

**Draft
Planning
Obligations
Supplementary
Planning
Document
(SPD)**

October 2023

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PART 1: INTRODUCTION AND IMPLEMENTATION

1. Introduction

1.1 Purpose of the Document

1.1.1 Central Bedfordshire Council (CBC) is committed to ensuring that the necessary infrastructure, services and facilities are provided to support the sustainable growth and development, set out in the Adopted Local Plan 2015-2035 (adopted July 2021).

1.1.2 Section 17.2 and Policy HQ2 of the Adopted Local Plan commits the Council to prepare a Supplementary Planning Document (SPD) on planning obligations to provide detail about the Council's approach to securing developer contributions in the absence of a Community Infrastructure Levy (CIL) Charging Schedule.

1.1.3 This guidance enables developers to understand the type and scale of planning obligation requirements from an early stage in the development process and to make appropriate provision when formulating costs and undertaking financial appraisals.

1.1.4 The SPD is a material consideration in the determination of planning applications and will inform pre-application discussions. This document must be read in conjunction with relevant Council policies and strategies (including emerging guidance).

1.2 Securing Developer Contributions

1.2.1 The Council will expect new sustainable development to contribute to site related and other infrastructure needs through a combination of ways: planning conditions; planning obligations and Section 278 / Section 38 Agreements (relating to highways). These different mechanisms are explained in more detail below.

1.3 Planning conditions

1.3.1 Planning conditions are requirements made by a Local Planning Authority (LPA) for actions to make a development acceptable in planning terms. They cannot be used to secure financial contributions but can be used to ensure that certain elements related to the development proposal, and which may benefit the wider community, are carried out.

1.3.2 In Central Bedfordshire such conditions are likely to cover, amongst other things, the requirement to undertake archaeological investigations; submission

of reserved matters; and the need to carry out tree planting and drainage works. The [National Planning Policy Framework](#) (NPPF) provides guidance on the use of Planning Conditions and Obligations (see chapter 3 of this report).

1.4 Planning obligations

1.4.1 Planning Obligations, under Section 106 of the [Town and Country Planning Act 1990](#) (as amended), commonly known as Section 106 agreements (or s106), are a mechanism for making a development proposal acceptable in planning terms, that would not otherwise be acceptable. Planning Obligations can:

- restrict the development or use of the land in any specified way;
- require specified operations or activities to be carried out in, on, under or over the land;
- require the land to be used in any specified way; or
- require a sum or sums to be paid to the authority on a specified date or dates or periodically.

1.4.2 Section 106 obligations can be referred to as ‘developer contributions’ and they are formal commitments given between a landowner (and subsequent owners) and the local authority. These obligations are legally enforceable.

1.4.3 Obligations may be financial or in kind and negotiated as part of planning applications and must be for planning purposes. A planning obligation can relate to land outside the application site which may or may not be under the control of the applicant. They are also focused on specific mitigation of the impact of the development.

1.4.4 Planning Obligations may be sought from housing, commercial, employment and mixed-use developments as well as minerals and waste developments.

1.4.5 The s106 planning obligation is a legal document, a deed, which states that it is an obligation for planning purposes, identifies the relevant land, the person entering the obligation and their interest and the relevant local authority that would enforce the obligation. The obligation can be a unilateral obligation or multi party agreement.

1.4.6 A planning obligation can specify the timing of payments and make various other stipulations. If the s106 is not complied with, it is enforceable against the person that entered into the obligation and any subsequent owner. The s106 can be enforced by injunction or by direct action, with the recovery of expenses.

1.4.7 The Community Infrastructure Levy Regulations 2010 (as amended) sets out guidance on s106 and CIL, including the operation of s106 obligations and the legal tests for the use of s106 (regulation 122):

(a) “Limitation on use of planning obligations 122.—

(1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.”

(2A) Paragraph (2) does not apply in relation to a planning obligation which requires a sum to be paid to a LPA in respect of the cost of monitoring (including reporting under these Regulations) in relation to the delivery of planning obligations in the authority’s area, provided—

- (a) The sum to be paid fairly and reasonably relates in scale and kind to the development; and
- (b) The sum to be paid to the authority does not exceed the authority’s estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.”

1.4.8 [The CIL Regulations](#) (Regulation 123) previously limited the pooling of contributions to no more than five obligations to fund a single infrastructure project. This restriction has been removed. However, all contributions must meet the three tests set out in bullet point 2 above.

1.5 Section 278 and Section 38 Agreements

1.5.1 Section 278 agreements under the [Highways Act 1980](#) (as amended by section 23 of the New Roads and Street Works Act 1990) are legally binding agreements between the local highway authority and the developer to ensure delivery of necessary highway works to the existing highway network. The agreements identify the financial and other responsibilities of the parties involved in the constructing works on the public highway. Section 38 of the

Highways Act is used where new highways are to be created and adopted by the local authority.

- 1.5.2 If, during the assessment of a planning application, it is deemed necessary to make modifications to the existing highway to facilitate or service a proposed development, a s278 agreement will be required. Normally, these will be site access works or off-site works required to mitigate the impact of the proposed development within the wider area. More information on this can be found in Section 7.

1.6 Community Infrastructure Levy (CIL)

- 1.6.1 The Community Infrastructure Levy (CIL) was introduced by the [Planning Act 2008](#), and brought into force through the [Community Infrastructure Levy Regulations 2010](#). Where a Local Authority has consulted on and approved a charging schedule, they are able to levy a CIL charge on new development. The money from this levy is then used to help fund infrastructure required to support development within the area. CBC does not have a CIL charge, instead using s106 or s278 for planning obligations and highway works.

- 1.6.2 Considering the proposals for a new Infrastructure Levy (IL), as set out in The Levelling Up and Regeneration Bill 2022, the Council will not pursue a CIL at this time and will instead seek to set an IL in the future.

1.7 Future Review

- 1.7.1 Central Bedfordshire Council will periodically assess the need for a review of all or part of this document. A review could simply be an internal check as to whether this document is still relevant or could involve a complete rewriting (and consultation) of the document.

- 1.7.2 The need for a review could be determined by the Government's position on the emerging Infrastructure Levy which proposes the replacement of the current system of developer contributions with a mandatory, locally determined Infrastructure Levy.

1.8 Allocated Sites

- 1.8.1 Planning applications for all site allocations and commitments will be expected to demonstrate conformity with the strategic objectives and all relevant policies set out in the Adopted Local Plan. They must also have regard to relevant guidance such as the Central Bedfordshire Design Guide.

- 1.8.2 Planning applications for strategic housing allocations and commitments should also meet the specific requirements for strategic sites set out in Policy

SP3, to ensure that good placemaking principles are embedded into new strategic developments. This is in addition to the site-specific requirements set out in the allocation policies and all other relevant policies of the Adopted Local Plan. Planning applications for small and medium sites should meet the specific requirements of Policy HA1.

- 1.8.3 The Council requires Development Briefs for strategic residential sites and masterplans for strategic employment sites prior to the submission of a planning application. Discussions about potential planning obligations may be sought as part of the development brief/masterplan process, in line with the advice in this SPD.

2. Planning Policy

2.1 National Planning Policy Framework (NPPF)

- 2.1.1 Paragraph 34 of the [National Planning Policy Framework \(NPPF\)](#) requires plans to set out the contributions expected from development, without undermining the deliverability of the plan. This should include setting out the levels and types of affordable housing provision, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).

- 2.1.2 Paragraphs 55 to 58 also provide further details on the use of planning conditions and planning obligations.

- 2.1.3 Paragraph 58 states that:

‘Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.’

- 2.1.4 In terms of specific spending areas, the NPPF also sets out further detail on education provision at paragraph 95, on high-quality open spaces and sports facilities at paragraph 98, and sustainable travel at paragraph 112.

2.2 Central Bedfordshire Local Plan

- 2.2.1 The [Local Plan](#) was adopted in 2021 and sets out how Central Bedfordshire will develop over the next 20 years. In addition to allocating sites for development, it sets out the local planning policy that all development proposals must follow. The Plan sets out a vision and supporting objectives. Strategic Objective 1 sets a commitment to *'ensuring sustainable growth and associated infrastructure...'*
- 2.2.2 Section 17.2 and Policy HQ2 of the [Adopted Local Plan](#) relate to Developer Contributions. Section 17.2 clearly states that all new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal. The accompanying policy, HQ2: Developer Contributions, commits the Council to preparing this SPD on planning obligations to provide more detail about the Council's approach to securing developer contributions.
- 2.2.3 Other relevant policies from the Adopted Local Plan are highlighted in the spending area sections in this SPD.

2.3 The Central Bedfordshire, Bedford and Luton Minerals and Waste Local Plan: Strategic Sites and Policies

- 2.3.1 The Council understands the need to minimise waste and improve the ability for the Council's residents to recycle effectively, in accordance with national policy. The [Central Bedfordshire, Bedford and Luton Minerals and Waste Local Plan: Strategic Sites and Policies \(MWLP: SSP\)](#) was adopted in January 2014. It contains policies to encourage the reduction of waste and increase recycling, including saved policy W6 (from the Bedfordshire and Luton Waste Local Plan 2005) about the provision of facilities with new development.
- 2.3.2 The ['Managing Waste in New Developments'](#) Supplementary Planning Document (SPD) (April 2006) supports saved Policy W6. This document contains specific guidance to ensure that the design of new development takes account of the need to allow an efficient and effective waste collection/management services to be provided and to enable all occupiers to have the best opportunities to reduce, re-use and recycle waste. Good waste management practice should be considered at the earliest stages of the design process and details included on drawings submitted to the Council when applying for planning permission.

2.4 Neighbourhood Plans

- 2.4.1 Developer contributions may also be required by policies set out in [Neighbourhood Plans](#) and applicants should have regard to such policies when formulating development proposals.

2.5 Self-Build

- 2.5.1 Policy H6 of the [Adopted Local Plan](#) requires development proposals for sites of 10 or more dwellings to provide a minimum of 10% of dwellings as serviced plots for self-build and custom-build housing (SBCH). SBCH are houses built by individuals or groups for their own use, either by building the home on their own or by working with builders.
- 2.5.2 The Council will require developers to enter into a s106 agreement to cover issues including timescales and phasing of plots delivery, appropriate marketing of plots to self and custom builders and length of time after which unsold plots will be returned to the developer. Further information on SBCH and self build s106 is set out in the [Housing Policy Technical Guidance SPD](#).

2.6 Infrastructure Delivery Plan

- 2.6.1 The [Infrastructure Delivery Plan](#) (IDP) sets out the infrastructure that will be required to support the delivery of the allocated housing and employment growth in the Adopted Local Plan to 2035. The IDP seeks to identify the infrastructure needs across Central Bedfordshire to support planned growth, estimate its cost, identify funding sources, set out the phasing of delivery and identify key bodies with responsibility for delivering infrastructure. Whilst the information is evidence-based, the schedule is a 'snap-shot' in time.
- 2.6.2 Infrastructure that must be delivered to support the growth outlined in the Adopted Local Plan is shown as 'critical' on the Schedule. 'Essential' infrastructure is that which is required to ensure the sustainability of a development and 'desirable' infrastructure is also required for sustainable growth but is unlikely to hinder delivery in the short to medium term if it does not come forward.
- 2.6.3 The infrastructure items shown will generally be financed or delivered through s106 planning obligations, planning conditions, highway agreements (s278 and s38) as well as through the capital programmes and funding bids of the Council and key partners and other agencies.

2.7 Infrastructure Funding Statement

- 2.7.1 In accordance with the Community Infrastructure Levy Regulations, the Council prepares an annual [Infrastructure Funding Statement](#) (IFS) that reports on the delivery and provision of infrastructure. This gives a better understanding of how developer contributions have been used to deliver infrastructure in Central Bedfordshire.

2.8 Central Bedfordshire Vision

2.8.1 The [Central Bedfordshire 2050 Vision](#) was adopted in November 2020. One of the aims of the vision was to

‘Guide future strategy and policy development and investment decisions by us and partners, to enable more effective delivery of integrated interventions that better serve the current and future needs of residents, communities and businesses.’

2.8.2 The vision set out four outcomes which were supported by ambition statements. The outcomes were:

- ‘We have a prosperous and innovative economy
- We live in thriving communities
- We have the best quality of life
- We live in a unique and special environment.’

2.8.3 The Planning Obligations SPD will support the Council in supporting these ambitions. It will do this by ensuring that all developments, including housing and employment sites, provide appropriate supporting infrastructure, services and facilities including educational provision and Extra Care Housing.

2.9 Central Bedfordshire Strategic Plan

2.9.1 The Council’s Strategic Plan (2022-2027) is built upon the four main principles of fairness; place-based; sustainable; and economy. It sets out five main priorities to achieve the Vision for Central Bedfordshire. These are:

- Making the best use of resources
- Creating opportunities for rewarding work
- Delivering quality housing
- Enabling people to live their best lives
- Improving educational achievement and progress.

2.9.2 The Planning Obligations SPD will deliver these 5 strategic priorities by helping to deliver sustainable communities with high-quality housing that is supported by the necessary infrastructure. By supporting the delivery of infrastructure, local residents will have greater access to a variety of amenities and facilities, including local community facilities, schools, and rights of way networks to increase accessibility to local areas and green spaces.

2.10 Central Bedfordshire Sustainability Plan

2.10.1 The [Central Bedfordshire Council Sustainability Plan](#) (2020-2030) was adopted in September 2020 after the Council unanimously supported a proposal to prioritise responding to climate change in July 2019.

2.10.2 The Sustainability Plan includes the objective to:

“Facilitate investments and invest in a strategic active travel and public transport network, improving countryside access and connectivity between towns. Create compact walkable networks within town centres to maximise pedestrian comfort, and encourage micro-mobility and healthier modes of transport”

2.10.3 This Planning Obligations SPD details where contributions will be required toward Sustainable Transport, Green Infrastructure and Rights of Way. Having clear guidance on which developments will be required to contribute towards these types of infrastructure, and how much they will be expected to contribute, allows sustainability to be considered from the outset of development proposals and reduces the need for retrofitting.

2.10.4 Another objective of the Sustainability Plan is to:

“Support the delivery of joined-up green and blue infrastructure that support water resilience, radically increase biodiversity and integrate nature into urban environments. Water stress and flooding are addressed and the natural environment is protected.”

2.10.5 The Planning Obligations SPD includes a section on Flood Risk, Drainage and Water Quality that provides clarity from the start on where contributions will be required and what forms these will take allows sustainability to be considered from the outset and to inform the masterplanning stage.

2.10.6 Providing clear guidance on planning obligation requirements within this SPD will allow the Council to work towards meeting the objectives and outcomes of the Vision 2050, Strategic Plan and Sustainability Plan.

2.11 Biodiversity Net Gain (BNG)

2.11.1 The Council, in accordance with Policy EE2 of the Adopted Local Plan (Enhancing Biodiversity), requires that all development proposals deliver a net gain in biodiversity. Further information in relation to assessing and delivering Biodiversity Net Gain (BNG) can be found in the [Biodiversity Net Gain Guidance](#) Document on the Council’s website.

- 2.11.2 Whilst the Council does not currently specify a requirement to deliver 10% BNG as set out within the Environment Bill 2020, this will be a mandatory requirement from November 2023. Any future aspirations to require over and above the mandatory 10% would need to be considered and evidenced through a future Local Plan.
- 2.11.3 Should Biodiversity Net Gain have to be delivered off-site it may be necessary to secure its delivery through s106 contributions. These will be agreed in line with site specific obligations in order to meet the requirements of the Council's BNG policy.

2.12 Chilterns Beechwoods Special Area of Conservation

- 2.12.1 A [Mitigation Strategy](#) has been prepared following identification of damage to the Chilterns Beechwoods Special Area of Conservation (SAC) resulting from high visitor numbers. Whilst the Beechwoods SAC is outside of Central Bedfordshire, a Zone of Influence has been identified encompassing the areas that impact the SAC (where visitors come from). A Zone of Influence [map](#) has been prepared to show the affected area, which includes part of Central Bedfordshire.
- 2.12.2 All proposals which seek to deliver a net increase in residential dwellings and are located within the Zone of Influence will be screened and subject to stage 2 (Appropriate Assessment). These include proposals for mixed use schemes that include net new residential dwellings as part of a wider development.
- 2.12.3 In Central Bedfordshire, proposals that are located within the Zone of Influence will be required to make a mandatory financial contribution towards on-site SAC improvements by way of Strategic Access Management and Monitoring (SAMM) and either direct delivery of a bespoke Suitable Alternative Natural Greenspace (SANG) solution, or contributions towards strategic SANG sites, in accordance with the guidance set out in Part A of the Mitigation Strategy.
- 2.12.4 All future development within the Zone of Influence should consider the cost of SANG and SAMM contributions as part of the residual land value. This will avoid SANG and SAMM contributions materially impacting the viability of development.
- 2.12.5 Unilateral Undertakings will be used to secure contributions in all cases, except where a bespoke SANG solution is to be provided. More details about the contributions is set out in Part B of the Strategy. For further information please refer to the Council's webpage on [Chilterns Beechwoods SAC](#).

2.13 Biggleswade HIF Recovery and Recycling

- 2.13.1 The Council has been granted £48.1m of Housing Infrastructure Fund (HIF) to invest in power capacity at Biggleswade by creating a Supergrid as part of a wider funding agreement. This means electricity infrastructure will be provided in advance of it being needed by developers and housebuilders.
- 2.13.2 The regulations relating to this work, known as the Electricity Charges Regulations 2017 (ECCR), allow the Council to recover forward funded investment from developers who subsequently connect to the Supergrid. Developers (i.e., the 'second comers') will have the right to connect into the Council's infrastructure provided the Council is compensated. This gives the Council a mechanism to recover a proportion of the cost (equivalent to the capacity required) from developers via the application by UKPN of the ECCR (in accordance with the legislation) when they request a connection for each development as a 'second comer' contribution. This compensation to the Council can only be secured within 10 years of energisation of the Super Grid (i.e., estimated to be 2024 – 2034) ("Statutory Period").
- 2.13.3 The Council is developing a Recovery and Recycling Strategy, which sets out the mechanism for recovery of these costs. This recovery falls outside of the planning process (not collected via s106) and will be non-negotiable. For sites connecting to the Supergrid in Biggleswade and the surrounding area, the ECCR charge will apply and will need to be factored into any viability considerations.

2.14 Nationally Significant Infrastructure Projects

- 2.14.1 Projects registered with the National Infrastructure Commission are known as Nationally Significant Infrastructure Projects (NSIP). Any NSIPs will be dealt with by the Planning Inspectorate, in accordance with the Planning Act 2008. The Council may seek appropriate contributions for infrastructure within Central Bedfordshire from any part of any NSIP in or affecting the authority area, in line with the advice and principles in this document.

3. Implementation

3.1 Pre-Application Discussions & Planning Performance Agreements

- 3.1.1 It is a local validation recommendation that draft Heads of Terms accompany any application that requires a planning obligation. The Council's strong preference is, where applications and associated planning obligations are complex, negotiations occur and agreement on Heads of Terms is achieved prior to the submission of a planning application.

3.1.2 As part of any pre-application discussions the LPA will seek to agree the requirements and Heads of Terms for any planning obligation. Pre-application discussions can help to resolve potential problems and issues which may otherwise delay the determination of a planning application.

3.1.3 A Planning Performance Agreement (PPA) can be a useful tool to focus discussions on the issues, including developer contributions, that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

3.1.4 A PPA is a framework agreed between a LPA and the applicant (e.g. developer or site promoter) for the project management of complex development proposals within the planning process. The PPA allows both the developer and the LPA to agree a project plan and programme which will include the appropriate resources necessary to undertake a pre-application assessment, pre-application masterplanning and determine the planning application including s106 agreement within a defined timetable.

3.2 Planning Appeals

3.2.1 If an appeal is submitted for a site that normally requires a s106 agreement, the Council will continue to discuss contributions through the appeal process, in accordance with the advice in this SPD.

3.3 Template Agreement

3.3.1 In order to ensure a consistent approach to developments within Central Bedfordshire, the Council will seek to use a standard form of legal agreements and standard clauses in dealing with all planning obligations.

3.4 Unilateral Undertaking

3.4.1 In addition to a s106 agreement (between a person with an interest in the land and the LPA), planning agreements can be made via a unilateral undertaking (entered into by a person with an interest in the land without the LPA). A Unilateral Undertaking involves the payment of money that must be paid before development begins.

3.4.2 The Council considers that it will normally be appropriate for a Unilateral Undertaking to be used if all the following conditions are met:

- The person entering the Undertaking is the owner of the land (not merely a purchaser with a conditional contract) and there are no leases or tenancies which last under 7 years. If the land is subject to a

mortgage/legal charge, mortgage and mortgagee details should be included.

- The Planning Obligation will consist solely of the payment of financial contributions, of one or more of the types described, to be paid on commencement of development or the date hereof (i.e. the date the agreement is signed).
- The Undertaking includes an obligation to pay the Council's costs in assessing the adequacy of the Undertaking (which will include checking the title to the land) and registering the Undertaking as a local land charge.

3.4.3 If any of the above conditions are not met, the Council will normally consider the matter unsuitable for a Unilateral Undertaking and will expect the Applicant to enter into Section 106 Agreement.

3.5 Costs of Preparing Legal Agreements

3.5.1 Whether the Council initially prepares the legal agreement, or it is drafted by the applicant's solicitor (using the Council's template agreement), the Council will expect to recover the full costs of preparing and/or concluding the agreement. The Council will expect an undertaking from the applicant's solicitor that the Council's costs in preparing and concluding the agreement will be paid. If an undertaking is provided the legal costs will be collected at the time of entering into an agreement (i.e. the point at which the agreement is signed and sealed on the grant of planning permission). Pathfinder Legal Services can provide costs on a case by case basis.

3.6 Average Residents per Household

3.6.1 In the calculation of s106 contributions, the average residents per household of 2.4 is used where applicable, for example for Green Infrastructure contributions. This has been calculated using the figures from the 2021 Census. When future Census data is published, this figure will be reviewed and amended as necessary.

