



**SOUTH NORTHAMPTONSHIRE COUNCIL**

**SUPPLEMENTARY PLANNING DOCUMENT:**

**DEVELOPER CONTRIBUTIONS**

**(DECEMBER 2010)**

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## 1 SUMMARY

- 1.1 New development often creates a need for additional infrastructure or improved community services and facilities, without which there could be a detrimental effect on local amenity and the quality of the environment. Planning Obligations are the mechanism used to secure these measures. Planning obligations are intended to make acceptable development which would otherwise be unacceptable in planning terms.
- 1.2 Any specific planning issues that occur as a result of a development proposal are dealt with through recourse to legal agreements or unilateral undertakings drawn up as planning obligations. The terms of the latter are usually negotiated between developers, landowners and the Council (Section 106 agreements). Furthermore, planning obligations help deliver the strategies and vision set out in the *Council's Planning Policy* documents e.g. Brackley, Towcester and Roade Master Plans.
- 1.3 Planning obligations offer a variety of functions. Their primary role is to anticipate and mitigate any potential repercussions or demands on an area's infrastructure that might arise as a result of the impact of a development. Another major benefit is that they help deliver the sustainability of a development project; in so doing they help address the aims of the South Northamptonshire Sustainable Community Strategy, Saved Local Plan Policies and other Council policy documents and strategies.
- 1.4 The purpose of this Supplementary Planning Document (SPD) is to outline current Council policies pertaining to planning obligations; provide information on standard obligations and charges; and specify the course of action necessary to secure a Section 106 (S106) agreement. The types and sizes of all proposals requiring a S106 agreement are as follows:
  - Proposals for ten or more residential units
  - Commercial and employment developments proposing 1000 square metres gross external floor space or more, or an increase amounting to 1000 square metres gross external floor space or more
  - Other proposals where necessary and consistent with the guidance in Circular 05/05
- 1.5 The use of this SPD and standard obligations will help to accelerate the planning process and ensure a viable outcome.
- 1.6 All proposed developments that forecast standard occupancy and employment levels would be required to pay contribution charges. The costs of these charges will be calculated in accordance with a set of formulae and standard rates and in certain cases, other obligations may also be stipulated. The main demands are as follows:

- A contribution towards infrastructure and services provided by Northamptonshire County Council being: transport, highways, education and highways/public realm, libraries and culture, fire and rescue, biodiversity
  - Contributions towards the provision of open space and green Infrastructure including formal open spaces for sport and recreation
  - Contributions towards the improvement of the public realm and town centres
  - Contributions towards community facilities including community halls and indoor sports facilities
  - Other obligations as required
- 1.7 This document does not include information relating to affordable housing requirements. Details of the latter are currently provided in South Northamptonshire Council's Affordable Housing SPG (2003) and upon the adoption of The West Northamptonshire Joint Core Strategy's supporting Development Plan Documents will be produced relating to affordable housing provision (including a Joint Affordable Housing DPD). Further information on other obligations that may be required in specific cases is provided in Section 5.

## **2 BACKGROUND**

### **S106 Agreements and Planning Obligations**

- 2.1 Section 106 agreements (S106) refer to the specific legal documents, usually drawn up between developers and local authorities, for dealing with any impacts that may result from a new development proposal. They give detailed information on planning obligations which address specific demands that developers are required to meet in order to make sure that any impact a new development might have on an area is duly anticipated, examined and dealt with. A case in point is where extra demand on services and infrastructure is foreseen. Planning obligations can help mitigate this problem by stipulating that the developer counterbalances the predicted impact by increasing the capacity of all relevant facilities and improving the services available. Planning obligations can also constitute unilateral undertakings, which are legal documents, usually drawn up by developers, which specify any obligations that they have adopted.

#### **When Planning Obligations can be used**

- 2.2 Planning applications are assessed on their individual merits taking all material planning considerations into account. Local planning authorities must have regard to the development plan, so far as material to the application, and to all other material considerations (section 70(2) of the Town and Country Planning Act 1990). If regard is to be had to the development plan the determination must be made in accordance with the plan unless material considerations indicate otherwise (section 39(6) of the Planning and Compulsory Purchase Act 2004). If an application has previously been considered unacceptable for development it may be possible to render it compliant with planning policy through recourse to planning conditions. These are generally used to deal with any on-site requirements and are subject to approval by the local authorities. More specifically, planning obligations are applicable in cases when it is unsuitable to use a planning condition. A planning obligation should only be imposed where otherwise it would be necessary to refuse the application. An example of when a planning obligation might be employed is in the event of an off-site concern or in cases where ongoing stipulations or financial contributions are to be addressed. There are other uses for planning obligations: they can help influence the evolution of a development by addressing its specific needs (e.g. request that it provides affordable housing etc.); they can offset any specific disruption (loss, damage) to an area and its infrastructure that has been created by the development and lessen the general impact of a development. Government guidance in Circular 05/2005 states that where an issue can be dealt with by a planning condition, this is preferable as it allows for the right of appeal and is more straight forward to enforce.

### **3 PURPOSE AND STATUS OF THE DOCUMENT**

#### **Main Aims**

3.1 The main aims of this document are:

- To set out the requirements for planning obligations to ensure that additional demands on infrastructure, services and facilities arising from new development are provided for and are put in place at the right time
- To set out requirements for planning obligations to help deliver sustainable communities and development
- To ensure that the Council provides a more consistent, transparent, practical and streamlined approach to negotiations of planning obligations in accordance with circular 05/2005: Planning Obligations
- To contribute towards achieving the District's vision and objectives set out in its corporate strategy and Sustainable Community Strategy and Local Area Agreement

#### **Status of the document**

3.2 This Supplementary Planning Document (SPD) on planning obligations replaces the existing guidelines: South Northamptonshire Council Supplementary Planning Guidance, Developer Contributions – A Policy Statement on the Use of Planning Obligations (2001). It provides further information on the implementation of relevant policies within the East Midlands Regional Plan (2009) and the Saved Policies from South Northamptonshire Council's Local Plan (1997) and other relevant supporting documents. It will give developers, members of the community and other stakeholders a clear indication of what obligations are likely to be required in order to meet the demands of any social and physical infrastructure that might be necessary to support new development and mitigate the impact of the development process.

## 4. POLICY FRAMEWORK

### National Policy

- 4.1 This SPD provides further guidance on the use of planning obligations in South Northamptonshire based on the principles established in a range of planning policies included in Government Planning Policy Guidance/Statements and Circular 05/2005, East Midlands Regional Plan (2009) the Local Plan (1997) (2008 Saved Policies) for South Northamptonshire and the emergent West Northamptonshire Local Development Framework and its associated Development Plan Documents.
- 4.2 The legal basis from which developers can enter into a planning obligation is set out in Section 106 of the Town and Country Planning Act (1990), as amended by the Planning and Compensation Act 1991. Circular 05/2005 specifies the government's policy guidance for the use of planning obligations. The Circular states that the principal objective of the planning system is to deliver sustainable development through which key government social, environmental and economic objectives are achieved. A planning obligation can be used when it is necessary for a planning reason; that is, when it is required to bring a development in line with the objectives of sustainable development as set out in relevant local, regional and national planning policies.
- 4.3 The Circular includes five tests that planning obligations should meet. Planning obligations should be:
- i. relevant to planning;
  - ii. necessary to make the proposed development acceptable in planning terms;
  - iii. directly related to the proposed development;
  - iv. fairly and reasonably related in scale and kind to the proposed development; and
  - v. reasonable in all other aspects.
- 4.4 Importantly, it is not considered legitimate practice to accept a previously rejected development proposal on the grounds that a developer has offered benefits that are surplus to requirements stipulated by the local authorities.
- 4.5 The Circular encourages the use of formulae and standard charges where relevant to give an indication of the level of contributions likely to be sought, which can speed up negotiations and ensure predictability. Local authorities are also encouraged to use and publish standard Heads of Terms (which set out the main terms of the agreement) and standard agreements wherever possible to speed up the process.

Further details on formulae and standard agreements are set out in the Practice Guidance published by the Government in 2006.

- 4.6 This SPD responds to current best practice and government guidance by setting out the Council's standard requirements from new development, including details of standard heads of terms and formulae, based upon the principles set out in the guidance.

### **Community Infrastructure Levy**

- 4.7 The community infrastructure levy (CIL) is a local levy that authorities can choose to introduce to help fund infrastructure in their area. It came into force on 6th April 2010. In November 2010 the Coalition Government confirmed that a Community Infrastructure Levy, introduced by the previous Government in April 2010, would be continued. The Government has published a 'CIL Overview'. This includes a short explanation of the CIL regulations and what CIL will be used for and how it will work. It also sets out a number of changes to the existing CIL arrangements that will be introduced either by amendment to the regulations or the Localism Bill.

- 4.8 The purpose of CIL will to help pay for the infrastructure required to serve new development. This includes development that does not require planning permission. CIL should not be used to remedy pre-existing deficiencies unless the new development makes the deficiency more severe.

- 4.9 CIL can be charged by local authorities in England and Wales – but they do not have to. Authorities that wish to charge a CIL need to develop and adopt a CIL charging schedule.

- 4.10 The levy should be based on evidence of the infrastructure needed. This should be balanced against viability. In reality, it is likely that viability will set the level CIL is considered to be more transparent and straight forward than using s106 obligations to fund infrastructure, especially large infrastructure projects.

- 4.11 Affordable housing is not included in CIL. This should be provided through s106.

- 4.12 It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged CIL if the obligation does not meet all of the following tests:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

- 4.13 Developments which are capable of being charged CIL includes most buildings that people normally use. Such development is considered

capable of being charged CIL for the purpose of these tests whether there is a local CIL in operation or not. For developments that are not capable of being charged CIL, the policy and policy tests in Circular 5/05 continue to apply.

- 4.14 The Government intends to publish a new policy document in light of the introduction of the Community Infrastructure Levy (CIL) and reforms to planning obligations brought about by the Final CIL Regulations 2010 that came into force on 6 April 2010. In its final form, this policy document is intended to replace the Government's current policy contained in Circular 5/05: Planning Obligations, and form an annex to the new Development Management Planning Policy Statement.
- 4.15 At the time of the publication of this SPD it will not be known whether the West Northamptonshire Joint Strategic Planning Committee (representing all three of the aforementioned councils plus Northamptonshire County Council) will adopt CIL. Nevertheless, this SPD will inform the content of either the emergent joint DPD-Developer Contributions or a potential Joint DPD -CIL (tariff based approach).
- 4.16 Should the Council or the West Northamptonshire Joint Strategic Planning Committee decide to adopt a CIL, this would replace the use of planning obligations for some of the issues addressed in either this document or the emergent Joint Developer Contributions DPD. However, Guidance relating to local issues pertinent to the South Northamptonshire Council area – on a site by site basis (using the existing S106 approach) – will likely continue to apply. In this instance further information on the application of a CIL will be published. In the meantime, the policy in Circular 5/05 continues to apply.

### **Regional Policy Framework**

#### **East Midlands Regional Plan (2009)**

- 4.17 Policy 57 of the Regional Plan East states:

*“Local Authorities should work with developers, statutory agencies and other local stakeholders to produce delivery plans outlining the infrastructure requirements needed to secure the implementation of Local Development Documents. These should include guidance on the appropriate levels of developer contributions, and the mechanisms for securing the delivery of such contributions”.*

### **Local Policy Framework**

- 4.18 The strategic basis for the SPD is also provided by the South Northamptonshire Local Strategic Partnership and its Sustainable Community Strategy (SCS), the Northamptonshire Local Area Agreement and South Northamptonshire Corporate Plan which outline a vision for South Northamptonshire with priorities and targets based upon the needs and aspirations of local people. Other documents that

set out the policy background and evidence including a series of studies for Retail and Leisure supporting this document are also referred to here and throughout the document as relevant. Of particular note are the Masterplans being prepared for Brackley, Roade and Towcester, together with newly adopted Council strategies for Economic Development, Climate Change & Transport.

### **South Northamptonshire Sustainable Community Strategy**

4.19 South Northamptonshire Council has adopted its partnership *Sustainable Communities Strategy* for South Northamptonshire (2010). This strategy gives a shared vision and objectives covering the themes of:

- regeneration growth and protection
- safe and strong communities
- healthier communities
- dynamic skills led economy

4.20 Partner organisations including Northamptonshire County Council, Northants Police, the Environment Agency, and SNVB have collectively signed up to achieving these objectives.

4.21 The Community Strategy's Vision states:

*'Our Vision is to have sustainable rural and market town communities, in which our current and future communities feel safe, have a strong sense of belonging and have the opportunity to meet their aspirations to lead fulfilling and healthy lives in a quality environment.'*

4.22 The Regeneration, growth and protection theme describes the level of regeneration and growth must be appropriate to the communities of South Northamptonshire to ensure that the strengths are enhanced and the character preserved along with the protection of the natural resources and the built environment. In addition the dynamic skills led and sustainable economy theme describes the importance of economic development for residents and businesses within the area, recognising the crucial links between transport, housing development, infrastructure, promotion of skills and tourism in the context of South Northamptonshire's diverse rural and market town economies. It is clear that the need to secure appropriate infrastructure and community benefits from developments is critical to meeting these aims and objectives.

### **South Northamptonshire Corporate Plan**

4.23 The SNC Corporate Plan sets out the Council's long-term vision and themes for its communities set in the context of the planned growth and development of the district and the neighbouring areas within and

outside the county. The themes are: to preserve the natural environment and rural communities; to protect the lives and homes for vulnerable people and communities; to encourage the potential of the area and our communities; and to enhance performance for high quality customer focused services cost effectively. The themes are supported by the principle of strong leadership and a strong focus on evidence-based policy development to secure long-term sustainability.

