

Section 106 Developers Guide to Infrastructure Contributions in Suffolk

Contents

1	Introduction	3
2	Policy Approach	7
3	Contributions Approach	9
4	Details of Infrastructure Contributions	13
5	Further Information	22

1 Introduction

- 1.1 The purpose of the Developers Guide is to provide guidance on a wide range of infrastructure issues that may need to be considered by the relevant local planning authority when determining development proposals. It is not intended to be prescriptive, as each development proposal will need to be considered on its own merits.
- 1.2 There are 8 local planning authorities in Suffolk, which include the Broads Authority. The Section 106 Developers Guide to Infrastructure Contributions in Suffolk (“the Developers Guide”) has been produced to provide consistent guidelines on the types of planning obligations which may be sought. The Developers Guide should be regarded as a transparent guide that sets out the general approach to development in Suffolk and provides developers and other interested parties with information in advance of any planning application.
- 1.3 The Developers Guide is not a Development Plan Document or a Supplementary Planning Document. It is intended to improve transparency and consistency in planning obligation requirements across Suffolk by providing guidance to statutory agencies, community organisations, developers and all stakeholders involved in the development process.
- 1.4 However, the level of consultation and scrutiny undertaken on the Developers Guide means that weight can be attributed to it in planning decisions. It should be noted that any request for planning obligations will need to be justified in their own right having regard to the tests of Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010. Reference to a type of contribution in this Developers Guide is not in itself justification for requesting a planning obligation.
- 1.5 Contributions secured by planning obligations will meet the statutory tests as set out in Regulation 122 of the CIL Regulations 2010.
- 1.6 The Developers Guide sets out the Suffolk approach for determining what is necessary to mitigate the impact of individual developments. It is not a one size fits all approach. Contributions will only be secured on the basis of the individual circumstances of a development. For example, a developer wants to build 100 houses. The local schools have capacity to take all children anticipated to be brought to the area by the new houses. Therefore, an education contribution will not be secured for this particular development.
- 1.7 Negotiations with developers will start from the position set out in the Developers Guide, which sets out the likely contribution that will be sought from the developer. With individual circumstances the contribution requested may be less or more than shown in this document. The Developers Guide is not prescriptive but a useful document to illustrate likely demands placed on new development proposals. Some of its content may not be relevant for all proposals and in certain circumstances additional or alternative elements may need to be addressed.
- 1.8 The intention is to provide as much information as possible on the approach to contributions and responses to both pre-application enquiries and planning

applications, so the Developers Guide will be regularly updated to reflect the current position.

What is a Section 106 planning obligation?

- 1.9 Planning obligations (or “s106 agreements”) are private agreements negotiated, usually in the context of planning applications, between local planning authorities and persons with an interest in a piece of land (or “developers”), and intended to make acceptable development which would otherwise be unacceptable in planning terms. Obligations can also be secured through unilateral undertakings by developers. For example, planning obligations might be used to prescribe the nature of development (e.g. by requiring that a given proportion of housing is affordable); or to secure a contribution from a developer to compensate for loss or damage created by a development (e.g. loss of open space); or to mitigate a development’s impact (e.g. through increased public transport provision. The outcome of all three of these uses of planning obligations should be that the proposed development concerned is made to accord with published local, regional or national planning policies.

What is the ‘Developers Guide’?

- 1.10 This document demonstrates a joint working approach to public service provision by involving service providers such as Suffolk Primary Care NHS Trust (NHS Suffolk), Great Yarmouth & Waveney Primary Care Trust (NHS Great Yarmouth and Waveney), the Broads Authority and Suffolk Constabulary. It will assist developers and others interested in development to identify the range and likely level of contributions that these organisations may seek in order to mitigate the impacts of development proposals. It promotes a consistent and open approach, so those interested, will be able to see and understand how development in their area is making a fair and positive contribution to the local community.

The Purpose of this Guide

- 1.11 The Developers Guide provides helpful guidance on the types of contributions which may be sought, and the general approach for calculating the level of them. The county council, Primary Care Trust and Suffolk Constabulary have also produced topic papers to provide further information on infrastructure requirements and these are available online through chapter five of this document. An additional document titled '*Section 106 Planning Obligations - code of practice protocol*' sets out how the authorities and service providers will work together in assessing infrastructure contributions and what a developer can expect from the authorities. The Developers Guide and associated documents will supersede the outdated '*Suffolk Local Planning Authorities Supplementary Planning Guidance relating to Section 106 Obligations*' (1999).
- 1.12 The possible infrastructure requirements identified in chapter four of this document are explained in more detail through district or borough development plans and county council requirements are in topic papers. Links to all of these are stated in chapter five of this document. Core Strategies provide the policy basis for seeking developer contributions, whilst detailed mechanisms and site specific policies will be set out in site allocations documents, area action plans, development management/control policy documents and in supplementary planning documents.

1.13 The Developers Guide provides guidance on the following:

1. The approach to Section 106 contributions between the Suffolk local authorities, including consultation with NHS Suffolk, NHS Great Yarmouth and Waveney, Suffolk Constabulary and the Broads Authority;
2. A list of infrastructure which may be included in planning obligations, including further information links to district, borough and county council web pages; and
3. Guidance based on the 'tests' provided in Circular 05/2005 and the requirements of Regulation 122 of the Community Infrastructure Levy Regulations (2010).

How does the county council stand in relation to district and borough planning authorities?

1.14 The Developers Guide has been developed as a collaboration between the following organisations:

- Babergh District Council,
- Forest Heath District Council,
- Ipswich Borough Council,
- Mid Suffolk District Council,
- St Edmundsbury Borough Council,
- Suffolk Coastal District Council,
- Suffolk County Council, and
- Waveney District Council.

The following organisations provided important input:

- NHS Suffolk,
- NHS Great Yarmouth & Waveney,
- Suffolk Constabulary, and
- The Broads Authority.

1.15 As the district and borough councils and the Broads Authority are the Local Planning Authorities (other than for waste and minerals and county council development which fall under the county council), it is they who will be the determining authority as to whether an individual development proposal is acceptable in planning terms. This includes the degree to which contributions are necessary to make an application acceptable. They may consult and/or receive advice from other bodies including town and parish councils in deciding what is acceptable.

1.16 The district and borough councils intend to introduce a Community Infrastructure Levy (CIL) - an emerging tariff based approach that authorities can choose to introduce to help fund infrastructure in their area. The Developers Guide will be used as a key piece of evidence in developing a charging schedule for an area. Depending on whether a district or borough council implements a CIL, it is apparent that Section 106 planning obligations will remain in place to secure mitigation measures directly related to developments on a site-by-site basis. For further information on CIL, refer to the Department of Communities and Local Government (DCLG) publication 'Community Infrastructure Levy: an overview' published in May 2011.

Consultation

- 1.17 The Developers Guide and supporting documents have been prepared in accordance with paragraph 6.3 of Planning Policy Statement 12 (PPS12) and regulation 17 and 18 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).
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- 1.18 A screening evaluation of the Developers Guide was carried out to determine whether or not a Strategic Environmental Assessment (SEA) was required. Following consultation with the Statutory Consultees, the conclusion was that an SEA was not required as any significant effects would have been appraised during the development of a relevant Development Plan Document.
- 1.14 The Developers Guide was also the subject of an Equality Impact Assessment screening assessment.

Document review

- 1.19 The Developers Guide and supporting topic papers will be regularly updated to provide current cost information and changes to supporting policies. For example, education cost multipliers can be issued annually and this influences the cost of providing additional school places. The annual review will also take into account the Building Cost Information Service (BCIS) index and any other inflationary impacts particularly associated with construction costs or service provision where there is an implication for developer contributions. Factual updating which does not materially change the document will be made as and when required.

2 Policy Approach

Planning Policies

- 2.1 The Community Infrastructure Levy Regulations (2010) Regulation 122 makes the following tests of Circular 05/05: Planning Obligations (DCLG, 2005) statutory. The key requirements of planning obligations are that they must be:
- Necessary to make the proposed development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the proposed development.
- 2.2 In considering the first two tests, i.e. whether an obligation is necessary and relevant to planning to make the proposed development acceptable, the starting point is an examination of the planning policy background. Core strategies provide detailed policies requiring developer contributions for specified items of infrastructure. Similarly, saved policies from local plans may contain such policies. More detailed site-related policies may be provided in area action plans, site allocations documents or in supplementary planning documents. Policies contained in emerging local development documents may be accorded weight where these have been subject to public consultation and are at an advanced stage in the adoption process. If a specific item of infrastructure is not listed within general infrastructure policies in core strategies, this does not necessarily preclude contributions being sought for that infrastructure, provided that there is evidence to demonstrate its need and that it accords with the general terms of the policy.
- 2.3 The draft National Planning Policy Framework (NPPF) contains a number of references to the presumption in favour of sustainable development, and the need to support economic growth through the planning system. It gives a clear indication of the government's 'direction of travel' in planning policy. Therefore the draft NPPF is capable of being a material consideration. The presumption in favour of sustainable development is to send a strong signal to those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by the search for opportunities to deliver sustainable development, rather than barriers. In addition the draft NPPF talks of the significant potential to improve the efficiency and effectiveness of the planning application system for all parties by pre-application engagement and front loading. The Developers Guide seeks to support that aim by providing increased clarity for developers and other stakeholders in the planning process. Planning conditions and obligations are covered in paragraphs 67 – 70 of the draft NPPF.

Prioritisation

- 2.3 Different areas in Suffolk have differing priorities for service and infrastructure provision. Therefore prioritisation between service needs may be necessary, having regard to specific local needs and viability of development proposals. The relevant district or borough council will prioritise obligations in line with Local Development Documents and Infrastructure Delivery Plans, which will provide the basis for prioritisation of service and infrastructure provision. However the detailed strategy to be used in any case will be based on local evidence, including studies undertaken, local strategies and community views. The Regional Spatial Strategy

(RSS) for the East of England is still part of the Development Plan. However it is clear that the Government's priorities are to remove the Regional Spatial Strategies and this will happen when the Localism Bill is enacted. Please contact the relevant district or borough council planning office for an update on how this is being dealt with in planning policy terms at a local level.

Other

- 2.4 There are other organisations and/or partnerships such as the New Anglia Local Enterprise Partnership for Norfolk and Suffolk, the Suffolk Wellbeing Board, Suffolk: Creating the Greenest County and locality working groups that are important in the infrastructure planning process. These bring together representatives from the local statutory, voluntary, community and private sectors to identify and address local problems, promote initiatives and avoiding working in isolation. In addition, as part of the emerging localism agenda and Neighbourhood plans town and parish councils will continue to be an important part of the engagement process.
- 2.5 Cross border issues. Where proposed developments may have an impact on a neighbouring authority in Norfolk, Cambridgeshire or Essex then appropriate consultation will take place and Section 106 contributions may be secured to mitigate any negative impacts on the neighbouring authority. Alternatively, where proposed developments in neighbouring authorities impact on Suffolk then appropriate consultation will take place and Section 106 contributions may be secured to mitigate impacts following the principles set out in the Developers Guide that apply to development in Suffolk. The relevant local planning authority will take the lead role in assessing the need for any cross border issues.

3 Contributions Approach

Section 106 Agreements and Unilateral Undertakings

- 3.1 "Section 106 Agreements" and "Unilateral Undertakings" are types of Planning Obligations authorised by Section 106 of the Town and Country Planning Act 1990..
- 3.2 In most cases, it is expected that local planning authorities and developers will finalise planning obligations by agreement. However, where there is difficulty reaching a negotiated agreement, a developer may offer unilaterally to enter into a planning obligation. A unilateral undertaking is an obligation offered by the applicant to the planning authority either in support of a planning application or used at planning appeals. Paragraphs B46 – B49 of Circular 05/05 set the general approach to unilateral undertakings.

Determining Developer Contributions via Planning Obligations

- 3.3 The impact of a development proposal will be determined using information provided by the developers and/or landowners, the district and borough councils and the county council, and other appropriate information sources such as from the relevant town or parish council, together with the approach and methodologies contained within the Developers Guide. Regard will also be had for national, regional and local policies and, where appropriate, emerging policies and guidance e.g. the National Planning Policy Framework.
- 3.4 The thresholds for assessing and securing developer contributions from a development proposal may vary depending on each local planning authority. The county council will normally undertake an assessment of "major development" proposals where the number of dwelling-houses to be provided is 10 or more, or the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more. This is based on the definition of "major development" contained in the Town and Country Planning (Development Management Procedure) (England) Order 2010. However district and borough councils may request developer contributions using lower and/or different thresholds e.g. for affordable housing, open space etc.

Suffolk County Council, as the Highways Authority, is a statutory consultee on all planning applications which may have an impact on the highway.

Pre-application discussions

- 3.5 The pre-application services provided by the district and borough councils are intended to provide an early indication to potential applicants of planning issues that will need to be considered and addressed, including the level and range of likely planning obligations requirements.
- 3.6 It is important that full use is made of pre-application discussions, to develop draft Section 106 heads of terms in agreement with the developer, prior to submission of an application. These discussions will be coordinated by the relevant local planning authority, who will then seek appropriate input from the county council and other service providers and/or stakeholders.

- 3.7 In many instances, studies and/or impact assessments will be required to be undertaken to inform final s106 heads of terms. Where these are required to be undertaken by developers, information on the scope of the studies or assessments will be provided by the local authorities in liaison with NHS Suffolk, NHS Great Yarmouth and Waveney and Suffolk Constabulary or other infrastructure coordinating agency at pre-application stage.
- 3.8 The information provided to developers and district and borough councils by the county council, once an assessment of a development has been conducted, is for illustrative purposes only and is time-limited. Normally this is time-limited for a period of 6 months from the date of information being provided. The final decision regarding the level and range of developer contributions rests with the relevant local planning authority that will determine the planning application. In planning appeal situations the final decision will either be made by an Inspector or the Secretary of State.

Formulae and Standard charges

- 3.9 Circular 05/2005, paragraphs B33 to B35, advises that formulae and standard charges may be used, where practicable, to provide consistency and transparency. However, all contributions sought will be assessed on a site by site basis directly related to an individual development proposal and comply with Regulation 122 of the Community Infrastructure Levy regulations 2010.

Pooled contributions

- 3.10 Paragraphs B21 – B24 of Circular 05/2005 also advises that contributions may be pooled from a number of developments in order to enable provision of infrastructure, which would not be feasible in connection with a single development. Examples of such infrastructure are new schools and larger road schemes.
- 3.11 The total cost of the required infrastructure must be assessed, and a proportionate contribution relating to the impact of the proposed development calculated. In the case of the transfer of land and apportionment of this to multiple developments, the calculation must take into account land value.
- 3.12 This approach is dependant on all of the identified contributing developments coming forward. Any timescale for expenditure specified in the planning obligation must therefore be realistic by the local authority. In the event of uncertainty regarding future development coming forward, alternative sources of funding for the infrastructure should be examined.
- 3.13 In many cases, it will be a requirement for infrastructure to be provided in advance of all pooled contributions having been collected, for example within an early phase of a development. It will therefore be necessary to obtain funding from alternative sources and to collect developer funding retrospectively for these projects.

Regulation 123 of CIL covers the relationship between Section 106 and CIL, regarding the use of pooled contributions. After 06 April 2014 pooled contributions may only be sought from up to 5 separate planning obligations for an item of infrastructure that is not intended to be covered by CIL.

Monitoring of Planning Obligations

- 3.14 The district and borough councils and the county council are working together to ensure that Section 106 obligations and trigger points are monitored as appropriate, before, during and after development takes place. Information is shared between these local authorities regarding stages of work on site and contact details of developers. Each planning obligation is pro-actively monitored and each trigger brought to the attention of the developer promptly. Information regarding payments received and other infrastructure requirements complied with is shared between authorities. Final contributions will be index linked as defined in the Section 106 agreement.

Fees for Monitoring and Legal costs

- 3.14 Standard monitoring charges may be required in respect of each Section 106 agreement and unilateral undertaking. The purpose of the monitoring charge is to cover the staff costs of monitoring compliance with the planning obligations concerned. The amount payable will be calculated by reference to a standard charge for each clause to be monitored.
- 3.15 In addition to monitoring fees, the legal costs arising in connection with the preparation of the Section 106 agreement will be payable by the applicant. Any legal costs incurred are required to be covered, regardless of whether or not the Section 106 agreement proceeds to completion. Additional costs may be sought for the involvement by officers in the development and delivery of a project, for example the Assistant Education Officer. This will be directly related to the development and will take place solely to mitigate the impact caused by the development. Monitoring fees and legal costs must be paid by the applicant before completion of the Section 106 agreement.

Enforcement

- 3.16 The onus is on developers to comply with Section 106 agreements associated with their development. In the event of non-compliance the relevant district or borough council and/or the county council will, if necessary, enforce the terms of the planning obligations in the courts.

