



BEDFORD
BOROUGH COUNCIL

PLANNING OBLIGATIONS

Supplementary Planning Document

Adopted July 2013

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INTRODUCTION

(i) Planning Obligations in Section 106 Agreements (S106 Agreements) are an established mechanism used to secure planning matters arising from a development proposal. They are most commonly used by the Council to require developers to make financial contributions towards the provision of off-site facilities, that are necessary for the development to proceed. This Planning Obligations Supplementary Planning Document (SPD) sets out the Council's policy for securing planning obligations from new developments that require planning permission. It sets out the position prior to and after adoption of a Community Infrastructure Levy (CIL) at which time it should be considered alongside the Community Infrastructure Levy Charging Schedule or any successor documents. If the Council decides to adopt a CIL the Charging Schedule will set out the types of new development to which the CIL will apply. Section 106 requirements will be scaled back to those matters that are directly related to a specific site, that are not set out in the Regulation 123 list of projects towards which CIL may contribute. Pooling restrictions will also apply so that no more than 5 separate planning obligations entered into since April 2010 will be able to be pooled towards infrastructure.

(ii) Once the Charging Schedule is adopted, it will no longer be possible to pool contributions from more than five planning obligations to deliver an infrastructure project or type. The Planning Obligations SPD sets out how the negotiable elements that cannot be addressed by the Levy will be secured. This would include affordable housing and the resolution of site specific issues, such as the provision of highway improvements to serve the development and make it acceptable in planning terms.

(iii) The Council expects new development to contribute to site related and wider infrastructure needs through a combination of the following mechanisms:

- Planning conditions (development related);
- Planning obligations to secure developer contributions or works in kind eg. S106 Agreements (development related);
- Community Infrastructure Levy (borough wide).

(iv) Planning conditions are requirements made by the local planning authority for actions that are needed in order to make a development acceptable in planning terms. They cannot be used to secure financial contributions but can be used to ensure that certain elements related to the development proposal, and which may benefit the wider community, are carried out. In the borough such conditions are likely to cover, amongst other things, the requirement to undertake archaeological investigations, implement necessary local site-related transport improvement, and undertake appropriate flood risk solutions.

(v) Planning obligations, also known as S106 Agreements (made under S106 of the Town and Country Planning Act 1990), are legally binding agreements entered into between a Local Authority and a developer. They provide the mechanism by which measures are secured to mitigate the impact of development on local facilities that are geographically or functionally related to it. This can be through financial contributions, works, activities or restrictions relating to the use of land and buildings. The use of planning obligations is a useful tool through which the Council can make development acceptable in planning terms that would otherwise be refused.

(vi) The need for site related infrastructure secured through planning conditions and S106 Agreements will be assessed on a site by site basis. The policies in the document relate to new developments for housing, employment uses, shops, mineral workings etc. which would put additional pressure on infrastructure and services to the extent that improvements may be needed. Extensions to dwellings would not normally give rise to a need for planning obligations but it is possible that a large extension to an office, warehouse or shop could put additional pressure on infrastructure and services and then planning obligations may be sought.

(vii) When the Council has adopted a Community Infrastructure Levy (CIL) it will apply to most new developments and charges are based on the size and type of the new development. The CIL charge for each development type will be detailed in the Council's Community Infrastructure Levy Charging Schedule, which is under preparation and it is envisaged will be in place by April 2014.

(viii) The CIL will generate funding to deliver a range of borough wide and local infrastructure projects that support residential and economic growth, provide certainty for future development and benefit local communities. The CIL Charging Schedule when adopted will set out the rates to be applied together with details of any exemptions from payment available.

(ix) This SPD comprises two parts:

Part One sets out the Council's overall approach to planning obligations. It shows how the SPD complies with national and local policy, and deals with procedural matters relating to the preparation and monitoring of S106 Agreements.

Part Two sets out the types of obligation that the council may seek to secure from development and how this will change with the introduction of the Community Infrastructure Levy. It identifies the relevant policy basis, types of development to which the obligation will apply, thresholds over which the obligation will be sought and it sets out, where possible, the basis on which the level of obligation will be calculated. It specifically covers the following obligation types:

- A Affordable Housing and Extra Care Housing
- B Education Provision
- C Community facilities, public realm
- D Highway infrastructure works, Traffic Regulation Orders, Travel Plans
- E Flood risk management- SuDs
- F Green Infrastructure and the Forest of Marston Vale
- G Public access/rights of way
- H Waste and re-cycling
- I Sustainability - carbon offset fund
- J Employment and Skills
- K Historic Environment and Conservation

(x) Core Strategy and Rural Issues Plan policy CP30 makes it clear that a wide range of matters may give rise to the need for contributions. The types of obligation listed above are the most common purposes for which planning obligations may be sought but the list is not definitive. Other site related planning obligations may be needed where requirements to make the development acceptable in planning terms cannot be achieved solely by condition. These range from works or finance for improvements to a building or the environment in mitigation that cannot solely be dealt with by planning condition, to requirements for the developer to enter a covenant to restrict the use of land.

PART ONE

NATIONAL POLICY AND LEGAL CONTEXT

1.1 The legislative framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act, and the Localism Act 2011. Further legislation is set out in Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (The CIL Regs 2010), and the Community Infrastructure Levy (Amendment) Regulations 2011, 2012 and 2013.

1.2 Regulation 122 of the CIL Regs 2010 sets out the following tests that must be satisfied in order for obligations to be a reason for granting planning permission. The obligation must be:

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

1.3 The CIL Regs 2010 contain provisions that state that upon the adoption of a local CIL, or by 6 April 2014 (or other date set by the government), whichever is the sooner, planning obligations are to be scaled back to cover only the provision of affordable housing and site specific measures required to mitigate the impact of development. The CIL Regs 2010 will then prevent the pooling of more than five S106 obligations towards an infrastructure project or type from a base date of April 2010. Therefore tariff type obligations which are pooled in order to deliver infrastructure to support growth will no longer be possible.

1.4 Consultation on the CIL Preliminary Draft Charging Schedule and this SPD will take place simultaneously with the aim of providing a clear and transparent framework for securing site-specific obligations and contributions to support growth.

PURPOSE OF THE SPD

1.5 The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 to expand and clarify policies in the Core Strategy and Rural Issues Plan 2008 (CSRIP) and the Allocations and Designations Local Plan, in particular policy CP8 and CP30 in the CSRIP and AD2 and policy AD28 in the Allocations and Designations Local Plan. It constitutes an important material consideration in the decision making process. It will assist in securing both local and national objectives in respect of the provision of sustainable development across the borough.

1.6 The purpose of the Planning Obligation SPD is to:

- explain the Council's policies and procedures for securing developer contributions through planning conditions and obligations in S106 Agreements;
- explain the relationship between planning obligations under S106 Agreements and the Community Infrastructure Levy in a fair and transparent way;
- provide evidence and guidance to developers and landowners about the types of contributions that will be sought and the basis for charges;
- to provide clarity to developers regarding the cost of development.

1.7 Any proposal that may require the provision of planning obligations will require the consideration of a number of planning issues, and a variety of policies contained in the CSRIP may apply. The policies that the SPD supplements have been subject to Sustainability Appraisal. The SPD has been screened and the Council has determined that a full Sustainability Appraisal, Strategic Environmental Assessment is not needed.

PRIORITIES

1.8 Obligations will be negotiated on a site by site basis and the priority given to the differing types of obligation will be at the Council's discretion. However, as a general rule, legitimate site-specific obligations including those identified in adopted plans and the provision of affordable housing will be given priority over other obligations. The justification behind the priorities given will be set out in the Planning Officer's report and recommendations for determining the planning application. It will be the result of a balanced judgement, arrived at by taking into consideration a range of policy issues, site characteristics, government guidance

such as CIL Reg 122 compliance, material comments received during the development process and any evidence on viability.

1.9 Key matters to be considered are as follows:

- Adopted Development Plan documents
- Adopted Neighbourhood Plans
- Highway safety requirements
- Site related mitigation requirements
- Statutory consultee comments including parish councils
- Financial viability of the proposed scheme
- Other representations received.

1.10 This approach will ensure that Regulation 122 of the CIL Regulations is applied consistently and that obligations are related to the development from which they are sought.

1.11 It is not appropriate for obligations relating to different development types to be set out in priority order, as circumstances will differ and each development proposal will have its own characteristics.

APPROACH TO SUBSTANTIAL RESIDENTIAL DEVELOPMENT (sites that on their own or collectively with other parts of a development site are in excess of 250 units)

1.12 Generally improvements to public open space and schools required due to the effect of the development of a number of smaller sites will be funded through the CIL and other funding sources by either the Council or neighbourhoods rather than by collecting contributions through planning obligations once the Council has an adopted CIL. However development proposals for in the region of 250 or more residential units may come forward, that may generate a need for on-site open space and sites of 400+ dwellings could potentially need a new school solely due to the increase in the resident population resulting from the development. In such cases, the provision of on-site open space or a new school or major school expansion will continue to be required through planning obligations, as the infrastructure is required to specifically mitigate the impact of the development. The assessment of whether these facilities are required will be based on the following:

Open Space On-site sports pitches will be required if the quantum of development requires provision when compared with current standards unless it is agreed with the Council that there is not currently a shortage in the area of suitable public pitches and associated facilities. Current standards are identified in the Allocations and Designations Local Plan (see extract as Appendix 3).

Schools and other Community Infrastructure A new school will be required if the development will generate sufficient school age children to necessitate provision of a new school (see Part Two, para 2B.7 for calculation method). The Council will need to demonstrate that the children generated by the development could not sensibly be provided for within existing school accommodation in the local area. On the largest sites where effectively a new community is being created other community facilities may be required to fulfil the sustainability objectives of the National Planning Policy Framework. These could include provision for a local shop, community centre, playing field, allotments, waste recycling areas and medical facilities.

1.13 To prevent avoidance of contributions, where the application proposal forms a sub-division of a larger developable area (such as an identified large scale major development), any requirement will take into account the extent of the whole development site, rather than the area or number of homes/ floorspace of a specific proposal assuming appropriate densities. It will also need to take into account the need to size the school to whole forms of entry. i.e. a one form entry primary school provides for 210 pupils (7 classes of 30 pupils). See Part Two, para 2B.7 for pupil generation formula.

PROCEDURAL ISSUES

Drafting of S106 Agreements

1.14 S106 Agreements will normally be drafted by the Council's Legal Services Unit, or by solicitors acting on the Council's behalf, although the applicant can also provide a draft, if that is considered to be more appropriate. Applicants will be required to pay the Council's reasonable costs incurred in drafting and completing the agreement.

1.15 For straightforward obligations that contain only financial obligations, the use of Unilateral Undertakings may be possible. A Unilateral Undertaking template containing standard clauses is available to download on the Council's website and is included as Appendix 7. Where Unilateral Undertakings are used, applicants will be required to meet the Council's reasonable costs incurred in checking the Undertaking and the legal interests in the land to be bound by the Undertaking.

Further information

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Transfer of Land

1.16 Occasionally obligations will require land to be transferred to the Council, or parish council or other community organisation usually in respect of public realm or open space scheme obligations. In such cases the S106 Agreement will contain a requirement to pay the Council's or other community organisations legal costs in respect of the land transfer and provisions relating to the condition of the land to be transferred.

Financial Contributions

1.17 Financial contributions from S106 Agreements will be payable at specific stages in the development process, usually on commencement or on first occupation of the development. However, there may also be cases in large-scale development where contributions can be phased, in order to match the proportional impact of each phase of the development.

1.18 Trigger dates for the payment of financial contributions will be included in the S106 Agreement, as will anytime periods by which the contribution is to be spent. Where obligations are to be pooled with those from another site a 10 year repayment period will be required. Where a sum includes a maintenance element the period for repayment should reflect this, e.g. 10 or 20 yrs - where solely for maintenance no repayment should be required.

1.19 Following receipt by the Council, financial contributions will be held in interest bearing accounts and will be individually identifiable due to each contribution being allocated a unique finance code. Contributions remaining unspent at the end of a time period specified in the S106 Agreement will be returned to the payee in accordance with the terms of the agreement. This only applies to payments under S106 Agreements. There are different arrangements for payments made under the Community Infrastructure Levy arrangements.

Index Linking

1.20 All financial contributions in S106 Agreements including maintenance sums will be indexed to a relevant index - see Appendix 1. For smaller agreements contributions will be indexed linked from the date that the agreement was entered into until the time of payment. In the case of large complex planning applications and schemes where S106 negotiations may be protracted indexation will be from the date that the sums were agreed to the time of payment. Indexation provisions will require that no sum in the S106 shall be reduced as a result of indexation.

Monitoring and enforcement of Obligations

1.21 Monitoring of obligations will be undertaken by the Council to ensure all obligations entered into are complied with on the part of both the developer and the Council.

1.22 Developers entering into S106 Agreements or Unilateral Undertakings will be required to pay a monitoring fee in order to contribute towards the Council's costs incurred in the monitoring of the obligations and reporting on S106s as required by government guidance. Work involved includes maintaining the database, logging agreements, checking triggers, estimating indexed amounts figures, arranging receipt of contributions, alerting and checking that they are used by service areas, returning unspent monies and making sure that records are kept of discharge of clauses etc.

Basis of Charges

1.23 A S106 monitoring fee will be charged for each S106 Agreement. The fees for this will be reviewed regularly and any changes to them will be published separately on the Council's website.

1.24 The current fees (2012/13) which are based on estimated costs of carrying out the monitoring are as follows:

- Residential under 300 dwellings and other types of development £145/clause/trigger for monetary or non monetary obligations. If a sum such as a playing field contribution is paid in two halves this would count as two triggers reflecting the increase in the administrative monitoring costs.
- Developments over 400 dwellings monitoring costs will be estimated on a case by case basis reflecting increased time involved in monitoring and co-ordination of S106 planning obligations on major sites.

1.25 The revenue generated from the fee will be used for administration, monitoring and management of collection and implementation of S106 obligations.

1.26 The administration fee for the Community Infrastructure Levy is incorporated within the Levy itself, so no separate additional fee is payable.

Late Payments and enforcement

1.27 In the event of any delay in making any payment required under a S106 Agreement interest shall be charged on the amount payable at the rate of four per cent per annum above National Westminster Bank Plc base lending rate from time to time in force, from the date that the relevant payment falls due to the date of actual payment. In the rare event of monthly scheduled payments being agreed the sum charged will include interest at the rate normally charged by the Council in addition to any indexing due.

1.28 The Council will work with developers to find solutions in cases where they demonstrate real difficulty in making payments at the trigger set out in the S106 Agreement. This could be through agreeing payment of obligations at a later stage of the development process, or through provision by the developer of works rather than finance. However, where it is imperative that the relevant measure is in place prior to a development being occupied, the obligations to fund it will always become payable on commencement of the development and no variation will be possible.

1.29 Planning obligations 'run with the land' and are linked to specific planning permissions. They are registered as a land charge and will form part of the planning register, which is available for public inspection. They are enforceable against the original developer and anyone who subsequently acquires an interest in the land (unless otherwise agreed by the Council).

1.30 The Council will enforce obligations through the relevant legal channels once other reasonable approaches to address non-compliance with obligations have been taken. In such cases, the Council will seek to retrieve its legal costs in taking action from the party that is in breach of its obligations as well as any additional indexation or interest on the sum that is due.

Reporting of Section 106 Agreement Monies

1.31 An annual report containing details of S106 Agreement monies received, and spent, will be produced and made available on the Council's website usually as part of the Council's Annual Monitoring Report.

Viability and renegotiation

1.32 Section 106A of the Town and Country Planning Act 1990 allows voluntary renegotiation of a planning obligation at any time. Where voluntary agreement cannot be reached there may be a formal application to modify or discharge an obligation when that obligation is 5 years old. The local authority must take a decision on such an application. If the local authority decision is not to grant the application then there is a right to appeal to the Planning Inspectorate.

1.33 The Council accepts that there may be occasions where development proposals are unable to meet all the relevant policy requirements and still remain viable. There must be a strong justification for any change, such as a reduction in the percentage of affordable housing or infrastructure elements to be provided, and the resultant obligation must still be sufficient to make the development acceptable in planning terms. The

principles for modifying planning obligations are given in Section 106A of the Town and Country Planning Act 1990. This requires that an obligation to be discharged must “no longer serve a useful purpose” or that it “continues to serve a useful purpose...equally well” as modified. These principles will be the underlying considerations during negotiations.

1.34 Where the Council is satisfied that an otherwise desirable development cannot be fully policy compliant and remain viable, a reduced package of planning obligations may be recommended. Where the application or request for renegotiating one or more elements of the S106 affects the overall principle of the original decision (eg. the application would not have been approved without the obligation) the application or proposed variation will be determined by Planning Committee and not under officer delegated powers. Formal applications to modify or remove S106 obligations under S106 B will be registered and publicised in a similar way to planning applications with parished and statutory consultees being consulted. Local councils will also be consulted on any informal applications to renegotiate obligations that would affect the nature or timing of delivery.