4.24 The themes are supported by four key priority projects for the next 1-3 years:

- To ensure development and implementation of a Local Development Framework and supporting policies and strategies that deliver sustainable growth
- To deliver regeneration of the Market Towns
- To improve customer services of the Council's development control service
- To ensure financial viability of the Council

**The Northamptonshire Sustainable Communities Strategy: "The best place in England to grow".**

4.25 The SCS for South Northamptonshire and the SNC Corporate Plan are informed by the Northamptonshire Partnership vision, which is published in the SCS for Northamptonshire and is delivered through the countywide partnership and the Local Area Agreement (LAA).

The objectives of the LAA are:

***Vision for the county***

*We want Northamptonshire to be recognised by everybody as a successful county where people and communities want to do well, where they take up new ideas and trends, but also celebrate history, heritage and local identity. It will be a county where people will want to invest, work and enjoy life.*

- *By 2020 by managing growth carefully, Northamptonshire will have become the leading economy of the East Midlands and a model example of sustainable development.*
- *By building on the skills and ambition of our varied and growing population, and by making the most of our location, by 2030 we aim to become one of the top five counties in England in terms of health and environmental quality of life.*

4.26 The LAA has set the following aims for Northamptonshire:

- *We aim to be successful through sustainable growth and regeneration*

- *We aim to develop through having a growing economy with more skilled jobs*
- *We aim to have safe and strong communities*
- *We aim to have healthy people who enjoy a good quality of life*

These aims are progressed through the Northamptonshire LAA, which comprises 65 designated indicators and 30 indicators (including the 10 DCSF indicators). The LAA outcomes are monitored through these indicators at the Northamptonshire Partnership Performance Board.

### **South Northamptonshire Local Plan (1997)**

4.27 In the interim prior to the adoption of the West Northamptonshire's Joint Core Strategy and associated DPD's, certain policies of the Local Plan are currently saved under the Planning and Compulsory Purchase Act 2004 and are a material consideration in assessing the acceptability or otherwise of planning applications.

4.28 The current Local Plan was adopted in 1997. Due to the age and relevance of the current Local Plan, some of its policies have either been deleted or saved. Saved Policy IMP1 covers developer contributions and provides the framework and policy justification for this guidance. It states:

*Where major development is proposed, whether or not specifically referred to in this plan, developers will be expected, in negotiation with the local planning authority to make provision for related infrastructure and community facilities, the need for which arises from the development. Such matters will form the basis of legal agreements, which will be finalised prior to the issue of any permission.*

*Such provision will normally take the form of contributions from developers and may include:*

- I) The provision of facilities within the site that are necessary in the interests of comprehensive planning*

*And/or*

- II) The provision of off site facilities where the development would put additional strain on existing resources*

4.29 The above Local Plan Saved Policy was adopted before the recent Government Circular 05/2005. It does not conflict with the general aims of the circular. This SPD will be reviewed to take into account further documents produced for the West Northamptonshire LDF and its Development Plan Documents (DPD). Therefore, if there is an interim period whereby Policy IMP1 of the saved plan is replaced by a new policy in the LDF, this SPD will still be a material consideration in the assessment of planning applications until a revised version is adopted.

### **West Northamptonshire Local Development Framework (LDF) – Core Strategy**

- 4.30 Securing appropriate planning obligations will be a key part in the delivery of the Core Strategy for South Northamptonshire that is the first part of the Local Development Framework. This will set out the spatial vision for the Daventry District Council, South Northamptonshire Council and Northampton Borough Council areas and will include details of infrastructural needs. Moreover, following the publication of the draft Core Strategy (January 2011) associated documents are to be published, these being: Infrastructure Delivery Study and the related document Joint Developer Contributions- Development Plan Document. These documents will set out the strategic infrastructure requirements needed to deliver the planned growth as well as the role that planning obligations will have in ensuring the delivery of sustainable forms of growth. Until the new Developer Contributions Development Plan Document is agreed, this SPD will act as an interim document to guide developers around the contributions/obligations required within South Northamptonshire. This SPD will also act as a guide to determine the content of the Developer Contributions DPD, along with consultation from the other associated Local Authorities.
- 4.31 The SPD will help to speed up the overall development management process and provide more certainty for all the parties involved. The SPD serves as a guide to developers when calculating costs as part of their financial forecasts, thus accelerating any negotiations and agreements associated with planning obligations. The SPD also outlines the correct procedure and prerequisites stipulated by the Council for entering into a S106 agreement, and explains the reasons behind these requirements
- 4.32 The SPD will serve as a material consideration in the application process to be consulted when assessing whether or not an application should be approved. In the event that the level of mitigation proposed by the developer does not fully meet with stipulations regarding development sustainability, the proposal will be deemed unacceptable.

### **Other Documents**

- 4.33 In determining planning applications linkages will be made with other strategies and evidence where appropriate, including:
- Northamptonshire County Council: Creating Sustainable Communities: Planning Obligations Framework and Guidance (Draft document 2010)
  - Northamptonshire County Council Place and Movement Guide
  - Northamptonshire Local Area Agreement (2008-2011)
  - Northamptonshire Bio-diversity Action Plan.

- Northamptonshire Planning Out Crime SPG (2004)
- South Northamptonshire Sustainable Communities Strategy (2010)
- South Northamptonshire Council Corporate Plan (annual document)
- SNC Affordable Housing SPG (2003)
- South Northants Climate Change Strategy (2010)
- South Northants Economic Development Strategy (2010)
- South Northants Equality and Diversity Scheme
- South Northants Transport Strategy (2010)
- SNC Towcester Masterplan (2010)
- SNC Brackley Masterplan (2010)
- SNC Road Village Masterplan (2010)
- SNC Open Space, Sport, Play and Recreation, Study Needs Study (produced by PMP Consultants) (2006)
- South Northants Retail Needs Study (produced by Chase and Partners) (2010)
- South Northants Leisure Needs Study (produced by Nortoft Consultants) (2010)

## 5 LINKS TO WEST NORTHAMPTONSHIRE DEVELOPMENT CORPORATION, NORTHAMPTONSHIRE COUNTY COUNCIL AND PRIMARY CARE TRUST

- 5.1 West Northamptonshire Development Corporation (WNDC) has been granted powers to be the determining planning authority for any planning applications submitted within certain areas of Daventry, and within or adjoining the towns of Towcester and Northampton which are above the thresholds for residential, commercial, retail, leisure, industrial and other types of development defined in the West Northamptonshire Development Corporation (Planning Functions) Order 2006. Area maps and further information regarding the aforementioned development thresholds are provided on the Development Corporation's website: <http://www.wndc.org.uk/>.
- 5.2 As the designated local planning authority for the aforementioned areas and for specified types of applications (i.e. where thresholds have been reached) WNDC is responsible for negotiating and agreeing planning obligations and contributions associated with approved applications in such locations. The Development Corporation is also responsible for the monitoring, implementation and enforcement of its own legal agreements. However, should the activities of the Development Corporation be wound down at any time, the responsibility of the monitoring and enforcement of WNDC's legal agreements for planning obligations will revert to the respective Local Planning Authority with which the development is associated.
- 5.3 WNDC has published its own guidance regarding a tariff-based approach to developer contributions entitled: Planning Obligations Strategy (POS). **This guidance only applies to major developments in Towcester where planning applications are determined by the WNDC.** Elsewhere across the District this SPD will apply. As a statutory consultee regarding planning applications submitted to the WNDC, SNC will use this SPD to inform the WNDC's negotiations on its planning obligations/ s106 legal agreements.
- 5.4 Northamptonshire County Council has published a document called Creating Sustainable Communities: Planning Obligations Framework and Guidance (Draft 2010). The County Council is responsible for the provision of a number of key elements of infrastructure including for example, education, libraries and fire and rescue. This County Council document should be used as the policy document when considering contributions towards these infrastructure requirements.
- 5.5 The overall aim of the County's guidance is to provide greater certainty for residents and developers before a planning application is submitted or site is purchased, so that the cost implications of enabling infrastructure and planning policy compliance are fully taken into account.

5.6 The document contains planning obligation guidelines and formulae associated with the following services and infrastructure, the delivery of which the County Council is responsible, notably:

- Schools,
- Transport and Highways,
- Waste Management (household waste and recycling centres),
- Fire and Rescue,
- Cultural Services,
- Libraries,
- Archives,
- Social Care; and
- Neighbourhood Renewal and Biodiversity.

5.7 NCC's "Creating Sustainable Communities: Planning Obligations Framework" can be found using this link:

[http://www.northamptonshire.gov.uk/en/councilservices/Environ/planning/policy/MKSM/Pages/sustainable\\_communities.aspx](http://www.northamptonshire.gov.uk/en/councilservices/Environ/planning/policy/MKSM/Pages/sustainable_communities.aspx)

5.8 **Any contributions will be in addition to those sought under the provisions of this SPD.**

#### **Primary Care Trust**

5.9 SNC will consult with the NHS Primary Care Trust on appropriate development proposals and as part of this consultation will seek a view from the PCT on the those development proposals that are likely to have an impact on the capacity of local health services and where the PCT might seek contributions for the provision of new or improved health provision to meet the additional needs arising from new development.

5.10 In addition, the provision of local open space/green infrastructure, indoor/outdoor sports facilities, walking and cycling, community facilities, general safe and secure environments may all have a positive impact on an individual's health. Section 13 of this SPD below sets out the provision for such infrastructure or services through developer contributions.

## 6 OBLIGATIONS REQUIRED IN SOUTH NORTHAMPTONSHIRE

6.1 Applicants with development proposals will be expected to enter into a S106 agreement with the Council (when developer contributions are appropriate):on the following schemes :

- Proposals for ten or more residential units
- Student housing/hotels/hostels/sheltered housing with ten or more rooms
- Commercial and employment developments proposing 1000 square metres gross external floorspace or more (including office, industrial, retail leisure and hotel developments) or proposing an increase of 1000 square metres gross external floorspace or more
- Other developments where deemed to be necessary and consistent with the guidance in Circular 05/05 and CIL reg: 122

6.2 Standard planning obligations and charges will be sought in relation to the following areas, further details of which are included in Section 13 and Appendix 1 (summary)

- Education, culture and libraries, Fire and Rescue (obligations to be sought by Northamptonshire County Council
  - Open space and Green Infrastructure
  - Community facilities
  - Indoor and outdoor sports/recreation facilities
  - Public realm improvements
  - Town Centre improvement/management/promotion
  - Kerbside recycling
  - Section 106 monitoring costs

6.3 In addition to the above, planning obligations may also typically be sought to address the following areas where a need arises:

- Health (residential development only)
- Sustainability and biodiversity
- Policing and Community Safety
- Public Art
- Conservation of buildings or places of historic or architectural interest
- Archaeological investigations, works archives and display
- Pedestrian, cycle and disabled access improvements
- Contribution to social service provision for care for the elderly
- Highways and Highway Improvements
- Restrictions on the use of the land
- Other obligations necessary to address other issues that arise

- 6.4 Further details on some of these obligations are set out in Section 13. Given that each case is examined on an individual basis, there may be specific reasons as to why some obligations may be applicable for some proposals and not for other applications. The above lists are not exhaustive and do not identify every issue that may need to be addressed.
- 6.5 A S106 agreement will usually be required for new applications, including for cases where a site has formerly been granted planning permission. If permission for a site has been brought into effect at an earlier date any S106 contributions that have already been paid will be taken into account when considering a revised application on the site. In the case where a valid permission for the site exists but it has not yet been implemented the original terms of the S106 agreement will again be taken into account. All applications are to be assessed in the context of policy at the time of their submission (and re-submission in cases as above). Moreover, any changes relating to units/floorspace as a result of the new application will need to be taken into account. For example, if the new application has planned for an increase in the level of occupancy of a site then this revision should be factored into the assessment.

## **7 CONSULTATION ON CONTRIBUTIONS**

- 7.1 A statutory three week consultation period will provide an opportunity for the general public, local residents and stakeholders/statutory consultees to comment on an individual application. During this period, consultees may highlight any outcome likely to be brought about by the development's construction and identify any potential adverse impacts that would need to be offset. An internal consultation will also be held and will be attended by relevant officers and if necessary local Councillors. The Council will also consult the relevant Town/Parish Councils concerning what they perceive will be the impact of a proposed development on an area's infrastructure and services, and to consider their ideas on how to mitigate such an impact on their area.
- 7.2 The Council will decide whether any issues highlighted by comments made during the consultation period should be pursued further via the use of planning obligations. If so, officers will negotiate the terms of the relevant obligations with the applicant (where these have not already been addressed).
- 7.3 Comments received at the time of the proposal's submission will once again be reviewed when the agreements are put into effect and around the time when contributions are received by the Council, and when project proposals are being considered.
- 7.4 The Council will consult on area strategies and frameworks as well as any projects that seek to improve facilities (such as streets and open spaces). This in turn, will help determine other district-wide strategies and assessments (e.g. Towcester and Brackley Masterplans, the Open Space, Sport and Recreation Assessment and South Northamptonshire Transport Strategy). These strategies and assessments are used to determine the use of S106 obligations.
- 7.5 Whilst views and desires of all interested parties (i.e. the public, businesses, interest groups, statutory consultees and Parish/Town Councils) will duly be taken into consideration, it will remain the prerogative of the South Northamptonshire Council to act as the sole authority to negotiate and agree upon the content of all legal agreements relating to developer contributions and planning obligations.
- 7.6 Town and Parish Council will be encouraged to research and record infrastructure (both social and physical) needs of the settlement they serve. Such research will enable a speedier and effective consultation process if major development is proposed in the settlement they serve, in which such development requires mitigation by developer contributions.