Viability

- 3.17 In cases where viability is in question, this must be assessed using open book accounting and viability testing, and must consider whether a project is viable currently and at a specified time in the future. This should be considered in relation to the life of the development. The developer, or applicant, will be required to pay an appropriate agreed fee to the relevant local planning authority to undertake viability testing and for assessment of accounts. Guidance and methodology on viability testing is provided by the Homes and Communities Agency and is available at:

www.homesandcommunities.co.uk/economic-appraisal-tool.

- 3.18 In considering questions of viability, the advice of a suitably qualified person e.g. a Chartered Surveyor, may be sought in order to provide an independent opinion. The life of development permission may also be considered in conjunction with viability to allow for future envisaged changes in viability.

4 Details of Infrastructure Contributions

- 4.1 The following paragraphs briefly describe the types of infrastructure which may be secured by means of a Section 106 agreement in Suffolk. The following paragraphs are not exhaustive, and do not preclude the provision being made for other types of infrastructure which may be required to mitigate the impact of a development. The level and range of developer contributions against individual schemes will be the subject of negotiation between the local planning authority and the developer. Agreed heads of terms on the s106 package may be reported to the relevant local authority planning committee, who will be the responsible body for making a decision on the planning application including the level and range of the associated s106 package.
- 4.2 The offer by a developer of infrastructure under one or more of the following headings does not imply that an individual development proposal will be found to be acceptable by the relevant local planning authority. The local planning authority will need to take account of the development plan and other material considerations in reaching its decision on the merits of a planning proposal. Scheme viability does not always mean that is a reason to permit development. Equally, lack of scheme viability does not always mean that Section 106 contributions should be compromised, if overall harm is created or it puts the development out of conformity with the development plan.

As a general over-arching principle, all infrastructure secured will be assessed on a case by case basis. This will be based on local needs, be justified and meet the tests of Circular 05/05, as amended by the Community Infrastructure Levy Regulations (2010).

Local authority related information on the following types of infrastructure requirements is provided in the Further Information chapter where you will find web pages to relevant supporting development plan policies and national policies. In many instances, socio economic impact assessments - to inform policy and decision makers about the potential benefits, as well as the probable adverse impacts - will be required to be undertaken to inform final heads of terms.

Affordable Housing

- 4.3 Most residential development proposals throughout Suffolk will require a contribution towards affordable housing provision that meets the needs of all customer groups, including older people and adults with disabilities. The development of specialist accommodation for older people and other customer groups, such as adults with disabilities, will be pursued in partnership through the county council's Flexicare project. District and borough councils define affordable housing policies in Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). Affordable housing may sometimes include subsidised supported housing which covers a wide range of specific housing needs such as very sheltered housing where a local need is identified. More information and links to specific policies on affordable housing provision is available within the web pages stated in the Further Information chapter that follows this chapter.

Air Quality

- 4.4 It is important that developers are encouraged to consider mitigation measures, along with their effectiveness at an early stage. The relevant local planning authority may use Section 106 agreements, unilateral undertakings or conditions to mitigate impacts from new developments that are detrimental to air quality and are in or adjacent to or have a quantifiable impact on air quality in air quality management areas (AQMA). More details can be found in the topic paper on the **All of Suffolk** web page located in the next chapter.

Archaeology

- 4.5 In most cases, the investigation and recording of archaeological remains can be covered by planning condition. However, in some circumstances a Section 106 agreement may be necessary if financial contributions are required, or other provisions are necessary to protect and ensure the preservation of archaeological finds. The county council's archaeological team will advise on the specific requirements of any application. More details can be found in the topic paper on the All of Suffolk web page located in the next chapter

Community Development Officer

- 4.6 Traditionally Community Development Officers work alongside people in communities, building relationships with key people and organisations. This helps highlight common concerns and areas for work. The main benefits of community development work are that communities can become stronger, be supported to be more sustainable, more active and influential in shaping decisions that affect them. It is anticipated that funding for this may only be secured against major development proposals. If such a requirement is necessary, your district or borough council planning officer will be able to advise on specific information.

Community Facilities and Services

- 4.7 Community facilities and services may include a wide range of physical and social infrastructure provision including local centres providing floor space for a variety of land uses, including public halls, multi-faith centres, GP surgeries, health centres, police facilities and transport hub facilities. Where there is an identified need for provision of a new local centre or a public / community hall as part of new development, opportunities for collocation of facilities or links with the requirements of other infrastructure providers (e.g. NHS Suffolk, NHS Great Yarmouth and Waveney, Suffolk Constabulary, Libraries and Education) should be fully explored in liaison between the authorities and organisations concerned. New local centres, including public meeting places or community halls, should be in a central and accessible location. The need for a local centre, community hall or other community facility should be identified in a development plan policy, development brief or through local evidence such as need surveys, views of local residents, or following an audit of the suitability of existing facilities.
- 4.8 In circumstances where provision is to be by means of the transfer of land to the local authority, any financial contribution or off-site provision, then a Section 106 planning obligation will be required.

Cultural Facilities

- 4.9 Contributions towards cultural facilities may be required where supported by evidence of clear local need and/or development plan policy. In considering local need, regard will be given to the quality of existing provision and any initiative for improvement. Cultural facilities may take the form of museum, gallery or theatre services, but individual decisions will be made on a case by case.

Early years and Childcare Provision

- 4.10 The provision of sufficient childcare places and early education is a local authority duty under the Childcare Act 2006. Provision must be made for free early education for children aged 3 and 4 years. A further pilot scheme is being run for free early education provision for some 2 year olds. Early years provision is provided directly by the County Council (through nursery classes in primary schools) and by the private and voluntary sectors. Most of the available grant aid is revenue for running the services. There is a funding gap for the capital cost of provision of new and improved premises.
- 4.11 An assessment of the capacity of existing early education facilities will be undertaken in relation to the impact of new development. If there is inadequate capacity to accommodate the pre-school children likely to arise from a development, then a financial contribution will be calculated using the methodology set out in the early years and childcare topic paper located in the All of Suffolk web page in the next chapter.

Education provision

- 4.12 The need for education provision at primary, middle, secondary and sixth form levels will be assessed on all development proposals of 10 or more dwellings. Applications for smaller developments will be exempt unless their co-location to other sites necessitates an area-wide look at the cumulative impacts. The type of residential accommodation will be taken into account in this assessment. For example, sheltered and student accommodation will not be expected to contribute. The need for new education provision arises from new market housing as well as affordable housing. Education need arises from almost all new housing irrespective of type and, therefore, affordable housing will be included in the assessment of education need.
- 4.13 The education provision topic paper located in the *All of Suffolk* web page referred to in chapter five provides details of the methodology used in assessing the need for new education facilities, and calculating developer contributions.
- 4.14 Provision for early years is dealt with separately, although colocation and/or close proximity to primary schools is considered important from a customer/service perspective.

Environmental Improvements

- 4.15 Where planning applications affect a site or feature of environmental interest, there may be a need for contributions towards environmental improvements e.g. woodland screening and future maintenance.

Fire and Rescue Service

- 4.16 Developer contributions towards new fire service facilities may be requested where a specific need arising from a development is identified. Any contribution will be calculated to be proportionate to the development, taking into account that contributions may not be required to remedy existing deficiencies. Contributions may be by way of land provision and/or financial contribution towards new built facilities.
- 4.17 The assessment of need for new facilities will take into account the location of facilities in relation to planned developments and response times to deal with emergencies. Alternatives to developer contributions will be explored, for example the fitting of new homes with sprinkler systems (where not a requirement of building regulations). 15
- 4.18 New development may require the provision of fire hydrants and associated infrastructure. Where fire hydrants and associated infrastructure are required, then developers will need to agree a scheme with the County Fire Service and be responsible for funding this provision. This provision will normally be secured by means of a planning condition attached to the planning permission. Refer to the Fire and Rescue Service topic paper.

Green Infrastructure

- 4.19 There are a number of definitions of 'Green infrastructure' (GI), but the common factors are (a) that GI involves natural and managed green areas in both urban and rural settings (b) is about the strategic connection of open green areas and (c) that GI should provide multiple benefits for people. Green infrastructure is a network of multi-functional open spaces, including formal parks, gardens, woodlands, woodland creation, green corridors, waterways, street trees and open countryside.
- 4.20 Rights of Way may form part of the strategic connections between open spaces. Public open space, including recreational provision may also be included within GI. Both of these types of facility are, however, categories in their own right and are considered separately below.
- 4.21 Evidence of need for enhanced GI facilities may be provided by studies undertaken, e.g. the Haven Gateway Green Infrastructure Study. Whereas such studies may identify existing deficiencies in GI provision, developer contributions towards enhancement must be related to the development concerned and fairly and reasonably related in scale and kind to the proposals. Development plan policies may also provide a firm policy basis for seeking developer contributions towards GI.
- 4.22 Contributions may be requested for capital works, including land purchase or woodland creation for 'pump priming' services such as maintenance or supervision until facilities become established. Pooling of contributions from a number of developments is likely to be required to develop strategic GI facilities.

Health Facilities

- 4.23 The need for new health service facilities in connection with new development will be assessed by NHS Suffolk and NHS Great Yarmouth and Waveney, usually

following the preparation of a Health Impact Assessment (HIA). This would take into account factors such as the increased population arising from the development, the capacity of existing primary care/acute facilities provision and the demographic nature of the area. The scope of health care infrastructure may include both capital provision and/or related funding and services. In many instances, socio-economic impact assessments - to inform policy and decision makers about the potential benefits, as well as the probable adverse impacts - will be required to be undertaken to inform final heads of terms. Opportunities for combining health service provision, with other infrastructure or facilities provision as part of shared floor space within a local centre, should be explored.

- 4.24 The **All of Suffolk** web page referred to in chapter five provides further detail on the range of health care infrastructure provision which may be required.

High-speed broadband.

- 4.25 Suffolk County Council recommends that all development, certainly in the strategic allocations, is equipped with high-speed broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and also contributes to social inclusion. Direct access from a new development to the nearest BT exchange is required (not just tacking new provision on the end of the nearest line). This will bring the fibre optic closer to the home which will enable faster broadband speed. This will be discussed with developers on a site by site basis. The county council is looking at developing a strategy involving appropriate stakeholders to request contributions to improve linkages to exchanges and the upgrading of exchanges where this has been identified as necessary.

Highways and Transport

- 4.26 Suffolk County Council as the Highway Authority will consider the overall transport requirements of a development proposal and a transport assessment will be required for all significant developments. Transport assessments will accord with the current Department for Transport: [Guidance on Transport Assessment](#) (2007) and will demonstrate how car use will be minimised and proposed mitigation to deal with residual traffic. This will require detailed assessment of opportunities for use of public transport, walking and cycling, including the improvements necessary to connect the development with destinations.
- 4.27 Full transport assessments will be required for residential development of 80 units and more, other uses in line with requests for Travel Plans as per the Department for Transport's [Guidance on Transport Assessment](#) (2007). Smaller scale developments will require a simpler transport statement, which should consider the same issues. Further assessment may be required in individual cases, particularly where a site is located near to other development sites.

More details can be found in the topic paper on the **All of Suffolk** web page located in the next chapter

Highway improvements

- 4.26** The highway works deemed necessary as a result of a development proposal

may include any works for improving the existing highway network, providing new highways, accommodating public transport, pedestrians and cyclists, associated engineering works and necessary legal and administrative costs, e.g. in implementing Traffic Regulation Orders. Highway works will normally be undertaken by the developer under a Section 278 agreement, which will include a charge for future maintenance.

Travel Plans

4.27 Travel plans are essential elements within transport assessment because they identify the opportunities to minimise car use and set targets for this.

4.28 A travel plan will be required to; demonstrate how car use will be minimised, set challenging targets and identify the measures necessary to achieve those targets. The measures will include specific requirements for public transport facilities. Walking and cycling uses are dealt with in detail below but are to be considered as a package of measures required to minimise car use arising from the development.

4.29 Travel plans may be secured by condition or by Section 106 obligations where their provisions relate to on-site and related off-site improvements or management measures. However, where these relate to off-site provisions, or are linked with other travel plans in the area, then it is likely that a planning obligation will be required, in order to ensure effective enforcement of the plan. Financial bonds will generally be required to ensure that travel plan actions are delivered and performance is achieved. A standard form of travel plan is located in the Highways and Transport topic paper accessed through the Further Information chapter.

Public Transport improvements

4.30 Public transport requirements will be required within a package of measures to reduce car use including public transport accessibility, provision of improved services and necessary supporting infrastructure such as bus stops, shelters and information devices.

Rights of Way

4.31 Public Rights of Way (PRoW) are classified as footpaths, bridleways, restricted byways and byways open to all traffic. In Suffolk the majority of PRoW are footpaths and where appropriate, a development may necessitate a route status being upgraded to accommodate multi-use, such as cycling and equestrian use. Developments will often impact on the existing PRoW network and as a consequence, there may be enhanced surfacing required to accommodate additional use. Improvements to the existing PRoW network required as a result of a development may also necessitate provision of new routes linking existing rights of way. In each case, the required improvements will be determined in relation to the scale of development, securing opportunities for modal shift, and ensuring an appropriate access strategy to strategic facilities including green infrastructure.

Landscaping, planting and other screening

- 4.32 Maintenance contributions for landscaped areas not forming part of a package of green infrastructure, public open space, or highway verges may be required. Where the landscaped area is designed and located for wider public benefit, then this may be vested in the local authority after a specified period. However, in cases where landscaped areas are provided solely to benefit the occupiers of a new development, then a requirement may be made for maintenance payments in perpetuity and/or for a management company to be established to look after such areas.

Libraries and Archives

- 4.33 The Suffolk Libraries and Archives Service operates libraries and public records offices throughout the County, as well as mobile libraries to serve rural areas. They will still need investment to meet the impact of new development and therefore it is the intention of the county council to continue to request contributions where justified and based on local need. This may cover extensions to existing libraries, increased levels of book stock, public access IT provision, and, where justified, the creation of new libraries and information centres which would then be used by the communities once they are established. The Department for Culture, Media and Sport (DCMS) previously published national standards for library provision and monitored Library Authorities' performance against the standards. These were abolished but still form the basis for Suffolk County Council's in-house standards. Detailed calculations can be found in the libraries and archives topic paper accessed through the Further Information chapter.

Police Facilities

- 4.34 Section 17 of the Crime and Disorder Act 1998 places a duty to reduce crime and disorder within the community, a responsibility which requires the prioritising of finite police resources across the large rural county of Suffolk. The need for new police facilities in connection with new development will be assessed by the Suffolk Constabulary, usually following the preparation of a Crime and Disorder Impact Assessment (CDIA). This would take into account the likely increase in population, the existing capacity of policing facilities and any local issues or concerns. The scope of police infrastructure may include both capital provision and / or related funding.

Opportunities for combining police service provision with other infrastructure or facilities provision as part of the floor space within a local centre should be explored.

- 4.35 Detail on the range of police infrastructure provision that may be required can be found in the police infrastructure provision topic paper accessed through the Further Information chapter.

Public Art

- 4.36 Provision for public art may be made in development plan policies, supplementary planning documents or may be negotiated on an individual site-specific basis. If

provision is to be made on site, this can be covered by planning conditions. Alternatively, pooled contributions may be sought from a number of developments towards public art which may be within a town centre or other focal point.

Public Realm Improvements

- 4.37 Contributions may be requested towards streetscape or other public realm improvements, including hard and soft landscaping, street furniture, signage etc. A clear linkage between the development and the improvements must be demonstrated.
- 4.38 Contributions towards public realm improvements may be pooled. If any standard charge is to be imposed, the basis for calculation will be set out in the relevant district or borough councils Development Plan Document or Supplementary Planning Document.

Social Infrastructure including Open Space, Sport and Recreation

- 4.39 The detailed basis for contributions towards social infrastructure is set out in development plan documents including district and borough councils' supplementary planning documents which are available from the web pages in the next chapter. Contributions may be requested in kind, for the provision of land and/or facilities, or may be by way of financial contributions. A standard charge may be imposed, provided that details of calculation of the charge are available within the development plan and have been subject to public consultation.

Contributions may be required towards the provision of off-site outdoor space for sport and recreation (including playing fields, tennis courts, bowling greens and multi-use games areas), and indoor community sports facilities such as swimming pools and sports halls; where on-site provision is not justified or feasible. Contributions will usually also include an element for future management and maintenance of such areas. A standard charge may be imposed provided that details of calculation of the charge are available within the development plan and have been subject to public consultation.

Specific pooled contributions

- 4.40 Refer to chapter five for a link to the district and borough councils Section 106 pages where any other contributions are described.

Sustainable Urban Drainage Systems

- 4.41 It is anticipated that in April 2012; the sustainable drainage provisions within the Flood and Water Management Act 2010 will be implemented, requiring most developments to seek drainage approval from the county council and/or its agent alongside planning consent. At this time, the county council and/or its agent will be expected to adopt and maintain approved systems and a mechanism for funding this ongoing maintenance is expected to be introduced by the government.

In the interim, developers are urged to utilise sustainable drainage systems (SuDS) wherever possible, with the aim of reducing flood risk to surrounding areas, improving water quality entering rivers and also providing biodiversity and amenity

benefits. The national SuDS guidance will be used to determine whether drainage proposals are appropriate. Under certain circumstances the county council may consider adopting SuDS ahead of April 2012 and if this is the case would expect the cost of ongoing maintenance to be part of the Section 106 negotiation.

