



# **Draft SPD1: Planning Obligations**

## **Technical Note 1: Planning Obligations**

**February 2011**

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## Introduction

This technical note is intended to be read alongside the Draft Planning Obligations Supplementary Planning Document (SPD) and provides more detailed information, including indicative costs and worked examples to support all sections of the SPD.

Information is organised into sections which are referenced in the draft Planning Obligations SPD.

This Technical Note is a 'living document' and will be updated regularly to reflect the latest guidance and data.

### **A. Section A: Indicative Standard Charges for Trafford Developer Contribution.**

A.1. Costs give an indication of contributions required where provision cannot be made on-site or as part of the development itself.

A.2. Various types and amounts of development are not required to pay these costs so not all charges would be paid in all instances. The indicative costs given do not always represent the maximum payable for any development – some are put in as an average cost. However, adding all the costs for each type of development will give an indication of a close-to-appropriate cost associated with the contributions.

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Type		Residential <sup>1</sup>					
		1 bed unit <sup>2</sup>	2 bed flat	2 bed house	3 bed unit	4 bed unit	5+ bed unit
TDC1	Affordable housing <sup>3</sup>	£52,500					
TDC2	Highways Infrastructure <sup>4</sup>	£218	£73	£218	£218	£218	£218
TDC3	Sustainable Transport Schemes <sup>5</sup>	£418	£269	£418	£418	£418	£418
TDC4	Sustainable Energy Schemes <sup>6</sup>	£652.50 <sup>7</sup>	£753.75 <sup>8</sup>	£821.25 <sup>9</sup>	£1,040.50 <sup>10</sup>	£1,844.50	£1,844.50 <sup>11</sup>
TDC5	Specific Green Infrastructure	£310 <sup>12</sup>	£310	£930	£930	£930	£930
TDC6a	Local Open Space <sup>13</sup>	£161.59	£323.18	£323.18	£484.77	£646.36	£646.36
TDC6b	Semi-natural Greenspace	£150.80	£301.60	£301.60	£452.40	£603.20	£603.2
TDC6c	Provision for Children / Young People	n/a	£757.90	£757.90	£1,136.85	£1,894.75	£1,894.75
TDC6d	Outdoor Sports	£520	£1,040	£1,040	£1,560	£2,080	£2,080
TDC7a	Swimming Pools	£99.57	£199.14	£199.14	£298.71	£398.28	£398.28
TDC7b	Health and Fitness	£18	£36	£36	£54	£72	£72
TDC8	Education Facilities	n/a	£3,728.77	£3,728.77	£7,457.54	£11,186.31	£11,186.31
TDC9	Health Facilities	tbc	tbc	tbc	tbc	tbc	tbc
	<b>TDC Sub-Total</b>	<b>£2,548</b>	<b>£7,792</b>	<b>£8,774</b>	<b>£14,051</b>	<b>£20,291</b>	<b>£20,291</b>
	Management Fee (5%)	£127	£390	£439	£703	£1,015	£1,015
	Legal Fee	£ph	£ph	£ph	£ph	£ph	£ph
	<b>TDC Total</b>	<b>£2,676</b>	<b>£8,182</b>	<b>£9,213</b>	<b>£14,753</b>	<b>£21,306</b>	<b>£21,306</b>

<sup>1</sup> Cost per flat/house

<sup>2</sup> Assumed to be a house unless otherwise specified.

<sup>3</sup> Average cost of providing an affordable housing unit. The number of affordable units required varies depending on the size and location of development. Therefore, it cannot be expressed as a charge per unit. It should be noted however, that the management and legal fees would still apply to any commuted sum for off-site provision of affordable housing.

<sup>4</sup> Cost from existing SPD1 – Developer Contributions to Highways & Public Transport.

<sup>5</sup> Costs from existing SPD1. Assumed development is in Accessible Area B which is roughly an average between the three Accessibility Areas.