3.7 Triggers: Timing and Phasing of Payments and Development

3.7.1 New services and facilities will be planned to meet the demand created by new development and be delivered at appropriate timescales. This will ensure that the needs of both the existing community and future residents are provided for. Planning permission for new development will only be granted once the proposed mechanism for the delivery of infrastructure has been secured.

3.7.2 Section 106 monies are usually paid in instalments at key stages during the construction of a development. The stages at which payments are due are

known as 'Trigger Points'. These will vary depending on the application and will therefore be determined on a case by case basis.

3.7.3 The timings of the provision of infrastructure and the timing of payment of contributions will normally be negotiated on an individual basis for developments. This may involve a phased programme of payments, which will include development completion/occupancy trigger points.

3.7.4 For example, new school provision in place prior to completion avoids putting pressure on schools in other areas, sometimes already with limited spaces within the radius of development, therefore avoiding the need for families with children to travel out of the area.

3.7.5 The Council will not accept early payment of contributions, in advance of a trigger date, except in exceptional circumstances, either to be agreed by the Council or upon the request of the Council.

3.7.6 The landowner/developer is bound within each planning obligation to notify the Council upon commencement of the development (and such other triggers that are linked to performance of obligations e.g. occupation).

3.7.7 All contributions will be paid to the Council in the first instance unless specifically stated in the agreement. The Council will pass on any contributions intended for release or for spending by another organisation, in accordance with the requirements of the agreement.

3.7.8 To prevent avoidance of contributions, where an application proposal forms a sub-division of a larger developable area (such as an identified large scale major development), requirements will be based on the whole development site, rather than the area or number of homes/ floorspace of a specific proposal.

3.7.9 The landowner/developer is bound within each planning obligation to notify the Council upon commencement of the development (and such other triggers that are linked to performance of obligations e.g. occupation). Where the Council is not notified of these and obligations become overdue, the Council will seek to enforce the obligation and, in the case of financial obligations, there will be a late payment clause.

3.8 Discharge of s106

3.8.1 The Council requires formal notification from the developer seeking a discharge of s106, in writing to the Planning department, who will undertake the necessary consultation and respond accordingly.

3.9 Cross Boundary Considerations

- 3.9.1 In some circumstances, the infrastructure required to serve new growth in Central Bedfordshire may be provided in neighbouring administrative areas. Likewise in some cases it will be reasonable to seek a contribution from development from adjoining areas towards infrastructure in Central Bedfordshire. Central Bedfordshire Council will work with infrastructure providers, neighbouring authorities, Town and Parish Councils and other delivery agencies in securing and delivering the necessary infrastructure to support new development.
- 3.9.2 Where an application site falls partly in another LPA area the Council will, as far as possible, work to coordinate proportionate planning obligation requirements with that authority.

3.10 Indexation and Inflation

- 3.10.1 Where a cost or formula has been provided for the calculation of contribution levels, these will be updated regularly to take account of inflation, therefore all prices quoted in this document for contributions are subject to change through indexation.
- 3.10.2 Most contributions are index linked from the date that the s106 is drafted or planning permission is granted. Maintenance contributions are generally index linked in the same way as s106 contributions. The commencement of development may not take place immediately following completion of the legal agreement. Consequently, all contributions will be index linked to ensure that their value stays in line with inflation and reflects changes in costs.
- 3.10.3 The Retail Prices Index (RPI) will be used for the indexation of all payments. The RPI is updated on a regular basis, therefore offering a truer reflection of the increase in cost of a project. If a developer does not feel the index used is relevant, a case can be put forward to use an alternative indexation, to be agreed by the Council.

3.11 Transfer of Land

- 3.11.1 Where obligations will require land to be transferred to the Council, Town or Parish Council or other community organisations, usually in respect of public realm or open space scheme obligations, the s106 agreement will contain a requirement to pay the Council's or other organisations legal costs for the land transfer.
- 3.11.2 The transfer of land may need to include specific requirements, for example, if it is to be transferred for educational purposes the Council may require it to be

transferred as a serviced or secure site, with fencing. This will be negotiated on a case by case basis.

3.12 Maintenance

- 3.12.1 Maintenance contributions ensure that the capital works are maintained for the intended purpose, for instance, the upkeep of public open space. Where on-site provision is required, the developer will be expected to provide a commuted sum for the maintenance and running costs of the facilities. Commuted sums will be secured through planning obligations.
- 3.12.2 Developers should consider their intended route for site management early in the planning stage, including options to transfer to the relevant town or parish council, or management company. Where transfer to the Council is identified, this should be discussed with the relevant service at the earliest stage to confirm if the Council would accept an offer of transfer. Examples of maintenance payments are set out below, however this list is not exhaustive.
- 3.12.3 For example, indoor sports facilities delivered within community buildings must be managed as part of the community facility. The Council will not accept transfer or management of these facilities.
- 3.12.4 For Recreational Open Space, where on-site provision is required, the developer will be expected to provide a commuted sum for the maintenance and running costs of the facilities. Commuted sums will be secured through planning obligations.
- 3.12.5 For outdoor sport, where on-site provision is required, the developer will be expected to provide a commuted sum for maintenance of the facilities during their establishment period. Developers should consider their intended route for site management early in the planning stage, including options to transfer to the relevant town or parish council, sports club or management company. The Council does not adopt outdoor sports facilities.
- 3.12.6 The Council, as Highway Authority, will seek commuted payments for the maintenance of any highway, road or bridge covered by a s278 or s106 agreement. Payment can be for maintenance prior to adoption. This can include commuted sums for future maintenance following adoption and for Sustainable Urban Drainage (SUDs) maintenance.
- 3.12.7 If cycle parking is in the confines of an adoptable public highway, the maintenance and management arrangements may be resolved by the Highway Authority through S38 adoption.

- 3.12.8 For Public Transport Bus Shelters, the Council will generally expect a commuted sum to provide for ongoing maintenance for at least a five-year period following installation. In all instances the developer must liaise with the Council to ensure that their requirements as to the type of shelter to be provided are met to minimise maintenance liability. This will include a requirement to use specific make of shelter for which they have a maintenance contract or hold parts.
- 3.12.9 Maintenance and management for all street furniture and public art in such spaces should be provided for.
- 3.12.10 For the Forest of Marston Vale, all planting must be maintained by the developer for five years as part of an aftercare agreement with the local authority. Any on site planting must be within the public realm, as trees in the private realm cannot be protected, and their longevity is not guaranteed. Further guidance is available in the [Forest of Marston Vale SPD](#).

3.13 Bonds or Guarantees

- 3.13.1 Bonds or guarantees will be required where a developer intends to carry out work themselves instead of payment of contributions to the Council. For example, building a community building agreed as part of the development proposed. The bond or guarantee sum can then be drawn upon by the Council to provide the facility if the works are not carried out as agreed.
- 3.13.2 The [Minerals and Waste Local Plan](#) (Bullet Point 6.25.3) refers to the use of a restoration or performance bond, which guarantees the availability of a sum of money to cover the cost of restoration works in the event of a breach in the terms of the planning consent, planning obligation or unilateral undertaking.

3.14 Liability

- 3.14.1 Section 106 obligations bind the original and subsequent owners of a site. The owner will be required to advise the Council if a site, or part of a site, is sold on. Where part of a development site is sold on, the original developer who entered the agreement is liable for fulfilling the obligation unless clear documentary evidence is provided to the Council to the contrary.

3.15 Monitoring, Monitoring Fees and Late Interest Payments

- 3.15.1 Planning obligations will be monitored by the s106 Monitoring Team to ensure that they are being undertaken or paid at the agreed times. If there is a failure to comply, the Council will take appropriate action and full cost recovery will be sought (see section 20.15 on Late Payment and Enforcement for more

information). Financial contributions will be ring-fenced to be spent on specific projects.

- 3.15.2 Monitoring information will be presented in the Council's Annual Monitoring Report and the Infrastructure Funding Statement.
- 3.15.3 The Council's approach to the calculation of monitoring fees for developments is based on a percentage of the total amount secured plus a flat fee for non-financial obligations. The fee will reflect the work required to monitor a s106 agreement in its entirety and over the whole lifetime of the agreement, which in some cases can be in excess of twenty years. Details are set out the [Planning Fees](#) document (2023) which can be found on the Council's website.

3.16 Late Payment and Enforcement

- 3.16.1 The landowner/developer is bound within each planning obligation to notify the Council upon commencement of the development (and such other triggers that are linked to performance of obligations e.g. occupation). Where the Council is not notified of these and obligations become overdue, the Council will seek to enforce the obligation and, in the case of financial obligations, there will be a late payment clause.
- 3.16.2 In the event of any delay in making any payment required under a planning obligation, interest will be payable to the Council. The late payment clause is 8% above the Bank of England base rate, and in addition to any indexation.
- 3.16.3 The Council will enforce obligations with an injunction once other reasonable approaches to address non-compliance with obligations have been taken. In such cases, the Council will seek to retrieve its legal costs in taking action from the party that is in breach of its obligations as well as any additional indexation or interest on the sum that is due.

3.17 Applications to Discharge or Vary an Obligation

- 3.17.1 In some cases, where an agreement has been entered into and a change in circumstances has resulted in the inability for an obligation to be carried out, applicants can apply for an obligation to be discharged or varied. The variation or discharge of obligations will not be used as a means for developers to backtrack on obligations agreed where needs as a result of development are still present.
- 3.17.2 A situation may arise where an anticipated need for a particular facility at the time of the grant of planning permission is no longer required. An obligation can be varied at any time if agreed between the Council and those against

whom the obligation is enforceable. An application to discharge or vary a planning obligation will only be agreed by the Council if it can be fully justified.

3.18 Renegotiation of a Section 106

3.18.1 Section 106a of the [Town and Country Planning Act 1990](#) sets out the principles for voluntary renegotiation or modification of a planning obligation.

3.18.2 Where voluntary agreement cannot be reached there may be a formal application to modify or discharge an obligation made to the Council. The Council will take a decision on such an application.

3.18.3 Where the application or request for renegotiating one or more elements of the s106 affects the overall principle of the original decision (e.g. the application would not have been approved without the obligation) the application or proposed variation will be determined by Planning Committee and not under officer delegated powers.

3.18.4 In accordance with the advice in the [Statement of Community Involvement](#) on Standard Planning Applications, formal applications to modify or remove s106 obligations will be registered and publicised in a similar way to planning applications with Town and Parish Councils and statutory consultees being consulted. Town or Parish Councils will also be consulted on any informal applications to renegotiate obligations that would affect the nature or timing of delivery. The legislative requirements are set out in the [The Town and Country Planning \(Modification and Discharge of Planning Obligations\) Regulations 1992 \(legislation.gov.uk\)](#)

3.19 Prioritisation

3.19.1 The Council is aware that there may be occasions where development proposals are unable to meet all the relevant infrastructure requirements and remain viable.

3.19.2 The Council's approach to viability is set out in Section 25. Where the Council is satisfied that an otherwise acceptable development cannot fully deliver all infrastructure requirements and remain viable, a reduced package of planning obligations may be considered, provided that the Council's commitment to its priorities are met. In this situation, planning obligations will be considered on a site-by-site basis.

3.19.3 Key priorities for the Council are education and affordable housing. Contributions for these infrastructure requirements will be prioritised. Other priorities will be determined on a case by case basis, depending on the circumstances of the scheme. It is likely that any wider community

improvement works to support health and wellbeing (for example, sustainable transport and green and blue infrastructure, in line with the Council's Strategic Plan and Sustainability Plan objectives) will be prioritised over other requirements.

- 3.19.4 As detailed in section 2.12, for applications in the zone of influence of the [Chilterns Beechwoods Special Area of Conservation \(SAC\)](#), SAMM and SANG mitigation is mandatory and must be prioritised. New allocation sites coming forward through the Local Plan Review will need to absorb the contribution costs in the land value. Developers can provide bespoke SANG solutions within the development site, but SAMM contributions will always be required.
- 3.19.5 Priority will also be given to the infrastructure requirements identified in the [IDP](#) as critical or essential. Critical infrastructure is required to, for example, ensure access is provided. Essential infrastructure is required to ensure the sustainability of a development. If these are not provided, it is unlikely that a development proposal will be considered sustainable, which will weigh against the development proposal in the planning balance.
- 3.19.6 Infrastructure defined as desirable in the [IDP](#) helps to support sustainable growth but is unlikely to hinder delivery in the short to medium term if it does not come forward. The priority given to desirable infrastructure will be at the discretion of the Council.
- 3.19.7 With the above approach in mind, infrastructure need will be considered according to the local context, as requirements will be dependent on the specific needs of the area in which the proposal is located and the development proposals characteristics.
- 3.19.8 As part of this process, consideration will be given to the representations from the Council's internal consultees and statutory consultee representations, including those received from Parish Councils.

PART 2: INFRASTRUCTURE NEEDS

4. Affordable Housing

4.1 Affordable Housing: Introduction

- 4.1.1 The Council seeks to secure appropriate affordable housing provision in accordance with Adopted Local Plan Policy H4: Affordable Housing. The SHMA identifies that 408 affordable houses are required per annum. Policy H4 requires all qualifying sites of 10 or more units to provide 30% affordable housing. CBC recommend the most up to date Strategic Housing Market Assessment (SHMA) is referred to for details of tenure split/housing mix.
- 4.1.2 The [Housing Policy Technical Guidance SPD](#) provides further detail on how housing policies within the Local Plan should be implemented, including details of what we are expecting from developers and how applications will be assessed.
- 4.1.3 In certain scenarios, there may be a need for specific unit types at a given locality. In these instances, the Affordable Housing team will advise the Applicant based on internal waiting list information. Other specialist areas such as Strategic Commissioning will advise on specific needs such as the requirement for suitable accommodation needs for those with physical disabilities, mental health etc.
- 4.1.4 First Homes are a specific kind of discounted market sale housing. Under transitional arrangements, the Council are currently not required to provide for First Homes from planning applications due to the timing of when the Local Plan was adopted. First Homes will become a requirement upon the adoption of a new or updated Local Plan. The exception to this are any Neighbourhood Plans which are not bound by the same transitional arrangements as the Local Planning Authority. Further information can be found in Section 9 of the [Housing Policy Technical Guidance SPD](#).

4.2 Affordable Housing: Thresholds and Exemptions

- 4.2.1 Based on the SHMA and Local Planning Policy, all qualifying residential sites of 10 or more dwellings will provide 30% affordable housing.
- 4.2.2 Planning applications delivering fewer than 10 dwellings are not required by the Adopted Local Plan to deliver affordable homes, but affordable housing provision on such sites would be welcomed. Examples of this might include Rural Exception Sites, in accordance with Policy H5 of the Adopted Local Plan: Rural Exception Sites, which seek to address the needs of the local community by accommodating households who are either current residents or have an

existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.

4.3 Affordable Housing: Types of contributions

- 4.3.1 The policy requires affordable housing, with the appropriate tenure mix, to be delivered on-site. However, in exceptional cases, a commuted sum instead of on-site provision will be considered where there is sufficient evidence to demonstrate on-site provision would not be viable and/or that off-site provision is more appropriate. See Local Plan Policy H4 for further details.
- 4.3.2 Commuted sums received by the Council will be used for affordable housing purposes within the administrative area of Central Bedfordshire, in accordance with the approach set out in the Housing Policy SPD. Commuted sums will have a minimum 10 year spend in order to maximise opportunities to identify suitable projects to use the monies towards.
- 4.3.3 Planning applications providing for 10 or more dwellings are required to provide for 30% affordable housing provision (on site), to be split in accordance with advice in the most up to date SHMA. The housing mix set out within the current SHMA (2017) indicates a tenure mix of 72% affordable rented and 28% shared ownership.

4.4 Affordable Housing: Calculating the requirements

- 4.4.1 Where a financial contribution is agreed to be paid towards affordable housing in lieu of the onsite provision, the contribution will be calculated assuming 50% of the open market value of each dwelling in question. The applicant must submit evidence of the open market valuations. The Council’s [Housing Policy Technical Guidance SPD](#) provides hypothetical worked examples for calculating the commuted sum.

4.5 Affordable Housing: Further Information

Affordable Housing: Further Information
Housing Strategy Housing Policy Technical Document SPD
Affordable Housing: Contact details
housing.strategy@centralbedfordshire.gov.uk

5. Extra Care Housing

5.1 Introduction

- 5.1.1 The Council seeks to secure housing for older people as part of Housing Mix in Policy H3 of the [Adopted Local Plan](#).
- 5.1.2 Should the Council indicate that an alternative approach for the provision of extra care is appropriate under the requirements of Adopted Local Plan Policy H3, there are a number of options to consider. This could include the provision of a modern sheltered housing¹ development, delivering for both affordable housing and market provision which could offer a solution if it can be shown to meet local demand.
- 5.1.3 The applicant is required to have early discussions with the Council's Meeting the Accommodation Needs of Older People team (MANOP) to be clear on the exact requirements.

5.2 Extra Care Housing: Thresholds and Exemptions

- 5.2.1 Policy H3 requires provision of an Extra Care Facility on sites of 300 dwellings or more.

5.3 Extra Care Housing: Types of contributions

- 5.3.1 In accordance with advice in the [Housing Policy Technical Document SPD](#), should MANOP advise a developer that there is no requirement for extra care affordable housing provision within the locale of the planning application, the Council will consider accepting a financial contribution for the 30% affordable housing requirement from an extra care scheme.
- 5.3.2 In this case, 'traditional' affordable housing would still be required to deliver on site in line with requirements of Policy H4 from the wider development (for non-extra care housing) with a financial contribution in lieu of the onsite affordable housing provision (30%) within the extra care facility.
- 5.3.3 For the market sale provision, an alternative approach for delivering for the requirements of Adopted Local Plan Policy H3 could be to see the delivery of smaller housing with care and support schemes, including by specialists in such developments.

1.1.1

¹ [Sheltered housing | Housing choices | Age UK](#)

5.3.4 Any alternative provision would need to be agreed between the applicant, planning officers and MANOP specialists. Applicants are encouraged to engage in discussions with the Council at the earliest opportunity through pre-application advice to obtain an understanding of the requirements of providing for policy compliance from a planning application.

5.4 Extra Care Housing: Calculating the requirements

5.4.1 Where a financial contribution is agreed to be paid towards extra care housing in lieu of the onsite provision of affordable housing within the extra care, the contribution will be calculated assuming 50% of the open market value of each dwelling in question. The applicant must submit evidence of the open market valuations.

5.5 Extra Care Housing: Further Information

Extra Care Housing: Further Information
<u>Meeting the Accommodation Needs of Older People Housing Policy Technical Document SPD</u>
Extra Care Housing: Contact details
<u>MANOP.Programme@centralbedfordshire.gov.uk</u>

6. Education and Children's Centres

6.1 Educational provision for Reception to Year 14: Introduction

6.1.1 All sites are required to make education contributions however, some are required to deliver new schools. Education contributions on strategic allocated sites are supported by Policy SP3 of the Adopted [Local Plan](#). In addition, the strategic site allocation policies set out what is required on a site-by-site basis. Specific education infrastructure (in addition to contributions) is set out in the additional requirements section of Policy HA1, for allocated small and medium sites.

6.1.2 In 2018, a decision was taken by Central Bedfordshire Council to actively promote that any new schools being built will be primary or secondary, and to support schools that want to work towards a two tier (primary and secondary) model of education.

6.1.3 Schools for the Future provides a plan for Central Bedfordshire's future educational landscape, mapping out where existing schools can expand, what additional schools the Council will require and the structure our schools will take over the next 15 – 20 years.

6.1.4 Across Central Bedfordshire, there is variety in the types of schools that are available with some areas now being predominantly two-tier, others having retained the three-tier model and a third group having a mixture of schools. Schools are organised into eight local 'cluster' areas. The clusters are:

- Sandy
- Cranfield
- Shefford and Stotfold
- Ampthill and Flitwick
- Harlington Area Schools Trust
- Biggleswade
- Dunstable and Houghton Regis
- Leighton Linlade

6.1.5 For allocated sites, the Council's [IDP](#) provides specific details on the infrastructure requirements for education.

6.2 Educational provision: Thresholds and Exemptions

- 6.2.1 Residential development of 10 dwellings or more will be expected to contribute towards new provision in areas of need. Contributions are not sought from elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on the dwelling type and mix.
- 6.2.2 In determining the requirement for pupil places in schools across Central Bedfordshire, the Council uses a census-based model which forecasts the age structure of children arising from development. The model currently estimates that 6 children per academic year group, per 100 dwellings, will be generated. The model takes account of the number and mix of dwellings to be provided.

6.3 Educational provision: Types of Contributions

School Extensions or Refurbishment

- 6.3.1 Where there is insufficient capacity in existing schools to accommodate the proposed growth, then contributions will be sought for improvements and refurbishment of existing facilities or towards a new school or site to provide additional capacity. The level of contributions sought can be determined by actual build costs from other CBC school sites or a costed feasibility scheme (using the Hampshire benchmarking as a baseline).
- 6.3.2 Capacity excludes temporary accommodation. The presence of existing temporary accommodation should be taken as evidence that the school is already under pressure and therefore will not be included in the permanent capacity estimate. Most such accommodation is on temporary planning consents which may not be renewed.

New Schools

- 6.3.3 Where developments require new schools, the acquisition and provision of a fully serviced and secure site will be required, in addition to any required contributions. The Council require a site that is fenced, flat, free from contamination or any building/foilage or any other items which would prevent the immediate use of the site for a school build. The details of which are to be agreed with the Council's Education team. The site should be accessible by road and have pedestrian access. The site should be free from significant flood risk, outside the cordon sanitaire of any sewage treatment works, outside an Air Quality Management Area or any other environmental features which could cost money to mitigate. The site should be free from risk of finding unexploded bombs, any power cables or underground cables/ water pipes which could impact on construction.