Waste Infrastructure

- 4.42 There is a requirement to encourage waste minimisation and recycling in connection with new development. This is articulated in local, regional and national policies. A waste minimisation and recycling strategy may be covered by suitable planning conditions. Waste collection / recycling facilities may be provided on site and covered by planning conditions. However, the wider requirements for waste disposal on a strategic basis are dealt with by the county council, which includes Household Waste & Recycling Centres. The county council, in accordance with European Union targets for the sustainable disposal of waste, and in accordance with policies contained in the county council's Waste Core Strategy, is seeking to reduce reliance on landfill and is currently in the process of delivering a new Energy from Waste (EfW) facility serving Suffolk from December 2014. More details can be found in the topic paper on the **All of Suffolk** web page located in the next chapter.

5 Further Information

- 5.1 Please go to one of the following Section 106 web pages where you will find further information relating to the authority area that your development is located within. The **All of Suffolk** web page contains further details regarding Suffolk County Council requirements along with NHS Suffolk, NHS Great Yarmouth and Waveney, and Suffolk Constabulary.

District and borough council web pages:

<http://www.babergh.gov.uk/babergh/PlanningObligations>
<http://www.forest-heath.gov.uk/Planning/Forward+Planning/Section+106+Planning+Obligations.htm>
http://www.ipswich.gov.uk/site/scripts/download_info.php?downloadID=956
<http://www.midsuffolk.gov.uk/planningobligations>
<http://www.stedmundsbury.gov.uk/sebc/live/planningobligations.cfm>
<http://www.suffolkcoastal.gov.uk/yourdistrict/planning/policy>
http://www.waveney.gov.uk/site/scripts/documents_info.php?documentID=134&categoryID=608&pageNumber=4

All of Suffolk


<http://www.suffolk.gov.uk/PlanningAndBuilding/PlanningPolicy/PlanningObligations.htm>

- 5.2 It is anticipated that in due course Suffolk Constabulary, Suffolk Primary Care NHS Trust, Great Yarmouth & Waveney Primary Care Trust and the Broads Authority will host these consultation documents on their own web sites.


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Jeżeli potrzebujesz pomocy w zrozumieniu tych informacji w swoim języku zadzwoń na podany poniżej numer.	Polish	بیکه.وهی خواهم ژماره‌ندی به‌یوه به‌زمان کی تر تکایه	Chinese
এই লেখাটি যদি অন্য ভাষাতে বুঝতে চান তাহলে নিচের নম্বরে ফোন করুন	Bengali	اگر شما نیاز دارید که این اطلاعات را به زبان دیگری دریافت کنید لطفاً به شماره زیر تلفن کنید.	Farsi

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SECTION 106 PLANNING OBLIGATIONS – CODE OF PRACTICE PROTOCOL

Suffolk Local Authorities, the Broads Authority, Great Yarmouth & Waveney
Primary Care Trust, Suffolk Primary Care NHS Trust and Suffolk Constabulary.

Contents

Chapter		Page
1	INTRODUCTION	3
2	PROTOCOL FOR MANAGEMENT OF SECTION 106 PLANNING OBLIGATIONS	4
3	PRACTICE	8
4	APPENDIX 1 – STANDARD HEADS OF TERMS	11

1 INTRODUCTION

- 1.1** This document is intended to provide best practice guidance on managing Section 106 Planning Obligations. This document together with the Section 106 Developers Guide to Infrastructure Contributions in Suffolk supersedes the *Suffolk Local Planning Authorities Supplementary Planning Guidance Relating to Section 106 Obligations* (1999). The document amplifies the guidance provided in Circular 05/2005 (as amended by the Community Infrastructure Regulations (CIL) 2010) with particular reference to the issues faced in Suffolk and existing best practice as used by Suffolk authorities. It looks towards a collaborative approach to public service provision, embracing service providers such as Suffolk Primary Care NHS Trust (NHS Suffolk), Great Yarmouth and Waveney Primary Care Trust (NHS Great Yarmouth and Waveney), the Broads Authority and Suffolk Constabulary.
- 1.2** This provides guidance for use across the County of Suffolk, by district and borough councils and the county council. Suffolk Constabulary, NHS Suffolk, and NHS Great Yarmouth and Waveney will be consultees in the management of planning obligations and have been involved in the preparation of this document.
- 1.3** This document provides guidance on the following:
- 1.3.1 A protocol is set out for consultation and joint administration arrangements for Section 106 planning obligations between the Suffolk local authorities, to include consultation with NHS Suffolk, NHS Great Yarmouth and Waveney, the Broads Authority and Suffolk Constabulary;
 - 1.3.2 Good practice guidance to ensure that processes are streamlined and follow best practice which includes benchmarking with other Regional local authorities;

2 PROTOCOL FOR MANAGEMENT OF SECTION 106 PLANNING OBLIGATIONS

2.1 The following section sets out a working protocol for use by the district and borough councils and the county council in Suffolk for dealing with Section 106 planning obligations.

2.2 Types of development covered by the protocol -

The intention is that the protocol between the district and borough councils (in their capacities as local planning authorities) and the county council will apply to “major” developments, which are defined as follows.

2.2.1 Sites of 10 dwellings or more;

2.2.2 Smaller sites of less than 10 dwellings where it is part of a phased development, where developments will cumulatively add up to 10 dwellings or more. The current arrangements with the county council (Highways Authority) acting in its capacity as statutory consultee will remain where development may have an impact on the highway, and,

2.2.3 Non-residential floor space of 1,000 square metres or more.

2.2.4 In addition the Highways Authority will continue to assess any development which is likely to result in a material increase in the volume or material change in the character of traffic entering or leaving a classified road or proposed highway.

These levels may be amended at a subsequent date.

2.3 The district and borough councils approach

The district and borough councils will:

2.3.1 Consult the county council on pre-application proposals and applications for planning permission for major development (as defined in paragraph 2.2) which have implications for county council services;

2.3.2 Consult with NHS Suffolk, NHS Great Yarmouth and Waveney, the Broads Authority and Suffolk Constabulary on proposals in accordance with the protocol and as deemed appropriate;

- 2.3.3 Allow a statutory 21 day period for response on all consultations on planning applications, extended by agreement. For pre-application submissions, this will be considered on a case by case basis and is not subject to the 21 day response timeframe although the overall intention is to speed up the pre-application process;
- 2.3.4 Inform the county council, NHS Suffolk, NHS Great Yarmouth and Waveney, the Broads Authority and Suffolk Constabulary as necessary, of any subsequent amendments to the proposal;
- 2.3.5 The district and borough councils will ultimately be responsible for prioritising service requests in arriving at a decision and will seek to liaise with the county council throughout this process. The views of the county council and of relevant county council service departments, NHS Suffolk, NHS Great Yarmouth and Waveney, the Broads Authority and Suffolk Constabulary will be taken into account in this process: All requests must be submitted within the agreed time scale. Requests submitted (including upward amendments) after this deadline will generally not be accepted for the purpose of negotiations on heads of terms with the developer unless as a result of changes to proposed development mix or numbers.

2.4 The county council's approach

In considering infrastructure requirements of any development, the county council will:

- 2.4.1 Act in accordance with relevant planning policies and other policy documents including Local Area Agreements and will have regard to the government's national planning policy guidance and Circular 05/2005 (as amended by CIL) on planning obligations;
- 2.4.2 Provide a corporate response regarding infrastructure implications to district and borough council consultations on all local development documents, development briefs, planning applications and informal enquiries where the criteria is met in section 2.2;

- 2.4.3 Provide a corporate response within the consultation timescale, unless otherwise agreed with the relevant district and borough council;
- 2.4.4 Ensure that a coordinated, consistent and transparent response is provided, to the relevant district and borough council. On occasions the county council may be approached direct by a landowner, developer or agent requesting information on likely developer contributions. In these instances the county council will provide the advice but copy correspondence to the relevant local planning authority;
- 2.4.5 Provide evidence and reasoned justification based on planning policies for requests for developer contributions;
- 2.4.6 Identify a named individual to coordinate the county council's response, and provide a list of people to contact for detailed discussions and enquiries;
- 2.4.7 The county council's service area managers will assess the capacity of existing infrastructure and services and particular area needs in areas planned for growth in the Development Plan and will assess the infrastructure and service needs of any specific development proposal;
- 2.4.8 The county council will provide its corporate response to the relevant district and borough councils and developers, and will provide draft heads of terms for incorporation into Section 106 obligations;
- 2.4.9 The county council will attend meetings with the relevant district and borough councils, applicants and their agents as necessary to discuss draft s106 heads of terms;
- 2.4.10 Where requested by the relevant local planning authority and when deemed appropriate, the county council will provide evidence and witnesses for planning appeals, including hearings and inquiries where the decision is supported. The local planning authority may request evidence and witnesses from other partners, such as the Police and PCTs, to support its position.

2.5 Other Bodies

2.5.1 The district and borough councils will, at their discretion, consult with other relevant public bodies such as NHS Suffolk, NHS Great Yarmouth and Waveney, Suffolk Constabulary and town and parish councils in relation to pre-application enquiries and planning applications in order to ensure a comprehensive approach to infrastructure provision.

2.5.2 The district and borough councils and the county council will work with other relevant public bodies including the relevant town or parish council to ensure the effective planning of new infrastructure, that linkages between infrastructure are maximised and that opportunities for multiple or joint use of facilities are utilised.

2.6 Monitoring of Obligations

.2.6.1.1. Ultimately, the relevant local planning authority is responsible for the monitoring of planning obligations as part of their decision maker role. However, the district and borough councils and the county council will work together to ensure that Section 106 planning obligations and trigger points are monitored as appropriate, before, during and after development takes place. Information shall be shared between the authorities regarding stages of work on site and contact details of developers. Each obligation shall be pro-actively monitored and each trigger point shall be brought to the attention of the developer promptly. Information regarding payments received and other infrastructure requirements complied with shall be shared between authorities.

.2.6.1.2. Once planning obligations have been agreed, it is important that they are implemented or enforced in an efficient and transparent way, in order to ensure that contributions are spent on their intended purpose and that the associated development contributes to the sustainability of the area. This will require monitoring by local planning authorities, which in turn may involve joint-working by the county, district and borough councils to monitor the obligations concerned. The use of standardised systems is recommended, for example, IT databases, in order to ensure that information on the implementation of planning obligations is readily available to the local authority, developer and members of the public.

3 PRACTICE

The following paragraphs provide guidance on good practice, and are based on national guidance provided in [Circular 05/05: Planning Obligations](#) (DCLG, 2005) and the government's [Planning Obligations: Practice Guidance](#) (DCLG, 2006), as well as existing procedures developed by Suffolk local authorities and English local authorities.

Pre-application discussions

- 3.1** It is important that full use is made of pre-application discussions to develop draft heads of terms in agreement with the developer prior to submission of an application. Any pre-application enquiries will be considered by individual service departments and other infrastructure providers, e.g. NHS Suffolk, NHS Great Yarmouth and Waveney, and Suffolk Constabulary, to enable provision of a coordinated view on infrastructure requirements and early discussion with developers.
- 3.2** In considering major pre-application proposals, district / borough councils and the county council will work together and will liaise closely with other relevant infrastructure providers including town and parish councils.
- 3.3** Heads of terms produced at pre-application stage are draft, and the figures to be incorporated in the final Section 106 obligation may be updated to reflect changed data or changed costs, if the period of time from initial enquiry to setting final heads of terms is protracted.

Standard documentation

- 3.4** The use of standardised obligation documents or standard clauses is encouraged, in order to ensure consistency and provide an efficient process.
- 3.5** Heads of terms should also be standardised where possible, and an example of a standard heads of terms document is at appendix 1.

Development Team approach

- 3.6** The use of a 'development team' approach in considering major development proposals is encouraged. Development teams within district / borough councils pull together the appropriate service resources depending on the particular development proposal and may also include appropriate county council representatives. The county council will also operate a development team approach to include representatives from its own service departments, NHS Suffolk, NHS Great Yarmouth and Waveney, and Suffolk Constabulary.
- 3.7** District / Borough development teams will meet as and when required and will discuss the likely acceptability of major proposals, their impact and mitigation measures required in terms of infrastructure provision. These regular development team meetings are a mechanism for sharing information and reaching corporate agreement prior to preparing heads of terms and engaging in discussions with applicants, and help to streamline the Section 106 process.
- 3.8** It is essential that information on implementation of planning obligations is shared between the relevant authorities and service providers as early as possible in the process to ensure effective and sustainable delivery of infrastructure.

Fees for Monitoring and Legal costs

- 3.9** Standard monitoring charges may be imposed on each Section 106 Agreement and Unilateral undertaking. A standard charge may be imposed for each clause to be monitored.
- 3.10** In addition to monitoring fees, the legal charges of preparation of the Section 106 Agreement will be payable by the applicant.
- 3.11** Monitoring fees and legal costs will be payable by the applicant before completion of the Section 106 obligation.

Enforcement

Where it becomes necessary to enforce the terms of a Section 106 Planning Obligation involving the County and District / Borough the authorities will work together to coordinate the enforcement of the Section 106 Planning Obligation.

4 - Appendix 1 – Standard Heads of Terms

(TITLE: LOCATION OF SITE)

Suffolk County Council Planning Obligations Requirements: Heads of Terms

1. Introduction

1.1 This document sets out an initial summary of the draft Heads of Terms, as at (DATE). The Heads of Terms will be developed further as investigations continue into the potential impact of the proposals. The policy justifications for each requirement are set out in the Section106 Developers Guide to Infrastructure Contributions in Suffolk and related supporting web pages.

2. Transport

Local Plan/Core Strategy Policies (INSERT)

- 2.1 The Highway Authority will assess the overall transport requirements of a proposal and a transport assessment will be required for all significant developments. Transport assessments will accord with current Department for Transport Guidance (2007) will demonstrate how car use will be minimised and propose mitigation to deal with residual traffic.
- 2.2 This will require detailed assessment of opportunities for use of public transport, walking and cycling, including the improvements necessary to connect the development with destinations. A travel plan will be required to demonstrate how car use will be minimised, set challenging targets and to identify the measures necessary to achieve those targets.

- 2.3 The measures will be considered as a comprehensive package to facilitate sustainable travel, to include facilities for highway improvements, public transport improvements and footpath/cycle route improvements.
- 2.4 The specific package of measures identified should be implemented before the development is occupied unless agreed by the Highways Authority.
- 2.5 A breakdown of contributions for specific network, public transport and sustainable transport initiatives to serve the development will be derived from the Transport Assessment, Travel Plans and relevant strategies. The onus will be on the developer to demonstrate with evidence any proposed alternative solution to that put forward by the Highways Authority.

Highway Improvements

- 2.6 The highway works deemed necessary as a result of a development proposal may include accommodating public transport, pedestrians and cyclists; any works for improving the existing highway network; providing new highways; associated engineering works; and necessary legal and administrative costs, e.g. in implementing Traffic Regulation Orders.
- 2.7 Section 106 obligations may require the provision of highway works by the developer, or may require the payment of a contribution to the highway authority, which in turn will undertake the works, together with a commuted sum for future maintenance. In the case of the former, the Highway Authority will wish to retain control over the detailed design of the works.
- 2.8 It may be necessary for developers to enter into Section 278 agreements with the Highway Authority to allow for works within the existing adopted

highway. The adoption of new highway works will be covered under Section 38 of the Highway Act. Highway works will normally be undertaken by the developer under an S278 agreement, which will include a charge for future maintenance.

Public Transport

- 2.9 Dependent upon the scale of the proposed development the Local Transport Authority will assess the likely public transport requirement taking into account existing services (commercial and supported). Based upon this assessment the most appropriate means of delivering a sustainable public transport solution will be proposed.
- 2.10 Where this assessment is that delivery is best delivered by way of a registered bus route such a route will be identified through the development linking the development to anticipated centres of employment, nearby towns and/or interchange points to link into the wider transport network.
- 2.11 In order to support bus services the county council will identify & upgrade existing major bus stops between the new development and the town centre to provide Disability Discrimination Act (DDA) compliant platform kerbing and paving. The county council anticipates that on-site bus shelters with DDA compliant kerbing (and lay-bys if deemed appropriate, once road layout has been finalised) will be provided at the developers cost via planning conditions. Bus shelters must be to SCC Specification. Real time passenger information (RTPI) screens (@ £ [INSERT AMOUNT] each) may be required to be provided to key locations throughout the development. To support this 'bus kits' (@ £ [INSERT AMOUNT] each) to interface with the RTPI will be required.
- 2.12 In the case of a registered bus service minimum service conditions that need to be included in the Section 106 agreement are as follows:

- [INSERT] minute service frequency between the new development and the town centre, 7am to 7pm Monday to Saturday inclusive.
- A reduced frequency may be specified for services in the evenings & on Sundays where deemed necessary.
- Minimum [INSERT] seat vehicle. Service assumed to require [INSERT] vehicles during the 0700-1900 timeframe to ensure level of frequency.
- In the case of some developments agreement will be sought to phase the level of service delivery to ensure that services are available at a level appropriate to the level of occupation.