## **8 PAYMENT AND MONITORING OF CONTRIBUTIONS**

- 8.1 Payment of financial contributions should normally be on commencement of the development to allow mitigation and improvement projects (for example, infrastructure) to begin at the same time as the construction of the main development. This should help co-ordinate the completion of all works where possible.
- 8.2 For large developments, the phasing of payments may be acceptable. In this case, South Northamptonshire Council's Section 106 Monitoring Officer will monitor the progress of each development and notify the relevant developer/landowner when payments are due. The monitoring officer will also record all transactions and events associated with each signed S106 agreement.
- 8.3 Levels of any standard charges will be reviewed on an annual basis to allow for inflation. To ensure that the value of the obligation does not diminish over time due to inflation all financial contributions will be index-linked (indexation method/source to be agreed prior to a legal agreement being signed off). The developer may incur a late payment penalty charge should a payment not be received on the due date.
- 8.4 A Legal Agreements/Developer Contributions Monitoring Officer is employed by South Northamptonshire Council to ensure that obligations set out in each signed section 106 agreement are fully met by the current landowner/developer. The officer will also ensure obligations are met by third parties e.g. Town/Parish Councils. Such obligations could be legal covenants or the contribution of infrastructure/services through monetary contributions or by in kind provision i.e. developer provides the required infrastructure/facility directly.
- 8.5 Although not an exhaustive list, the main role of the Monitoring Officer covers the following tasks:
- Record the details of all signed section 106 agreements.
  - Summarise s106 agreements to identify "trigger points" as to when planning obligations should be met/delivered.
  - Record all "trigger points" and estimated dates when such trigger points will occur on a specialized electronic database.
  - Monitor all activity and milestones of a development associated with s106 obligations and trigger points.
  - Work with Development Management Officer and Monitoring Officers to ascertain commencement and completions of development and to ascertain when aspects of development e.g Landscape Conditions/Schemes have been completed to the required standard.

- Request payments or benefit in kind when trigger points are reached by each development
- Ensure Payments are recorded, bank and sent onto a third party if required.
- Ensure that all planning obligations are enforced if not met by the relevant party

## **9 NEGOTIATIONS**

- 9.1 Where it is considered a s106 legal agreement is required, negotiations regarding Heads of Terms and the desired content of each s106 agreement will be led by the appropriate Development Management Officer who is also responsible for the associated planning application(s), supported by one of the Council's Legal Officers as necessary. However, during this process, when relevant, other Council Officers and Statutory Authorities and other relevant authorities will be consulted regarding the requirements and issues associated with an emerging s106 agreement.
- 9.2 This SPD will be used to guide SNC's Development Management Team and the relevant Case Officer as to the standard charges/formulae and principles of charging required for each development that meets the given thresholds.
- 9.3 Upon adoption of this SPD, South Northamptonshire Council intends to produce a guidance document which will set out model obligations which will help deliver and implement planning obligations to be set out in a section 106 agreement. This work will be conducted in consultation with SNC Development Management Team and Legal Officers.

## 10 VIABILITY

- 10.1 Viability issues are usually addressed in cases of abnormal development costs, for example: the need to remediate contaminated land. In the case of developments which would otherwise have an overriding positive impact on an area but have nevertheless been rendered unviable as a result of planning obligations, the Council may be in a position to be more flexible in terms of deadlines and charges, if the developer is able to provide sufficient evidence that the required planning obligations (including those relating to affordable housing – see SNC Affordable Housing SPG (2003) ) would ultimately undermine the viability of the project. In such cases, the extent to which the proposal fulfills the planning policy objectives will be assessed along with the viability of the development and obligations requested.
- 10.2 In the event that the developer requests an evaluation of the viability of a development, sufficient information is required on an open book basis so that the case can be fully examined. This should comprise details of: projected construction costs, sales/rental values, and densities, gross to net floor space, profits, land value and any further information necessary. In order to evaluate the actual profits and costs from a project a post-completion appraisal will also be requested. Note: The Council uses a financial viability model to test housing development; this will be made available to applicants on the basis of a sliding charge reflecting site size 0-15 dwellings; 15-50; 50-200; 200+.
- 10.3 There may be some cases, after the completion of a s106 legal agreement, where the developer/landowner does not pay any outstanding contributions or provide infrastructure in kind, within the timeframe required in each corresponding planning obligation. In such cases legal proceedings will be instigated to enforce the terms. However, if it is proved, via arbitration if necessary, that within a given time frame of a planning obligation that monies/infrastructure could not be paid or provided, due to financial viability issues with the development, the requirements of obligations i.e new trigger points/timeframes could be re-negotiated and a Deed of Variation completed so that payments are made at a time when financial viability is reached. It is expected that the developer settle any evaluation costs incurred during the appraisal, including the appointment of independent assessors.

## **11 LEGAL AND MONITORING COSTS**

- 11.1 A solicitor's undertaking will be required to pay the Council's reasonable legal fees based on the time taken to prepare and negotiate the Section 106 agreement and to investigate title to the relevant land.
- 11.2 The costs of monitoring and implementing the agreement will be included within the contributions stipulated – charging schedules of which are provided below (Section 14)

## **12 OBLIGATIONS AND CHARGES**

- 12.1 The information provided in the following sections cover obligations and charges likely to be sought by the Council, specific details of which relates to standard obligations only and serves as an indication of the level of contributions to be expected, as outlined in Circular 05/2005. However, not all types of planning obligations are discussed and the information herein does not refer to developments demanding more specific obligations. This guidance should help speed up the negotiation process and ensure a viable outcome.
- 12.2 The obligations and charges which are currently considered standard are informed by a general assessment of the nature of the impacts of new development, infrastructure needs and planning requirements applicable to development in the district. This evaluation was executed via a series of responses to consultation regarding this SPD (conducted upon draft submission); seminars with internal consultees and members; research into the provision of infrastructure and facilities to meet future demands, as well as experience of negotiating S106 agreements and mitigating the impacts of new development within South Northamptonshire.
- 12.3 Standard obligations and charges are applicable to developments of a generic type and size (see Section 6).
- 12.4 Standard charges/formulae are determined by the most recent information available. In the event that additional information is produced that is considered relevant the Council may revise the charges or modify the approach where specific circumstances and a particular site calls for this. Charges will be subject to revision in response to inflation in costs. Other important obligations, which might be required where specific needs have been identified, are also discussed in this section. In certain circumstances a contribution may be requested for the provision of a service or the upkeep of a facility should this is be deemed necessary to fully meet the demands created by a development.
- 12.5 In seeking contributions for the following infrastructure/facilities South Northamptonshire Council will be guided by the relevant National and Regional Policy framework, the application of circular 05/05 and the context in which the development sits and consideration of CIL reg 122. SNC is committed to shaping growth and ensuring it takes place in the most appropriate locations; most importantly of all, SNC is committed to ensuring that the decisions it takes secure safe, healthy, sustainable communities.

**13 AFFORDABLE HOUSING CONTRIBUTIONS**

- 13.1 Affordable housing or affordable housing contributions will be sought from all developments of 15 or more residential dwellings (except exception sites). This figure is based upon guidance provided in Planning Policy Statement Three. This threshold is currently under review and revised thresholds will be included in the Core Strategy for South Northamptonshire. When considered appropriate these new thresholds will be applied to developments within the District.

## **14 COMMUNITY SAFETY**

- 14.1 Government Guidance: Safer Places – The Planning System and Crime Prevention (ODPM 2004) and Section 17 of the Crime and Disorder Act (1998), both state that the prevention of crime and community safety are matters that local planning authorities should consider in its decision-making process and delivery of services. It also states that planning applications should demonstrate how crime prevention measures have been considered and that this should form part of the applicant's design statement submitted with the application. This approach is reinforced by the adopted countywide Supplementary Planning Guidance: Planning Out Crime in Northamptonshire (2004). Also, The Association of Chief Police Officers 'Secured by Design' award scheme is promoted by the Northamptonshire Police as a means of achieving some of the aims of safer places. Applicants are advised to consult with the Crime Prevention Officer/Crime Prevention Design Advisor at Northamptonshire Police before submitting an application.
- 14.2 Development has the potential to have an impact on community safety and may result in a need for additional policing, resources and either extensions to, or new, police buildings. Northamptonshire Police will be consulted on planning applications where it is felt that there may be an impact in terms of community safety. They are already consulted for their views in relation to development schemes and for devising ways to 'design out' crime, which is an integral part of the planning process
- 14.3 The provision of community, sports and recreation facilities and employment opportunities may also have an indirect link on reducing crime and anti-social behaviour (provisions for such facilities are discussed above).
- 14.4 The provision of CCTV may be identified as a need from the outset of a large scale development, particularly mixed-use schemes and those incorporating entertainment and leisure venues, commercial and retail. Other isolated areas may also require CCTV. All these cases will be looked at on an individual basis. Where it is necessary as a consequence of development, the provision of, or a contribution towards, CCTV will be required. This will include the cost of the equipment, its initial set up, linking to the control centre, maintenance and running costs over an agreed period of time.
- 14.5 Where it is known at the planning stage that CCTV is required, developers will be expected to lay the necessary cabling and connections at the outset. This will avoid unnecessary disruption to local residents when the cameras are installed and linked to the control centre.

## **15 KERBSIDE RECYCLING**

- 15.1 In residential developments of 10 or more dwellings in those areas where a scheme operates and which are likely to produce material for recycling, it would be appropriate for the developer to make a contribution to the costs of kerbside recycling. Such contributions would include the provision of recycling boxes and home composting units as well as the vehicles required for the collection of recyclable materials. This sum would be calculated as a figure per dwelling as follows:

*£55 per residential unit (2 x £23 per wheeled bin, 2 x £4.50 per recycle box per residential unit).*

## **16 ENVIRONMENT AND CLIMATE CHANGE**

- 16.1 All developments will be expected to comply with relevant planning policy and demonstrate their adaptation to likely climate change. Where developments are judged by the Council to have a significant impact on the District's capacity to adapt to climate change, developers will be asked to contribute towards mitigating action linked to SNC's Climate Change Strategy. This will include developments which are likely to have significant impact on local drainage, water use or overheating (including due to the heat island effect) and instances where the Council deems it genuinely unfeasible for a development to fully deliver the above adaptation policies on-site.
- 16.2 Air quality is a material consideration in determining planning applications and in parts of the District where trunk and other major roads and motorways pass by or through towns and villages air quality is already cause for concern. An Air Quality Management Area was declared in Towcester town centre along the A5 Watling Street because Nitrogen dioxide levels exceed the national air quality objective.
- 16.3 Nitrogen dioxide levels along the A508 in Roade are also close to the objective. All developments in Towcester and Roade, as well as major developments in other parts of the District, depending on site location, scale and/or scheme, will require an air quality assessment to be submitted as part of the planning application (developers should seek the advice of the Council at an early stage and pre-agree the methodology for the assessment prior to submitting the application).
- 16.4 Where developments are judged to have a detrimental impact on air quality, developers will be asked to contribute towards mitigating and offsetting measures. These could include, for example, measures to encourage the use of public transport, improved facilities to encourage cycling and walking, improvements in traffic management systems to reduce congestion, changed speed limits and improved signing etc. In the case of developments in Towcester outside the AQMA, this could mean funding mitigation measures inside the AQMA to offset any increase in local pollutant emissions as a consequence the development.
- 16.5 It is important for developers to note that the Air Quality Objectives are not a ceiling up to which it is permissible to pollute but limits that should not be exceeded on health grounds.

## 17 WIND TURBINE DEVELOPMENTS

- 17.1 Proposals for major wind turbine developments are currently being submitted in South Northamptonshire. In response the Council has recently adopted a new supplementary planning document: 'Wind Turbines in the Open Countryside'. This will ensure that all future applications are considered carefully and appropriately.
- 17.2 South Northamptonshire Council wishes to ensure that local communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience associated with large scale development work. Development that has an impact on the environment and resources should be acceptable not only in land use planning terms, but should also have clear and direct compensatory benefits for those who live and work in the area. It is the Council's policy to seek funding and/or in-kind contribution from developers towards local community initiatives in respect of development, such as large renewable energy schemes, which have a long term impact on the environment. This contribution is referred to as community benefit.
- 17.3 Wind farm developments can also provide specific benefits for local people. Typically these are delivered through funds managed by the District or parish councils. An annual contribution is paid to the fund by the development at an amount per MW of rated capacity. The amount payable varies from scheme to scheme but typically can be in the region of £2,000- £5,000/MW. And would be payable (index linked) for the lifetime of the scheme (estimated at between 20 – 25 years)
- 17.4 Contributions will usually be in the form of an annual payment to the District or Parish Council for local projects including for example, support for local wildlife groups, renewable energy education, support for community heritage projects.
- 17.5 In July 2009 the Centre for Sustainable Energy published a toolkit "Delivering community benefits from wind energy development for the Renewables Advisory Board'. This toolkit is designed to help wind energy developers, local authorities and local communities understand better:
- the range of ways in which 'host communities' can benefit from wind energy developments
  - the possible justifications for ensuring greater local benefits
  - the factors which may influence the nature and scale of benefits available to host communities
  - the options for managing the delivery of benefits locally
  - the role each of them can potentially play in securing local benefits.
- 17.6 The Toolkit is not designed to provide a case for the development of wind energy. Its purpose is to ensure that, if a development is permitted, the opportunities for positive local gain have been explored

and, through good understanding and effective public consultation and engagement, optimised.

- 17.7 The Council will require appropriate contributions to be made from developments of commercial wind turbines within South Northamptonshire District. The precise amounts payable will be determined on a site by site basis and will be used for a range of locally based improvements within parishes specified within the S106 agreement.