- 6.3.4 The full capital costs will be sought including the building and fitting out of the building, laying out or extending playing fields, initial costs of equipment for the school, fees for the design /supervision and anything else relevant.
- 6.3.5 In addition, and as required by the School Travel Plan and Accessibility strategies for new schools, the costs of providing a “school safety” scheme near the school entrance(s) may be sought.
- 6.3.6 Where a new school building is to be delivered by the developer, it will need to be built to an agreed Council specification whilst having regard to Council policy, including Adopted Local Plan Policy HQ11 on Modern Methods of Construction. The developer will be required to pay the Council’s costs for preparing and checking that the specification is complied with before handover.
- 6.3.7 Where the Council specifies new facilities are to be forward funded (for example by local authority funding prior to the payment of Section 106 monies) developer contributions will cover the payment of interest, fees and expenses as well as the principal sum spent.

6.4 Educational provision: Calculating the Requirements

- 6.4.1 School capacity varies and consultation with the Council’s Education team is required on all sites of 10 or more dwellings. The Council’s Education team can give details of school capacities and numbers on roll using existing and up to date data sources, taking into account other consented schemes. The estimated pupil yield from housing development is compared against the capacity of local schools and future pupil forecasts. The pupil forecast considers new housing permitted but not yet built.
- 6.4.2 Residential development of 10 dwellings or more will be expected to contribute towards new provision in areas of need. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.
- 6.4.3 The average number of children between the age of 3 and school year entry age for every 100 dwellings is estimated to be 6. Based on this, an average charge can be calculated as follows:
- Pupil yield (assessed as 0.06 pupils per dwelling) * number of year groups *
Cost per pupil place.

6.4.4 Hampshire County Council produce an annual benchmarking report of school building costs. This benchmarking data is endorsed by the DfE and produces baseline evidence on the per pupil build costs (2021) as follows:

Table 1: Hampshire County Council Benchmarking Data: Cost per Pupil Place

Cost per pupil place (2021)*	Extensions	New Build Construction costs (excludes land costs)
Lower / Primary	£17,650.00	£23,886.00
Middle	£17,485.50	£24,442.50
Upper/Secondary	£17,321.00	£24,999.00

*Subject to indexation.

Table 2: Hampshire County Council Benchmarking Data: Cost per Dwelling for three tier schooling

Tier of School	No of Units	Pupil product ratio	No of Year groups	Extension contribution	New build contribution
Lower	1	0.06	5	£5,295.00	£7,165.80
Middle	1	0.06	4	£4,196.52	£5,866.20
Upper	1	0.06	4	£4,157.04	£5,999.76
Total				£13,648.56	£19,031.76

Table 3: Hampshire County Council Benchmarking Data: Cost per Dwelling for two tier schooling

Tier of School	No of Units	Pupil product ratio	No of Year groups	Extension contribution	New build contribution
Primary	1	0.06	7	£7,413.00	£10,032.12
Secondary	1	0.06	6	£6,235.56	£8,999.64
Total				£13,648.56	£19,031.76

6.4.5 Based on this benchmark, the total cost per dwelling is £13,648.56 for the expansion of existing schools, or £19,031.76 for the creation of new schools.

6.4.6 Due to the increasing costs of construction projects, CBC will also refer to BCIS capital construction indicators, CBC quantity surveyor estimates and evidence

of the cost of school buildings within 6 months of an application being received. This enables CBC to request the most appropriate level of education contributions.

- 6.4.7 The contribution type and split will be considered on a case-by-case basis. Where several sites contribute to the need for a new school or extension the cost of land and buildings may be spread between the sites.

6.5 Educational Provision: Further Information

Educational provision: Further Information
Schools for the Future Securing developer contributions for education School Organisation and Capital Planning team Infrastructure Delivery Plan
Educational provision: Contact details
Education106@centralbedfordshire.gov.uk

6.6 Special Educational Needs and/or Disabilities (SEND) provision for 0 to 25: Introduction

- 6.6.1 Central Bedfordshire Council (CBC) has statutory duties in relation to pupils with special educational needs and/or disabilities (SEND), including those who are assessed to require an Education, Health and Care Plan (EHCP). This includes the provision of sufficient school places to meet demand. CBC's preference is that pupils who can access a mainstream education should do so at a school closest to where they live to receive the support that they require.

6.7 SEND Provision: Thresholds and Exemptions

- 6.7.1 Residential development of 10 dwellings or more will be expected to contribute towards new provision in areas of need. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.

6.8 SEND Provision: Types of Contributions

- 6.8.1 As a baseline, there is currently no spare capacity in the SEND system in Central Bedfordshire (at the time of writing this report).

- 6.8.2 The number of pupils with an EHCP maintained by CBC is forecast to increase due to a combination of population growth and rising incidence of SEND.
- 6.8.3 CBC seek to provide places for approximately 40% of pupils with an EHCP in special schools, and places for a further 10-15% in Additionally Resourced Provisions (ARPs) within mainstream schools. Most of the remaining pupils with EHCPs would be educated in mainstream schools with in-school support, while a comparatively small number of pupils would continue to require places at independent or non-maintained special schools for very specialist support.

6.9 SEND Provision: Calculating the Requirements

6.9.1 This is split into two separate contributions, Special School and Additional Resource Provision (ARP). To estimate the number of SEND pupils expected from new housing developments, both contributions are based on additional pupils above the mainstream numbers requested above and across 16 year groups (YR to Y14).

- ARP - based on 4.85% of the school population with an Education Health and Care Plan (EHCP) (June 2021) and 10% of the EHCP cohort in ARP places.
- Special School – based on 4.85% of the school population with an EHCP (June 2021) and 38% of the EHCP cohort in Special School places.

6.9.2 Therefore, for a 500-dwelling development, 2 x ARP pupils and 7 x Special School places would be required. The Hampshire County Council benchmarking data (endorsed by the DfE and adopted in CBC by [Executive](#)) reviews the cost of additional and new SEND provision and has set the average cost per pupil as:

- Extensions - £76,184.00
- New Build - £83,143.00

6.10 SEND Provision: Further Information

SEND Provision: Further Information
Specialist School Place Plan 2022 - 2030 Infrastructure Delivery Plan
SEND Provision: Contact Details
Education106@centralbedfordshire.gov.uk

6.11 Early Years Education, Childcare and Children's Centres: Introduction

Nursery Provision

6.11.1 The 2006 Childcare Act places a statutory duty upon the Council to firstly assess the level of Early Years Education and Childcare that is available and then to be responsible for ensuring that there is enough provision to satisfy the demands of every community. It also requires local authorities to secure sufficient childcare for parents who wish to work.

6.11.2 Early years provision can be provided in a variety of different ways:

- PVI's (Private Voluntary and Independent) settings;
- Settings within school sites, (it is expected that all new mainstream primary schools will provide a nursery for 2, 3 and 4 year olds as above); and
- Council Maintained settings.

Children's Centres

6.11.3 Local authorities are required to plan to ensure early childhood services are provided in an integrated manner which is calculated to facilitate access to those services and maximise the benefit of those services to parents, prospective parents and young children. In Central Bedfordshire, this is achieved through provision of Children's Centres and in the future, this will extend to Family Hubs to enable families including those within areas of housing growth to connect and access support.

6.12 Early Years Education, Childcare and Children's Centres: Thresholds and Exemptions

6.12.1 Residential developments of 10 dwellings or more will be expected to contribute towards new provision in areas of need. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance

may be made for 2 bed flats dependent on firm information on the dwelling type and mix.

6.13 Early Years Education, Childcare and Children's Centres: Types of Contributions

- 6.13.1 A Childcare Sufficiency Assessment is carried out annually to support the local authority's statutory sufficiency duties in providing enough early years places for eligible 2, 3 and 4 year old children for Nursery Education Funding and this includes looking at capacity of existing provision available throughout Central Bedfordshire.
- 6.13.2 Early Years Education (3+ provision) can be made in several ways but any facility would need to meet government guidelines for sessional or day care for the age group:
- Community centre suitable for pre-school use.
 - Children's Centre, 3+ Early years provision).
 - Day nursery from 0+, site of 0.2 ha for a facility on large developments.
 - Provision for Early Years and Extended Services at a new or existing school.
- 6.13.3 In areas where there is insufficient funding for a new build, s106 contributions can be used to support the set-up of a provider or enhance environments within an existing building such as a village or church hall, community centre or other privately owned building whilst adhering to the Early Years Statutory Framework.
- 6.13.4 Children's Centres and Family Hubs benefit from co-location on school sites in order that families can take their children to early years settings and school and access family support at the same time.

6.14 Early Years Education, Childcare and Children's Centres: Calculating the Requirements

- 6.14.1 Early years contributions are calculated assuming there will be 6 early years children per 100 dwellings.
- 6.14.2 The average number of children between the age of 2 – 4 years (the age the Council has a statutory duty to provide for) for every 100 dwellings is estimated to be 6. It is assumed that eligible funded children will spend 1.5 years in early year's provision to calculate the pupil yield, and the DfE cost multiplier is currently set at £14,145.95 for both an extension to an existing provider and for new build provision. Based on this, an average charge can be calculated as follows:

- No. of houses x No. of children x Years in provision = Pupil Yield
- Pupil Yield x DFE cost multiplier = Contribution
- Therefore, for 200 houses – 200 x 0.06 x 1.5 = 18 x £14,145.95 = £254,627.10

6.14.3 Where large housing developments are being proposed, the Council may seek the provision of a new build nursery and sell this on to a private Early Years provider. Alternatively, the Council will accept a parcel of land which the local authority can make provision on, using s106 contributions provided from other developers on the site or surrounding area. Therefore, in some cases land will be required in addition to contributions.

6.14.4 In areas where there is insufficient funding for a new build nursery, s106 contributions will be used to support the set-up of a provider or enhance environments within an existing building such as a village or church hall, community centre or other privately owned building whilst adhering to the Early Years Statutory Framework.

6.15 Early Years Education, Childcare and Children’s Centres: Further Information

Early Years Education, Childcare and Children’s Centres: Further Information
Infrastructure Delivery Plan
Early Years Education, Childcare and Children’s Centres: Contact Details
Education106@centralbedfordshire.gov.uk

6.16 School Transport: Introduction

6.16.1 The Council’s Policy for [Travel Assistance for Children & Young People Attending School \(August 2021\)](#) sets out the circumstances where school transport is offered in CBC.

6.17 School Transport: Thresholds and Exemptions

6.17.1 Residential development of 10 dwellings or more will be expected to contribute towards school transport. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.

6.18 School Transport: Types of Contributions

6.18.1 A financial contribution will be required over a 10 year period and the contribution will be Index linked.

6.18.2 Contributions will be sought for:

- Areas of need where school places are not available in the catchment school; and
- Where a development is located further than the statutory walking distance to the nearest suitable qualifying school (measured by the shortest available walking distance). This will be determined on a case by case basis.

6.18.3 Contributions for SEND pupils are separate and in addition to the contribution sought for mainstream pupils. Any contribution for school transport will be in addition to a separate capital contribution for mainstream/SEND school places.

6.19 School Transport: Calculating the Requirements

Table 4: Costs per pupil for school transport

Type of School Transport	Cost per Pupil (based on 2021/22 costs)
Mainstream Transport	£1064
SEND Transport	£6279

6.20 School Transport: Further Information

School Transport: Further Information
Policy for Travel Assistance for Children & Young People Attending School (August 2021)
School Transport: Contact Details
Education106@centralbedfordshire.gov.uk

7. Transport

7.1 Overview

- 7.1.1 An overview of the transport issues identified in Central Bedfordshire can be found in section 14 of the Adopted Local Plan. Some of the transport related schemes identified in the [IDP](#) will require developer contributions to ensure their delivery.
- 7.1.2 The layout of any proposed development and the transport related facilities has an impact on the modes of travel an individual chooses to use. Sustainable modes of travel must be promoted within all new developments through the provision of convenient, quality routes and facilities which connect to key trip generators both within and outside of the proposed development. Further information can be found in Chapter 7: Movement of the [Design Guide](#).
- 7.1.3 The Council's [Local Transport Plan](#) (LTP3) acknowledges the role that new developments can have in changing travel patterns, creating the opportunity to increase sustainable travel. CBC are reviewing LTP3 and documents that relate to LTP3 will remain active until they are superseded by updated LTP4 documents.
- 7.1.4 Most contributions will be secured through a s106 Agreement. However, there are other means of securing the infrastructure, services and measures set out in this document. These may negate the need for s106 contributions in some circumstances. They include:
- Planning Conditions
 - s278 agreements. These describe proposed modifications to the existing highway network to facilitate or service a proposed development, typically the scope of any off site works that are required to mitigate the impact of the development on the existing road network. Examples of works covered by this type of agreement could include: site access/es, roundabouts, signalised junctions, right turn lanes, safety related works such as traffic calming, street lighting, carriageway widening or resurfacing and improved facilities for pedestrians and cyclists.
 - Unilateral Undertaking
- Calculation of contributions
- 7.1.5 Calculation of contributions for different measures is set out in each of the sub-headings below. However, in relation to all capital works, where financial contributions are sought in lieu of works, the contribution should be sufficient

to cover the full design and implementation of the works in question, not just the physical construction costs.

- 7.1.6 For example, any contribution should account for surveys, outline and detailed design, consultation, preparation and advertisement of traffic regulation orders, utility searches, diversionary works and charges, consequential changes to signage and legal costs associated with changes to the highway. The contribution should include an allowance for scheme management, risk and optimism bias. In some cases there may also be the need for commuted sums to cover ongoing maintenance.

7.2 Travel Plans: Introduction

- 7.2.1 Policy T1 of the Adopted Local Plan (Mitigation of Transport Impacts on the Network) requires Travel Plans, Travel Plan Statements and Transport Assessments for all types of developments.

7.3 Travel Plans: Thresholds and Exemptions

- 7.3.1 Thresholds are set out in Section 2.2 of the Council's guidance on [Travel Plans and Transport Assessments](#).
- 7.3.2 For developments between 80 - 400 dwellings, Travel Plan delivery should be written into the agreement. It is not standard practice for the Council to seek financial contributions (as planning obligations) towards delivery of Travel Plans other than to require a sum to cover the Council's reasonable support and monitoring costs. It is for developers to fund, manage, and deliver Travel Plan measures and to employ the services of a Travel Plan Coordinator. These commitments will be written into the Travel Plan.
- 7.3.3 For developments that exceed 400 dwellings, the Council will undertake the role of Travel Plan Coordination, unless otherwise agreed between the parties. To successfully implement the Travel Plan, a Travel Plan Delivery Fund will be vested with the Council, this fund will be calculated on a per dwelling basis, in accordance with the Travel Plan Guidance.
- 7.3.4 Travel plans, transport assessments and transport statements are defined as ways of assessing and mitigating the negative transport impacts of development to promote sustainable development. These documents identify and quantify transport implications of development proposals and cover all modes of transport, including mitigating measures. Measures identified in these documents will form the basis of the planning obligations required for any specific development site.

7.4 Travel Plans: Types of s106 Planning Obligation Contribution

7.4.1 The Council will seek contributions towards the costs of providing Travel Plan support throughout the lifetime of the Travel Plans, for all developments requiring a Full Travel Plan.

7.5 Travel Plans: Calculating the Requirements

7.5.1 The value of the contribution sought will be in accordance with the levels set out in the Council’s [Travel Plan Guidance](#). The Travel Plan contribution will be Index-linked from the date of the agreement to the date of the payment to the RPI and secured by a Section 106 agreement or Unilateral Undertaking.

7.5.2 The Council will require developers to provide adequate funding in the form of a Travel Plan Delivery Fund and will reasonably expect periodic monitoring reports to show how this funding has been committed. Prior to occupation of the development a Travel Plan financial projection should be submitted with the Travel Plan.

7.6 Travel Plans: Further Information

Travel Plans: Further Information
Travel Plans CBC Webpage Travel Plan Guidance
Travel Plans: Contact Details
BeGreen@centralbedfordshire.gov.uk

7.7 Public Transport: Buses and Transport Interchanges: Introduction

7.7.1 In line with the principles of sustainable development embodied in the National Planning Policy Framework and under the requirements of Policy T1, the Council would expect new proposals for development to seek to deliver a higher level of sustainable travel behaviour to that in similar existing neighbourhoods or developments within the same settlement or area. To achieve this, it may well be necessary to provide significantly higher levels of public transport than similar existing local development. This is likely to include appropriate new bus services, bus service diversions, extensions, and/or frequency enhancements funded by the developer to deliver a service sufficiently attractive to achieve an appropriately high mode share for bus use, especially at peak times.

- 7.7.2 Early engagement with the Council’s Public Transport Team will enable bus service proposals and potential delivery models to be discussed fully, which should ensure all major queries are resolved before a full planning application is submitted.
- 7.7.3 Developers should clearly detail their intentions with regard to public transport within Transport Assessments provided early in the planning process to enable Council officers to have a clear view of what public transport measures are proposed and help inform discussions relating to appropriate contributions.
- 7.7.4 In all proposals where Transport Assessments are required, developers should demonstrate how public and sustainable transport modes will be supported for the benefit of new residents and / or employees. They should clearly set out the number of trips expected to be generated by each mode, including by bus and including where bus travel is expected to facilitate another mode, such as a bus link serving a railway station. Credible mode shares, when compared with the 2011 census-derived data for journey-to-work mode, should be set out, having regard to the level of access to high quality bus services.
- 7.7.5 Where a developer wishes to claim a higher bus mode share than comparable existing areas, they should set out in the Transport Assessment, and where appropriate the Framework Travel Plan, the measures they propose to implement to achieve this. These may include:
- A new bus route / routes or extensions / diversions to bring services closer to new occupiers;
 - Enhanced frequency of an existing bus service/services, as well as works to ensure reduced journey time.
 - The implementation of bus priority measures both within the development and at local off-site pinch points to enable faster journey times on local bus routes;
 - Working with commercial bus operators to improve vehicle quality and/or on-bus journey experience;
 - Better bus stop infrastructure and service information including, for example, high quality bus shelters, real time information screens at bus stops on site or in the local area as well as specific measures in Travel Packs for new occupiers; and
 - Incentivisation of bus use through marketing and fare initiatives in conjunction with local bus operators.
- 7.7.6 The impact of these measures on bus trip generation should be estimated, and where appropriate, justified. Developers are encouraged to incorporate such effects within their overall highway mitigation strategies as appropriate.

7.7.7 Where no new or enhanced bus service is proposed to be provided by the developer as part of the development beyond that which is currently on offer to existing residents or occupiers in the local area, a significantly higher bus mode share is not credible, and will not be accepted by the Council. It is expected that contributions to public transport infrastructure will still be required in order to ensure that public transport usage is made to be as easy as possible for new residents.

7.7.8 Developers should be mindful that within a corridor or locality, the cumulative effect of several smaller-scale developments can be considerable on local highways and amenity, especially where these proposals are located some distance from existing bus services.

Bus Infrastructure

7.7.9 In order to ensure that bus services can run effectively through new developments, the road layout needs to be planned for bus accessibility. As well as ensuring that the majority of the development is within 400 metres of a bus stop, bus routes through developments need to be as direct as possible (to reduce transit times) and suitable for use by large vehicles along the whole of their length. This should include mitigation measures to reduce obstructive parking outside schools, shops and other locations where cars may regularly be parked badly. Details on these requirements are provided in the Council's [Design Guide](#), as well as the Council's [Highway Construction Standards and Specification Guidance](#).

7.7.10 Development proposals should have full regard to the location of existing bus stops, and clearly signal where new stops are to be provided. Where developers propose new bus stops in existing neighbourhoods, it is for the developer to consult with the local affected parties, such as adjacent dwellings/businesses, town and parish councils, CBC and local Councillors and relevant local community groups and agree in conjunction with the Council's Public Transport and Highways Teams as well as Bedfordshire Police's Road Safety Officers, safe and appropriate locations for such stops.

7.7.11 New stops shall conform to the Council's standards for bus stop infrastructure which is updated regularly and available on request from the Council's Public Transport Team. The Council's [Design Guide](#) and [Highway Construction Standards and Specification Guidance](#) provides some information about the design specification of bus stops.

7.7.12 For allocated sites please refer to the Council's [IDP](#) for the infrastructure requirements for bus related contributions.

Bus services

- 7.7.13 Where a large development (150 dwellings or more) is proposed in an area where there is little or no public transport service, the Council will expect the developer to have early discussions with the Council's Passenger Transport Team to give due consideration to the provision of public bus services, in order to support sustainable development.
- 7.7.14 All developments with an existing bus service in place (whether or not it needs to be diverted) should consider whether they could work with the local bus operator to improve frequency, or to improve the quality of the service in order to maximise bus use. Typically, all residential developments should offer each household a voucher redeemable by the local operator for the cost of 28 days free local travel. An agreement should be made between the developer and the operator, but typically the developer would be expected to cover only the cost of redeemed vouchers, and a small administration fee for bus operators
- 7.7.15 Developers should also be aware that any new services provided should integrate fully with the existing Central Bedfordshire public transport network, which is in the interests of both residents from their development and the wider area.
- 7.7.16 Developers should ensure that they clearly explain how bus services will be implemented through the whole period of build out of the site including, where appropriate, temporary turning areas, bus stops, etc to enable bus services to enter the site once there are an agreed number of occupations, unless there is a viable alternative stopping location on an existing road adjacent to the site.
- 7.7.17 The stages of implementation of services should clearly be explained and developers should demonstrate that they are confident roads proposed for bus services to use during these stages will be surfaced to an appropriate standard and are unlikely to be subject to sudden closures once bus services are using them. This will give surety to the Council, bus operators and new customers from the development that services provided will be reliable and consistent.

Public Transport Interchanges

- 7.7.18 Public Transport Interchanges can range from a cluster of bus stops in a market town, which enable interchange from one bus service to another, to larger bus/rail/walking and cycling interchanges. These larger facilities enable interchange between bus and rail by providing a high-quality waiting area and onward travel information, offering a connected journey for locations that are

not within walking or cycling distance of a railway station. An interchange should also be served by appropriate walking and cycling routes.

7.7.19 In accordance with Policy T4 and T1 of the Adopted Local Plan, where Transport Assessments and Travel Plans are required, these should detail and promote connectivity and enhanced access to a transport interchange. Developments that create a demand for public transport services should provide enhanced access to, and/or facilities at, an appropriate transport interchange.

7.8 Public Transport: Thresholds and Exemptions

7.8.1 For developments of 50 to 150 dwellings (defined as small for the purposes of this section) the Council will expect bus stop improvements and maintenance delivered through agreement or a bus infrastructure contribution.

