LONDON BOROUGH OF SUTTON

Draft Supplementary Planning Document (SPD)

Planning Obligations
content

SPD PLANNING OBLIGATIONS

1 Introduction 3
2 What is a Planning Obligation? 4
3 When will the Council seek a Planning Obligation? 7
4 What types of obligations will be sought? 9
5 Process of Negotiating and Securing Planning Obligations 12
6 Open Environment 17
7 Built Environment 24
8 Housing 30
9 Community and Leisure Facilities 33
10 Town Centres and Shopping 43
11 Employment 46
12 Transport 50
13 Pollution and Natural Resources 57
14 Proposed Schemes 63

Appendix One – Formulae 68
Appendix Two – Quick Reference Summary of Types of Obligations and Qualifying Developments 76
1 Introduction

1.1 This draft Supplementary Planning Document outlines the London Borough of Sutton’s policies and procedures in respect of planning obligations. The draft Supplementary Planning Document and a sustainability appraisal will be subject to a period of consultation in accordance with the draft Statement of Community Involvement. Subsequently, a report will be prepared summarising the main issues raised during consultation, and how they are addressed in the document. The Council may make changes as appropriate and then adopt the document. The Secretary of State can direct authorities not to adopt documents and can require them to be modified.

1.2 This document, once adopted, will form part of the Local Development Framework. Whilst Supplementary Planning Documents do not have the same legal weight as Development Plan Documents, they can be used to expand policy or provide further detail to development plan policies and are a material consideration in the assessment of planning applications.

1.3 The policy basis for seeking section 106 obligations is set out in the Sutton Unitary Development Plan 2003. The SPD sets out the procedures for the use of planning obligations, in what instances they will be sought, how obligations will be calculated, and how monies will be spent. The specific topic areas are:

1. Open environment
2. Built environment
3. Housing
4. Community and Leisure Facilities
5. Town centres and Shopping
6. Employment
7. Transport
8. Pollution and Natural Resources

1.4 The intention of this guidance is to provide developers, the community, and the Council with a transparent, fair and predictable basis for negotiating contributions. Where planning obligations are sought they will be used to assist in achieving the primary aim and strategic objectives and policies of the Unitary Development Plan and where appropriate to further the strategic aims of the Sutton Partnership Draft Community Strategy 2005-2008 and Sutton Council’s Corporate Action Plan 2004-2005.
2 What is a planning obligation?

2.1 Planning obligations, also known as section 106 agreements, are legal agreements negotiated between local planning authorities and developers, or unilateral undertakings made by developers, usually in the context of the grant of planning permission. They provide a means of ensuring that the proposed development contributes to the creation of sustainable communities, and to secure works, meet costs, provide benefits or impose restrictions in connection with a development to enable it to become acceptable in planning terms. A local planning authority considers planning applications on their merits, and makes a decision based on whether the application accords with the development plan, unless material considerations indicate otherwise. Where an application does not meet the requirements, it may be refused. However there are instances where the imposition of planning conditions or planning obligations can make a development acceptable in planning terms.

Planning obligations may be development specific, relating to works which must take place in order for the development to proceed, or may relate to strategic objectives of national planning guidance and local planning policy, which are necessary and relevant to the proposal and which are required in order to make the development acceptable in planning terms.

Legislative and National Guidance

2.2 The legal basis for planning obligations is provided by section 106 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991). Government advice on the application and use of planning obligations is set out in Circular 05/05 ‘Planning Obligations’. Circular 05/05 sets out policy tests for planning obligations such that they must be:

(i) Relevant to planning;
(ii) Necessary to make the proposed development acceptable in planning terms;
(iii) Directly related to the proposed development;
(iv) Fairly and reasonably related in scale and kind to the proposed development and;
(v) Reasonable in all other respects.

2.3 The principles for the use of planning obligations are summarised as follows. These principles will be fundamental to the Council’s approach to planning obligations.
• Planning obligations are to be utilised to ensure the development accords with local, regional and national planning policies;

• The procedures are to be operated in accordance with the fundamental principle that planning permission may not be bought or sold;

• A planning obligation shall only be sought when it is material to the planning decision on a proposal and where a particular planning obligation is required to make a development proposal acceptable;

• A planning obligation shall not be used solely to resolve existing deficiencies or lack of capacity in existing facilities, services or infrastructures, or to secure contributions to the achievement of wider planning objectives that are not necessary to allow consent to be given for a particular development

• Development which is acceptable in planning terms should not be refused because an applicant is unwilling or unable to offer benefits. Similarly, unacceptable development will not be permitted because of benefits offered by the applicant which exceed what is necessary to make a proposal acceptable;

• Planning obligations sought shall be commensurate with the scale and nature of the proposal.

2.4 Where there is a choice to make a development acceptable through a planning condition or a planning obligation, the imposition of a condition is preferable because this enables a developer to appeal to the Secretary of State regarding the imposition of the condition. The right of appeal concerning a planning obligation only applies where a planning application has been refused in consequence of a developer failing to provide a planning obligation, or where a request made (after five years) to modify an existing planning obligation has been refused.

**London Plan 2004**

2.5 The London Plan forms the Spatial Development Strategy for London. The London Plan policy 6A.4 sets out the Mayor’s priorities for planning obligations, which reflect the policies of the London Plan, with affordable housing and public transport improvements listed as generally of greatest importance, followed by learning and skills, health facilities and services, and childcare provisions.

2.6 Additionally, the London Plan advises that negotiations should seek a contribution towards the full cost of all such provision that is fairly and
reasonably related in scale and in kind to the proposed development and its impact on the wider area, and whether a development makes appropriate provision for requirements that are made necessary by, and are related to, the proposed development will be a material consideration.

**London Borough of Sutton Adopted Unitary Development Plan 2003**

2.7 Policy IMP1 of the London Borough of Sutton Adopted Unitary Development Plan (2003) advises that where appropriate, the Council will seek to secure planning obligations or unilateral undertakings from developers to provide community benefits. Prior to the adoption of the relevant Development Plan Documents, the applicable policies within the Sutton Unitary Development Plan will inform decisions as to what planning obligations may be appropriate for a development.

2.8 Detailed examples of the types of community benefits that may be secured through the use of planning obligations are set out in Appendix 9, Schedule 9.1 of the Unitary Development Plan.

2.9 Planning obligations will be sought in line with the relevant policies from the Unitary Development Plan. Reference should also be made to other Supplementary Planning Documents, Area Action Plans, and Planning Briefs where applicable.

**Sutton Partnership Community Strategy 2005-2008**

2.10 The Sutton Partnership is the Borough’s Local Strategic Partnership (LSP) and the Community Strategy 2005-2008 sets out the Partnership’s priorities for improving quality of life in the Borough.

2.11 The Community Strategy aims to boost economic growth and improve the overall quality of life for people in Sutton, and sets out priorities for developing strong and active communities, encouraging enterprise and employment, creating safer communities, improving health and wellbeing, investing in children and young people, improving housing, developing a cleaner and greener environment, and valuing Sutton’s older people.

2.12 Planning obligations are seen as a significant tool in implementing the goals of the Community Strategy.

**Sutton Council’s Corporate Action Plan**

2.13 The Annual Report sets out the Corporate Goals and Action Plan. The Corporate Goals are to promote environmental sustainability, promote social inclusion, promote economic and community well being, promote
lifelong learning, and to promote a prudent and well-managed Council. As appropriate planning obligations will be sought to support the Corporate Goals of the Council.

3 When will we seek a planning obligation?

The Council’s Priorities

3.1 Planning obligations will be sought to support the implementation of the primary aim and strategic objectives and policies of the Unitary Development Plan and where appropriate to further the strategic aims of the Sutton Partnership Community Strategy 2005-2008 and Sutton Council’s Corporate Action Plan.

3.2 The primary aim of the Unitary Development Plan is to “contribute towards a sustainable pattern of development within the Borough which improves the quality of life for local people by enhancing environmental quality, promoting regeneration and economic vitality, conserving cultural and natural resources and reducing travel needs while ensuring equality of opportunity and access to open space, housing, community facilities, employment, shopping and transport”.

3.3 Development specific works, such as highways works, safety and security measures, and infrastructural requirements, are an integral part of a development scheme and are normally required to be implemented as part of the development scheme. Where necessary, a section 106 agreement will be utilised to ensure that these development specific works are undertaken satisfactorily. In addition, it will often be necessary for a development to contribute towards the necessary strategic infrastructure and facilities required in order to contribute to achieving the strategic objectives of the Council.

3.4 The full range of suggested priorities for obligations is set out under separate topic headings in subsequent sections within this document. In accordance with the priorities in the London Plan affordable housing and public transport improvements should generally be given the highest importance with priority also given to learning and skills, health facilities and services, and childcare provisions. In line with the primary aim and strategic objectives and relevant policies from the UDP, other priorities for seeking planning obligations will be for physical infrastructural needs, education facilities, open space provision, environmental improvements, economic development, and strategic safety and security measures.
3.5 Section 14 of this document sets out strategic schemes toward which contributions may be pooled. The schemes primarily provide or improve facilities to cater for increased usage and needs arising from residents or users of new developments in order to achieve the overall aims and objectives of the Council as set out in the UDP, Community Strategy and Corporate Action Plan. Additionally, smaller schemes may be appropriately funded in full by a particular development. Potential benefits and schemes that may be sought are identified within each of the topic-based chapters of this document.

Qualifying Developments

3.6 The exact type and range of planning obligations, which may be sought for an individual site, will depend upon the particular circumstances and development proposed, and its impact upon the local environment, local services and facilities.

3.7 Whether or not planning obligations will be sought will be linked to the scale and type of development. Throughout this document, the thresholds for types of planning obligations are listed under the heading of ‘Qualifying Developments’ in each section. Development is taken to include new development, redevelopment, and changes of use. Consideration will be given to the existing use on the site in terms of the additional impact of the new development over and above the existing site usage.

3.8 Where, in the following sections of this document, the term ‘major development’ is used to describe a threshold, this refers to the definition of major development in the Town and Country Planning (General Development Procedure) Order 1995 which is as follows:

- the winning and working of minerals or the use of land for mineral-working deposits;
- waste development;
- the provision of dwellinghouses where the number of dwellinghouses to be provided is 10 or more or the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development will have more than 10 dwellinghouses.
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- development carried out on a site having an area of 1 hectare or more.

3.9 However, there will be cases where planning obligations will need to be sought for developments above or below this threshold, and this is indicated in the relevant sections of this document. Where the term
‘gross floor area’ is used, this is defined in the UDP as “the sum of the gross external measurement of all floor areas within a building”.

3.10 Where development sites are subdivided or developed in phases to ensure that separate development proposals fall below thresholds for which obligations may be sought the Council will, as far as is practical and reasonable, consider sites in their totality.

3.11 In some cases, where outline permission is applied for, it will not be clear whether the thresholds will be exceeded. In these cases obligations may be negotiated on the presumption that the site exceeds the relevant threshold, however conditions and legal agreements will be worded to allow an alternative approach if the threshold is not met.

4 What types of obligations will be sought?

4.1 This document sets out the types of obligations, and the thresholds for the size and type of developments from which such obligations will be sought. The obligations are sought under a number of broad topic areas in line with the UDP. The obligations set out in this document are not exhaustive, and the local authority may wish to negotiate other obligations where they are relevant and necessary to a particular development. It must be emphasized that planning obligations cannot be used to ‘make a bad application good’. If an application is unacceptable in planning terms, the offer of planning obligations will not mean that planning permission will be granted.

4.2 There are three main ways in which planning obligations may be utilised to ensure that proposed developments are acceptable in planning terms and made to accord with published local, regional or national planning policies:

- **To prescribe the nature of a development;**
  Planning obligations will be used to secure the implementation of a planning policy to make acceptable a development proposal that would otherwise be unacceptable in planning terms.

- **To secure a contribution from a developer to compensate for the loss or damage created by the development;**
  Planning obligations will be used where a proposed development would, if implemented, create a need for a particular facility that is relevant to planning but cannot be required through the use of planning conditions.
• To mitigate a development’s impact on the locality;
Planning obligations will be used, when appropriate, to offset through substitution, replacement or regeneration, the loss of, or damage to, a feature or resource present or nearby.

Standard Charges

4.3 The government, though Circular 05/05, encourages the use of standard charges and formulae to calculate financial contributions, where appropriate and where utilised consistently. The use of standard charges can give greater certainty to developers and increase the speed of negotiations.

4.4 There will continue to be a presumption in favour of the on-site provision of benefits sought by planning obligations and the Council will normally expect the developer to carry out the works. However, where it is not possible or practical to provide these benefits on-site, or where a development is required to contribute towards strategic infrastructure or facilities, a financial contribution will be sought towards the provision of these benefits off-site. The SPD sets out how contributions will be calculated in the relevant sections of this document. The Council will adopt a consistent approach to the application of standard charges in order to ensure fairness, predictability and transparency. In all cases, Sutton Council as the local planning authority reserves the right to enter into negotiations specific to part or all of a proposed development should this be appropriate. Negotiated planning obligations will normally continue to be required for large and complex developments. In such cases, the standard charges may act as a starting point for negotiations.

4.5 It has been a common practice that where spare infrastructure capacity exists, for example where there is spare capacity on an existing highway, that developers are not required to make contributions to expanding infrastructure until that spare capacity is taken up. The ODPM’s survey of current practice (‘Reforming Planning Obligations – the Use of Standard Charges’, November 2004) makes it clear that this is not a valid way to treat spare capacity. It is inequitable to allow some developers to essentially be ‘gifted’ spare capacity, whilst others are required to pay for the full cost of infrastructure provision. It is more consistent, transparent and fair to require all developers to make a contribution based on the scale and nature of the development, whether or not there is spare capacity in existing infrastructure or facilities. The Council will adopt this approach, in order to ensure that the negotiation of planning obligations is consistent and fair to all developers, and will continue to take into account any relevant circumstances in each case to ensure that any negotiations for s106 obligations comply with Circular 05/05.
Pooling of Funds

4.6 As set out in Circular 05/05, where the combined impact of a number of developments creates the need for infrastructure or facilities, associated developers’ contributions can be pooled, in order to allow the required infrastructure to be secured in a fair and equitable way. In some cases, individual developments will have some impact but not sufficient to justify the need for a discrete piece of infrastructure, and local planning authorities may wish to consider whether it is appropriate to seek contributions to specific future provision. The Circular makes it clear that, in these cases, any spare capacity in existing infrastructure should not be credited to developers. Similarly, where an item of infrastructure necessitated by the cumulative impact of a series of developments is provided by a local authority or other body before all the developments have come forward, the later developers may still be required to contribute the relevant proportion of the costs.

4.7 In cases where a financial contribution is sought towards off-site provision, and where funds are to be pooled, Section 14 of this document sets out a list of schemes towards which funds may be put, where such works are relevant and necessary to the particular development. The implementation of the schemes in Section 14 would contribute towards the strategic aims of the UDP, the Community Strategy and the Corporate Action Plan, and would lessen the impact (or enhance the benefits) of new developments in the area and help integrate the developments into the local community. Some schemes are Borough-wide whilst others are local.

4.8 In accordance with Circular 05/05, in the event that contributions are made towards specific infrastructure provision but the infrastructure is not provided within an agreed timeframe, arrangements will be made for contributions to be returned to developers as set out in section 5.13 ‘Use and Monitoring’.

Maintenance

4.9 Circular 05/05 provides little scope for seeking revenue or maintenance payments. The Circular advises that where contributions are secured through planning obligations towards the provision of facilities that are predominantly for the benefit of the users of the associated development, it may be appropriate for the developer to make provision for their subsequent maintenance. As a general rule, where an asset is intended for wider public use, the costs of subsequent maintenance and other recurrent expenditure associated with the developer’s contributions should normally be borne by the body or authority in which the asset is to be
vested. Initial support (pump priming) of new facilities can be sought where necessary, however payments should be time-limited and not be required in perpetuity by planning obligations. The Council will seek maintenance payments where necessary and appropriate for ‘pump priming’, and for facilities which are primarily intended for the use of residents of a development or for local use, in line with the latest government guidance. Maintenance payments will not be sought for facilities which are intended to serve the wider public.

5 Process of Negotiating and Securing Planning Obligations

5.1 The document seeks to ensure that the negotiation process is conducted with fairness and consistency and it is intended that the document be used as a solid starting point in the negotiation process. Clarifying the use of planning obligations provides an indication of what the Council may expect from developers and therefore a better framework for discussion.

5.2 It is necessary to complete whole application process within the required 8 or 13-week timeframe set by the Government (13 weeks for major applications). Circular 05/05 emphasises the importance of ensuring that the negotiation of planning obligations does not unnecessarily delay the planning process, thereby holding up development. In cases where a legal agreement is required, planning permission is not issued until the legal agreement has been completed. The applicant will be informed of the target date for determination of the application in the acknowledgement letter received upon registration of the application. In cases where an application is to be recommended for approval subject to a legal agreement, it will be expected that the legal agreement will be completed at least 2 days prior to the application expiry date. This can only happen if the applicant is able to supply the necessary information with the application and will be immeasurably assisted by the applicant or agent undertaking pre-application discussions with the Council before submission of the application.

5.3 It is therefore important that developers enter into discussions regarding planning obligation requirements with Council officers as soon as possible, preferably during the pre-application stage. The nature of planning obligations that are likely to be required for a particular development will be made known to the developer as early as possible in the planning process. These early discussions help to ensure that formal applications can be dealt with in a more certain and speedy manner and the quality of decisions can be better assured.
5.4 In the cases where section 106 requirements are known, developers are invited to submit executed unilateral planning obligations as part of their planning application. Where a unilateral obligation is not appropriate, developers are encouraged to submit a draft s106 agreement with their planning application, using the standard legal agreements that have been prepared by the Council. Copies of standard legal agreements are available from the Council’s Planning department, and from the Council’s website (www.sutton.gov.uk). Unilateral planning obligations should contain terms that reflect those to be found in the standard legal agreements. It should be noted that the standard form of legal agreements may be amended by the Council as necessary to reflect particular circumstances.