## 18 DEVELOPMENT AND FLOOD RISK

- 18.1 Planning Policy Statement 25 (PPS 25): Development and Flood Risk (PPS 25, 2006) emphasises the active role that LPA's should have in ensuring that flood risk is considered in strategic land use planning. PPS 25 encourages LPA's to undertake a Strategic Flood Risk Assessment (SFRA). SFRA's are one of the documents to be used as the evidence base for strategic land use planning decisions as part of the emergent Local Development Framework for West Northamptonshire.
- 18.2 The PPS25 practice guide recommends that SFRAs are completed in two consecutive phases:
- Level 1 SRFA, West Northamptonshire (Feb 2009)
  - Level 2 SRFA, Daventry and South Northants (June 2009)
- 18.3 The level 2 SRFA states that a site-specific Flood Risk Assessment is required by PPS25 for all development proposals greater than 1ha have to determine the impacts the development would have upon surface water runoff, regardless of the Flood Zone the development is located within. SFRA 2 states that the use of Sustainable Drainage Systems (SUDS) should be encouraged for all development as part of any surface water management strategy. SUDS options could be investigated as part of a surface water management plan (SWMP).
- 18.4 In section 7.4 of the Level 1 SFRA, the Environment Agency have also indicated that *“for the Upper Nene catchment (that is through Northampton and within the Nene catchment upstream of Northampton), surface water attenuation should be provided up to the 1 in 200 year flood (rainfall) event plus climate change allowance”*. In view of this, the SFRA2 suggests this is a 'critical drainage area' and should be addressed as part of a Surface Water Management Plan (SWMP).
- 18.5 An assessment of the impact any proposed development may have upon groundwater levels and/or potential flooding should also be considered as part of the site-specific FRA.
- 18.6 In view of the above requirements of PPS25 and the associated SFRAs where relevant i.e. identified risk of all new major developments, should consider flood risk mitigation, which would be sought through the use of planning obligations/developer contributions where they cannot be addressed via planning conditions. Furthermore, as stated in the SFRA 2, all new major developments should provide a means of surface water drainage, which will also be sought through planning obligations/developer contributions. The provision of such infrastructure would also have to consider its associated ongoing management and maintenance, and the necessary planning obligations that would address such requirements

- 18.7 The SFRA2 provides suggested methods of providing surface water drainage including various models for Sustainable urban drainage systems (SUDS).

## 19 ECONOMIC DEVELOPMENT

- 19.1 In accordance with the Local Government Act 2000, the Council has a power to take steps to secure the economic, social and environmental well-being of its area. The economy of the district consists of a wide and diverse range of businesses drawing upon the local workforce and a number of people commuting into the area of work. This power was strengthened in the 2009 Local Democracy, Economic Development and Construction Bill which gave Local Authorities the duty to promote and deliver local economic assessments. In 2010 the Council adopted a new Economic Development Strategy for the District which sets out Objectives for the economy of the area, provides analysis and proposed responses to key economic trends.
- 19.2 Whilst skills within the district are relatively high at present, this reflects the skills levels of our commuters. In reality, there is little higher education provision in the district and West Northamptonshire labour force lacks the skills required for major jobs growth. Through the Economic Development Strategy, the Council sets out its objectives to work with local, regional and national training providers both district and countywide through intervention details in the Strategic Northamptonshire Employment Action Plan and Local Area Agreement. These interventions will focus on developing skills to match the demands of the changing employment market.
- 19.3 It is acknowledged that investment and re-investment in the District is critical to its future success and as such a programme of initiatives need to be in place to maximize the potential of economic growth whilst mitigating against the potential harm to the infrastructure of our local communities.
- 19.4 Working with local, regional and national training and development providers and business advice agencies, the Council will co-ordinate the delivery of specific projects capable of supporting the local economy and business needs. A number of existing projects such as the Centre for Developing Connections and a range of outreach training and advice schemes assist people to train and develop their skills to match the demands of the changing employment market.
- 19.5 With a relatively low unemployment rate amongst the working population the Council will wish to ensure that any new commercial development or re-development resulting in a more intensive use of commercial land or premises shall include a proportionally appropriate level of contribution. Therefore, when required/necessary (CIL reg 122, 05/05) Planning obligations related to industrial and commercial developments shall be targeted towards training and retraining initiatives, skills development, innovation and social inclusion projects.

- 19.6 The district has high levels of homeworking, which accounts for 12% of its resident workforce. We want to support these small businesses and a major barrier is broadband which is very poor in certain areas of the district. We will be looking at initiatives to support the introduction of next generation broadband in new developments, if viable; such provision could be supported through the use of planning obligations.

## 20 TOWN CENTRE MANAGEMENT AND IMPROVEMENT

- 20.1 The Council considers that it is important to support the enhancement of the public realm across the Brackley and Towcester. This work will help to reinforce their roles in the District as service providers and strengthen their sustainability. New development places considerable pressure on the public realm of settlements so it is justifiable that a contribution should be made to maintain and enhance their upgrading. The reasons for supporting public realm include economic, tourism, placemaking, social inclusiveness, accessibility and sustainability arguments.
- 20.2 It is Government policy that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on design, conservation and the provision of public space. PPS1 states that planning authorities should seek to enhance the environment as part of development proposals. Significant adverse impacts on the environment should be avoided and alternative options which might reduce or eliminate those impacts pursued. Where adverse impacts are unavoidable, planning authorities and developers should consider possible mitigation or compensatory measures.
- 20.3 The Crime and Disorder Act 1998 imposes a duty on local authorities to do all they reasonably can to prevent crime and disorder, and PPS1 states that it is a key objective to ensure that developments create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion.
- 20.4 There is a need for developers to share the burden of delivering the public realm at a level and quality that reflects the rest of the built environment. It is considered that this burden should not fall exclusively to the public sector for delivery as the benefits extend across all sectors. The approach to public realm contributions is transparent and fair in that the contribution cost can be seen and is based on the scale and type of development.
- 20.5 The case for levying a charge upon development for town centre improvements is consistent with the three key CIL tests:

Regulation 122 provides that “a planning obligation may only constitute a reason for granting planning permission if the obligation is:

***a. necessary to make to the development acceptable in planning terms***

*Ensuring that the town centre is fully used and not adversely affected by new development (either because the centre lacks the capacity to accommodate the additional activity or because development outside*

*the centre diminishes activity within it) requires investment in public realm.*

***b. directly related to the development***

*Town centres should be the place where the vast majority of the town and catchment area residents satisfy their needs for higher order goods and services – Brackley and Towcester are the largest towns available for a significant proportion of the District's residents. Retailers and employers in the town will benefit from an increasing footfall, greater offer and decreasing leakage away from the towns. Therefore it is important that this higher level of sustainability is maintained and where possible enhanced. Therefore, new developments will place increased pressure on the central area public realm*

***c. fairly and reasonably related to the scale and kind to the development***

*Requests for developer contributions will be applied pro rata to the size and scale of development. The funding provided will be ring-fenced and used solely for public realm projects. If the funding is not used within an agreed time frame then it shall be repaid to the developer.*

*What is Public Realm*

- 20.6 The following definition used by the ODPM in Living Places: Caring for Quality (January 2004) is helpful in understanding the term.

*Public Realm relates to all those parts of the built environment where the public has free access. It encompasses: all streets, squares, and other rights of way, whether predominantly in residential, commercial or community/civic uses; the open spaces and parks; and the 'public/private' spaces where public access is unrestricted (at least during daylight hours). It includes the interfaces with key internal and private spaces to which the public normally has free access.*

- 20.7 To this end the Public Realm Strategy will apply to private developments where there is public access or where the development is likely to have an impact on the public realm. For example if a private area of land is spoiling the visual amenity of an area; the Council would consider this to be a 'public realm issue'.

- 20.8 As the South Northants Economic Development Strategy observes 'we aim for most growth in South Northants to be centred on the towns'. The Council wishes to strengthen the town centres of Brackley and Towcester and for them to be dynamic, vibrant and thriving destinations where people live, work, spend recreation time and money and socialise.

- 20.9 South Northamptonshire Council is currently completing Masterplans for the urban areas of Towcester and Brackley. These Masterplans set out detailed visions for the future of each town and the role of their respective town centres and main employment areas.
- 20.10 To ensure the viability and vitality of a town centre, it needs to be effectively managed and promoted. Experience across the Country shows that this is best achieved through adoption of a Town Centre Strategy; which in turn should result in improved links between public and private sector initiatives aimed at improving the quality of a town centre. Important contributions which could be achieved via the introduction of a Town Centre Strategy include:
- i. the encouragement of improvements to the public realm in order to enhance what is attractive about a town; the improvement of both the image of the town and access to the town
  - ii. the delivery of town centre promotion
  - iii. the encouragement of investment from businesses (existing and potential)
  - iv. the facilitation of communication between private and public sectors
  - v. the improvement of the monitoring of and response to retail trends in the town centre
  - vi. the improved identification and use of resources
  - vii. the co-ordination/facilitation of maintenance and security
- 20.11 A well-managed, well-presented, well-cared for, safe and secure town centre environment confers benefits on all its users, including those who conduct business within it and those who own property there.
- 20.12 The resource required to implement a town centre management strategy are in addition to those needed for the usual activities of the town centre. The costs of these additional activities/requirements can be partly met through suitable section 106 planning obligations.
- 20.13 South Northamptonshire Council intends to take forward the vision and goals set out in the aforementioned Masterplans in the form of respective Town Centre Strategies. Such strategies will set out the best approach to ensure the long-term vitality and viability of the town centres. The strategies will include at the same time recommendations for physical improvement projects and management and promotion needs.
- 20.14 Upon their publication, the Town Centre Strategies will identify specific priorities that will increase the vitality and viability of each town centre. Such priorities could include both physical improvement projects and/or management and promotion strategies/programmes.

- 20.15 Communities created by new major residential development to be located in Brackley and Towcester, especially those located on the edge of the urban areas, could potentially use other Town Centres and retail areas for retail and leisure purposes. It is very important that new residential development is integrated within the existing community; whereby it is considered the town centre that acts as a social hub for the whole town and can act as a pull-factor to increase social cohesion.
- 20.16 This document will not only seek contributions from retail, leisure and commercial Town Centre and out of centre which will potentially have an impact on the vitality and viability of the centre of the town in which they are located; but will also seek contributions from new residential developments in order to increase social cohesion and integration between new the residential developments and the existing town. Town centre/Business District Contributions would also be sought in order to encourage residents of new developments in Brackley and Towcester to use their respective centres for Retail, social and employment needs rather out commute to other town centres.
- 20.17 Financial contributions collected from development will be allocated to a Town Centre Fund to the town in which it is located. The fund will be used for projects that are considered appropriate, and will address the priorities of the relevant Town Centre Strategy.
- 20.18 The Town Centre Fund will be held and controlled by South Northamptonshire Council. Projects required to be financed by the fund would have to present a business case to SNC as the basis for approving the financing of such projects. A clear audit trail for all income and expenditure related to the Town Centre Fund would be maintained by South Northamptonshire Council.
- 20.19 Those projects identified in the Masterplans and emergent Town Centre Strategies will not be considered to be final, and as trends and demands change, the priorities will change too. The strategies will provide a basis for which town centre management/improvement contributions will be targeted. Additional suitable projects for developer-contribution funding will be considered periodically, following consultation and updates to the strategies, or when the strategies are considered to be out of step with the needs of the town centre at that time.
- 20.20 Depending on the extent of the town centre strategies the Council will consider the need for a Town Centre Manager for Brackley and Towcester. It is not yet known as to whether this role would cover both towns or be dedicated to a particular town. The estimated total cost of a town manager (including set up) would be £50,000 per annum. The post would be for a five year contract. This would enable time for positive actions to be taken in both towns that co-includes with at least some of the new development proposed. The total cost of this would therefore be £250,000. The amount of the contribution for this post will

be expected to be funded from new developments, particular the urban extensions. The amount of contributions will be determined through negotiations with prospective developers at the planning application stage.

- 20.21 A second amount would also be required as a working budget to deliver improvements in the towns. It is considered that this would reasonably be £4m over five years.
- 20.22 Contributions from new developments towards the Town Funds will be sought from all new residential developments of 10 or more dwellings as well as major industrial and commercial developments within and adjoining Brackley and Towcester. These will be assessed at the time of application based upon; (i) town centre impact; (ii) the economic and physical condition of the town centre at that time; and (iii) what measures are necessary to mitigate the impact of the new retail development. The amount of the contribution to the fund will be determined through discussions with prospective developers at the planning application stage.
- 20.23 Alongside the towns, some development is likely to be directed to certain larger more sustainable villages. As a principle development is directed to larger more sustainable villages where there is less need for out commuting and the use of the private car. Therefore in a similar way to that set out above for the towns there is a need to ensure that these villages remain vital and vibrant. Therefore contributions to securing this will be sought from developments within the villages of 10 dwellings or more.

## 21 ARCHAEOLOGY

21.1 Planning Policy Statement 5 (Planning For the Historic Environment) (PPS5) sets out the government's policy on archaeological remains on land with particular regard to their treatment within the development plan and control systems. It states that there should be a presumption in favour of the physical preservation of nationally important archaeological remains and their settings – whether scheduled or not.

21.2 PPS5 also advises that 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 that exist in the area of a proposed development. Where important archaeological 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 the development.

21.3 Archaeological projects fall into four general categories:

Assessments – which aim to collate existing written and graphic information about the nature of the archaeological resource in an area. This is usually a desk-based study resulting in the production of a report.