7.8.2 From 50 dwellings upwards, a contribution will be sought to improve and maintain local interchange points (defined in paragraph 7.7.18) that will be used by residents of the new development to change between public transport services or modes. Where a local interchange point or points has recently been delivered or is about to be improved or upgraded using other funds, a developer contribution will still be sought for the continued maintenance of facilities at those points which could range from regular cleaning to the payment of ongoing service and maintenance charges to ensure real-time information screens continue to operate.

7.8.3 For developments of 150 dwellings and above (defined as large for the purposes of this section), the Council will require the following:

- Where infrastructure is not delivered through a planning condition or other agreements, a contribution to on-site infrastructure such as bus stops, alongside off site infrastructure;
- The operation of a new, revised, improved and/or extended service for an agreed period of time; and
- A contribution towards ongoing maintenance of infrastructure.

7.8.4 For non-residential development the level of provision or contribution should be discussed with the Council's Passenger Transport Team. Where major employment, retail, or leisure developments are proposed, in addition to any infrastructure contributions or works, the provision of bus services which relate to the relevant shift times (in the case of employment) or peak usage (in terms of other uses), should be reviewed, and where appropriate provided for, by the development in question.

7.9 Public Transport: Types of Contributions

Bus Infrastructure

7.9.1 Bus infrastructure appropriate for the development and in accordance with the Council's relevant policies and standards should be provided (see paragraphs above) on-site and/or off-site. The council will usually expect developers to provide appropriate on-site infrastructure. Off-site it may be secured either through a s278 agreement or secured by a s106 planning obligation.

7.9.2 Where an existing bus stop is proposed to be moved to be closer to a new development, or for any other reason, such as conflicting with a proposed site access point, the developer should initially liaise with the Council's Public Transport Team and expect to bear the costs of moving the stop, as well as making good the previous stop site or alternatively, incorporate the move wholly into any s278 agreement made with the Council.

Bus services

7.9.3 Small developments if well-located on existing high frequency bus routes (buses every 20 minutes or more) may have no requirement for bus service improvements, or only require the provision of additional stops.

7.9.4 Large developments, with their own extensive internal road layout are likely to require either the diversion of existing bus services to include them, or new bus services to be provided, to ensure that the development is adequately served by bus and that sustainable transport targets are met. It is expected that in most cases the developer will commission and finance the bus service(s) for an agreed timescale, usually 5 years from completion of the development. A service level agreement may be required setting out the level of service to be provided. No changes to the service(s) should be made during the agreed period without approval from the public transport team at the council.

7.9.5 In localities where numerous smaller-scale individual residential development proposals are emerging, and are likely to have a cumulative impact, but where the feasibility and/or costs of delivering effective public transport improvements clearly lies beyond what is reasonable for any given single development; the Council will evaluate, cost and secure contributions on a pooled basis.

Public Transport Interchanges

7.9.6 Obligations in relation to public transport interchanges may include (but are not limited to) some or all of the following:

- Contributions to capital works to enhance interchange infrastructure, for example real time bus information, cycle parking or access for all, or to provide new interchanges and/or associated facilities;
- Connecting walking and cycling routes to enable walk/rail and cycle/rail interchange;
- The provision or ongoing maintenance of bus stop infrastructure; and
- Highway works within the local area, such as bus priority measures, to improve the operation of existing and new bus services.

7.10 Public Transport: Calculating the Requirements

- 7.10.1 Costs will be determined on a case by case basis. Some indicative costs are given below but they would vary depending on the characteristics of the site in question.
- 7.10.2 Bus infrastructure contributions, such as bus stop improvements, real-time information or equivalent can cost between £25,000 and £250,000 dependent on the type or number of stops requiring upgrading in the locality.
- 7.10.3 Depending on the distance covered and frequency a bus route can cost £150,000 per annum for one bus, but this could increase to around £180,000 - £200,000 per annum if a service was expected to run evenings and/or weekends. These figures would increase based on frequency and number of vehicles/drivers required. Bus Operator costs are also affected by fuel, insurance and wage prices, so should only be taken as estimates. Actual costs would be agreed on a site by site basis.
- 7.10.4 As a general principle, the Council will expect all developer-funded bus services, or augmented/diverted services serving new development, to be available from an agreed point in the build out of the development (usually at the occupation of 150 dwellings) and continue after the development is complete. This will include any evening or Sunday services provided. Developers are therefore strongly advised to consult the relevant commercial bus operators while they are formulating their proposals, at an early stage.
- 7.10.5 As mentioned above, developers should ensure that the viable delivery of bus services through the build out phases of the development, both financially and in terms of physical highway infrastructure, is clearly explained in any submissions to the Council. It is expected that bus infrastructure should be delivered prior to first occupation.
- 7.10.6 Early engagement with the Council's Public Transport Team will enable bus service proposals and potential delivery models to be discussed fully, which

should ensure all major queries are resolved before a full planning application is submitted.

7.11 Public Transport: Further Information

Public Transport: Further Information
Local Transport Plan 3 Guidance for Travel Plans & Transport Assessments - June 2012 Infrastructure Delivery Plan
Public Transport: Contact Details
Public.Transport@centralbedfordshire.gov.uk

8. Public Rights of Way

8.1 Public Rights of Way: Introduction

8.1.1 Policy EE12 of the Adopted Local Plan (Public Rights of Way) stipulates how development must protect, enhance and promote Rights of Way. Where development would increase pressure on existing Rights of Way Networks, contributions may be sought to protect and enhance the network.

8.2 Rights of Way: Thresholds and Exemptions

8.2.1 Contributions towards the costs of improving public Rights of Way will be required for new residential developments of 10+ units and/or non-residential development. When requiring contributions from the developer, there shall be flexibility to ensure that contributions are used in the local rights of way network to improve the developments connectivity, or the interconnectivity of nearby developments. Any development which affects a public Right of Way will be required to pay the full costs of any legal orders and for any consequential works to new routes.

8.3 Rights of Way: Types of Contributions

8.3.1 Financial contributions towards the upgrading and improvement of the local Rights of Way network. Any agreed improvement works carried out within a development red line to a public Right of Way can be accepted in lieu of a financial contribution.

8.4 Rights of Way: Calculating the requirements

8.4.1 Costs will be determined on a case by case basis.

8.5 Rights of Way: Further Information

Rights of Way: Further Information
Rights of Way – CBC Website Infrastructure Delivery Plan
Rights of Way: Contact Details
rightsofway@centralbedfordshire.gov.uk

9. Cycle tracks, Footpaths and Footways

9.1 Cycle Tracks, Footpaths and Footways: Introduction

9.1.1 Like public rights of way, cycle track, footways and footpaths serve to connect residents to destinations both within and outside of the 'red-line' site boundary'.

9.1.2 Chapter 7: Movement in the [Design Guide](#) provides the principles for walking and cycling. All new developments should contain a network of pedestrian and multi-user equestrian/cycle routes, prioritising active travel over car travel for shorter journeys. Active Travel England will review all applications above an agreed threshold and CBC will apply the same review framework and methodology for consistency of approach.

9.1.3 Policy T3 of the Adopted Local Plan refers to cycle parking. Cycle parking requirements are set out in the Council's [Parking Standards for New Developments SPD](#). Cycle parking will be considered and agreed as part of the planning application process. Cycle parking requirements are sought through condition.

9.2 Cycle Tracks, Footpaths and Footways: Thresholds and Exemptions

9.2.1 Section 106 contributions may be sought from all non-residential developments and/or residential developments of 10 units or more, to fund improvements to pedestrian and cycling networks in the locality of the development site. This will be in addition to any improvements which would be delivered under a s278 agreement.

9.3 Cycle Tracks, Footpaths and Footways: Types of Contributions

9.3.1 The Council has an Outdoor Access Improvement Plan (soon to be replaced with a Rights of Way Improvement Plan), a suite of Green Wheel Masterplans and a suite of Local Cycling and Walking Infrastructure Plans (LCWIPs). The LCWIPs set out a network of promoted utility cycle routes and itemises the improvements needed in each town to fill gaps in the network, to improve the existing pedestrian accessibility and legibility and to raise the quality of promoted cycle route infrastructure to the standards set out in [LTN 1/20](#). This Local Transport Note (LTN) provides guidance to Local Authorities on delivering high quality cycle infrastructure.

9.3.2 Walking measures can include:

- Provision of footways to ensure that every property or building within a proposed development is accessible by walking (including suitable

provision for those with a disability or protected characteristic) and is connected to the wider footway network outside of the development.

- Connecting to and improving the footway network outside of the proposed development site. This could include providing a section of footway, widening, or resurfacing an existing footway, removing, or relocating obstructions such as services and street furniture, providing dropped kerbs and tactile paving.
- Maintaining and upgrading any existing rights of way within a development, including upgrading the surface.
- Where junctions are required, provide treatments which afford priority to pedestrians crossing wherever possible, both within the development and on key connecting routes outside of the development. At busier junctions and intersections provide a controlled crossing(s) such as a zebra, puffin, or toucan crossing.

9.3.3 Cycling measures can include:

- Cycle parking must be provided for all new developments.
- Where junctions are required, provide treatments which afford priority to cyclists crossing wherever possible, both within the development and on key connecting routes outside of the development. This could include providing a vehicle crossover, providing a continuous crossing, keeping the junction radii as tight as possible, or raising the junction.
- A network of on and off-road cycle routes. Cycle infrastructure should be provided which is appropriate for the context, and could include off-road routes adjacent to the carriageway, off-road routes through a development that are away from the carriageway or on-road routes.
- Any proposed cycle routes should have clear connectivity between different types of facility and connect to the existing wider cycle network
- Cycle route signage and repair stations at key destinations.

9.3.4 Reasonable and commensurate contributions will be sought towards the extension, and where necessary improvement, of multi-user bridleways, cycle tracks, walking routes and footways in reasonable proximity to the site, that serve to interconnect and integrate the development within wider cycle, riding and walking routes and networks.

9.3.5 The Council will seek a contribution towards the reasonable costs of recording usage of cycle tracks, footpaths and footways as part of Travel Plan monitoring.

9.4 Cycle Tracks, Footpaths and Footways: Calculating the Requirements

9.4.1 Information is available on the costs of improvements required in the LCWIPs and RoWIP, but where costs are unknown, contributions will be calculated on a case by case basis.

9.5 Cycle Tracks, Footpaths and Footways: Further Information

Cycle Tracks, Footpaths and Footways: Further Information
Local Cycling and Walking Infrastructure Plans Green Wheel Plans Outdoor Access Improvement Plans Have Your Say Today - Central Bedfordshire Council - Commonplace Infrastructure Delivery Plan
Cycle Tracks, Footpaths and Footways: Contact Details
BeGreen@centralbedfordshire.gov.uk (cycleways) rightsofway@centralbedfordshire.gov.uk (Footways and ROW)

10. Highways

10.1 Highways: Introduction

10.1.1 Policy T2 of the adopted [Local Plan](#) (Highways Safety and Design) states proposals for new development must not have a detrimental effect on highway safety and patterns of movement, must provide appropriate access and should have regard to the Council's standards as set out in the Council's [Design Guide](#) and [Highway Construction Standards and Specifications Guidance](#).

10.1.2 In circumstances where planning condition(s) and/or s278 agreements are not appropriate, the Council may seek contributions via s106 for the works including (but not limited to) improvements to the public highway where the authority wishes to coordinate the associated works. The justification for the collection of s106 monies is supported by Policy T1: of the adopted Local Plan (Mitigation of Transport Impacts on the Network).

10.2 Highways: Thresholds and Exemptions

10.2.1 Any development may have some obligations commensurate to its size and location.

10.2.2 Travel Plans will generally be required for residential development of 50 or more dwellings and employment areas of more than 1000 square metres gross floor area. It is expected that these will accompany planning applications.

10.3 Highways: Types of Contributions

10.3.1 On occasion, in addition to s278, the Council may require s106 contributions to be set aside for new infrastructure. This could include:

- New infrastructure;
- A proportional contribution towards larger scale highways schemes which may be designed to accommodate the combined impacts of several developments;
- The extension of and where necessary improvements to non-vehicular links in reasonable proximity to the site that serve to interconnect and integrate the development within wider networks and trip attractors and generators;
- Travel Plan related measures designed to reduce levels of car ownership within a development and to facilitate and promote the use of sustainable modes of transport. These measures may include the

appointment by the authority of Travel Plan and Monitoring Officers² for the development who will coordinate the implementation of agreed Travel Plan measures;

- Sustainable transport measures such as car clubs, bike hire, etc;
- The reasonable costs of introducing and enforcing Traffic Regulation Orders;
- Other consequential charges including but not limited to changes to wayfinding and directional signage; and/or
- Any other appropriate reason.

10.4 Highways: Calculating the Requirements

10.4.1 Contributions will be calculated on a case by case basis, depending on the site and location, including (but not limited to) making reference to the transport schemes identified in the [IDP](#), LCWIP and the RoWIP.

10.4.2 When financial contributions are sought in lieu of works, the contribution should cover the full delivery of the works in question. Therefore, any contribution should account for design, traffic management cost, risk allowance, utility diversions/protection, and optimism bias.

10.5 Highways: Further Information

Highways: Further Information
Highways Guidance Highways Construction Standard and Specific Guidance Infrastructure Delivery Plan
Highways: Contact Details
highwaysliaison@centralbedfordshire.gov.uk

1.1.1

² These roles may be full or part time.

11. Electric Vehicle Charging

11.1 Electric Vehicle Charging: Introduction

11.1.1 Adopted Local Plan Policy T5 and the Council's [Electric Vehicle Charging: Guidance for New Developments SPD](#) (December 2022) sets out the Council's position on the provision of EV Charging Points in new developments. The SPD builds on the standards required by the Building Regulations and provides guidance on the types of chargers, the design and layout and information required at planning application stage.

11.1.2 In accordance with the adopted guidance, if a new development cannot provide the required number of active and passive chargers on site (due to power supply limitations and high upgrade costs, or space constraints), the development must contribute towards the provision of alternative EV charging facilities to make up any short fall.

11.1.3 Developers should note that this is not the Council's preferred option and will only be allowed in exceptional circumstances. Normally all EV charging infrastructure should be provided on site, in accordance with the Building Regulations and the Council's Electric Vehicle Charging: Guidance for New Development SPD.

11.2 Electric Vehicle Charging: Thresholds and Exemptions

11.2.1 The thresholds for all residential and commercial developments, are set out in the Council's Electric Vehicle Charging: Guidance for New Developments SPD.

11.3 Electric Vehicle Charging: Types of Contributions

11.3.1 Contributions are likely to include a payment per charge point that should have been provided on-site. Alongside this, a contribution may be requested for improvements to existing and future infrastructure network to facilitate greatest access to EV charging (in response to greater demand), for the provision of alternative off site EV charging facilities and for the maintenance and upkeep of these facilities.

11.4 Electric Vehicle Charging: Calculating the Requirements

11.4.1 In accordance with Part S, Paragraph S1 of Schedule 1 (the erection of new residential buildings) of the Building Regulations the Council will require the sum of £3600 per charge point (indexed to 2021), if no on-site provision is made. The total number of active and passive charge points will be calculated in line with the requirements set out in the Electric Vehicle Charging Guidance for New Developments SPD. The Council may also require an additional sum

for infrastructure requirements, which will be determined on a case by case basis.

11.5 Electric Vehicle Charging: Further Information

Electric Vehicle Charging: Further Information
Electric vehicle charging: guidance for new developments - Supplementary Planning Document (SPD)
Electric Vehicle Charging: Contact Details
BeGreen@centralbedfordshire.gov.uk

12. Green Infrastructure

12.1 Green Infrastructure: Introduction

12.1.1 Policy EE1 of the [Adopted Local Plan](#) (Green Infrastructure) sets the requirements for the delivery of green infrastructure. Green Infrastructure (GI) is a planned and managed network of multifunctional green space which can provide a healthy and rich environment. This can cover a wide range of assets including amenity spaces, urban parks and garden, green spaces and country parks. It is vital that links between GI features are established, enabling the wider connectivity of GI and increasing accessibility for its users.

12.1.2 The Adopted Local Plan policy is supported by standalone [Green Infrastructure Plans](#) that exist on 3 different levels. The first being the Strategic Green and Blue Infrastructure Plan which covers the whole authority area. The next tier is the District level GI Plans which cover the former district areas of Mid Bedfordshire and South Bedfordshire. The third tier is the Parish and Neighbourhood GI Plans that have been prepared for many towns and parishes in Central Bedfordshire.

12.1.3 The inclusion of green spaces in Central Bedfordshire also ties into the Council's Vision 2050, Strategic Plan and the Sustainability Plan (2020 – 2030) that set out the aspirations and visions for the authority area.

12.2 Green Infrastructure: Thresholds and Exemptions

12.2.1 On non-residential and residential development sites of 10+ units, GI will be required in accordance with GI Plans and in discussion with the Council's Technical and Specialist Team. Smaller schemes should seek to provide GI that provides links to larger projects, providing connectivity across Central Bedfordshire.

12.3 Green Infrastructure: Types of contributions

12.3.1 In accordance with Policy EE1 of the Adopted Local Plan, all major development proposals must demonstrate a net gain in GI. The Council will be supportive of applications that have regard to GI Plans, identifying existing GI assets (both natural and historic), and opportunities for enhancing the GI network.

12.3.2 Where possible, high quality and multifunctional GI will be integrated within developments. It is expected that the GI should be provided on site in the first instance. Where not possible, off-site delivery will need to be agreed with relevant CBC specialists. Off-site delivery can be provided by the developer, or

a financial contribution may be provided to the Council in order to deliver the GI.

12.3.3 Contributions towards GI within the zone of influence of the Beechwoods SAC will be required in addition to SAMM and SANG contributions (refer to Section 2.11 for more information).

12.4 Green Infrastructure: Calculating the requirements

12.4.1 For every 1000 people, 3 hectares of accessible GI is recommended, in accordance with [Natural England's Green Infrastructure Standards 2023](#).

12.4.2 Based on 2.4 people per household, a 1000 population equates to 416 houses. Therefore, each dwelling would need to deliver 72m² of accessible natural GI on site.

12.4.3 Where GI cannot be delivered on site, financial contributions will be required for enhanced maintenance and creation of off-site GI sites for a period of 30 years. The average cost of GI provision is £4000 per hectare. This is based on expected costs for providing, managing and maintaining a range of habitats across the site appropriately for both public access and supporting nature.

12.4.4 Financial contributions will be required for enhanced maintenance and creation of GI sites, for a period of 20 years. The GI contribution is therefore calculated as follows:

- £4,000 (average cost of GI per hectare) x 3ha (required for every 1000 population) x 30 years (maintenance) / 416 houses= £1538

12.4.5 Using the figures above this equates to £77 per year per dwelling. Given maintenance is required for 30 years, the total cost per dwelling is £865.

12.5 Green Infrastructure: Further Information

Green Infrastructure: Further Information
Green Infrastructure Plans Natural England GI principles and standards Countryside Sites (Chapter 2 Part 1 – Recreation and Open Strategy) Countryside Sites (Chapter 2 Part 2 – Recreation and Open Space Strategy) Appendices – Recreation and Open Space Strategy Infrastructure Delivery Plan
Green Infrastructure: Contact details
planningGI@centralbedfordshire.gov.uk

13. Bedford to Milton Keynes Waterway Park

13.1 Bedford to Milton Keynes Waterway Park: Introduction

13.1.1 The Bedford & Milton Keynes Waterway Park is a strategic project to link the main UK waterway network with the Fens waterways of East Anglia. This will link Bedford to Milton Keynes with a new waterway that is set within a multifunctional parkland corridor.

13.1.2 Adopted Local Plan Policy EE10 states development on the route of the Bedford and Milton Keynes Waterway Park will be expected to deliver the section of the Waterway Park within the development boundary, incorporating a Waterway channel and 'towpath' for non-motorised users within a multifunctional green corridor. The indicative route of the waterway is illustrated on the Adopted Local Plan Key Diagram and [Policies Map](#) Inset A.

13.1.3 A guidance note ([A Brief Guide to Space, Design and Other Technical Issues in providing for the Bedford Milton Keynes Waterway](#)) should be referred to by developers, to ensure the standards and requirements referenced have been incorporated into development proposals.

13.2 Bedford to Milton Keynes Waterway Park: Thresholds and Exemptions

13.2.1 Any development proposing growth along the waterway corridor will be required to make provision.

13.3 Bedford to Milton Keynes Waterway Park: Types of contributions

13.3.1 Development will be required to support the delivery of the route with provision of the route, in accordance with the Space, Design and Technical Issues guidance.

13.4 Bedford to Milton Keynes Waterway Park: Calculating the requirements

13.4.1 Costs will be determined on a case by case basis

13.5

Bedford to Milton Keynes Waterway Park: Further Information

Bedford to Milton Keynes Waterway Park: Further Information
Infrastructure Delivery Plan A Brief Guide to Space, Design and Other Technical Issues in providing for the Bedford Milton Keynes Waterway A brief guide to the Value of Providing for the Bedford Milton Keynes Waterway in Development
Bedford to Milton Keynes Waterway Park: Contact details
planningGI@centralbedfordshire.gov.uk

14. Indoor Leisure Centres

14.1 Indoor Leisure Centres: Introduction

14.1.1 New development brings with it additional demands for leisure and recreational infrastructure. This demand can be met through the provision of new facilities, or by the enlargement and/or enhancement of the existing facilities. Policy HQ4 (Indoor Sport and Leisure Facilities) of the Adopted Local Plan set out the expectations for mitigating any loss of facilities and providing new facilities. Chapter 1: Leisure Facilities Strategy of the Central Bedfordshire [Leisure Strategy](#) reviews current and future provision of indoor sports and leisure centres.