5.5 If an planning agreement or unilateral obligation is not complete or substantially complete when the application is presented for decision this will be a factor in the recommendation that is made.

Costs

5.6 The Council will expect its reasonable costs in drawing up, administering and monitoring the agreement to be met by the developer. The Council will use its best endeavours to specify these costs at the earliest possible opportunity in the application process. Where valuation advice is required in order to assess the application, or in cases where a developer has raised concerns about viability of a development, the Council will expect all reasonable costs of valuation advice to be met by the developer. Where other professional advice is required, for example environmental, traffic, or ecological advice, the Council may seek its reasonable costs in seeking such advice to be met by the developer.

5.7 For all agreements over £10,000 the Council will impose an administration fee equivalent to 2.5% of the total contribution, in addition to any standard planning fees, and any legal and/or valuation fees, to be utilised in the administration and monitoring of section 106 agreements.

Confidentiality

5.8 Section 106 agreements will be treated with confidentiality during negotiations in accordance with the Freedom of Information Act. Requests for the release of s106 agreements whilst in the negotiation stage will be referred to the Council’s legal department for advice. Once signed, the legal agreement will be registered against the title of the property and on the Local Land Charges Register and is therefore in the public domain.
Viability Issues

5.9 The Council recognises that in specific instances planning obligations may be a significant factor that affects development viability. However, planning obligations are a necessary cost of development and it will be expected that the likely cost of obligations will be factored into the development cost from an early stage. One aim of this document is to facilitate and encourage transparency in the negotiation of planning obligations to ensure that developers can gain access to information as early as possible in the development process.

5.10 It is recognised that there may be circumstances where a developer may consider that it is not feasible for the proposed development to meet all the requirements set out in local, regional and national planning policies and still be economically viable. In these circumstances, the Council will review the range and nature of obligations. In order to determine such applications in accordance with circular 05/05, the Council may require valuation advice and/or the use of an independent third party. In cases where a dispute relates to the viability of a proposal, the independent third party might have access to financial information provided by the developer on a strictly confidential basis. The Circular stresses that the role of the independent third party is to facilitate or contribute to the negotiation process, not to arbitrate, and that responsibility for the final determination of the application remains with the local planning authority. The Council will require its reasonable costs associated with the use of an independent third party or any other necessary valuation advice to be met by the developer.

Referrals, call-ins and appeals

5.11 The Mayor of London must be consulted on planning applications that are considered of potential strategic importance. He can comment on and support these applications or, if he considers it necessary on strategic planning grounds, he can direct the borough to refuse planning permission if he is not satisfied that the proposed conditions and obligations will, in his opinion, make the development acceptable in planning terms. The applicant has the right then to appeal to the Secretary of State and at that stage the Mayor may state what obligations should be included in a planning agreement/unilateral undertaking.

5.12 Planning applications may be appealed, or the Secretary of State may call-in an application for his determination. In such cases, the Council will be unable to negotiate a planning obligation, as the Secretary of State/Planning Inspectorate will decide this. However, the developer can submit a unilateral agreement and the Council will, in cases where the development would be acceptable if planning obligations were secured,
seek to negotiate with the developer and would set out the nature of the planning obligations which would be sought.

Use and Monitoring of s106 Agreements

5.13 It is important that developers entering into planning obligations know where, when and how their money will be spent.

5.14 Planning obligations may be tied to specific schemes where they are necessary to overcome a planning objection to a development. In cases where planning obligations are sought from a number of smaller developments and pooled towards the provision of a scheme, wherever possible, developers will be informed of the projects that their contributions will be likely to help fund. Potential benefits towards which funds may be used are listed in the relevant sections of this document. Additionally, a list of current strategic schemes towards which monies may be pooled is given in Section 14 of this document. Contributions and interest accrued will be allocated to the implementation of projects in the vicinity of the site wherever possible.

5.15 The Strategy Committee must agree expenditure of developer contributions for the development and implementation of major strategic projects for affordable housing, education, employment generation, town centre improvements and public transport and for priority corporate projects such as the improvement of Sutton Town Centre. Expenditure of developer contributions for local projects is considered as part of an annual rolling programme of section 106 projects to be determined by the Area Committees. In this way both Elected Members and the public are able to see that the expenditure is appropriate, properly justified and that it meets the requisite legal tests. A section 106 database is maintained, and incorporates a range of information in relation to planning agreements including details of development site, relevant dates for receipt of funds, the purpose of the obligation and level of funding and whether there is financial approval for the expenditure of funds. Developers or interested parties are welcome to contact the Council to enquire as to the use of s106 obligations.

Local Land Charge:

5.16 Planning obligations are registerable as a Local Land Charge and as such would come to the notice of a prospective buyer of the land. They will also be registered against the title to the land.
Index Linking:

5.17 Contributions sought from developers may be index linked in the legal agreement, in order to maintain the value of the contribution. The Retail Price Index (RPI) is the most commonly used index of inflation. It is freely available without subscription. The Building Cost Information Service (BCIS) published by the Royal Institution of Chartered Surveyors (RICS), and the Building Price and Cost Indices published by the Department of Trade and Industry (DTI) are alternative indices. The Council will use the most appropriate of this set of indices.

5.18 The Council will also review all or parts of Appendix One from time to time in order to update the value of the contributions sought.
6 **Open environment:**

**Introduction:**

6.1 Sutton has a green and open character as a result of extensive areas of agricultural and other open land designated as Green Belt; the significant number of parks and open spaces, many of which are designated as Metropolitan Open Land; and the number of other open spaces such as old village greens, civic spaces and allotments. The protection and enhancement of the quality of open space, and the protection of nature conservation values, is a strategic objective of the Council. The draft Open Space Study (2005) sets out an up-to-date survey of the Borough’s open spaces. The Borough average of Unrestricted Access Open Space per thousand population is 2.88 hectares, and the draft Open Space Study recommends that this standard should be maintained in order to achieve the vision: “To maintain high quality, accessible and sustainable open space networks which enhance the environment and quality of life of the current and future generations of our community”. Whilst the amount of open space per ward varies, three wards (Sutton Central, Sutton South and Wallington South) have a significant under provision per 1000 population. Additional development can add to the local population and the demands placed upon existing open space and it is therefore necessary for new development to make an appropriate contribution to protecting and enhancing open space provision within the Borough, through the design of the development, by planning condition, or through planning obligations.

**National and London Policy context:**

6.2 Under Circular 05/05, it is legitimate to compensate for the loss of open space or mitigate a development’s impact by, for example, requiring open space provision via planning obligations, provided they meet the policy tests set out in the Circular.

6.3 In accordance with Planning Policy Guidance Note 3 ‘Housing’, planning obligations may be utilised to ensure that sufficient open space and planning fields are be provided in residential developments.

6.4 Planning obligations may be sought to ensure the quality and quantity of open space provision, or where new development increases local needs, as set out in Planning Policy Guidance Note 17 ‘Planning for Open Space, Sport and Recreation’.

6.5 Planning Policy Statement 9 ‘Nature Conservation’ seeks to ensure that planning decisions aim to prevent harm to biodiversity and geological
conservation interests. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

6.6 The London Plan policies 3D.7, 8, 9, 10, 11 and 12 seek to protect, promote and create accessible open spaces and protect sites of nature conservation importance and planning obligations can be used to achieve these aims.

Local policy context:

6.7 UDP policy IMP1 is the key policy that seeks to secure planning obligations or unilateral undertakings from developers to provide community benefits.


6.9 The most acute areas of open space deficiency, as illustrated in Figure 5.1 of the UDP, requiring priority consideration are: East and Central Sutton, South Sutton, Carshalton Beeches, North Wallington, South Wallington, and Worcester Park North.

Types of obligations which may be sought:

Open Space:

6.10 Government guidance in PPG17 advises that local planning authorities should undertake an assessment of the open space needs and, on the basis of this, should set local standards for open space provision in the
Borough. Additionally these assessments will help identify open spaces of high quality or a particular value, which should be protected through designations in the LDF.

6.11 The draft Open Space Study sets out the current level of provision of open space within the Borough. The current level of provision for open space providing for informal recreational and amenity use is 1.83 hectares per 1,000 population. This includes parks, civic spaces, and greens within the Borough. In order to maintain this local standard, the Council will seek to secure the appropriate proportion of at least 1.83 hectares of outdoor open space per 1,000 population from developments, in addition to the requirements for landscaping, amenity space, sports and recreation, and children’s play space.

6.12 If there is no realistic opportunity to satisfy the demand for new open space arising from development on-site or in the area, the Council may seek to secure financial contributions towards the provision of new open space, to enhance existing local recreation and leisure facilities, or to require public access to be provided to urban green space.

6.13 Reference should be made to Section 9 of this document for requirements relating to sports, recreation and children’s play.

6.14 The Council will not normally be prepared to adopt and maintain open space which is provided by a developer. However, in cases where the Council is prepared to adopt open space, transfer of open space will not normally take place until the Council is satisfied that it has been suitably laid out, fully equipped and maintained for a suitable period (normally 24 months). Where a developer does not intend to seek adoption of the open space provision, or the Council is not prepared to adopt the open space, the Council will need to be satisfied that alternative arrangements are put in place for long term management and maintenance and the developer will need to submit details to the Council in this regard.

**Qualifying Developments:**

6.15 All major residential developments of 10 units and above which are in an area of open space deficiency will be required to make provision for open space at the local standard of 1.83 hectares per 1,000 population. Where on-site provision is not possible, major residential developments within identified areas of open space deficiency will be required to contribute towards provision and/or enhancement of open space.

6.16 Residential developments of 25 units or more, which are not within areas of open space deficiency, will be required to contribute towards enhancement of existing open space quality or accessibility.
6.17 Non-residential developments may create additional demand for open space, and this will be assessed for each application taking into account the individual circumstances of the case.

*Formula for calculating contribution towards off-site open space provision or enhancement:*

6.18 Where a site is located within an area of open space deficiency, a financial contribution will be required where full provision is not made on site. The sum will be based on the proportionate amount of land required by the standard of 1.83 hectares per 1,000 population, multiplied by the capital cost of creating the open space. The Council will seek maintenance payments only where provision is to be made locally in accordance with the guidance in Circular 05/05.

6.19 Where a site is not located within an area of open space deficiency, a sum will be sought towards enhancing quality and access to open space in the vicinity of the site, based on a rate of 50% of the full cost of provision.

6.20 The formula for calculating the cost of provision is set out in Appendix One.

*Potential Benefits:*

6.21 The Council will ensure that s106 contributions are used to meet the open space needs of new residents and mitigate the additional pressure they put upon the borough’s framework of open space facilities. A list of strategic schemes towards which funds will be pooled is set out in Section 14. However, the Council will also seek to utilise contributions towards local schemes where the necessity arises from new development. Potential benefits include:

- Creation of new areas of open space.
- Enhancement of existing open space.
- Identifying sites where new pedestrian crossings or bridges/underpasses would enhance access to open space currently affected by severance lines.
- Providing recreational facilities and landscape enhancements to improve the recreational and amenity value of the Wandle River.
- With the agreement of owners, the community use of private recreational facilities within areas of open space deficiencies will also be encouraged so as to overcome such deficiencies.
Private Residential Amenity Space provision:

6.22 The Council considers that space around residential buildings is essential to ensure adequate visual and amenity standards for new residents, as well as to safeguard the privacy and amenity of adjacent residents. Under UDP policy BE17 development proposals should provide adequate amenity space for residential units, in relation to the scale of the proposed development, for general townscape, landscape and amenity purposes. Council’s Supplementary Planning Guidance on Design and Amenity Space sets out guidance on amenity space provision. It recommends that dwellings of 3 or more bedrooms should be provided with 70m$^2$ of private amenity space, whilst 2 bed dwellings should have at least 40m$^2$ of private amenity space. Flats or 1-bed houses should be provided with 25m$^2$ of amenity space, which may include all areas of landscaping.

6.23 In exceptional circumstances, where a development does not provide the full amount of private amenity space provision on site, but where the Council considers that it is otherwise acceptable, a contribution will be sought towards the provision or enhancement of open space in the vicinity of the site. It will not be considered appropriate for sites within areas of open space deficiency to provide less than the recommended levels of amenity open space on site unless they are located within SRQ areas, when a financial contribution may be sought.

6.24 The draft Open Space Study sets out a local standard for unrestricted open space of 2.88 hectares per 1,000 population. This differs from the local standard set out in section 6.11 for informal open space, as it includes all unrestricted open space including informal and formal open space. Because private amenity space fulfils a range of visual and amenity functions, including play space, recreational space, garden, and private informal space, it is expected that the contribution towards open space provision off-site will be commensurate with the full Borough-wide provision of 2.88 hectares per 1,000 population.

Qualifying Schemes:

6.25 All sites will normally be required to provide the full amount of on-site open space. Where a residential development outside of an area of open space deficiency fails to provide the recommended amount of on-site private amenity space, but is otherwise considered acceptable, a contribution towards the improvement or provision of public open space within the locality will be sought.
Formula:

6.26 Where the required standard of private amenity space is not provided on site, this will increase the need and demand for off-site open space to fulfil a range of needs. The contribution will be based on the cost of providing or enhancing open space provision in the vicinity of the site, based on the existing standard of provision in the Borough of 2.88 hectares per 1,000 population, as set out in the draft Open Space Study. This acknowledges the multi-functional uses which private amenity space provides, and the corresponding increase in need and demand for open space off-site where insufficient space is provided on-site. The formula is set out in Appendix One.

6.27 Note that this contribution would be required in addition to the general open space contribution set out above.

Potential Benefits:

6.28 The Council will ensure that s106 contributions are used to meet the open space needs of new residents and mitigate the additional pressure they put upon the borough’s framework of open space facilities. The benefits set out under 6.21 above are relevant.

Nature Conservation:

6.29 Where a proposed development would affect an identified Site of Importance for Nature Conservation (SINC), or an important ecological area or feature, the proposal should seek to avoid adverse impacts on the nature conservation value of the site. If development proposals are likely to affect Sites Important to Nature Conservation then the Council may seek to enter into a planning obligation with a developer to protect, or reduce harm, to these sites. If adequate mitigation or compensation cannot be secured, planning permission will normally be refused.

Qualifying Developments:

6.30 Any development which would adversely affect an identified Site of Importance for Nature Conservation (SINC), or an important ecological area or feature, and where required works cannot be secured as part of the application or via planning condition.

Potential Benefits:
6.31 The Council will ensure that s106 contributions are used to offset any adverse impacts of development on nature conservation. Potential benefits include:

- Reinstating riverbanks with new planting to protect the ecological value and continuity of Green Corridors within the Borough.
- Implementing conservation agreements to secure the appropriate management of sites of importance for nature conservation.
- Mitigation/compensation measures may involve the creation of other sites of at least equal nature conservation value and may include off-setting the loss of habitats by creating new habitats.
7 Built environment:

Introduction:

7.1 The quality of the built environment affects the way in which people perceive and enjoy places and spaces. The maintenance and enhancement of the quality of the built environment makes an important contribution to sustainability and quality of life and is one of the key sustainability principles of the UDP.

7.2 High quality and inclusive design of the built environment adds to the overall character and quality of the area. The retention of an attractive public realm in Sutton is of benefit to residents, businesses and visitors. However, new development adds pressure to the built environment and public realm. The Council therefore expects developers to contribute towards the maintenance and enhancement of the quality of the built environment in order to ensure that Sutton continues to provide a high quality environment in which people will choose to live and visit.

National and London policy context:

7.3 Planning Policy Statement 1 ‘Delivering Sustainable Development’ emphasises the importance of creating developments which have well-planned public spaces. Planning obligations may be utilised to prescribe the nature of the development, or mitigate or compensate for impacts of the development, to ensure that a high standard of design is achieved in the public realm.

7.4 Under Policies 4B.1 and 4B.4, the London Plan seeks to create attractive environments, and to create or enhance the quality of the public realm.

Local policy context:

7.5 UDP policies IMP1 Planning Obligations, G/BE1 Built Design and Urban Landscape Quality, BE1 Good Urban Design, BE6 Design of Public Realm, BE8 Designing for Safety and Security, and BE12 Landscape Provision in New Development seek to ensure a high standard of design in the built environment and the public realm. Section 106 agreements can be utilised to achieve the aims of these policies. Under Policy BE43 (Investigation of Archaeological Sites) section 106 agreements may be utilised to ensure that excavation and recording of archaeological remains and other associated works are undertaken prior to development.
Types of obligations which may be sought:

**Environmental Improvements to the Public Realm:**

7.6 UDP Policy BE6 identifies the importance of a high standard of design and quality in the public realm. The public realm is defined as being those parts of an area (whether publicly or privately owned) that are available without charge for everyone to use or see, including streets, squares and parks. The retention of an attractive public realm in Sutton is of benefit to residents, businesses and visitors. New development can add to the regular usage of areas within the public realm and the need for higher standards of quality of the public realm. In light of this, planning obligations will be sought in relation to environmental improvements to the public realm, including landscaping, in order to ensure a high quality environment.