Evaluations – which aim to gain sufficient information about the nature of the resource in order to allow its importance to be assessed and an appropriate strategy for its future management defined. The preferred 'mitigation' strategy is normally to seek effective preservation in situ. This stage normally involves a report and fieldwork. The assessment and evaluation stages are normally carried out prior to the determination or a planning application.

Recording actions – are normally carried out following the granting of planning applications either prior to or during development where remains cannot be preserved in situ. They aim to investigate, record and publish the archaeological resource within the area in sufficient detail to achieve stated objectives. This will normally involve, both field and desk-based studies and an assessment report, research archive and publication report.

Monitoring – aims to ensure the satisfactory implementation of a specified strategy for preserving archaeological remains within a development.

21.4 Within the areas of national or county archaeological importance, any proposal involving ground disturbance will be assessed for its archaeological importance. Where an applicant considers that there may be archaeological remains on a particular site it is advised that

early contact be made within Northamptonshire Heritage, which forms part of the County Council.

- 21.5 Northamptonshire Heritage advises this Council on the implementation of PPS5 through the identification of archaeological considerations of planning applications, advising on the need for evaluations, planning conditions and legal agreements; preparation of briefs for archaeological work; monitoring and advising developers and archaeological contractors on how to meet archaeological planning requirements. They are notified of every planning application submitted to the Council.
- 21.6 Where Northamptonshire Heritage believes that there may be important archaeological remains within an application site, the applicant will be required to provide an adequate assessment and evaluation as to the character and extent of the remains in the area prior to the determination of that application. This work will be required to be undertaken by an appropriately qualified archaeological contracts organization in a manner and to a level considered acceptable by Northamptonshire Heritage. This work would be carried out at the applicant's expense.
- 21.7 Following the completion of this evaluation Northamptonshire Heritage will determine the likely archaeological impact of the proposal and the need for any further work, which may be required. If it is considered that further recording and monitoring would be appropriate this will, again, be required to be carried out to the satisfaction of Northamptonshire Heritage at the expense of the applicant or developer. The extent of this work will vary depending on the location and size of the site and degree of archaeological significance. On those sites considered to be of greatest importance the applicant will be required to enter into a legal agreement specifying both the works required and their timing.
- 21.8 Consideration will be given to the negotiation of appropriate contributions for archaeological planning requirements (as prescribed above) for developments of all sizes, as each will be assessed on its own merits. Contributions will also be sought to store and/or conserve archaeological finds; or if appropriate, to display finds, either in a specific exhibition space or in-situ. Such costs will be negotiated and will be appropriate to what is found on site and prescribed methods for its storage, conservation and/or display. Costs will also be sought for the publication of archaeological finds.

## **22 HISTORIC ENVIRONMENT AND CONSERVATION**

- 22.1 Planning Policy Statement 5 (Planning for the Historic Environment) (PPS5) sets out the government's policy on heritage assets including all archaeological remains for all designated and non-designated sites. The government seeks to ensure the historic environment be conserved and enjoyed now and in the future by delivering sustainable development, conserving our heritage assets in a manner appropriate to their significance and to contribute to our knowledge and understanding of our past. The understanding of the significance and nature of these assets, particularly those relating to standing or buried archaeology is essential to our understanding of the past and how proposals will affect the asset.
- 22.2 PPS5 also advises that in order to assess the significance of an asset and the impact of a proposal planning authorities should ensure the applicant provides adequate evidence to allow a full assessment of the proposal. This information and any subsequent evidence should be made publicly accessible in the Historic Environment Record.
- 22.3 Policy HE6 of PPS5 states that where it is known a site has the potential to include heritage assets with an archaeological interest, developers will be expected to submit an appropriate desk based assessment, where this is insufficient information to assess the interest, a field evaluation should be undertaken. Where an applicant considers that there may be archaeological remains on a particular site they are advised that early contact be made within Northamptonshire Heritage. There will be a presumption in favour of conserving designated assets and the more significant the asset the more the presumption in favour of conserving. Any loss of an asset should require a clear and convincing justification which should be proportional to its significance. The absence of a designation does not necessarily imply a lower significance.
- 22.4 Documentary evidence can be a valuable source of information in aiding our understanding of our past but not as effective as the asset itself so the ability to record should not be a consideration in the decision making process. However, the process of investigating significance should add to our evidence base of understanding our past and this evidence should be publicly available. Where an asset is to be lost or its significance diminished the Council will require the developer to record and advance the understanding of the significance of the asset before its lost by entering into legal agreements or imposing conditions to secure the excavation, recording and publication of archaeological remains. To ensure the records are publicly available and accessible the Council may seek contributions towards the records future maintenance.

- 22.5 Consideration will be given to the negotiation of appropriate contributions for archaeological planning requirements or developments of all sizes, as each will be assessed on its own merits. Contributions will also be sought to store and/or conserve archaeological finds; or if appropriate, to display finds, either in a specific exhibition space or in-situ. Such costs will be negotiated and will be appropriate to what is found on site and prescribed methods for its storage, conservation and/or display. Costs will also be sought for the publication of archaeological finds.
- 22.6 To ensure the right level of expertise is used to assess significance and understanding of archaeological heritage assets Northamptonshire Heritage provides advice to this Council on the implementation of PPS5 through the identification of archaeological considerations of planning applications, advising on the need for evaluations, planning conditions and legal agreements; preparation of briefs for archaeological work; monitoring and advising developers and archaeological contractors on how to meet archaeological planning requirements.
- 22.7 Planning Policy Statement 5 'Planning and the Historic Environment' also sets out the government's policy on other heritage assets including all historic buildings, monuments, areas, and landscapes, which are both designated and non-designated. The government through the PPS seeks to ensure these elements of the historic environment be conserved and enjoyed now and in the future by delivering sustainable development, conserving our heritage assets in a manner appropriate to their significance and to contribute to our knowledge and understanding of our past. The understanding of the significance and nature of these assets is essential to our understanding of the past and how proposals will affect these assets. PPS5 in conjunction with the saved policies EV9, EV10, EV11 and EV12 and EV26 in the SNC Local Plan (1997) seek to conserve the historic environment which makes a significant contribution to the special character and sense of place we are seeking to preserve in South Northamptonshire.
- 22.8 As with archaeology the understanding of the significance and nature of these assets is essential to our understanding of the past and the how plans and proposals will affect the asset. PPS5 advises that in order to assess the significance of an asset and its setting as well as the impact of a proposal planning authorities should ensure the applicant provides adequate evidence to allow a full assessment of the proposal. This information and any subsequent evidence should be made publicly accessible in the Historic Environment Record.
- 22.9 There will be a presumption in favour of conserving designated assets and the more significant the asset the more the presumption in favour of conserving. Any loss of an asset should require a clear and convincing justification which should be proportional to its significance. The absence of a designation does not necessarily imply a lower significance. When considering applications for development that

affect the setting of a heritage asset favourable consideration will be given where the proposal preserves the setting or better reveals the significance of the asset

- 22.10 Where a development affects the historic environment, the Council may seek obligations, which enable the conservation of buildings or places/public spaces of historic or architectural interest or other relevant obligations. Where appropriate, obligations may address issues such as the repair, restoration, maintenance or relocation of a heritage asset(s) and their setting; increased public access, the provision of historical information and improved signage to and from heritage assets. In some cases development will be permitted because it will enable the restoration or repair and upkeep of a heritage asset. In this case obligations will be sought to ensure that an element of the development profit is tied to the conservation of the heritage asset.

## **23 GREEN INFRASTRUCTURE**

23.1 'Green infrastructure is a network of multi-functional green space, both new and existing, both rural and urban, which supports the natural, historical and ecological processes and is integral to the health and quality of life of sustainable communities'.

23.2 The Northamptonshire Strategic Green Infrastructure Assessment has adopted a strategic and collaborative approach that, through regeneration, conservation and land management, addresses the environmental, social and economic aspects of growth and development, changes within both urban and rural landscapes and the fragmentation of habitats.

23.3 The key principles of Green Infrastructure (as set out in the Green Infrastructure Guide for the East Midlands (EMGIN, 2008) are as follows:

- Contribute to the management, conservation and enhancement of the local landscape.
- Contribute to the protection, conservation and management of historic landscape, archaeological and built heritage assets.
- Maintain and enhance biodiversity to ensure that development and implementation results in a net gain of Biodiversity Action Plan habitats.
- Provide connectivity and avoid the fragmentation of habitats, sites and natural features, to increase the potential for natural regeneration and the migration of species of flora and fauna, which may be affected by changing climatic or other conditions.
- Be designed to facilitate sustainable longer-term management.
- Be delivered through enhancement of existing woodlands and also by the creation of new woodlands and forest areas.
- Create new recreational facilities particularly those that present opportunities to link urban and countryside areas.
- Take account of and integrate with natural processes and systems.
- Be managed and funded in urban areas to accommodate nature, wildlife and historic and cultural assets, and provide for sport and recreation.

- Be designed to high standards of quality and sustainability to deliver social and economic, as well as environmental benefits.
- Provide a focus for social inclusion, community development and lifelong learning.

23.4 At the strategic level, Green Infrastructure is an environmental system that supports the health, wellbeing and aesthetic values of communities and the maintenance of functional ecosystems. It provides an asset that enables the environment to support and maintain natural and ecological processes, and sustains land, air and water resources. It also:

- contributes to high quality and accessible landscapes benefiting people and wildlife;
- plays an essential role in maintaining and enhancing the health of the natural environment and its ability to provide a wealth of 'ecosystem services';
- increases ecological connectivity to overcome habitat fragmentation and increase the ability of the natural environment to adapt to climate change;
- creates attractive and accessible places for people to enjoy direct and regular contact with the natural environment;
- strengthens links between urban areas and their surrounding countryside
- combines with promotional campaigns, green infrastructure can support healthier lifestyles by providing green routes for walking and cycling, and green spaces for exercise and play
- green infrastructure supports the efficient management of water resources. A network of green spaces reduces the likelihood of flooding by allowing water to permeate through the ground;
- green infrastructure can also be designed to act as flood storage areas, holding large volumes of water in temporary ponds to protect built up areas from flooding;
- green infrastructure can also contribute to delivery of sustainable land management e.g. through Higher Level Stewardship (HLS) schemes;
- green infrastructure can also create a range of social and economic benefits, both directly (through employment in capital

projects and future management) and indirectly (increased visitors and visitor spend).

- ensures the efficient use of land through a multifunctional approach to land use planning;
- supports functioning ecosystems and robust natural systems for the management of basic resources such as water, clean air, soil, and the maintenance of biodiversity;
- delivers a broad range of ecosystem services and linked social and economic benefits that clearly demonstrate the relevance of the natural environment to the lives and livelihoods of individuals and communities;
- makes a direct contribution to the climate changing 'proofing' of peoples' homes and communities;
- enhances the self sufficiency of communities though providing local food production and recreational areas.

23.5 South Northamptonshire Council will seek developer contributions (either direct payments or in kind) for Green infrastructure Projects, that either form a part of a development (including boundary treatments) or are located in an offsite geographical location within South Northamptonshire. Such contributions (provided through a s106 legal agreement) will only be requested if they are considered to be related to the associated development (criteria provided in 05/2005) and address the above principles of Green Infrastructure.

23.6 The level of developer contributions required for Green Infrastructure Projects will vary and be considered on a site by site basis.

## **24 LEISURE (INDOOR AND OUTDOOR) & COMMUNITY FACILITIES**

- 24.1 In all but the smallest new residential development schemes part of the site should be devoted to public open space in line with the revised National Playing Fields Association standards. This should include equipped children's play areas and casual play space, together with landscaped areas for sitting and quiet relaxation. Such areas should be well designed and landscaped and should be appropriately located within the development so they can be conveniently used and enjoyed by residents. It is important to ensure that these are retained as amenity areas in the long term, through planning conditions or legal agreements. In the case of larger residential schemes developers should be prepared to provide more substantial recreational and leisure facilities where the need has arisen directly as a result of the proposed development. When calculating open space requirements under Policy RC10, the Council will apply an average household size of 2.5 persons per dwelling.

### **POLICY RC10**

AMENITY AND CHILDREN'S PLAY AREAS AND OTHER APPROPRIATE FACILITIES SHALL BE PROVIDED WITHIN RESIDENTIAL DEVELOPMENTS. AS A MINIMUM STANDARD IN DEVELOPMENTS OF 50 DWELLINGS OR MORE THERE SHOULD BE:

AMENITY OPEN SPACE - 0.6 HECTARES PER 1,000 POPULATION;

CHILDREN'S PLAYSPACE AND KICKABOUT AREAS -

0.4 HECTARES PER 1,000 POPULATION;

SPORTS GROUND/PLAYING FIELDS -

2.0 HECTARES PER 1,000 POPULATION.

IN APPROPRIATE CASES WHERE A NEED FOR COMMUNITY FACILITIES CAN BE DEMONSTRATED FROM A PROPOSED DEVELOPMENT, DEVELOPERS WILL BE EXPECTED TO PROVIDE SUCH FACILITIES. IN ADDITION, DEVELOPERS WILL BE EXPECTED TO PAY A COMMUTED SUM FOR THE FUTURE MAINTENANCE OF SMALL AREAS OF OPEN SPACE WHERE SUCH AREAS ARE PRINCIPALLY FOR THE DEVELOPMENT ONLY.

- 24.2 This document sets out the circumstances when the Council will seek financial and other contributions for Leisure uses.
- 24.3 Consideration will be given to negotiating appropriate contributions from developments of 10 or more dwellings where it can be demonstrated that the development will generate a need for additional

sport and recreation provision. A major development which is large enough to include sport and recreation provision within the development will be required to meet the full capital cost of the requirement (including design, land, buildings and fittings) together with a lump sum to ongoing management and maintenance.