1.35 Where viability has been raised by the applicant as a reason for the modification or discharge of an obligation and the Council considers that a viability assessment is required to enable the Council to assess the viability of the development, the applicant will be required to provide any necessary cost and income figures to the Council, and pay the Council’s reasonable costs in appointing consultants to undertake the assessment.

1.36 In all cases, the Council requires viability assessment to be undertaken using a residual land value approach. This means that the costs of the development and the value to be created are compared and then the resulting residual land value is compared with a threshold value which is linked to the existing land value or alternative use value that would be permitted. The viability appraisal process is not based on actual prices paid as part of a land transaction.

1.37 For a shortfall in viability to be considered as a reason to accept a reduced obligations package, it must be demonstrated to the Council’s satisfaction that the residual land value falls below the threshold value.

PART TWO

A schedule showing the thresholds for the various types of obligations pre and post a CIL being introduced is available on page 35. Post April 2014 (or other date set by the government) or on introduction of a Community Infrastructure Levy Section 106 requirements will be scaled back to those matters that are directly related to a specific site, that are not set out in the Regulation 123 list of projects towards which CIL may contribute. Pooling restrictions will also apply so that no more than 5 separate planning obligations entered into since April 2010 will be able to be pooled towards infrastructure. This applies to obligations in all the topic areas.

The costs in this document and appendices are at August 2012 (3Q12) prices except where stated and may be subject to indexing.

A HOUSING - AFFORDABLE AND EXTRA CARE

AFFORDABLE HOUSING

Context - Policy Background/Purpose

2A.1 Current national policy requires the planning system to deliver a mix of housing to create balanced communities and on sites above the threshold set out in the Core Strategy and Rural Issues Plan this should normally be provided on development sites.

2A.2 The Council will continue to seek to secure appropriate affordable housing provision on development sites in accordance with the adopted Core Strategy and Rural Issues Plan policies or successor documents as appropriate. Specifically policy CP8 sets out affordable housing requirements and will be applied to all development proposals across the borough.

2A.3 Affordable housing reforms announced in late 2010 make changes to the former situation where affordable housing comprised of social rented accommodation and intermediate tenures. Affordable housing now includes social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market. The government has made it clear that affordable rent will form the principal element of the supply of new affordable housing.

Development types from which obligations are sought

2A.4 Residential developments.

Threshold - Relationship to CIL

2A.5 New residential developments within the borough will trigger a need for affordable housing. Policy CP8 states that "on sites of 15 residential units and over (or 0.5ha and over) and in villages having a population of less than 3000 on sites of 3 dwellings or more (or 0.1ha) the Council will expect the provision of 30% affordable housing". Residential development for this purpose should be defined as residential development units, class C3 of the Use Classes Order 2010.

2A.6 The threshold will apply to the proposed number of housing units on a site. However where there are already dwelling units on a site, that have been occupied for that purpose within the year before an application is submitted, the threshold will be based on the net figure.

2A.7 The policy will apply where a planning application forms part of a larger site where development of the larger site would be within the above policy threshold. To purposely seek permission for only part of the site to avoid providing affordable housing would be contrary to government policy to create socially inclusive communities, including suitable mixes of housing.

2A.8 These requirements will continue to apply after introduction of the Community Infrastructure Levy and will normally be secured through a S106 Agreement.

Form in which contributions should be made

2A.9 On-site provision of affordable housing is required. In exceptional circumstances provision off-site will be accepted. Where exceptionally housing cannot be provided on-site or off-site a financial contribution will be required in lieu of provision.

2A.10 Where the Council agrees to a financial contribution in lieu of on-site or off-site provision the Council will expect the contribution to be of broadly equivalent value to the provision that would have been made on-site.

2A.11 The timing of provision will be controlled through S106 Agreements and should be made towards the beginning of a development or for larger developments phased across the development and it should be well designed and fully integrated with the development so it is indistinguishable from market housing.

2A.12 The type (i.e. flats, houses) and size (number of bedrooms and persons accommodated) of dwellings to be provided will reflect the dwellings provided in the scheme as a whole. Affordable Housing dwellings should achieve the standards set by the Homes and Communities Agency Design and Quality Standards 2007 including Code Level 3 of the Code for Sustainable Homes. Under policy AD2 of the Allocations and Designations Local Plan developments of more than 10 dwellings will need to meet Code Level 4 unless it can be demonstrated that this will make the development unviable. Clusters of affordable housing should not normally exceed 15 houses or 12 flats with no more than two blocks of 12 flats in close proximity.

2A.13 The Council's preferred tenure mix is 66.7% affordable or social rented, 33.3% shared ownership.

2A.14 The tenure and dwelling mix for the affordable element of a scheme is a matter that should be discussed at an early stage with the Council's Housing Development and Policy Manager to ensure affordable housing requirements are well planned and meet local need.

2A.15 On smaller schemes all details of affordable housing will be agreed and included in S106 Agreements. On larger schemes it will generally be necessary to include key principles in the S106 and require the submission of an affordable housing scheme for approval.

2A.16 Low cost market housing is not regarded as affordable housing and its provision will not therefore count against the required affordable housing provision. In the light of the Strategic Housing Market Assessment findings on income levels of households requiring affordable housing Discounted Market Sale housing is not a priority for the Council.

Further information

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EXTRA CARE HOUSING

Context - Policy Background/Purpose

2A.17 New housing sites are expected to provide a mix of dwelling sizes and types to meet the identified housing needs of the community. It is recognised in the Core Strategy and Rural Issues Plan (CSRIP) para 4.30 that those in housing need span a broad range of household types. Some groups within the community have particular housing needs including older people, those with special needs, the homeless and low income groups. Policy CP7 says that larger sites should provide a broad mix of housing suitable for different household types (Core Strategy and Rural Issues Plan policy CP7).

2A.18 There is a significant increase in the population in older age groups in Bedford. In 2010 about 11.1 % of the population were aged over 70 and 7.5% of the population aged over 75. These percentages are expected to increase by 2021 to 14.5% aged over 70 and 9.6% aged over 75. It is recognised that there is a need for more Extra Care housing in the borough which is particularly suitable for persons aged 75 and over. Extra Care housing also provides opportunities to meet local housing needs by providing opportunities for downsizing thus freeing up family housing.

2A.19 Extra Care accommodation (also referred to as Assisted Living) is normally purpose built accommodation in which varying amounts of care and support can be offered and where some services and facilities are shared. It is essential that the developments have the capacity to deliver high levels of care to at least one third of their residents and that all residents across the site have access to the full range of facilities and the care services of the extra care scheme. The Council does not have a need for sheltered housing for rent.

2A.20 Whilst the borough wide need has been recognised in the Older Persons Accommodation Strategy August 2011 and the Housing Strategy 2012-17 and some sites are planned or under development, these

are not always in the best locations. In order to create balanced communities, it is important that provision is made in suitable and accessible locations as an integral part of planning large new housing sites in key villages and the urban areas of Bedford and Kempston.

Threshold - Relationship to CIL

2A.21 Large housing sites of 500+ dwellings. This will still apply after a Community Infrastructure Levy is introduced.

Form in which contributions should be made

2A.22 Suitable sites should be allocated within developments of 500+ dwellings to provide 7-8% of dwellings as Extra Care units. Sites of this scale have the necessary capacity to achieve a successful scheme which is large enough to provide the economies of scale to support the shared facilities. The minimum site size should accommodate 40 units. The units provided can be private (leasehold or rented) or private with a proportion of affordable rent. If a proportion of affordable rented accommodation is provided this may form part of the overall 30% affordable housing requirement.

Further information

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B EDUCATION PROVISION

Context - Policy Background/Purpose

2B.1 Education infrastructure is an integral component of balanced sustainable communities and the Council will continue to seek to secure appropriate education and schools facilities, including early years and children's centres provision.

Development types from which Obligations will be sought

2B.2 New housing developments within the borough may trigger the need for education provision. It is recognised that specialist older persons housing schemes and 1 bed dwellings are unlikely to accommodate any children and therefore S106 obligations towards education will not be sought from these developments. Depending on the scheme type a 50% discount may be offered for two bedroom flats.

Threshold - Relationship to CIL

2B.3 The Council will negotiate with prospective developers with a view to securing the necessary provision of additional capacity where it is required as a result of development. This includes the provision of early years facilities, primary education places, children's centres provision, secondary education places and post-16 education places.

2B.4 Education contributions will apply to any development of 5 or more dwellings (or cumulatively more than 5 dwellings) unless a Community Infrastructure Levy Charging Schedule has been adopted by the Council at which time S106 contributions towards primary school provision will normally only be sought from large scale major residential developments over 400 dwellings where CIL Regulation 122 requirements are met. In assessing dwelling numbers an allowance may be made if there is an existing occupied dwelling on the site.

Assessing provision required

2B.5 The basic process in determining the need for school places is for the borough's Children's Services School Planning Team to look at the estimated pupil numbers to be generated by the proposed development, the capacity of the catchment area schools and existing and forecast school rolls to assess if there is a shortfall in places. The cost of the additional provision needed is then estimated.

2B.6 The generation rates are derived from an analysis of newer housing areas in Bedfordshire based on an analysis of Enumeration District level statistics information from the 2011 Census. The rate historically used of 4 children/year group/100 houses has been updated using local area information available from the 2011 census (see appendix 6). The current figures that apply are:-

- 2-3 yr olds - 6.3 children/age group/hundred dwellings
- 4 -10 yr olds - 4.6 children/age group/hundred dwellings
- 11-15 yr olds - 4.2 children/age group/hundred dwellings

There are several options for further education for children post GCSE, not all of which are full time education in secondary and upper schools. As it would not be correct to assume the need for places is equal to the pupil generation rates for each of those years it has been assumed that school years 12/13 together would be equivalent to an additional secondary school year; an approach that has been used for some years.

2B.7 The pupil product estimates based on the 2011 census set out above gives the following estimate of the number of pupils per 100 new dwellings when divided between pre-school/primary/secondary/post-16 age groups:

- 12.6 pre-school age children (2-4yr olds) per 100 new dwellings
- 32.2 primary age children (4-10 year olds) per 100 dwellings
- 21.0 secondary school age pupils (11-15 year olds) per 100 dwellings.
- 4.2 further education pupils aged 16-18 per 100 dwellings.

2B.8 The Council operates a catchment area system and this will normally be the appropriate area base for assessing available capacity in schools. School places planning is carried out on the basis of catchment areas within school clusters and the Department for Education (DfE) takes this into account in assessments of need for funding for additional places. Occasionally there may be an additional school the capacity of which also needs to be taken into account because of its proximity. However the availability of capacity in alternative schools may not be relevant due to distance, issues of accessibility or social links between home and vacant places. These schools may be situated either inside or outside of Bedford Borough.

2B.9 School capacity is the current agreed capacity figure for the school, but should take into account any committed extensions (in the current year's financial programme) and improvement schemes under construction.

2B.10 The presence of existing temporary accommodation should be taken as evidence that the school is already under pressure and should not figure in the permanent capacity estimate. Most such accommodation is on temporary planning consents which may not be renewed.

2B.11 Where 'need' is clearly identified as a result of school capacity, pupils on roll and forecasts then this Authority will not accept unduly onerous monitoring requirements being included in clauses in legal agreements.

2B.12 For examining school rolls and capacity the period for assessing forecasts of pupil numbers is the period within which forecast roll figures are available (usually 4 years as based on live births) or for larger sites the period within which the proposed development will be implemented.

2B.13 When assessing the capacity of a school, planning permissions for housing within the school's catchment area must also be taken into account, even if the dwellings are yet to be constructed, because pupils arising from these developments will take up current surplus places, where they exist, or exacerbate an existing shortfall.

2B.14 Where school extensions are required, if no recent project information is available, contributions will be based on the cost of providing the required number of school places. Guidance on the cost of pupil places adopted by the DfE for determining capital allocations to Local Authorities have been used for some years and will continue to be used until better information becomes available. At 2012 the capital cost/pupil place for lower/primary school age was £12502 and for secondary school pupils was £18469. As a guide using Council pupil generation rates for primary age provision this is would be in the region of:

- £1575/dwelling where there is a need for additional nursery school age provision and
- £2857/dwelling where there is a need for additional lower school age provision ;
- or
- £4026/dwelling where there is a need for additional primary school age provision.

2B.15 Early years contributions will be estimated on the same DfE cost/pupil place as lower/primary schools unless more specific information becomes available.

2B.16 The timing of contributions and school provision will need to be negotiated but will take into account various factors such as the proximity and ability of nearby schools to accommodate pupils on a temporary basis, and the need to make proper provision at the earliest opportunity.

2B.17 Contributions received will normally be used to create or enable additional school places to be provided. It may be appropriate for that provision to be delivered in community schools, foundation schools, academies, voluntary aided schools etc..

Form in which contributions should be made

2B.18 Small sites contributions will be made either by S106 Agreements or through the Community Infrastructure Levy when it is adopted.

2B.19 For larger housing allocations or sites of more than 400 dwellings (or cumulatively more than 400 dwellings) on-site provision of free serviced land within the development to accommodate identified education and school facilities, including early years and children's centres provision may be required where there is insufficient capacity locally.

2B.20 Where on-site provision is required as a first principle the Council expects developers to provide a financial contribution to fully fund the delivery of the required school and 3 yr+ unit together with furniture and equipment and associated playing fields as well as the fully serviced site. If appropriate, consideration will be given to the developer building the school or other required infrastructure to an agreed specification on a case by case basis, with the developer paying the costs of the Council preparing and checking the specification and that it has been complied with before handover of the building. A contribution for fitting out the building with furniture and equipment is also required. Where appropriate, if there is sufficient local demand then the Council would expect early education provision for those aged 0-3 yrs.

2B.21 In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 25% of the need for the facility is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required as well as contributions for the construction of or funding for the facilities.

Large scale housing developments of over 400 dwellings

2B.22 Large development sites should make provision for school sites of sufficient size to meet the borough's stated site size requirements to serve the whole of the development allocation (which may comprise more than one application site).

2B.23 Currently some areas of the borough are served by primary/secondary schools and others by lower/middle/upper schools. To future proof provision all schools to serve pupils of primary school age will need to be built as primary schools.

2B.24 The primary provision should be sized to the appropriate numbers of form of entry, ie. provision will be for a one form entry (1FE) 210 place school with 30 pupils in each of the 7 year groups plus a 30 full time equivalent (fte) nursery or two form entry school (2FE 420 place school with 60 pupils in each of the 7 year groups plus a 60 fte nursery. This is because sizing schools to a whole form of entry is necessary in terms of delivery of the curriculum and also for organisational and management reasons. In some instances where buildings are being provided in two phases the first phase will need to be future proofed by having core facilities being built at a sufficient scale for the eventual size.

2B.25 The optimum size for primary schools on the basis of curriculum, organisational and management issues is 2FE, ie. 60 children/year group. In addition 3 yr+ provision will be made on site.

2B.26 Site size will need to take into account potential increases in densities and the need to enable pre-statutory Early Years provision to be made on school sites eg. nursery or site for nursery.

- A 210 place (1 FE) primary school, with Early Years provision and offering extended school services, will require a 1.3 hectare site.
- A 420 place (2 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 2.3 hectare site.

2B.27 The site should be centrally located for the dwellings and pupils intended to be served by the school. Sites should preferably be a 'square rectangle' in shape and be free from development constraints. If sites are irregularly shaped additional site area above the required site sizes may be required. If there is not a locally available car park or other off-site facility then provision should be made in the highway layout for drop off parking provision in the vicinity of the school.

2B.28 The costs of any provision on a large scale major development will be considered on a case by case basis. However if the requirement is for a new school building the cost will reflect the gross area of the building required derived from the government's Building Bulletin guidance and costs based on contract data from the most recent capital projects undertaken. It is expected that fully serviced land will be provided by the developer at nil cost ie. services to support the capacity of the proposed school. Where developments require new buildings the full capital costs will be sought including the fitting out of the building, laying out or extending playing fields etc, initial costs of equipment for the school, and fees for the design/ supervision etc. Also for new schools the costs of providing a 'school safety' scheme near the school entrance(s) may be sought and infrastructure within the housing areas based on the School Travel Plan and Accessibility strategies eg. flashing warning lights, red paint and school signs on the carriageway and local improvements for safer routes to schools.

2B.29 Indicative costs for buildings at 2012

Size of Facility	Cost of New Building
1FE (210) Primary School	£4.5m (based on BDG 2009 estimate updated)
2FE (420) Primary School	£6.5m (based on estimate Great Denham school)
8FE (1440) Secondary School	£25m (based on Bedford Academy)

Early Years Settings and Children Centres

2B.30 The local authority has a statutory duty to ensure sufficient Childcare and Children Centre provision for those aged 0-4 yrs in line with the Childcare Act 2006. Early Years Settings and Children's Centres are the main vehicle for providing services for children and families. The settings include nurseries who predominately offer full day care for those aged 0-4 and pre-schools who generally provide for those aged 3+. Childrens' Centres in the Borough do not currently offer all day childcare. They provide a range of local services including access to health services and family support.