7.7 Where environmental improvements to the public realm are sought they will normally be within the vicinity of the site. Environmental improvements may include:

- Landscape works including the provision and maintenance of public space;
- Street furniture and lighting;
- Litter management and recycling;
- Crime prevention and safety;
- Accessibility measures;
- Signage;
- Facilities such as toilets;
- Car parking improvements and management;
- Associated highways works;
- Paving of footways and streetscape;
- Street scene initiatives.

7.8 Developments will be expected to make provision for necessary environmental improvements as an integral part of the development. For off-site works which are necessary in order to make the development acceptable, planning obligations will be sought, commensurate with the scale, nature and potential impacts of the proposed development, towards the provision of environmental improvement schemes in order to achieve a high quality public realm in the Borough. Pooling of funds may be necessary to enable works to be undertaken on a larger scale. Reference should be made to relevant Planning Briefs or Area Action Plans in relation to any identified needs for environmental improvements. Potential benefits are outlined below, and Section 14 of this document sets out a number of proposed strategic schemes towards which funds may be pooled.
7.9 Please note that Public Arts features/facilities are considered under Section 9 of this document (Community and Leisure Facilities).

**Qualifying Developments:**

7.10 The thresholds for qualifying development have been set in recognition of the impact that developments are likely to have on the public realm.

- New schemes/extensions/changes of use over 200 square metres gross floor area.
- A3/A4/A5/D2 uses over 100 square metres gross floor area.
- Residential development over 10 units.

7.11 If a development proposal falls outside or below these thresholds it will still be a requirement that necessary works are undertaken in order to directly mitigate the impact of a development. This will be negotiated on a case-by-case basis.

7.12 Where a site is located within a Preferred Industrial Area, contributions towards industrial area improvements will be sought as set out in section 11 of this document.

**The Formula for Environmental Improvements Contributions:**

7.13 The level of contribution has been set on the basis of typical costs of recent Council environment improvement projects. The level is set on the basis that it will provide a proportion of the realistic costs of providing environmental improvements within the Borough which become necessary as a result of additional development. An assessment will be made in each case as to whether the level of contribution is sufficient and it may be necessary to require developers to contribute a greater proportion of necessary funds. An additional contribution will be sought from A3, A4, A5, and D2 uses in order to reflect the higher pressures that these uses can put on the public realm due to the high number of trips that are generated by such uses.

7.14 For large developments (e.g. over 1,000m² gross floor area) it is preferable for developers to make direct improvements to the public realm (subject to agreement as to the specific nature of the works), to a standard satisfactory to the Council, in lieu of making a contribution.

7.15 The required level of contribution is set out in Appendix One.
Potential Benefits:

7.16 Funds will either be used for a locally identified need, or pooled towards a relevant scheme as set out in Section 14.

7.17 Environmental improvements at local level will be identified in each case. The Council wishes to ensure that high quality, co-ordinated paving, lighting and street furniture is installed, and section 106 funds may be pooled towards ensuring that this objective is achieved. Street scene initiatives may also be appropriately financed from s106 monies where there is a direct link with the development. For example, a reflective spray can be applied to pavements outside takeaway shops in order to reduce the build-up of grime, and the Council may seek to utilise funds sought from such developments for the implementation of this type of initiative.

Safety and Security Measures:

7.18 The Council’s Supplementary Planning Document ‘Designing Out Crime’ (April 2005) sets out principles for the design and layout of developments and aims to encourage the highest possible standards of design in all new development to provide attractive, stimulating and safe places in which to live and work and prevent development that would put people or property at risk. Measures may include the design and layout of the scheme, lighting, CCTV cameras and works to existing pathways or other routes.

7.19 In most cases, safety and security measures will be provided as an integral part of the development, or will be required by planning condition.

7.20 In exceptional cases, a planning obligation may be sought towards strategic safety and security measures in order to create a safer environment within the area of the proposed development.

Qualifying Developments:

7.21 All developments will be required to provide development-specific measures in terms of safety and security, although in most cases a planning obligation will not be necessary in order to secure such measures. Reference should be made to the Council’s Supplementary Planning Document ‘Designing Out Crime’.

7.22 Where a requirement for strategic off-site safety and security measures is identified as being necessary and relevant in accordance with relevant policy and Circular 05/05 and cannot be secured as part of the development or via condition, a s106 agreement will be utilised.
7.23 In particular, contributions towards strategic safety and security measures will be sought from the following developments:
- All new major development proposals for leisure, entertainment and hotel developments which are likely to attract clientele beyond 8.00pm at night.
- All late night cafes/restaurants, public houses and nightclubs which seek to attract clientele beyond 8.00pm at night.
- Major town centre developments that will generate significant visitor numbers and trip movements, assessed on a case-by-case basis.

The Formula for Safety and Security Contributions:

7.24 The costs of providing the necessary safety and security measures will be negotiated on a case-by-case basis pursuant to the location, nature and scale of the development and the type of safety and security measures which are identified as being necessary.

7.25 In the case of CCTV schemes, where it is considered necessary to improve or provide a public CCTV scheme (which will be limited to town, district or local centres, public space, and industrial estates, as public CCTV schemes will not be provided in residential areas as they are considered too intrusive), the Council may seek contributions towards the full or partial costs of a CCTV scheme.

7.26 The cost of providing a CCTV camera, linked to the control room at Sutton Police Station, is in the vicinity of £25,000. A contribution from developments towards the cost of provision would need to be commensurate with the location, scale, and nature of the proposal.

Potential Benefits:

7.27 The Council will utilise contributions towards potential benefits such as the provision of CCTV, additional or improved street lighting, neighbourhood wardens or late-night bus services. An assessment of the necessary schemes in order to make a development acceptable will be made in each case. There are currently no CCTV schemes in a number of district and local centres and the Council will seek to build up a fund resulting from appropriate developments that are considered to generate impacts on local safety and security, to facilitate new schemes in these areas.

7.28 Strategic schemes towards which the Council will seek to pool funds, where relevant, are set out in Section 14.

Landscape Provision in new development:

7.29 Landscaping can contribute to the quality of local areas and the Council expects that suitable provision will be made for high quality hard and soft
landscape treatment as part of development schemes. In most cases, these works will form an integral part of the development, or can be secured by planning conditions. However, on larger developments, a comprehensive landscaping assessment, and the provision of additional landscape and habitat protection works may be secured via a section 106 agreement.

**Archaeological Works:**

7.30 In some cases undertaking excavation and recording of important archaeological remains and other archaeological work may be necessary prior to new development. Normally, required investigations and necessary works will be secured via planning condition, however in certain circumstances it may be necessary to secure these works via a planning obligation.
8 Housing:

Introduction:

8.1 Housing remains one of Sutton Council’s most important responsibilities as a local authority, and the need for more affordable housing in the Borough is one of the key strategic priorities.

8.2 The Community Strategy seeks to maximise the supply of affordable housing, and improve the quality of life for residents by increasing choice and access, and addressing diversity. It is a key principle of the Government’s national planning policy that sustainable communities should be made up of a mix of housing to provide for people’s diverse needs.

8.3 The UDP seeks to encourage a mixed pattern of residential development at an appropriate density and to meet the increasingly diverse range of housing requirements within the Borough.

National and London policy context:

8.4 PPG3 states that local authorities should plan to meet the housing requirements of the whole community, including those in need of affordable and special needs housing. As set out in Circular 05/05 planning obligations may be utilised to secure the inclusion of an element of affordable housing in a residential or mixed-use development where there is a residential component.

8.5 The London Plan defines affordable housing as housing designed to meet the needs of households whose incomes are not sufficient to allow them to access decent and appropriate housing in their Borough. The London Plan (Policy 3A.7) requires boroughs to set their own individual targets, taking into account the Mayor’s strategic target that 50% of all new housing should be affordable and be based on an assessment of all housing needs and a realistic assessment of supply.

Local policy context:

8.6 UDP policies IMP1 Planning Obligations, G/HSG5 Affordable Housing, HSG9 Provision of Affordable Housing from Large Sites, HSG10 Provision of Affordable Housing from Other Sources, and HSG11 Housing Mix seek to provide an element of affordable housing from residential new build and conversion developments. UDP policy G/HSG6 (Housing Requirements) seeks to secure an appropriate mix and range of accommodation in order to meet local needs and promote balanced communities.
Types of obligations which may be sought:

8.7 Planning obligations may be used to prescribe the nature of a development, for example by requiring an element of affordable housing, or requiring a certain mix of housing in a development. The requirement for affordable housing is set out briefly below, but reference should be made to the Council’s Supplementary Planning Document on Affordable Housing for full details.

8.8 Additionally, a s106 agreement may be utilised to ensure that a residential development provides a suitable mix of housing types and sizes, in order to ensure that a development complies with policy requirements and contributes to the creation of mixed and sustainable communities.

Affordable Housing:

8.9 In accordance with national, regional and local policy, and the latest housing needs information for the Borough, it is clear that a proportion of housing developments, including new-build and conversions, must be allocated as affordable housing. The Council’s draft Supplementary Planning Document ‘Affordable Housing’ is scheduled for public consultation in 2006, and will provide detailed information in this regard, and should be read in conjunction with this SPD. Pending approval of the Affordable Housing SPD, the Council has produced an Interim Policy Statement on Affordable Housing as a material consideration for development control purposes, to which regard should be had in determining planning applications.

Qualifying Developments:

8.10 The Interim Policy Statement and draft Affordable Housing SPD will provide amplification and clarification of policy on affordable housing and reference should be made to these documents.

The formula for Affordable Housing contributions:

8.11 In order to promote mixed and balanced communities, and because of the limited supply of land, the Council’s preference is to seek the provision of any appropriate element of affordable housing on-site, in accordance with paragraph 17 of PPG3. In certain exceptional cases, the Council may consider that the required affordable housing could be provided off-site or that a financial contribution, instead of on-site provision, is acceptable. Where an alternative site is not available, then a cash in-lieu payment should be calculated. Details of off-site provision and the cost of cash-in-lieu payments will be available in the Council’s draft Supplementary Planning Document on Affordable Housing.
Potential Benefits:

8.12 In cases where financial contributions are sought, the Council’s Community Living Service Unit will advise on suitable schemes for the use of funds. Specific schemes, which the Council may seek to fund through pooled contributions, are set out in Section 14.
9 Community and Leisure Facilities:

Introduction:

9.1 The provision of community and leisure facilities such as education, health, sports, recreation, arts, culture, entertainment, libraries, halls, cemeteries and allotments contributes to quality of life and is a vital part of a sustainable community. It is a key objective of the UDP and priority of the Community Strategy that sufficient community and leisure facilities are provided. Additional population arising from new developments, even from small residential schemes, will increase demand on existing community and leisure facilities across the Borough. The increase in demand will require refurbishment, redevelopment or new provision of facilities to support and extend services, and developments will be expected to contribute to necessary works.

National and London policy context:

9.2 As set out in Circular 05/05, additional or expanded community infrastructure, which is necessary in planning terms, may be sought through a planning obligation.

9.3 Planning Policy Guidance Note 17 ‘Planning for Open Space, Sport and Recreation’ sets out that local authorities will be justified in seeking planning obligations where the quantity or quality of provision of sports and leisure facilities is inadequate or under threat, or where new development increases local needs.

9.4 Sport England’s Good Practice Guide ‘Providing for sport and recreation through new housing development (2002)’ sets out guidance for seeking planning obligations for sports developments. It also reiterates that sport and recreation provisions in association with new housing should not have to contribute to ameliorating past deficiencies in an area.

9.5 The London Plan includes a number of relevant policies which seek to protect and enhance social infrastructure and community facilities (policy 3A.15); promote health objectives in partnership with providers (Policy 3A.17), support proposals for accessible healthcare facilities (policy 3A.18) and adequate education provision (policy 3A.21); promote and develop culture and art (policy 3D.4); and promote and develop sports facilities (policy 3D.5). Planning obligations may be utilised as a mechanism to meet the needs generated by new development in relation to the provision of social infrastructure and community facilities.
Local policy context and background:

9.6 The strategic objectives of the Unitary Development Plan and policies IMP1 Planning Obligations, BE17 Private Amenity Space, TCS14 Leisure, Recreation and the Evening Economy, G/CL1 Community Facilities and Services, G/CL2 Sports, Recreation and Leisure Facilities, G/CL3 Community Regeneration, CL2 Additional Demand for Facilities, CL14 Leisure Strategy, CL15 Loss of Playing Fields, Pitches and Sport and Recreational Facilities, CL16 Intensification of Recreational Uses, CL18 Play Space, CL19 Allotments and CL22 Provision of Arts, Culture and Entertainment Facilities, seek to ensure the adequate provision and distribution of community and leisure facilities that are accessible to all.

Type of obligations which may be sought:

**Education**

9.7 New housing development in the Borough has the potential to increase the number of children within the Borough and therefore to place greater demand upon existing educational resources. Schools in LB Sutton are currently under pressure in terms of demands on existing educational facilities, particularly in the secondary school sector, and the Council has limited means with which it can undertake expansion of these facilities.

9.8 Planning obligations will be utilised to provide additional school places, new schools or school buildings, replace temporary buildings that may have been redundant without the additional demand from the development with permanent new build, and provide additional facilities e.g. school libraries, which are a direct result of the additional demand by the additional children. Contributions will not be used to fund school revenue expenditure.


**Qualifying Developments:**

9.10 Education contributions will be sought from all residential developments, where there is a net increase of at least five units. Contributions will not be sought for developments that provide a net increase of less than five units on the basis of the disproportionate costs involved.

9.11 Contributions will be sought from mixed-use developments that include an element of residential use. The amount sought will only relate to the additional child yield created by the conversion.
9.12 It is clear, however, that not all residential developments will place demands on the education facilities within the Borough. The following types of development will therefore not have to provide contributions:

- Single bedroom dwellings, as the child yield is likely to be low;
- Specialist housing for the elderly;
- Housing in multiple occupation (HMO) for single persons.

The formula for Education contributions:

9.13 The formula for education contributions is set out Council’s Supplementary Planning Guidance: ‘Education Contributions from Residential Developments’, February 2003. It is proposed that this document will be updated in 2006.

Potential Benefits:

9.14 Planning obligations for education provision will be used to accommodate the additional children from a proposed development. Examples include providing additional school places, providing new schools or school buildings, replacing temporary buildings that may have been redundant without the additional demand from the development with permanent new build, and providing additional facilities e.g. school libraries, which are a direct result of the additional demand by the additional children. Contributions will not be used to fund school revenue expenditure.

9.15 Specific schemes towards which the Council will pool funds are set out in Section 14 of this document.

Sports and Recreation

9.16 Government guidance in PPG 17 ‘Open Space, Sport and Recreation’ states “Local authorities should ensure that provision is made for local sports and recreation facilities (either through an increase in the number of facilities or through improvements to existing facilities) where planning permission is granted for new development (especially housing)”. PPG17 encourages local planning authorities to develop local standards for sport and recreation provision.

9.17 The Council has undertaken a detailed supply and demand analysis to establish the increase in demand for sports and recreational facilities that is predicted to result from new residential development in the Borough until 2010 (2012 in the case of playing pitches). The analysis was undertaken in accordance with PPG17 and Sports England guidance. There is a higher than average propensity in Sutton to participate in health
and fitness (24%) and swimming (24.5%) than in the whole of Great Britain. Across the Borough there is a greater than average propensity to take part in sport, with the propensity to take part in no sport being 33.5%, compared to 35.4% for Great Britain. The results of the supply and demand analysis clearly show that there is a need to provide for increased facilities in order to meet the demands of the residents of the new residential development within the Borough. The Council will therefore seek contributions from new residential developments towards provision or improvement of local recreational, leisure, and sports facilities to ensure that adequate provision is made.

9.18 In accordance with PPG17 and Sports England guidance, local standards for sports halls, health and fitness gyms, swimming pools, playing pitches and tennis courts have been derived from the supply and demand analysis. The local standards are based on the minimum amount of each type of recreational facility that is required to meet the demands generated by new residential development. The local standards are as follows:

<table>
<thead>
<tr>
<th>Type of facility</th>
<th>Local standard (per 1,000 people)</th>
<th>Local standard (per person)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports halls</td>
<td>49.52m²</td>
<td>0.049m² per person</td>
</tr>
<tr>
<td>Health and Fitness gym</td>
<td>20m²</td>
<td>0.02m² per person</td>
</tr>
<tr>
<td>Swimming pools</td>
<td>10m²</td>
<td>0.01 m² per person</td>
</tr>
<tr>
<td>Playing pitches</td>
<td>4,500m²</td>
<td>4.5m² per person</td>
</tr>
<tr>
<td>Tennis courts</td>
<td>125.5m²</td>
<td>0.13 m² per person</td>
</tr>
</tbody>
</table>

9.19 If a site is large enough to support sports and recreation facilities; and it is appropriate in terms of accessibility, future management and maintenance of the facility; provision of the appropriate proportion of sports and recreation facilities may be negotiated with the developer and provided as part of the development of the site. However, in most cases it will not be appropriate or practical to locate new sports and recreation facilities on development sites, and in these cases the Council will seek a contribution which will be pooled with other contributions towards the provision or enhancement of sports and recreation facilities in the Borough to ensure that there is sufficient provision to cope with the increase in population, in accordance with UDP policy CL2.
Qualifying Developments:

9.20 The Council will seek contributions towards sports and recreation provision from all major residential developments (10 units or more).

The formula for Sports and Recreation contributions:

9.21 A contribution is calculated on the basis of the cost of providing the appropriate proportion of sports and recreation facilities, based on local standard for each type of facility, where full provision is not made within the development. The methodology is based on the actual increase in demand from a proposed development, and the cost of providing a facility to meet that increased demand.

9.22 The costs of providing the appropriate proportion of space are set out in Appendix One. The costs will be index linked, and will be reviewed and adjusted as necessary. Maintenance costs will not be sought as sports and recreation assets will normally be intended for wider public use.