2.13 Services may be delivered by way of a financial contribution to the transport authority to secure the specified service by way of a complaint tendering process. Where this is not desirable or possible due to the close proximity of commercially operated services the Transport Authority may specify the level of service to be delivered and agree that this should be delivered through an agreement between the developer and the bus operator(s).

2.14 Where the delivery of services outlined in 2.8 is by means other than a conventional registered local bus service (due to the location or size of the development proposed) it may be specified that delivery will be by means of a Demand Responsive Service or Community Transport Service delivered at local level. The Transport Authority will in such a case seek a financial contribution commensurate with the cost of the anticipated additional capacity that will be required to provide sustainable passenger transport solutions for the development. At this time the area to be served will be specified with the intention of providing services to locations as outlined in 2.9. The level of service to be delivered will be by way of a service level specification stating the core hours of operation that will be available, type of vehicle to be used and the geographical scope of the service.

2.15 Services will in all cases be supported for 5 years from a start date to be agreed with the principle that the intention is to provide a high quality

transport service from the first occupation of the development, encouraging new residents to use sustainable modes of transport as an alternative to the car. This period of support is intended to allow the service(s) to mature to a point where it will operate without recourse to further financial support.

Rights of Way

Local Plan/Core Strategy Policies (INSERT)

2.16 Any works for diversion or stopping up of Rights of Way which are necessary as a result of development will be dealt with either under the Town and Country Planning Act, sections 257, 258 or 261, or under the Highways Act. Contributions towards improvements to existing rights of way may be obtained through Section 106 obligations.

2.17 Public Rights of Way are classified as footpaths, bridleways, restricted byways or byways open to all traffic and their alignment is recorded on a legal document, known as the Definitive Map. A route may also have a recorded width, as described in the accompanying Definitive Statement. It may be necessary in some cases to upgrade footpath routes to accommodate equestrian and cyclist use. Developments should also take account any claims submitted to the county council, in its capacity as surveying authority.

2.18 Improvements to the existing network required as a result of development may also necessitate provision of new routes linking existing rights of way. The measures for improvement in each case will be determined in relation to the scale of development and securing opportunities for modal shift as well as ensuring an appropriate access strategy to strategic facilities including green infrastructure.

2.19 Planning obligations may be required for off-site improvements to Public Rights of Way and cycle routes and for management measures for a

defined period of time. Contributions will cover the cost of carrying out works as well as legal costs for any required public path orders. Improvements to Rights of Way will be integrated with the overall package of sustainable transport measures.

Travel Plans

2.20 Travel plans may be secured by condition or by Section 106 obligations where their provisions relate to on-site and related off-site improvements or management measures. However, where these relate to off-site provisions, or are linked with other travel plans in the area, then it is likely that a planning obligation may be required, in order to ensure effective enforcement of the plan. Financial bonds will generally be required to ensure that travel plan actions are delivered and performance is achieved.

2.21 The Travel Plan Implementation Bond acts as surety against failure by the developer to implement the Travel Plan. The bond is based on the cost of implementing the Travel Plan, which is to be calculated by the developer (for example on a cost per dwellings basis). The timescale on which the bond is based covers a five year period, but can vary depending on phasing of the development. Where bonds are secured, the travel plan will be monitored annually, with one fifth of the bond (depending on development phase) released back to the developer if the travel plan is successfully implemented. If the developer fails to implement the travel plan then the county council will use the bond to deliver the travel plan measures.

2.22 For large development (above 80 dwellings) or development located in existing areas where there are transport problems a Travel Plan Target Bond may be required in addition to the implementation bond. An annual target to reduce vehicle use and increase sustainable transport will be agreed between the developer and the county council. If annual

monitoring shows that targets have not been met, part of the bond will be called upon by the county council to address the situation. If targets are partially met then a percentage may be deducted from the bond and provided back to the developer, with the rest being used to tackle unmet areas. The Travel Plan Target Bond may be secured through Section 106 obligations.

2.23 A Car Share Contribution may be requested to support the running and promotion costs of Suffolk Car Share. The cost is based on £5 per dwelling/ employee depending on the type of development. The fee includes use of the website, provision of promotional literature and support. This contribution may be required through Section 106 obligations.

2.24 Travel plans will contain targets for reducing single occupancy vehicles and include measures to show how targets will be reached and implemented over a five year period. Where development is phased, the travel plan may be required for the duration of the phased development with an additional five years after final occupation.

2.25 A Travel Plan Approval Fee may be requested to cover the costs of county council officer time to review and approve the travel plan. This may be required as an upfront fee and may be in the region of £500 but this will be determined on a case by case basis.

2.26 A Travel Plan Monitoring and Support Fee may be required to cover the cost of the county council's travel plan coordinator's time spent providing support to the site travel plan coordinator. The fee is also used to cover the cost of the council evaluating travel plan progress reports and survey results.

3. Education

Local Plan/Core Strategy Policies (INSERT)

- 3.1 This major development proposal will have a significant impact on (primary, middle, upper & sixth form DELETE AS APPROPRIATE) education provision. The Supplementary Guidance sets out how education provision will be assessed in connection with new development proposals.
- 3.2 The total number of dwellings proposed is (INSERT NO.)
- 3.3 The county council will use the latest cost multipliers provided by the Partnerships for Schools (PfS) for remodelling and new builds.
- 3.4 Provision of School Site(s)

Where the scale of development is sufficient in itself to justify a new school(s) the developer will be expected to provide the site(s) free of charge in addition to the contribution.

The site(s) will be reserved and provided at no cost to the county council within the proposed development in a central location in close proximity to local services and on a gyratory road, i.e. not in a cul-de-sac. The site should also be adjacent to an area of open space in order to fully integrate the new primary school into the new community and to allow possible future expansion if demand for places increases beyond the anticipated capacity. The Site(s) will be rectangular in shape. It (they) will also be fully serviced before construction commences, be level & free of contamination, with all remedial archaeological surveys and work carried out at no cost to the county council. Detached playing fields are not acceptable. For a full list of site suitability please see attached checklist.

This development requires a minimum of [] acres ([] hectares) site for a new [] place primary school. Some larger developments may require more than one primary school site which will be identified by the county council.

For larger developments the county council will require a minimum of [] acres ([] hectares) site for a new secondary school.

If a full new site is not required, the additional pupils, and hence the increase in capacity, is such that the current school site will not meet the minimum DfE BB98 and 99 Area Guidelines. The county council will therefore require £ towards the cost of acquiring the additional land needed to meet the minimum Area Guidelines, or the developer will provide the required land free of charge to the county council.

3.5 Financial Contributions

Extension/modifications to Existing Schools – this development will generate a sufficient number of primary and/or secondary school places that will create a shortfall of places at the local schools. In some instances schools will require significant internal remodelling to adequately meet the changing needs of the curriculum due to additional pupils from a new development. Evidence of need has been provided which shows that a total sum (for full applications only) of [£] or [£] per dwelling (for Outline applications only) is required to allow additional facilities to be provided at schools within the vicinity of the development. These costs are based on the DfE Cost Multipliers x the number of additional places required for Primary, Middle, High and Sixth form places.

New School(s) – Where a new school or schools are required, the county council will expect a financial contribution to meet the site preparation (e.g. archaeology, sewers, levelling, playing field provision and construction of the school premises. The infrastructure costs for a new school are much higher per pupil place than school extensions hence the county council will require full build costs of the new school(s) by the developer(s). This takes account of additional costs such as:

- meeting BREEAM requirements - new buildings and projects with a value of over £500,000 must achieve BREEAM excellent
- adhering to new Building Regulations and
- to meet the County's Environmental Policy to champion Suffolk's ambition to Create the Greenest County by tackling the issue of climate change, for example by reducing our carbon emissions (with a target of zero carbon emission for new schools)

Based on 2010 build costs the following table gives an indication of the costs of building new schools (these may vary for each school and over time):

SCHOOL TYPE	BUILD COSTS (£M)	
Primary (1 fe 5 – 11) 210 places	£7m	
Secondary (11 -18)	£30m	

Examples of schools currently under construction, or recently completed, can be provided on request.

- 3.8 In summary the combined impact on education provision as a direct result of this major development proposal is (INSERT SUMMARY DETAILS)

Pre-school provision

- 1.2 The number of pre-school pupils arising from a development of (INSERT DWELLING NO.) houses is calculated to be (INSERT PUPIL NO.) for each year group (based on historical Suffolk county council data). This figure is multiplied by 2 for the two pre-school year groups. The DfE standard multiplier for primary schools is £ INSERT AMOUNT, and this figure is halved to take into account that pre-school education is provided on a half-daily basis. The calculation is therefore £ INSERT HALF MULTIPLIER AMOUNT multiplied by INSERT TWICE PUPIL NUMBER divided by INSERT DWELLING NUMBER, giving a cost per dwelling of £ INSERT AMOUNT.
- 3.9 Suffolk county council therefore seeks a contribution of £ INSERT AMOUNT per dwelling, providing a total contribution of £ INSERT AMOUNT.

4. Green Infrastructure

Local Plan/Core Strategy Policies (INSERT)

- 4.1 A contribution will be required towards off-site green infrastructure provision, the details of which are to be determined.

5. Waste Service

Local Plan/Core Strategy Policies (INSERT)

6.1 The county council, as Waste Disposal Authority is pursuing a strategy of reducing reliance on landfill and moving towards alternative methods of disposal, such as Energy from Waste or Mechanical and Biological Treatment Plants. A standard developer contribution towards waste disposal facilities has been calculated on a County-wide basis, using the following assumptions:

- There are 18 existing Household Waste Recycling Centres (HWRC) which serve the total population of Suffolk (307,000 households). Each HWRC serves an average of 17,055 households. A new HWRC costs in the region of £1.5 million to construct (not including the land purchase costs), therefore £1.5million for 17,055 households is equivalent to £87.95 per household for HWRC provision.
- One Energy from Waste (EfW) plant processing about 250,000 tonnes of residual waste would have a capital cost of £105 million and three Transfer Stations with land purchase would have a capital cost of £12 million. Based on 307,000 households then the average capital share per household for this project would be £381.

6.2 These two elements taken together result in a standard contribution of £469 per dwelling. The Borough/ District Council is the Waste Collection Authority and may wish to request contributions towards any capital costs associated with the provision of collection services to new households (for example additional collection vehicles, the provision of wheelie bins, bring facilities (bottle banks etc), depots, street cleansing equipment etc).

6.3 (INSERT PARAGRAPHS RE. SITE SPECIFIC REQUIREMENT)

7. Libraries and Archives

Local Plan/Core Strategy Policy (INSERT)

- 7.1 Suffolk County Council uses standards recommended by the Museums, Libraries and Archives Council (MLA), with the exception that the floor space standard adopted for archive accommodation, at 5 sq. m. per 1,000, population is smaller than recommended. In summary, a formula-based approach is used to calculate the required library and archive accommodation contribution of £259 per dwelling, calculated as follows:
- a minimum standard of 30 sq. m. of new library space and 5 sq. m. of archive space per 1,000 population is required;
 - construction and initial fit out cost of £3,000 per sq. m. for libraries and £3,600 per sq. m. for archives (based on RICS Building Cost Information Service data but excluding land costs).
 - this gives a cost of $(30 \times £3,000) = £90,000$ per 1,000 people or £90 per person for library space and $(5 \times £3,600) = £18,000$ per 1,000 people or £18 per person for archive space (total £108 per person).
 - assumed occupancy of 2.4 persons per dwelling (regional average house occupancy) results in a contribution of £259 per dwelling. This approach excludes any consideration of provision of a site, and is purely a contribution towards build and fit out costs.
- 7.2 The financial contribution towards libraries and archives arising from a development of (INSERT DWELLING NUMBER) at £259 per dwelling would be £ INSERT AMOUNT.
- 7.3 ADD ANY SITE SPECIFIC INFORMATION.
- 7.4 Record Offices are also identified as a high priority for investment. There is currently a serious concern about the limited amount of archive storage available in all 3 record offices in Suffolk (Bury, Lowestoft and Ipswich). Virtually all accrual space has been filled so that the Record Office will in the

very near future be unable to accept any significant new deposits. There is an urgent need to increase the amount of storage space available meeting BS5454 and other standards.

8. *Supported Housing*

Local Plan/Core Strategy Policies (INSERT)

- 8.1 Suffolk County Council's Adult and Community Services (ACS) have noted that the number of older persons needing funding from Care Services is expected to grow by 39% from 2008 - 2021. Based on these figures SCC has carried out modelling, assuming various multi-tenure options, on the need for Very Sheltered Housing (Extra Care or VSH) over this period. The conclusion was that the County would need over 8 new VSH schemes per year until 2021 to meet the projected demand.
- 8.2 There is predicted to be a 7.7% increase in over 75 year olds and an 18% increase in over 85 year olds by 2010. There will be a corresponding increase in the number of people with dementia. Whilst the county council's policy is to support people within their own homes as long as possible, there will be a need for provision of supported housing as part of major developments where there is not expected to be adequate provision already in the locality.
- 8.3 A proportion of the affordable housing requirement at (INSERT LOCATION), as determined by local need, should be provided for as Very Sheltered Housing. Where appropriate and backed up by evidence of need, 'mixed use', purpose designed and built 40-60 x 2B units VSH for older people (mixed tenure) with community linked resources, along with smaller 'core and cluster' supported housing will be required. This could be self-contained or shared with mixed tenure for specialised client groups with say 4 -10 units in each location but equally 'linked' shared service wise. Careful consideration is required to provide more flexibility and longevity of VSH along with fairer access to such services. The accommodation standards should be innovative in design and service configuration and in the use of new assistive technologies.
- 8.4 Very Sheltered Housing (VSH) falls under the broad definition of affordable housing and is part of the Supported Housing agenda which involves close

partnership working between the PCT, District Councils and county council. The local and national demographic trend is that we are faced with an ageing population which is placing severe & extremely challenging pressures on service providers.

8.5 The new National Housing Strategy for an Ageing Society strongly recommends that proper local analysis is done to understand current and projected levels of provision of VSH for older people by combining a whole system of health, housing and care. In estimating likely needs, (INSERT) District Council should be aware of the following factors, which should inform the provision of VSH:

- The demand for conventional sheltered housing is likely to decline
- The suitability of older stock for letting will become increasingly problematic
- The potential for leasehold retirement accommodation will continue to grow
- Some existing schemes will lend themselves to refurbishment and remodelling to provide VSH, some of which should be offered for sale/shared ownership
- VSH should be provided for sale and rent
- There is a need for VSH for people with dementia
- The design of VSH should mitigate residential care and may allow some measure of re-provision
- Dementia VSH is replacing nursing homes for those with moderate to severe dementia

8.6 (INSERT SITE SPECIFIC DETAILS)

9. Police Service

Local Plan/Core Strategy Policies (INSERT)

9.1 Details of police requirements are to be determined. Any financial contribution would be subject to Section 106 planning obligation.

10. *NHS Suffolk and NHS Great Yarmouth and Waveney*

Local Plan/Core Strategy Policies (INSERT)

- 10.1 Details of NHS Suffolk and NHS Great Yarmouth and Waveney requirements remain to be determined. It is likely that a proportionate contribution would be required towards new health care facilities in the area under the terms of the Section 106 agreement.

Topic Paper 1 – Air Quality

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards air quality may be sought.

1 INTRODUCTION

- 1.1 Local authorities have a duty to review and assess local air quality under Part IV of the Environment Act 1995 and to declare an Air Quality Management Area (AQMA) where they consider that one or more of the pollutant objectives are unlikely to be met and there is relevant public exposure. Following declaration, an Air Quality Action Plan must be prepared detailing measures to address the problems and to try to improve local air quality for affected residents.
- 1.2 New developments proposed within or adjacent to an AQMA may directly lead to deterioration in air quality depending on the size and nature of development, which could either worsen pollution within the AQMA or lead to it being extended in area. New residential development within an AQMA will require special consideration at the design stage, to ensure that appropriate mitigation measures are provided. The designation of an AQMA does not mean that there will be no development allowed within the Area, but that greater weight must be given to the consideration and removal of the impacts of any proposed development on air quality.

2 AIR QUALITY AS A MATERIAL PLANNING CONSIDERATION

- 2.1 Air quality may be a material consideration and Developers should ensure that they have access to all relevant documents published by the Suffolk Local Authorities. These include Air Quality Review and Assessment Reports, AQMA designations and Air Quality Action Plans which are all available on the Local Authority websites. Reference should also be made to the Suffolk Supplementary Planning Guidance, “Air Quality Management and New Development 2011”, which provides detailed guidance on:
 - 2.1.1 When an air quality assessment is likely to be required,
 - 2.1.2 How to carry out an air quality assessment; and,
 - 2.1.3 Identifying the significance of impacts and mitigating and offsetting impacts.