14.2 Indoor Leisure Centres: Thresholds and Exemptions

- 14.2.1 Development proposals which are of 10 dwellings or greater, or proposals which are located within the 20-minute drive from a CBC indoor leisure centre, will be expected to provide contributions towards the provision of new facilities and/or enhancement of existing facilities where there is a deficiency or need for improvement, as set out in the Leisure Facilities Strategy Pipeline. The Council may seek contributions from applicants for commercial development, as working population increases as a result of commercial development can add to demand for facilities. People travelling into the area for work will often use facilities close to their place of work.
- 14.2.2 The Leisure Facilities Strategy identifies catchment areas for each leisure centre. Developments that fall within these catchment areas will be required to contribute towards infrastructure.

14.3 Indoor Leisure Centres: Types of contributions

- 14.3.1 New development will be expected to meet the needs of its residents and the Council will seek on-site facilities and/or contributions as appropriate, to support the provision of new multi-facility sports and leisure centres or the enhancement of existing facilities to meet the need created by new development, in accordance with Policy HQ4 of the Adopted Local Plan.
- 14.3.2 The delivery of indoor sports and leisure centre facilities will be guided by the requirements of Chapter 1: the Leisure Facilities Strategy which identifies a range of facility requirements, and the Sport England Sports Facilities Calculator.
- 14.3.3 On-site indoor sports and leisure centre facilities would normally only be required within major developments, and if applicable, requirements should be considered in the context of the location and scale of the development and

the Leisure Facilities Strategy. On-site facilities must be designed and constructed in accordance with Sport England and the relevant National Governing Body for Sport (NGB) guidance.

- 14.3.4 Where major development is of sufficient size to justify the provision of new facilities by itself, it will be expected to fund the total cost of such provision.
- 14.3.5 Where on-site provision is required, the developer will be expected to provide a commuted sum for the maintenance and running costs of the facilities. Commuted sums will be secured through planning obligations. Developers should consider the intended route for site management early in the planning stage, including transfer to the relevant Town or Parish Council, or a management company. Where transfer to CBC is sought, this should be discussed with the CBC Leisure Team at an early stage to confirm if CBC would accept an offer of transfer.
- 14.3.6 For smaller developments, where on-site facilities are not appropriate, the Council will seek contributions towards the enhancement, extension or provision of existing facilities and priorities identified in the Leisure Facilities Strategy.
- 14.3.7 A multi-facility leisure centre offers a range of facilities/activities to which residents will travel an accepted drive time of approximately 20 minutes. Chapter 1 of the Leisure Strategy therefore seeks contributions from developments within this catchment for the provision/improvement of relevant facilities at the respective leisure centre.

14.4 Indoor Leisure Centres: Calculating the requirements

- 14.4.1 Contributions sought for indoor sports and leisure centre projects will be calculated using the Sport England Sport Facilities Calculator (and any subsequent method) which utilises the data from the Leisure Facilities Strategy to derive a locally based calculation.

14.5 Indoor Leisure Centres: Further Information

Indoor Leisure Centres: Further Information
<u>Leisure Facilities Strategy Supplementary Planning Document Infrastructure Delivery Plan</u>
Indoor Leisure Centres: Contact details
<u>leisure.strategy@centralbedfordshire.gov.uk</u>

15. Outdoor Sport

15.1 Introduction

- 15.1.1 Central Bedfordshire has a varied network of public parks, open spaces and other forms of Green Infrastructure and has a crucial role in ensuring new developments deliver a range of outdoor sport, open space and recreation; providing opportunities to support and promote physical activity, increase wellbeing and tackle the causes of ill health.
- 15.1.2 Policy EE13 (Outdoor Sport, Leisure and Open Space) of the Adopted Local Plan set out the expectations for mitigating any loss of facilities and providing new facilities.
- 15.1.3 Chapter 3: Playing Pitch Strategy of the Central Bedfordshire [Leisure Strategy](#) provides further guidance on outdoor courts, pitches and facilities.

15.2 Outdoor Sport: Thresholds and Exemptions

- 15.2.1 Development proposals which are of 10 dwellings or greater where there are no local facilities with capacity, will be required to provide on-site facilities; and where this is not possible or appropriate, s106 contributions will be sought to provide new facilities off site, or improve existing facilities.

15.3 Outdoor Sport: Types of contributions

- 15.3.1 Where development is of sufficient size to justify the provision of new facilities by itself, it will be expected to fund the total cost of such provision.
- 15.3.2 Where on-site provision is required, the developer will be expected to provide a commuted sum for the maintenance and running costs of the facilities. Commuted sums will be secured through planning obligations. Developers should consider the intended route for site management early in the planning stage, including transfer to the relevant Town or Parish Council, or a management company. CBC will not generally accept the transfer of outdoor sports facilities; therefore developers should discuss management and transfer with the Town/Parish Council and local sports clubs.

15.4 Outdoor Sport: Calculating the requirements

- 15.4.1 New development will be expected to meet the needs of its residents and the Council will seek on-site facilities and/or contributions as appropriate, to support the provision of new outdoor sports facilities or the enhancement of existing facilities in accordance with Policy EE13 of the Adopted Local Plan.

- 15.4.2 The Council will support the delivery of new facilities, and the enhancement of existing outdoor sports facilities to provide a varied range of sporting facilities and opportunities for Central Bedfordshire’s growing population. The Council will consider the needs generated by a development for sports provision using the Chapter 3: the Playing Pitch Strategy and the Outdoor Sport Priority Projects List.
- 15.4.3 For larger developments, the provision of sports facilities may be sought on the development site in line with local or strategic sporting needs. Proposals will be considered on a case-by-case basis, with reference to the Playing Pitch Strategy and the Outdoor Sport Priority Projects List. Where facilities are provided on-site, they must be designed and constructed in accordance with Sport England and National Governing Bodies for Sport (NGB) design guidance. Provision of sports pitches is to be supported by the provision of changing facilities/pavilion, car parking and ancillary facilities.
- 15.4.4 For smaller developments, where on-site facilities are not appropriate, the Council will seek contributions towards the provision of new facilities, or the enhancement and/or extension of existing facilities and priorities identified in the Playing Pitch Strategy. Contributions sought for sports projects will be calculated using the Sport England Playing Pitch Calculator (or any subsequent method) which utilises the data from Chapter 3 of the Playing Pitch Strategy to derive a locally based calculation.

15.5 Outdoor Sport: Further Information

Outdoor Sport: Further Information
Playing Pitch Strategy Part 1 Playing Pitch Strategy Part 2 Appendix A Appendix B Infrastructure Delivery Plan
Outdoor Sport: Contact details
leisure.strategy@centralbedfordshire.gov.uk

16. Recreational Open Space

16.1 Recreational Open Space: Introduction

- 16.1.1 Central Bedfordshire has a varied network of public parks, open spaces and other forms of Green Infrastructure and has a crucial role in ensuring new developments deliver a range of open space and recreation sites; providing opportunities to support and promote physical activity, increase wellbeing and tackle the causes of ill health.
- 16.1.2 Policy EE13 (Outdoor Sport, Leisure and Open Space) of the Adopted Local Plan set out the expectations for mitigating any loss of facilities and providing new facilities.
- 16.1.3 Chapter 2: Recreational Open Space Strategy of the Central Bedfordshire [Leisure Strategy](#) provides further guidance on a range of open space types.
- 16.1.4 Countryside Recreation Sites are one of the categories of open space included within the Recreational Open Space Strategy. Development within the catchment of the Chiltern Beechwoods SSSI should have regard to the approach taken towards the Suitable Alternative Natural Greenspace (SANG) requirements set out in the [Beechwoods Guidance Document](#).
- 16.1.5 The Recreation and Open Space section of the Leisure Strategy, includes catchment areas for Countryside sites. Developments that fall within these catchment areas will be required to contribute towards the necessary infrastructure.

16.2 Recreational Open Space: Thresholds and Exemptions

- 16.2.1 Development proposals which are of 10 dwellings or greater will be required to provide on-site facilities where there are no facilities with capacity; and where this is not possible or appropriate, s106 contributions will be sought to provide new recreational open space facilities off site or improve existing facilities.

16.3 Recreational Open Space: Types of contributions

- 16.3.1 New development will be expected to meet the needs of its residents and the Council will seek on-site facilities and/or contributions as appropriate, to support the provision of new recreational open space facilities or the enhancement of existing facilities in accordance with Policy EE13 of the Adopted Local Plan.
- 16.3.2 The Council will support the delivery of new recreational open spaces, and the enhancement of existing recreational open spaces to provide a varied range of

open space facilities and opportunities for Central Bedfordshire's growing population.

- 16.3.3 The requirement for either on-site provision or an off-site contribution from development will be considered on a case-by-case basis and consider the scale and location of the development as well as the quantity and quality of existing provision, identified local priorities and strategic requirements.
- 16.3.4 On-site provision will not be required where the resulting open space will be too small to be of benefit, and offsite contributions will only be required where a specific local need has been identified. Where sites exist within the locality of development, the assessment will include the capacity of the site to accept additional usage; and where capacity is reached, new provision will be required.
- 16.3.5 Where on-site provision is required, the developer will be expected to provide a commuted sum for the maintenance and running costs of the facilities. Commuted sums will be secured through planning obligations. Developers should consider the intended route for site management early in the planning stage, including transfer to the relevant town or parish council, or a management company. Where transfer to CBC is sought, this should be discussed with the CBC Leisure Team at an early stage to confirm if CBC would accept an offer of transfer.
- 16.3.6 Public Open Space and Children's Play Areas adoption will follow a sequential approach where the Town or Parish Council should be considered first, then a Management Company, and finally the Council.

16.4 Recreational Open Space: Calculating the requirements

- 16.4.1 Contributions sought towards the creation of new facilities and the improvement of existing facilities will be calculated on a case by case basis.
- 16.4.2 A review of the Recreation and Open Space Strategy is being carried out in 2023 and will update current costings for each open space category.

16.5

Recreational Open Space: Further Information

Recreational Open Space: Further Information
Leisure Strategy (Chapter 2 Part 1 – Recreation and Open Strategy) Leisure Strategy (Chapter 2 Part 2 – Recreation and Open Space Strategy) Appendices – Recreation and Open Space Strategy Infrastructure Delivery Plan
Recreational Open Space: Contact details
leisure.strategy@centralbedfordshire.gov.uk

17. Forest of Marston Vale

17.1 Forest of Marston Vale: Introduction

17.1.1 Policy EE9 of the adopted Local Plan (Forest of Marston Vale) stipulates that 30% tree canopy cover is required for development within the Forest of Marston Vale area. The Forest of Marston Vale is one of England's nationally designated Community Forests, and has support from Government Policy in the NPPF, Under Paragraph 146. The [Forest of Marston Vale \(FoMV\) SPD](#), adopted in December 2022, provides further detail on when contributions are required and how tree canopy cover can be designed and delivered within the wider scheme.

17.1.2 The SPD also encourages higher provision of 39% tree canopy cover, where possible, to accommodate the fact that only 77% of the forest area is developable. For transport and Minerals and Waste schemes, there are even greater opportunities to provide tree cover and 50% tree canopy cover is encouraged.

17.2 Forest of Marston Vale: Thresholds and Exemptions

17.2.1 All development schemes within the Forest of Marston Vale area will be required, as a minimum, to provide 30% tree canopy cover in accordance with Policy EE9 of the Adopted Local Plan. Additional tree cover is encouraged. Further guidance on how to deliver tree canopy cover to meet this target is set out in the Forest of Marston Vale SPD.

17.3 Forest of Marston Vale: Types of contributions

17.3.1 The Forest of Marston Vale SPD sets out a hierarchical approach to the type of contribution required. On-site tree planting is the default requirement and expectation:

- All landscaping, including the provision of the minimum 30% tree cover, should be achieved on-site within the gross development area. The main emphasis is on woodland-style planting. Further information can be seen in Paragraph 4.1.1 of the SPD.
- The Local Planning Authority will expect developers to have considered and provided for the requirement of 30% on-site tree cover on site.
- Developers will need to satisfy the Council in any cases where meeting the on-site requirement is not possible, before considering the alternative approaches. In circumstances where the 30% tree cover requirement cannot all be accommodated on-site, off-site tree planting will need to be undertaken: either on land to be provided by the developer in the Forest area; or on land controlled by the Forest of

Marston Vale Trust or CBC, subject to the developer securing their agreement.

- In exceptional circumstances, where there is a shortfall of on or off-site tree planting proposed, a contribution will be sought through s106 , for tree planting and/or other Forest-related green infrastructure provision elsewhere in the Forest area.

17.4 Forest of Marston Vale: Calculating the requirements

17.4.1 All new developments within the Forest of Marston Vale area will be required to demonstrate how the minimum 30% tree canopy cover requirement is to be delivered. Please see the [Forest of Marston Vale SPD](#) for further information.

17.5 Forest of Marston Vale: Further Information

Forest of Marston Vale: Further Information
Forest of Marston Vale SPD Infrastructure Delivery Plan
Forest of Marston Vale: Contact details
info@marstonvale.org

18. Flood Risk and Drainage

18.1 Flood Risk and Drainage: Introduction

- 18.1.1 Policies CC3: Flood Risk Management, CC4: Development Close to Watercourses and CC5: Sustainable Drainage of the adopted Local Plan seek to manage and reduce existing and future flood risk, while also securing gains for water quality, water resources, biodiversity and amenity in accordance with the Council's adopted [Sustainable Drainage Guidance SPD](#).
- 18.1.2 The [Local Flood Risk Management Strategy](#) for Central Bedfordshire combined with the Council's Flood Risk Service Plan, and location specific Flood Risk Studies undertaken by the LLFA, are used to identify the scale of local flood risk and need for flood alleviation schemes across Central Bedfordshire, with the emphasis on catchment scale management. Consideration also needs to be given to the priorities of other designated Risk Management Authorities including the Environment Agency, water and sewerage company and Internal Drainage Board.
- 18.1.3 Conditions attached to planning permissions and/or section 106 agreements will be used to ensure that all new developments, as well as nearby existing communities, are resilient to flooding and can protect and enhance the environment. This will consider the future impact of climate change. Flood mitigation and surface water drainage systems secured through new development are to be designed, constructed and maintained as agreed as part of the planning permission.
- 18.1.4 Where adverse impacts on water resources (including quality) are identified as a result of new development, contributions may be sought to offset this impact and/or ensure water neutrality. Development will be required to take positive measures to conform to the Water Framework Directive, which can be impacted as a result of development, for example in terms of 'deterioration' in ecological status. The best way to determine this will be to consult the Environment Agency. Where there is an existing water quality or water resources issue that has been identified by the Agency or other Risk Management Authority, contributions may be sought.

18.2 Flood Risk and Drainage: Thresholds and Exemptions

- 18.2.1 Any development proposals have the potential to fall into the requirement for flood mitigation and developer contributions would be calculated on a case-by-case basis. Where a scheme has already been identified by a Risk Management Authority, costings may be available.

18.3 Flood Risk and Drainage: Types of Contributions

Financial Contributions

- 18.3.1 The Council maintains a register of physical structures and features that 'significantly' affect flood risk and may, where necessary, designate structures and features that affect flooding. Where new development impacts on an existing drainage asset or creates a new drainage asset, mitigation may be secured by way of conditions attached to planning permissions and/or s106 contributions.
- 18.3.2 Opportunities to restore the natural floodplain and betterment of other flood risks are considered in the Strategic Flood Risk Assessment (SFRA), Levels 1 & 2. The Level 2 SFRA provides specific advice on the development of allocated sites affected by flood risk. All new development should consider the need to contribute to this. For allocated sites please refer to the Council's [IDP](#) for the infrastructure requirements for flood mitigation and SuDs.
- 18.3.3 Where the Council or other Risk Management Authority has identified the need for interventions to improve flood risk at the local scale or improving flood risk overall, contributions (s106 or in kind) will be required to deliver or part-deliver a scheme.
- 18.3.4 Works funded by s106 contributions will include the provision of new flood risk management facilities and assets, or the refurbishment and replacement of flood risk management facilities, and land drainage assets where they are required as a result of new development.
- 18.3.5 The arrangements for future long term maintenance of such facilities will be required by condition where the Council does not adopt the facility. This is separate to any requirement for a development to implement surface water drainage or flood compensation to accommodate the scale and density of development proposed.

Mitigation Measures

- 18.3.6 A development may fund and deliver all or part of a scheme where this lies within land under their control or where brownfield sites are required to provide betterment of the existing drainage regime. Strategic opportunities to restore the natural floodplain and betterment of other flood risks is considered in the SFRA (Level 1 & 2), however interventions should be considered on a site by site basis.
- 18.3.7 Where the nature of the flood risk is changes, new mapping may be required to audit the difference of pre and post development flood extents and assets. This may also be required for insurance purposes. New mapping should be

delivered by the developer and the costs borne, in these instances and made available to the relevant Risk Management Authorities and future homeowners/local community.

Off-site Contributions

- 18.3.8 Contributions might also be necessary to improve existing off-site systems that developments discharge surface water into, or impact the performance of existing watercourses, drains or sewers, so as to maintain the required standards of service with the extra demand on the system created by additional and cumulative new development.
- 18.3.9 Where there is existing flood risk to communities within the hydrological catchment of the site and an identified need for catchment based flood alleviation, contributions may also be sought for implementing off site works. Such a project would serve to manage flood risk to the residents/users of the new development with the added benefit of serving the wider community. Such schemes will be identified by the Council or another Risk Management Authority and/or in conjunction with the work of the Lead Local Flood Authority.
- 18.3.10 Alterations to existing flood defence assets on or off site, as necessary to facilitate the development, will require design and works costs to be borne by the developer when approved by the appropriate Flood Risk Authority, e.g. Lead Local Flood Risk Authority (LLFA), Internal Drainage Board or Water Company. This may include works on third party assets subject to these approvals.
- 18.3.11 This would be assessed on a case-by-case basis, in accordance with the outcomes of the Flood Risk Assessment, which has to be prepared by the developer to the satisfaction of the LLFA as well as the Environment Agency, Water Company and Internal Drainage Board where relevant. Any work or schemes identified and relevant to the development as well as the above obligation shall be highlighted at consultation.

18.4 Flood Risk and Drainage: Calculating the Requirements

- 18.4.1 Construction costs of on-site or site related surface water drainage and treatment (water quality) to the approved design should be fully funded by the developer. It may also be appropriate for contributions to be made towards more strategic solutions, required to support the growth of the area rather than to meet the needs of one or two sites. The costs will be determined on a case by case basis.

18.4.2 Where development might impact water quality issues off site (for example downstream) then a contribution may also be required to offset any potential detriment and to seek a betterment of existing water quality issues, in consultation with the Environment Agency. The costs will be determined on a case by case basis.

18.5 Flood Risk, Drainage and Water Quality: Further Information

Flood Risk, Drainage and Water Quality: Further Information
SFRA Level 1 SFRA Level 2 Volume 1 SFRA Level 2 Volume 2 SuDs and New Development Request Informal Pre-Application Advice Local Flood risk Management Strategy Preliminary Flood Risk Assessment Section 19 Investigations and local flood risk studies Infrastructure Delivery Plan
Flood Risk, Drainage and Water Quality: Contact Details
BeGreen@centralbedfordshire.gov.uk

19. Waste Management

19.1 Waste Management: Introduction

- 19.1.1 The Council understands the need to minimise waste and improve the ability for the Council's residents to recycle effectively, in accordance with national policy.
- 19.1.2 Policy CC8 of the Adopted Local Plan (Pollution and Land Instability) states all proposals for new development must have regard to current national guidance in terms of pollution and land instability. Pollution includes matters in relation to waste management. An important aspect of providing sustainable development is maintaining a healthy environment and protecting public health, wellbeing and amenity, through the control of pollution. Pollution can cause adverse health risks, damage the environment, and interfere with amenity.
- 19.1.3 The [Managing Waste in New Developments SPD](#) provides guidance on reducing, recycling and recovering waste during demolition, construction and occupation of new developments. Good waste management practice should be considered at the earliest stages of the design process for a new development and the details included on drawings submitted to the Council when applying for planning permission.
- 19.1.4 There are four types of waste management infrastructure within Central Bedfordshire:
- Household Waste Recycling Centres (HWRC);
 - Household Waste bins;
 - Bottle/Bring Banks; and
 - Kerbside collection of glass (CBC south villages only).
- 19.1.5 For allocated sites please refer to the Council's [IDP](#) for the infrastructure requirements for waste management.

19.2 Waste Management: Thresholds and Exemptions

Household Waste Recycling Centres (HWRCs)

- 19.2.1 The Council has four Household Waste Recycling Centres (HWRCs) that have all recently been refurbished and meet the current needs of the Council's residents.
- 19.2.2 Should an existing HWRC be identified as having insufficient capacity to accommodate increased usage due to additional dwellings, financial

contributions will be required towards increasing the capacity of the local service provision, by improvements to existing facilities or the development of a new HWRC.

Household Bins for new residential developments

- 19.2.3 New residential development and non-residential development will create the need for waste storage and bins. These are currently being conditioned as part of the planning application process, for all residential schemes of 1 to 9 dwellings. Contributions will be required for schemes of 10 units or more.

Bottle/Bring Banks

- 19.2.4 Bottle/Bring Banks are sites where glass that cannot be separated in the household waste collection can be brought. These are generally bins with a 1100 litre capacity. As detailed in the Managing Waste in New Developments SPD, the following thresholds apply to Bring Banks:
- For residential developments where the proposed number of dwellings exceeds 100 (both on one site and including phased developments where there is more than one developer involved), the developer may be required to provide a bring site or to pay a financial contribution to the authority for the upgrade of one or more existing local bring sites. The extent to which a bring site is required, or a financial contribution is sought, will depend on an assessment of whether the development creates or increases the need for such facilities and the existing provision in the local area. Developers should discuss these issues with the LPA and Waste Collection Authority prior to submitting a planning application.
 - Major strategic developments would normally be required to make provision for one bring site for every 750 dwellings. The Council will provide the containers for this facility, but the developer should designate a 15 metre long by 5 metre wide area for them, this is to include a safe unloading place for a vehicle(s).
- 19.2.5 There is the opportunity to be innovative with the provision of bottle banks. For example, through underground glass recycling banks, where small posting units reduce the visual impact of more traditional recycling banks are less unsightly, incur less noise disturbance to local residents, and have the advantage that they can be used by those with restricted mobility. For more detail on this and Bring Sites in general, refer to section 3.3.2 of the Managing Waste in New Developments SPD.