Potential Benefits:

9.23 It is the Council’s intention to ensure that contributions are utilised towards the provision or enhancement of sports and recreation facilities to ensure that sufficient provision is made for the needs of the population.

9.24 It is intended to focus the use of contributions within the locality of new developments in order to mitigate the impact of new residents from these developments on the local community facilities. Because of the high mobility rates and wide catchment areas for many sports and recreation facilities, in some cases it will be appropriate to use contributions for facilities that are centrally located in order to cater for a wide catchment. Strategic schemes towards which funds will be directed are set out in Section 14.

Play Space

9.25 The Council recognises that play is vital to children’s development, including their education, health and social well-being. An analysis in the draft Open Space Study of access to Play Facilities shows that there is an uneven distribution of play facilities in the Borough, with good coverage for all ages in the north of the Borough and poor coverage in the south of the Borough. Figure 8.2 of the UDP indicates areas with a deficiency of play space.
9.26 The NPFA standard sets out a hierarchy of types of provision for play areas known as Local Areas for Play (LAPS), Local Equipped Areas for Play (LEAPS) and Neighbourhood Equipped Areas for Play (NEAPS). A LAP has a 60-metre catchment, a LEAP has a 240-metre catchment and a NEAP has a 600-metre catchment. Against the NPFA standard there remains a shortfall in equipped play provision and this clearly indicates a need to ensure that full provision is made for all new developments.

9.27 The Council will therefore seek to secure suitably located new play areas as an integral part of new residential development. New developments should either singly or cumulatively within one locality provide the appropriate proportion of a ratio of at least 0.8 hectares of play space per 1,000 population (NPFA standard). LAP requirements should be provided on site. LEAP and NEAP requirements may be provided within the vicinity of the site, and a contribution towards the cost of the capital provision of these facilities will be sought from developers.

Qualifying Developments:

9.28 All residential developments over 25 units or housing sites of 1 hectare or more will be required to contribute towards play space. Developments which are not within areas of LEAP and NEAP deficiency (refer to Figure 8.2 of the Unitary Development Plan) will be required to contribute to enhancement of existing facilities at a rate of 50% of the full contribution.

9.29 The application of this approach does not include studio, one-bedroom flats or sheltered accommodation. This approach accords with the ‘6 acre standard’ (NPFA, 1989), PPG3, and PPG17.

The formula for Play space contributions:

9.30 LAP requirements should be provided on site. LEAP and NEAP requirements may be provided within the vicinity of the site, and a contribution towards the cost of the capital provision of these facilities will be sought from developers.

9.31 Where on-site provision of play space and facilities is not appropriate, a standard contribution will be sought from developers, which will be pooled and utilised for provision or improvement to play space and facilities in order to provide for the needs of the increased population. Developments which are not within areas of LEAP and NEAP deficiency will be required to contribute to enhancement of existing facilities at a rate of 50% of the full contribution in order to ensure that the increased population does not result in the development of a deficiency in play provision within the area.
9.32 The standard contribution is calculated based on the required need for play space and facilities generated as a result of the development, based on the NPFA standard, and the capital cost per square metre of the play space and facilities required. The formula set out in Appendix One is based on PPG17 and Sports England guidance.

**Potential Benefits:**

9.33 The specific type of play space that should be provided will be dependent upon the site size and location as well as the local needs within a 600m straight-line catchment of the site. In some circumstances it will be more appropriate to improve and diversify existing facilities instead of seeking to provide new sites.

9.34 Where on-site provision of play space and facilities is not appropriate, the contribution will be pooled with others and utilised for provision or improvement to play space and facilities in the vicinity of the developments in order to provide for the needs of the increased population.

9.35 Section 14 sets out strategic schemes for which the Council will seek to pool contributions.

**Health**

9.36 The Council recognises the social benefits of the provision of excellent medical and health facilities to the community. There is a logical link between increases in the population and a corresponding increase in health demands. Where there is an identified need for further medical and health facilities, the Council will seek to ensure that planning permission is granted only where such facilities can be provided.

**Qualifying Developments:**

9.37 Where there is an identified local need, the Council will seek contributions or provision of health facilities from major residential developments.

9.38 Additionally, for major non-residential developments such as leisure and entertainment facilities, offices, and hotels, a contribution towards health facilities may be negotiated depending on the circumstances of the case.

**The formula for Health contributions:**

9.39 The London Healthy Urban Development Unit (HUDU) of the NHS has developed a standard model for predicting the likely health impacts of a development, based on the local circumstances in Sutton. The HUDU
model forecasts the additional health demand that might result from a new residential development and quantifies the impact in terms of physical space and subsequently cost. The series of calculations and formulae used are described in detail in the guidance notes that accompany the model, available at [www.healthyurbandevlopment.nhs.uk](http://www.healthyurbandevlopment.nhs.uk).

9.40 Where there is an identified local need the Council will be guided by the HUDU model; however developments will be considered on a case-by-case basis.

**Potential Benefits:**

9.41 Contributions towards health provision would be pooled over time and utilised to fund improvements identified as necessary by the Primary Care Trust or Strategic Health Authority. Examples of schemes that may be funded through contributions include provision of GP surgeries, and bed spaces in acute, intermediate and mental health care.

**Community centres, Youth centres, and Halls**

9.42 The Borough has a number of meeting halls and community buildings that constitute an important component of everyday life for large sections of the population. Population growth can put pressure on the provision of such services. Larger new residential developments, may be required to contribute towards the provision, enlargement or improvement of community centres, youth centres and halls.

**Qualifying Developments:**

9.43 Contributions to community centres, youth centres and/or halls, will be sought where necessary as part of a major residential development, particularly as part of major regeneration schemes. As a guideline, this type of contribution will not normally be sought for developments of less than 400 residential units.

9.44 Developments within the vicinity of the Durand Close re-development site may be required to contribute towards the provision of community facilities at Fellowes Road.

**The Formula for Community Centres, Youth centres and Halls Contributions:**

9.45 The nature of the contribution required will be negotiated, taking into account the location, scale and nature of the proposal.
Public Art

9.46 Public art is defined in the UDP as permanent or temporary works of art visible to the general public, whether part of the building or free-standing, and can include sculpture, lighting effects, street furniture, paving, railings and signs.

9.47 Public art can improve the quality of the public realm and add to the process of urban regeneration. In improving the quality of the public space, public art can contribute to the quality and value of a development and hence can be seen to increase the marketability of a development. The Council expects, in accordance with UDP Policy CL22, that public art should be incorporated as part of a development or in the vicinity of the site, in order to offset the loss of or impact on any amenity, and to contribute to the quality of the development and of the public space in the vicinity. In appropriate circumstances, a planning obligation may be sought to achieve these benefits. The s106 agreement should clarify the procurement and management process, location of the works, timetable for works, ownership, insurance, and maintenance issues.

9.48 Public art may encompass such works as paving patterns, street furniture, railings and signs, and hence may incorporate broader environmental improvement works. Where the development proposes public art that comprises environmental improvement works, this may be used to offset the contribution towards environmental improvement works sought in connection to the development as set out in section 7 of this document.

Qualifying Developments:

9.49 All major developments within Sutton Town Centre or the District Centres will be expected to contribute to art in the public realm.

The Formula for ACE contributions:

9.50 The Council shall seek to ensure that the cost of public art provided in association with new developments equates to approximately 1% of gross development cost (excluding land values) of a development project. The Council prefers that the artwork is integrated within the development, or that the developer commissions specific work to be part of the surrounding public space or surrounding the building. Where it is shown that the artwork cannot be incorporated within the development, the Council will accept a financial contribution equivalent to 1% of gross development cost. The financial contribution will be utilised to provide public art within the vicinity of the development, and may be pooled with other contributions.
9.51 The Council will require an estimate of the building costs in order to assess the ‘percent for art’ contribution.

**Theatres**

9.52 Theatres contribute towards the intellectual, artistic and social quality of life in the Borough. They can contribute towards a sense of local identity and pride. They also contribute to the vitality and viability of town centres, as audiences attending a theatre will enliven the locality and will patronise local bars and restaurants, often outside normal business hours. Additionally, theatres can act as a tourist attraction, supporting the growth of the tourist industry.

9.53 UDP policy CL22 encourages developers to devote a proportion of the capital building expenditure in the Borough to the provision of entertainment facilities. Within the Borough there is a recognised shortage of venues for performances. The Council has a long-term aspiration to relocate or redevelop the Secombe Theatre in Sutton Town Centre to provide a flagship facility for Borough residents, businesses and community groups to enjoy performances, community activities and business events.

**Qualifying developments:**

9.54 In light of the importance of the provision of adequate theatre facilities, and the benefits which accrue to the community and businesses as a result of this provision, it is expected that major new commercial and leisure developments with over 1,000m² of new build floor area (including all floors), within Sutton Town Centre will contribute towards the provision of improved theatre facilities within the town centre.

9.55 The actual amount of contribution will be negotiated on a case-by-case basis.
10 Town Centres and Shopping:

Introduction:

10.1 A key strategic objective of the UDP is to sustain and enhance shopping provision within the Borough and to enhance the visual quality of the built environment within district and local centres to support attractive shopping facilities. Town centres must provide a high quality and safe environment to ensure they continue to be places where people wish to work, shop, visit and live. Planning obligations may be utilised in promoting active town centre management, and a high quality design of the public realm to provide a sense of place and ensure that town centres are attractive, accessible and safe for businesses, shoppers and residents in accordance with PPS6 ‘Planning for Town Centres’.

National and London policy context:

10.2 As set out in PPS6, the Government’s key objective for town centres is to promote their vitality and viability by planning for the growth and development of existing centres; promoting and enhancing existing centres; and encouraging a wide range of services in a good environment, accessible to all. PPS6 states that it is essential that town centres provide a high-quality and safe environment if they are to remain attractive and competitive and that policies for development in town centres, should promote high quality and inclusive design, in order to improve the character and quality of the area in which such development is located and the way it functions.

10.3 London Plan Policy 3D.1 advises that boroughs should enhance access to goods and services and strengthen the wider role of town centres, including support and encouragement of town centre management, partnerships and strategies.

Local policy context:

10.4 The policy framework for seeking contributions for town centres is set out primarily in UDP policies IMP1 Planning Obligations, G/TCS1 Sutton Town Centre, G/TCS2 District Centres, TCS1 Principles for Development in Town Centres, TCS6 Town Centre Health Checks, Profiles and Strategies, TCS10 Sutton Town Centre, TCS15 Pedestrianisation, TCS16 Design of Development in Sutton Town Centre, and TCS19 Town Centre Strategies for Wallington and Rosehill which seek to maintain and enhance town centres through, for example, town centre design and management.
Types of obligations which may be sought:

Town Centre Management:

10.5 Town Centre Management helps to sustain the competitiveness of town centres by marketing the centre, improving accessibility, and making the centre clean, safe and attractive. Where additional development takes place in the town centre, there will be a corresponding increase in pressure on existing town centre management and marketing initiatives, and in light of this, and the benefits which will accrue to new or expanded businesses from good town centre management, it is considered appropriate for developments to contribute towards a proportion of the cost of town centre management.

10.6 Within Sutton Town Centre, town centre management is undertaken by the Town Centre Management Group, which is a partnership with local business, the Police and transport providers, to promote the centre. The role of the Town Centre Management Group is to oversee the preparation of the Town Centre Strategy in order to:
   • maintain a safe environment in the Town Centre in which to shop, visit, work and live;
   • actively promote the future development of the Town Centre through effective marketing measures and events; and
   • maintain and increase long term funding and membership of Town Centre initiatives.

10.7 Within District Centres, town centre management had previously been undertaken in relation to Wallington, Worcester Park and Cheam Town Centres. However, following adoption of UDP, priority has been given to the preparation and implementation of Town Centre Strategies for Wallington and Rosehill as they are the most accessible District Centres within the Borough.

Qualifying Developments:

10.8 - Non-residential schemes/extensions over 200 square metres gross floor area (new development and changes of use);
   - A3/A4/A5/D2 uses over 100 square metres gross floor area.

The Formula for Town Centre Management:

10.9 The contribution towards town centre management and marketing will be calculated as set out in Appendix One.
Potential Benefits:

10.10 Contributions will be pooled, along with funding from other sources, and used in the preparation and implementation of Town Centre Management Strategies involving:

- management and marketing initiatives;
- promotion of town centres;
- improvement to the streetscene and the environment;
- traffic management;
- resolving parking problems.
11 Employment:

Introduction:

11.1 It is a key objective of the Council to promote sustainable economic regeneration, minimise levels of unemployment among residents of the Borough, and improve the environmental quality of industrial locations.

11.2 Skills shortages are an ongoing constraint on business growth in Sutton, and the Community Strategy emphasises the importance of providing workforce training, to help improve Sutton's potential as an attractive area for businesses to locate, as well as helping workers into higher paid jobs.

11.3 The Council also recognises the importance of small firms to the local community in promoting local economic vitality and creating employment growth and diversity within the Borough.

11.4 Additionally, the Council recognises that industrial areas that provide high quality working environments will be attractive to new industry and attract inward investment, and the Council will therefore seek planning obligations where appropriate to support this objective.

National and London policy context:

11.5 The London Plan identifies the need to improve London’s skills base, improve employment opportunities for London and remove barriers to employment, and identifies learning and skills as two of the identified priorities for planning obligations.

Local policy context:

11.6 UDP policies IMP1 Planning Obligations, G/EM3 Economic Regeneration, EM6 Environmental Improvements, EM7 Industrial Development at Kimpton Industrial Area, EM9 Transport and Environmental Improvements at Kimpton Industrial Area, EM10 Former Refuse Tip at Beddington Industrial Area, EM11 Transport and Environmental Improvements at Beddington Industrial Area, EM13 Redevelopment of Industrial Sites outside Strategic and Established Industrial Locations, and EM15 Provision of Small Units, establish the framework for seeking contributions for economic development, training and employment.
Type of obligation which may be sought:

*Development-Specific Mitigation where employment floorspace or jobs are lost*

11.7 The Council seeks to safeguard employment land and buildings, which meet the need for business and industrial uses. Where a development would not otherwise be acceptable in planning terms due to loss of employment floor space or loss of jobs, it may be possible to mitigate the impact of the development via the use of planning obligations. Where a scheme is otherwise acceptable, the Council may seek one or more of the following mitigation measures, with the exact requirements being negotiated on a case-by-case basis.

**Replacement premises:**

11.8 In accordance with UDP policy EM15, and in line with PPG4, in order to provide a balanced mix of business and job opportunities it is important to maintain and create appropriately designed and sized business units for a variety of employment generating uses. The Council will actively encourage the provision of small units as part of new employment-related development or re-development proposals, in accordance with policy EM15. Where a development would result in the loss of employment floor space, the Council may require the provision of new and/or replacement small units. The requirement and scope of provision of small units will be determined by a number of factors such as the suitability of the site for small unit provision, and financial viability of provision of small units.

11.9 Where on-site provision is inappropriate or impractical, the Council may seek a financial contribution based on the increased value of the site, which would be pooled towards a fund for the provision of, or improvements to, small business facilities or other employment-related measures in the Borough.

**Training and development:**

11.10 Training brings benefits to the local economy in terms of sustainability by enabling businesses to have access to an appropriately skilled workforce. A key objective of the Community Strategy is to create a workforce development strategy to help improve Sutton’s potential as an attractive area for businesses to locate as well as helping Sutton residents into higher paid jobs.

11.11 The Council may require a developer to make a commitment to establishing a training scheme or apprenticeship within their business.
Local labour agreements:

11.12 The Council may seek a commitment from developers to enter into a local labour agreement, whereby a commitment is made towards sourcing labour from local sources, during the construction and/or operational phase of the development. A strong local economy, which builds upon indigenous economic potential, is vital to achieving sustainable development and the use of local labour has the added benefit of minimising the number and length of journeys to work.

**Employment Training for New Developments**

11.13 Where a scheme is of strategic importance in terms of new employment generation, the Local Planning Authority may consider further obligations in order to maximise training opportunities for staff in order to improve employment opportunities and remove barriers to employment. As a guideline, such initiatives will be sought for developments that will result in at least 50 additional jobs (i.e. the lower limit of a medium sized enterprise).

11.14 Initiatives may include:

- Support for specific organisations and initiatives providing or contributing to training, employment and recruitment related services and projects;
- Apprenticeships;
- On-site training initiatives.

**Industrial Area Improvements**

11.15 The Council is seeking to promote the Preferred Industrial Locations in the Borough as high quality working environments that will be attractive to new industry and attract inward investment. Where appropriate, the Council will seek planning obligations to secure environmental improvements and enhancements for strategic industrial areas and established industrial locations to provide improved facilities for workers and good quality environmental conditions. Where necessary, funds will be pooled towards environmental improvement schemes.

**Qualifying Developments:**

11.16 Developments of more than 200m$^2$ gross floor area, in strategic industrial areas and established industrial locations.

11.17 Smaller developments may be required to implement, or contribute towards, environmental improvement schemes where circumstances
necessitate and in such instances the contribution will be negotiated on a case-by-case basis.

The Formula for Industrial Area Improvement Contributions:

11.18 The level of contribution required will be calculated as set out in Appendix One.

11.19 It may be appropriate for developers of major new build schemes to make direct improvements to the public realm (subject to agreement as to the specific nature of the works) in lieu of making a contribution. It will be a requirement that any such works are finished to a standard that is satisfactory to the Council.