<sup>6</sup> Figures for CO2 emissions sourced from Stratford-on-Avon Sustainable Low-carbon Buildings SPD 2007 Part A Table 1 updated to 2010 Part L Building Regulations. Based on contribution for development within a Low Carbon Growth Area with a higher emissions reduction target of 40% and a contribution cost per tonne of carbon of £75.

<sup>7</sup> No figure available – assumed contribution same as for middle floor 2 bed flat.

<sup>8</sup> Assumed contribution for a ground floor unit.

<sup>9</sup> No figure available – assumed contribution same as for mid-terraced 3-bed house.

<sup>10</sup> Assumed figure for 3-bed semi-detached house

<sup>11</sup> No figure available - assumed contribution same as for 4 bed detached house

<sup>12</sup> Unit is assumed to be a flat

<sup>13</sup> TDC6a, 6b, 6c, 6d / TDC 7a, 7b based on Quantity cost or Quality cost where relevant multiplied by number of persons.

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Type		Other Residential <sup>14</sup>			
		C2 Residential Institutions	C2a Secure Residential Institutions	C4 Houses in Multiple Occupation	Sui Generis Purpose built Student Accommodation
TDC1	Affordable housing	n/a	n/a	n/a	n/a
TDC2	Highways Infrastructure <sup>15</sup>	£73	n/a	£73	£73
TDC3	Sustainable Transport Schemes <sup>16</sup>	£269	n/a	£269	£269
TDC4	Sustainable Energy Schemes <sup>17</sup>	£30.15 <sup>18</sup>	£30.15 <sup>19</sup>	£75.38 <sup>20</sup>	£30.15
TDC5	Specific Green Infrastructure <sup>21</sup>	£310	£310	£310	£310
TDC6a	Local Open Space <sup>22</sup>	n/a	n/a	£323.18	n/a
TDC6b	Semi-natural Greenspace	n/a	n/a	£301.60	n/a
TDC6c	Provision for Children / Young People	n/a	n/a	n/a	n/a
TDC6d	Outdoor Sports	n/a	n/a	£1,040	n/a
TDC7a	Swimming Pools	n/a	n/a	£199.14	n/a
TDC7b	Health and Fitness	n/a	n/a	£36	n/a
TDC8	Education Facilities	n/a	n/a	n/a	n/a
TDC9	Health Facilities	tbc	tbc	tbc	tbc
	<b>TDC Sub-Total</b>	<b>£682</b>	<b>£310</b>	<b>£2,552</b>	<b>£342</b>
	Management Fee (5%)	£34.11	£15.50	£127.60	£17.10
	Legal Fee	£ph	£ph	£ph	£ph
	<b>TDC Total</b>	<b>£716</b>	<b>£326</b>	<b>£2,680</b>	<b>£359</b>

<sup>14</sup> Cost per bed space

<sup>15</sup> Cost from existing SPD1 – Developer Contributions to Highways & Public Transport.

<sup>16</sup> Costs from existing SPD1. Assumed development is in Accessible Area B which is roughly an average between the three Accessibility Areas.

<sup>17</sup> Figures for CO2 emissions sourced from from London Renewables toolkit (2005) benchmark emission data (Tables 4.12.2 to 4.12.13)

<sup>18</sup> No figure available – Assumed contribution cost same as for ground floor 2-bed flats.

<sup>19</sup> No figure available – Assumed contribution cost same as for ground floor 2-bed flats.

<sup>20</sup> No figure available – assumed contribution cost same as for 4-bed detached house

<sup>21</sup> No figure for Other Residential Uses available – assumed 1 tree per bed space.

<sup>22</sup> TDC6a, 6b, 6c, 6d / TDC 7a, 7b based on Quantity cost or Quality cost where relevant multiplied by number of persons.