- 19.2.6 The SPD provides additional advice on commercial and mixed-use schemes. However, CBC does not offer commercial waste collections, therefore no contributions are required for commercial schemes.

Kerbside Collection

- 19.2.7 The kerbside collection of glass will be required across the following southern Central Bedfordshire Council villages:

- Aley Green
- Barton-le-Clay
- Billington
- Bushmead (Luton)
- Butterfield Green
- Caddington
- Chalgrave
- Chalton (near Dunstable)
- East Hyde
- Eaton Bray
- Eggington
- Heath & Reach
- Hockliffe
- Kensworth
- Pepperstock
- Sharpenhoe
- Slip End
- Stanbridge
- Streatley
- Studham
- Sundon
- Tebworth
- Tilsworth
- Toddington
- Totternhoe
- Whipsnade
- Wingfield
- Woodside

19.3 Waste Management: Calculating the requirements

- 19.3.1 Residential development will require the delivery of waste and recycling infrastructure.

Household Waste Bins

- 19.3.2 For schemes greater than 10 dwellings, s106 contributions will be required to deliver household waste bins. The following indicates the current costings of bins:

- Set of food waste bins (internal and external caddy): £7.40 +VAT
- 240 litre bin: £27.50 +VAT per bin
- 360 litre bin: £42.50 + VAT per bin
- 660 litre bin (communal bin): £300 + VAT per bin
- 1100 litre bin (communal bin): £375 + VAT per bin

- 19.3.3 Please note that costings may be subject to yearly increments.

Kerbside Collection

19.3.4 The kerbside collection of glass will be required across the southern Central Bedfordshire Council villages (as listed above). The provision of Glass Boxes costs £7.40 + VAT per dwelling

Bring Sites

19.3.5 Contributions towards Bring Sites will be sought on development proposals of 750 dwellings or more; and a 1100 litre bin will be the minimum requirement. The costs below are based on bottle bank purchase, installation and emptying figures.

Table 5: Bring Site requirements on new residential dwelling sites

Development Size	Contribution required per dwelling*	The following may also be required
10 -749 dwellings	£90 (plus VAT) will be required per dwelling	N/A
750-1499 dwellings	£105 (plus VAT) will be required per dwelling	Contributions towards the expansion of an existing local bring bank sites; or a new bring bank site (minimum 1x1100 litre bottle bank)
1500 -2249 dwellings	£120(plus VAT) will be required per dwelling	contributions towards the expansion of an existing local bring bank sites; or a new bring bank site (minimum 2x1100 litre bottle banks).
2250 –3000 dwellings	£135(plus VAT) per dwelling	1 or more underground bring bank sites (depending on site suitability) And/or a new bring bank site (minimum 3x1100 litre bottle banks)
Over 3000 dwellings	Contributions, and waste management requirements will be determined on a case by case basis during the planning application process	The following will be sought: <ul style="list-style-type: none"> • The delivery of household bins and collection logistics (i.e. collection vehicles); • Improvements and maintenance of HWRC facilities; and • If required, the upgrading and/or expanding of existing local bring bank sites.

19.4 Waste Management: Further Information

Waste Management: Further Information
Minerals and Waste Local Plan Managing Waste in New Developments Infrastructure Delivery Plan
Waste Management: Contact details
env.services@centralbedfordshire.gov.uk

20. Social and Community Facilities

20.1 Social and Community Facilities: Introduction

20.1.1 Social infrastructure is the organisation, services and activities that support a community's need for social engagement and participation; generate and encourage strong, vibrant healthy and inclusive communities; and improve the wellbeing of those who live and work in the locality, which for example, may include:

- Social, recreational or cultural facilities, places of worship and community buildings;
- Local shops, public houses, and services, including those for social; educational and health use;
- Libraries and other information services that help residents to access local services;
- Integrated Health and Care Hubs;
- Any other services or facilities supporting employment and housing growth which enhance the sustainability of communities; and
- Community engagement, development and mobilisation activity to support new residents and communities to set up and join new activities which encourage a sustainable and thriving community.

20.1.2 New residential development often increases pressures on social and community infrastructure. Therefore, it is reasonable to seek provision of sites and/or contributions towards the costs of community infrastructure where the need for those facilities arises directly from the development and there is evidence of existing inadequate provision in the area. This is supported by Policy HQ3 of the Adopted Local Plan (Provision for Social and Community Infrastructure) which requires new housing and employment development to make provision for, or contribute towards existing, social and community infrastructure.

20.1.3 Central Bedfordshire Council, together with Bedfordshire Rural Communities Charity (BRCC), carried out a [Village Halls and Community Building Survey](#) in 2017 to gain as comprehensive and accurate a picture as possible of the village halls and community buildings in the area. This has since been updated in 2021 to assess the impact of COVID 19 on our halls and inform future investment and financial support for community facilities. The survey will be repeated every two years to ensure CBC have an up to date condition schedule for each village hall and community building.

20.1.4 The study found that there are 149 community halls across Central Bedfordshire. This equates to one hall per 1,932 residents and covers nearly every civil parish with a population of over 150. The Central Bedfordshire Village Halls and Community Building Survey also sets out those halls that need external/internal improvements and those which are at a capacity or approaching full capacity, which gives an indication of those areas where growth has the potential to exacerbate the existing situation.

20.1.5 For allocated sites please refer to the Council's [IDP](#) for the infrastructure requirements for Social and Community Facilities.

20.1.6 In addition, community mobiliser posts will be developed with the aim of supporting new residents develop social networks and activities, have access to services, integrate with existing communities and help to build a thriving and sustainable community.

20.2 Social and Community Facilities: Thresholds and Exemptions

20.2.1 The Council will expect all residential developments of 10 or more dwellings to contribute towards the provision of new community facilities or the improvement/expansion of existing facilities where there is not enough spare capacity in existing appropriate facilities to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new community facilities to be provided, or for existing facilities to be extended or improved. In the case of places of worship, contributions will be sought for those places where it must be demonstrated the facility is available to and used for wider community use, irrespective of faith. The Council will not use s106 to promote the interests of one faith over another.

20.2.2 The Council will expect all residential developments of 10 or more dwellings to contribute towards the provision of small-scale enhancements to and within the local settlement, such as community benches, community noticeboards and other items which enhance the settlement for new and existing residents, where the need for such improvements have been created by the new development.

20.2.3 The Council will expect a contribution for sites of 20 dwellings and upwards for community mobilisation.

20.2.4 This is with the exception of Library facilities, where residential developments of 50 or more dwellings which are located less than a 20-minute drive from a library site, will be required to provide contributions.

20.2.5 On major development sites where there is a gap in provision for library provision, then a new library access point may be required within a new community building.

20.3 Social and Community Facilities: Types of contributions

20.3.1 Given the varied role and nature of community facilities each negotiation will be on a case by case basis.

20.3.2 Where on site provision is required, the Council will expect the developer to engage with local stakeholders and residents to help shape the design and gain the necessary planning consents to a specification agreed by the LPA. The developer will then be expected to build the facility in accordance with the approved scheme. It is expected that the community facility will include as a minimum a main hall, office/reception, kitchen, accessible toilets and adequate storage (usually comprising 10-20% of the total floorspace) and appropriate broadband, security, car and cycle parking facilities. Where development is taking place that demands a larger space then the opportunity should be taken to provide a range of spaces for a wider range of activities.

20.3.3 Community halls, if required, need to be affordable and manageable by the community they are intended to serve. The Council will not normally take on responsibility for such halls. The building or lease will need to be passed to a Town or Parish council or other responsible community body and options for transfer and ownership will need to be reflected in the s106 Agreement for the development.

20.3.4 Libraries offer a range of facilities and services and contributions will be sought towards the provision of new facilities, the expansion and improvement of existing facilities, and for book stock, equipment and IT facilities.

20.3.5 Depending on the use of the social and community infrastructure and adoption arrangements, developers may be required to make appropriate contributions towards management, running costs and maintenance.

20.4 Social and Community Facilities: Calculating the requirements

Community/ Village Hall facilities

20.4.1 Using 2.4 residents per dwelling the costs are calculated as:

- Number of dwellings x 2.4 residents per dwelling x 0.2m² community space per resident x £2282.5 per square metres (m²) (Source: SPONS)

Community Mobilisation

- 20.4.2 The total annual cost of a post committed to community mobilisation (including salary/NI/superannuation) as at 2023 is £40,592 with an hourly cost of £24.71.
- 20.4.3 A contribution could be secured for 10 hours per week for 5 years, with payment to be phased according to occupations on sites of 20 to 100 dwellings.
- 20.4.4 On sites of over 100 dwellings, full funding for a Community Mobiliser might be required over 5 years, calculated as £40,592 x 5 = £202,960, with payment to be phased according to occupations.
- 20.4.5 Employment and management of the Community Mobiliser would sit with the Council unless a third party organisation was felt to be better placed to deliver a community development service.

Libraries

- 20.4.6 Library contributions will be calculated on a case by case basis, depending on the location and facilities of the library. The emerging Library Strategy will include standard costings for the calculation of contributions.

20.5 Social and Community Facilities: Further Information

Social and Community Facilities: Further Information
Stronger Communities Central Bedfordshire Village Halls & Community Buildings Survey 2021 Infrastructure Delivery Plan
Social and Community Facilities: Contact details
Partnerships.CommunityEngagementTeam@centralbedfordshire.gov.uk

21. Cemeteries

21.1 Cemeteries: Introduction

- 21.1.1 Central Bedfordshire has a range of civic cemeteries within both large and small settlements as well as many open churchyards. The Recreation and Open Space Strategy (2021) sets out that many churchyards are now closed to new interments, placing additional pressure on the civic cemeteries. Many civic sites have been in operation for decades and are approaching capacity with additional space being required to accommodate future interment needs of the local community. Details of the capacity of cemeteries (where known) is set out within the Recreation and Open Space Strategy.
- 21.1.2 Central Bedfordshire Council (CBC) does not operate any cemeteries within its area. This is a devolved function of the Town and Parish Councils who are the Burial Authorities within their respective areas and provide and maintain burial grounds within their parishes. The LPA is the principal controlling body in determining approval for new cemetery sites or extensions. Where a contribution for the local Burial Authority to extend an existing cemetery is required, the responsibility for securing the necessary Environment Agency (EA) approvals lies with the developer.
- 21.1.3 The major settlements of Dunstable, Stotfold, Sandy, Shefford, Leighton Linlade and Biggleswade all have large civic cemeteries but pressure from housing growth means that despite large numbers of burial grounds and high levels of provision in settlements of all sizes, many sites are at or near capacity and additional burial space is currently required.
- 21.1.4 In addition, Houghton Regis currently has no capacity for coffin burials due to the current cemetery having reached capacity. The Town Council continues to seek a suitable site and future development will be required to contribute to this.
- 21.1.5 Although the primary purpose of this type of open space is burial of the dead, and quiet contemplation, these sites frequently have considerable value for wildlife conservation and biodiversity. Some churchyards contain areas of unimproved grasslands and various other habitats, that can provide a sanctuary for wildlife in urban areas and often offer historic value in the more rural landscapes. The function of cemeteries as valuable open spaces is supported by Policy EE13 of the Adopted Local Plan (Outdoor Sport, Leisure and Open Space), which requires proposals to provide appropriate on-site facilities or contributions towards the provision of open space and outdoor sports facilities.

21.1.6 For allocated sites please refer to the Council's [IDP](#) for the infrastructure requirements for cemeteries.

21.2 Cemeteries: Thresholds and Exemptions

21.2.1 Contributions will be sought from residential developments of 500 units or more, to address capacity issues at existing burial sites through the provision of extensions, new spaces and / or land for a new burial ground, where these are identified as being required and the allocation of EA compliant land to facilitate this.

21.3 Cemeteries: Types of contributions

21.3.1 Financial contributions will be sought for land acquisition, laying out drainage and other infrastructure; on a site-by-site basis where there is an identified need. The contributions sought will be dependent upon site circumstances and commensurate to the need generated by the development.

21.3.2 Where a development is of a scale that necessitates provision of a new cemetery, or major extension to an existing cemetery, developers will need to work with the relevant Town or Parish Council who are the Burial Authorities for their given settlement, to develop a burial ground which is consented, safe, well designed and laid out, in compliance with EA requirements and burial ground provision guidance. The EA standards require that Tier I, II and III site assessments are carried out in order to secure EA approval for land to be used as a burial ground. Where provision of a new burial ground is required, the developer will be responsible for carrying out these assessments to determine if the identified site is suitable for burials.

21.3.3 The developer should comply with national guidance and best practice in the design and implementation of cemeteries, to include maximising access routes to large cemeteries that serve residents in more than one settlement. This should include public transport and cycle routes as well as access by car.

21.3.4 CBC cannot accept the transfer of cemeteries and burial grounds, as these facilities are operated and managed by town and parish councils.

21.4 Cemeteries: Calculating the requirements

21.4.1 The costs will be determined and negotiated on a case-by-case basis.

21.5

Cemeteries: Further Information

Cemeteries: Further Information
<u>Recreation and Open Space Strategy Technical Guidance Infrastructure Delivery Plan</u>
Cemeteries: Contact details
<u>leisure.strategy@centralbedfordshire.gov.uk</u>

22. Town Centres

22.1 Town Centres: Introduction

22.1.1 Policy R3 of the Adopted Local Plan (Town Centre Development) sets out that proposals should be in accordance with the principles and objectives of relevant and up to date town centre masterplans and development briefs. Development proposal elsewhere in town centres should complement and not prejudice developed proposed by the relevant town centre masterplans and development briefs.

22.1.2 The Council commissioned a benchmarking survey of 11 of its major town centres in 2021. These surveys help the Council better understand how its local town centres are changing, as well as identifying any issues.

22.2 Town Centres: Thresholds and Exemptions

22.2.1 On non-residential developments and residential schemes of approximately 100 units or more, which have the potential to drive substantive increases in footfall in town centres, contributions will be collected within areas with a masterplan or development brief, or from nearby settlements which benefit from those town centre services, to be determined by CBC.

22.3 Town Centres: Types of contributions

22.3.1 The Council may seek a variety of town centre contributions to address the impact of new growth, including, but not exclusively confined to:

- Improvements to the public realm, including benches and litter bins, planting, lighting, surface treatment.
- Improvement to the accessibility of town centre facilities and services such as through town centre parking, cycle routes and cycle parking, road improvements or public transport services.
- Improving and extending the walking and cycling routes, which could include detailed wayfinding, improvements to lighting and perceived safety and more priority for cyclists.

22.4 Town Centres: Calculating the requirements

22.4.1 The costs will be determined and negotiated on a case by case basis.

22.5

Town Centres: Further Information

Town Centres: Further Information
Market Town Regeneration Funds
Town Centres: Contact details
PlaceDelivery@CentralBedfordshire.gov.uk

23. Health and Care Infrastructure

23.1 Health and Care Infrastructure: Introduction

- 23.1.1 The Adopted Local Plan supports the delivery of sufficient community facilities and accessible services to meet local needs and help to improve the health, social and cultural wellbeing of all. New residential development often increases pressures on social and community infrastructure. In line with national guidance, the Council will aim to protect existing community facilities whilst also working towards enhancing provision across Central Bedfordshire. Where existing facilities are not adequate to support proposed residential development, developers will be required to contribute towards or provide new or enhanced facilities.
- 23.1.2 The levels of housing and population growth planned for Central Bedfordshire will place additional pressure on existing health and social care provision. The Council is working with the NHS to think differently about where services are provided and join up services so that they are more coordinated. As well as the growing demand on health and care services due to an expanding population, demographic changes are resulting in a greater number of people are requiring more intensive support and for a longer period.

Primary Care, Community and Mental Health Services

- 23.1.3 Primary care, community and mental health services are commissioned by the NHS. Population growth impacts on all of these services, and therefore has an impact on the local available infrastructure needed to support these services and effective care delivery.
- 23.1.4 For primary care, extra residents moving into a community directly results in extra patients registering with local GP practices, which in turn results in additional GP appointments – requiring additional capacity in the relevant local surgeries. Similarly, as a result of new ways of working, Primary care now hosts additionally reimbursed roles which require capacity.
- 23.1.5 Extra residents also result in a proportional increase in the number of people needing to receive community and mental health services, some of which takes place in patients’ own homes and some of which is clinic based. This includes for example specialist nursing and therapy services. Similarly, mental health service provision can be based in a range of accommodation, most

commonly in counselling and outpatient type environments, as part of integrated care, and also community inpatient provision.

Integrated Health Care Hubs

23.1.6 The Care Act 2014 placed a duty on local authorities to promote the integration of social care and health services where this will benefit the population. As pressures on the health and care services increase, due to local population growth and advances in medicine meaning people live longer, CBC are working towards making it easier for residents to access the care and support they need, locally. The Council is planning this through a network of [integrated health and care hubs](#) and spokes (spokes are local service points, providing access to services in areas such as rural settings).

23.1.7 For allocated sites please refer to the Council's [IDP](#) for the infrastructure requirements for health.

23.2 Health and Care Infrastructure: Thresholds and Exemptions

23.2.1 All residential developments of 10 or more dwellings will be required to provide contributions towards health and social care provision.

23.3 Health and Care Infrastructure: Types of Contributions

23.3.1 The infrastructure requirements associated with housing developments are determined by infrastructure type.

23.3.2 The mental health costs per dwelling reflect differing infrastructure types such as in-patient wards as well as a range of community based mental health provision.

23.3.3 Hub schemes are located in community buildings and will bring together health and care professionals including doctors, nurses, social workers, occupational therapists and providers of other wellbeing services. Hub schemes will help to bring these staff together to care for residents where appropriate, making it is easier for them to coordinate their services around the needs of local people.

23.3.4 Working together, the Hub teams will offer a wide range of services, some of which could include access to GPs, community, mental health and social care services, diagnostic tests and other services traditionally provided as outpatient appointments within hospitals, so that people have access to the appropriate case at the right time and place.

23.3.5 The hubs may also include a range of additional services which may include, but not be limited to:

- Extended GP services on weekends and longer hours during the week
- Enhanced services delivered by and across practices, e.g. minor injury and minor illness services, clinics to support patients with long-term conditions
- Face-to-face out of hours consultations
- Community pharmacy

23.4 Health and Care Infrastructure: Calculating the Requirements

23.4.1 Contributions will be calculated according to need. The Council's programme for the delivery of Integrated Health and Care Hubs will be considered when calculating contributions.

23.4.2 The thresholds applied to s106 requests, based on CBC's 2.4 residents per dwelling, are set out below. These might vary according to the level of need in the area.

- For applications between 10-50 dwellings, Bedfordshire, Luton & Milton Keynes Integrated Care Board (BLMK ICB) will request s106 contributions for primary care General Medical Services (GMS) only, using the usual algorithm resulting in a cost of £753.00 per dwelling.
- For applications for 50 or more dwellings the BLMK ICB will request primary care GMS, Community based services and Mental Health contributions with the usual methodology rationale for those costs. These requests would have a total cost of £997.50 per dwelling.

23.5 Health and Care Infrastructure: Further Information

Health and Care Infrastructure: Further Information
Infrastructure Delivery Plan Better care locally Central Bedfordshire Council
Health and Care Infrastructure: Contact Details
BLMK Integrated Care Board (ICB) and Integrated Care System (ICS) blmkicb.planningconsultations@nhs.net

24. Public Art

24.1 Public Art: Introduction

- 24.1.1 Public Art can play an important role in creating local distinctiveness and enhancing the character of an area. Public Art can therefore improve and enrich the quality of a local space, and therefore the quality of the public realm. This is an important consideration when designing a development.
- 24.1.2 Central Bedfordshire Council has been actively encouraging the integration of Public Art into new developments across the area for a number of years and has sought provision on both residential and non-residential developments and as part of new major projects such as public spaces associated with town centre developments and transport interchanges.
- 24.1.3 The national planning policy system requires planning to deliver well designed places that establish or maintain a strong sense of place, requiring places to be attractive, welcoming and distinctive. The integration of Public Art within new developments can help achieve these national requirements. Policy HQ7 of the adopted Local Plan encourages Public Art appropriate to the scale of the development.
- 24.1.4 The Council seeks to encourage appropriate Public Art provision in accordance with Adopted Local Plan Policy HQ7. New developments should have regard to the Central Bedfordshire Design Guide which includes specific guidance on the provision of Public Art.

24.2 Public Art: Thresholds and Exemptions

- 24.2.1 In accordance with Policy HQ7 of the Adopted Local Plan, Public Art, appropriate to the scale of development, is encouraged in:
- Residential development of 100 or more units;
 - Any new development facing on to the public realm where floor area exceeds 1000m² including retail, commercial, leisure, public buildings and educational establishments;
 - New public spaces associated with town centre development and enhancement; and
 - Transport interchanges and major highways and transport infrastructure projects especially within an urban context.

24.3 Public Art: Types of contributions

24.3.1 Developers are encouraged to submit public art proposals as part of a planning application rather than including it as part of the discharge of a condition or s106 agreement. Further advice is set out in the Design Guide. However, in some circumstances Public Art may be provided through condition or s106, to be determined on a case-by-case basis.

24.4 Public Art: Calculating the requirements

24.4.1 The costs will be determined and negotiated on a case by case basis.

24.5 Public Art: Further Information

Public Art: Further Information
CBC Design Guide
Public Art: Contact details
planningGI@centralbedfordshire.gov.uk

PART 3: VIABILITY

25. The Council's Approach to Viability Assessments

25.1 Introduction

25.1.1 The Council expects planning applications to be policy-compliant schemes. For example, schemes that deliver at least 30% affordable housing, of which the split between affordable rented and shared ownership reflects the most up to date advice in the SHMA.

25.1.2 In exceptional cases where the applicant proposes less than the policy requirement, for example less than 30% on-site affordable housing provision, the onus falls to the applicant to demonstrate that the development will not be viable, and that unusual and wholly unexpected/unforeseen development costs are necessary which cannot be reasonably be reflected in the price paid for the land, thereby making the scheme unable to deliver all the planning obligations set out in the Adopted Local Plan. In such circumstances, the applicant must provide a viability assessment (also known as viability appraisal) to support the proposed departure from policy requirements demonstrate that a scheme provides the maximum reasonable amount of infrastructure.