Potential Benefits:

11.20 Environmental improvement schemes may include (for example); hard and soft landscaping schemes, additional tree planting, improved lighting, reduced clutter, site boundary harmonisation, signposting, industrial area entrance works, paving, and pathways. CCTV schemes are considered within section 7 of this document.

11.21 Within the Kimpton Industrial Area, contributions will be pooled towards the implementation of the environmental improvement schemes identified in the Kimpton Industrial Area Development Framework (July 2003). The Council has prepared an Environmental Strategy for the Beddington Industrial Area which outlines a number of detailed proposals to be implemented, as set out in paragraph 10.92 of the UDP. Other schemes will be identified as necessary as part of the continuing development and consultation processes.

11.22 Strategic schemes towards which funds may be pooled are set out in Section 14 of this document.
12 Transport:

Introduction:

12.1 In common with the rest of outer London, overall traffic levels in the London Borough of Sutton have increased over the last decade, leading to increased congestion and a range of associated problems such as increased air pollution, road accidents, noise impacts and visual intrusion, and delays to deliveries and staff. These environmental, social, and economic impacts are having increasingly severe impacts on quality of life for Borough residents. New developments generate additional trips to and from the site, which can add pressure to roads, pedestrian and cycle routes, and public transport facilities, and will lead to additional problems if measures are not taken to address the impact of new developments. The Council will therefore seek to ensure that the transport impacts of new developments are mitigated or compensated for.

National and London policy context:

12.2 Under Planning Policy Guidance Note 13 ‘Transport’ planning obligations in relation to transport should be based around securing improved accessibility to sites by all modes with the emphasis on achieving the greatest degree of access by public transport, walking and cycling. Works such as new access roads, improved junction layouts, extra car parking facilities, contributions to improving public transport accessibility, and improved measures for cyclists/pedestrians may be appropriately dealt with as planning obligations in accordance with Circular 05/05.

12.3 The London Plan highlights the importance of the provision of sustainable transport to achieving the Mayor’s vision of an exemplary, sustainable world city. The London Plan supports improved sustainable transport, including enhanced tram schemes, and improved conditions for buses, walking, and cycling.

Local policy context:

12.4 The UDP strategic objectives seek to reduce the need to travel and encourage the greater use of more sustainable forms of transport, and planning obligations may be utilised in the implementation of UDP policies IMP1 Planning Obligations, G/TR4 On and Off-Street Parking, G/TR5 Transport Impact of New Development, G/TR6 Public Transport, G/TR7 Intermediate forms of Transport, G/TR8 Pedestrians and Cyclists, G/TR9 Full Accessibility, TR3 Minor Highway Improvements, TR7 Traffic Management in Town Centres and Local Centres, TR8 Traffic in Residential Areas, TR9 Heavy Vehicles, TR14 Change of Use of Car

12.5 The Borough Sustainable Transport Strategy (1999) seeks to improve the accessibility and attractiveness of sustainable forms of transport, and reduce dependence on the private car.

12.6 The draft Local Implementation Plan (LIP) (2005) identifies transport proposals for the period 2005-2009. Initiatives include car clubs, safer routes to schools, cycling and walking, road safety schemes, and bus priority schemes, amongst others. Reference should be made to Chapter 5 of the draft LIP for all priority schemes. The Final Local Implementation Plan is due to be published in 2006.

Types of obligations which may be sought:

**Development-Specific Transport Works**

12.7 Development-specific transport works are an integral and essential part of a development scheme, without which planning permission would not be granted.

12.8 New developments will be expected to provide for the necessary on- and off-site transport infrastructure including vehicular access, parking, roads, footways, cycleways, lighting, and links to the existing road networks. As well as on-site requirements, new development proposals may create a need for off-site works within the vicinity of the development, for example to ensure the safe flow of traffic and pedestrian and cyclist safety or to facilitate safe access to the development.

12.9 Planning obligations will be sought to secure the provision of, or financial contributions towards, on and off-site works required in connection with residential and non-residential development of any size, where works are required to make a scheme acceptable.

12.10 Works may include, but not be limited to, the following:

- Highways improvements;
- Footway provision, improvements, resurfacing and kerb alignments;
- Cycleway provision and parking;
- Parking provision;
- Junction improvements;
- Parking restrictions in the vicinity;
- Air quality monitoring;
- Traffic management and traffic calming;
- ‘Home Zones’ and ‘Safer Routes to Schools’ initiatives;
- Signage;
- Lighting;
- Road safety;
- Major highways infrastructure (e.g. Beddington Lane);
- Public Transport improvements necessary as part of development (please also see below section on Strategic Transport Improvements).

12.11 The developer must also meet any administrative, or public consultation costs involved in the provision of necessary on- or off-site works. Note that s278 of the Highways Act may apply and is a separate consideration.

12.12 Where the combined impact of a number of developments creates the need for transport works/infrastructure, the Council will, where necessary, seek to pool developers’ contributions towards the provision of such infrastructure. Section 14 of this document sets out a list of strategic schemes towards which funds may be pooled, where a particular development would require the provision of such works.

**Qualifying Developments:**

12.13 The scale and nature of the development will determine the necessary development-specific transport works which will be sought in relation to a particular development.

12.14 Where a transport assessment is required (please refer to Schedule 7.4 in Appendix 7 of the UDP), it will assist in identifying the necessary development-specific transport works.

**Sustainable Transport Improvements**

12.15 Unitary Development Plan policies seek to reduce the need to travel and encourage the greater use of more sustainable forms of transport, including the provision of a safe and efficient public transport system and a safe and attractive environment for pedestrians and cyclists. Many developments are likely to have an impact on transport infrastructure well beyond the site and its immediate surroundings and it is considered appropriate that development schemes should contribute to sustainable transport improvements at a strategic level. Contributions towards
sustainable transport improvements are separate from other requirements set out in this section of the document.

12.16 In some cases the development will be of a size that requires specific provision to be made (e.g. a new bus route, or improvements to a railway station). In other cases, where individual developments will have an impact, but where the impact is not sufficient to justify a discrete piece of infrastructure, a contribution will be sought and will be pooled to secure the provision of, or improvements to, infrastructure or services in relation to sustainable transport including public transport, pedestrian, and cycling facilities. Wherever possible, the contribution will be spent on schemes with a direct link with the development.

12.17 It must be noted that a contribution towards sustainable transport improvements does not remove or replace the requirement to comply with other UDP policies and not every development can be made acceptable in transport terms through a planning obligation.

Qualifying Developments:

12.18 - Residential developments of 5 or more units.
  - Non-residential developments involving new build or a change of use over 100 m² gross floor area.

The Formula for Sustainable Transport Contributions:

12.19 The formula for sustainable transport contributions is set out in Appendix One. The formula is based on the likely level of trip generation from a development. The level of contribution is weighted to reflect different levels of public transport accessibility within the Borough; so as to encourage high trip attracting/generating uses to locate within accessible locations. In this way, the level of contribution relates to both the size and nature of the proposed development, as well as reflecting its accessibility to public transport.

12.20 The Council has identified a safeguarded corridor from Rosehill to Sutton Town Centre (as shown on the Proposals Map and in accordance with UDP Policy TR26) for the development of an extension of Tramlink or another improved public transport system. Such works would provide enhanced public transport accessibility and new developments within the catchment area for the new transport provision (as shown on map at Appendix 1) will be required to make an additional contribution which would be specifically utilised towards the implementation of the Tramlink extension or alternative improved public transport system.
12.21 For schemes that require a Transport Assessment (please refer to Appendix 7, Schedule 7.4 of the UDP for qualifying schemes), the Transport Assessment will be used as the basis for determining the appropriate measures to be secured through a planning obligation.

_Potential Benefits:_

12.22 With respect to the contributions received, the Council will use the funds to implement sustainable transport initiatives including:

- Provision of walking and cycling infrastructure;
- Subsidising new or extended public transport including bus routes in poorly served areas of the Borough, and introducing bus priority schemes particularly at busy junctions.
- Provision of transport proposals identified in the draft Local Implementation Plan (LIP) (2005).

12.23 Section 14 of this document includes a list of strategic priority schemes, including Tramlink, to which contributions for strategic sustainable transport will be pooled.

**Car Clubs**

12.24 Car clubs are a relatively new concept to the UK and involve car club members having immediate access to a range of car club vehicles kept either on or near the development site. The Council has identified planning obligations as the primary funding source for Car Clubs in the Borough.

12.25 Where the Council considers it appropriate that a car club should be set up arising from new development, it will require the developer to enter into a section 106 Agreement with the Council to provide for either:

(i) the establishment and operation a new car club within or adjacent to the development site; or

(ii) to extend and assist in the operation of an existing car club site(s) within walking distance of the development site.

12.26 Any agreement will normally require the developer to procure the services of a reputable and established independent commercial car club operator to operate any car club scheme. Further information is available in the Council’s SPG on Car Clubs (December 2002).

_Qualifying Developments:_

12.27 The scale and nature of the development will determine whether a car club will be sought in relation to a particular development. Further
information is available in the Council’s SPG on Car Clubs (December 2002).

**The Formula for Car Club Contributions:**

12.28 The overall level of contribution will normally be negotiated between the developer and the operator. It has been estimated that the overall level of contribution is likely to fall within the range of £135 to £540 (adjusted to October 2005 prices) per unit of development, excluding any costs for works to be undertaken by the Council or directly by the developers. Further information is available in the Council’s ‘Supplementary Planning Guidance on Car Clubs (December 2002)’.

**Travel Plans**

12.29 Travel Plans are designed to manage the transport impact of a development in a more efficient and environmentally-friendly way. They should aim to deliver sustainable transport objectives as set out in PPG13. They focus on reducing the number of car trips made by employees or other users of the development. Travel plans submitted in conjunction with a planning application can be made binding through the use of a planning obligation.

12.30 The format and content of travel plans vary and the measures incorporated into a plan will differ depending on the nature of the development to which the travel plan relates. A Travel Plan should contain annual targets for car reduction and include management arrangements to monitor car use and travel patterns by employees/residents/users with incentives and information to encourage such users to reduce car use.

**Qualifying Developments:**

12.31 Where proposed developments exceed the thresholds at which Transport Assessments are required (as set out in Appendix 7, Schedule 7.2, Table 7.11 of the Sutton UDP 2003), the Council is likely to require applicants to submit a Travel Plan in support of their application, or require such Plans as a condition or via a planning obligation. In many cases, Travel Plans may also be required for developments that do not exceed the thresholds, for example, where only limited on-site parking provision is proposed.
<table>
<thead>
<tr>
<th>Extract from Appendix 7, Schedule 7.2, Table 7.11 of the Sutton Unitary Development Plan (2003)</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foodstore (A1) DIY Store</td>
<td>1,000m² gross floor area 2,000m² gross floor area</td>
</tr>
<tr>
<td>Fast Food (A5)</td>
<td>50 seats</td>
</tr>
<tr>
<td>Office (B1/A2)</td>
<td>3,000m² gross floor area</td>
</tr>
<tr>
<td>General Industrial (B2)</td>
<td>4,000m² GFA</td>
</tr>
<tr>
<td>Storage and Distribution (B8)</td>
<td>4,000m² GFA</td>
</tr>
<tr>
<td>Hotel (C1)</td>
<td>250 bedrooms</td>
</tr>
<tr>
<td>Hospitals (C2)</td>
<td>250 beds</td>
</tr>
<tr>
<td>Dwellings (C3)</td>
<td>250 units</td>
</tr>
<tr>
<td>Leisure and entertainment (C2)</td>
<td>&gt;500 person capacity</td>
</tr>
</tbody>
</table>
13 Pollution and Natural Resources

Introduction:

13.1 The Council has an impressive history of innovation in the field of environmental sustainability and aims to continue to lead the way on environmental initiatives.

13.2 The UDP aims to minimise pollution; promote waste reduction, recycling and the conservation of natural resources; and to promote energy efficiency in new development. Where the environmental impacts of a development are not adequately addressed, either through the design of the proposal, a condition, or exceptionally via the use of planning obligations, it is likely that planning permission will not be granted.

National and London Policy Context:

13.3 Planning Policy Guidance Note 10 ‘Planning and Waste Management (1999)’ sets a policy framework for sustainable waste management. Guidance on pollution issues can be found in Planning Policy Statement 23 ‘Planning and Pollution Control (2004)’ which states that any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use. PPG24 ‘Planning and Noise (1994)’ deals with noise issues. Planning obligations may be used where required to ensure that any necessary waste management and pollution control works are undertaken in relation to developments, or to restrict the use of sites.

13.4 Planning obligations may be used to restrict the use of sites, or to ensure that developers carry out the necessary works and any future maintenance requirements in relation to flood risk, under Planning Policy Guidance Note 25 ‘Development and Flood Risk (2001)’.

13.5 London Plan policies 4A.1, 4A.6, 4A.7, 4A.9 relate to waste management, improving air quality, and promoting energy efficiency and renewable energy. Provided planning obligations are utilised in accordance with legislation and guidance provided in Circular 05/05, these issues may be addressed by the imposition of planning obligations.

Local context:

13.6 The Council has prepared an Air Quality Action Plan (AQAP) which is currently awaiting final approval by the GLA and DEFRA. The AQAP
focuses on the need to promote sustainable forms of transport over the private car, amongst other things. Limiting car parking, car-free developments, supporting public transport and other transport infrastructure such as walking and cycling routes/paths can all be utilised as methods to reduce air pollution from transport, and may be legitimately required as planning obligations, as set out in section 12 of this document. Other measures in relation to air quality are set out below.


Type of obligations which may be sought:

Remediation

13.8 Any necessary site investigation and remediation will normally be achieved via planning conditions, however a planning obligation may be necessary in certain circumstances to ensure that the necessary remediation and future management of the land is undertaken. As set out in Annex 2 to Planning Policy Statement 23, planning obligations can be particularly useful in ensuring that any necessary off-site treatment works such as the installation of gas-migration barriers, water treatment, or monitoring arrangements, are put in place. Planning obligations may restrict the development or use of land, or require payments to the Council for ongoing monitoring or maintenance (within the limitations set out in Circular 05/05), or as a bond to cover the contingency of future action triggered by the monitoring.

Qualifying Developments:

13.9 Any development where land is, or is suspected to be, contaminated and where remediation or monitoring is considered necessary.
**Flood Mitigation**

13.10 In accordance with UDP policy PNR15 development proposals within Areas at Risk from Flooding as identified on the Proposals Map will be opposed unless it can be demonstrated that the proposal would not impede the flow of water, reduce the capacity of the flood plain to store water, or increase the number of people or properties at risk from flooding. UDP policy PNR16 requires appropriate attenuation measures to reduce the risk of flooding to acceptable levels where developments occur within existing developed areas, which would give rise to an increased flood risk in areas downstream. The use of planning conditions will normally be sufficient but, exceptionally, a section 106 agreement may be required to ensure that the necessary works are undertaken.

**Qualifying Developments:**

13.11 Any site located in an identified Area at Risk from Flooding on the Proposals Map, or where it is considered that the impact of a proposal would result in increased flood risk downstream.

**Energy and Water Efficiency of Buildings**

13.12 In accordance with policy G/PNR3 and PNR9 the Council will seek the most environmentally efficient supply and use of energy and water in new development and the re-use of buildings by encouraging design proposals which promote energy and water conservation, including the re-use of grey water. The Council will seek to ensure that energy conservation measures for all major development schemes are taken into account and this will normally be required as part of the development proposal, or required by condition. In exceptional circumstances a planning obligation may be necessary to ensure that energy efficiency measures are undertaken. Further information will be provided in the Council’s Supplementary Planning Document on Urban Design, to which reference should be made.

**Qualifying Developments:**

13.13 Under UDP policy PNR9 the Council requires all developers to conduct a Building Research Establishment Energy Assessment for new housing development and a range of other building types, such as offices, supermarkets and industrial development.

**Use of Renewable Energy**

13.14 Under UDP Policy PNR10 the Council promotes the introduction of community heating schemes and encourages development with
photovoltaics (solar power) and passive solar heating within the Borough, in partnership with local initiatives.

13.15 The Mayor’s London Plan and Energy Strategy set out the following requirements:
- London Plan policy 4A.91 ‘The Mayor will and boroughs should require major developments to show how the development would generate a proportion of the site’s electricity or heat needs from renewables, wherever feasible’
- The Mayor’s Energy Strategy proposal 132 ‘To contribute to meeting London’s targets for the generation of renewable energy, the Mayor will expect applications referable to him to generate at least ten per cent of the site’s energy needs (power and heat) from renewable energy on the site where feasible. Boroughs should develop appropriate planning policies to reflect this strategic policy.’

13.16 In line with the London Plan and Mayor’s Energy Strategy, and in accordance with UDP policy PNR10, the Council will expect developments, above the thresholds set out below, to make provision for renewable energy where feasible.

**Qualifying Developments:**

13.17 All residential developments over 25 units in size and all non-residential developments over 1,000m² in gross floor area.

**Formula:**

13.18 Qualifying developments will be expected to demonstrate that 10% of the energy requirements of the development can be met by on-site renewable energy production.

**Recycling Facilities**

13.19 There is a need to ensure that major developments within the Borough are well served by recycling facilities. In applying policies PNR21 and IMP1, and in accordance with circular 05/05, the Council will seek to ensure the provision of local recycling points (including those for materials collection and storage) for all major developments. In the majority of development proposals, it will be possible to deal with the issue of recycling of waste as part of the development scheme or through planning conditions, but exceptionally it may be necessary to utilise planning obligations.

**Qualifying Developments:**

13.20 All major developments.
**Air quality**

13.21 The purchase, installation, operation and maintenance of air quality monitoring equipment or provision of other assistance or support to enable the implementation or monitoring of actions in pursuit of an Air Quality Action Plan can legitimately be sought as a planning obligation, in accordance with Planning Policy Statement 23. There will be a special interest in the impact of air quality on or arising from developments within or adjacent to an Air Quality Management Area (AQMA).