3 THRESHOLDS

- 3.1 The Local Authorities will seek to mitigate impacts from new developments that are detrimental to air quality and are in or adjacent to an AQMA or have a quantifiable impact on air quality in an AQMA by seeking contributions for measures to offset pollution effects. Please contact the relevant Local Authority for their threshold requirements. An example of the scale of development requiring mitigation consideration that is widely used is where schemes are greater than 10 dwellings or commercial schemes of more than 500m².

4 NEED ASSESSMENT CRITERIA

- 4.1 Contributions will only be sought where there is a demonstrable deterioration in air quality brought about by the new development. In assessing the need for developer contributions the Local Authority will take into account any development already permitted but not yet constructed that contributes to deterioration in air quality. Cumulative effects of phased development will also be taken into account with, wherever possible, the combined total impact of all phases taken considered, even if this is projected to be well into the future. Contributions would then be distributed across each phase.

5 EXAMPLES OF MEASURES TO WHICH CONTRIBUTIONS MAY BE REQUESTED

- 5.1 Development of Travel Plans.
- 5.2 Improvements in public transport, pedestrian and cycle routes.
- 5.3 Secure cycle parking.
- 5.4 New or improved traffic management measures and/or road infrastructure.
- 5.5 Measures to reduce congestion.
- 5.6 Management of car parking.
- 5.7 Contribution to Air Quality Action Plan or Strategy.
- 5.8 Contribution to Monitoring of Air Quality.
- 5.9 Measures during the construction of new development including dust control, site monitoring and plant emissions.
- 5.10 Woodland creation.

Topic Paper 2 – Archaeology

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards archaeology may be sought.

- 1.1 A high density of archaeological remains survives in Suffolk and the preservation of those remains is a material consideration in the granting of planning consent. Developers should, therefore, discuss the potential impact of their proposed development on archaeological remains prior to submission of planning applications and applicants may be required to undertake an appropriate evaluation before their application is determined.
- 1.2 Usually, sites with heritage assets can be developed provided that the remains are adequately recorded prior to development and that recording work can be secured by planning conditions. Where planning conditions are not appropriate, obligations will be used to secure the protection and/or investigation of archaeological remains in advance of development. For example, it may be appropriate to secure an area containing significant remains so that it is protected in perpetuity and incorporated into the design of the scheme. The best way to safeguard an archaeological site is for it to be preserved *in situ* and positively managed. Excavation is very much a second best option as although knowledge can be increased through this process, the site is destroyed. For sites of lesser importance, a planning obligation may require the investigation, recording and excavation of any archaeological features and finds.
- 1.3 There may also be occasions where planning obligations should be used to secure the conservation and storage in perpetuity of archaeological finds recovered and/or the interpretation of the results of archaeological investigation through publication, touring exhibition or display. Therefore contributions to existing museums or other buildings and facilities or to new buildings or facilities to enable museum storage or display might also be appropriate.
- 1.4 It is the responsibility of the developer to pay for any and all archaeological work required. This will include any fieldwork, the analysis of findings after fieldwork, conservation of objects where appropriate, report writing and publication, museum archiving, and any educational material required to explain the site or findings to the public. The Archaeological Service can provide a list of archaeological organisations available to carry out work in Suffolk. The scope of any work that needs to be done should be agreed in advance with the Archaeological Service.

Topic Paper 3 – Early years and childcare provision

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards early years and childcare provision may be sought.

1 INTRODUCTION

- 1.1 The purpose of this paper is to outline the methods used by Suffolk County Council to seek the appropriate level of contributions from developers in order to mitigate any strain that proposed developments place upon the Early Years and Childcare infrastructure.
- 1.2 This paper examines what Early Years provision is covered by contributions from developers; how these contributions are calculated; explain the drivers for contributions; offer examples and benchmark figures for the types of contributions that Suffolk County Council will seek.
- 1.3 The level of suggested contribution will be assessed on a case by case basis but it will take into account other factors local to the proposed development; including existing infrastructure barriers, other future developments and any initiatives from government expected to be implemented within a given time frame.

2 STATUTORY REQUIREMENTS – LEGISLATION

- 2.1 The Childcare Act 2006 places a range of duties on local authorities regarding the provision of sufficient, sustainable and flexible childcare that is responsive to parents’ needs. Local authorities are required to take a lead role in facilitating the childcare market within the broader framework of shaping children’s services in partnership with the private, voluntary and independent sector.
- 2.2 Section 6 of the Act defines ‘sufficient childcare’ as sufficient to meet the requirements of parents in the area who require childcare in order to enable them to take up, or remain in work or undertake education or training which could be reasonably expected to assist them obtain work.
- 2.3 Section 7 of the Act sets out a duty to secure free early years provision for pre-school children aged between 3 and 4. The current free entitlement of 15 hours free education was introduced in September 2010, an increase from the previous entitlement of 12 hours.
- 2.4 The Education Bill 2011 places a statutory duty on local authorities to ensure the provision of early education for every disadvantaged 2 year old by 2013. Clause 1 of the Bill will amend Section 7 of the Childcare Act 2006 introducing the statutory requirement for 2 year old education. Suffolk County Council defines ‘disadvantaged’ by a selection of primary and secondary eligibility criteria, including receipt of benefits, local Index Multiple Deprivation (IMD) data and health data.

- 2.5 The Apprenticeship, Skills, Children and Learning Act 2009 placed the duty to provide sufficient children's centre provision, to meet local need, on local authorities. The act defines local need as the need of parents, prospective parents, and young children (under the age of 5) in the local area. Sufficient provision is based on the drivers that underpinned the roll out of the national programme of children's centres from 2003 to 2010.

3 EARLY YEARS PROVISION

- 3.1 Early Years Provision (EYP) covers all early education: which Suffolk County Council defines as the entitlement of free early education for 2-5 year olds. This is provided through maintained nurseries in primary schools, pre-schools, playgroups, day care and accredited childminders throughout Suffolk. Only members of the Suffolk County Council '*Directory of Providers*' are accredited to deliver this free entitlement, which is funded by Suffolk County Council direct to providers.
- 3.2 The statutory requirements imposed through the Apprenticeship, Skills, Children and Learning Act 2009 following the national programmes for Sure Start Children's Centres 2003-2010, mean that Suffolk County Council must ensure that there is sufficient provision of not only early education places but also children's centres.

4 PROCESS FOR DETERMINING SUFFICIENCY LEVELS

- 4.1 Early Years and Childcare uses the most recent and relevant information available to monitor sufficiency levels in early education, childcare and children's centres across Suffolk.

5 EARLY EDUCATION ENTITLEMENT

- 5.1 To ensure that the early education sufficiency requirements of the county are met, the number of places available needs to directly correspond to the number of children eligible for funded places.
- 5.2 Early Years and Childcare uses local knowledge of the registered places at maintained nurseries at primary schools, pre-schools and accredited childminders, alongside submissions from providers on funding returns to measure the capacity of early education provider provision. When examining the potential impact a development could have on the sufficiency levels, the existing capacity of providers within a mile radius of the development will be investigated.
- 5.3 Early Years and Childcare uses a variety of data to forecast the amount of eligible children requiring early education. This includes local birth data, the latest census, Area Health Authorities statistics, information from partners in health and GP's. It is acknowledged that whilst it is impossible to provide 100% accurate data, the forecasting offers the best possible assessment of the potential need.
- 5.4 The free entitlement for early education is for 15 hours per week. As such, each child eligible for receiving the free entitlement is classed as 0.6 FTE. Therefore to calculate the sufficiency this 0.6 FTE will be used when determining whether or not there is undue strain placed on the early education infrastructure arising from any developments.

6 CHILDREN'S CENTRE PROVISION

- 6.1 Suffolk has 48 children's centres throughout the county. The area which a children's centre covers is known as the 'reach area'. Where deprivation levels, measured by the National Index of Multiple Deprivation (IMD) data and or population levels are high children's centres are more densely populated. A number of children's centres cover a wide rural area and as such make use of outreach points or Service Delivery Points in order that every community within their reach area has appropriate provision. The number of children aged 0-5 within a reach area varies dependent on the local geography and deprivation scores.
- 6.2 Where the reach area is spread across wide rural areas or where there are local barriers, specific Service Delivery Points have been developed to satellite the main centres. Children's centres were constructed to suit local need, and they come in varying sizes and types, from refurbishments of existing provisions to new builds.

7 CONTRIBUTIONS

- 7.1 Early Education contributions
- 7.1.1 For 2011-12 the contribution per new pupil is £5,984, where extensions and/or improvements to existing facilities are required.
- 7.1.2 Where larger scale development justifies the need for new early years and childcare facilities, this will be based on actual costs.
- 7.1.3 Contributions to negate any negative impact on sufficiency for early education will be sought through a number of ways, the method applied to individual development proposals will be on a case by case basis and dependent on the local level of sufficiency and other proposals in the area.
- 7.1.4 Where a development proposal is anticipated to create over 20 FTE places, then a new provision will be sought. This will include the land and the construction of suitable premises for a new provision.
- 7.1.5 Where there are less than 20 FTE places anticipated to arise from development proposals, Early Years and Childcare will look at alternative ways to manage the increase in demand for places. This can include extensions to existing provision, improvements to the staffing structures to increase registered places, and training and encouragement for accreditation for childminders.
- 7.1.6 The exemplar briefs and case studies aim to give greater understanding of the financial and size implications that may arise from development proposals.

8 CHILDREN'S CENTRE CONTRIBUTION

- 8.1 When considering the possible impact a development could have on children's centre provision, Early Years and Childcare will look at the local demographics, the latest IMD data, current Reach and local provision for children's centre services. If it is deemed necessary and appropriate, Suffolk County Council will look to receive adequate contributions to increase capacity for the children's centre infrastructure. Usually this will be financial contributions to provide a service delivery point or to improve current provision to enable the current centre to offer services to an increased reach number. Where evidence leads Suffolk County Council to deem it necessary to provide a new hub centre, both land and a capital contribution to construction of the new hub will be sought at an appropriate level.

9 MINIMUM SPATIAL REQUIREMENTS FOR EARLY YEARS AND CHILDCARE FACILITIES

- 9.1 Early education for 2-5 year olds include the following:
 - 9.1.1 Main play space with 2.5m² per 2 year old and 2.3m² for 3-5 year olds.
 - 9.1.2 Adequate storage for resources.
 - 9.1.3 Toilets at ratio of 1 toilet and 1 hand basin for 10 children over the age of 2.
 - 9.1.4 Nappy changing facilities.
 - 9.1.5 Staff toilet.
 - 9.1.6 Office and secure storage for files.
 - 9.1.7 Kitchen area for meal preparation.
 - 9.1.8 External play area of at least 3m² per child to include a covered area from the external doors to provide free flow play/shade and shelter.
- 9.2 Children's centres
 - 9.2.1 Main play space 30-40m² with additional integral storage.
 - 9.2.2 Foyer/social space 30/40m².
 - 9.2.3 Kitchen/beverage area 10-20m².
 - 9.2.4 1:1 space 10m².
 - 9.2.5 Office space 10m².
 - 9.2.6 Meeting room 20m².
- 9.3 Children's centre outreach point
 - 9.3.1 Main play space with storage 40m².
 - 9.3.2 Kitchen/beverage area 10-20m².
 - 9.3.3 Office/1:1 group space 10-15m².

10 CASE EXAMPLES

- 10.1 Sunflowers Pre-School at Boxford Primary School
 - 10.1.1 Grant funding of £240,000 towards build and canopy costs. Purpose built, timber clad pre-school building within the grounds of a primary school, offering early education for 29 children. The setting has a gross internal area of 120m² with external play area directly from the main play space; 14m² of which is covered to allow free flow play. The internal accommodation comprises a main play space, kitchen, office, secure entrance hall, toilets and store with cleaning cupboard.

10.2 Old Felixstowe Nursery with Rhymes Out of School Club

- 10.2.1 Grant funding of £230,000 toward build and canopy costs. Modular building to provide accommodation for pre-school and out of school club for the local area, based on a Primary School site. The pre-school is registered for 26 children aged 2-5 and the out of school club can accommodate 16 children aged up to 11. The facility is 130m² and includes a flexible main room with toilet and kitchen facilities, office and reception area, disabled WC and stores within the main play space. Covered outside play area, with both hard and soft landscaping.

10.3 Cherry Blossom Children's Centre and Nursery at East Bergholt

- 10.3.1 Sure Start Funding and Grant funding of £750,000 (including £50,000 for external play). Purpose built timber clad building with 304m² of internal space with 150m² of external play areas direct from the two main internal play spaces. Shared entrance with large foyer/social space meeting room and children's centre office leading to main play space for children's centre, kitchen, toilets and 1:1 room. The nursery has a designated secure area with main play room for 30 children aged 2-5, kitchen, and toilets for staff and children, storage and office space. Both play rooms lead directly to external play space and the roof provides sufficient overhang for covered play for both facilities. Works also included associated car parking and lay-by with pedestrian access route to adjacent primary school.

Topic Paper 4 – Education Provision

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards education provision may be sought.

1 INTRODUCTION

- 1.1 This paper outlines the approach for calculating an appropriate level of developer contributions for education provision, which arise as a direct result of development proposals. Where appropriate and justified, the local authority will seek financial contributions from developers to cover land and/or build costs to provide education facilities to meet the needs arising from new development. In most instances the financial contributions will be secured to provide additional facilities at existing schools but on occasions some individual or colocated development proposals will be large enough to generate the need for a new school.
- 1.2 The final decision on the justification and level of the education contribution rests with the relevant local planning authority.

2 THE MECHANISM FOR ASSESSING CONTRIBUTIONS FOR THE PROVISION OF SCHOOL PLACES

- 2.1 Suffolk County Council uses the most up to date information available to produce forecasts of future school rolls. This includes data from the latest census, Area Health Authority statistics on live births and information from health visitors and doctor's practices. Further information includes pupil arrival rates and pupils from new housing developments (including developments with planning permission but not yet commenced or completed). Whilst it is recognised that this data may not be 100% accurate it is considered to be the best available. Forecasts of future school rolls are available to developers on request.
- 2.2 Suffolk County Council also assesses the amount of permanent and temporary accommodation at each school and this is included in the above data. These figures are used as the basis for seeking developer contributions. However, the data may vary from published information as a result of movements of temporary classrooms and the construction of permanent accommodation during the year. Developers are advised to obtain the latest information from Suffolk County Council before submitting a planning application. It must be noted that information provided is time limited (usually for a maximum period of 6 months from date of providing the information) as local circumstances can change.

3 NEEDS ASSESSMENT CRITERIA

- 3.1 Contributions will only be sought where there is a justified need. Where such contributions are sought, the county council will provide the district and borough councils and, on request, the developer, with data on catchment areas, existing permanent and temporary accommodation and existing and projected school rolls. The presence of existing temporary accommodation should be taken as evidence that the school is already under pressure and the temporary building(s) will not figure in the calculations.

- 3.2 In assessing the need for developer contributions the relevant local planning authority will take account of any housing development already permitted but not yet constructed as it will be assumed that these developments may ultimately either soak up surplus places (where they exist) or exacerbate an existing shortfall.
- 3.3 Contributions may therefore be sought from development even where there is no actual shortfall at a school at present but where one is reasonably expected to occur either when existing approved development comes on stream or within the period for which forecast roll figures are available.
- 3.4 Where existing permissions have not been implemented and have lapsed this will be a material factor in deciding whether to repay contributions that have been received. Equally, where permissions are renewed or a new application submitted, it may be appropriate to seek contributions where previously none were sought to reflect the new application and if there is a demonstrable need for a contribution towards education facilities at the time that the permission is renewed.
- 3.5 Contributions will be ring-fenced to the school(s) stated in the Section 106 agreement. This will normally be the local catchment school(s).
- 3.6 The decision on which school(s) to remodel to accommodate extra pupils from new development will rest with Suffolk County Council. This would depend on factors such as the scope for remodelling (physically and in planning terms), and trends in school rolls. There would however need to be a clear link between the specific school and the development that generated the contribution.

4 THRESHOLDS

- 4.1 Suffolk County Council will take into account the type of dwellings incorporated within the development proposals and will only seek contributions that are directly related to and generated by the development proposals. Historically developer contributions for school provision have been limited to major developments and for site provision at no cost only. Smaller developments, however, can also put pressure on school accommodation especially where there is reliance on temporary accommodation and where extensions are required. Contributions will therefore be sought, where justified, for both land and capital costs of providing new schools or extensions to existing ones. The need for contributions will be considered from all developments of 10 or more dwellings. Applications for smaller developments will be exempt unless their collocation to other sites necessitates a holistic look at their cumulative impact.

5 THE SCALE OF CONTRIBUTIONS

- 5.1 Where additional facilities are required at local catchment schools i.e. school extensions, financial contributions per pupil place will be sought. Suffolk County Council has decided to continue using the Department for Education (DfE) cost multipliers as a basis of calculating cost, until an alternative is selected.
- 5.2 The DfE has advised that they do not use cost multipliers any more. The last published multipliers which were on the *teachernet* website (now archived) are for 2008-09, based on projected pricing levels at quarter four 2008. These were then adjusted to reflect regional factors. For Suffolk (2011-12, based on the now archived cost multipliers but uplifted by the Building Cost Information Service (BCIS) to reflect current costs) the costs sought per pupil place are set out in Table 1 below.

