1 The contribution formula is based on the costs of the six key services which are delivered to people with care needs. These are reported to the Commission for Social Care Inspection as part the annual performance assessment framework for Adult Social Care, and are measured by the volume of service delivered. These indicators summarise the full range of services which are supported by the council, with the exception of services offered to family carers.

5 List of Key services

- C29 Adults with Physical Disabilities helped to live at home

- C30 Adults with Learning Disabilities helped to live at home
- C31 Adults with Mental Health problems helped to live at home
- C32 Older People helped to live at home
- C72 Older People admitted into residential care each year
- C73 Adults aged 18-64 admitted into residential care each year

5.1 Using the unit cost for providing each service, and calculating what proportion of the population receive each service, a figure representing the cost per year of extra population can be calculated. The figure is therefore doubled, to represent the cost over two years. This calculation can be updated each August, following the collation of activity and unit cost figures for the previous financial year.

6 Average number of adults per dwelling:

6.1 A sliding scale of average number of adults per dwelling is used, which takes into account the different sizes of dwellings. The dwelling occupancy rate is reduced by average child occupancy to result in an adult occupancy rate. The dwelling occupancy rate is based on information from the Dept of Community and Local Government's Survey of English Housing, 2003 – 2006, with the information on child occupancy in new housing provided by independent market research carried out in 2005, the same information which is used to calculate the contribution towards Education (see Topic Paper 3).

Table for calculating number of adults per dwelling:

	One bedroom units	Two bedroom flats	Two bedroom units	Three bedroom units	Four bedroom units	Five + bedroom units
Dwelling occupancy rate	1.30	1.80	1.90	2.60	3.20	4.00
Less Child occupancy	0.11	0.33	0.51	0.65	1.14	1.63
Adult occupancy	1.19	1.47	1.39	1.95	2.06	2.37

7 Calculation per three bedroom unit, per year, based on 2008/09 costs and activity:

7.1 This calculation is given as an example, to illustrate the actual cost, per three bedroom unit, using the above adult occupancy formula. Contributions for all sizes of dwelling can be found in the Companion Note document.

C29: Adults with PD helped to live at home, cost per new dwelling	=	£55.26
C30: Adults with LD helped to live at home, cost per new dwelling	=	£62.25
C31: Adults with MH helped to live at home, cost per new dwelling	=	£11.40
C32: Older People helped to live at home, cost per new dwelling	=	£130.11
C72: Older People admitted to residential home, cost per new dwelling	=	£87.90
C73: Adults aged 18-64 admitted to residential, cost per new dwelling	=	£12.17
Total cost of extra social care services, per new three bedroom dwelling	=	£359.09

Therefore, the contribution required for two years costs = 2 x £359.09 = £718.18

7.2 This figure will be reviewed annually following the publication of each financial year's final cost and activity data, as reported to the Department of Health in the annual PSSEX1 return.

8 Major Developments

8.1 Within major housing developments on-site facilities for use by adult social services and their partners, such as voluntary organisations, and those operating at the health/social care delivery interface, such as community health practitioners, may be required. Such facilities may also be needed to provide day facilities run by the voluntary sector, other voluntary groups, meals on wheels and as an office base for staff working in the area. These facilities could be integrated into existing or proposed community centre/halls where appropriate.

8.2 The Council may also seek the provision of housing within major developments for people with physical and learning disabilities and mental health problems.

8.3 Major housing development will also generate pressure and demand on other existing social services and voluntary sector delivery resulting in a need for expanded or additional services, not necessarily on site. For example day care facilities for older people, people with mental health problems and people with learning and physical disabilities will require to be expanded and contributions will be expected to support any necessary expansion programmes.

9 Exceptions

9.1 As the Council's duty is to provide social care services for the resident population, all business, commercial and non-residential developments are not expected to make a contribution towards this service.

9.2 In addition, adjustments will be made to the formula in the case of development where impacts are more specific, for example extra care developments, or elderly persons accommodation.

10 Contacts

10.1 For further information please contact:

Performance Team
Community Services
West Berkshire Council
West Street House
West St
Newbury
RG14 1BD

Tel: 01635 519947

11 Sources/ Documents referred to:

Schedule of Revisions

Since adoption in July 2008 this document has been factually revised as follows:-

March 2009	Costs updated using financial & activity data information from 2007/08 statutory reporting
April 2009	Costs updated to reflect revisions to adult occupancy rates.
March 2010	Costs updated using financial & activity data information from 2008/09 statutory reporting