**Qualifying Developments:**

13.22 Any development where it is identified that air quality monitoring and/or other works are required, particularly where the site is within or adjacent to an AQMA.

**Potential Benefits:**

13.23 The Council will seek to ensure that the necessary monitoring equipment or methods to reduce air pollution are secured, by planning obligation if necessary. Section 14 sets out strategic locations in which air quality monitoring equipment will be sought, and towards which funds may be pooled.

**Noise**


13.25 Where it is not possible to make a development acceptable in terms of noise impacts by way of the design of the proposal, or planning conditions, it may be appropriate to utilise planning obligations to ensure that the necessary works are undertaken or restrictions are put in place. For example, an off-site noise barrier may be required along a road to minimise the impact of increased traffic noise as a result of a development.

**Qualifying Developments:**

13.26 Any development where it is identified that a planning obligation is required to ensure that noise mitigation measures or restrictions upon
developments are applied, to make a development acceptable in planning terms.
14 Proposed Schemes

14.1 The Council intends to pool developers’ contributions towards the implementation of schemes required primarily to provide or improve facilities to cater for increased usage and needs arising from residents or users of new developments, in order to achieve the overall aims and objectives of the Council as set out in the UDP, Community Strategy and Corporate Action Plan. This section sets out identified strategic schemes towards which funds will be pooled. This section does not address smaller schemes which may be appropriately funded in full by a particular development, or from pooling of funds from a number of developments in the vicinity of such schemes. Potential benefits and schemes that may be sought are identified within each of the topic-based chapters of this document.

14.2 The schemes have been identified on the basis that they will contribute towards the implementation of the strategic aims of the UDP and will mitigate, compensate, or provide for the increased demands and/or impacts of new development. The list will be updated regularly to reflect the completion of schemes and the emergence of new schemes. Therefore the schemes in the document should not necessarily be regarded as definitive. Each planning application and section 106 obligation will be dealt with individually on its merits and schemes that are not on this list may become necessary. Once adequate funds have accumulated from various planning agreements, the planning authority will then seek to provide the first relevant priority scheme in accordance with the relevant planning obligations.

14.3 Affordable Housing, Education, Employment Generation, Public Transport Improvements, and Town Centre Improvements are considered as part of a Borough-wide Strategic Investment Programme. Other schemes are considered by each of the four Area Committees as part of Local Area Programmes.

14.4 STRATEGIC BOROUGH-WIDE SCHEMES

Affordable Housing:
- Where financial contributions are sought, the Council’s Community Living Service Unit will advise on suitable schemes for the use of funds. It is proposed to allocate contributions for affordable housing purposes to the implementation of the Durand Regeneration Project.

Education:
- The Council’s Children, Young People and Learning Services Group will use the education contributions to expand education provision to
accommodate the additional children from a proposed development. Contributions will not be used to fund school revenue expenditure. It is proposed to allocate s106 contributions to the implementation of the Council’s Schools Programme, in accordance with the Schools’ Asset Management Plan. In particular, over 100 classes in Sutton schools are in ‘temporary’ hotted accommodation which should be replaced with permanent accommodation.

Public Transport:
- The Council supports the extension of Tramlink to Sutton and will seek s106 contributions towards the cost of developing and constructing any proposed extensions.
- Public Transport interchange improvements throughout the Borough.
- Any public transport improvements as may be identified in consultation with London buses.

Employment Generation:
- 

Town Centre Improvements:
- 

14.5 CHEAM AND WORCESTER PARK (COMMITTEE AREA A)

Open Space:
- Improvements to Buckland Way Recreation Ground.
- 
- Provision of playgrounds with a full range of equipment for all ages and abilities at Cheam Park, and Cuddington Recreation Ground.
- Improvements and landscaping to Metropolitan Open Land north of Kimpton Estate Access Road.

Built Environment:
- Provision of CCTV schemes in Cheam Village (Cheam District Centre), Cheam Park entrances, Sutton Common Road Local Centre and Kimpton Trading Area.
- Environmental improvement measures within the Kimpton Trading Area including landscaping, noise insulation, street lighting and signage.

Community and Leisure Facilities:
- Provision of a leisure centre in the west of the Borough.
- Improvements to football pitch facilities at Cheam Park and Sutton Common.
- Improvements to cricket pitch facilities at Cheam Recreation Ground.
• Improvements to football pitch facilities at Reigate Avenue.
• Improvements to tennis courts within Cuddington Recreation Ground.

Transport:
• Transport improvements including footway/cycleway upgrades within the Kimpton Industrial Area.
• Other transport proposals as identified within the LIP.

14.6 SUTTON (COMMITTEE AREA B)

Open Space:
• Improvements to Chaucer Gardens.
• Improvements to Rosehill Park and creation of a District Park with a total area of approximately 48 hectares (incorporating St Helier, Rosehill and Poulter Parks).
• Enhancement and possible expansion of Manor Park to create a District Park.
• Provision of playground with a full range of equipment for all ages and abilities at Manor Park.

Built Environment:
•

Community and Leisure Facilities:
• Improvements to the all-weather pitch at Rose Hill.
• Improvements to cricket and football pitch facilities and playground at Overton Recreation Ground.
• Improvements to Rosehill pitches.
• Redevelopment of Secombe Theatre or provision of a replacement facility within Sutton Town Centre to provide flexible performance and cultural space in Sutton Town Centre.
• Improvements to children’s play area in Rosehill park.

Town Centres and Shopping:
• Implementing the Sutton Town Centre Marketing Plan.

Transport:
• Any schemes identified from the proposed Area Action Plan for Sutton Town Centre.
• Other transport proposals as identified within the LIP.
Pollution and Natural Resources
- Air quality monitoring equipment in Air Quality Monitoring Area in Sutton Town Centre.

14.7 CARSHALTON AND CLOCKHOUSE (COMMITTEE AREA C)

Open Space:
- Improvements to the quality of Thomas Wall Park.
- Improvements to the quality of Royston Park.
- Improvements to Poulter Park.
- Improvements to Revesby Wood.
- Improvements to the quality of Mill Green.
- Creation of a District Park in the South of the Borough.
- Improvement works to Watercress Park.
- Provision of a playground with a full range of equipment for all ages and abilities at The Grove Park.
- Improvements to St. Helier, and Poulter Parks and creation of a District Park with a total area of approximately 48 hectares (incorporating St Helier, Rosehill and Poulter Parks).
- Provision of playground with a full range of equipment for all ages and abilities at Manor Park.

Built Environment:
- Provision of CCTV schemes in Banstead Road (Carshalton Beeches) Local Centre, Hillcrest Parade Local Centre (Clockhouse) and Stanley Park Road Local Centre (Carshalton Beeches).

Community and Leisure Facilities:
- Redevelopment at Fellowes Road Youth Centre.
- Development of playing pitches for mini-soccer and junior rugby pitches.
- Improvements to football pitch facilities at Corrigan Recreation Ground.
- Improvements to rugby pitch facilities at Poulter Park.
- Improvements to football pitch facilities at Stanley Park.
- Improvements to football pitch facilities at The Wrythe Recreation Ground.
- Improvements to tennis courts within Royston Park.
- Improvements to tennis courts within Corrigan Avenue Recreation Ground.

Transport:
- Transport proposals as identified within the LIP.
14.8 BEDDINGTON AND WALLINGTON (COMMITTEE AREA D)

Open Space:
• Provision of a playground with a full range of equipment for all ages and abilities at Beddington Park.
• Provision of a playground with a full range of equipment for all ages and abilities at St. Mary’s Field, Bute Road.

Built Environment:

Community and Leisure Facilities:
• Provision of recreational facilities at Wandle Valley Country Park.
• Improvements to football pitch facilities at Roundshaw Park.
• Development of playing pitches for mini-soccer and junior rugby pitches.
• Improvements to tennis courts within Beddington Park.
• Improvements to tennis courts within Mellows Park.
• Improvements to tennis courts within Roundshaw Park.

Transport:
• Reconstruction and widening of Beddington Lane including footways, carriageway/access improvements, cycleways, bus-stop improvements and pedestrian crossings.
• Other transport proposals as identified within the LIP.

Pollution and Natural Resources
• Air quality monitoring equipment in Air Quality Monitoring Area along Beddington Lane.
Appendix One: Formulae

Please note that for formulae that are based on gross floor area (GFA), the relevant formulae will be applied on a pro-rata basis for GFA above the thresholds. For example, a development of 199m² would be required to make a contribution of 1.99 x the contribution of the rate required per 100m².

OPEN SPACE:
All major residential developments (10 or more units) in areas of open space deficiency shall be required to provide open space on site, or make a payment in lieu, towards provision and/or enhancement of open space off-site.

All residential developments of 25 units or more which are not in areas of open space deficiency shall be required to make a contribution towards enhancement of provision off-site. The cost of enhancement will be calculated as 50% of the total cost of provision.

The application of this approach does not include studio, one-bedroom flats or sheltered accommodation. The cost of provision of open space is based on the cost of laying out open space and is sourced from the Sports England/Milton Keynes/English Partnerships joint pilot project (2004).

The calculation of a cash-in-lieu payment is as follows:

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Average occupancy</th>
<th>Amount of Provision</th>
<th>Cost per m² (land and VAT excluded)</th>
<th>Total cost per unit</th>
<th>Total cost per unit if not within an area of open space deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedrooms</td>
<td>2.0</td>
<td>36.6 m²</td>
<td>£10</td>
<td>£300</td>
<td>£150</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>2.8</td>
<td>51.24 m²</td>
<td>£10</td>
<td>£500</td>
<td>£250</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>3.5</td>
<td>64.05 m²</td>
<td>£10</td>
<td>£650</td>
<td>£320</td>
</tr>
</tbody>
</table>

Average occupancies from GLA analysis of the London Household Survey 2005
Cost per unit figures have been rounded for ease of use.

PRIVATE RESIDENTIAL AMENITY SPACE PROVISION:

The contribution will be based on the cost of providing 28.8m² of open space per person. The cost of provision of open space is based on the cost of laying out open space and is sourced from the Sports England/Milton Keynes/English Partnerships joint pilot project (2004).
### Planning Obligations

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Average occupancy</th>
<th>Amount of Provision</th>
<th>Cost per m² (land and VAT excluded)</th>
<th>Total cost per unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio / 1 bedroom</td>
<td>1.4</td>
<td>40.32 m²</td>
<td>£10</td>
<td>£400</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>2.0</td>
<td>57.60 m²</td>
<td>£10</td>
<td>£600</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>2.8</td>
<td>80.64 m²</td>
<td>£10</td>
<td>£800</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>3.5</td>
<td>100.80 m²</td>
<td>£10</td>
<td>£1,000</td>
</tr>
</tbody>
</table>

Average occupancies from GLA analysis of the London Household Survey 2005
Cost per unit figures have been rounded for ease of use.

Where a proportion of the required private amenity space is provided on site, the total financial contribution sought will be reduced in proportion, and will be negotiated on a case-by-case basis.

**Worked example:**

A three-bedroom unit is proposed, which would require 70 square metres of amenity space. If only 60 square metres can be provided, but the proposal is otherwise considered acceptable, the required contribution would be (£800 x (10/70)) = £114.00. Note that this is in addition to other open space requirements.

### ENVIRONMENTAL IMPROVEMENTS:

**Residential:**

£280 per bedroom

**Non-residential:**

£280 per 100m² gross floor area. Where a site is located within a Preferred Industrial Area, contributions towards industrial area improvements will be sought as set out in section 11 of this document.

**A3/A4/A5:**

An additional contribution of £100 per 100m² will be sought from A3/A4/A5 uses to account for the additional pressures such uses place on the public realm.

### AFFORDABLE HOUSING:

Details of the calculation of off-site provision and Cash in Lieu payments are set out in the Council's Affordable Housing SPD, and reference should be made to this document.

### EDUCATION CONTRIBUTIONS:

The Education Contributions SPD sets out the full detail with regard to education contributions to be sought from residential developments and reference should
SPD Planning Obligations

be made to this document. It is proposed that the document will be updated in 2006.

SPORTS AND RECREATION FACILITIES:

The required need for sports and recreational facilities is based on the local standard and the capital cost per square metre of creating the different types of sports and recreation facilities required. A contribution is calculated for each type of facility where full provision is not made within the development. The formula is based on work undertaken by PMP consultants in line with PPG17 and the Sport England Good Practice Guide ‘Providing for sport and recreation through new housing development (2001)’.

Sports and recreation space contribution:

The total contribution required per person is based on the local standard set as a result of a full supply and demand analysis based on future predicted population growth, multiplied by the capital cost of the provision of such facilities. The costs are sourced from NPFA Cost Guide Sport (2003), Sports England cost guides and adopted policy, RICS Building Cost Information Service, and Swim 25 (in the case of swimming pools), as well as local cost information. The costs exclude maintenance costs which will not be sought via section 106 obligations due to the fact that sports and recreation facilities will not normally be for the sole use of residents of a new development.

<table>
<thead>
<tr>
<th>Type of facility</th>
<th>Local standard (per person)</th>
<th>Cost per square metre</th>
<th>Cost per person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports halls</td>
<td>0.049m² per person</td>
<td>£1187</td>
<td>£58.16</td>
</tr>
<tr>
<td>Health and Fitness gym</td>
<td>0.02m² per person</td>
<td>£1341</td>
<td>£26.82</td>
</tr>
<tr>
<td>Swimming pools</td>
<td>0.01m² per person</td>
<td>£16,424</td>
<td>£164.24</td>
</tr>
<tr>
<td>Playing pitches</td>
<td>4.5m² per person</td>
<td>£138.44</td>
<td>£622.98</td>
</tr>
<tr>
<td>Tennis courts</td>
<td>0.13 m² per person</td>
<td>£20.24</td>
<td>£2.63</td>
</tr>
<tr>
<td><strong>TOTAL COST PER PERSON</strong></td>
<td></td>
<td><strong>£874.83</strong></td>
<td></td>
</tr>
</tbody>
</table>
The cost per person is multiplied by the average occupancy to give a total cost per dwelling to give a total cost per unit as follows:

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Average occupancy</th>
<th>Total cost per unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio / 1 bedroom</td>
<td>1.4</td>
<td>£1,200</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>2.0</td>
<td>£1,700</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>2.8</td>
<td>£2,400</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>3.5</td>
<td>£3,000</td>
</tr>
</tbody>
</table>

Average occupancies from GLA analysis of the London Household Survey 2005
Cost per unit figures have been rounded down for ease of use.

PLAY SPACE:

The formula is calculated using the number of persons likely to inhabit a development, the required need for play space and facilities generated as a result of the development based on the local standard of 0.8 hectares per 1,000 people, and the capital and maintenance costs per square metre of the play space and facilities required. The formula is based on the Sport England Good Practice Guide ‘Providing for sport and recreation through new housing development (2001)’.

Developments which are not within areas of LEAP and NEAP deficiency will be required to contribute to enhancement of existing facilities at a rate of 50% of the full contribution.

The costs are based on the NPFA Cost Guide Play (2003). Maintenance costs are excluded. The contributions will be pooled and used to fund provision or enhancement of existing play space and facilities, within the vicinity of the development.

The application of this approach does not include studio, one-bedroom flats or sheltered accommodation. This approach accords with the ‘6 acre standard’ (NPFA, 1989), PPG3, and PPG17.

Play space contribution:

<table>
<thead>
<tr>
<th>Type of provision</th>
<th>NPFA standard (per person)</th>
<th>Cost per m²</th>
<th>Cost per person</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAP</td>
<td>1m²</td>
<td>£60</td>
<td>£60</td>
</tr>
<tr>
<td>LEAP</td>
<td>2m²</td>
<td>£80</td>
<td>£160</td>
</tr>
<tr>
<td>NEAP</td>
<td>5m²</td>
<td>£80</td>
<td>£400</td>
</tr>
<tr>
<td>TOTAL COST PER PERSON</td>
<td></td>
<td></td>
<td>£620</td>
</tr>
</tbody>
</table>
The cost per person is multiplied by the average occupancy to give a total cost per unit as follows:

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Average occupancy</th>
<th>Cost per unit</th>
<th>Cost per unit where a site is not within an area of LEAP or NEAP deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedrooms</td>
<td>2.0</td>
<td>£1,200</td>
<td>£600</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>2.8</td>
<td>£1,700</td>
<td>£850</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>3.5</td>
<td>£2,000</td>
<td>£1,000</td>
</tr>
</tbody>
</table>

Average occupancies from GLA analysis of the London Household Survey 2005. Cost per unit figures have been rounded down for ease of use.

HEALTH:

The HUDU model estimates the health facility needs for the total population of an area based on the population profile of that area. It then calculates the extra facility needs created by the new population. For any given development, the model determines what the appropriate capital and revenue costs will be in terms of staff, services and facilities. The facilities include new acute beds, mental health beds, intermediate care beds, intermediate day places and GP surgeries.

The model is available to download free of charge from the Healthy Urban Development Website [www.healthyurbandevelopment.nhs.uk](http://www.healthyurbandevelopment.nhs.uk).

PUBLIC ART:

The Council shall seek to ensure that the cost of public art provided in association with new developments equates to approximately 1% of gross development cost (excluding land values) of a development project.

TOWN CENTRE MANAGEMENT:

£4 per square metre up to a maximum of 1000m² gross floor area

Developments over 1,000 square metres of gross floor area will be considered individually.