Local authority	Early years (ages 3 – 5) £	Primary (ages 5-11) £	Middle (ages 9-13) £	Secondary (ages 11- 16) £	Sixth form (ages 16+) £
Suffolk	5,984	11,967	15,000	18,033	19,558

Table 1 - Cost per pupil place, based on school improvements and/or extensions

- 5.3 The cost multipliers for Suffolk will next be reviewed and/or updated from 1 April 2012 for 2012-13.
- 5.4 For new schools, Suffolk County Council will expect full or proportionate financial contributions from developers to meet total build costs. Where education facilities required by a particular development proposal can be accommodated within existing school sites, the county council will not normally seek a contribution towards land costs. However, where a new school or school extension necessitates the need for a site or additional land, the developer will be expected to either provide a free site and/or financially contribute proportionate or full costs of acquiring the site or additional land. If no such land is available and the local school is unable to expand any further, the county council may object to the planning application as it would be unable to accommodate any additional pupils as a result of the development.
- 5.5 Where the scale of development in a local area is sufficient to justify a new school, the developer(s) will be expected to either fully fund or share in a proportionate way the total build costs and provide a free site. Table 2 provides an illustration of indicative new school build costs, which may vary from site to site depending on local circumstances. These costs are based on actual new school projects recently delivered in Suffolk and are latest information as at March 2011. The indicative costs include professional fees and disbursements.
- 5.6 In line with government policy future school projects must be designed to take into account high sustainability credentials. This will require new school buildings to be zero carbon (or as close as possible) by 2016 which will be extremely challenging both in terms of innovative design and use of new technologies and materials in the construction.
- 5.7 The Department for Education and Skills publication '*Briefing Framework for Primary School Projects: Building Bulletin 99 (2nd edition)*' (Published 23 November 2006). This sets out simple, realistic, non-statutory area guidelines for primary school buildings, by providing minimum areas for all types of space in primary schools. It also offers area ranges over and above this minimum to allow schools flexibility in the design of their buildings and the way in which they use them. For Suffolk this is applied on the following benchmark basis as guidance for minimum site areas for primary schools.
- 5.7.1 Primary school 210 places: 1.09 hectares.
- 5.7.2 Primary school 315 places: 1.51 hectares.
- 5.7.3 Primary school 420 places: 2 hectares.

School Size	Cost £ millions
Primary (1 form of entry 5 – 11): 210 places	4.35
Primary (1.5 forms of entry 5 – 11): 315 places	5.6
Primary (2 forms of entry 5 – 11): 420 places	6.9
Secondary (ages 11 -16): 900 places	29
Secondary (ages 11 -16): 1500 places	40

Table 2 – Estimated total build costs

- 5.8 The school site must be rectangular in shape, on level ground and located on a gyratory road (i.e. not in a cul-de-sac) near to the centre of the development and close to other community facilities. The site must be free of contamination and cleared of any previous land use especially if the site was once industrial land. The developer will also provide services to the appropriate boundary of the site, including adequate access by motor vehicle and on foot, ICT connections, gas, electric and water supplies plus outlet to the local sewer system. This will be provided free of charge to the county council. The cost of all archaeological surveys and remedial work will be met by the developer.
- 5.9 Suffolk County Council has a duty to provide school transport for children under the age of eight living in excess of two miles from a school via a safe walking route and in excess of three miles via a safe walking route for older children. Therefore, where housing development is proposed and such routes are not available Suffolk County Council will look for an additional developer contribution to mitigate the impact of additional pupil living in an area that, in school transport terms, is 'unsustainable'.
- 5.10 In the case of smaller developments, contributions will be secured to fund extensions and/or improvements to existing schools on the basis of multiplying the number of places required by the appropriate cost multiplier. See table 1. For the 2011-12 financial year these are £11,967 per primary school place, £15,000 per middle school place, £18,033 per high/upper school place and £19,558 per sixth form place.
- 5.11 In certain circumstances there may be a requirement to secure education contributions in order for the county council to provide temporary accommodation to meet the needs of pupils arising from development prior to the completion of school improvements or extensions or the opening of a new school. This will be assessed on a site by site basis.

6 FORECASTING PUPILS FROM NEW HOUSING

- 6.1 When estimating the number of pupils that a new housing development will generate (pupil yield), Suffolk County Council takes account of the number of houses and flats that are suitable to accommodate children whilst reviewing the demographical changes, e.g. inward migration and birth rates. One bed houses and other categories of dwellings such as student and elderly people's accommodation are normally excluded from any calculation. The pupil yields (Table 3) from houses with two or more bedrooms is 25 children per one hundred homes (0.25 per dwelling) for primary school age, 18 pupils per one hundred homes (0.18 per dwelling) for high school age, and 4 pupils per one hundred homes (0.04 per dwelling) for sixth form age pupils. The equivalent yields from 100 two (or more) bedroom flats are 15, 2, and 1, and for 100 one bedroom flats are 5, 1 and 1. The pupil yields from all types of dwelling will vary slightly to take account of middle school provision in areas of Suffolk where a 3-tier system of education is still in operation.

Local authority	Pre School (ages 3 – 5)	Primary (ages 5 – 11)	Secondary (ages 11 – 16)	Sixth Form (ages 16+)	Total
Suffolk	7	25	18	4	54

Table 3 – Average pupil yields based on 100 new houses.

- 6.2 The multipliers in Table 4 have been derived by dividing pupil numbers by 100 (i.e. pupil generation per dwellings) and multiplying by the 2011-12 cost multiplier. The table assumes that there is no spare capacity in local schools and therefore are maximum contributions.

Local Authority	Pre-School £	Primary £	Secondary £	Sixth Form £	Total £
Suffolk	419	2,991	3,246	782	7,438

Table 4 – Typical contribution per house - Based on 2(+) bedroom houses. Lower yields used for flats.

- 6.3 Where the development is not large enough on its own to require a new school, but is of sufficient size to trigger the need for a new school because existing schools cannot satisfactorily accommodate the pupils from the development, then a contribution to the land, land preparation and full build cost of a new school would be required in proportion to the number of pupils generated by that development. For example if the new development generated 50% of the pupils then a 50% contribution to the land, preparation and build cost will be sought.
- 6.4 It is generally accepted that education provision in an area should not operate at 100% of its capacity, as it is important to retain some level of surplus to facilitate parental preference and mid-year admissions, and for contingency planning. The Audit Commission document, 'Trading Places' (1996, updated 2002), for example, suggested a target figure of between 5%-10% surplus places. A deficiency may thus be deemed to exist without the certainty of every local place being filled. The DfE suggest that schools should have no more than 10% surplus to allow for flexibility in timetabling or to allow for a sudden and unexpected increase in pupil numbers.

7 SCHOOL TRAVEL PLANS AND SAFER JOURNEYS TO SCHOOL

- 7.1 The county council has a duty under the Education and Inspections Act 2006 to develop a School Travel Plan with all schools. It also has a statutory duty to promote the use of sustainable methods of transport for all education and training related journeys, from pre-school age to post 16 students.
- 7.2 In consultation with colleagues in Suffolk County Council's Integrated Transport Service the provision of walking and cycling routes between schools and developments will be looked at. Financial and/or off site works may be required as a result to reduce travel distances or improve safety. Contributions may also be sought towards the provision of specific education journey infrastructure such as cycle stands and parent waiting shelters; providing public transport to appropriate education establishments or for education materials and activities such as cycle training.

- 7.3 Where a development includes a proposal for building new educational or training spaces, the developer will be required to work with the county council's Road Safety teams to develop and implement a travel plan and associated safer journeys to school infrastructure programme. This will involve consideration of access to the school site and the walking and cycling routes to it. Suffolk is making an important contribution to tackling global environmental issues and is committed to making this ambition a reality through the 'Suffolk: Creating the Greenest County'. Developers will be expected to help minimise the carbon footprint produced by the school through the design and layout of the development. There must, for example, be a presumption against providing car pick up or drop off points.

8 COLLECTION, INVESTMENT AND USE OF CONTRIBUTIONS

- 8.1 The following principles will apply to the way contributions are collected, invested and used.
- 8.1.1 Contributions will be held by Suffolk County Council in a ring-fenced account and may only be used for the purpose stated in the legal agreement.
 - 8.1.2 Payment will be required 14 days prior to commencement of development or in accordance with an agreed phased arrangement set out in the legal agreement, depending on the circumstances.
 - 8.1.3 After a specified period (at least 10 years after the completion of the development) the county council will repay uncommitted monies, with accrued interest, to the party that paid the contribution.
 - 8.1.4 If the actual cost of providing the necessary infrastructure falls below the level of contribution taken, the relevant district or borough council may decide to negotiate the use of the surplus monies for other infrastructure which the developer considered could not be funded at the original grant of planning permission. The circumstances where this would apply would be set out in the legal agreement.
- 8.2 Where land is being provided by the developer for a new school site the county council will normally seek to obtain an option for the transfer of the site within a specified period of time, i.e. the land will remain the landowner's responsibility until required by Suffolk County Council.

9 ACADEMIES AND FREE SCHOOLS

- 9.1 The Department for Education is promoting the establishment of Academies and Free Schools. As the county council still has the statutory responsibility to ensure that there are sufficient appropriate school places to serve their area, developer contributions will still be justified and secured by the county council as part of the development management process. The principle that contributions secured will be spent on schools in the local vicinity serving the development will still apply, which may mean that some contributions secured will be spent at an Academy or Free School.

10 SELLING OF COUNTY COUNCIL ASSETS

- 10.1 Any capital receipt received from a disposal of a surplus education facility, which, for example, may have arisen from the outcome of School Organisation Review (SOR) in a local area has already been accounted for in the budgeting process for service re-provision. Therefore any capital receipt generated is normally reinvested to meet existing education needs and is not intended to be an alternative source of funding to mitigate the impacts of development.

11 ROLE IN NEGOTIATION

- 11.1 Please see the '*Section 106 Planning Obligations - Code of Practice Protocol*' for local authority approaches. Developers will, where appropriate, be expected to pay the additional costs borne by the local planning authority of entering into legal agreements.

12 EXEMPTIONS

- 12.1 Development which does not place any demands on school provision, such as homes for the elderly and student accommodation would fall outside the scope of this Guidance. Developments of less than 10 dwellings will be looked at through their colocation to other sites and their cumulative impacts captured through a planning tariff or Community Infrastructure Levy (CIL) where implemented.

Topic Paper 5 – Fire and Rescue Service Provision

This document is one of the supporting topic papers of Suffolk's supplementary guidance "Section 106 Developers Guide to Infrastructure Contributions in Suffolk". It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards fire and rescue provision may be sought.

- 1.1 Developers will be required to provide fire hydrants and associated infrastructure, which will usually be secured by planning conditions attached to planning permissions (see Appendix 1 Memorandum of understanding below). These will be dealt with on an individual basis with regard to the specific requirements of a development. The exact cost in each case will be dependant on the precise requirements of the development. Developers will be expected to provide fire hydrants to the relevant water main. Normally one hydrant will be needed for every 50 dwellings. The fire hydrants ought to be installed at the same time as the rest of the water infrastructure, ahead of any dwellings being occupied, in order to avoid any excessive costs to the developer. The location of the hydrant must be agreed with the Suffolk Fire and Rescue Service prior to installation. The developer will be expected to initiate the installation of the hydrant through contact with the relevant water company and will incur all costs associated with the hydrant and its installation.
- 1.2 Fire hydrants may also be sought in respect of commercial development. The number of hydrants required will need to be assessed on a site by site basis taking into account the mix and type of commercial uses proposed.

2 PLANNING CONDITIONS

2.1 **Condition 1** Residential Development.

- 2.1.1 No development shall commence on site until a scheme has been submitted to, and agreed by the Council in consultation with Suffolk Fire and Rescue Service, for the provision of one fire hydrant (served by mains water supply) for every 50 dwellings forming part of the development and no dwelling shall be occupied until the hydrant(s) serving the property or group of properties has been provided to the satisfaction of the Council in consultation with Suffolk Fire and Rescue Service.

2.2 **Condition 2** Commercial Development.

- 2.2.1 No development shall commence on site until a scheme has been submitted for the provision of 0.75 fire hydrants per hectare (*served by a 150 - 180mm main water supply depending on the mix and type of commercial uses*) for the benefit of the commercial development in a location agreed with the Council in consultation with Suffolk Fire and Rescue Service and should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 & 16 (Fire Hydrants/Water Supplies and Vehicle Access).
- 2.2.2 The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council in consultation with the Suffolk Fire and Rescue Service.

- 2.3 Further informative. With reference to Conditions 1 and 2, the developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
- 2.4 Reason for planning conditions.
 - 2.4.1 The planning conditions are needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
- 2.5 Developers may also be asked to contribute towards additional off-site facilities made necessary by the proposed development. For any off-site requirements the county council would expect these to be dealt with through a Section 106 agreement.
- 2.6 In most circumstances the delivery of fire hydrants and associated infrastructure will therefore be dealt through the use of planning condition rather than within a Section 106 agreement.

SUFFOLK FIRE AND RESCUE SERVICE

MEMORANDUM OF UNDERSTANDING

**PROVISION OF FIRE HYDRANTS IN NEW
DEVELOPMENTS**

1.0 Introduction

- 1.1 This Memorandum of Understanding covers the provision of fire hydrants in new development, and sets out a protocol to be followed by District and Borough Councils in securing such provision by means of planning condition. In addition to proposed new residential and commercial developments, hydrants are required in connection with changes of use and any developments attracting increased volumes of people.
- 1.2 In addition to fire hydrant provision there will be other requirements of the Fire Authority in respect of new development, e.g. in ensuring adequate access for fire fighting. These requirements will be advised separately.
- 1.3 Occasionally, it may also be a requirement for new fire service infrastructure to be provided in connection with major planned development, which would have to be covered by Section 106 of the Town and Country Planning Act, and these requirements will also be subject to separate advice. Financial contributions or provision of land for new facilities may be sought by way of Section 106 planning obligations.
- 1.4 The Fire Authority encourages the fitting of sprinklers in domestic properties, which may provide an acceptable alternative to provision of new or improved fire station facilities.

2.0 Policy Background

- 2.1 [Circular 05/05: Planning Obligations](#) (DCLG, 2005) provides policy advice on the use of planning obligations. The circular states that, “it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions (see Department of the Environment Circular 11/95) or, where this is not possible, through planning obligations. (Where there is a choice between imposing conditions and entering into a planning obligation, the imposition of a condition is preferable).” Paragraph B51 of the Circular states that, “it is important to recognise that, if there is a choice between imposing conditions and entering into a planning obligation, the imposition of a condition which satisfies the policy tests of [Circular 11/95: The Use of Conditions in Planning Permissions](#) is preferable because it enables a developer to appeal to the Secretary of State regarding the imposition of the condition.”
- 2.2 Circular 11/95 provides advice on the use of planning conditions. These must satisfy the “six tests” which are that conditions must be;
 - Necessary
 - Relevant to planning
 - Relevant to the development to be permitted
 - Enforceable
 - Precise and;
 - Reasonable in all other respects

- 2.3 The Fire Services Act 2004 places a duty on the Fire Authority to ensure the supply of water for fire fighting purposes. New residential and commercial development creates a need for new fire hydrants to be installed. Because the need for new hydrants in these cases arises directly from the new development, the Fire and Rescue Service expects that hydrants should reasonably be funded by the developer.

3.0 Protocol

- 3.1 This Protocol applies to the provision of fire hydrants in new developments, and not to other Fire and Rescue Service provisions which may be necessary. The latter will continue to be dealt with through the consultation process.
- 3.2 The Suffolk Fire and Rescue Service will view the weekly planning applications lists published on the District and Borough Council websites, to establish which applications should be subject to consultation on fire hydrant provision. The Suffolk Fire and Rescue Service will notify the District or Borough Council of any application on which consultation is required regarding fire hydrant provision.
- 3.3 Following notification of the need for consultation, the District or Borough Council will send a copy of the application and accompanying plans to the Suffolk Fire and Rescue Service, with relevant details, including the timescale for provision of a response.
- 3.4 The Suffolk Fire and Rescue Service will endeavour to provide a response within the agreed timescale, which shall be the timescale specified on the consultation document, or such other timescale as may be agreed between the authorities.
- 3.5 If the Fire Service identifies a need for provision of new fire hydrant(s), the District and Borough Councils will impose a condition on any planning permission granted, which requires the submission and approval of details of fire hydrant provision, including location of hydrants, prior to commencement of development, and provision of fire hydrants on site prior to occupation of the development (or relevant phase of the development). For this purpose, the following condition is suggested:

The development shall not be commenced until a scheme for the provision of fire hydrants, including their location within the development has been submitted to, and approved in writing by the Local Planning Authority. The development (or the phase of development served by a hydrant(s) shall not be occupied until the relevant approved hydrant(s) have been implemented.