2B.31 In major development areas, an Early Years Setting or Children's Centre may be required. The demand and gaps in local childcare is currently outlined in the statutory childcare sufficiency assessment. The potential demand for services would need to be considered alongside this assessment in order to ensure an accurate picture of what is required is developed.

Further Information

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C COMMUNITY FACILITIES AND PUBLIC REALM

Context - Policy Background/Purpose

2C.1 Community facilities are vital to the vibrancy and success of local communities. They include community halls and other indoor sports facilities, youth centres, places of worship, cultural facilities such as libraries, health facilities, police facilities, local heritage facilities and meeting places, and protection of such areas by CCTV. Provision of sites for shops and other commercial uses may also be required as part of major development proposals. The importance of accessible community facilities to the well being of communities is recognised in the Council's Sustainable Community Strategy and Corporate Plan.

2C.2 New developments can impose extra costs on service providers at a time when resources are stretched. Therefore it is reasonable to seek provision of sites and/or contributions towards the costs of community infrastructure where the need for those facilities arises directly from the development and there is evidence of existing inadequate provision in the area. Applications will be assessed individually to determine if they will place a strain on existing, or create a demand for new facilities.

Development types from which Obligations are sought.

2C.3 Residential or commercial developments.

Threshold - Relationship to CIL

2C.4 When the Community Infrastructure Levy is in place this will be used to address the cumulative impacts of developments on community facilities. Service providers include parish councils and locally accountable community groups.

2C.5 On large scale sites it may be necessary to provide community facilities directly on-site to meet the needs of the development or provide a site to enable provision by other service providers such as health facilities. This is only likely to be the case with larger residential or commercial developments. In making its assessment the Council will have regard to the evidence, including the level and adequacy of existing provision.

Form in which contributions should be made

2C.6 Given the varied nature of community facilities each negotiation will be on a case by case basis.

2C.7 Some community facilities may be adopted by the Council eg. meeting places, public art, CCTV, etc. and in these cases specifications will need to be agreed before they are built and provision will need to be made for future maintenance. Other facilities such as a community hall or built leisure facility if required may need to be transferred to an appropriate body such as a parish council or locally accountable community group with an adequate sum for maintenance.

2C.8 For facilities to be adopted by the Council the requirement will be for the developer to design and construct the area of public realm to a design and specification agreed by the Council. It will then be transferred to the Council once it is in an adoptable condition. Upon transfer, a commuted maintenance payment will be required to cover the costs of maintaining the public realm.

The arrangements will be as follows:

- Development is not to commence until the developer has submitted to and received from the Council, written approval for a public realm scheme. This is in addition to approval of details required to meet planning conditions.
- The developer is to implement the public realm scheme, and upon practical completion will arrange a joint site meeting with the relevant Council officer. When the officer is satisfied that the scheme is acceptable a Certificate of Practical Completion will be issued and a 12 month maintenance period will commence.
- At the end of the maintenance period a further joint site inspection will be undertaken and subject to any defects being satisfactorily remedied, the area covered by the public realm scheme will be transferred to the Council and a commuted maintenance payment will become payable. The level of the commuted maintenance payment will vary from site to site depending upon the materials to be used and the costs of maintaining the area of public realm, but normally an index linked sum to

cover a 20 year maintenance period should be assumed and replacement or refurbishment of the facilities during or at the end of the period may need to be included in the sums.

2C.9 Community halls, if required, need to be affordable and manageable by the community they are intended to serve. The Council will not normally take on responsibility for such halls - the building or lease will need to be passed to a parish council or other responsible community body direct together with an index linked commuted sum to cover start up costs and maintenance costs so that there is no future liability on the Borough Council.

D HIGHWAYS AND TRANSPORTATION

Context - Policy Background/Purpose

2D.1 Most developments generate new travel movements. Any additional alterations to the transport network required to cope with these movements or mitigate impact within or in the vicinity of the new development will be expected to be incorporated within proposals. Provision to be made on-site for facilities required can be through planning conditions and a Section 38 or Section 278 Agreement under the Highways Act 1980, and they may also be secured through a planning obligation. However there will be cases where this is not practical or appropriate and in these cases, the Council will require financial contributions towards the provision of necessary measures to mitigate the impact of the development.

2D.2 Justification for requiring obligations for highways infrastructure works is set out in policy CP30 of the Core Strategy and Rural Issues Plan (CSRIP) and policies AD36, AD37, AD39 of the Allocations & Designations Plan (A&D Plan).

2D.3 While a certain level of conformity with national, regional and local planning policies will be assumed, all developments should clearly set out how they conform with Local Transport Plan 3 (LTP3) policies, and prioritise those elements of the development which meet LTP objectives. In the context of development and highways related works, particular emphasis should be placed on, but not confined to, the network management strategy which aims to ensure that the highway network: "effectively meets the daily demands placed on it by traffic, while contributing to safer, more efficient movement by buses, pedestrians and cyclists."

2D.4 Mitigation of any development should focus on reducing the impact of the private car and providing opportunities for public transport, walking and cycling for instance.

Development types from which Obligations will be sought

2D.5 Highway infrastructure works will be required where there is a requirement from any type of development to improve existing, or construct new, highway infrastructure in order to access development in a safe and appropriate manner or to mitigate the effects of the development on the highway network.

Threshold - Relationship to CIL

2D.6 There is no overall minimum threshold below which obligations will not be sought. Consequently there is no trigger below which a highway infrastructure obligation may not be required and there are no types of development that would be exempt from highway infrastructure requirements.

2D.7 Highway infrastructure works will be secured through one of two routes, as follows:

- 1 Where there are a range of other obligations required, highway infrastructure works will be incorporated in the S106 Agreement. In addition, where the highway infrastructure works are complex in nature they will also be secured through a Section 106 Agreement as it is important that the scope of such works is agreed prior to the granting of a planning consent.
- 2 Where there are no other obligations or the required highway infrastructure works are straightforward, they can be secured using a 'Grampian' condition within the planning permission for the development. This will enable a planning consent to be granted more quickly, but will require the developer to enter into a Section 278 Highways Agreement (S278 Agreement) prior to commencing their development. S278 Agreements are not the responsibility of the Local Planning Authority.

2D.8 New developments may also have wider impacts and an increased demand on a network that already operates above capacity. These impacts will be addressed in two ways.

- 1 Through Travel Plans and encouragement of other modes of transport such as walking, cycling and public transport through provision of new linkages, highway improvements and site Travel Plans.
- 2 When the Community Infrastructure Levy is in place improvements required to support general growth may be addressed through the Levy.

Form in which contributions should be made

2D.9 Site related requirements could range from small-scale footway reinstatement and kerb build-outs up to the construction of new junctions or access roads. Needs should be identified through the Travel Plan and Transport Assessment (see Appendix 2 for this Council's approach, thresholds, Travel Plan fees that will apply etc) and may be categorised under the following headings:

- Highway works (eg. junction improvements, control crossings, etc);
- Public transport infrastructure including park and ride, bus lanes, real time information and service improvement provisions for public and community transport;
- Pedestrian and cycle facilities (eg. new links to existing routes, safe crossing facilities, cycle parking provisions, etc);
- Travel Plan provisions (which may include physical works as well as promotional measures and required sums towards monitoring, further details of which are attached in Appendix 2). Note: The physical measures will normally be specifically mentioned in the S106 Agreement each with a trigger relating to time or a limit on occupations in terms of its provision;
- Traffic Regulation Orders for speed and waiting restrictions and associated lines and signs;
- Traffic monitoring and mitigation contributions for schemes as part of a plan, monitor, manage and implementation package.

Trigger for payment

2D.10 Wherever possible highway works should be implemented via agreements under S278 or S38 of the Highways Act 1980. Trigger dates for implementation of works or the payment of financial contributions may be specified by condition or through a S106 Agreement. However, many highway related obligations are required prior to occupation for safety reasons. Developers will be expected to meet the full cost of essential highway works and traffic regulation orders.

Other Issues

Adoption of Highway Works carried out by the developer

2D.11 The requirement will be for the developer to implement the agreed highway infrastructure works which will then be adopted by the Council once they are in an adoptable condition.

2D.12 The arrangement for achieving this where completion is needed prior to occupation will be broadly as follows:

- Prior to commencing the development the developer is required to submit and receive written approval of detailed engineering drawings setting out the highway infrastructure works.
- Prior to occupying the development, the developer will implement the approved scheme, to the point where the Council is prepared to issue a Certificate of Substantial Completion (Certificate 1).
- The developer will retain responsibility for maintaining the highway infrastructure works for a minimum of 12 months following the issue of Certificate 1. Once this period has ended and all snagging works are satisfactorily completed, a Certificate of Adoption (Certificate 2) will be issued. The Council will adopt the highway infrastructure works upon issue of Certificate 2.

2D.13 Specific details regarding the processes for undertaking highway infrastructure works will be set out in the relevant S106 or S278 Agreement.

Fees and development related bonds

2D.14 Developers will be required to enter into a bond for an amount specified by the Council, to ensure the Council's position is protected should the developer default in any way with regard to the highway infrastructure works. This bond can take the form of a formal bond entered into with an approved surety, or a cash deposit held by the Council.

2D.15 In addition developers will also be required to pay fees to cover the Council's costs incurred in approving the detailed engineering drawings, inspecting the highway infrastructure works and issuing the Certificates.

2D.16 For S38 Agreements the total fee for drawing approval and inspection of works will be calculated as a proportion of the value of the bond. The calculations are set out in the following table.

Fees charged	% of the Bond
If the S38 Agreement is in place prior to commencing works on site	8%
If the S38 Agreement has not been completed prior to the commencement of works on site	10.5%

In addition there is a street lighting fee £50/column, minimum £250.

2D.17 For S278 Agreements there is an administration charge which is based on 5% of the tender figure for the construction works, this does not cover the cost of checking the technical drawings and inspecting the works on site; The costs of undertaking this work are presently charged on an hourly basis.

2D.18 If any changes are made to these charges details will be published on the Council's web site.

2D.19 When highway works have been carried out to the required standard and are able to be adopted (ie. The Council has been advised that any other party's infrastructure within the highway has been completed to the appropriate standard and adopted) the Council will normally adopt the highway together with land required for its support or drainage, subject to receiving the appropriate commuted sum payment for any features on the area to be adopted such as bridges, traffic signals, drainage, special lighting, bus gates and any related Closed Circuit TV (CCTV) control system etc, and for street furniture such as dog bins.

Further information

Transport Assessments and Travel Plans information and guidance can be obtained from the following:

- Guidance on Transport Assessment (March 2007)
- <http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta>
- Good Practice Guidelines: Delivering Travel Plans Through the Planning Process (April 2009).

The Council's Highways Development Control information and guidance can be obtained from the following:

http://www.bedford.gov.uk/environment_and_planning/planning_town_and_country/highways_development_control/development_control.aspx

For Transport Assessment and Travel Plan issues

Melanie MacLeod, Transport Policy Team Leader.
Tel: 01234 228607 Email: melanie.macleod@bedford.gov.uk

For Highways Development Control issues

Highways Development Control Team Leader.
Tel: 01234 228239

For S38/S278 Agreement and highway adoption issues

Stuart Borgognoni , Principal Agreement Officer.
Tel: 01234 718742 Email: stuart.borgognoni@bedford.gov.uk

E FLOOD RISK MANAGEMENT - SUSTAINABLE URBAN DRAINAGE SCHEMES (SuDS)

Context - Policy Background/Purpose

2E.1 The Flood and Water Management Act 2010 requires Sustainable Urban Drainage Schemes (SuDS) on all new developments where practicable. The Department for Environment, Food and Rural Affairs will be publishing secondary legislation and guidance to outline arrangements for approval and adoption of SuDS by the SuDS Approving Body (SAB) as well as national standards for the design, construction, maintenance and operation of SuDS before the requirements are introduced, expected in late 2013.

2E.2 Sustainable drainage is the practice of controlling surface water runoff as close to its origin as possible, mimicking the natural drainage of the site, before it is discharged to a watercourse at the same rates and volumes prior to development. SuDS features should normally be provided on-site. If this cannot be achieved, then more strategic forms of SuDS may be appropriate.

2E.3 Sustainable drainage techniques have many benefits such as reducing flood risk, improving water quality, encouraging groundwater recharge and providing amenity and wildlife benefits.

2E.4 Well designed SuDS should include a number of different features, provided in sequence to incrementally reduce pollution, flow rates and volumes. This concept is known as the management train. The hierarchy of techniques that should be considered are:

- Source control - control of surface water runoff at or very close to where the rain falls;
- Site control - management of water within the site boundary or local area;
- Regional control - management of surface water from a site or several sites.

2E.5 SuDS features include:

- Source control measures such as rainwater recycling, permeable drives, rain gardens and green roofs.
- Conveyance and infiltration features such as swales and filter strips to collect, move water, allow infiltration as well as remove pollutants.
- Dry basins such as retention and infiltration basins to store water for a short time during rainfall events.
- Storage areas such as ponds and wetlands to hold excess water after rain and to allow controlled discharge.

2E.6 When the provisions in Schedule 3 of the Flood and Water Management Act (2010) come into force (now expected to be October 2013), the requirement for all developments and redevelopments to include appropriate sustainable drainage systems (SuDS) for the disposal of surface water will apply to developments of greater than 10 homes or an area greater than 100 sqm. Construction costs of on-site or site related SuDS to the approved design should be fully funded by the developer. It may also be appropriate for contributions to be made towards more strategic solutions, required to support the growth of the area rather than to meet the needs of one or two sites. On introduction of a Community Infrastructure Levy, contributions towards strategic forms of SuDS will be made through the Levy.

Development types from which Obligations will be sought

2E.7 All development types

Threshold-Relationship to CIL

2E.8 SuDS may be appropriate for all scales of development. If the Council introduces a Community Infrastructure Levy, contributions towards non site specific SuDS will be via the borough wide Levy. Site specific SuDS and flood risk management measures will be secured where possible through S106 agreements.

Form in which contributions should be made

2E.9 In advance of the legislative basis for adoption of SuDS schemes by SABs coming into operation contributions towards strategic SuDS and contributions towards future maintenance costs of on-site SuDS will be expected to be covered through a S106, highways act or other legal agreement depending on where the SuDS is located. It is envisaged that where SuDS are specifically to serve the public highway, the Highways Authority will normally be required to adopt and maintain the SuDS as part of the highway land, and a commuted maintenance payment will be required even after SABs come into operation.

2E.10 After October 2013, or when the appropriate provisions come into force a SuDS application for the works proposed can be made to the SuDS Approving Body (SAB) at the same time, prior to or after the related planning application is submitted (or as a free-standing application if no planning permission is required). Construction can not commence until SAB approval has been received. SuDS which serve more than one property will then normally be adopted with no commuted sums. The developer may also seek agreement for the Council to adopt SuDS where:

- SuDS which serve a single property as defined in Sustainable Drainage (Procedure) (England) Regulations 2012, (this may include blocks of flats, industrial estates, retirement village etc);
- SuDS not required to be approved by the SAB (eg. because the construction work with which it is associated is not yet caught due to the phasing of the requirement for SAB approval);
- Development is under a Neighbourhood Development Order.

In these situations, the SuDS should not be adopted and maintained at the wider public expense and therefore a commuted sum for maintenance will be required.

Further information

Flood and Water Management Act (2010):
<http://www.legislation.gov.uk/ukpga/2010/29/contents>

Implementation of Sustainable Drainage Provisions in Schedule 3 of the Flood and Water Management Act (2010):
<http://www.defra.gov.uk/consult/2011/12/20/sustainable-drainage-systems-1112/>

CIRIA SuDS Manual:
<http://www.ciria.org.uk/suds/publications.htm>

The Council will be preparing Local Standards for SuDS design in due course.

Please contact:

Nicola Wilson, Flood Risk Officer.
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SuDS applications will be dealt with by the Council's building control team.

F GREEN INFRASTRUCTURE AND THE FOREST OF MARSTON VALE

GREEN INFRASTRUCTURE

Context - Policy Background/Purpose

2F.1 Public greenspaces are an integral part of the delivery of sustainable communities through landscaping and subsequent management. They are vital for the creation of high quality development through the provision of amenity green space and sports and recreation facilities that deliver a wide range of benefits including improved community cohesion and public health and providing opportunities for biodiversity and enhancement of the local historic environment.

2F.2 This has been recognised in the Allocations and Designations Local Plan which includes policies supporting the development of a green infrastructure network, identifying opportunity zones (policy AD24) and sets out standards for the provision of outdoor open spaces (policy AD28) covering both the amount and accessibility. An Open Space Supplementary Planning Document is under preparation and should be adopted later in 2013 which will complement and expand on the information in this section.

2F.3 The benefits of greenspace both in terms of the environment and healthy communities are recognised in the Council's Sustainable Community Strategy and Corporate Plan.

Development types from which Obligations will be sought

2F.4 Public greenspaces may be required either on-site, or off-site in mitigation, in association with planning permissions for a range of developments - including residential, employment, community developments. However the range of facilities required will depend on the type of development.