SUSTAINABLE TRANSPORT:

The contribution sought for sustainable transport will be consistently applied and may be amended or updated in a revised version of Appendix One depending on the practical implementation of the methodology. It should be noted that the figure has been set at a level which will contribute towards sustainable transport.
needs within the borough, in recognition of the additional impact that new development will have on transport facilities within the borough, but may not be sufficient to fully fund all the required schemes. Reference should be made to the draft Local Implementation Plan which sets out the priorities for transport development within the Borough, as well as funding sources.

These requirements are based on the following ‘trip generation’ factor which has been established through the TRAVL database and is based on comparative levels of trips generated for different land uses.

The level of contribution is weighted to reflect different levels of public transport accessibility within the Borough; so as to encourage high trip attracting/generating uses to locate within accessible locations. In this way, the level of contribution relates to both the size and nature of the proposed development, as well as reflecting its accessibility to public transport.

**Contribution per trip:**

<table>
<thead>
<tr>
<th>PTAL 6-5</th>
<th>PTAL 4-2</th>
<th>PTAL 1-0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contribution per trip (per residential unit or per 100m2 GFA)</td>
<td>£400</td>
<td>£500</td>
</tr>
</tbody>
</table>

**Trip generation factor:**

<table>
<thead>
<tr>
<th><strong>Use</strong></th>
<th><strong>Trip Generation Factor</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential (Studio, 1, and 2 bedrooms) (per unit)</td>
<td>2</td>
</tr>
<tr>
<td>Residential (3+ bedrooms) (per unit)</td>
<td>3</td>
</tr>
<tr>
<td>Nursery (per 100m² GFA)</td>
<td>4</td>
</tr>
<tr>
<td>Primary School (per 100m² GFA)</td>
<td>2</td>
</tr>
<tr>
<td>Secondary School (per 100m² GFA)</td>
<td>2</td>
</tr>
<tr>
<td>College (per 100m² GFA)</td>
<td>2</td>
</tr>
<tr>
<td>Hospital (per 100m² GFA)</td>
<td>1.5</td>
</tr>
<tr>
<td>GP Surgery (per 100m² GFA)</td>
<td>4</td>
</tr>
<tr>
<td>Hotel (per 100m² GFA)</td>
<td>1.5</td>
</tr>
<tr>
<td>Food and Drink – A3 (per 100m² GFA)</td>
<td>7.5</td>
</tr>
<tr>
<td>Food and Drink – A4 (per 100m² GFA)</td>
<td>7</td>
</tr>
<tr>
<td>Food and Drink – A5 (per 100m² GFA)</td>
<td>9</td>
</tr>
<tr>
<td>Sports and Leisure (per 100m² GFA)</td>
<td>2</td>
</tr>
<tr>
<td>B1 (Business) (per 100m² GFA)</td>
<td>1.5</td>
</tr>
<tr>
<td>B2 (Industry) (per 100m² GFA)</td>
<td>0.8</td>
</tr>
<tr>
<td>B8 (Warehousing) (per 100m² GFA)</td>
<td>0.8</td>
</tr>
<tr>
<td>A1 (Retail) (per 100m² GFA)</td>
<td>7.5</td>
</tr>
<tr>
<td>A2 (Financial and Professional Services) (per 100m² GFA)</td>
<td>4</td>
</tr>
</tbody>
</table>
The contribution to be sought is calculated per residential unit, or per 100m² for other land uses, as the cost per trip, multiplied by the trip generation factor, and is summarised as follows:

**Residential contributions:**

**Contribution per unit**

<table>
<thead>
<tr>
<th></th>
<th>PTAL 6-5</th>
<th>PTAL 4-2</th>
<th>PTAL 1-0</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-2 bed units</td>
<td>£800</td>
<td>£1,000</td>
<td>£1,200</td>
</tr>
<tr>
<td>3+ bed units</td>
<td>£1,200</td>
<td>£1,500</td>
<td>£1,800</td>
</tr>
</tbody>
</table>

**Contributions for other uses:**

**Contribution per 100m² Gross Floor Area (GFA)**

<table>
<thead>
<tr>
<th>Per 100m² GFA</th>
<th>PTAL 6-5</th>
<th>PTAL 4-2</th>
<th>PTAL 1-0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursery</td>
<td>£1,600</td>
<td>£2,000</td>
<td>£2,400</td>
</tr>
<tr>
<td>Primary School</td>
<td>£800</td>
<td>£1,000</td>
<td>£1,200</td>
</tr>
<tr>
<td>Secondary School</td>
<td>£800</td>
<td>£1,000</td>
<td>£1,200</td>
</tr>
<tr>
<td>College</td>
<td>£800</td>
<td>£1,000</td>
<td>£1,200</td>
</tr>
<tr>
<td>Hospital</td>
<td>£600</td>
<td>£750</td>
<td>£900</td>
</tr>
<tr>
<td>GP Surgery</td>
<td>£1,600</td>
<td>£2,000</td>
<td>£2,400</td>
</tr>
<tr>
<td>Hotel</td>
<td>£600</td>
<td>£750</td>
<td>£900</td>
</tr>
<tr>
<td>Food and Drink – A3</td>
<td>£3,000</td>
<td>£3,750</td>
<td>£4,500</td>
</tr>
<tr>
<td>Food and Drink – A4</td>
<td>£2,800</td>
<td>£3,500</td>
<td>£4,200</td>
</tr>
<tr>
<td>Food and Drink – A5</td>
<td>£3,600</td>
<td>£4,500</td>
<td>£5,400</td>
</tr>
<tr>
<td>Sports and Leisure</td>
<td>£800</td>
<td>£1,000</td>
<td>£1,200</td>
</tr>
<tr>
<td>B1 (Business)</td>
<td>£600</td>
<td>£750</td>
<td>£900</td>
</tr>
<tr>
<td>B2 (Industry)</td>
<td>£320</td>
<td>£400</td>
<td>£480</td>
</tr>
<tr>
<td>B8 (Warehousing)</td>
<td>£320</td>
<td>£400</td>
<td>£480</td>
</tr>
<tr>
<td>A1 (Retail)</td>
<td>£3,000</td>
<td>£3,750</td>
<td>£4,500</td>
</tr>
<tr>
<td>A2 (Financial and Professional Services)</td>
<td>£1,600</td>
<td>£2,000</td>
<td>£2,400</td>
</tr>
</tbody>
</table>
Sites within the catchment area for the public transport improvement corridor (Tramlink extension) will be required to make an additional contribution at a rate of **1.5 times the standard contribution**.

A map showing the catchment area is shown below:

(PDF map to be inserted, currently attached separately).

**CAR CLUBS:**

The level of contribution will normally be negotiated between the developer and the operator. It has been estimated that the overall level of contribution is likely to fall within the range of £135 to £540 (adjusted to October 2005 prices) per unit of development, excluding any costs for works to be undertaken by the Council or directly by the developers. Reference should be made to the Council's Car Clubs Supplementary Planning Guidance (December 2002) where full details are provided.

**INDUSTRIAL AREA ENVIRONMENTAL IMPROVEMENTS:**

£280 per 100m$^2$ gross floor area

It may be appropriate for developers of major new build schemes (greater than 1,000m$^2$ in gross floor area) to make direct improvements to the public realm (subject to agreement as to the specific nature of the works) in lieu of making a contribution. It will be a requirement that any such works are finished to a standard that is satisfactory to the Council.
Appendix Two – Quick Reference Summary
Tables of Qualifying Developments and Types of Obligations

The following tables are provided as a quick reference summary of the types of planning obligations which may be sought. Reference should be made to the relevant sections of the main document and to Appendix One, for full details.

For residential developments, please see Tables 1 to 6, and Table 12. For non-residential developments, please see Tables 7 to 12.

Residential:

For all residential developments please see Table 1.
For developments of 5 units or more, please see Tables 1, 2 and 12.
For developments of 10 units or more, please see Tables 1, 2, 3 and 12.
For developments of 25 units or more, please see Tables 1, 2, 3, 4 and 12.
For developments of 250 units or more, please see Tables 1, 2, 3, 4, 5 and 12.
For developments of 400 units or more, please see Tables 1, 2, 3, 4, 5, 6 and 12.

Non-Residential:

For all non-residential developments please see Tables 7 and 12.
For all A3/A4/A5/D2 units above 100m² GFA please see Tables 7, 8 and 12.
For all non-residential units above 100m² GFA please see Tables 7, 8, 9 and 12.
For all non-residential units above 200m² GFA please see Tables 7, 8, 9, 10 and 12.
For all non-residential units above 1,000m² GFA please see Tables 7, 8, 9, 10, 11 and 12.
### Residential:

<table>
<thead>
<tr>
<th>TYPE OF DEVELOPMENT</th>
<th>TYPE OF OBLIGATIONS SOUGHT</th>
<th>CRITERIA</th>
<th>FORMULA/REQUIREMENTS</th>
<th>REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL RESIDENTIAL DEVELOPMENTS (as required). Please also refer to tables two to six, and table twelve.</td>
<td>Private amenity space, if deficient on site.</td>
<td>All residential developments where the amount of private residential amenity space provision provided on site does not meet the guidelines set out in the Council’s Design and Amenity Space Supplementary Planning Guidance. Sites within areas of open space deficiency will normally be required to provide the full amount of amenity open space on site.</td>
<td>Where a proportion of the required private amenity space is to be provided on site, the total financial contribution sought will be reduced in proportion, and will be negotiated on a case-by-case basis. Please see the main document and Appendix One for full details.</td>
<td>Paragraphs 6.22-6.28, and Appendix One. Design and Amenity Space SPG (March 1995).</td>
</tr>
<tr>
<td>Nature conservation</td>
<td>Any development which would adversely affect an identified Site of Importance for Nature Conservation (SINC) and where required works cannot be secured as part of the application or via planning condition.</td>
<td>Creation of other sites or off-setting the loss of habitats by creating new habitats, or alternatively a financial contribution.</td>
<td></td>
<td>Paragraphs 6.29 – 6.31</td>
</tr>
<tr>
<td>Planning Obligations</td>
<td>Landscape provision</td>
<td>Archaeological works</td>
<td>Affordable Housing</td>
<td>Community centres, youth centres and community halls.</td>
</tr>
<tr>
<td>----------------------</td>
<td>---------------------</td>
<td>---------------------</td>
<td>-------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Any development where a requirement for landscape provision is identified as being necessary and where this cannot be adequately dealt with as part of the development scheme or by planning condition.</td>
<td>Normally to be provided as part of development scheme, or as in kind works undertaken by the developer off site.</td>
<td>Undertaking to carry out required investigations, excavation, recording of archaeological remains and other archaeological work that may be necessary.</td>
<td>Reference should be made to the draft Affordable Housing SPD which provides details of the threshold and requirements for affordable housing, and for the formula for off-site provision. In the interim, until the draft Affordable Housing SPD is approved, reference should also be made to the Interim Policy Statement on Affordable Housing.</td>
<td>Contributions to community centres, youth centres and/or halls, will be sought where necessary as part of a major residential development, particularly as part of major regeneration schemes. As a guideline however, this type of contribution will not normally be sought for developments of less than 400 residential units.(see section 6)</td>
</tr>
<tr>
<td>Development Specific Transport Works</td>
<td>All developments.</td>
<td>Development specific transport works are an integral part of the development scheme, and are seen as an essential part of the development, without which planning permission would not be granted. New developments will be expected to provide for the necessary on and off-site transport infrastructure including vehicular access, parking, roads, paths, cycleways, lighting and links to the existing road networks. As well as on-site requirements, new development proposals may create a need for off-site works within the vicinity of the development, for example to ensure the safe flow of traffic and pedestrian and cyclist safety or to facilitate safe access to the development. Planning obligations will be sought to secure the provision of, or financial contributions towards, on and off-site works required in connection with residential and non-residential development of any size, where works are required to make a scheme acceptable.</td>
<td>Paragraphs 12.7 – 12.14.</td>
<td></td>
</tr>
<tr>
<td><strong>Travel Plans</strong></td>
<td>Travel Plans will normally only be required for developments over 250 units, but in certain circumstances they may also be required for smaller developments (see section 5).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Remediation</strong></td>
<td>Any development where land is, or is suspected to be, contaminated and where remediation or monitoring are considered necessary. Installation of necessary mitigation measures will be negotiated in each case where necessary. Normally this will be part of the development scheme or required by planning condition.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Flood Mitigation</strong></td>
<td>Any site located in an identified Area at Risk from Flooding on Proposals Map, or where it is considered that the impact of a proposal would result in increased flood risk downstream. Installation of appropriate attenuation measures to reduce the risk of flooding to acceptable levels will be negotiated in each case where necessary. Normally this will be part of the development scheme or required by planning condition.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Air Quality</strong></td>
<td>Any development where it is identified that air quality monitoring or works to minimise the impact of a development are required, particularly where the site is within or adjacent to an AQMA and where this cannot be dealt with as part of the development or by planning condition. Any required works, or financial contribution towards off-site works will be negotiated where necessary. Normally this will be part of the development scheme or required by planning condition.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noise</td>
<td>Any development where it is identified that noise mitigation measures or restrictions upon development are required to make a development acceptable in planning terms, and where this cannot be dealt with as part of the development or by planning condition.</td>
<td>Any required works, or financial contribution towards off-site works will be negotiated where necessary. The section 106 agreement may also be utilised to require a certain restriction on the development in order to minimise noise disturbance caused by the development (e.g. hours of operation, permanent provision of noise barrier).</td>
<td>Paragraphs 13.24 – 13.26</td>
<td></td>
</tr>
<tr>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OF OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
<td>FORMULA/REQUIREMENTS</td>
<td>REFERENCE</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------</td>
<td>----------</td>
<td>----------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>RESIDENTIAL DEVELOPMENTS OF 5-9 ADDITIONAL UNITS. Any of the requirements in table one as relevant and the requirements set out in this table. Please also refer to tables three to six and table twelve.</td>
<td>Education</td>
<td>All residential developments where there is a net increase of at least five units. This excludes single bedroom dwellings, specialist housing for the elderly, and housing in multiple occupation (HMO) for single persons.</td>
<td>The Council’s ‘Education Contributions From Residential Developments’ SPG provides full details.</td>
<td>Paragraphs 9.7 – 9.15 Education Contributions from Residential Developments SPG (February 2003).</td>
</tr>
<tr>
<td>Sustainable Transport Improvements</td>
<td>Education</td>
<td>All residential developments where there is a net increase of at least five units. Please see Appendix One for full details.</td>
<td>Contribution per unit</td>
<td>Paragraphs 12.15 – 12.23 and Appendix One.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PTAL 6-5</th>
<th>PTAL 4-2</th>
<th>PTAL 1-0</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-2 bed units</td>
<td>£800 per unit</td>
<td>£1000 per unit</td>
</tr>
<tr>
<td>3+ bed units</td>
<td>£1200 per unit</td>
<td>£1500 per unit</td>
</tr>
</tbody>
</table>

Where a development is located within the catchment area for the proposed Tramlink extension (as illustrated in section 12.4.2 of the main document), the contribution per unit will be multiplied by a factor of 1.5.
<p>| Travel Plans | Travel Plans will normally only be required for developments over 250 units, but in certain circumstances they may also be required for smaller developments (see section 5) |  |</p>
<table>
<thead>
<tr>
<th>TYPE OF DEVELOPMENT</th>
<th>TYPE OBLIGATIONS SOUGHT</th>
<th>CRITERIA</th>
<th>FORMULA/REQUIREMENTS</th>
<th>REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL DEVELOPMENTS OF 10-24 ADDITIONAL UNITS. Any of the above listed requirements in tables one and two as relevant and the requirements in this table. Please also refer to tables four to six and table twelve.</td>
<td>Open Space</td>
<td>All major residential developments (10 or more units) in areas of open space deficiency shall be required to provide open space on site, or make a payment in lieu, towards provision and/or enhancement of open space off-site. The application of this approach does not include studio, one-bedroom flats or sheltered accommodation. For residential developments which are not within an area of open space deficiency, a threshold of 25 units will apply, and the contribution sought will be reduced by 50%.</td>
<td></td>
<td>Paragraphs 6.10 – 6.21 and Appendix One.</td>
</tr>
<tr>
<td>Environmental Improvements</td>
<td></td>
<td></td>
<td>£280 per bedroom</td>
<td>Paragraphs 7.6 – 7.17.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Total cost per unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedrooms</td>
<td>£300</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>£500</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>£650</td>
</tr>
<tr>
<td>Safety and Security</td>
<td>All developments will be required to provide development-specific measures in terms of safety and security. Usually this will not require a section 106 agreement, as any required works will be secured as part of the development scheme or via planning condition. Where necessary, contributions towards strategic safety and security measures will be sought all major town centre developments that will generate significant visitor numbers and trip movements, assessed on a case-by-case basis.</td>
</tr>
<tr>
<td>Sports and Recreation</td>
<td>The calculation for sports and recreation provision includes sports halls, health and fitness gyms, swimming pools, playing pitches and tennis courts. Please refer to paragraphs 9.17-9.25, and Appendix One for full details. The costs of providing the necessary safety and security measures will be negotiated on a case-by-case basis pursuant to the location, nature and scale of the development and the type of safety and security measures which are identified as being necessary.</td>
</tr>
<tr>
<td><strong>Size of unit</strong></td>
<td><strong>Total cost per unit</strong></td>
</tr>
<tr>
<td>Studio / 1 bedroom</td>
<td>£1,200</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>£1,700</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>£2,400</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>£3,000</td>
</tr>
</tbody>
</table>


Paragraphs 9.16 – 9.24 and Appendix One.
<table>
<thead>
<tr>
<th>Health</th>
<th>Where there is an identified local need, the Council will seek contributions or provision of health facilities for major residential developments.</th>
<th>The Healthy Urban Development Unit model is Microsoft Excel-based and is designed to forecast at a high level the additional health demand that might result from a new residential development and to quantify the impact in terms of physical space and subsequently cost. The series of calculations and formulae which are used in the model are described in detail in the guidance notes which accompany the model; available at <a href="http://www.healthyurbandevelopment.nhs.uk">www.healthyurbandevelopment.nhs.uk</a>. Where there is an identified local need the Council will be guided by the HUDU model, however developments will be considered on a case-by-case basis.</th>
<th>Paragraphs 9.67 – 9.41 and Appendix One.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Art</td>
<td>If in Town or District Centre</td>
<td>The Council shall seek to ensure that the cost of public art provided in association with new developments equates to approximately 1% of gross development cost (excluding land values) of a development project. Please see section 9.3.6 of the main document for full details.</td>
<td>Paragraphs 9.46 – 9.51 and Appendix One.</td>
</tr>
</tbody>
</table>
### Employment

Where a residential development would not be acceptable in planning terms due to loss of employment floor space or loss of jobs, it may be possible to mitigate the impact of the development via the use of planning obligations. Where a scheme is otherwise acceptable, the Council may seek one or more of the following mitigation measures, with the exact requirements being negotiated on a case-by-case basis.