*The need for leisure facilities*

- 24.4 Assessment of the needs of the District has been updated since the previous SPG- Developer Contributions (2003) was produced and is based upon information contained in the following reports:
- Sports Facilities Strategy for West Northamptonshire – Syzygy Leisure (April 2009)
  - Open Space Strategy 2007 – 2021 (PMP 2007)
  - Playing Pitch Strategy (PMP 2007)
- 24.5 A summary of each of these reports together with an assessment of contributions that will be required for leisure and open space is appended to this document in Appendix 1.

**25 PUBLIC ART**

- 25.1 The Council will seek the provision of public art as a part of new development where this can be appropriately provided in context with the existing/proposed public realm and/or open space and when it is deemed that an associated public art scheme can be successfully delivered in such spaces.
- 25.2 The art should be accessible to the public and where public open space is being provided it should be integrated within this using features such as decorative lighting, water features or paving. Where possible, artists should be involved at an early stage in the design process.
- 25.3 Public art also provides the opportunity to engage with and involve local residents and other groups in the design of public space that should be undertaken. Proposed works should also be discussed with the Council at an early stage and submitted for the Council's approval.

## 26 MONITORING COSTS

- 26.1 In order to meet the costs of the Council in monitoring a Section 106 legal agreement (including the employment of a section 106 Monitoring Officer), an additional fixed rate fee will be levied, dependent on the sum of the contributions to be made (including the value of benefit in kind obligations). This additional administration fee (additional to any appropriate legal costs levied by South Northamptonshire Council for drawing up a legal agreement) will be set as follows:

Table 8, Monitoring Fee Matrix:

<b>Contribution</b>	<b>Fixed Administration Fee</b>
£20,000 - £250,000	£1000
£251,000 - £500,000	£2500
Over £500,000	£5000

## 27 IMPLEMENTATION

27.1 'Implementation' refers to the commencement of any material operation that is deemed part of the development, including preparation of the foundations. Reliance will be placed on section 56 of the Town and Country Planning Act 1990 in determining this. With the exception of those cases where it has been arranged by legal agreement to pay upon milestones/phases of the development, it is usually required that most obligations be delivered on or before the commencement of the development. The Council is to be notified by the developer of their intention to implement the planning consent at least 28 days in advance, and at any other time stipulated in the agreement.

27.2 The distribution of contributions will be decided upon during consultation undertaken on the planning application; during negotiations on the associated planning obligations; and via consultation of the infrastructure planning documents as referred to above. Where availability of funds from one developer is deemed insufficient to deliver a project, contributions may be pooled with other funding sources (subject to compliance with CIL reg 122- see introduction ) e.g evidence proves the contribution is necessary, relevant, related to planning etc. Contributions are imposed so as to deal with the issues highlighted in this document (and any other requirements which may arise) and to diminish any impact from a development on a surrounding area and its infrastructure. The nature of works stipulated will be informed by a set of existing and forthcoming documents which outline details of the social and physical infrastructural needs of the district deemed at risk of disruption and are set out to create sustainable communities (as defined in Planning Policy Statement 1) e.g Brackley, Towcester and Roade Masterplans and associated Town Centre Strategies.

27.3 The following documents will help to inform the nature of projects that will be funded or part funded (along with other sources of finance) through S106 contributions:

- The Brackley Masterplan
- The Towcester Masterplan
- Roade Village Masterplan
- South Northamptonshire Economic Development Strategy
- South Northamptonshire Transport Strategy
- South Northamptonshire Climate Change Strategy
- South Northamptonshire Leisure Facilities Strategy.

A number of the documents above are available at the following link:  
<http://www.southnorthants.gov.uk/documents/483.htm>

27.4 On receipt of contributions that are not specifically earmarked for projects set out in S106 agreements, e.g. contributions towards a Town Centre Fund, the Council will undertake a process of evaluation of different projects that seek funding from such contributions. If deemed appropriate

i.e. a sound business case is presented for project funding that relates to the Council's strategy/policy, and addresses CIL reg 122, monies will be released to finance/part finance such projects. Such spending from non earmarked s106 funds will be carefully recorded and monitored for audit purposes.

- 27.5 The impact of projects funded through S106 contributions upon equality will be considered in accordance with the Council's Equality and Diversity Scheme (2009) and equal opportunities legislation. The organisations involved in the implementation of projects will be required to comply with relevant equalities policy detailed within the policy and legislation.

## Appendix:

### Contributions required for Leisure and open space

This SPD sets out the definition of children's play areas. ***These are extracts from the Planning and Design for Outdoor Sport and Play (Fields in Trust) guidelines (2008). <http://www.fieldsintrust.org/>***

### The Local Area for Play (LAP) or Doorstep Play Space

The LAP is a small area of open space specifically designated and primarily laid out for very young children to play close to where they live i.e. within 1 minute walking time. The LAP is a doorstep play area by any other name. LAPs are designed to allow for ease of informal observation and supervision and primarily function to encourage informal play and social interaction. The LAP requires no play equipment as such, relying more on demonstrative features indicating that play is positively encouraged.

In general terms, the following characteristics apply to a LAP:

- It is intended primarily for children up to the age of 6, though it will be used by older children at different times of the day or evening
- It is within 1 minute walking time of the child's home
- It is best positioned beside a pedestrian route that is well used
- It occupies a well-drained, reasonably flat site surfaced with grass or a hard surface
- The recommended minimum activity zone is 100 sq m
- A buffer zone of 5 metres minimum depth normally separates the activity zone and the forward-most part of the nearest dwelling that faces the LAP. Gable end or other exposed walls can be protected from use for ball games by, for example, providing a dense strip of planting of 1 metre minimum depth. The buffer zone includes varied planting to provide a mix of scent, colour and texture
- It may contain demonstrative features that allow young children to identify and claim the space as theirs
- Depending on location it may have a 600mm guard rail, low fence or planting to indicate the perimeter. Similarly, depending on location, there may need to be a barrier limiting the speed of a child entering or leaving the LAP
- There should be a sign indicating that the area is for children's play and that dogs are not welcome
- The activity zone of the local area for play counts towards the quantitative element of these recommendations and local standards.

### The Local Equipped Area for Play (LEAP)

The LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live, usually within 5 minutes walking time. Experience has indicated that to provide equipped LEAPs within 5 minutes walk

of all houses in a new development can on occasion be impractical and difficult to achieve. An alternative to the LEAP is therefore to provide a Local Landscaped Area for Play which is dealt with in the following section.

Play features including equipment are an integral part of the LEAP and the attractiveness of such spaces, though it is also important that the space can be used for physical activity and games. LEAPs can be the place for boisterous activity and therefore it is important to give careful consideration to siting. In summary, if a LEAP is properly sited, equipped, overseen and maintained it is able to meet the needs of children without being a source of nuisance to other residents.

The main characteristics of a LEAP are:

- It is intended primarily for children who are beginning to go out and play independently
- It is within 5 minutes walking time of the child's home
- It is best positioned beside a pedestrian route that is well used
- It occupies a well drained, reasonably flat site surfaced with grass or a hard surface, together with impact absorbing surfaces beneath and around play equipment or structures as appropriate
- The recommended minimum activity zone is 400 sq m
- A buffer zone of 10 metres minimum depth normally separates the activity zone and the boundary of the nearest property containing a dwelling. A minimum of 20 metres should normally be provided between the activity zone and the habitable room façade of the nearest dwelling. Where these minimum distances apply, careful consideration needs to be given to:
  - The design of any means of enclosure, planting scheme and/or other physical features on the boundary of the residential property
  - The siting of features including equipment within the activity zone, to preclude opportunities for overlooking nearby gardens or dwellings, potential loss of privacy and creation of nuisance.

For high density developments – particularly on brownfield sites – the buffer zone may have to be reduced in order to provide play facilities for the children. Design is again of key importance:

- The buffer zone includes varied planting to provide a mix of scent, colour and texture
- It is designed to provide a stimulating and challenging play experience that may include equipment providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play, and play with natural materials such as sand and water, or other activities. The number and nature of equipment and structures is a matter for local consultation and decision though provision for a minimum
- number of six play experiences is recommended
- There is adequate space within the area of the LEAP to allow children to be generally active and play 'chase' type games

- The question of enclosure is one for the manager but the boundaries should be recognisable by landscaping. Perimeter fences are generally considered inappropriate though some fencing may be necessary if the site adjoins one or more roads. If the LEAP is enclosed there should be two, outward-opening, self-closing gates on opposite sides of the LEAP. If fencing is used, a height of 1 metre is suggested. Depending on location, there may need to be a barrier limiting the speed of a child entering or leaving the LEAP
- Seating for accompanying adults and siblings should be provided, together with one or more litter bins
- There should be a sign indicating that the area is for children's play and that dogs are not welcome. The name and telephone number of the facility operator should be provided with an invitation to report any incident or damage to the LEAP or the play equipment. The location of the nearest telephone should also be indicated
- The activity zone of the LEAP counts towards the quantitative element of these recommendations and local standards.

There may be occasions when it is appropriate to design the LAP and the LEAP adjacent to each other. In these circumstances the buffer zone between the two should be reduced or removed, but the buffer zone around the LAP part of the provision should be that which is appropriate for a LEAP.

### **The Local Landscaped Area for Play**

As previously mentioned, this is alternative provision to the LEAP. It can, for example, be considered in the light of the following circumstances:

- Where a developer and the planning authority decide that they would prefer to consult with local residents – including children – once a new estate has been populated. In such circumstances, the developer may enter into an obligation setting aside funds for possible equipment and other features for an agreed period of time
- Where there is significant doubt about the practicality of providing more than one LEAP, in which case the Local Landscaped Area for Play can be provided
- If there is provision for only one LEAP, then the equipped play area should be provided i.e. the landscaped option is to be disregarded in these circumstances.

The characteristics of the Local Landscaped Area for Play are:

- It is intended, in the context of play, for use by children and young people alike
- It is within 5 minutes walking time of the child's home
- It is best positioned beside a pedestrian route that is well used
- It occupies a well drained, imaginatively landscaped site suitable and used for play
- The area may have little or no equipment but is imaginatively designed and contoured, using as far as is possible natural materials such as logs

- or boulders which create an attractive setting for play. Planting should be varied to provide a mix of scent, colour and texture
- The recommended minimum area is 900 square metres
  - It is designed to provide a suitable mix of areas for physical activity and areas for relatively calm relaxation and social interaction
  - The question of enclosure is one for the manager but the boundaries should be recognisable by landscaping. Perimeter fences are generally considered inappropriate though some fencing may be necessary if the site adjoins one or more roads. If the site is enclosed there should be two, outward-opening, self-closing gates on opposite sides of the site. If fencing is used, a height of 1 metre is suggested. Depending on location, there may need to be a barrier limiting the speed of a child entering or leaving the site
  - Seating is desirable
  - The site should be recognisably available for use by children, though the local landscaped area for play is an open space for shared use and enjoyment by all sections of the community
  - The area of the Local Landscaped Area for Play counts towards the quantitative element of these recommendations and local standards.

The landscape characteristics of such sites should, wherever possible, be incorporated into the LEAP.

### **The Neighbourhood Equipped Area for Play (NEAP)**

The NEAP is an area of open space specifically designated, laid out and equipped mainly for older children but with play opportunities for younger children as well. Located within 15 minutes walk from home, the NEAP is sufficiently large to enable provision for play opportunities that can not be provided within a LAP or LEAP.

Play equipment is a particularly appropriate form of provision for younger children. As children grow older, towards the latter stages of primary school age, they are looking for different challenges and stimuli. They engage more in wheeled activities and informal ball games, sometimes taken up as formal sport. As they move towards their teenage years, young people increasingly seek out opportunities to meet friends away from home, looking for places to meet socially.

The NEAP can provide a greater variety of opportunity for both active and passive play. It can provide play equipment, and a hard surface area for ball games, or wheeled activities such as roller skating or cycling. It may provide other facilities such as a ramp for skateboarding, a rebound wall, and a shelter for meeting and socialising. The facilities are linked in the one site because children of different ages and abilities like to take part in a range of activities, as do their siblings. Careful consideration should be given to the location and interaction of the different facilities provided both on site and in relation to the local environment. Consultation is a key ingredient of successful design and community acceptance.

The main characteristics of a NEAP are:

- It is intended primarily for use by older children of relative independence, who have the freedom to range further from home
- It is within 15 minutes' walking time of the child's home
- It is best positioned beside a pedestrian route that is well used
- It occupies a well drained site, with both grass and hard surfaced areas, together with impact absorbing surfaces beneath and around play equipment or structures as appropriate
- The recommended minimum activity zone is 1000 sq m, comprising an area for play equipment and structures, and a hard surfaced area of at least 465 sq m (the minimum needed to play 5-a-side football)
- A buffer zone of 30 metres minimum depth normally separates the activity zone and the boundary of the nearest property containing a dwelling. A greater distance may be needed where purpose-built skateboarding facilities are required. Where these minimum distances apply, careful consideration needs to be given to:
  - The design of any means of enclosure, planting scheme and/or other physical features on the boundary of the residential property
  - The siting of equipment and features within the activity zone, to preclude opportunities for overlooking nearby gardens and dwellings and potential loss of privacy and creation of nuisance
- The buffer zone includes varied planting to provide a mix of scent, colour and texture
- It is designed to provide a stimulating and challenging play experience that may include equipment and other features providing opportunities for balancing, rocking, climbing, overhead activity, sliding, swinging, jumping, crawling, rotating, imaginative play, social play, play with natural materials such as sand and water, ball games, wheeled areas or other activities. The number and nature of equipment and structures is a matter for local consultation and decision, though provision for a minimum number of nine play experiences is recommended
- There is adequate space within the area of the NEAP to allow for children to be generally active and play 'chase' type games
- The question of enclosure is one for the manager but the boundaries should be recognisable by landscaping. Perimeter fences are generally considered inappropriate though some fencing may be necessary if the site adjoins one or more roads. If the NEAP is enclosed there should be two, outward-opening, self-closing gates on opposite sides of the NEAP. If fencing is used, a height of 1 metre is suggested. Depending on location, there may need to be a barrier limiting the speed of a child entering or leaving the NEAP
- Seating for accompanying adults and siblings should be provided, together with one or more litter bins
- There should be a sign indicating that the area is for children's play and that dogs are not welcome. The name and telephone number of the facility operator should be provided with an invitation to report any incident or damage to the NEAP and the play equipment. The location of the nearest telephone should also be indicated
- Convenient and secure parking facilities for bicycles should be provided

- The activity zone of the NEAP counts towards the quantitative element of these recommendations and local standards.