2F.5 Residential developments will require provision of greenspace including play facilities and sports facilities as set out in policy AD28; where possible provision should be made on-site.

2F.6 Sites and facilities may be delivered and arrangements ensured for future maintenance through either planning conditions or planning obligations.

Threshold - Relationship to CIL

2F.7 The Council will continue to seek provision for open space and sports and play facilities from residential developments in accordance with its current adopted standards, with on-site provision being the preferred delivery method. Current standards for the quantity and accessibility of open space are set out in Appendix 3 which also sets out occupancy levels to be adopted for calculating the amount of provision required.

2F.8 On the introduction of a Community Infrastructure Levy on-site provision for residential developments will continue to be required in line with current standards and the thresholds set out below, with contributions from developments to wider borough needs for sports facilities and towards green infrastructure projects such as the Green Wheel, Bedford River Valley Park etc. being through the Community Infrastructure Levy.

2F.9 These thresholds for on-site provision reflect the standards for the amounts of provision set out in policy AD28. Exceptionally they may be relaxed in certain circumstances eg. if there is existing provision of good quality in the vicinity of the site. Furthermore on larger sites there may be overlap between the types of open space provision within an overall open space scheme so that the combined amount may be reduced.

Type	Threshold (net increase)
Informal and amenity greenspace	10 dwellings upwards
Equipped/natural play areas: Pre-teens (up to 12 yrs)	35 dwellings upwards (exceptionally 20 dwellings upwards if local deficiency*)
Young people (13-17 yrs)	Required in addition to pre-teen provision from 150 dwellings upwards
Sports pitches, changing facilities and associated parking	250 dwellings upwards
Natural greenspace	200-250 dwellings upwards

Parks and Gardens	250 dwellings upwards
Allotments	500

*local for this purpose means within 5 minutes walk or 300 m straight line to meet accessibility standard in the Allocation and Designation Local Plan.

Form in which contributions should be made

2F.10 On-site provision of land that is required for public open space within the development, including the capital costs for the provision of children and young people’s play equipment, outdoor sports and recreation provision (including where appropriate changing facilities and associated parking), parks and gardens, allotments. Footpaths within and links to the facilities to enable access will also be required.

2F.11 Suitable management and maintenance arrangements will be required to support any provision of open space, facilities within the open space or outdoor sports areas in line with the Council’s policies. Facilities and infrastructure include changing rooms, play equipment, paths, lighting, dog bins, car parking, footpaths etc.

2F.12 This could be by adoption by the Council or parish councils with a 20 year commuted sum plus replacement costs, by a management company which is demonstrably adequately self-funded or will be funded through an acceptable ongoing arrangement or through local arrangements such as a Trust set up for the new community. There is a need to ensure good quality maintenance programmes are agreed and implemented and that the areas remain available for public use.

2F.13 Prior to the introduction of the Community Infrastructure Levy contributions will be sought to off-site sports pitches and play areas where needed, where on-site provision is not being made. (See Appendix 4).

Use of Contributions

2F.14 Most open spaces such as sports pitches and recreation grounds in the rural areas of the borough are managed by the parish councils. Therefore S106 finance received in the rural parishes in lieu of on-site provision of play areas and sports pitches on new developments will normally be passed to the relevant parish to improve existing or provide additional local facilities that will benefit the local community when a suitable scheme has been identified. As the Council is the enforcing authority in respect of the S106 Agreement it retains responsibility to ensure the finance is spent in line with the terms of the agreement.

2F.15 In the Bedford and Kempston urban area the Council is undertaking a rolling programme of works to enhance the quality and capacity of existing sports pitches as well as the delivery of new pitch space. This is in the context of priorities set out in a playing pitch strategy which was based on an audit of publically available facilities and is supported by local sports organisations. The pitches surveyed included synthetic turf pitches, grass football and rugby pitches, cricket fields, tennis courts and bowling greens. The audit and works proposed exclude educational facilities as whilst they are an important resource they do not allow open public access.

Further information

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FOREST OF MARSTON VALE

Context - Policy Background/Purpose

2F.16 The Forest of Marston Vale is a long term strategic environmental regeneration initiative spearheaded by the Marston Vale Trust, the independent environmental charity established by the original partnership to provide a ‘single purpose vehicle’ for the ongoing delivery of the initiative and Government set target of achieving 30% tree cover by 2031. The aim is to use trees and woodlands to deliver major environmental regeneration, facilitating broader economic and social regeneration of the 61 square mile once-degraded landscape of the Marston Vale. The Forest of Marston Vale is one of 12 Community Forests in England, designated by Government as national priority areas for environmentally-led regeneration.

2F.17 The creation of the Forest of Marston Vale is guided by the 'Forest Plan', a non-statutory strategic framework prepared through extensive public and stakeholder consultation and endorsed by a wide range of stakeholders including local communities and local authorities including Bedford Borough Council. Some 50% of the designated Forest area falls within the Borough (i.e. 30.5 square miles).

2F.18 Policy support for the creation of the Forest of Marston Vale exists at many levels within local authority plans and strategies including policy CP24 of the Core Strategy & Rural Issues Plan and policy AD25 of the Allocations and Designations Local Plan . There is specific support for Community Forests in the National Planning Policy Framework.

Development types from which Obligations will be sought

2F.19 The Marston Vale Trust seeks developer contributions from all types of new development within the area of the Forest of Marston Vale proportionate to the land consumed by the development.

Threshold - Relationship CIL

2F.20 There is no set threshold and in appropriate circumstances the Council will expect developments to address the aims of the project. This will continue to be the case when a CIL Charging Schedule is in place in circumstances where on-site or off-site mitigation planting etc is appropriate. However when a Charging Schedule has been adopted, off-site contributions towards projects in the Vale will be through the borough wide Levy.

Form in which contributions should be made

2F.21 The Marston Vale Trust seeks land and woodland planting or contributions proportionate to the land consumed by the development. The scale of the contributions is based on their assessment that with existing water bodies, housing etc, to achieve the target 30% tree cover across the Forest area 39% of the remaining land must become available for tree planting.

2F.22 Contributions are sought in accordance with the following hierarchy of preferences:

- an area of woodland equivalent to 39% of the development site is provided on-site by the developer as an integral part of the development;
- an area of woodland equivalent to 39% of the development is provided by the developer off-site on appropriate land under their control within the Forest of Marston Vale;
- a financial contribution is made by the developer to The Marston Vale Trust sufficient to fund the creation and establishment of an area of community woodland equivalent to 39% of the development site on land already under the control of the Trust or yet to be acquired by the Trust.

2F.23 Within those preferences the Marston Vale Trust may take into account other contributions made which contribute to the aims of the Trust other than tree planting such as access improvements, footpaths and cycleways, interpretation, (including heritage), seating etc.

2F.24 As the Council is the enforcing authority in respect of the S106 Agreement it retains responsibility to ensure the finance is spent in line with the terms of the agreement.

2F.25 Where a financial contribution is appropriate the current cost/dwelling 2012 is £729.

Further Information

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G PUBLIC ACCESS AND RIGHTS OF WAY

Context - Policy Background/Purpose

2G.1 Footpaths, cycleways, bridleways and byways are an important resource for recreation, healthy living and sustainable transport and are key to creating sustainable and networked communities. Policy AD36 of the Allocations and Designations Local Plan says the Council will seek the provision of new pedestrian routes and facilities which link local facilities particularly in connection with new development. The need to provide or improve access links will be determined by the type and location of the development and its geographical relationship with other facilities, access networks and residential or employment areas.

Development types from which Obligations will be sought

2G.2 New housing and commercial developments within the borough may trigger a need for publicly accessible routes on-site or to move in and out of the development and link with existing pedestrian and cycle routes and the wider rights of way network.

Threshold - Relationship to CIL

2G.3 On adoption of the Community Infrastructure Levy where required on-site or local links to nearby routes will still be sought through planning obligation. Contributions towards wider footpath and cycle network improvements will be through the Levy.

Form in which contributions should be made

2G.4 Contributions may be sought for the provision of footpath link/cycle route, a link to an existing route or for the upgrade of existing routes including those on the rights of way network. On major sites, provision of footpaths and their maintenance (normally for a 20 year period) will also involve associated infrastructure such as dog bins, benches with appropriate commuted sums for maintenance.

Further Information

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H WASTE AND RECYCLING

Context - Policy Background/Purpose

2H.1 The Bedfordshire and Luton Minerals and Waste Plan First Review adopted January 2005 includes policies to encourage the reduction of waste and re-cycling including policy W6 provision of facilities with new development. Supplementary Planning Document (SPD) '*Managing Waste In New Developments*' (April 2006) underpins Policy W6 of the adopted Bedfordshire & Luton Minerals & Waste Local Plan 2005. This document contains specific guidance to ensure that the design of new development takes account of the need to allow an efficient and effective waste collection / management service to be provided and to enable all occupiers to have the best opportunities to reduce, re-use and recycled waste. CP30 of the CSRIP adopted in 2008 also supports the provision of infrastructure to serve new developments. Policy W6 will be replaced by emerging Policy WCP7 in the 'Minerals and Waste Local Plan: Strategic Sites and Policies', which is expected to be adopted in late 2013. This says all new developments should include sufficient and appropriate waste storage and recovery facilities in their design and layout.

There will be continued reliance upon the Supplementary Planning Document '*Managing Waste in New Developments*' as a source of guidance from the conception stage so that occupiers of all new buildings are able to contribute to the move to a materials re-use economy (see supporting text to Policy WCP7).

2H.2 The Council currently operates one Household Waste Recycling Centre (HWRC) located at Barkers Lane in Bedford. The site is made available for the disposal of domestic waste and recyclables as part of the Authority's statutory obligations as a waste disposal authority.

2H.3 The current site serves residents living in Bedford and the south eastern fringes of the Borough well. Efficient design of HWRCs can significantly increase the throughput and aid diversion of waste from landfill. The current site cost approx approximately £2+m to design and construct in 2006. The planning and environmental requirements for such sites have increased since this time. It is therefore considered likely that the current construction costs for a similar design site would be much higher.

2H.4 To assist in meeting national, regional and local waste targets, especially to promote recycling, planning obligations will be sought to ensure that applicants for planning permission provide for waste and recycling infrastructure, either on- or off-site. The size and scale of these facilities would depend on the size of development being proposed. The information below gives details of what would be required.

Development types from which Obligations will be sought

2H.5 Residential development and commercial development which could generate the need for additional waste and recycling infrastructure provision by the Council.

Threshold - Relationship to CIL

2H.6 Contributions may be sought from developments of more than 5 units. When a Community Infrastructure Levy is adopted contributions towards Household Waste Recycling Centre enhancements, off-site bring bank sites etc and collection vehicle needs will be through the Levy. Contributions towards bins will be sought on sites of 50 or more dwellings, but this threshold will be kept under review. On large scale proposals of 500 dwellings or more an underground bring bank site will be required.

Levels and Types of Contribution (as at August 2012)

2H.7 1 On developments of 5-250 dwellings a contribution of £168.57 per dwelling (see Table 2H.1) towards:

- the provision of household bins;
- enhancement and maintenance of Household Waste Recycling Centre facilities and collection vehicle procurement;
- plus where needed a contribution towards upgrading and expanding existing local bring bank sites.

Need will be assessed against whether existing facilities within a 1km radius have enough capacity to cope with the extra dwellings.

2 On moderate developments of 251-500 dwellings a contribution of £168.57 per dwelling plus, where needed, either:

- a contribution towards expanding existing local bring bank sites; or
- a new bring bank site (see Appendix 5) and sum for adoption and maintenance (currently £3,000).

Need for a new site will be assessed against whether there are existing facilities that could provide for the new dwellings within a 1km radius.

3 On large scale proposals of over 501 dwellings the contribution of £168.57 per dwelling plus:

- one or more underground bring bank sites (see Appendix 5) and sum for adoption and maintenance (currently £3000).

Need for multiple bring bank sites will be assessed against whether one new bring bank site and any existing facilities within a 1km radius could provide for all the new dwellings.

Table 2H.1

Bins	£20 each	x3 per HH	£60/HH
Enhancements to HWRC and maintenance	Est £2.4m ⁽¹⁾ £8280/yr x 20 ⁽²⁾	/33500 HH /33500 HH	£71.64/HH £4.93/HH
Collection vehicles	£120k/vehicle x 2 ⁽³⁾	/7500 HH	£32.00/HH
Total			£168.57/HH

Bring bank site expansion	£2250/ skip bank ⁽⁴⁾	/500 HH	£4.50/HH
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(1) Based on the cost new HWRC assuming it would serve half of the Borough, estimate of £2.4m based on cost of current HWRC.

(2) Based on £190 a month spent on maintaining containers and £6000 a year spent maintaining infrastructure at current HWRC.

(3) Assumes 2 vehicles (refuse & recycling) can service 1,500 houses a day. The current 18 vehicles will be at capacity when 67500 dwellings are reached.

(4) Assumes one skip bank serves 500 dwellings.

Further Information

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I SUSTAINABILITY / CARBON OFFSET FUND

Context - Policy Background/Purpose

21.1 The Climate Change Act 2008 sets out the government's legally binding target to reduce greenhouse gases by 80% by the year 2050 (compared with emissions in 1990) and by 34% by 2020. The government has indicated that the requirements of the Building Regulations will be increased in stages until zero carbon emissions from new development as regulated by Building Regulation (or alternative definition of zero carbon as subsequently adopted by the government) is achieved in 2016.

21.2 Government guidance allows local authorities to require levels of building sustainability in advance of those set nationally where local circumstances warrant. Policy CP26 of the Core Strategy and Rural Issues Plan seeks to minimise the consumption and use of energy by new buildings, encourage sustainable construction and minimise the use of water. The plan notes that further policy will be developed as part of the Allocations and Designations Local Plan .

21.3 The Allocations and Designations Local Plan policy AD2 Sustainable Design and Construction states:

“Proposals for sustainable buildings will be encouraged in the borough.

All new residential developments in the borough of 10 dwellings and over or 0.3 hectares and over are required to meet in full Code Level 4 of the Code for Sustainable Homes or equivalent as a minimum and to achieve zero carbon emissions as regulated by Building Regulation (or alternative definition of zero carbon as subsequently adopted by the government). If it is not feasible to achieve zero carbon emissions on-site, developers will be required to contribute to the Council's Carbon Offset Fund.

All new non-domestic developments in the borough over 1000 square metres gross internal floorspace are required to achieve BREEAM 'Very Good' standard or equivalent as a minimum.

These requirements will apply unless it can be demonstrated that they would make the development unviable.”

21.4 The Code for Sustainable Homes (CSH) and Building Research Establishment Environmental Assessment Method (BREEAM) consider the wider environmental impact of a building and therefore can achieve holistic results with regards to delivering sustainable design and construction. Compliance with the required standard can be easily demonstrated through achievement of certification.

Development types from which Obligations will be sought

21.5 The Allocations and Designations Local Plan policy AD2 sets out the development sites which will be included:

- All new **residential** developments in the Borough of 10 dwellings and over, or 0.3 ha and over.
- All new **non-domestic** developments in the Borough over 1000 sqm gross internal floorspace.

Threshold - Relationship to CIL

21.6 Developments which meet the criteria detailed above are required to achieve:

Domestic: the full Code for Sustainable Homes Level 4 or equivalent as a minimum and to achieve zero carbon emissions as regulated by Building Regulation (or alternative definition of zero carbon as subsequently adopted by the Government).

Non-Domestic: BREEAM 'Very Good' standard or equivalent as a minimum.

21.7 To demonstrate compliance with the policy, full pre-assessment certification under the relevant scheme, accompanied by a signed letter of explanation from a registered assessor will be required. Postconstruction validation will also be required. Emissions should be calculated at site level and as tonnes per year.

21.8 Developers should look at on-site carbon reductions. On larger developments, technologies such as district heating and Combined Heat and Power should be considered.

Form in which contributions should be made as at August 2012

21.9 If it is not feasible to achieve zero carbon emissions on-site, developers will be required to contribute to the Council's Carbon Offset Fund to offset the remaining carbon emissions. It is expected developers will enter into a S106 agreeing to pay the required sums when development starts or other agreed trigger. A payment of **£9/tonneCO2/year** over 30 years is proposed, which is estimated at around £540 for a typical new domestic home.

21.10 The Carbon Offset Fund will be used to facilitate off-site renewable energy schemes, and improvements to the existing housing stock (loft and cavity wall insulation etc.) and other non-domestic buildings to reduce the off-site carbon emissions in the borough.

21.11 When a Community Infrastructure Levy is introduced or from April 2014 (or other date set by the government), whichever is the later, no more than 5 obligations can be pooled for a type of infrastructure including green infrastructure such as planting schemes, or renewable energy infrastructure which is likely to restrict use for those purposes. However the fund would be able to be used to support grants and other initiatives.