Initiatives may include:
- Replacement premises
- Training and development
- Local labour agreements

Paragraphs 11.7 – 11.12.

### Travel Plans

Travel Plans will normally only be required for developments over 250 units, but in certain circumstances they may also be required for smaller developments (see section 5).

### Car clubs

Whether a car club obligation will be sought will be determined on the basis of the scale and nature of the development. Further information is available in the Council’s SPG on Car Clubs (December 2002). Generally this will apply to major developments and it is likely that the Council will normally limit consideration of proposals for development related car clubs to locations within or in close proximity to town centres (sustainable locations).

It has been estimated that the overall level of contribution is likely to fall within the range of £135 to £540 per unit of development, excluding any costs for works to be undertaken by the Council or directly by the developers. Please see the Car Clubs SPG for full details.

Please note that these figures have been adjusted to October 2005 prices.

<table>
<thead>
<tr>
<th>Energy Efficiency</th>
<th>All major developments of new housing.</th>
<th>Conduct a Building Research Establishment Energy Assessment and obtain an agreed rating. Often a s106 agreement will not be required, as this could be secured by planning condition or as part of the development application.</th>
<th>Paragraphs 13.12 – 13.13.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recycling Facilities</td>
<td>All major developments.</td>
<td>Requirements will normally be sought as part of development scheme or by condition. Any requirements for planning obligations will be negotiated in each case.</td>
<td>Paragraphs 13.19 – 13.20.</td>
</tr>
<tr>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
<td>FORMULA/REQUIREMENTS</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------</td>
<td>----------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Residential Developments of 25-249 Units.</td>
<td>Open Space</td>
<td>All residential developments of 25 units or more which are not located within areas of open space deficiency shall be required to make a contribution towards enhancement of open space provision. The contribution is set at 50% of the full contribution. The application of this approach does not include studio, one-bedroom flats or sheltered accommodation.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Play Space</td>
<td>LAP requirements should be met on site. A contribution will be sought towards the provision and/or enhancement of LEAP/NEAP requirements where these cannot be provided on site. The application of this approach does not include studio, one-bedroom flats or sheltered accommodation. This approach accords with the ‘6 acre standard’ (NPFA), PPG3, and PPG17.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Total cost per unit if not within an area of open space deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedrooms</td>
<td>£150</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>£250</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>£320</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size of unit</th>
<th>Cost per unit where a site is not within an area of LEAP or NEAP deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedrooms</td>
<td>£1,200                                                                   £600</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>£1,700                                                                   £850</td>
</tr>
<tr>
<td>4+ bedrooms</td>
<td>£2,000                                                                   £1,000</td>
</tr>
</tbody>
</table>

Please see Appendix One for full details.
<table>
<thead>
<tr>
<th>Travel Plan</th>
<th>Travel Plans will normally only be required for developments over 250 units, but in certain circumstances they may also be required for smaller developments (see section 5)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewable energy</td>
<td>On site provision of up to 10% of predicted energy requirements from renewable energy sources. A design statement will need to be submitted for approval to ensure that the requirement can be met. The planning obligation will need to ensure that the energy requirements can be met for the lifetime of the building(s).</td>
<td>Paragraphs 13.14 – 13.18.</td>
</tr>
<tr>
<td>FIVE</td>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OBLIGATIONS SOUGHT</td>
</tr>
<tr>
<td>------</td>
<td>---------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>RESIDENTIAL DEVELOPMENTS OF 250 – 399 UNITS. Any of the above listed requirements in tables one, two, three, and four, as relevant and the requirements in this table. Please also refer to tables six and twelve.</td>
<td>Travel Plan</td>
<td>Developments of more than 250 residential units will always be required to submit a travel plan.</td>
</tr>
<tr>
<td>SIX</td>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OF OBLIGATIONS SOUGHT</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td></td>
<td>RESIDENTIAL DEVELOPMENTS OF 400 UNITS AND ABOVE. Any of the above listed requirements in tables one, two, three, four, and five, as relevant and the requirements in this table. Please also refer to table twelve.</td>
<td>Community centres, youth centres and community halls.</td>
</tr>
</tbody>
</table>
Non-Residential:

<table>
<thead>
<tr>
<th>SEVEN</th>
<th>TYPE OF DEVELOPMENT</th>
<th>TYPE OF CONTRIBUTIONS SOUGHT</th>
<th>CRITERIA</th>
<th>FORMULA</th>
<th>REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL REQUIREMENTS FOR NON-RESIDENTIAL DEVELOPMENTS: (as required) Please also refer to tables eight to twelve.</td>
<td>Open Space</td>
<td>Non-residential developments may create additional demand for open space.</td>
<td>Requirements for open space provision or contributions from non-residential developments will be negotiated where necessary.</td>
<td>Paragraphs 6.10 – 6.21 and Appendix One.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nature conservation</td>
<td>Any development which would adversely affect an identified Site of Importance for Nature Conservation (SINC) and where required works cannot be secured as part of the application or via planning condition.</td>
<td>Creation of other sites or off-setting the loss of habitats by creating new habitats, or alternatively a financial contribution.</td>
<td>Paragraphs 6.29 – 6.31.</td>
<td></td>
</tr>
</tbody>
</table>
### Safety and Security

All developments will be required to provide development-specific measures in terms of safety and security. In particular, contributions towards strategic safety and security measures will be sought from the following developments:

- All new major development proposals for leisure, entertainment and hotel developments which are likely to attract clientele beyond 8.00pm at night.
- All late night cafes/restaurants, public house and night clubs which seek to attract clientele beyond 8.00pm at night.
- All major town centre developments that will generate significant visitor numbers and trip movements, assessed on a case-by-case basis.

The costs of providing the necessary safety and security measures will be negotiated on a case-by-case basis pursuant to the location, nature and scale of the development and the type of safety and security measures which are identified as being necessary.

<table>
<thead>
<tr>
<th><strong>Landscape provision</strong></th>
<th>Any development where a requirement for landscape provision is identified as being necessary and where this cannot be adequately dealt with as part of the development scheme or by planning condition.</th>
<th>Normally to be provided as part of development scheme, or as in kind works undertaken by the developer off site.</th>
<th>Paragraph 7.29.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Archaeological works</strong></td>
<td>Any development where a requirement for archaeological investigation or works is identified as being necessary and where this cannot be adequately dealt with as part of the development scheme or by planning condition.</td>
<td>Undertaking to carry out required investigations and/or works.</td>
<td>Paragraph 7.30.</td>
</tr>
<tr>
<td><strong>Health</strong></td>
<td>In some cases provision of, or a contribution towards, health facilities will be required from non-residential developments.</td>
<td>Contributions will be negotiated on a case-by-case basis.</td>
<td>Paragraphs 9.36 – 9.41 and Appendix One.</td>
</tr>
</tbody>
</table>
| Training | Where a scheme is of strategic importance in terms of employment generation, the Local Planning Authority may consider further obligations in order to maximise employment opportunities for unemployed people. As a guideline, such initiatives will be sought for developments which will result in at least 50 additional jobs (i.e. the lower limit of a medium sized enterprise). | Initiatives may include:  
- On site recruitment centre;  
- Commitment to local employment initiatives;  
- Support for specific organisations and initiatives providing or contributing to training, employment and recruitment related services and projects;  
- Apprenticeships;  
- On-site training initiatives.  
| Employment | Where a development would not be acceptable in planning terms due to loss of employment floor space or loss of jobs, it may be possible to mitigate the impact of the development via the use of planning obligations. Where a scheme is otherwise acceptable, the Council may seek one or more of the following mitigation measures, with the exact requirements being negotiated on a case-by-case basis. | Initiatives may include:  
- Replacement premises  
- Training and development  
- Local labour agreements | Paragraphs 11.7 – 11.12. |
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Paragraphs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Specific</td>
<td>Development specific transport works are an integral part of the development scheme, and are seen as an essential part of the development, without which planning permission would not be granted. New developments will be expected to provide for the necessary on and off-site transport infrastructure including vehicular access, parking, roads, paths, cycle ways, lighting and links to the existing road networks. As well as on-site requirements, new development proposals may create a need for off-site works within the vicinity of the development, for example to ensure the safe flow of traffic and pedestrian and cyclist safety or to facilitate safe access to the development. Planning obligations will be sought to secure the provision of, or financial contributions towards, on and off-site works required in connection with residential and non-residential development of any size, where works are required to make a scheme acceptable.</td>
<td>12.7 – 12.14.</td>
</tr>
<tr>
<td>Transport Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car clubs</td>
<td>Car club obligations will normally be sought only for residential developments, however there will be circumstances where it is appropriate for a non-residential use to enter a planning obligation to secure use of a car club. Whether a car club obligation will be sought will be determined on the basis of the scale and nature of the development. Further information is available in the Council’s SPG on Car Clubs (December 2002).</td>
<td>12.24 – 12.28.</td>
</tr>
</tbody>
</table>

Car Clubs SPG (December 2002).
Developments that exceed the above thresholds (the thresholds for providing Transport Assessments as required by UDP Policy TR 18) will always require a Travel Plan. A travel plan may also be required for developments that do not meet the thresholds, depending on the circumstances of the case (see para. 11.80 of the UDP).

### Table

<table>
<thead>
<tr>
<th>Category</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foodstore (A1), DIY Store</td>
<td>1,000m² GFA</td>
</tr>
<tr>
<td>Fast Food (A3) and new classes A4/A5</td>
<td>50 seats</td>
</tr>
<tr>
<td>Office (B1/A2)</td>
<td>3,000m² GFA</td>
</tr>
<tr>
<td>General Industrial (B2)</td>
<td>4,000m² GFA</td>
</tr>
<tr>
<td>Storage and Distribution (B8)</td>
<td>4,000m² GFA</td>
</tr>
<tr>
<td>Hotel (C1)</td>
<td>250 bedrooms</td>
</tr>
<tr>
<td>Hospitals (C2)</td>
<td>250 beds</td>
</tr>
<tr>
<td>Leisure and entertainment (C2)</td>
<td>&gt;500 person capacity</td>
</tr>
</tbody>
</table>

The content and details of a travel plan will be negotiated in each case.

Paragraphs 12.29 – 12.31.
<table>
<thead>
<tr>
<th>Remediation</th>
<th>Any development where land is, or is suspected to be, contaminated and where remediation or monitoring are considered necessary.</th>
<th>Installation of necessary mitigation measures will be negotiated in each case where necessary. Normally this will be part of the development scheme or required by planning condition.</th>
<th>Paragraphs 13.8 - 13.9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Mitigation</td>
<td>Any site located in an identified Area at Risk from Flooding on Proposals Map, or where it is considered that the impact of a proposal would result in increased flood risk downstream.</td>
<td>Installation of appropriate attenuation measures to reduce the risk of flooding to acceptable levels will be negotiated in each case where necessary. Normally this will be part of the development scheme or required by planning condition.</td>
<td>Paragraphs 13.10 - 13.11</td>
</tr>
<tr>
<td>Energy Efficiency</td>
<td>All major developments of offices, supermarkets and industrial developments. Other developments will be considered on a case-by-case basis.</td>
<td>Conduct a Building Research Establishment Energy Assessment and obtain an agreed rating. Often a s106 agreement will not be required, as this could be secured by planning condition or as part of the development application.</td>
<td>Paragraphs 13.12 – 13.13</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Any development where it is identified that air quality monitoring or works to minimise the impact of a development are required, particularly where the site is within or adjacent to an AQMA and where this cannot be dealt with as part of the development or by planning condition.</td>
<td>Any required works, or financial contribution towards off-site works will be negotiated where necessary. Normally this will be part of the development scheme or required by planning condition.</td>
<td>Paragraphs 13.21 – 13.23</td>
</tr>
<tr>
<td>Noise</td>
<td>Any development where it is identified that noise mitigation measures or restrictions upon development are required to make a development acceptable in planning terms, and where this cannot be dealt with as part of the development or by planning condition.</td>
<td>Any required works, or financial contribution towards off-site works will be negotiated where necessary. The section 106 agreement may also be utilised to require a certain restriction on the development in order to minimise noise disturbance caused by the development (e.g. hours of operation, permanent provision of noise barrier).</td>
<td>Paragraphs 13.24 – 13.26</td>
</tr>
<tr>
<td>EIGHT</td>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------</td>
<td>-------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>A3/A4/A5/D2 GREATER THAN 100M² GROSS FLOOR AREA. Any of the requirements for non-residential development, set out in table seven as relevant and the requirements in this table. Please also refer to tables nine to twelve.</td>
<td>Environmental Improvements</td>
<td></td>
<td>Please see ‘Environmental Improvements’ section below. An additional contribution of £100 per 100m² will be sought for food and drink uses towards environmental improvements, litter and street scene initiatives.</td>
</tr>
<tr>
<td></td>
<td>Town Centre Management</td>
<td></td>
<td>The contribution towards town centre management and marketing will be calculated as follows: £4 per square metre up to a maximum of £4,000. Developments over 1,000 square metres of gross floor area will be considered individually. Note that environmental improvements within town centres are considered separately in Section 7 of this document.</td>
</tr>
<tr>
<td>NON-RESIDENTIAL DEVELOPMENT S GREATER THAN 100M² GROSS FLOOR AREA. Any of the general requirements for non-residential development, set out in tables seven and eight, as relevant and the requirements in this table. Please also refer to tables ten to twelve.</td>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OF OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Sustainable Transport Improvements</td>
<td>Per 100m² GFA PTAL 6-5 PTAL 4-2 PTAL 1-0</td>
<td>Nursery £1,600 £2,000 £2,400</td>
<td>Primary School £800 £1,000 £1,200</td>
</tr>
<tr>
<td>TEN</td>
<td>TYPE Of DEVELOPMENT</td>
<td>TYPE OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------</td>
<td>---------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>OTHER NON-RESIDENTIAL GREATER THAN 200M² GROSS FLOOR AREA.</td>
<td>Environmental Improvements</td>
<td>Where a site is located within a Preferred Industrial Area, contributions towards industrial area improvements will be sought as set out in section 11 of this document.</td>
<td>The contribution towards environmental improvements will be calculated as follows: £280 per 100m² gross floor area.</td>
</tr>
<tr>
<td></td>
<td>Town Centre Management</td>
<td>If site is within Town Centre. Please note that for A3/A4/A5/D2 uses, the threshold is 100m² Gross Floor Area, as set out in Table 9 above.</td>
<td>The contribution towards town centre management and marketing will be calculated as follows: £4 per square metre up to a maximum of £4,000. Developments over 1,000 m² of gross floor area will be considered individually. Note that environmental improvements within town centres are considered separately in Section 7 of this document.</td>
</tr>
<tr>
<td></td>
<td>Industrial Area Improvements</td>
<td>If the site is located within a Preferred Industrial Area.</td>
<td>£280 per 100m² gross floor area.</td>
</tr>
<tr>
<td>ELEVEN</td>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OF OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>---------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>OTHER NON-RESIDENTIAL GREATER THAN 1000M²</td>
<td>Public Art</td>
<td>If in Town or District Centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Theatre</td>
<td>All commercial and leisure developments of greater than 1000m², including changes of use, within Sutton Town Centre.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Renewable energy</td>
<td></td>
<td>On-site provision of up to 10% of predicted energy requirements from renewable energy sources. A design statement will need to be submitted for approval to ensure that the requirement can be met. The planning obligation will need to ensure that the energy requirements can be met for the lifetime of the building(s).</td>
</tr>
<tr>
<td></td>
<td>Recycling Facilities</td>
<td></td>
<td>Requirements will normally be sought as part of development scheme or by condition. Any requirements for planning obligations will be negotiated in each case.</td>
</tr>
<tr>
<td>TYPE OF DEVELOPMENT</td>
<td>TYPE OBLIGATIONS SOUGHT</td>
<td>CRITERIA</td>
<td>FORMULA/REQUIREMENTS</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------</td>
<td>----------</td>
<td>----------------------</td>
</tr>
<tr>
<td>ALL RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS WITH PLANNING OBLIGATIONS EXCEEDING £10,000.</td>
<td>Administration Fee</td>
<td>The administration fee will cover costs associated with the administration and monitoring of the legal agreement and will be in addition to the planning application fee, and any legal and valuation fees.</td>
<td>2.5% of the total amount of planning obligation. The fee will be calculated as a percentage of any financial planning obligations sought, excluding any obligations provided in kind.</td>
</tr>
</tbody>
</table>