- 3.6 The Local Planning Authority should encourage developers to submit details of fire hydrants, including their location, in accordance with the planning condition, a period of at least 28 days prior to commencement of development on site. This should not only enable a decision to be made on the submitted details in advance of commencement, but will also enable the Fire and Rescue Service to notify the water company of approved hydrant locations in advance of the laying of new water mains.

- 3.7 Upon receipt of details from the developer in accordance with the condition, the Local Planning Authority shall consult the Suffolk Fire and Rescue Service. The Service will assess the submitted details to ensure that the water supply and hydrant location is acceptable in relation to the planned development. In undertaking this assessment, the Suffolk Fire and Rescue Service will consider the mains plans prepared by the water company. The details required to be approved by the planning condition cannot be approved until the Suffolk Fire and Rescue Service has undertaken this assessment.
- 3.8 In the event of works commencing on site without compliance with the planning condition, appropriate action shall be taken by the Local Planning Authority, and the Fire and Rescue Service shall be kept informed of any action.
- 3.9 If the ownership of a site changes subsequent to planning permission being granted, the Fire and Rescue Service requests that the Local Planning Authority updates the service with amended ownership and contact details.
- 3.10 The Suffolk Fire and Rescue Service places great emphasis on the need to adhere to the above protocol in order to ensure that fire hydrants are secured and funded by the developer. If, for any reason this does not occur, then the Fire and Rescue Service will provide hydrants and will then retrospectively seek to recover funding for these.
- 4.0 Building Regulations
- 4.1 Building Regulations include a duty to consider access for fire fighting in terms of access by fire tenders and access to hydrants. Advice may be given under the Building Regulations process to developers regarding the possible location of hydrants. It must be stressed, however, that the Fire and Rescue Service is the statutory body charged with fire hydrant provision and therefore decisions regarding the optimum location of fire hydrants in new developments and the methods for procuring those hydrants rests with the Service.

Topic Paper 6 – Health Infrastructure Provision

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk Primary Care NHS Trust (NHS Suffolk) and Great Yarmouth & Waveney Primary Care Trust (NHS Great Yarmouth and Waveney) or their statutory residual bodies will deal with planning applications where the provision of and contributions towards healthcare infrastructure may be sought.

1 HEALTH INFRASTRUCTURE – CAPITAL PROVISION, CAPITAL FUNDING AND FINANCIAL CONTRIBUTIONS

- 1.1 NHS Suffolk and NHS Great Yarmouth and Waveney commission healthcare services on behalf of over 600,000 people in Suffolk. They have a responsibility to improve health, wellbeing and protect health, a role they carry out in association with partner organisations and specialist support from the public, voluntary, community and private sectors to plan, develop and secure healthcare services. There are approximately 1,800 patients per GP and 2,000 patients per dentist.
- 1.2 The housing and employment growth requirements previously proposed for the East of England in the Regional Spatial Strategy would have seen a further 48,000 dwellings and 53,000 jobs to be provided in Suffolk up until 2021. Growth of this scale would have a major impact on the ability to provide and maintain healthcare services across the County.
- 1.3 The levels of growth that may occur in Suffolk will give rise to an increased impact on healthcare provision necessitating additional healthcare infrastructure, resources and funding. There will be a requirement for physical infrastructure provision e.g. premises/floor space and parking facilities and/or related funding, for health services, which may comprise:
 - 1.3.1 Additional or enhanced GP Surgery floor space and facilities, including fit out and refurbishment.
 - 1.3.2 Health centres.
 - 1.3.3 Related transport facilities.
- 1.4 Infrastructure provision and/or developer contributions may therefore be sought from new development to provide for the additional healthcare infrastructure, resources and funding to ensure that strong, healthy and active communities are created and maintained, and sustainable development is delivered.

Topic Paper 7 – Highways and Transport including Sustainable Urban Drainage Systems

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards highways and transport may be sought.

1 INTRODUCTION

- 1.1 The Highway Authority will assess the overall transport requirements of proposals, to include a comprehensive assessment of opportunities for use of public transport, travel planning, walking and cycling. Contributions to highways and transport improvements should be considered part of a holistic package to facilitate sustainable travel, as reflected by Suffolk’s Local Transport Plan (LTP). For those towns specifically identified within the LTP, the holistic approach should take account of the proposed transport network improvements for each town. The three strands of the LTP strategy are:
 - 1.1.1 reducing demand for travel,
 - 1.1.2 Making efficient use of transport networks; and,
 - 1.1.3 Improving infrastructure.
- 1.2 Depending on the size of the development, a Travel Plan will be an essential element because it will identify the opportunities to minimise car use and set targets for this. New developments may be expected to contribute to improvements as identified by the LTP Implementation Plan where relevant, but not be limited to these, i.e. further mitigation may be required.
- 1.3 In some instances a ‘pooled’ approach to developer contributions may be used, for example, in relation to the provision of major new road schemes where these are necessitated by more than one development. However, from April 2014 there will be restrictions on pooling under the CIL Regulations.
- 1.4 A breakdown of contributions for specific network, public transport and sustainable transport initiatives to serve the development will be derived from the Transport Assessment, Travel Plans and relevant strategies. The onus will be on the developer to demonstrate with evidence any proposed alternative solution to that put forward by the Highways Authority. Indicative thresholds for transport assessments are available from the Department for Transport website.

2 HIGHWAYS IMPROVEMENTS

- 2.1 The highway works deemed necessary as a result of a development proposal may include accommodating public transport, pedestrians and cyclists; any works for improving the existing highway network; providing new highways; associated engineering works; and necessary legal and administrative costs, e.g. in implementing Traffic Regulation Orders.
- 2.2 Development Plan policies may provide the basis for seeking specific items of new road infrastructure in connection with specific land allocations, e.g. provision of a new relief road.

- 2.3 Planning obligations may require the provision of highway works by the developer, or may require the payment of a contribution to the Highway Authority, which in turn will undertake the works, together with payment of a commuted sum for future maintenance. In the case of the former, the Highway Authority will wish to retain control over the detailed design of the works.
- 2.4 It may be necessary for developers to enter into section 278 agreements with the Highway Authority to allow for works within the existing adopted highway. The adoption of new highway works will be covered under section 38 of the Highway Act.

3 PUBLIC TRANSPORT

- 3.1 Public transport accessibility within new development must be taken into account in the design and layout, in terms of the road widths, bus routes and linkages with existing routes, distances of residential properties from bus stops (maximum 400 metres) and pedestrian accessibility (including attractiveness of routes) to bus stops.
- 3.2 Contributions towards public transport services may be by way of physical infrastructure provision, e.g. bus lay bys and shelters or in terms of 'pump priming' contributions towards new bus services.
- 3.3 Planning obligations may be used to secure off-site improvements to existing bus corridors in terms of bus stop provision, information provision and pedestrian accessibility. Due to the wide geographic nature of public transport it may be a requirement that contributions from more than one development that are not always in the same immediate vicinity may be combined to provide a coherent service. Similarly, contributions may be requested towards these types of infrastructure where a new route is planned. Where developments will rely on interchange facilities within local or town centres or at other transport nodes, then contributions may be sought towards improvement of those interchange facilities (or creation of new interchange facilities). In addition car parking provision may be required relating to and facilitating interchange on to public transport services.
- 3.4 Contributions may be sought towards improvements to rail facilities where there is a direct relationship between the development and the rail service.
- 3.5 Contributions may also be sought under Section 106 towards other forms of public transport provision, particularly in rural and less accessible areas, such as taxi and community bus services. However, the provision of such facilities must be reviewed carefully in relation to the overall acceptability of development in such areas.
- 3.6 Pump priming contributions towards new bus service provision will normally be required for a period of five years from commencement of development or from completion of the first phase of development, as appropriate. Buses must meet the county council's specification and should be fitted with real time passenger information, to be linked with information displays at bus stops. The period of contribution should allow for the establishment of a commercially viable service. The county council's Passenger Transport Procurement Manager can advise regarding routes and frequency requirements. In order to encourage full use of new bus services from the outset, planning obligations may require developers, for instance, to provide public transport information packs and free bus passes, typically for one year, to new residents.

4 RIGHTS OF WAY

- 4.1 Any works for diversion or stopping up of Rights of Way which are necessary as a result of development will be dealt with either under the Town and Country Planning Act, sections 257, 258 or 261, or under the Highways Act. Contributions towards improvements to existing Rights of Way may be obtained through planning obligations.
- 4.2 Public Rights of Way are classified as footpaths, bridleways, restricted byways or byways open to all traffic and their alignment is recorded on a legal document, known as the Definitive Map. A route may also have a recorded width, as described in the accompanying Definitive Statement. It may be necessary in some cases to upgrade footpath routes to accommodate equestrian and cyclist use. Developments should also take account of any claims submitted to the county council, in its capacity as surveying authority.
- 4.3 Improvements to the existing network required as a result of development may also necessitate provision of new routes linking existing Rights of Way. The measures for improvement in each case will be determined in relation to the scale of development and securing opportunities for modal shift as well as ensuring an appropriate access strategy to strategic facilities including green infrastructure.
- 4.4 Planning obligations may be required for off-site improvements to Public Rights of Way and cycle routes and for management measures for a defined period of time. Contributions will cover the cost of carrying out works as well as legal costs for any required Public Path Orders. Improvements to Rights of Way will be integrated with the overall package of sustainable transport measures.

5 TRAVEL PLANS

- 5.1 Travel Plans are becoming an increasingly important tool in the delivery of sustainable outcomes. They provide, together with transport assessments, the mechanism for assessing and managing access to sites. In addition, they can help improve accessibility, both to and from the site, and to local amenities and services.
- 5.2 [Planning Policy Guidance 13: Transport](#) (PPG13) states that a Travel Plan should be submitted alongside planning applications that are likely to have significant transport implications. Travel Plans are likely to be sought on applications for retail, leisure, business, employment, health, residential and educational development as appropriate. This includes applications for redevelopment, mixed use schemes, changes of use of buildings and applications to extend the duration of an existing planning permission. It may also be necessary for audits to be prepared covering road safety and provision for safety for motorbikes, pedestrians, and cycles.
- 5.3 The Council will generally seek Travel Plans for developments where they fall within the thresholds indicated in Appendix B of the Department for Transport's: [Guidance on Transport Assessment](#) (2007).
- 5.4 Travel Plans may be secured by condition or by financial contributions where their provisions relate to on-site and related off-site improvements or management measures. However, where these relate to off-site provisions, or are linked with other Travel Plans in the area, then it is likely that a Planning Obligation may be required, in order to ensure effective enforcement of the plan. A standard form of Travel Plan is available in Appendix 1 at the end of this topic paper.
- 5.5 Travel plans will contain targets for reducing single occupancy vehicles and include measures to show how targets will be reached and implemented over a five year period. Where development is phased, the Travel Plan may be required for the duration of the phased development with an additional five years after final occupation.

- 5.6 A Travel Plan Approval Fee may be requested to cover the costs of county council officer time to review and approve the Travel Plan. This may be required as an upfront fee and may be in the region of £500 but this will be determined on a case by case basis.
- 5.7 A Travel Plan Monitoring and Support Fee may be required to cover the cost of the county council's time spent providing monitoring and support. The fee may also be used to cover the cost of the council evaluating travel plan progress reports and survey results.
- 5.8 The thresholds on which fees are based and a schedule of charges for residential land use are listed in Table 1 below. Any fees will need to be justified and be CIL compliant.

Size of development	Annual monitoring and support fee	Cost of five year annual reporting
Small Development	£1,000 per annum	£5,000
Residential development – up to 79 dwellings		
Large Development	£2,000 per annum	£10,000
Residential development – 80 dwellings and above		
Large Development mixed	£3,000 per annum	£15,000
Large development – 80 dwellings and above with a mixed use element including retail		

Table 1. Fees and charges for residential development

- 5.9 For some development, a Travel Plan Implementation Bond may be required as part of a planning obligation. The Travel Plan Implementation Bond acts as surety against failure by the developer to implement the Travel Plan. The bond is based on the cost of implementing the Travel Plan, which is to be calculated by the developer. The timescale on which the bond is based covers a five year period, but can vary depending on phasing of the development. Where bonds are secured, the Travel Plan will be monitored annually, with one fifth of the bond (depending on development phase) released back to the developer if the Travel Plan is successfully implemented. If the developer fails to implement the Travel Plan then Suffolk County Council will use the bond to deliver the Travel Plan measures.
- 5.10 For large development (see Appendix B of the Department for Transport's: [Guidance on Transport Assessment](#) (2007) or development located in existing areas where there are transport problems a Travel Plan Target Bond may be required in addition to the implementation bond. An annual target to reduce vehicle use and increase sustainable transport will be agreed between the developer and the county council. If annual monitoring shows that targets have not been met, part of the bond will be called upon by the county council to address the situation. If targets are partially met then a percentage may be deducted from the bond and provided back to the developer, with the rest being used to tackle unmet areas. The Travel Plan Target Bond may be secured through a planning obligation.
- 5.11 A car share contribution may be requested to support the running and promotion costs of Suffolk Car Share. The cost is based on £5 per dwelling/ employee depending on the type of development. The fee includes use of the website, provision of promotional literature and support. This contribution may be required through a planning obligation.

Topic Paper 6 Appendix 1

Standard Travel Plan Template

Travel Plan

Definitions:

Final Report	A report prepared by the Developer, detailing the outcome of the Mode of Travel Survey; evaluation of the Framework or Full Travel Plan's progress and any outstanding issues; and any proposed changes as a result of the Mode of Travel Survey findings
Framework Travel Plan	The Travel Plan submitted to the county council by the Developer for approval by the Travel Plan Coordinator in writing
Full Travel Plan	The Framework Travel Plan amended as a result of Mode of Travel Surveys, modified targets and additional information, issued 12 months after the date of first Occupation of the Development submitted to the county council by the Developer and approved by the county council Travel Plan Coordinator in writing
Mode of Travel Survey	A survey conducted by the Developer of Development on residents, staff and visitors, approved by the Travel Plan Coordinator, regarding their current mode of travel and Travel Plan actions that would encourage use of sustainable transport conducted annually after the date of first Occupation of the Development
Monitoring Report	A report prepared by the Developer based on the results of a Mode of Travel Survey and the effectiveness of the travel plan in force at the time, and detailing the outcome of the Mode of Travel Survey; evaluation of the Current Travel Plan's progress; and any changes as a result of the Survey findings
Occupation Date	The date of first Occupation of any part of the Development
Surety	One of the four main clearing banks or other surety approved in writing by the county council Travel Plan Coordinator
Travel Plan Bond	The performance bond of £XXXXXX (XXXXXXXX IN WORDS) with the Surety towards the implementation of and compliance with the Framework Travel Plan and Full Travel Plan. If the Developer defaults on any obligation then County Council will call upon the Surety to provide the full value of the Bond to carry out the requirements of the Framework or Full Travel Plan
Site Travel Plan Coordinator	The person appointed by the Developer to implement and monitor the Framework and Full Travel Plan
Travel Plan Coordinator	The person employed by Suffolk County Council to monitor and support the Framework and Full Travel Plan
Travel Plan Notice	A notice in writing served on the Developer specifying the steps required within 28 days to implement the Framework and Full Travel Plan measures and monitoring requirements
Travel Plan Monitoring Fee	The sum of £XXXXXX (XXXXXX IN WORDS) pounds) Index Linked towards the cost of monitoring the Framework and Full Travel Plan by The county council
Travel Plan Update	An update to the Full Travel Plan based on the relevant Mode of Travel Survey and on information gathered during the first three years of Occupation of the Development, prepared in consultation with the county council submitted to and approved by the Travel Plan Coordinator

1. Travel Plan Coordinator

- 1.1 The Developer shall ensure that a named Site Travel Plan Co-ordinator is appointed for a minimum of five years to coordinate, implement and review the Framework and Full Travel Plans. The appointment must take place six months before Completion of the Development. The Site Travel Plan Coordinator's contact details must be registered with the Travel Plan Coordinator and contained within the Framework and Full Travel Plan.

2. Developer obligations

The Developer shall;

- 2.1 Provide a 'starter information pack' to residents/employees, to include – one set of 7 day bus tickets (dependent on service provision) for every resident; current public transport information for bus and rail services, where available, such public transport information to include maps and timetables; and provision of maps of pedestrian and cycle routes in the local area
- 2.2 Provide one covered notice board, where it is accessible to all residents/employees. This notice board to display posters with current public transport information for bus and rail services, and provide maps of pedestrian and cycle routes in the local area; and sustainable transport leaflets.
- 2.3 Not commence development before the Framework Travel Plan has been approved in writing by the Travel Plan Coordinator.
- 2.4 Implement, monitor and enforce the Framework and Full Travel Plan in accordance with the written approval of the Travel Plan Coordinator.

3. Travel Plan timetable

The Developer shall;

- 3.2 Submit a draft Framework Travel Plan and obtain the written approval of the Travel Plan Coordinator prior to commencement of Development.
- 3.3 Implement, monitor and enforce the Framework Travel Plan from the Occupation Date, and to continue to do so until written approval by the Travel Plan Coordinator of the Full Travel Plan.