21.12 The fund could be used in relation to the government scheme Green Deal, for example to provide a funding source for a Council scheme or to subsidise measures that do not meet the 'Golden Rule' such as solid wall insulation. It could also be used as a future funding source for the Mayor's Climate Change Fund which provides 50% match funding for measures which will reduce the carbon emissions of the Borough's community buildings.

Clarification

21.13 In relation to zero carbon, this refers to those emissions covered by Building Regulations, not emissions from cooking and appliances.

21.14 The 2010 revision of Part L required housing to be built to a standard equivalent to Code for Sustainable Homes Level 3.

21.15 From 2013, it is expected that that all housing will be built to a standard that is equivalent to Code for Sustainable Homes Level 4. Cost of building to the Code for Sustainable Homes (Aug 2011) DCLG.

21.16 From 2016, domestic buildings will have to be zero carbon, with non-domestic from 2019. This should be achieved on-site or through Allowable Solutions. Guidance on Allowable Solutions will be issued by the Government in the future.

21.17 The Carbon Offset Fund has the potential to be considered as an 'Allowable Solution' which secures carbon savings away from the development, under the government's approach to achieve zero carbon from 2016.

Further Information

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J EMPLOYMENT AND SKILLS

Context-Policy Background/Purpose

2J.1 It is important that the Borough improves its employment skills base, thereby helping both business and residents. Bedford Borough has a shared vision for economic and employment growth, as outlined in its Sustainable Community Strategy and Economic Development Strategy:

‘A Thriving Borough with a stronger local economy delivering higher levels of sustainable growth and employment for the benefit of the Borough’s existing and future residents’.

2J.2 The Borough currently has an unemployment level which is higher than the national rate and almost a quarter of its working age people either have no qualifications or no higher than the equivalent of NVQ Level 1.

2J.3 A highly skilled and employable workforce, with access to training and work opportunities, is essential to support our growth agenda by helping to attract Inward Investment and enabling local businesses to grow.

2J.4 The Core Strategy and Rural Issues Plan policy CP30 recognises the need for contributions for education (which would cover employment skills) as well as schools. CP10 states a commitment to delivering a minimum of 16,000 net additional jobs in the borough by 2021 and improving the employment skill base is a critical component in achievement of that policy.

Development types from which contributions will be sought

2J.5 Major applications for residential and commercial development on a case by case basis.

Threshold - Relationship to CIL

2J.6 Developments that are likely to be of sufficient scale to make such initiatives reasonably and practically possible on-site. Provision should be secured through S106 Agreements. Thresholds will be kept under review but developments of over 300 dwellings that will be developed over several years and large employment sites and buildings (5000 sqm+ floorspace) will generate significant employment opportunities and will be expected to contribute.

Form in which contributions should be made

2J.7 The contribution will be in the form of site-specific measures delivering jobs and training for local people. The Council will expect developers on major sites to commit to targeted recruitment and training for Borough residents through an agreed Employment and Skills Plan. This plan should include targets for work experience, training and apprenticeships, as well as measures to improve access to jobs for local people. The Employment and Skills Plan relates to both construction and occupation phases (where relevant) of development and the extent of the commitment expected will reflect the scale of the development. For example, developments where construction will take place over several years will be expected to offer apprenticeships.

2J.8 An Employment and Skills Plan may include the following:

- Apprenticeships
- Recruitment through the Jobs Hub in Bedford Town Centre and Jobcentre Plus and other local employment vehicles
- Work trials and interview guarantees
- Vocational training (NVQ)
- Work experience (14-16 years, 16-19 years and 19+ years)
- Links with schools and colleges.

2J.9 The details of the measures to be included in the Employment and Skills Plan will be negotiated flexibly on a site by site basis with the developer. The Council will seek to work in partnership with developers to ensure that an acceptable Employment and Skills Plan is submitted.

Further Information

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K HISTORIC ENVIRONMENT AND CONSERVATION

Context - Policy Background/Purpose

2K.1 The importance of ensuring the conservation and enhancement of the historic environment when considering planning applications is recognised in the National Planning Policy Framework (DCLG, March 2012) and the Core Strategy and Rural Issues Plan (2008) policy CP23 also stresses the need to protect and enhance Bedford Borough's historic environment. CP30 recognises that obligations may apply to the historic environment.

2K.2 Generally historic environment issues are dealt with through the application and by condition. However, there are occasions where a planning obligation is the most appropriate way of dealing with specific issues that cannot be dealt with by condition eg. repairs to a heritage asset secured through a development or monitoring of its condition. The Council may seek site related obligations which enable the conservation of buildings, archaeological sites or places/public spaces (including parks and gardens and landscapes) of historic, archaeological or architectural interest, or other relevant obligations. Heritage assets listed on English Heritage's, 'Heritage at Risk Registers' will receive particular attention.

Development types from which Obligations will be sought/Relationship to CIL

2K.3 Those developments affecting heritage assets of architectural, archaeological or historic interest.

2K.4 Most planning obligations relating to proposals affecting historic assets will be site related and therefore will continue post introduction of a CIL.

Form in which contributions should be made

2K.5 To be negotiated on a site by site basis. Where appropriate, obligations may address site related issues such as the repair, restoration, maintenance or relocation of a heritage asset(s) and their setting; increased public access and education, the provision of historical information and improved signage to and from heritage assets; measures for preservation or investigation and recovery of archaeological remains and sites; the temporary or permanent display of archaeological sites and dissemination of information.

Further information

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SCHEDULE FOR RESIDENTIAL SCHEMES

Thresholds that apply where need is demonstrated

Number of dwelling units – minimum from which contributions will be sought	Pre CIL	Post CIL
1	Any essential highway works through condition or S106	Any essential highway works through condition or S106
1	Footpaths/rights of way links	Footpaths/rights of way links
1	Forest of Marston Vale on-/off-site land/planting or contribution	Forest of Marston Vale on-/off-site land/planting
3 units or 0.1ha rural settlements under 3,000	30% affordable housing in rural settlements under population of 3,000 only	30% affordable housing in rural settlements under population of 3,000 only
5	Education contributions including early years where required	
5	Contributions to play areas for children up to 12 years, and sports pitches/changing facilities if a local deficiency	
5	Contributions to waste vehicle, bins, Household Waste Recycling centre £168.57/dwelling	
10	SuDS to be incorporated*	SuDS to be incorporated*
10	On-site informal and amenity greenspace	On-site informal and amenity greenspace
10	Carbon offset contribution if zero carbon not achieved on-site	Carbon offset contribution if zero carbon not achieved on-site
15 units	30% affordable housing 30%	30% affordable housing
35	Equipped natural play areas on-site (20 if local deficiency) for age up to 12 yrs	Equipped natural play areas on-site (20 if local deficiency) for age up to 12 yrs
50		Waste - contributions towards waste bins/dwelling
150	On-site equipped natural play areas for age 13-17 years	On-site equipped natural play areas for age 13-17 years
200	On-site natural greenspace	On-site natural green space
250	Waste - in addition to £168.57/dwelling new bring bank site or contribution	New bring bank site if needed.
250	On-site sports pitches and changing facilities	On-site sports pitches and changing facilities
250	On-site park and garden open space	On-site park and garden open space
300	Employment and Skills Plan	Employment and Skills Plan
400	On-site education provision including early years provision (land and buildings) may be required	Education contributions/school or school extension including early years provision (land and buildings) where required, normally on-site
500	Waste - in addition to £168.57/dwelling underground bring bank site and maintenance	Waste - underground bring bank site and maintenance

500	On-site allotments	On-site allotments
500	Site for 7-8% dwelling units to be extra care	Site for 7-8% dwelling units to be extra care
Normally 500 but could be less	Community facilities and public realm and maintenance	Community facilities and public realm and maintenance

* on commencement Schedule 3 of the Flood and Water Management Act (2010)

GLOSSARY

Affordable Housing Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing.

Allocations and Designations Local Plan A Development Plan document which sets out new development allocations and designations for areas of land where specific policies apply.

Allowable Solutions A project or scheme which will deliver verifiable carbon savings and meet additional national acceptance criteria. On-site, near-site and off-site projects may qualify for inclusion on Government and National lists.

Biodiversity The variety of life on earth or in a specified region or area.

Homes and Communities Agency (HCA) Code for Sustainable Homes The standard by which new homes in England, Wales and Northern Ireland are now being judged for their green credentials.

Community Infrastructure Levy (CIL) A new charge which local authorities in England and Wales will be empowered, but not required, to charge on most types of new development in their area. CIL charges will be based on simple formulae which relate the size of the charge to the size and character of the development paying it. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area.

Community Infrastructure Levy Charging Schedule A schedule setting out the charge/sqm to be applied to development.

Corporate Plan Sets out the Council's priorities to meet the challenges of making the Borough a better place to live, work and visit and of creating a first-class council.

Core Strategy and Rural Issues Plan The long-term spatial vision and strategy for the area, including the key strategic policies and proposals to deliver that vision.

Developer Contributions Another term referring to planning obligations included in a legal agreement under S106 of the Town and Country Planning Act 1990 for the developer usually to deliver works or finance at an agreed time, linked to a planning permission for new development.

Development Plan Under the Planning Acts, this is the prime consideration in the determination of planning applications. It consists of all Development Plan documents and (currently) the Regional Spatial Strategy.

Early Years Education of children aged 2+ - 4 yrs of age that can take place in nursery classes in schools, in preschool groups, day nurseries or children's centres.

Economic Development Strategy A high-level strategic plan setting out the economic development vision and strategic priorities with key actions for the Borough.

Extra Care Housing Housing with facilities provided on-site to enable independence to be maintained, but would not include nursing care.

Grampian Condition A planning condition attached to a decision notice that prevents the start of a development until off-site works have been completed on land not controlled by the applicant.

Green Deal Introduced in the Energy Act 2011, a new financing framework to enable the provision of fixed improvements to the energy efficiency of households and non-domestic properties, funded by a charge on energy bills that avoids the need for consumers to pay upfront costs.

Green Deal 'Golden Rule' The key principle, or golden rule, for accessing Green Deal finance is that the charge attached to the bill should not exceed the expected savings, and the length of the payment period should not exceed the expected lifetime of the measures.

Green Infrastructure (GI) A planned network of multifunctional greenspaces and interconnecting links designed, developed and managed to meet environmental, social and economic needs.

Green Wheel A project to develop and enhance the existing network of traffic-free paths and quiet routes around the Bedford urban area for use by pedestrians, cyclists and horse riders where possible.

Housing Strategy Provides the strategic framework to assess the current and future balance of housing supply and needs and identifies priorities for action and options for delivery.

Index Linked Payments increase or decrease in line with an agreed index of prices such as the retail price index.

Local Transport Plan A five-year strategy for the development of local, integrated transport, supported by a programme of transport improvements. It is used to bid to government for funding transport improvements.

Minerals and Waste Framework Consists of a number of Local Development documents which together set out the detailed land use policies and proposals for the extraction of minerals and management of all types of waste throughout Bedfordshire, including Bedford Borough.

National Planning Policy Framework (NPPF) – National planning policy which replaces all Planning Policy Guidance and Planning Policy Statements in one document.

Neighbourhood Plan A community-led plan, primarily about the use and development of land and buildings, that can be used to set out more detailed priorities for development at a local level, consistent with the more strategic vision for the wider area set out in the Borough Council's Local Plan.

Neighbourhood Development Order Introduced in the Localism Act 2011, a new local instrument which can be used to grant planning permission to a particular location for a specific class of development.

Older Persons' Accommodation Strategy A strategy document prepared by the Borough Council which addresses issues facing this important and growing group which overlap housing and adult social care.

Planning Inspectorate An Executive Agency of the Department for Communities and Local Government (DCLG) and of the Welsh Government. Work includes national infrastructure planning; processing planning and enforcement appeals; holding examinations into local plans and community infrastructure levy charging schedules; and a wide variety of other planning related casework.

Planning Obligation An obligation included in a legal agreement for the developer to deliver works, finance, or land at an agreed time, linked to a planning permission for new development or to restrict the use of land or buildings or to carry out other obligations.

Recovery facility A range of waste management options as set out in the Waste Framework Directive 2008/98/EC. This includes recycling.

Strategic Environmental Assessment Environmental assessment of policies, plans and programmes required under the European SEA Directive 2001/42/EC.

Strategic Housing Market Assessment A crucial part of the evidence base informing policy and contributing to shaping strategic thinking in housing and planning. Introduced as the required evidence base to support policies within the framework introduced by Planning Policy Statement 3: Housing (PPS3) in November 2006.

Supplementary Planning Document Statutory documents that expand upon policies or proposals in Development Plan Documents.

Sustainability Appraisal A social, economic and environmental appraisal of strategy, policies and proposals – required for the Regional Spatial Strategy, all Development Plan Documents and, where necessary, Supplementary Planning Documents. To be undertaken jointly with Strategic Environmental Assessment.

Sustainable Community Strategy Sets out goals and aims to tackle identified pressing problems in the Borough around 7 themes: Thriving; Greener; Aspiring; Healthy; Safer; Inclusive; and Growing. The views of key stakeholders, communities and citizens have been sought to achieve a shared vision across the Borough.

Sustainable Development 'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs'. (World Commission on Environment and Development 1987).

Sustainable Drainage Systems (SuDS) SuDS are a sequence of management practices, control structures and strategies designed to efficiently and sustainably drain surface water, while minimising pollution and managing the impact on water quality of local water bodies.

Travel Assessment Documentation to support planning applications including an assessment of all the travel implications and impacts of development proposals for all modes of travel.

Travel Plan A package of practical measures to encourage alternatives to single occupancy car use and to reduce the need to travel for work/business.

Unilateral Undertaking A Unilateral Undertaking is a simplified version of a planning agreement and is entered into by the landowner and any other party with a legal interest in the development site. It can assist in ensuring that planning permissions are granted speedily.

Use Classes Order The various categories of the uses of land and buildings set out in The Town and Country Planning (Use Classes) Order 1987 (as amended).

APPENDIX 1 PRICE INDICES

Type of Contribution	Index	Source
Education Schools Library buildings Children's centres	PUBSEC BIS Tender Price Index of Public Sector Building, non-housing	BCIS online
Village hall contributions Sports hall/facilities etc (exc maintenance sums) Park & Ride sites Cycle routes/footpaths Affordable housing	Building Cost Information Service all-in Tender Price Index published by BCIS	BCIS online
Maintenance sums Public art Open space Playing pitches, Play areas (inc associated footpaths) CCTV Public transport contributions Library equipment School transport Traffic monitoring etc Other unspecified items Management sums	Retail Price Index - all items. Used as general measure of increase in costs of goods and services	Available on internet or through BCIS online
Highway works (new and major improvements) Traffic calming works	BIS ROADCON Tender Price Index of Road Construction (with regional and seasonal weighting) (have used Civil Engineering series for Wixams)	via BCIS online
Staff and staff monitoring costs	Average Weekly Earnings Total Pay Index public sector (Dataset EARN01, Table K54W) published by ONS	Available on internet

APPENDIX 2 TRAVEL PLANS

EXTRACTS FROM A GUIDE TO DEVELOPMENT RELATED TRAVEL PLANS AUGUST 2012

Types of Travel Plans

A Travel Plan is a working document designed to examine the specific needs and transport issues associated with the particular activity in question, which may change over time.

There are basically five types of travel plan:

- Full travel plan for a site
- Interim travel plan for a site
- Framework travel plan for an area
- Travel plan statement for a site
- Area-wide travel plan for a defined geographic area.

Full Travel Plans

Wherever a travel plan is required, a full travel plan should normally be prepared and submitted with the planning application.

Robust plans will include clear outcomes, all relevant targets and measures to ensure that these can be achieved, as well as monitoring and management arrangements. Full travel plans are appropriate for full planning applications where the proposed use and accessibility needs are known. They may also be appropriate with outline applications where the scale of uses is known. Wherever possible, a full travel plan should be developed rather than an interim plan.

As with all travel plans, it is important that the continued implementation of the plan is passed onto respective occupiers through planning condition or Section 106 Agreement provisions.

Interim Travel Plans

Under a few circumstances it may not be possible to complete a full travel plan, although this should be the aim.

In such circumstances the developer can prepare and submit an interim travel plan, covering all substantive elements, to be completed at an agreed time. These plans should include outcome targets for maximum allowable levels of car trips and the key elements. Some aspects of the travel plan and some measures may be provisional.

Nevertheless, the interim plan should set out a timeframe for completion of the full travel plan once the position is apparent.

Framework Travel Plans

In the case of large mixed-use developments with multiple occupants, it will be appropriate to prepare a framework travel plan for all land uses.

The framework travel plan should set overall outcomes, targets and indicators for the entire site. It is best administered centrally. It should set the parameters for the requirement for individual sites (or uses/elements) within the overall development to prepare and implement their own subsidiary travel plans. These should comply with and be consistent with the wider targets and requirements of the framework travel plan. Potential occupiers need to be advised of the travel plan requirements as mechanisms will need to be put in place to secure this.

The framework travel plan should also clarify as far as possible the timeframe for completion of individual travel plans and the implementation of specific measures within them as the development proceeds, including management and review. It will also, in the case of either speculative or multi-occupant development, include provision for some form of covenant, to be contained within any lease agreement(s), to 'tie-in' subsequent tenants.