### **Combined LEAPs and NEAPs**

Where the distances and walking times of LEAPs and NEAPs overlap, there may be opportunities to provide combined facilities. The provision of LEAPs and NEAPs in the same locality has a number of advantages including the following:

- The ability to provide for a greater age range of children and increase 'family involvement'
- Opportunities to make savings on land-take – the basis of this is that savings are marginal for activity zones but may be significant for buffer zones
- Opportunities to make savings on the capital costs of equipment and consequential savings on maintenance, inspection and replacement costs.

### **The 'Destination' Playground**

The 'destination' playground is a play space within a key site, such as a park. It is aimed at attracting family and similar groups for longer visits. It tends to be larger than neighbourhood sites, have car parking facilities, a greater variety of fixed equipment, and access to facilities such as cafes and public toilets. Disabled children should be made to feel welcome, with suitable access arrangements in place and adaptations being made to equipment where appropriate.

A 'destination' playground is an important family facility and it will be highly valued. However, most children will be accompanied by an adult and their activities are limited to those occasions when the adult is able to take them. Many users may require public or private transport so clearly users are not all free to come and go. Access, as for local and neighbourhood provision, should be free of charge.

A 'destination' playground can provide a very stimulating experience but however excellent and enjoyable that experience is it should not become a replacement for the opportunity to play within walking distance from the home, in play areas or elsewhere. Too great a reliance on such provision, however popular, may tempt authorities to ignore the need for a generous distribution of smaller local spaces in the urban matrix. It is therefore no substitute for local provision. Local and neighbourhood playgrounds must not be subject to a closure programme in order to justify investment in destination provision, however attractive this may seem operationally and financially in terms of capital investment, management and maintenance.

The 'destination' playground should appeal to children and young people of all ages and will normally be located within 20 minutes drive time. However, provision varies significantly from authority to authority and 20 minute

accessibility will not always be possible, particularly in rural areas. Therefore, although the activity areas of destination provision count towards the quantitative element of these recommendations and local standards, no across-the-board accessibility recommendation is made at this time.

### **Other Outdoor Play and Recreational Facilities for Children and Young People**

As children and young people become more independent, they will look for more challenging experiences, different forms of activity based provision and opportunities and environments for meeting with each other. Popular facilities include meeting areas and youth shelters within local open space, floodlit multi-games areas, skateboard parks and BMX tracks.

It is important that potential user groups are established before searching for a suitable site for these facilities. Young people know what they want and what facilities are likely to work best. They should be consulted throughout the design process on layout, design and/or surfaces. Local residents also need to be consulted to establish understanding and harmony with potential users. Consultation will remain an important tool throughout the lifetime of any facility, particularly in relation to decisions on refurbishment or replacement.

### **Multi Use Games Areas (MUGAs)**

Guidance for the design, specification and construction, dimensions and layouts of MUGAs has been produced by Sport England and the Sports and Play Construction Association. Useful information can also be obtained from the Football Association and the Football Foundation. EN15312 'Free access multi-sports equipment requirements, including safety and test methods' also provides a good benchmark for this type of equipment and a tool for suppliers to have products independently certified should this be desired or required.

Key questions at the outset when considering a MUGA concern:

- The predominant sporting use
- The degree of intensity of use
- The sports performance and playability characteristics
- The intended lifespan.

It is important to recognise that MUGAs serving as play facilities for children are used both formally and informally – often with an emphasis on the latter. They should be marked out for a range of activities, robustly made with ease of maintenance in mind and be free to use. All of the above will have a bearing on the type of facility to be provided and the surface to be used.

The site selected should avoid steep gradients and slopes, unstable ground and very exposed terrain. Location in a natural amphitheatre, on a flat surface within a sheltered area would be ideal, though difficult to find. Alternatively, viewing terracing and banking can be used to provide shelter. Trees should be well clear of a MUGA to avoid root damage and the effects of sap and leaf fall. A

location near to car parks and support facilities can be helpful and good access for people with disabilities is essential. Access for emergency vehicles is vitally important and amenity lighting on approach pathways is helpful.

Floodlighting is recommended to maximise the potential use of the MUGA but it may need to be tempered to an acceptable level in dense urban areas. Technical advice should always be sought from specialist contractors for any floodlighting scheme.

The dimensions of a MUGA can, and will, vary with intended activity and space available but a typical MUGA might measure 25 metres by 40 metres. It is important that disruption of neighbours is kept to a minimum and a distance of 30 metres from dwellings is recommended. The MUGA should generally be sited in a north – south playing orientation.

The surface should be a single material, porous, engineered structure that will drain easily to prevent surface flooding. If bitumen macadam is used it should be of a carefully graded open textured type. Robust fencing providing excellent visibility and durability, such as weld mesh or bar fencing, is recommended. Two gates, each a minimum of 1.2 metres wide, should be provided to reduce the potential for bullying problems and all gates should open outwards from the court.

MUGAs are best designed with ‘slots’ instead of gates. This allows for access without payment and helps the possibility of quick and easy escape.

### **Youth Shelters**

Youth shelters began as a response by Thames Valley Police to public concerns about community safety in the context of young people needing somewhere of their own to meet, as opposed to hanging out on street corners and outside shops. Youth shelters provide part of the solution. They represent an unstructured environment where young people can meet in relative safety, in the absence of adults and talk about whatever they choose without unwanted interruption from others, and without the possibility of causing unnecessary offence. They are places for sitting and talking.

Ideally located with sports facilities such as a MUGA or other play and recreation provision such as a LEAP nearby, the shelter provides a covered place to sit and talk. A roof provides shelter from the weather; and the side may be open all round or partially screened. However, the need for shelter has to be balanced against the need for all round visibility, ‘natural policing’ and the safety of users.

Lighting can provide an increased level of safety and increase the use of shelters, while making them and those using them more visible, but light pollution can be an issue for local residents, especially in rural areas. Automatic lighting systems can ensure turn on and off at the right times and are less prone to vandalism.

As with all types of youth space, it is essential to involve potential user groups before looking for a suitable site. Local residents also need to be consulted to avoid and reduce potential friction with users. A shelter should not be provided if young people do not want it or local residents will not at least tolerate it.

### **Provision standards for South Northamptonshire**

On larger housing sites only, fewer larger equipped play areas will be provided rather than a greater number of smaller play areas.

The SPD also identifies six distinct levels of facility that serve a range of catchment areas as follows:

#### **Strategic Recreational and Leisure Facilities**

##### **Level one: Village Facilities**

Small community facilities targeting local residents only. Examples are Pocket Parks, playgrounds, small village and church halls and village sports clubs.

##### **Level two: Community Facilities**

Larger community facilities targeting specific activities rather than general interests and meeting the demand from a wider catchment area. Examples include; playing field association pitches, multi-use games areas and large village halls offering badminton size halls for sports, art and community events.

##### **Level three: Satellite Facilities**

Large facilities that offer opportunities to develop competitive activities and promote larger events providing, for example, a 4 court badminton hall or an all weather Astro-Turf pitch. In Northamptonshire this is typically a secondary school.

##### **Level four: District Facilities**

Purpose built leisure facilities targeting a specialist market over a wide segment of South Northamptonshire and possibly the surrounding area. Examples of this are Towcester Centre for Leisure and Brackley Swimming Pool.

##### **Level five: Regional Facilities**

These are specific facilities which serve a region. Examples would be Towcester Racecourse and Salcey Forest Park.

##### **Level six: National Facilities**

Facilities that provide major recreational events. The only such facility within South Northamptonshire is Silverstone Circuit.

### When will contributions be sought?

- 3 Contributions will be sought in accordance with Policy RC10 of the Local Plan and this SPD. Accordingly amenity and children's play areas and other appropriate facilities shall be provided within residential developments. This will be based on the standards set out in the Policy. Replacement dwellings, 'granny annexes and specialist accommodation such as wardened accommodation, nursing homes or similar institutional developments will be exempt from the requirement. This SPD considers that within major housing developments, on-site facilities may be needed for use by voluntary sector playgroups, a neighbourhood worker, intensive work with families, meals on wheels and as an office base for staff working in the area. It may be possible to incorporate some of these facilities in community halls provided primarily for other purposes. The need for this type of provision will be assessed for each development proposal and negotiations with the appropriate agency undertaken.

### Reduced Contributions

As this is based on an average household size it will be applied to all developments of 2 bed and above. Single bed dwellings/ flats and sheltered accommodation will attract a 50% reduction in contributions or commuted payments to reflect the reduced occupancy level and useage.

### Sites of 10 – 49 dwellings

- 4 For smaller-scale development (10 – 49 dwellings), it will often be a disproportionate response to its impacts to require the direct provision of new infrastructure. In these instances the Council will seek financial contributions, which can be pooled to mitigate the cumulative impacts of small scale development, where there is robust evidence that the planning obligation would meet the tests of CIL Regulation 122(2) and where there is a clear audit trail to show how the money will be spent.

*A commuted sum will be required for the provision of new or improvements to equipped play areas (small community facilities (Level 1 of the Strategic Recreational and Leisure Facilities)*

- 5 The National Playing Fields Association Cost Guide (2003) provides an indication of costs for the provision of children's play, amenity and sports pitches. These figures have been adjusted for RPI up to March 2010 and are considered to be a robust evidence base to determine the level of contribution required for off site provision. In summary the costs for each type of provision are as follows (per sqm):

- **Sports/ Kickabout area = £17**
- **Children's play = £34**
- **Amenity and park area = £10**

- 6 These figures include an allowance for land costs, preparation and the creation of the facility. The cost per dwelling for the provision of amenity, children's play and sports pitch provision is set out in Table 1 below

For each dwelling

TABLE 1: OFF SITE COSTS			
Type	Cost per sqm (£)	Provision standard (sqm per dwelling)	Total cost per dwelling (£)
<b>Playing Fields</b> (2.0ha per 1000 people @ 2.5 people per dwelling) 20000m <sup>2</sup> per 400 dwellings 200m <sup>2</sup> per 4 dwellings 50m <sup>2</sup> per 1 dwelling	17	50	850
<b>Equipped Play Space</b> (0.4ha per 1000 people @ 2.5 people per dwelling) 4000m <sup>2</sup> per 400 dwellings 40m <sup>2</sup> per 4 dwellings 10m <sup>2</sup> per 1 dwelling	34	10	340
<b>Public Amenity Space</b> (0.6ha per 1000 people @ 2.5 people per dwelling) 6000m <sup>2</sup> per 400 dwellings 60m <sup>2</sup> per 4 dwellings 15m <sup>2</sup> per 1 dwelling	10	15	150
<b>Totals</b>			1340

- 7 The commuted sum will be used for the provision of new or improvement to existing facilities within the locality. This could include play provision, amenity areas, formal sports provision, allotments, pocket parks or community halls.

### **Maintenance payments**

- 8 The Council does not adopt and maintain properly laid out public open space and play areas within residential areas. This is normally undertaken by the relevant Parish or town council subject to a payment by the developer of a commuted sum to cover future maintenance and management costs. This payment should cover up to 15 years' costs of maintenance and management. It will be critical that an appropriate mechanism is in place to ensure the adoption and future maintenance of

any new leisure facilities that are provided as part of a development. If agreement cannot be reached then the developer will be required to maintain the open space to an appropriate standard or through the establishment of a management company or an alternative method to be agreed with the Local Planning Authority.

- 9 On-site provision would involve a cost to the developer in the design of the facilities and a contribution to their future maintenance. The developer will be expected similarly to meet these costs where a contribution is made to off-site provision of facilities. For the purposes of providing a guide to developers, as to the likely sum per dwelling sought by the Council for the maintenance of public open space arising from residential developments, Table 2 sets out an example of costs taken from Spon's "Landscape and External Works Price Book 2007 (updated to 2010 prices)", but all landscape will be considered on a site by site basis.

TABLE 2: MAINTENANCE COSTS					
Type	Cost per ha. (£)	Provision standard (ha. per 1000 population)	Maintenance cost per 1000 persons per year (£)	Maintenance cost per person per year (£)	Maintenance cost per dwelling <sup>1</sup> per year (£)
Playing Fields	991	2.0	1,982	1.99	4.98
Equipped Play Space	46,775	0.4	18,710	18.71	46.78
Public Amenity Space	2,140	0.6	1,284	1.28	3.2
Totals	49,906	3.0	21,976	21.98	54.96

- 10 The cost of the maintenance per annum figure is then multiplied by 15 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 15 year maintenance sum per dwelling £824.40

### **Strategic facilities (levels 2-6 of the Strategic Recreational and Leisure Facilities)**

- 11 Apart from the largest developments, it is unlikely that a development will be of sufficient scale to justify the on site provision of strategic leisure facilities including for example, swimming pools and leisure centres).