- 3.4 Conduct the Mode of Travel Survey (hereinafter “the First Mode of Travel Survey”) in the three months prior to the first anniversary of the Occupation Date.
- 3.5 Compile a Monitoring Report based on the First Mode of Travel Survey (hereinafter called “the First Monitoring Report”).
- 3.6 Provide the First Monitoring Report and the full results of the First Mode of Travel Survey to the Travel Plan Coordinator no less than one month prior to the first anniversary of the Occupation Date.
- 3.7 Prepare a draft Full Travel Plan taking into account the results of the First Mode of Travel Survey and the First Monitoring Report, and submit the draft Full Travel Plan to the Travel Plan Coordinator prior to the first anniversary of the Occupation Date.
- 3.8 On written approval of the Travel Plan Coordinator of the Full Travel Plan, implement, monitor and enforce the Full Travel Plan, and continue to do so until the written approval by the Travel Plan Coordinator of the Travel Plan Update.
- 3.9 Conduct a Mode of Travel Survey (hereinafter called “the Second Mode of Travel Survey”) in the three months prior to the third anniversary of the Occupation Date.
- 3.10 Compile a Monitoring Report based on the Second Mode of Travel Survey (hereinafter called “the Second Monitoring Report”).
- 3.11 Provide the Second Monitoring Report and the full results of the Second Mode of Travel Survey to the Travel Plan Coordinator no less than one month prior to the third anniversary of the Occupation Date.
- 3.12 Prepare a draft Travel Plan Update taking into account the results of the Second Mode of Travel Survey and the Second Monitoring Report, and submit the same to the Travel Plan Coordinator prior to the third anniversary of the Occupation Date.
- 3.13 On written approval of the Travel Plan Coordinator of the Travel Plan Update, implement, monitor and enforce the Full Travel Plan as amended by the Travel Plan Update.
- 3.14 Conduct the Mode of Travel Survey (hereinafter called “the Third Mode of Travel Survey”) in the three months prior to the fifth anniversary of the Occupation Date.
- 3.15 Compile a Monitoring Report based on the Third Mode of Travel Survey (hereinafter called “the Third Monitoring Report”)

3.16 Provide the Third Monitoring Report and the full results of the Third Mode of Travel Survey to the Travel Plan Coordinator no less than one month prior to the fifth anniversary of the Occupation Date.

3.17 Prepare the Final Report and submit the Final Report to the Travel Plan Coordinator.

4. Payment of contributions

The Developer shall;

4.1 Pay the Travel Plan Monitoring Fee to the county council prior to the first Occupation of the Development.

4.2 Not permit or allow Occupation of the Development prior to the payment of the Travel Plan Monitoring Fee.

4.3 Obtain and provide the Travel Plan Bond with a Surety to the county council.

4.4 Not allow Occupation of the Development until the Developer has obtained and provided the Travel Plan Bond with a Surety to the county council.

5. Breach

5.1 In the event that the Developer fails in the reasonable opinion of the county council perform the obligations and deliver the requirements of the Framework and Full Travel Plan the county council will serve a Travel Plan Notice on the Developer, specifying the actions required by the Developer.

5.2 After 28 days from the date of service of the Travel Plan Notice, if the Developer has failed in the reasonable opinion of the county council to comply with the requirements of the Travel Plan Notice, the county council may call in the Travel Plan Bond and carry out the requirements of the Framework or Full Travel Plan without further recourse to the Developer.

6. Obligations of the County Council

6.1 On approval by the Travel Plan Coordinator of the First Mode of Travel Survey, First Monitoring Report and Full Travel Plan, and provided that in the opinion of the Travel Plan Coordinator the Developer has fulfilled the requirements of the Framework Travel Plan the county council will reduce the Travel Plan Bond by one fifth of the original sum.

6.2 On approval by the Travel Plan Coordinator of the Second Mode of Travel Survey, Second Monitoring Report and Travel Plan Update, and provided that in the opinion of Travel Plan Coordinator the Developer has fulfilled the requirements of the Framework Travel Plan and Full Travel Plan, the county council will reduce the Travel Plan Bond by two fifths of the original sum.

6.3 On approval by the Travel Plan Coordinator of the Third Mode of Travel Survey, the Third Monitoring Report and the Final Report, and provided that in the opinion of Travel Plan Coordinator the Developer has fulfilled the requirements of the Full Travel Plan, the county council will release any part of the Travel Plan Bond still outstanding.

Topic Paper 8 – Libraries and Archives Infrastructure Provision

This document is one of the supporting topic papers of Suffolk's supplementary guidance "Section 106 Developers Guide to Infrastructure Contributions in Suffolk". It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards libraries and archives provision may be sought.

1 CALCULATION OF DEVELOPER CONTRIBUTIONS FOR LIBRARIES AND ARCHIVES

- 1.1 Local authorities have a duty under the 1964 Public Libraries and Museums Act to provide a comprehensive and efficient library service to all who live, work or study in the area.
- 1.2 SCC is tasked with maintaining adequate stocks of books, other printed materials, and audio visual stock and other material sufficient in number and range and quality to meet the general requirement and any special requirements of adults and children.
- 1.3 Public libraries are at the heart of communities. They provide free access to books and information services, and the internet, as well as opportunities for learning and leisure. Local authorities must ensure that their libraries meet national expectations, and provide the quality of service that people need, expect and will use. Public libraries are an important community resource and may be perceived as a valuable local facility.
- 1.4 The Department for Culture, Media and Sport (DCMS) previously published national standards for library provision and used to monitor Library Authorities' performance against the standards. Whilst these standards are no longer a statutory requirement, local authorities are encouraged to benchmark activities with each other. For example, these standards include the proportion of households living within 2 miles of a static library, number of new items added annually per 1,000 population and number of electronic workstations per 1,000 population. These national standards have been abolished but form the basis for Suffolk County Council's in-house standards.
- 1.5 The Museums, Libraries and Archives Council (MLA) was a non-departmental public body sponsored by the DCMS which promoted best practice in museums, libraries and archives, to inspire innovation, integrated and sustainable services for all. The MLA is due for abolition in October 2011, with library functions passing to the Arts Council.
- 1.6 The MLA is committed to helping planners, developers and cultural professionals plan appropriate cultural infrastructure as part of regeneration and new development. Integral to this is 'Public Libraries, archives and new development: a standard charge approach (May 2010)'. This sets out an approach for calculating and securing developer contributions as part of Section 106 agreements and for future application under the Community Infrastructure Levy. The financial charge for the developers is based on a national benchmark charge for each person expected in a new housing development. The charges are based upon average cost and space benchmarks for library, archive and museum provision, supported by extensive survey work.
- 1.7 The two main parameters of a standard charge for public libraries are:
 - A **space standard**. MLA recommends a figure of 30 square metres per 1,000 population as a benchmark for local authorities, and

- A **construction and initial fit out cost**; taking the authoritative RICS (Royal Institution of Chartered Surveyors) Building Cost Information Service data, the national average, and currently recommended benchmark figure, is £3,514 per square metre.
- 1.8 A calculation using the national benchmark figure above suggests a cost of £105,420 (30 x £3,514) per 1,000 people, or £105 (rounded) per person in new housing. These figures do not include any land purchase costs or VAT.
- 1.9 Regionally adjusted standard charge figures for public libraries for East Anglia suggests a construction and initial fit out cost of £3,233 per square metre and £97 per person in new housing.
- 1.10 In Suffolk we currently use a construction and initial fit out cost of £3,000 per square metre, which suggests a cost of £90,000 (30 x £3,000) per 1,000 people, or £90 per person in new housing. This is £7 per person below the suggested regionally adjusted standard charge figures set out in the paragraph above.
- 1.11 Local authorities seek to ensure that their libraries meet national standards and expectations, and provide the quality of service that people need, expect and will use.
- 1.12 For development proposals (taken in isolation or colocated) that may generate a population of around 5,000 people, an assessment of whether a new static service point will be made. Similarly new communities with a population of around 2,000 people should be assessed for a static service point in some form. In cases of major planned developments it may be considered appropriate to provide new library facilities on site. In these instances, the transfer of land and/or a financial contribution towards the construction cost (or, alternatively the provision of a building on the site) will be considered.
- 1.13 However, SCC is very mindful of the revenue implications of new buildings and therefore seeks to make best use of existing service points to serve new communities.
- 1.14 The Suffolk Record Office is inspected and approved by The National Archive under the Public Records Act 1958 as a place for local records to be deposited with proper security and environmental measures to preserve them. They come from a wide range of sources from councils and churches to schools, hospitals, businesses, estates and individuals dating back from the 12th century. The material all relates to the history of Suffolk and can be in any format from maps and plans to newspapers, parchment or microfilm. It is all made available to anyone who needs to see it in the public search rooms in the three offices. The collections continue to grow each year as new items are added, with new development increasing pressure on space.
- 1.15 Developer contributions calculated in accordance with the above methodology will be requested where existing facilities are unsuitable to cater for increased use arising from a planned development. The contributions will be used either to fund improvements to existing facilities, or to fund the provision of new facilities.
- 1.16 Contributions may be pooled from a number of developments in order to realise these objectives.
- 1.17 In many instances, socio-economic impact assessments - to inform policy and decision makers about the potential benefits, as well as the probable adverse impacts - will be required to be undertaken to inform final heads of terms.

Topic Paper 9 – Police Infrastructure Provision

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk Constabulary will deal with planning applications where the provision of and contributions towards police infrastructure may be sought.

1 POLICE INFRASTRUCTURE – CAPITAL PROVISION, CAPITAL FUNDING AND FINANCIAL CONTRIBUTIONS

- 1.1 The Crime and Disorder Act 1998 (Section 17) places a duty on local authorities to reduce crime and disorder within the community, and it is therefore necessary to ensure that adequate mitigation measures are brought forward to achieve safe and cohesive communities within new developments.
- 1.2 The housing and employment growth requirements previously proposed for the East of England in the Regional Spatial Strategy would have been a further 48,000 dwellings and 53,000 jobs to be provided in Suffolk up until 2021. Growth of this scale would have a major impact on Suffolk Constabulary’s ability to provide effective police resourcing across the County, to discharge its duties under the above Act and to build safe and cohesive communities.
- 1.3 The levels of growth that may occur in Suffolk could give rise to an increased incidence of crime necessitating additional police infrastructure, resources and funding. There would be a requirement for both physical infrastructure provision (e.g. sites / premises/floor space and parking facilities), and/or related funding, and where appropriate revenue funding for police facilities, which may comprise:
 - 1.3.1 Additional or enhanced police station floor space and facilities including fit out and refurbishment, and related transport facilities.
 - 1.3.2 Custody facilities.
 - 1.3.3 Mobile Police Stations.
 - 1.3.4 Communications, including ICT.
 - 1.3.5 Funding for additional staff resources such as Police Community Support Officers and equipment.

2 PUBLIC SECTOR FUNDING APPROACH

- 2.1 Suffolk Police are revenue funded by a mixture of central government and local government funding. The main funding stream for the Police Authority is based on the government’s revenue and capital settlement, which uses a formula to calculate the grants awarded to Police Authorities. It is broken into four components: i) relative needs, ii) relative resources, iii) a central allocation, and iv) ‘damping’ funding formulae. The population numbers are derived from census information and projections made by the Office of National Statistics (ONS).

- 2.2 Infrastructure and/or developer contributions may therefore be sought from new development to provide for the additional police infrastructure to ensure that strong, cohesive and safe communities are created and maintained, and sustainable development is delivered. Fundamentally the promotion of good design and layout is an effective way of addressing crime issues in new developments. Good designs and layouts make crimes more difficult to commit, increase the likelihood of detection of criminal activity and improve public perceptions of safety.

Topic Paper 10 – Supported Housing Provision

This document is one of the supporting topic papers of Suffolk’s supplementary guidance “Section 106 Developers Guide to Infrastructure Contributions in Suffolk”. It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards supported housing provision may be sought.

1 OLDER PEOPLE

- 1.1 The number of frail elderly people requiring supported housing will increase significantly over the next decade. This is particularly true for people with dementia where the anticipated number of older people with dementia will increase substantially and will offer particular challenges to support people remaining in their own home for as long as possible. It is essential that the planning process takes full account of the changes to the age profile of Suffolk and allocates appropriate high quality housing for older people through the Section 106 process.
- 1.2 Current key demographics:
 - 1.2.1 715,000 people live in Suffolk.
 - 1.2.2 20% are aged over 65 (144,000 people).
 - 1.2.3 9.5% of them are aged over 75 (69,000 people).
 - 1.2.4 Today 10,000 people in Suffolk aged 65+ live with dementia.
- 1.3 From today’s level, it is estimated that:
 - 1.3.1 By 2015 the number of people aged over 65 will have increased to 170,000 rising to 190,000 by 2025 – an increase of 30%.
 - 1.3.2 By 2015 the number of people aged over 75 will have increased to 79,000 rising to 93,000 by 2020 - an increase of 30%.
 - 1.3.3 By 2015 the number of people with dementia will have increased to 12,000 rising to 14,000 by 2020 – an increase of 40%.

2 OTHER CUSTOMER GROUPS

- 2.1 In addition to older people, supported housing is also required to meet the current shortfalls other vulnerable customer groups which include (but not limited to) women fleeing domestic violence, people with learning disabilities and young people at risk from alcohol misuse etc.

3 INVESTMENT PRIORITIES

- 3.1 The Suffolk Flexicare programme will support proposals to the Section 106 process by working in partnership with colleagues across the public sector and with local communities to provide planners and developers with robust data and jointly developed asset management plans to prioritise investment decisions and service needs. The review of the county council’s residential homes estate and the requirements for many local authorities to review their sheltered accommodation offers opportunities to support new developments through land swaps and potentially pump priming initiatives.

- 3.2 Section 106 agreements may be required to consider and pilot lifetime homes that allow the public to make lifestyle choices that take into account their possible future needs and to therefore remain in their home and not move to costly residential accommodation later in life.

Topic Paper 11 – Waste Infrastructure Facilities

This document is one of the supporting topic papers of Suffolk's supplementary guidance "Section 106 Developers Guide to Infrastructure Contributions in Suffolk". It is intended as a guide for landowners, developers and residents and sets out how Suffolk County Council will deal with planning applications where contributions towards waste infrastructure facilities may be sought.

1 BACKGROUND

- 1.1 The county council, as Waste Disposal Authority, is pursuing a strategy of reducing reliance on landfill and moving towards alternative methods of disposal, but with the emphasis on waste minimisation and recycling. In terms of the disposal of municipal residual waste the county council will have Energy from Waste (EfW) facility serving Suffolk from December 2014. At present, around 37% of municipal waste goes to landfill. In order to meet targets for reducing the land filling of biodegradable municipal waste under Article 5(2) of the EC Landfill Directive, the EfW facility will assist. However an important part of this overall strategy is encouraging residents to minimise and recycle waste arisings to reduce the need for collection and disposal.
- 1.2 New development places additional pressure on the waste service (for both the waste collection authorities and the waste disposal authority), which needs to be considered and addressed when planning applications are determined.
- 1.3 The provisions of strategically located household waste sites, helps to encourage residents to recycle waste i.e. Household Waste Recycling Centres (HWRCs).

2 STANDARD CONTRIBUTION

- 2.1 A standard developer contribution, dependent on local need, towards waste disposal facilities has been calculated on a county-wide basis, using the assumptions below.
- 2.2 There are currently 11 existing HWRCs which serve the total population of Suffolk (325,000 households). Each HWRC serves an average of 29,550 households. A new HWRC costs in the region of £1.5m to construct (not including the land purchase costs), therefore £1.5m for 29,550 households is equivalent to £51 per household for HWRC improvement, expansion or new provision.
- 2.3 Recent experience in Suffolk that required the purchase of a plot of land for an HWRC involved the sum of £1.25m for land purchase alone. It is estimated that land in the Ipswich/Bury St Edmunds area of the county will cost in the region of £400,000 per acre and that in the north of the county will be in the region of £200,000 per acre.
- 2.4 A 'Standard' site size for an HWRC will be in the region of 110m x 61m (6,710 m²) with construction costs of £1.5m to include preliminary site investigation works, site works, drainage, external services, and minor building works. If the site is to be covered an additional £120,000 would be required.
- 2.5 These costs exclude other variables such as legal fees, licensing fees, other charges e.g. planning, highways, and any costs associated with dealing with other land users, maintenance agreements, boundary works, extras such as weighbridges etc.

- 2.6 The Energy from Waste (EfW) plant will be processing (from 2014) about 250,000 tonnes of residual waste. To support the EfW facility a network of four waste transfer stations will be required, with land purchase each having an estimated capital cost of £12m (total £48m). Based on 325,000 households, the average capital share per household for the waste transfer stations project would be £148.

3 USE OF PLANNING CONDITIONS

- 3.1 For most new development it may be more appropriate to use planning conditions to reduce waste through on-site measures such as providing composting and recycling facilities.