Travel Plan Statements

Small applications may not justify a full travel plan. Instead, a travel plan statement can deal with any issues raised in the transport statement. These statements and plans are likely to be narrower than the travel plan information needed for a major application. A travel plan statement is likely to focus on site measures encouraging sustainable travel, or contribution towards a more strategic scheme. For example, the developer/occupier might be required to join a local travel forum or similar travel plan network to promote use of sustainable modes.

Area-wide Travel Plans

In some situations it is essential to consider an area wider than an individual site if the outcomes sought are to be delivered. Experience of this type of approach is more limited than for the other types of travel plan. The approach can be followed where there are a number of developments in a particular area, eg. a redeveloping commercial area. It is also suits areas where no single site travel plan can effectively respond to the outcomes required, eg. in a rural area or a major complex development.

When is a Travel Plan required?

When a transport assessment is required the travel plan will be complementary, since much of the survey work, transport descriptions and information provision will be applicable to both. The travel plan measures and targets will, in turn, feed into the transport assessment to determine future travel demands and patterns. The travel plan will provide the target for non-car accessibility to the site, and so the transport assessment will need to explain how the residual increase in traffic will be catered for in the development.

Table A2.1 establishes the minimum size thresholds for proposals for new development or changes of use where a travel plan should be submitted with the planning application. These thresholds are in accordance with Department for Transport (DfT) criteria. However, travel plans may often be required below these thresholds at the discretion of the planning or highway authority.

Table A2.1 Land use thresholds where Travel Plans will be required

Source: Good Practice Guide: Delivering Travel Plans through the Planning Process April 2009 GFA = Gross Floor Area

Land Use	Description of Development	Travel Plan Statement	Travel Plan
A1 Food Retail	Retail sale of food goods to the public - food superstores, convenience food stores	>250<800 sqm GFA	>800 sqm GFA
A1 Non-Food Retail	Retail sale of non-food goods to the public; but includes sandwich bars - sandwiches or other cold food purchased and consumed off the premises, internet cafes	>800<1500 sqm GFA	>1500 sqm GFA
A2 Financial and Professional Services	Financial services - banks, building societies and bureaux de change, professional services (other than health or medical services) – estate agents and employment agencies, other services - betting shops, principally where services are provided to visiting members of the public	>1000<2500 sqm GFA	>2500 sqm GFA
A3 Restaurants and Cafes	Restaurants and cafes - use for the sale of food for consumption on the premises, excluding internet cafes (now A1)	>300<2500 sqm GFA	>2500 sqm GFA
A4 Drinking Establishments	Use as a public house, wine-bar or other drinking establishment	>300<600 sqm GFA	>600 sqm GFA
A5 Hot-Food Takeaway	Use for the sale of hot food for consumption on or off the premises	>250<500 sqm GFA	>500 sqm GFA
B1 Business	Offices other than in use within Class A2 (financial and professional services). Research and development - laboratories, studios. Light industry	>1500<2500 sqm GFA	>2500 sqm GFA

B2 General Industrial	General industry (other than classified B1)	>2500<4000 sqm GFA	>4000 sqm GFA
B8 Storage or Distribution	Storage or distribution centres - wholesale warehouses, distribution centres & repositories	>3000<5000 sqm GFA	>5000 sqm GFA
C1 Hotels	Hotels, boarding houses and guest houses, development falls within this class if 'no significant element of care is provided'	>75<100 bedrooms	>100 bedrooms
C2 Residential Institutions - hospitals, nursing homes	Use for the provision of residential accommodation and care to people in need of care	>30<50 beds	>50 beds
C2 Residential Institutions - residential education	Boarding schools and training centres	>50<150 students	>150 students
C2 Residential Institutions - institutional hostels	Homeless shelters, accommodation for people with learning difficulties and people on probation	>250<400 residents	>400 residents
C3 Dwelling Houses	Dwellings for individuals, families or not more than six people living together as a single household. Not more than six people living together includes - students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community	>50<80 dwelling unit	>80 dwelling unit
D1 Non-Residential Institutions	Medical and health services - clinics and health centres, crèches, day nurseries, day centres and consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, non-residential education and training centres, places of worship, religious instruction and church halls	>500<1000 sqm GFA	>1000 sqm GFA
D2 Assembly and Leisure	Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos, other indoor and outdoor sports and leisure uses not involving motorised vehicles or firearms	>500<1500 sqm GFA	>1500 sqm GFA
Others	For example: stadium, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, taxi businesses and the selling and displaying of motor vehicles, nightclubs, theatres, hostels, builder's yards, garden centres, POs, travel and ticket agencies, hairdressers, funeral directors, hire shops, dry cleaners	Discuss with appropriate highway authority	Discuss with appropriate highway authority

The Council also may also require travel plans to be submitted for any proposals if, in the opinion of the Local Planning Authority, they:

- are not in conformity with the adopted Development Plan;
- generate significant numbers of vehicle movements in any hour;
- generate significant numbers of vehicle movements per day;
- propose large numbers of parking spaces;
- are likely to increase accidents or conflicts among motorised and non-motorised users, particularly vulnerable road users such as children, disabled and elderly people;
- are in a location where the local transport provision is inadequate; or
- are in a location within or adjacent to an Air Quality Management Area (AQMA).

When a travel plan is a requirement, failure to submit with the planning application may render the application invalid. Failure to comply with planning conditions or agreements could subsequently result in enforcement action being pursued.

Mixed-use and Multiple Occupation Developments

Several small developments on one site may individually fall below the thresholds set out in Table A2.1. However the cumulative impacts of all these individual developments can be enough to justify a framework travel plan for the whole site. Additional 'subsidiary' travel plans, may also be required in respect of sub areas, or sub-uses, depending on scale and circumstances eg. a single subsidiary travel plan for all of the small industrial uses.

The need to prepare a travel plan (most likely a framework travel plan) should be discussed with the council officers at the pre-planning stage.

Extensions

Whether an extension is on-site or off-site, the transport impacts can change substantially and have an impact upon the surrounding area. A travel plan will be required for an extension:

- when existing GFA falls below the threshold - if the proposal results in the final gross floor area (GFA) (existing + extension) exceeds the threshold (outlined in Table A2.1) and a material increase in the GFA of 20% is experienced.
- when existing GFA exceeds the threshold - if the proposal seeks a material increase in the GFA of 10%.
- where a planning application for a school extension is made, if it results in an increase in pupil and staff numbers and the associated traffic impact is deemed significant.

It should be noted that if a travel plan is required it should take into consideration the entire site (existing + extension).

Voluntary Travel Plans

Where a proposed development falls below the threshold (outlined in Table A2.1), the council may recommend and advise that a voluntary travel plan and associated initiatives are considered and implemented in order to encourage sustainable forms of travel to and from the site.

Travel Plan Management, Monitoring and Reviewing

Travel Planning is not a one-off exercise, but a continuous process to adapt to changing circumstances, needs and opportunities, to include new staff or pupils, to address any unmet targets (or any need to make them more challenging).

Travel Plan Co-ordinator

A person must be nominated to ensure the travel plan is effectively managed before, during and after the development of the site. This person may change as the plan develops.

As part of the full travel plan the developer/occupant will identify a suitably skilled person (to become known as the Travel Plan Co-ordinator) to be responsible for taking forward the travel plan initiatives and arranging the monitoring and review of the plan. The contact details of that post holder should be stated in the travel plan or, if not known at the time of the agreement, supplied to the council's Travel Plan team within one month of occupation of the site. Activities will include:

- Preparing the transport assessment and the travel plan documentation
- Securing that the design meets the access needs to the site
- Identifying a co-ordinator responsible for day to day delivery of the plan
- Putting measures identified in the travel plan in place
- Setting up and undertaking arrangements for implementation, monitoring and review
- Promotion and marketing of the plan and measures contained within it
- Securing the on-going management arrangements with all key parties
- Putting new measures in place in light of experience.

There are a range of different management structures that could be suitable depending on the nature and scale of the development, such as steering groups; existing environmental steering groups; community trusts; and management companies.

For larger developments or where there are mixed uses, it may be beneficial to establish a steering group including the co-ordinator, local authority representatives, occupiers, public transport providers and even community representatives. This group can ensure effective communication and co-ordination of actions.

Monitoring and Reviewing

To ensure this happens effectively, regular monitoring and review must take place in conjunction with the council's Sustainable Transport Team. It is essential that the travel plan be monitored in order to assess its effectiveness and to identify any failure to deliver agreed measures or to achieve agreed targets. Targets will normally be trip and mode related (i.e. number of journeys by car, public transport, cycle or on foot) and the applicant/occupier will be normally responsible for recording the number of trips to and from the site.

The Travel Plan will also need to state when monitoring will take place (normally annually). The outcomes of these surveys will be reported in writing to the council at a mutually agreed date after the monitoring has been completed (normally within 3 months). The council may charge for this monitoring.

The length of the monitoring period will be for a minimum of 5 years and a maximum of 15 years. This accords with the latest Department of Transport Best Practice Guidance on Travel Plans (April 2009). The precise length of the monitoring period, within this range, needs to reflect the scale and transport impacts of each individual proposal.

Consequently the number of years will be subject to negotiation on a case by case basis. In order to assist applicants in estimating the likely length to be required, the council will use the following principles in making this assessment:

- The length of the monitoring period should be related to the scale of any development and its impacts on transport and the environment; or
- Where possible the initial assessment will relate to the scale of the proposal in excess minimum land use thresholds. Worked examples for different scales of both dwelling houses and business space are given as illustrations. As an indicative starting point the Council will use the following rules of thumb:
 - (i) Below the relevant minimum land use thresholds (see Table A2.1), no travel plan is required unless required by the planning authority (eg. up to 79 houses or 2499 sqm of B1 business space);
 - (ii) Less than twice the relevant land use threshold the monitoring period would be only 5 years (eg. 80-159 houses or 2500-4999 sqm of B1 business space); and
 - (iii) More than twice times the relevant land use threshold value the monitoring period would be 10 years (eg. 160-319 houses or 5000-9999 sqm of B1 business space).

The Travel Plan should incorporate agreed dates for the Council to carry out a review/assessment of the plan to assess to what extent it has achieved its agreed objectives and targets. Such reviews will normally be carried out on an annual basis. If as a result of the review it is found that targets are not being met the applicant will be required to either:

- carry out the appropriate remedial measures as defined in the Section106 or other Legal Agreements; or
- if circumstances have changed significantly, then revised timescales and targets for the Travel Plan can be drawn up subject to the agreement of the council.

Travel Plan Charges

A scale of fees has been calculated and determined by the planning authority.

The aim of the service is to provide a full travel plan service to developers and those submitting planning applications who are required to produce a travel plan as part of their planning application.

The travel plan fees covers the:

- pre-approval phase (assessment of draft travel plans, site visits, approval of action plans and targets, etc); and
- operational phase (receipt and checking of monitoring data, tracking actions, site visits, approval of conditions/obligations, etc)

There are two main levels of charges based on travel plan thresholds outlined in Table A2.1. A third charge is applicable for large or mixed-use developments where two or more land uses on-site exceed the thresholds, or where the development in total is double the threshold.

- Small developments: £ 2000 + VAT per travel plan; developments requiring a travel plan statement
- Large developments: £5000 + VAT per travel plan; developments requiring a travel plan.
- Large developments where two or more land uses on-site exceed the DfT thresholds, or the development in total is double the DfT threshold: £7500 + VAT

Where travel plans are required a Section 106 Agreement will normally be needed to accompany any permission granted, containing the main travel plan elements (triggers and works required). There will be a requirement to pay the travel plan fee to the Borough. The fee will be charged once only per development and will be paid prior to commencement of the development.

Principles upon which fees are based

- The fees are intended to reflect the amount of local authority officer time required to undertake evaluation of the initial plan, assess the monitoring data and participate in consequential review and agreement to any amended plan in the future;
- Data required for monitoring must be set out and agreed as part of the travel plan;
- All monitoring data must be supplied by the developer at their expense;
- Plans will be subject to annual monitoring and review for at least the first 5 years;
- Monitoring requirements beyond 5 years will be agreed as part of the plan and will normally be required with major developments;
- The fee structure includes an incentive for the developers to provide the data to the agreed timescales, and penalties in subsequent years for failing to do so; and
- The fee structure includes an incentive in the event that the targets are being met, in this case the monitoring fee may be reduced. This will also apply if developers initiate amendments to the plan to assist with the delivery of targets that are not being achieved.

Further information can be found on the Council's website at www.bedford.gov.uk in The Guide to Development Related Travel Plans.

CONTENTS OF A TRAVEL PLAN

What Should a Travel Plan Contain?

All travel plans should address the issues arising from national, regional and local policies and the transport assessment (or transport statement). A travel plan is aimed at addressing the transport needs of a particular development or organisation.

All travel plans will, however, need to include some essential components as outlined below.

1 Introduction

- general introduction to the travel plan

2 Aims and Objectives

- aims and objectives of travel plan
- relevance of the travel plan in relation to the council policy
- need for the travel plan (eg. new development, resolving transport needs)

3 Background to Company and operations

- current site location
- short summary of the transport issues/requirements in the context of the company's business/operations

4 Existing Transport Facilities

- undertake site audit and detail the current on- and off-site facilities (eg. cycle parking, bus services in the area, showers, lockers etc)
- identify current transport related issues and concerns (eg. unsafe for cycling, no secure parking, too much car parking etc)
- cars (roads, traffic restrictions, existing parking provision)
- walking (footpaths, crossings and school crossing patrols)
- cycling (cycle routes, parking, changing/showers)
- public transport (routes, stops and frequencies, stations, taxi ranks)

5 Travel Survey

- nature of on-site activities and movement patterns (eg. working patterns)
- undertake a travel survey to determine the current travel behaviour of staff (visitor survey would also be beneficial, if possible)
- detail the findings of the survey in the report in order to inform the proposed travel plan initiatives

6 Travel Plan Initiatives and Action Plan

- list the proposed initiatives that will be encouraged through the travel plan (eg. provide secure cycle parking, enhance the shower facilities, bike breakfast mornings etc)
- co-ordinate with other business in the area
- an action plan detailing how and when all the initiatives will be put in place (eg. implementation and timescales)
- identification of a Travel Plan Co-ordinator to manage the plan

7 Travel Plan Targets

- SMART (Specific, Measurable, Achievable, Realistic, Time-related)
- details relating the travel plan targets for the next 1, 2 and 5 years (short, medium and long term) - targets to correlate with the travel plan's aims and objectives (eg. xx % reduction in single car use, % increase in cycle use etc)

8 Travel Plan Monitoring and Reviewing

- details regarding how the travel plan will be monitored against the set targets
- details of how an independent review of the travel plan will be undertaken
- formal review discussed with the council office on an annual basis and targets will be re-set/ amended if necessary
- how any planning conditions will be satisfied

9 Publicity and Marketing of the Travel Plan

- details of how the travel plan will be marketed internally and externally so that maximum benefit will be gained for the initiatives (eg. on-site advertising, newsletter updates, promotional events sponsored by company, local newspaper marketing etc)

10 Organisational Support

- statement of organisational backing
- details of nominated Travel Plan Co-ordinator
- staff/user participation
- resource levels and timescales for funding (co-ordinator and measures)
- communications strategy

Table A2.2 Toolkit of Travel Plan Measures

Method	Measure
Walking	<p>Promotion of safe local walking routes including provision of route maps</p> <p>Improvements to the walking network and its maintenance</p> <p>Improvements to signing for pedestrians</p> <p>Showers, changing facilities and lockers for storing clothes</p> <p>Personal safety training</p> <p>Drying areas for wet coats, umbrellas etc.</p> <p>Escorted walking bus schemes for groups of children</p> <p>Pedestrian training</p> <p>Direct Pedestrian routes on site</p> <p>On site security / Crossing patrols</p> <p>Segregated and secure access points</p> <p>Parent waiting shelters</p> <p>Walk buddy scheme</p> <p>Improve lighting and provide CCTV</p> <p>Campaigns and events (eg. Walk to School Week)</p> <p>Pedometers - competitions; Pedometers – calorie counters</p>
Cycling	<p>Improvements to cycle network and its maintenance</p> <p>Provision of cycle route maps and improvements to signage</p> <p>Secure, well lit, covered cycle storage include pumps</p> <p>Formation of a bicycle users group (BUG)</p> <p>Assistance to staff in accessing information about safe cycling, appropriate clothing, local cycle routes etc</p> <p>Pool bikes and mileage allowances for cycle use</p> <p>Secure covered cycle parking</p> <p>Showers and changing facilities / drying / lockers</p> <p>Cycle maintenance</p> <p>Campaigns and events (eg. Bike Week)</p> <p>Cycle to Work scheme (salary sacrifice purchase for staff)</p> <p>On- and off-road cycle training (pupils)</p> <p>Liaise with Sustrans Bike It Officer</p> <p>Cycle buddy scheme</p> <p>Improve lighting and provide CCTV</p> <p>Scooter / skateboard / roller blade storage</p>
Public Transport	<p>Provision of clear public transport information, available direct from the local operator or the council</p> <p>Provision of new or improved services</p> <p>Improvements to the waiting environment</p> <p>Provision of real time information at bus stops / rail stations</p> <p>Collaboration with local public transport providers to improve services, negotiate discounts and trial initiatives</p> <p>Personalised journey planning</p> <p>Works' buses / shuttle buses</p> <p>Employers can consider provision of interest free loans to purchase season tickets (up to £5,000 can be provided without tax implications)</p> <p>Guaranteed ride home for staff in emergency situations</p> <p>Introduce 'collection from station' service for visitors</p> <p>Ticketing and smartcards (eg. interest free loans to purchase season tickets)</p> <p>Timetable information / route maps</p> <p>Promotion of child / teen concessionary travel</p> <p>Safe and convenient drop off / pick up points</p> <p>Direct secure routes from bus stops / stations</p> <p>Dedicated bus services (eg. public and private buses)</p> <p>Engagement with the Council and public transport operators</p>
Reduce the need to travel	<p>Employers can also consider flexible working practices, teleworking, home working, 'compressed' week (eg. 9 day fortnights) and incentives to locate close to work as part of any relocation package</p> <p>Provide residents and occupiers with access to information and services through the web</p> <p>Design the development to provide some facilities close to places of work or home</p> <p>The existence of and benefits of the travel plan should be highlighted at recruitment stage</p>