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<sup>1</sup> Based on 2.5 persons per dwelling.

However it is clear that the increased population generated by these developments increases demand for these strategic facilities.

- 12 Dual use sports facilities have long been accepted as one of the most cost effective ways of providing sporting and recreational facilities for both school pupils and the general public. The concept is that the school uses the facilities during the daytime, which is the period of lowest demand for community usage and the community uses them at evenings, weekends and school holidays, thereby ensuring maximum usage. It is considered that greater use could be made of existing school facilities within South Northamptonshire. This approach complements the recommendations of the Playing Pitch Strategy. If this option is not available then the contribution will be pooled and used to enhance or provide other strategic facilities within the District.
- 13 This would involve improving existing facilities and increased maintenance and management provision. The Council will require a contribution to be made for these types of leisure provision. It is considered that a contribution of £300 should be sought from each new dwelling on sites of 10 or more dwellings.
- 14 This figure represents a significantly reduced contribution than would be required to meet the identified need and is considered to be reasonable.

### Summary of off site contributions

Dwellings	Playing Fields		Equipped Play Space		Public Amenity Space		Strategic	Total
	P	M	P	M	P	M		
1	850	74.70	340	701.70	150	48.00	300	2364.40
10	8500	747.0	3400	7017.0	1500	480.0	3000	23644.0

**P = Contribution to Off Site Provision**

**M =Maintenance Contribution (15 year period)**

### Sites of 50 – 199 dwellings

On sites of between 50 and 199 dwellings on site provision of equipped play areas and amenity open space will normally be required. An off site contribution will be expected towards the provision of sports pitches (see £924.70 per dwelling in Table 2) and towards strategic facilities (£300 per dwelling in Table 2). If full on site provision is not made on site then a financial contribution will be required to meet the deficit in requirement.

In accordance with Policy RC10 of the Local Plan the following on site requirements will be sought.

TABLE 3: SCALE OF ON SITE CONTRIBUTIONS				
Scale		Requirement		
Size of Development	Estimated Population (2.5 per dwelling)	Type	Ha.	Sqm
50 dwellings	125	Amenity	0.075	750
		Playspace	0.05	500
100 dwellings	250	Amenity	0.15	1500
		Playspace	0.1	1000

A maintenance contribution will also be required of £701.70 per dwelling for equipped open space and £48 per dwelling for amenity open space (see Table 2)

### Sites of 200 or more dwellings

On sites of between 200 dwellings or more on site provision of equipped play areas, sports pitches and amenity open space will normally be required. An off site contribution will be expected towards strategic facilities (£300 per dwelling in Table 2). If full on site provision is not made on site then a financial contribution will be required to meet the deficit in requirement.

In accordance with Policy RC10 of the Local Plan the following on site requirements will be sought.

TABLE 4: SCALE OF ON SITE CONTRIBUTIONS				
Scale		Requirement		
Size of Development	Estimated Population (2.5 per dwelling)	Type	Ha.	Sqm
200 dwellings	500	Amenity	0.3	3000
		Playspace	0.2	2000
		Sports grounds	1.0	10000

A maintenance contribution will also be required of £701.70 per dwelling for equipped open space, £74.70 for sports pitches and £48 per dwelling for amenity open space (see Table 2)

### **POLICY RC10**

AMENITY AND CHILDREN'S PLAY AREAS AND OTHER APPROPRIATE FACILITIES SHALL BE PROVIDED WITHIN RESIDENTIAL DEVELOPMENTS. AS A MINIMUM STANDARD IN DEVELOPMENTS OF 50 DWELLINGS OR MORE THERE SHOULD BE:

AMENITY OPEN SPACE - 0.6 HECTARES PER 1,000 POPULATION;

CHILDREN'S PLAYSPACE AND KICKABOUT AREAS -

0.4 HECTARES PER 1,000 POPULATION;

SPORTS GROUND/PLAYING FIELDS -

2.0 HECTARES PER 1,000 POPULATION.

IN APPROPRIATE CASES WHERE A NEED FOR COMMUNITY FACILITIES CAN BE DEMONSTRATED FROM A PROPOSED DEVELOPMENT, DEVELOPERS WILL BE EXPECTED TO PROVIDE SUCH FACILITIES. IN ADDITION, DEVELOPERS WILL BE EXPECTED TO PAY A COMMUTED SUM FOR THE FUTURE MAINTENANCE OF SMALL AREAS OF OPEN SPACE WHERE SUCH AREAS ARE PRINCIPALLY FOR THE DEVELOPMENT ONLY.

## **Summary of Leisure Contributions**

### **The South Northamptonshire Playing Pitch Strategy (Extract)**

The South Northamptonshire Playing Pitch Strategy considers the adequacy of the current supply of pitches for football, cricket, rugby and hockey to meet demand. It sets out how the Council will work in partnership with other providers to ensure that there are sufficient pitches of the right quality to meet current and future expectations. The strategy was produced following a series of consultations with Parish Councils, sports clubs, schools and other interested stakeholders and uses the methodology approved by Sport England set out in 'Towards A Level Playing Field'.

### **What are the issues for playing pitch provision in South Northamptonshire?**

- participation in pitch sports is high in relation to other places similar to South Northamptonshire
- overall, there are significant pressures on pitches across the district as there are high numbers of teams wishing to use the pitches
- recent growth in participation in mini and junior football and rugby means that there is a need for more provision to meet local needs, particularly in Towcester and Brackley
- the pressure on pitches is likely to rise in light of increases in the local population and continuing growth in participation.

### **What is our strategy for future pitch provision in South Northamptonshire?**

South Northamptonshire Council is committed to working with our partners to deliver pitch provision that meets the needs of our residents. A complete series of actions is set out in the full playing pitch strategy. Some of the priorities that we will be addressing include:

#### **Towcester**

- provide additional adult, junior and mini football pitches
- secure community access to school facilities to provide additional facilities for matches and training for clubs
- provide new pitches to support the development of Towcester Cricket Club
- develop new facilities for rugby to ensure continued growth in participation
- consider the development of a synthetic pitch facility, potentially at Towcester Centre for Leisure or Sponne School

### **Brackley**

- investigate opportunities to increase cricket provision in Brackley
- monitor the need for additional rugby pitches and capitalise on opportunities to provide new facilities in the long term

### **Area North of the M1**

- ensure maximum use of all existing facilities for cricket, particularly for training in order to ensure that demand is met and pitches are not overused. Investigate opportunities for new provision

### **Rural Area Central**

- ensure that there are sufficient pitches to meet demand from junior and mini football and rugby teams through the redesignation of adult pitches to junior and mini size
- secure community-use agreements at school sites within the area to include the use of cricket pitches, specifically at Green Norton C of E School and Roade Comprehensive
- redesignate adult rugby pitches to meet the needs of junior teams

In all areas of the district we will seek to ensure that the quality of pitches is sufficient to meet the needs of users and that pitches have adequate and appropriate ancillary accommodation

### **The South Northamptonshire Open Space Strategy (Extract)**

<b>Area</b>	<b>Key issues</b>
<b>Towcester</b>	Towcester is generally under provided with open space. There is a slight over provision of recreational open space but a need to provide formal facilities within this category. There is a slight under provision in the remaining categories with the exception of natural and semi-natural open space where there is a significant under provision. With access issues with natural and

	semi-natural, young people/teenage facilities and allotments, these are the priority categories. The provision of formal recreational open space is also important.
<b>Brackley</b>	Brackley is generally under provided with open space. There is a slight over provision in natural and semi-natural open space and no accessibility issues. Brackley is significantly under provided with recreational open space and particularly formal facilities. There is not however any access issues. There is both a quantitative and accessibility deficiency with children, young people/teenage facilities and allotments and these typologies are the priorities in Brackley. The provision of formal recreational open space is also important.
<b>North of the M1</b>	Quantitative levels of open space in the area north of the M1 are generally good although there are some access issues in every typology. The level of provision of young people is about right with levels of allotments and children's facilities slightly over provided and with recreational open space significantly over provided. There is a slight under supply of natural and semi-natural open space but there are areas surrounding villages that will reduce this deficiency. Limited priorities in this area with more of a focus on the quality and functionality of facilities.
<b>Rural area central</b>	This area is generally under provided in open space with a significant deficiency in recreational open space. There is a slight under provision of children facilities, young people and natural and semi-natural open space. There is a slight over provision of allotments. There are access issues across the typologies but it is not always appropriate for provision in every village. The top priority in this area is for recreational open space, with a secondary focus on children's facilities, young people and natural and semi-natural open space.
<b>Rural area west</b>	There is a slight under provision in recreational open space, natural and semi-natural open space and children's facilities. Provision of young people facilities is about right and there is a slight over provision in allotments. There is however access issues across each of the typologies but it will not always be appropriate for provision in every village. The priorities in this area are

	therefore recreational open space, natural and semi-natural open space and children's facilities.
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The Sports Facilities Strategy for West Northamptonshire (Syzygy Leisure) (Extract)

This provides an assessment of the needs and costings for strategic facilities. It sets out a projected cost per head and per household for the provision of new facilities. For the purposes of consistency these have been calculated in a similar way to those provided by West Northampton Development Corporation. Household costs have been based on a ratio of 2.4 people per household.

	PER 1000 PEOPLE	UNIT	PEOPLE / UNIT	FACILITY COST	COST PER HEAD	COST /DWELLING
Sports hall	0.29 courts	4 court hall	14,100	2,760,000	£195.74	£469.79
Swimming Pools	9.2m <sup>2</sup>	4-lane pool	23,000	2,500,000	£108.70	£260.87
Fitness Gyms	4.4 stations	50 stations	11,400	800,000	£70.18	£168.42
Indoor Bowls		1 rink	15,500	258,333	£16.67	£40.00
Indoor Tennis		4 court indoor centre	111,000	2,000,000	£18.02	£43.24
Artificial Turf Pitch		1 pitch	19,500	700,000	£35.90	£86.15
Athletics Track	0.05 lanes	8-lane track	155,000	2,000,000	£12.90	£30.97
Golf	0.73 holes	18 holes	25,000	1,750,000	£70.00	£168.00
Ski Slopes		1 slope	300,000			
Ice Rinks	1.09m <sup>2</sup>	1 rink (1800m <sup>2</sup> )	1,650,000	9,000,000	£5.45	£13.09

The Study also identifies the main requirements for strategic facilities within South Northamptonshire up to 2026. This is based on the projected population increase over that time. Appendix 1 sets out the conclusions.

sport/Facility	Date	What	Where	Elements	Lead / key stakeholder	Cost per unit (£)	No of units	Total Cost (£)	Priority
South Northants <sup>2</sup>									
Athletics		Athletics track	Brackley/ Towcester	6 lane 400m track with 8 lane straight, changing and club room	SNDC	2,000,000.00	1	2,000,000.00	M
Gymnastics		Specialist Gymnastics Centre	Brackley	Capable of accommodating artistic( men and women) as well as other forms, changing, dance studio	SNDC		1		M

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<sup>2</sup> Current supply of school pools in South Northamptonshire equates to 1142m<sup>2</sup>, should this pool not be available for community use then additional supply will be required to meet the shortfall

Developer Contributions SPD

<b>sport/Facility</b>	<b>Date</b>	<b>What</b>	<b>Where</b>	<b>Elements</b>	<b>Lead / key stakeholder</b>	<b>Cost per unit (£)</b>	<b>No of units</b>	<b>Total Cost (£)</b>	<b>Priority</b>
Sailing		Sailing Facilities	S Northants	December 2010 Access to suitable water, boat compound, clubhouse, changing	EA SNDC		1		M
Synthetic Turf Pitch		3G Pitch	Brackley	Full size rubber crumb pitch	SNDC	760,000.00	1	760,000.00	M
Synthetic Turf Pitch		3G Pitch	Towcester	Full size rubber crumb pitch	SNDC	760,000.00	1	760,000.00	M
Tennis		Indoor tennis centre	Brackley/ Towcester	4 courts	SNDC LTA	2,300,000.00	1	2,300,000.00	M
Cycling		Closed Road Circuit	tba	At least 1km long	BCF NCC	350,000.00	1	350,000.00	H
Cricket	2011	Relocation of Towcester Cricket Club	Towcester	Cricket pitch, artificial wicket, nets and clubhouse	TCC DDC		1		H
Rugby	2011	Rugby Facilities	Towcestrians RFC	2 additional pitches and clubhouse development	Club	500,000.00	1	500,000.00	H
Rugby	2011	Rugby Facilities	Brackley RFC	2 additional pitches, car parking, changing room extension and	Club	500,000.00	1	500,000.00	H

Developer Contributions SPD

<b>sport/Facility</b>	<b>Date</b>	<b>What</b>	<b>Where</b>	<b>Elements</b>	<b>Lead / key stakeholder</b>	<b>Cost per unit (£)</b>	<b>No of units</b>	<b>Total Cost (£)</b>	<b>Priority</b>
				December 2010 upgrade to training facilities					
Rugby	2011	Rugby Facilities	Bugbrooke RFC	increase changing provision and match flood lights	Club	250,000.00	1	250,000.00	H
Bowls	2026	Indoor Bowls Centre	Towcester	6 rink centre	SNDC	1,550,000.00	1	1,550,000.00	H*
Sports hall	2026	2 4-court sports halls	Areas of housing growth	Needs to include specialist badminton	SNDC	2,760,000.00	2	5,520,000.00	H*
Synthetic Turf Pitch	2026	Full size synthetic turf pitch	Areas of housing growth	Full size pitch	SNDC	600,000.00	1	600,000.00	H*
Health & fitness	2026		Areas of housing growth	40 stations	SNDC/Commercial sector	1,500,000	1	1,500,000	H*