25.2 When are Viability Assessments required?

25.2.1 The Council will use the viability assessment to establish whether the level of contributions proposed by the developer is the maximum that can be reasonably delivered, or whether there is scope for further contributions to be made.

25.2.2 Assessments are to be provided in report format. This report must detail all of the applicant's appraisal assumptions as well as a copy of an appraisal (using ARGUS Developer, HCA Development Appraisal Toolkit etc.) to demonstrate the key financial metrics of the proposed development.

25.2.3 This report can then be carefully scrutinised and reviewed by the Council, or an appointed independent external assessor, to establish the maximum reasonable financial contributions.

25.3 Information required at Pre-Application Stage

25.3.1 The Council strongly encourages early engagement at the pre-application stage before submitting a planning application. The process enables a collaborative

approach to understand and resolve issues early in the planning process and thereby ensure emerging development proposals comply with planning policies.

- 25.3.2 For all major applications where viability is an issue, a draft financial viability statement (compliant with the requirements laid out later in this SPD) must be submitted at pre-app stage.

25.4 Planning Application Stage

- 25.4.1 When a developer submits a planning application, full viability information (as outlined later in this Section of this document) will be required if the scheme does not meet the threshold(s) set out in the Adopted Local Plan.
- 25.4.2 If a planning application which requires a viability assessment is not submitted with a full assessment, complete with all required information, it will not be made valid until the full information is received by the Council.

25.5 Evidence, Inputs, Assumptions

- 25.5.1 The minimum that should be provided as part of a development appraisal is laid out in Appendix B.
- 25.5.2 The Council reserve the right to ask for additional information where necessary. Detailed up-to-date evidence to support all inputs will be required.

25.6 Transparency and Impartiality

- 25.6.1 Viability assessments will be published online along with other planning documents submitted and will be subject to similar scrutiny. The Council believes that making information publicly available and transparency in decision-making is essential for public participation and maintaining confidence in the planning system. This approach is promoted in the PPG on viability.³

1.1.1

³ Paragraph: 021 Reference ID: 10-021-20190509.

- 25.6.2 In line with RICS requirements⁴, all viability assessments must include a statement confirming that no performance-related or contingent fees have been agreed in preparation of the report.
- 25.6.3 Similarly, viability assessments must be prepared ethically and be a true and fair reflection of the financial situation of the proposed development. The applicant must provide a statement within the report to confirm the requirements set out below have been met:
- That those who have prepared the viability assessment have acted with objectivity and impartiality.
 - That they have worked without interference and have taken into account all appropriate available sources of information to ensure that the viability assessment genuinely reflects the maximum level of obligations that can be provided and that the scheme is deliverable with this level of provision should also be included.
 - The terms of engagement of the instruction.
 - The absence of any conflicts of interest.
 - Whether there has been any previous involvement with the site, the scheme and / or the Applicant, including in respect of any previous site-/scheme-specific viability assessments.
 - Whether there has been any previous involvement in the preparation of an area-wide Adopted Local Plan viability assessment relevant to the site / scheme.
- 25.6.4 Other relevant requirements of how viability assessments should be conducted and reported can be found in the [RICS Professional Statement, Financial viability in planning: conduct and reporting, May 2019](#).

25.7 Material Changes to a Scheme

- 25.7.1 If changes are made during the process of an application which affect the number or size of units, the amount of development, the type of development and / or the tenure mix, a revised viability assessment will be required. This may also include, for example, changing residential units from market sale

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⁴ RICS, Financial viability in planning: conduct and reporting, 1st edition, May 2019, para. 2.3.

housing to rented accommodation. Additional charges may be made for the independent review of the updated viability assessment to be carried out, at the discretion of the Council.

25.8 Section 73 Applications or Minor Material Amendments

25.8.1 If any changes are made once permission is agreed, where a section 73 (Minor Material Amendment⁵) or other planning application alters the number, size, mix, type or tenure of proposed units, an updated viability assessment would be required. The applicant would be liable for any further payment required to review the viability of the updated scheme.

25.9 Vacant Building Credit

25.9.1 National planning policy incentivises development on brownfield sites with vacant buildings. Where applications propose the reinstatement of any lawful use to a vacant building, or where a vacant building is demolished and replaced with new development, the Applicant can be offered a credit equivalent to the existing gross floorspace of the relevant vacant building(s) when affordable housing contributions are calculated.

25.9.2 Where the proposals involve an overall increase in floorspace, the existing floorspace can be credited against the floorspace of the new development. This credit will apply in either the calculation of the number of affordable units to be provided on-site, or alternatively the financial contribution in lieu of on-site delivery. The PPG on Planning Obligations provides the following example:

“For example, where a building with a gross floorspace of 8,000 square metre building is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought.”⁶

25.9.3 The conditions where vacant building credit applies are set out within the Planning Practice Guidance on Planning Obligations. Notably, this includes the

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⁵ Town and Country Planning Act 1990, S73
(<https://www.legislation.gov.uk/ukpga/1990/8/section/73>)

⁶ Paragraph: 027 Reference ID: 23b-027-20190315

importance of demonstrating that the building has not been abandoned. Practitioners are advised to refer to the PPG (the key conditions are set out in Paragraph 028)

25.9.4 It may be appropriate for authorities to consider:

- Whether the building has been made vacant for the sole purposes of re-development
- Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.”⁷

25.10 How to carry out a viability assessment

25.10.1 A viability assessment looks at the value of a proposed completed policy-compliant development minus the total costs incurred during development of the proposed scheme. Developer’s profit is typically treated as a fixed cost at an appropriate level to establish whether the scheme is viable. In some instances, practitioners may instead fix the land value within the appraisal and have the profit as a variable output. Both approaches are considered acceptable.

25.10.2 In the first instance, applicants should provide a viability appraisal on a policy-compliant basis to demonstrate that the scheme is unviable at this level of policy contributions. They should also provide a viability appraisal to evidence what the applicant considers is the maximum affordable housing that can be viably provided, whilst complying with all other planning obligations.

25.10.3 Viability assessments can contain two assessments of land value as part of the process to determine whether a proposal is viable: the assessment of “residual land value” (RLV) and the calculation of “benchmark land value” (BLV).

25.10.4 The RLV is determined by deducting development costs (including the SANG and SAMM contributions for applications in the Zone of Influence) from gross development value to ascertain the residual funds available to produce a land payment to the landowner. The BLV is a calculation to establish a minimum

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⁷ Paragraph: 027 Reference ID: 23b-027-20190315

land value, below which the current or existing use will be retained on site and the land will not be released for development. BLV should be calculated using the Existing Use Value Plus method (as detailed below in the following section).

25.10.5 Using this method, a development is deemed to be viable if the RLV is equal to or greater than the BLV.

25.10.6 The following sections explain how to calculate both Residual Land Value and Benchmark Land Value.

25.11 Calculating Residual Land Value

a) Establishing Gross Development Value

25.11.1 Gross Development Value is an assessment of the total value of a policy-compliant development. For residential development, it would include total sales and/ or capitalised net rental income generated from the completed development. Grant and any other external sources of funding should also be considered. Market evidence should be used from the actual site or existing comparable policy-compliant developments, but any market evidence used should be adjusted to take into account variations in use, form, scale, location, rents and yields. Outliers should be disregarded.

25.11.2 Affordable housing values should reflect discussions with registered providers as well as evidence from other previously accepted viability assessments by the Council. Values may also need to be adjusted to take into account variables similar to those set out above.

25.11.3 Other elements of residential development which may contribute to the gross development value include ground rents and the sale or letting of parking spaces.

25.11.4 For mixed use schemes, most commonly those involving elements of commercial floorspace, the values which could be generated upon completion of the non-residential uses should also be included within the GDV. It is expected that this will often constitute capitalised rental values, however in certain circumstances a different approach may be taken. As with the residential elements, the inputs adopted and approach taken must be justified with robust evidence.

25.11.5 The Gross Development Value should always reflect the policy requirements for the area, ensuring that the appropriate quantum and tenure of affordable

housing is built into the value. Applicants should have regard to Chapter 3 of this document with regard to quantum and tenure mix.

b) Establishing the development costs

- 25.11.6 Build costs should be based on a detailed cost plan produced by a Quantity Surveyor or suitably-qualified cost consultant. The applicant should then benchmark their build cost assessment against BCIS published data. If there is a variation between the cost plan assessment and the BCIS data than the applicant needs to provide a detailed explanation as to why the variation is justifiable – especially where the cost plan produced exceeds suggested BCIS costs.
- 25.11.7 Any site-specific costs should also be referenced in the cost plan with corresponding rates and measures. Any abnormal costs need to be clearly identified and fully justified. This might include treatment of contaminated sites, work on listed buildings and costs associated with brownfield, phased or complex sites etc.
- 25.11.8 For any assessments which do not include a detailed cost plan prepared by a QS/qualified consultant, the applicant will need to provide a sufficient explanation as to why this approach has not been taken. The Council will also expect justification as to why the alternative approach adopted is considered appropriate.
- 25.11.9 Any site-specific costs such as infrastructure requirements should also be explained and included in the report.
- 25.11.10 The total cost of all relevant policy requirements including contributions towards affordable housing and infrastructure, Section 106, Community Infrastructure Levy charges (if introduced by the Council in the future) and any other relevant policies or standards should be included.
- 25.11.11 Finance costs should also be included, including those incurred through loans. The typical approach adopted in viability assessments is to assume that the development is 100% debt financed.
- 25.11.12 The Council would also expect to see reference to the following costs in a viability report:
- External works
 - Professional fees

- Contingency
- Sales agent and legal fees
- Marketing costs
- Land agent and legal fees
- Stamp Duty etc.
- Purchaser's costs

- 25.11.13 Please note that not all such costs will be necessary for every application, and the Council would expect those that are to be justified with corresponding evidence.
- 25.11.14 Explicit reference to project contingency costs should be included in circumstances where scheme-specific assessment is deemed necessary, with justification for contingency relative to project risk and developers' return.
- 25.11.15 Where any costs show significant variation from what might be expected (using the Adopted Local Plan viability assessment as a benchmark), full evidence and explanation should be provided.
- 25.11.16 Once the GDV and Development Costs have been established, Residual Land Value can be calculated by taking away the costs from the GDV and ascertaining whether the development results in a deficit or surplus. This is most commonly calculated by using a development appraisal software (e.g. ARGUS) or Microsoft Excel, as these allow for the costs and values to be modelled in a cash flow.
- 25.11.17 The residual land value approach can lead to inaccurate calculations of other appraisal inputs set out above. This primarily concerns those percentage-based inputs which are directly linked to the value of the land, such as the Stamp Duty Land Tax (SDLT), land agent and legal fees, and development finance costs. For example, where the value of an RLV exceeds that calculated for a BLV, the percentage-based costs attached to the land will also be higher for RLV than for the BLV. In turn, this reduces viability and the potential amount available to contribute to policy requirements.
- 25.11.18 Accordingly, where this approach is adopted, applicants must state how such allowances for land value, SDLT, land acquisition and finance compare with those attached to the BLV. This will allow the Council to identify how such allowances are influencing the viability of a scheme.

25.12 Calculating Benchmark Land Value

a) BLV Using the EUV+ Approach

- 25.12.1 The Council expects applicants to determine the BLV through the “Existing Use Value Plus Premium” approach (EUV+). This is the primary approach to determining the land value benchmark which is used to assess whether a residual land value provides a competitive return for the landowner. This method has been established as the most appropriate method and is recommended in the Planning Practice Guidance on Viability 2019 and RICS Guidance 2021⁸.
- 25.12.2 The principle of this approach is that the landowner should receive at least the value of the land in its existing use (i.e. the clear established use of the land before planning permission is granted). This value would normally be lost when bringing forward land for development, therefore the willing landowner should receive this value plus a premium to provide the landowner with an extra incentive to release the site for development. This premium should still allow the proposed scheme to fully comply with policy requirements.
- 25.12.3 When calculating the EUV+, the value should always be established independent of the proposed scheme. The first component is the EUV. This should be fully justified based on the income-generating capacity of the existing use with reference to comparable evidence. Alternatively, the EUV may be informed by reference to comparable sales of buildings of the same use, with appropriate adjustments to reflect any differences. The EUV must also exclude any hope value associated with the proposed or alternative uses.
- 25.12.4 If an RICS “Red Book” valuation is to be provided to support the EUV assessment, this should be undertaken with the specific instruction of informing the EUV for financial viability in planning and not for any other purpose. Applicants should consider when agreeing the Terms of Engagement with valuers.

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⁸ RICS, 2021. Assessing viability in planning under the National Planning Policy Framework 2019 for England, Guidance Note.

25.12.5 The second component is the 'plus' or 'premium'. This should be justified based on the circumstances of the site. If a site represents an ongoing liability for the landowner, a lower premium would normally be expected. A nil premium should be applied if the site is a clear and significant liability. On the other hand, for a site occupied by profit-making businesses that require relocation, the premium may be in the region of 10%-30%. Where an existing use and the value of this to the landowner is retained within a development, less of an incentive is likely to be required for the land to be made available for development, and a lower benchmark would be expected.

b) Alternative Use Value

25.12.6 Alternative Use Value (AUV) refers to the value of land for uses other than its existing use. AUV may help determine BLV, but it may only be used when the alternative uses would fully comply with the up-to-date Local Plan policies including any contributions for affordable housing. When referring to an existing use being refurbished or redeveloped, this will be considered as an AUV for the purposes of establishing the BLV.

25.12.7 If AUV is used to determine BLV, the following conditions must be met:

- a. Explanation of how the proposed alternative use would comply with the adopted plan policies,
- b. Evidence that there is market demand for the proposed alternative use,
- c. Evidence that it could be implemented on the site in question,
- d. An explanation of why this use has not been pursued.

25.12.8 Other circumstances where an AUV approach may be justified include those where an extant planning permission exists for the proposal site, or where the site is allocated for an alternative use through the development plan.

25.12.9 Any valuation of land based on AUV already includes the premium to the landowner - this should not be double counted.

c) Market Value

25.12.10 The Market Value approach is not acceptable to the Council. It has been found by RICS (Royal Institution of Chartered Surveyors) that developers were not applying it appropriately, failing to properly adjust comparable evidence to reflect policy-compliant planning obligations. This then introduces a circularity

which encourages developers to overpay for sites and try to recover some or all of this overpayment via reductions in planning obligations.

- 25.12.11 The RICS Guidance Note⁹ makes it clear that the BLV should not be expected to equate to the market value. If a Market Value approach is used, it would only be accepted where it can be demonstrated to properly reflect policy requirements and take account of site-specific circumstances.
- 25.12.12 Any comparable evidence (including land transactions) which is used to calculate EUV should be based on developments which are fully compliant with emerging or up-to-date Local Plan policies (including affordable housing requirements at the relevant levels set out in the Adopted Local Plan). If this is not available, applicants should identify evidence and make necessary adjustments to reflect the cost of policy compliance. This will ensure that historic benchmark land values of non-policy-compliant developments are not used to inflate values over time.
- 25.12.13 As set out on numerous occasions in the PPG on Viability 2019, under no circumstances should the prices paid for land be a relevant justification for failing to accord with policies in the development plan. Paragraph 014 of the PPG on Viability 2019 states that the Council can request data on the price paid for land (or the price expected to be paid through an option or promotion agreement). Should this information not be made available, the Council will require a clear explanation.
- 25.12.14 The BLV will establish a minimum land value below which the current or existing use of the site will be retained, and the land will not be released for development. Once the RLV and the BLV have both been calculated, they can be compared. A development would be deemed to be viable if the RLV is equal to or greater than the BLV as this is the level at which it is considered that the landowner has received a reasonable return and will release the land for development.

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⁹ RICS, 2021. Assessing viability in planning under the National Planning Policy Framework 2019 for England.

25.13 Profit

- 25.13.1 It is the developer's responsibility to mitigate the risks of development. The cost of full compliance with policy requirements, including those in respect of affordable housing provision, should be accounted for in the BLV.
- 25.13.2 The appropriate level of profit is scheme-specific; evidence should be provided by the applicant to justify proposed rates of profit, taking into account the individual characteristics of the scheme, the risks related to the scheme and genuinely comparable schemes. In line with the PPG on Viability 2019, a rigid approach to assumed profit levels should be avoided.
- 25.13.3 Factors that may be relevant when assessing scheme-specific target profit levels include the scheme's development programme, and whether it is speculative or provides pre-sold/ pre-let accommodation. Market forecasts and stock market trends may also indicate perceived market-wide risk.
- 25.13.4 Profit requirements for affordable housing should reflect significantly lower levels of risk when compared to private residential units. Lower levels of return would normally be expected for commercial and private rented accommodation.
- 25.13.5 It should be made clear how the profit level has been adjusted taking into account other assumed inputs within an appraisal. For example, the adoption of cautious assumptions such as the inclusion of greater contingencies and other costs at the upper end of typical parameters may warrant a lower target profit.
- 25.13.6 The application of a review mechanism should not be used as a justification for a higher profit level.

25.14 Deliverability of the Scheme

- 25.14.1 Applicants should demonstrate that their proposal is deliverable and that their approach to viability is realistic. Development appraisals would normally be expected to indicate that the scheme does not generate a deficit and that the target profit and benchmark land value can be achieved with the level of planning obligations provided. If an appraisal shows a deficit position, the Applicant should demonstrate and explain how the scheme is deliverable.
- 25.14.2 Where an Applicant provides a non-policy-compliant appraisal that still demonstrates a significant viability deficit, the Council will inquire as to how

the Applicant intends to bring the scheme forward in practice whilst still achieving the target profit levels set out in the Applicant's viability assessment. In particular, the Council will inquire as to the Applicant's incentives for bringing the scheme forward where the viability deficit is greater than the targeted developer's profit.

- 25.14.3 Where an Applicant is seeking to rely on assumptions of growth in values, these should be provided in the form of a sensitivity analysis. If a scheme is not phased and is short-term, growth assumptions should be included as a test scenario.

25.15 Alignment with Planning Arguments

- 25.15.1 Any arguments being made in viability statements need to be consistent with arguments made in the rest of the planning application submission. It is not appropriate to make conflicting arguments about the reasons for any lack of policy compliance.

- 25.15.2 For example, it would not be appropriate for the applicant to argue in their viability assessment that the proposed development will likely achieve market values towards the lower end of what is realistically achievable whilst concurrently arguing in the planning submission that the scheme is well-located and will be built to a high internal specification.

25.16 Off-Site Affordable Housing Contributions and Payments-in-Lieu

- 25.16.1 The Council requires all affordable housing to be delivered on-site unless there are exceptional circumstances where off-site delivery or a payment in lieu would be more beneficial to the Council's affordable housing objectives, as outlined in Chapter 3.

- 25.16.2 Off-site affordable housing requirements will be calculated by reference to the total housing provision on the main development site and any linked sites providing off-site affordable housing.

- 25.16.3 Payment in lieu contributions should be calculated using an equivalent of the maximum reasonable amount of affordable housing that could be provided on-site as assessed through a viability assessment. The value of the in-lieu contribution should be calculated on the basis of 50% of the open market value for each unit in question. If a policy compliant sum cannot be achieved, then a viability assessment will be required to determine a sum.

25.16.4 Cash in lieu of on-site or off-site affordable housing will be held in a separate affordable housing pot where resources can be pooled and ring-fenced to enable greater, or more appropriate, new provision to be made on an identified site or as part of an agreed programme - in compliance with the statutory tests for use of planning obligations.

25.16.5 The Council will require the calculation of payment in lieu contributions to be on an open book basis with actual development costs and sale of receipts. Where payment in lieu is agreed at the planning application stage, there will be review mechanisms in place, detailed in the Section 106 agreement if there is still an affordable housing policy shortfall.

25.17 Review Mechanisms

25.17.1 Viability review mechanisms are used by the Council to determine whether a development is capable of viably providing the required infrastructure as the scheme develops or once it is completed. This acknowledges the potential for changes in costs and values over time and allows the Council to ensure that maximum public benefits are secured from development.

25.17.2 Section 106 agreements will be prepared with a view to carrying out a review at certain points as the development progresses. They will show developers when viability will be reassessed over the lifetime of the development. Review mechanisms are not a tool to protect a return to the developer, but to strengthen the Council's ability to seek compliance with relevant policies over the lifetime of the project where viability can be shown to have improved.

25.17.3 Schemes with viability issues will be required to be re-appraised at some stage (as outlined below) to ensure that maximum public benefit is secured over the period of development.

25.17.4 Any viability review will utilise the appraisal format that will be agreed by the Council and the applicant at the planning application stage. For both early and late-stage reviews, only the developer's profit and BLV will be treated as fixed. All other inputs into the review appraisal will be actual costs and values experienced by the developer up to the point of the review, and will need to be supported by demonstrable evidence (i.e. receipts, invoices, payments etc.).

25.17.5 Review mechanisms should be based on the most robust data available; this generally will be evidenced build costs and the sale price or rental value of the completed units and other uses. More than one review trigger may be

appropriate, i.e. an early implementation review if an agreed level of progress has not been reached by a certain date, and a review later in the process taking account of values achieved. The relevant triggers will be clearly set out in the Section 106 agreement.

25.17.6 Costs for the negotiation, undertaking and assessment of the viability reviews will be borne by the applicant and paid for in advance.

25.18 Early-Stage Reviews

25.18.1 Early-Stage Reviews will be required on all schemes with viability issues . Early-stage reviews take place if an agreed level of progress has not been made by a certain specified date. The reasons for this are as follows:

- (a) To incentivise delivery - a review will be triggered where an agreed level of post-implementation progress has not been reached.
- (b) “Progress” is likely to mean all groundworks/ foundations for core/ground floor construction - this will be laid out in the Section 106 agreement.
- (c) Any uplift in affordable housing requirements should be accommodated on site – if this is not possible (or the amount is insufficient to augment on site affordable housing) then the surplus will be payable to the Council prior to occupation of the development.