Managing and reducing car use	<p>Provision of emergency ride home facility for car sharers and all people who came by a sustainable mode</p> <p>Introduction of a car sharing scheme / dedicated car sharing bays</p> <p>Introduction of car club for residents</p> <p>Review of the use of fleet cars - fuels, engine size, availability to use, number of cars retained</p> <p>Review of car parking policy and introduce a management strategy</p> <p>Review of the issuing of car park permits to ensure a fair system, based on agreed criteria eg. operational need</p> <p>Consider introduction of charging for parking</p> <p>Allocate priority parking space to car sharers and car club</p> <p>Use of pooled company vehicles and bikes</p> <p>Introduce targets to reduce business mileage</p> <p>Reduced car parking / parking management / financial incentives for not parking / restrictions to ensure parking doesn't occur off-site</p>
Motorcycles	Provide facilities for those who travel by motorcycle / moped - including secure parking
Mobility impairment	The travel plan should consider the needs of those with mobility impairments
Taxis	Consideration of the use of taxis by visitors
Travel Plan Co-ordinator	Identification of a named individual to be responsible for the implementation of the travel plan.
Marketing	<p>Provision of information to all occupants, residents, visitors and staff on how to access the site by means other than the car through a variety of methods, including personal travel planning, notice boards, newsletters</p> <p>Provision of information in sales and recruitment packs</p> <p>Focus groups</p> <p>Use of intranet / internet / email to disseminate information</p> <p>Personalised journey planning (or equivalent) scheme</p> <p>Highlighting the existence and benefits of the travel plan in promotional and recruitment materials</p>
Partnerships/Support	<p>Creation of user groups / staff forums</p> <p>Consideration to joining a local commuter forum</p> <p>Engagement with the local authority and public transport operators.</p>
Other Initiatives	<p>Targeted local labour policies</p> <p>Freight management strategy (eg. no deliveries during peak movement times)</p>

NB. Physical provision elements will normally be included as obligations in a Section 106 Agreement to ensure delivery at the required time.

Useful References

White Paper on Transport: A New Deal for Transport [1998]

Good Practice Guidelines: Delivering Travel Plans Through the Planning Process [April 2009]

Guidance on Transport Assessment [March 2007]:
<http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta>

Home to School Travel and Transport Guidance [2007]

Making Residential Travel Plans Work [June 2007]

Local Transport Plan 3 Guidance [July 2009]

Delivering Travel Plans Through the Planning Process Research Report [September 2008]

Delivering a Sustainable Transport System [DfT 2008]:
<http://www.dft.gov.uk/about/strategy/transportstrategy/dasts/>

APPENDIX 3

EXTRACT FROM ALLOCATIONS AND DESIGNATIONS PLAN POLICY AD28 - PROVISION OF OPEN SPACE AND BUILT FACILITIES IN ASSOCIATION WITH NEW DEVELOPMENT

Where new housing development is of a type likely to create a demand, the council will require provision of open space and built facilities in accordance with the standards in the following tables.

Where possible, provision should be made on-site. Where this is not possible, practical or preferred, a financial contribution in lieu of on-site provision will be required. Such contributions will be secured through planning obligations and will fund improvements to existing facilities or will be pooled to provide new facilities.

Provision should include a contribution towards the cost of future management and maintenance.

Table A3.1 Open Space Standards

Type	Amount	Accessibility
Parks & Gardens	0.50 ha per 1000 people	15 mins walk 1000m straight line distance
Accessible Natural Green Space	0.50 ha per 1000 people	5 mins walk 300m straight line distance
Equipped / Natural Play Areas	0.25 ha per 1000 people	Pre-teens (up to 12 years) 5 mins walk 300m straight line distance Young people (13-16/17) 15 mins walk 1000m straight line distance
Informal and Amenity Green Space	0.50 ha per 1000 people	1-2 mins walk 100m straight line distance
Outdoor Sports Space: Synthetic Turf Pitches Grass Pitches Bowls / Tennis Total	0.052 ha per 1000 people 1.016 ha per 1000 people 0.052 ha per 1000 people 1.12 ha per 1000 people	No more than 20 mins travel No more than 15 mins travel No more than 15 mins travel
Allotments	0.35 ha per 1000 people	15mins walk 1000m straight line distance
Total outdoor open space	3.22 ha per 1000 people	

Table A3.2 Built Facilities Standards

Type	Amount	Accessibility
Sports Halls Swimming Pools	15.6 sqm per 1000 people 6.2 sqm water space per 1000 people	No more than 20 mins travel No more than 20 mins travel
Total built facilities	21.8 sqm per 1000 people	

DEFINITIONS

Occupancy

For the purpose of calculating open space requirements, the following occupancy levels will be used

1 bed	1.3 persons	
2 bed	1.9 persons	
3 bed	2.6 persons	
4 bed	3.0 persons	
5+ bed	3.4 persons	(source: 2011 census dwelling occupancy by bedroom count)

Parks and Gardens

Includes urban parks, formal gardens and country parks that provide accessible and high quality opportunities for informal recreation and community events.

Accessible Natural Green Space

Covers a variety of spaces including meadows, river floodplain, woodland, copse, all of which share a trait of being managed primarily for wildlife value but which are also open to public use and enjoyment.

Equipped/Natural Play Areas

Equipped areas that cater for the needs of children up to and around 12 years and recreation opportunities for teenagers aged 13 - 16/17 eg. skateboard parks, basketball courts, multi-use games and kickabout areas. Increasingly formal play areas are including elements of natural play though parks and gardens and other natural green space will also provide such opportunities.

The amount of equipped/natural play required will be calculated pro rata based on the standard in Table A3.1. The decision whether to focus on new space to serve children under 12 years or young people over 12 will depend on existing local circumstances and existing levels and quality of provision. The pro rata requirement may be split between the two age groups or focus on one only.

The pro rata space requirement for children's and young people's equipped/natural play will provide the activity area only. Buffer areas may be made up of amenity or other appropriate types of open space and may include non open space land (eg. parking areas or footpaths).

Under 12s

To serve the 12 and under age group, activity areas should be a minimum size of 200 sqm and the separation distance between the edge of the activity area and the curtilage of the nearest dwelling should be a minimum of 20 m in order to limit disturbance.

Where the pro rata requirement amounts to 200 sqm or above (ie. the minimum size of an activity area) provision will normally be required on-site. Depending on the precise mix (in terms of number of bedrooms), around 33 dwellings will generate sufficient space.

However, where there is an existing play area for this age group within the accessibility distance set out in the policy and there is capacity to enhance that existing facility, a contribution in lieu of on-site provision may be negotiated as an alternative to on-site provision. Each case will be considered on its merits.

For smaller developments where the pro rata requirement amounts to less than the minimum activity area size (200 sqm), provision on-site will not normally be required but a pro rata financial contribution will be negotiated in accordance with the policy. Exceptionally there may be cases where a play area with an activity zone of less than 200 sqm can be justified on site eg. where no alternative existing provision is available or the nearest existing play area is an unacceptable distance from the proposed development.

Teenagers

Young people's equipped and natural play (serving teenagers up to about the age of 17) should have a minimum activity area of 1000 sqm and the separation distance between the edge of the activity area and the curtilage of the nearest dwelling should be a minimum of 30 m in order to limit disturbance.

New equipped and natural play areas for young people are only likely to be required on larger development sites where the pro rata requirement is sufficient to generate the space required. For example, depending on the precise mix (in terms of number of bedrooms) 235 units could provide a requirement of around 1400 sqm which is sufficient to deliver one activity zone for teenagers and two activity spaces for the under 12s (1000 sqm + 200 sqm + 200 sqm).

For smaller developments where the pro rata requirement amounts to less than the minimum activity area size (1000 sqm), provision on-site will not normally be required but a pro rata financial contribution will be negotiated in accordance with the policy. Exceptionally there may be cases where a play area with an activity zone of less than 1000 sqm can be justified on site eg. where no alternative existing provision is available or the nearest existing play area is an unacceptable distance from the proposed development.

Informal/Amenity Green Space

Spaces open to free and spontaneous use by the public but neither laid out or managed for a specific function such as a park, playing field or recreation ground, nor managed as natural or semi-natural habitat.

Outdoor Sports Facilities

Formal synthetic turf pitches, formally laid out grass football and rugby pitches, cricket fields, tennis and other courts, bowling greens.

The pro rata space requirement for outdoor sports facilities will provide the pitch/court area only and, where appropriate, space for the run of the ball. Surrounding space within which the pitch(es) or court(s) sit may be made up of amenity or other appropriate types of open space.

Allotments

An area of non-residential land wholly or mainly cultivated by the occupier for the production of vegetables or fruit crops for consumption by himself or his family. This includes statutory and non-statutory allotments.

Built Facilities

'Built facilities' include indoor venues that accommodate sports and recreational activities for the community. The definition includes leisure centres, sports halls and swimming pools. Ancillary buildings such as standalone pavilions and changing blocks are not included in this definition.

APPENDIX 4 CONTRIBUTIONS TO OUTDOOR SPORTS SPACE AND PLAY AREAS

Table A4.1 Costs/dwelling Outdoor Sports Space

Dwelling size	£
1 bed	1084
2 bed	1584
3 bed	2167
4 bed	2501
5 bed	2834

These costs are estimated by calculating an amount/sqm based on the average of the cost of providing a synthetic football pitch with fencing and lighting, a grass football pitch (both with changing facilities to support the pitches) and tennis courts/bowls green to meet the standards for each use set out in policy AD28. The total amount sqm is then multiplied by the sqm/1000 persons standards in the Allocations and Designations Plan policy AD28 and then multiplied to give an amount/dwelling based on the occupancy standards set out in the text to policy AD28 (see Appendix 3). Note the occupancy by bedroom count figure was updated in July 2013 when 2011 census information became available for the Borough.

Table A4.2 Cost/dwelling Equipped/Natural play area

Dwelling size	£
1 bed	833
2 bed	1217
3 bed	1665
4 bed	1922
5 bed	2178

These costs are estimated by calculating an amount/sqm based on the average of the cost of providing a Local Equipped Play Area assuming an area of 400 - 500 sqm and a Neighbourhood Equipped Play area assuming an area of 1000 -1200 sqm. The amount sqm is then multiplied by the sqm/1000 persons standards in the Allocations and Designations Plan policy AD28 to give an amount/person and then multiplied to give an amount/dwelling based on the occupancy standards set out in the text to policy AD28 (see Appendix 3). Note the occupancy by bedroom count figure was updated in July 2013 when 2011 census information became available for the Borough.

APPENDIX 5 WASTE SPECIFICATIONS FOR BRING BANK SITES ETC.

Mini Recycling Site Specification

A priority identified in Bedford Borough Council's Sustainable Community Strategy is the maximisation of reuse and recycling of waste produced by domestic premises. To achieve this, the council is seeking to implement measures that will improve the management of waste in new and existing residential developments and increase the amount of waste diverted from landfill.

The Borough's target is to reuse, recycle and compost 50 per cent of household waste collected in the borough by 2020. In order to achieve this target, it is a requirement that all new developments in Bedford supply areas for community recycling facilities.

Bedford Borough Council currently operates a network of over 60 community recycling sites where residents can recycle glass, clothes, shoes and other materials. These sites are located across the district in a variety of easily accessible areas.

Bring bank sites are provided for areas that meet one or more of the following criteria:

- New developments of residential properties
- Areas currently without sufficient provision for recycling facilities.

Developers are therefore responsible to provide mini recycling sites in any new development as per the below options and pre-agreed with Bedford Borough Council's Waste Services Officers before progressing the planning application. Sites are expected to have a life expectancy of at least 10 years with ongoing maintenance.

The council operates several recycling systems in addition to the kerbside collections. In order to maintain operational efficiency the council needs to ensure that the most appropriate system is used at each location. Any site should be able to accommodate one of the three options below; they are presented in order of preference. The choice of which system to be employed at a site shall be the responsibility of the council who will base their decision on the following considerations:

- Catchment area (number of residential properties within 1 km)
- Accessibility.

Below are the three options in order of preference:

OPTION A

A site equipped with 3 no. x 4m³ underground containers (Figure A5.1) for the collection of colour separated glass plus above ground space for containers to collect additional materials such as clothing and shoes.

Costs payable to Bedford Borough Council on adoption:

Servicing by Supplier	£100/year
Repairs and replacement parts	£100/year
Maintenance of site	£100/year
Total	£3000/10 year

OR

OPTION B

A site equipped with 1 no. x 10.7m³ (14yd³) skip (Figure A5.2) for the collection of colour separated glass plus additional space for containers to collect additional materials such as clothing and shoes.

Costs payable to Bedford Borough Council on adoption:

Refurbishment by Bedford Borough Council	£900/5year
Maintenance of site	£100/year
Total	£2800/10 year

OR

OPTION C

A site equipped with a minimum of 3 no. x 1100 litre glass containers (Figure A5.3) (colour separated) plus additional space for containers to collect additional materials such as clothing and shoes.

Costs payable to Bedford Borough Council on adoption:

Refurbishment by Bedford Borough Council	£90/container/2 year
Maintenance of site	£100/year
Total	£2350/10 year

Adoption

On completion of the site an inspection will be undertaken by a council Waste Services Officer to ensure the specifications laid out have been met. Having passed the inspection the site will remain the responsibility of the developer for a further 12 months. At this time a final inspection will be carried out and the site will be signed off on receipt of the sum as mentioned above to cover all future maintenance. The site will then officially be adopted by Bedford Borough Council.

Location and Access

The site should be located at least 20m from the nearest residential property.

Trees and buildings located above or surrounding the site can cause problems when emptying containers and should be avoided in all instances.

Pathways should be a minimum of 1.8m wide and feature a smooth hard finished surface leading up to the containers. Access pathways should have dropped kerbs incorporated into sites that have 1100 litre containers and no more than 25m from the collection point to the highway edge.

Access roads should comply with turning and reversing circles of heavy goods vehicles given in Bedford Borough Council's planning guidance. Allocation of the area directly in front of the underground containers must be set aside in order them to be emptied safely.

Surface Requirements

The surface that is required for skip containers and 1100 litre bins is to have one continuous flat impermeable and smooth hard standing area (typically a concrete pad). The area is required to be fire resistant and capable of being cleansed via pressure washer without incurring damage.

The site should incorporate a drainage point, preferably to foul sewer, and an appropriate fall level should be provided to ensure all surface water run-off is collected. There should not be any steps or projections at the public entrance and suitable access for the disabled and visually impaired eg. dropped kerbs, tactile paving should be provided.

Screening and Fencing

It is advised that the site is suitably screened or fenced on at least 3 sides to protect the container infrastructure from bad weather and to integrate it into the surrounding area. There should be a minimum of 1.2m of clearance between the screening or fencing and the bank infrastructure to ensure that residents are able to access the banks unimpeded. The screening shall be of a suitable material. There is no requirement to provide a roof.

Signage

The site should be clearly signed from the nearest public road and footpath. Signs on-site are required to be erected and pre-agreed with Bedford Borough Council explaining the range of materials to be recycled and additional information. These signs should also include a poster window to which further materials can be added at a later date if required.

Litter bins

A minimum of one litter bin should be provided per site to ensure it remains clean and tidy.

Planning and Further Guidance

For further information regarding the installation of communal recycling containers in Bedford Borough please contact recycling@bedford.gov.uk.

Detailed advice and guidance can be provided to developers and community groups on recycling facilities.

Recommended Suppliers

Below are recommended suppliers that hold full specifications for containers in Bedford Borough.

Egbert & H Taylor Ian Schofield, Area Business Manager
Tel: +44 (0)7795 114420
E-mail: ian.schofield@taylorbins.co.uk

Otto (UK) Ltd Paul Ryan, Area Sales Manager
Tel: 01530 277900
E-mail: p.ryan@otto.co.uk

GJF Fabrications Ltd Phil Walker, Sales Manager
(Skip Containers only) Tel: 01543 360777
E-mail: sales@gjffabrications.co.uk

Dimensions

Underground site Each container has a total surface area of 1.85m³ to allow for the pit and edging only. There is also a requirement for an area of separation between the containers and also surrounding the site to allow for access by pedestrians along one length. It is recommended that a 300mm gap is left clear between each container.

Skip site An area for a 10.7m³ (14yd³) skip which has a width of 1.75m (13'5ft), a height of 1.8m (5'11ft) and a length of 4.1m (5'9ft) should be allocated for. Area around the skip should allow access for the public to both lengths of the container.

1100 Litre Bin site Each container has a width of 0.9m, a height of 1.3m and a length of 1.2m. Access to the area is made to one side of the length of the containers only.

	Width (m)	Length (m)	Height (m)	Recommended Total Footprint (excluding paths and access points)
Underground Container	1.85	1.85	0.90	16.54m ² (including edging)
Skip Container	1.75	4.10	1.80	7.18m ²
1100 litre Container	0.90	1.20	1.30	3.24m ²

Figure A5.1 Underground Container and Measurements (mm)

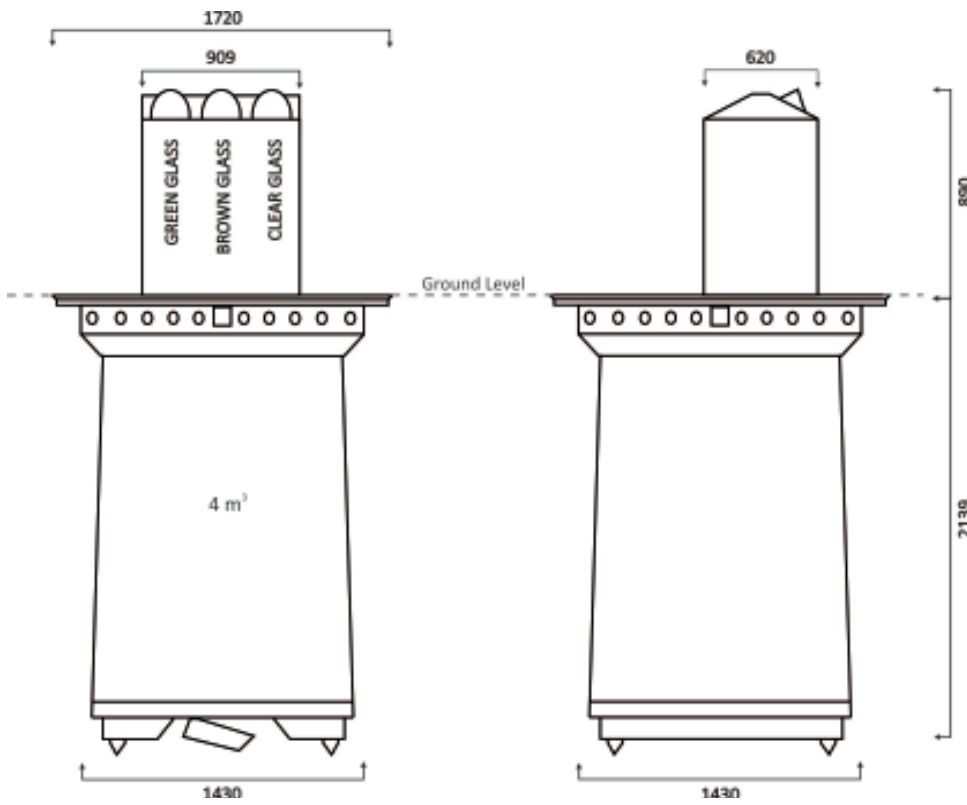


Figure A5.2 Skip Container and Measurements (mm)

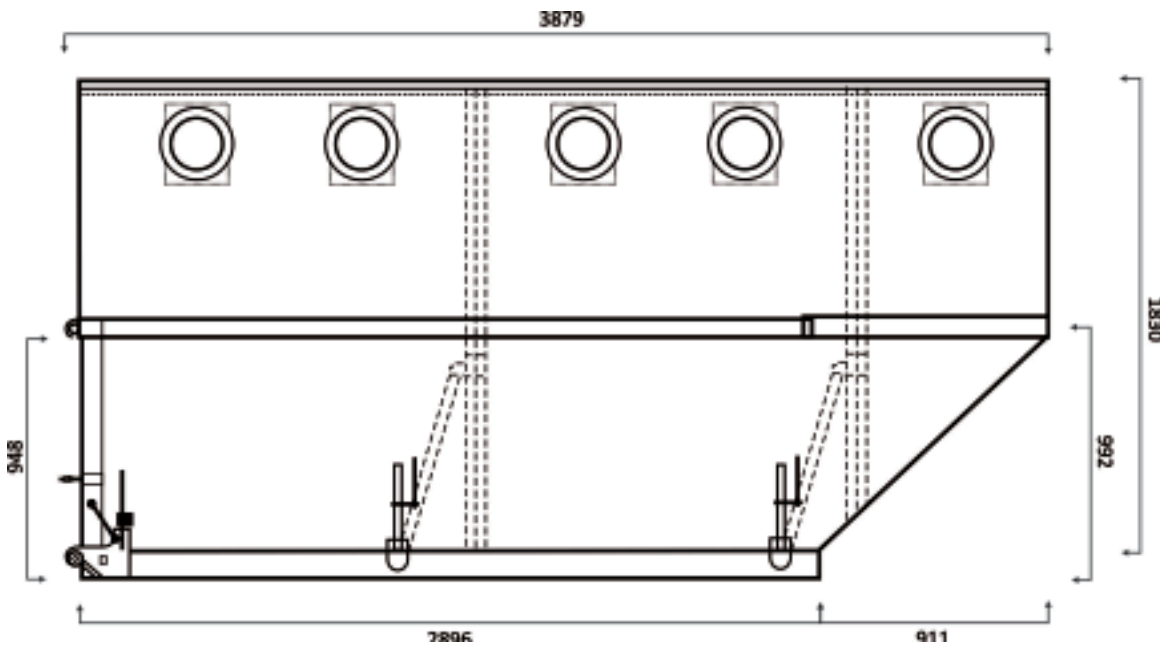
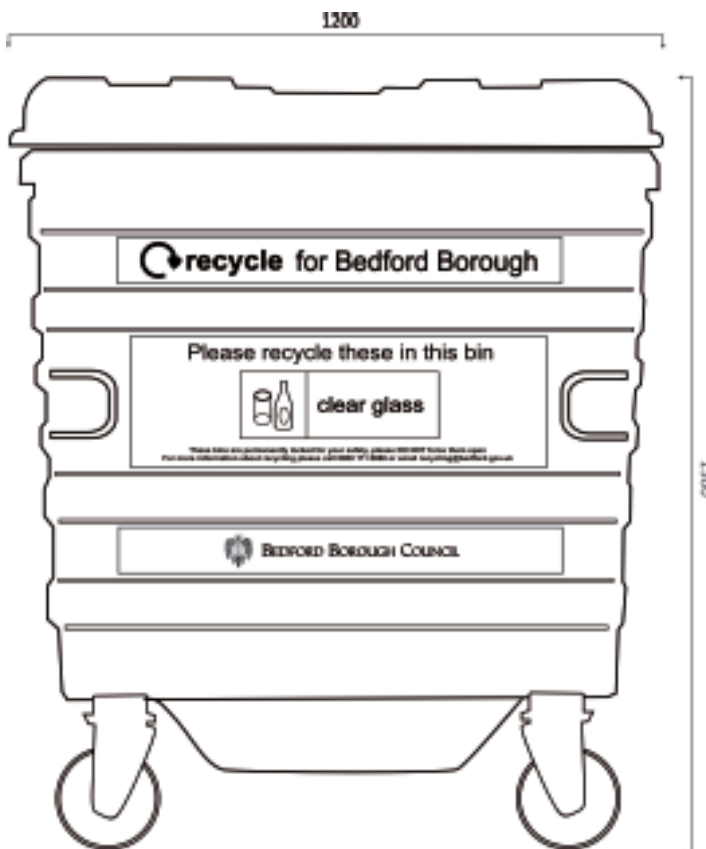


Figure A5.3 1100 Litre Container and Measurements (mm)



Appendix 6

Background to Pupil Generation rates based on 2011 Census

This appendix sets out the revised pupil generation rates based on the 2011 census which will be used in assessing the implications of new housing development for new schools and sites and also the scale of contributions sought towards pupil places when justified, pending the introduction of the Community Infrastructure Levy.

Pupil Generation rates used in assessing contributions for school places where there is a lack of capacity in existing schools

The borough council has been using a 2001 census Bedfordshire based pupil generation rate of 4 children per age group per hundred dwellings for some years. However it was clearly desirable for this to be updated and made specific to the borough by using information from the newer housing areas in the borough from the 2011 census.

The first stage in estimating pupil generation rates was to look at the boundaries of the census "output areas" which cover about 150 – 300 dwellings, to see which correlate well with newer housing areas in Bedford (areas predominantly less than 15 yrs old). The output areas used include those encompassing housing developments at Clapham Folly, Woodlands Park north of Bedford, Great Denham, two developments at Norse Road, Odell Rd, Sharnbrook and Wixams.

Then the total number of children in the age bands for the years in which children turn 2-3 yrs of age, 4-10 yrs of age and 11-15 yrs of age (equating to pre school, primary school and secondary school age bands) from those output areas is divided by the total number of households in those output areas (which is taken for the exercise to be the same as dwellings) and multiplied by 100 to give an average number of children per hundred dwellings in those age bands. The figure is then divided by the number of years covered by the age band to give an average number of children per hundred dwellings per age group.

It is important that the correct pupil generation rates are used otherwise insufficient school places or undersized schools will result. Therefore based on the findings of the 2011 census information the pupil generation rates are being revised from 4 children/age group/hundred to

- 2-3 yr olds - 6.3 children/age group/hundred dwellings
- 4 -10 yr olds - 4.6 children/age group/hundred dwellings
- 11-15 yr olds - 4.2 children/age group/hundred dwellings

There are several options for further education for children post GCSE, not all of which are full time education in secondary and upper schools. As it would not be correct to assume the need for places is equal to the pupil generation rates for each of those years it has been assumed that school years 12/13 together would be equivalent to an additional secondary school year; an approach that has been used for some years.

The background evidence of the output areas used and the results behind the new pupil generation figures is set out over the page.

Background evidence

	output area	no of households	children aged 2-3yrs	children aged 4-10yrs	children aged 11-15yrs
Clapham	E00173746	118	25	54	32
Clapham	E00173747	121	18	61	28
Woodlands Park	E00173752	122	10	30	22
Woodlands Park	E00173753	122	19	50	34
Woodlands Park	E00173759	120	18	59	46
Woodlands Park	E00173760	118	20	51	38
Great Denham	E00173761	123	25	41	20
Great Denham	E00173762	122	12	31	22
Great Denham	E00088167	218	8	45	29
Norse Rd Maskell Dr	E00173755	102	20	46	22
Norse Rd Maskell Dr	E00173756	112	23	16	14
Norse Rd adj A428	E00173757	132	4	39	32
Norse Rd adj A428	E00173758	138	15	50	24
Sharnbrook, Odell Rd	E00173751	83	6	22	37
Wixams	E00173781	123	11	26	14
Wixams	E00173782	123	15	36	12
Wixams	E00173784	122	18	31	16
Total		2119	267	688	442

Age range	Av children per 100 dwellings per age band	Av children per age group per 100 dwellings	Av children per age group per 100 dwellings rounded
2-3yrs	12.60	6.30	6.3
4-10yrs	32.47	4.64	4.6
11-15yrs	20.86	4.17	4.2

Note.

If the Council introduces a Community Infrastructure Levy off-site contributions to play areas and sports pitches will normally be through the levy and not through S106 contributions. Pupil generation rates will however remain relevant for assessing the size of site and school where provision is to be made on site.

Appendix 7

OBLIGATION

Under the Town and Country Planning Act 1990

Section 106

THIS OBLIGATION BY WAY OF UNDERTAKING is made the
20[]

BY

[] of []
] (“the Owner”)

TO

BEDFORD BOROUGH COUNCIL of Borough Hall Cauldwell Street Bedford
MK42 9AP (“the Council”)

1. Definitions

1.1 In this deed the following words and expressions shall where the context so
requires or admits have the following meanings:-

‘the Application’ means the application under reference [] in respect
of the Land for planning permission in respect of [*here describe the
development proposed*]

‘Index Linked’ means adjusted by reference to the change in the Retail Prices All-
Items Index from the figure last published before [*here state
indexation date*] and the figure last published before the date of
payment whether provisional or final PROVIDED THAT the
principal sum shall not be reduced as a result of such adjustment

'the Land'	means the land at [<i>here describe the land intended to be bound by the undertaking</i>] shown for identification purposes only edged red on the Plan
'Implemented'	means to have carried out a material operation within the meaning of section 56(4) of the 1990 Act in respect of the Planning Permission save that 'a material operation' shall not include :- (a) site clearance; (b) demolition of existing buildings; (c) archaeological investigation (d) the assessment of contamination (e) remedial action in respect of any contamination (f) diversion and laying of services (g) the erection of fencing or other means of enclosure for site security; and (h) the display of advertisements
'Interest'	means interest at 2% above the Bank of England lending rate prevailing at the date upon which payment is due
'Occupation'	means occupation for purposes other than construction and shall not include occupation by personnel engaged in construction, fitting out or decoration or the ancillary use of the finished buildings for sales purposes for use as temporary offices or for the storage of plant and materials and 'Occupied' shall be construed accordingly
'Plan'	means the plan attached to this deed
'the Planning Permission'	means planning permission issued pursuant to the Application
'[<i>describe nature of contribution</i>] Contribution'	means the sum of £[] ([<i>figure in words</i>] pounds) Index Linked as a contribution to the provision or improvement of [<i>here describe subject matter of the contribution</i>]
'the 1990 Act'	means the Town and Country Planning Act 1990

2. Recitals

- 2.1 The Council is the Local Planning Authority for the purposes of the 1990 Act
- 2.2 The Owner is the registered proprietor of the Land which is registered with freehold title at the Land registry under title number BD80533
- 2.3 The Council [*has resolved*] [*proposes*] to grant the Planning Permission in respect of the Application subject to the completion of an instrument complying with section

106 of the 1990 Act and which provides for payment of the [] Contribution

3 Statutory Provisions

This Undertaking:

- 3.1 Is given by the Owner to the Council
- 3.2 Is given pursuant to the provisions of Section 106 of the 1990 Act and is a planning obligation for the purposes of that section
- 3.2 Is given with intent to bind the Owner's interest in the Land
- 3.3 Shall be enforceable by the Council as Local Planning Authority
- 3.4 Is executed as a deed

4 Covenants by the Owner

- 4.1 The Owner so as to bind [its/his/her/their] interest in the Land hereby covenants (jointly and severally if more than one person) with the Council to pay the [*here state nature of contribution*] Contribution to the Council [*here state trigger for payment of Occupation of permitted unit(s) including a restriction on Occupation*] PROVIDED THAT
 - 4.1.1 the payment is conditional upon the use by the Council for the purposes for which the payment is made within 10 years of the date of payment and the return to the Owner of any part of the payment not used or committed to use within 10 years of the date of payment
 - 4.1.2 a payment shall be deemed to have been used if paid, committed or allocated whether for use by the Council or any third party instructed by the Council and whether or not such payment has been made before or after such payment is made
 - 4.1.3 Interest shall be added to the Contribution from the date when the payment of the Contribution is due to the date when payment is made

5 Third Party Rights

- 5.1 A person who is not a party to this Undertaking has no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term hereof but this does not affect any right or remedy of a third party which exists or is available apart from that Act

6 General

- 6.1 This Undertaking shall cease to have effect if the Planning Permission is quashed or revoked or the Planning Permission has expired without it having been Implemented
- 6.2 Nothing in this Undertaking shall constitute a planning permission in respect of

the Application or of any description

- 6.3 Nothing in this Undertaking fetters or restricts the exercise by the Council of any of its powers as a local authority
- 6.4 This Undertaking is a local land charge and may be registered as such
- 6.5 Where the context so requires the singular includes the plural and vice versa
- 6.6 A reference to an Act of Parliament refers to the Act as it applies at the date of this Undertaking and any later amendment or re-enactment of it
- 6.7 No party hereto shall be liable for any breach of the covenant occurring after it has parted with the whole of its interest in the Land
- 6.8 The Owner will pay the Council's costs in respect of the negotiation and preparation of this Undertaking

IN WITNESS whereof the Owner has executed this Undertaking the day and year first before written

EXECUTED as a deed by the said
Owner in the presence of :