25.18.2 Where schemes submitted a viability assessment at application stage, at the early review stage they should look at market changes which affect Gross Development Value and build (and other relevant) costs between the point of planning permission and the point of the review. A comparison will then be made between the original figures as submitted and the updated scheme valuation and cost plan.

25.18.3 If it is demonstrated after the completion of an early-stage review that viability has improved, then the Council’s preference will be to seek additional on-site delivery in the first instance. This is unless it can be robustly demonstrated by the applicant that an alternative delivery method (i.e. off-site or payment in lieu) is more appropriate and necessary given the scheme-specific circumstances.

25.18.4 For longer-term phased schemes, it may be necessary for the Council to request an updated early-stage review in case of a development stalling

subsequent to the initial early-stage review. Larger developments may be subject to mid-term reviews which could be triggered prior to the implementation of the phases. These will be required at the discretion of the Council.

25.19 Late-Stage Reviews

- 25.19.1 Late-stage reviews take place on all schemes which are not policy-compliant at the decision-making stage- for example, those providing less than 30% affordable housing or where affordable housing is not being provided on-site.
- 25.19.2 Late-stage reviews will take place when an agreed percentage (usually 70-75%) of homes are sold, or at another point as determined by the Council. The benefit of this is that the review can be based on actual values achieved and costs incurred by the developer throughout the project lifecycle.
- 25.19.3 The review would take place prior to the sale of the whole development to ensure that the review and any additional contribution arising from this are enforceable.
- 25.19.4 The outcome of this review will likely be a financial contribution towards off-site affordable housing provision.
- 25.19.5 Affordable housing requirements are applied where they are required to make an application acceptable in planning terms. Thus, review mechanisms will be 'upwards only' in the sense that they will not be used to reduce the base level of affordable housing contributions which are agreed at the planning application stage. If a reduced level of affordable housing is suggested, this cannot be agreed upon under the existing planning consent; a new or modified planning application would be required.

25.20 Viability Reviews for Multi-phased Developments and Strategic Sites

- 25.20.1 For multi-phased sites or those on strategic land, the Council may require additional viability information to be submitted after the decision-making stage. As the delivery of such sites can often span several years, it is prudent that viability is reassessed at suitable intervals after the decision-making stage to ensure that any favourable uplifts in viability are captured throughout the course of development.
- 25.20.2 Below, the recommended approach for viability reviews concerning larger multi-phased sites, or those sites which involve multiple plots which will be

sold separately to developers and delivered in isolation, is set out. Please note that this approach may not be appropriate for all instances, and it is advised that the exact approach will be reviewed and considered on a case-by-case basis.

25.21 Outline Applications for Multi-phased Developments and Strategic Sites

- 25.21.1 All residential proposals which trigger policy requirements will be subject to viability assessments at the decision-making stage. The Council understand that with larger, multi-phased sites, urban extensions, garden villages or strategic sites, the viability assessment at the decision-making stage may be submitted as part of an outline application. In such instances, it is common for key details to be confirmed through a reserved matters application submitted at a later date. This can include details which have a direct impact on viability, namely the proposed unit mix, unit sizes, tenure mix, volume and type of commercial floorspace, and other relevant development (e.g. community uses). As a consequence, there is likely to be a limit to the reliability and accuracy of viability information submitted at outline phase.
- 25.21.2 In those instances where the applicant can genuinely demonstrate that a scheme cannot support the full requirements sought by local policy at the outline stage, then any permissions granted by the Council based on the viability information submitted will be subject to further review once such details have been confirmed. The Council will require the viability to be reassessed at the appropriate phase, to be agreed on a case by case basis in the s106 agreement. For example, this can demonstrate whether any additional on-site affordable housing (above that agreed at outline stage) can be provided for a particular phase / site before commencement on site.
- 25.21.3 The viability assessment submitted will consider the relevant details which have been confirmed following the outline permission (e.g. unit mix, sizes, tenure split, unit type and commercial development). As with those viability assessments supporting full applications, evidence will need to be provided and adjusted to reflect these details. It is advised that the applicant also informs the Council of the number of phases / plots for which reserved matters applications will be necessary, along with an indication of the expected delivery timescales. This can help manage expectations regarding the number and timing of viability assessments which might be necessary for a given outline consent.

- 25.21.4 The viability reassessment must use the fixed inputs agreed at the outline stage after the Council's review – namely the benchmark land value and profit allowances. It is suggested that the Benchmark Land Value agreed at the outline stage is fixed on an equivalent £ / acre basis and then applied to the corresponding area of the application site boundary. The profit, as a percentage-based cost, should remain unchanged between each phase.
- 25.21.5 The remaining inputs (excluding those agreed in the s106) should be reassessed and supported by updated market evidence. This predominantly concerns the construction costs and proposed sales values for the development concerned within the phase under consideration.
- 25.21.6 As with all viability assessments submitted at the decision-making stage, the construction costs should be supported by a detailed, itemised cost plan prepared by a suitably qualified practitioner (e.g. quantity surveyor or cost consultant), as recommended in the latest RICS guidance on viability. Where possible, evidence of costs incurred from the delivery of an earlier phase / completed development within the same strategic site should be provided. It is noted, however, that in instances where different phases or plots of a single strategic site are being delivered by different developers that this approach may not be possible. In these cases, detailed wording will be agreed through the S106 process.
- 25.21.7 The sales values should also be reviewed and supported by more recent market evidence. Similarly, if achieved value data is available from a preceding phase which is complete then this will be supported.
- 25.21.8 All other inputs within the revised Reserved Matters viability assessment which are proposed to change from those agreed at the outline application stage / within the Section 106 should also be supported by evidence.
- 25.21.9 The Applicant for the reserved matters application should prepare a new viability assessment in the preferred format.
- 25.21.10 Upon receipt of the updated viability assessment, the Council will review (or consider independent review) of the viability assessment submitted by the applicant. This will determine whether:
- (a) The on-site affordable housing allowance agreed at outline stage remains the maximum amount that the Reserved Matters application/phase in question can provide; or,

- (b) The Council can negotiate an increased on-site affordable housing offer for that particular Reserved Matters application/phase based on improvements to scheme viability.
- (c) The Council can negotiate an increased payment in lieu of on-site affordable housing for that particular Reserved Matters application/phase based on improvements to scheme viability.
- (d) The Council can negotiate any further increased payments for provisions such as education, healthcare etc. that the Council may seek for that particular Reserved Matters application/phase based on improvements to scheme viability.

25.21.11 As with other viability reviews/reassessments, this will be 'upwards only' in the sense that they will not be used to reduce the base level of affordable housing contributions which are agreed at the outline planning application stage.

25.21.12 The above will be undertaken and agreed before commencement on-site to allow for on-site affordable housing where shown to be viable.

25.22 Late-stage Reviews for Multi-phased Developments and Strategic Sites

25.22.1 Unless the Reserved Matters viability reassessment shows that a policy-compliant level of affordable housing can be provided on-site, then all Reserved Matters phases will be subject to a late-stage review mechanism to determine whether an off-site contribution can be provided.

25.22.2 Once an agreed percentage of unit disposals (normally around 75%) has been reached then a second viability review should be undertaken to ascertain whether any additional off-site contributions can be viably supported for that particular phase. This will compare the cost and value assumptions adopted in each Reserved Matters viability assessment phase against actual incurred construction costs and values received from sales to determine whether there is a surplus profit. For the units that still need to be constructed/sold, the fact that 75% of the units have been completed should provide sufficient evidence to estimate the costs and values associated with the remaining 20% of units). The incurred costs and achieved values should be supported by evidence and submitted alongside an updated assessment prepared by the Applicant.

25.22.3 For clarity, the Council are required to publish redacted viability assessments. The data would only be used for the late-stage review applicable to the phase /

parcel in question and would therefore allay any concerns over using sensitive data across different phases or schemes. The data would also not need to be published like a conventional viability assessment as it is instead a review within a Section 106 agreement. The information would again be reviewed independently on behalf of the Local Authority (at the cost of the applicant) to determine if the actual costs incurred and values received result in an uplift in viability – a share of which would then be received as an off-site contribution.

25.23 Surplus profits

25.23.1 Where any surplus has been identified through the viability review, 100% of the identified surplus will be paid in favour of the Council, up to the defined affordable housing policy compliant position of 30% affordable housing (the maximum cap). Where the affordable housing can be provided onsite, the expectation is for the surplus to deliver for the onsite affordable housing provision. Where the onsite delivery of the affordable housing is not possible, the surplus will be paid towards the Council which will be used to deliver for affordable housing within the administrative area of Central Bedfordshire.

26. Appendices

26.1 Appendix: A CBC Process for Securing s106 Contributions

STAGE	ACTIONS	RESPONSIBILITY
Pre-Application	Applicant to consider relevant policies and this SPD prior to submitting proposal for pre-application discussion.	Applicant
Pre-Application	Draft Heads of Terms to accompany any application that requires a planning obligation.	Case Officer
Submission of planning application	Receipt of Planning Application by CBC Planning application received & validated Consultations issued File scanned	Business Support Team
Submission of planning application	Ongoing liaison with relevant parties (if required)	Case Officer
Decision	Consideration by case officer and other key stakeholders in relation to local and national policy.	Case Officer
Decision	Discussions/ negotiations with relevant parties (if required)	Applicant/Case Officer/Legal
Decision	Completed Section 106 issued with Planning consent. Send to applicant's solicitors for consideration.	Legal
Monitoring	Details of agreement including clauses and triggers recorded.	Monitoring Officer
Monitoring	Implementation of planning permissions monitored.	Monitoring Officer
Monitoring	Evidence of planning obligations being complied with.	Monitoring Officer

26.2 Appendix B: Key Requirements List for All Viability Assessments

26.2.1 The following list details the requirements for any viability assessment submitted to the council. Validation will not occur until submitted viability assessments meet these requirements. Paragraph references show where more detailed information is located.

Input or Information	Requirement
Appraisal Format	<p>Hard and electronic copies of appraisals in format that can be easily reviewed.</p> <p>Electronic models such as Argus Developer, HCA development appraisal toolkit etc. are acceptable as long as all information required is clearly displayed</p>
Executive Summary	<p>Clear non-technical summary of viability appraisal showing a summary of key appraisal inputs and the conclusions of the report. This must include the outcome of a policy-compliant scenario as well as the maximum viable amount of affordable housing / policy contributions.</p>
Full Scheme Details	<p>Site area, density and red line boundary</p> <p>Type and tenure of each residential unit including unit size. Preferably in a Microsoft Excel format on a unit-by-unit basis showing the individual sizes, types and habitable rooms.</p> <p>Details of total floor area (including Gross and Net Internal Area).</p> <p>Information about proposed specifications of development</p> <p>Target market/occupiers</p> <p>Other relevant details – communal outside space, parking, storage, on-site amenities etc.</p>
Development Programme	<p>Specific development timings e.g. pre-construction, construction, sales period</p> <p>Any supporting evidence for construction and sales period assumptions e.g. construction contracts, marketing/letting agreements</p> <p>Any information regarding off-plan sales including specific percentage of off-plan sales modelling</p> <p>Explanation of how the costs / income have been modelled within the appraisal (e.g. S-curve for construction, quarterly marketing costs, off-plan sales period etc.)</p>
GDV including all costs with comparable evidence	<p>Anticipated residential sales values, ground rents, sales rates (per month), assumptions regarding forward sales and commercial values if mixed use scheme.</p> <p>Assumptions on value must be justified with reference to up-to-date transactions and market evidence relating to comparable new build properties within a reasonable distance from the site, and where relevant, arrangements with future occupiers. Where comparable property transactions are used, this should be fully analysed to</p>

	<p>demonstrate how this has been interpreted and applied to the scheme, and where any variation has been assumed and why.</p> <p>Yields and rental values of any rented accommodation / commercial uses should be included. This may also extend to assumptions on rent-free / incentive periods, rental voids and / or leakage and management allowances.</p> <p>Sales and rental values for affordable units should include evidence of discussions with Registered Providers. Details of any calculations should also be provided, if applicable.</p> <p>Any grant included within the appraisals must also be supported by evidence and an explanation of how it will be drawn down.</p>
Costs	<p>A detailed cost plan must be provided in an elemental form with rates (e.g. £ per sqm) based on a detailed specification of the proposed development that enables costs to be benchmarked against publicly available sources such as BCIS and supported by evidence from cost consultants. If there is any variation from BCIS data, this must be explained and robustly evidenced.</p> <p>Information should include separate costs for:</p> <ul style="list-style-type: none"> • Preliminaries; • Demolition/ site clearance/ site preparation; • Base build costs; • Abnormal costs; • On-site infrastructure and utilities; • Offsite infrastructure; • Contractor’s overheads and profit; • Design fees and professional fees; • Contingencies. <p>Any abnormal costs should also be included and clearly explained and evidenced. It is also expected that abnormal costs would be reflected in the benchmark land value, as per the Viability PPG.¹⁰</p> <p>Cost details should generally be provided based on Gross Internal Area (GIA), clearly apportioning costs to different elements of the development (i.e. commercial, market residential, affordable housing etc). The gross to net floorspace ratio of the development should be set out.</p> <p>Applicants should submit elemental cost plans that are consistent with the level of detail provided in the drawings in support of planning applications (i.e. RIBA Plan of Works Stage 3). Wherever possible such assessments should be benchmarked against other similar projects.</p>

1.1.1

¹⁰ Paragraph: 012 Reference ID: 10-012-20180724

	<p>Where an appraisal is based on current day values, costs should not include build cost inflation.</p> <p>There should be a clear correlation between a development's specification, assumed build costs and development values. Cost information should directly correlate with the floor areas provided as part of the planning application.</p>
Benchmark Land Value (BLV) EUV+	<p>Existing Use Value plus premium is the Council's preferred method for calculation of BLV.</p> <p>There must be evidence of comparable sites of similar size and quality in order to evidence the EUV. The EUV must explicitly not include any hope value or anything other than the value of the existing use on the site.</p> <p>Any premium should be clearly justified and explained, in accordance with the guidance in this SPD. The premium applied must clearly demonstrate that the appropriate planning policy requirements have been taken into account.</p> <p>Any abnormal costs associated with the land (e.g. remediation cost) should be also be deducted of the BLV if they are included as a scheme cost.</p>
AUV (Alternative Use Value)	<p>AUV is sometimes used to compare the value of a proposed use to the value of an alternative use</p> <p>The Council will only accept this when:</p> <p>It would fully comply with development plan policies and,</p> <p>It can be demonstrated that the alternative use could be implemented on the site in question, and</p> <p>There is market demand for the site.</p>
Proposed Planning Contributions	<p>s106 planning contributions should be calculated in line with Council policy, and included as a development cost.</p> <p>If a Community Infrastructure Levy (CIL) is introduced in the future by the Council then this should also be included as a development cost in line with the relevant CIL charging schedule. Calculations of how contributions have been estimated should also be provided or explained.</p>
Developer Profit	<p>The appropriate level of profit is specific to the development. Evidence should be provided from applicants to justify the proposed rate of profit taking into account the individual characteristics of the scheme, the risks related to the scheme and comparable schemes.</p> <p>Profits for affordable units should reflect a lower level of risk.</p> <p>Appraisals should make clear how the profit level has been calculated, and explain why these assumptions have been made.</p> <p>Profit levels should normally be considered as a factor of GDV or GDC (Gross Development Cost).</p>
Other Requirements	<p>See RICS Financial viability in planning: conduct and reporting, Professional Statement, May 2019 (or any subsequent / up-to-date version thereof).</p>

26.3 Glossary of terms

Additional Resource Provisions (ARPs)

Additional Resource Provisions are dedicated facilities on mainstream school sites that provide support to children and young people with additional needs, so pupils get a balance between the mainstream curriculum and additional support.

Affordable Housing

Affordable housing is a term used to describe a collection of government schemes where properties are offered at below-market value, either for sale or rent.

These schemes aim to help individuals who would otherwise struggle to rent or buy a property. Initiatives included under the banner of affordable housing are as follows:

- Shared ownership
- Rent to buy
- Intermediate rent
- Social rented housing

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way to contribute to the recovery of nature while developing land. It is making sure the habitat for wildlife is in a better state than it was before development. BNG is additional to existing habitat and species protections. Intended to reinforce the mitigation hierarchy, BNG aims to create new habitat as well as enhance existing habitats, ensuring the ecological connectivity they provide for wildlife is retained and improved

Car Clubs

Car clubs are short-term car rental services that allow members access to locally parked vehicles which are usually paid for by the hour or day. A car club offers an alternative to private car ownership for both individuals and businesses. Car clubs are most beneficial for those that need access to a car on an occasional basis and can work out to be more cost effective than owning a vehicle.

Commuted sums

A payment of a capital sum by an individual, authority or company to the highway authority, local authority, or other body, as a contribution towards the future maintenance of the asset to be adopted, or transferred.

Custom-build

Custom build homes are where you work with a developer as an individual or a group to help deliver your own home. The developer may help to find a plot, manage the construction and arrange the finance for your new home. This is more of a hands-off approach but your home will be tailored to match your individual requirements.

Design Guide

The Design Guide is a supplementary planning document, that sets out the key principles and standards of design for all new developments in Central Bedfordshire. The document ensures development is of the highest quality in line with national planning policy and Central Bedfordshire adopted Local Plan.

Development Brief

A Development Brief is a document that provides information on the type of development, the design of the development and layout and constraints relating to a particular site and how these can be overcome.

Extra Care Housing

Extra care housing is used to describe developments that comprise self-contained homes with design features and support services available to enable self-care and independent living which are designed for older people.

Flood alleviation

Flood alleviation are schemes that are constructed such as flood walls, banks and other flood management measures to reduce flood risk to homes and commercial property which have been identified as being at significant risk.

Heads of Terms

In order to address and agree issues that would need to be covered by planning obligations a Heads of Terms is prepared. This clearly set out the obligations that the developer/landowner is willing to be bound by, in order to meet the needs generated by the development that are not going to be met as part of the development scheme itself.

Heads of Terms can offer contributions towards any matter that is a planning matter and that would pass the legal tests for planning obligations. The most common types of contribution are (but not limited to)

- Affordable Housing
- Open Space
- Community Facilities
- Education
- Highways
- Healthcare
- Sustainable transport networks (cycling, walking etc)
- Biodiversity

Household Waste Recycling Centre (HWRC)

HWRCs are provided to dispose of small volumes of household waste produced by Central Bedfordshire residents in their own homes, there are currently four within Central Bedfordshire these are located at Ampthill, Biggleswade, Leighton Buzzard and Houghton Regis.

Housing Infrastructure Fund (HIF)

The Housing Infrastructure Fund (HIF) is a government capital grant programme to help deliver new homes. Funding is awarded to local authorities to deliver new physical infrastructure to support new and existing communities.

Integrated Health Care Hub

An Integrated Health Care Hub brings together a mix of health and care professionals in a single location to promote more joined-up working between the NHS, the council and voluntary and community sectors,

Neighbourhood Plan

A Neighbourhood Plan is a document that sets out planning policies for a specific local area. The Neighbourhood Plan is produced by the local community and shapes the development and growth of that local area. The Neighbourhood Plan becomes part of the development plan and the policies contained within them are then used in the determination of planning applications.

Planning Condition

A planning condition is a constraint placed on the granting of planning permission which allows development to go ahead only if certain conditions are satisfied. Conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects.

Primary Care

Primary care services provide the first point of contact in the healthcare system, acting as the 'front door' of the NHS. Primary care includes general practice, community pharmacy, dentistry, and optometry (eye health) services.

Public Right of Way

A Public Right of Way is a route over which the public have the right to pass and re-pass. Public rights of way are public highways that are legally protected in the same way as roads. There are three types of public rights of way, allowing different activities, these are:

- Footpath – open to walkers only,
- Bridleway – open to walkers and horse riders,
- Carriageway – open to walkers, cyclists, horse riders, horse-drawn vehicles and motor vehicles.

Retail Price Index

The Retail Prices Index or Retail Price Index (RPI) is a measure of inflation published monthly by the Office for National Statistics. It measures the average change from month to month in the prices of typical goods and services purchased by most households in the UK.

Self-build

Self-build projects are defined as those where someone directly organises the design and construction of their own home. This covers a wide range of projects from a traditional DIY self-build home to projects where the self-builder employs someone to build their home for them. Community-led projects can also be defined as self-build.

Special Area of Conservation (SAC)

Special Areas of Conservation (SACs) are strictly protected sites designated under the EC Habitats Directive. The habitat types and species for which these sites are designated, are those considered to be most in need of conservation at a European level.

Strategic Access Management and Monitoring (SAMM)

The objectives of the monitoring service are to provide strategic data on visitor numbers, monitor the effectiveness of SANGs and access management in mitigating or avoiding impacts from the additional visitors.

Suitable Alternative Natural Greenspace (SANG)

Suitable Alternative Natural Greenspaces (SANGs) are existing open spaces that are going to be improved. The aim is to encourage more visitors to enjoy the natural environment of SANGs. We need to reduce the number of visitors to Special Protection Areas (SPAs) so that we can preserve them. By improving SANGs we hope more visitors will use these natural areas instead of SPAs.

Supplementary Planning Document (SPD)

Supplementary planning documents (SPDs) build upon and provide more detailed advice or guidance on policies in an adopted local plan, and normally cover a specific topic area. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are, however, a material consideration in decision-making.

Transport Statement/Transport Assessment

A technical report which identifies the transport and highways implications of a proposed development.

Travel Plan

A document which sets out the sustainable transport issues and opportunities relevant to a particular building or development, generally including a series of measures to encourage an increased uptake of sustainable transport.

Unilateral Undertakings

A Unilateral Undertaking is a simplified version of a planning agreement, which is relatively quick and straightforward to complete, and is entered into by the landowner and any other party with a legal interest in the development site. A Unilateral Undertaking will consist solely of the payment of financial contributions, to be paid prior to commencement of development. The Undertaking includes an obligation to pay the Council's costs in monitoring and managing the implementation of the planning obligation.

Water Neutrality

Water neutrality is defined as development that takes place which does not increase the rate of water abstraction for drinking water supplies above existing levels.

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**Central
Bedfordshire**

Central Bedfordshire in contact

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