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Type		Non-Residential <sup>23</sup>					
		A1 Food Retail	A1 Non-Food Retail	A2 Financial & Professional Services	A3 Restaurants & Cafes	A4 Drinking Establishments	A5 Hot Food Takeaway
TDC1	Affordable housing	n/a	n/a	n/a	n/a	n/a	n/a
TDC2	Highways Infrastructure <sup>24</sup>	£4,455	£931	£931	£931	£931	£931
TDC3	Sustainable Transport Schemes <sup>25</sup>	£11,835	£3,363	£3,363	£3,363	£3,363	£3,363
TDC4	Sustainable Energy Schemes <sup>26</sup>	£5,925	£5,925	£5,925	£5,925	£5,925	£5,925
TDC5	Specific Green Infrastructure <sup>27</sup>	£620	£620	£620	£620	£620	£620
TDC6a	Local Open Space	n/a	n/a	n/a	n/a	n/a	n/a
TDC6b	Semi-natural Greenspace	n/a	n/a	n/a	n/a	n/a	n/a
TDC6c	Provision for Children / Young People	n/a	n/a	n/a	n/a	n/a	n/a
TDC6d	Outdoor Sports	n/a	n/a	n/a	n/a	n/a	n/a
TDC7a	Swimming Pools	n/a	n/a	n/a	n/a	n/a	n/a
TDC7b	Health and Fitness	n/a	n/a	n/a	n/a	n/a	n/a
TDC8	Education Facilities	n/a	n/a	n/a	n/a	n/a	n/a
TDC9	Health Facilities	n/a	n/a	n/a	n/a	n/a	n/a
	<b>TDC Sub-Total</b>	<b>£22,835</b>	<b>£10,839</b>	<b>£10,839</b>	<b>£10,839</b>	<b>£10,839</b>	<b>£10,839</b>
	Management Fee (5%)	£1,141.75	£541.95	£541.95	£541.95	£541.95	£541.95
	Legal Fee	£ph	£ph	£ph	£ph	£ph	£ph
	<b>TDC Total</b>	<b>£23,977</b>	<b>£11,381</b>	<b>£11,381</b>	<b>£11,381</b>	<b>£11,381</b>	<b>£11,381</b>

<sup>23</sup> Cost per 100 square metres (GIA)

<sup>24</sup> Cost from existing SPD1 – Developer Contributions to Highways & Public Transport. Costs for Use Classes A2 to A5 not available – assumed to be same as A1 non-food retail.

<sup>25</sup> Costs from existing SPD1. Costs for Use Classes A2 to A5 not available – assumed to be same as A1 non-food retail. Assumed development is in Accessible Area B which is roughly an average between the three Accessibility Areas.

<sup>26</sup> Figures for CO2 emissions sourced from London Renewables toolkit (2005) benchmark emission data (Tables 4.12.2 to 4.12.13). No specific figures available – assumed contribution cost for standard retail units.

<sup>27</sup> Assumed 2 trees per 100sqm.

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Type		Non-Residential <sup>28</sup>						
		B1 Business	B2 General Industrial	B8 Storage & Distribution	C1 Hotels	D1 Non-residential Institutions	D2 Assembly & Leisure	Sui generis
TDC1	Affordable housing	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC2	Highways Infrastructure <sup>29</sup>	£268	£157	£157	£134 <sup>30</sup>	£tbc	£805	£tbc
TDC3	Sustainable Transport Schemes <sup>31</sup>	£671	£259	£259	£223 <sup>32</sup>	£tbc	£1,976	£tbc
TDC4	Sustainable Energy Schemes <sup>33</sup>	£5,475	£4,650	£4,650	£5,475 <sup>34</sup>	£2,625 <sup>35</sup>	£10,125 <sup>36</sup>	£tbc
TDC5	Specific Green Infrastructure <sup>37</sup>	£1,033	£387.50	£387.50	£1,033	£1,033	£1,033	£387.50
TDC6a	Local Open Space	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC6b	Semi-natural Greenspace	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC6c	Provision for Children / Young People	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC6d	Outdoor Sports	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC7a	Swimming Pools	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC7b	Health and Fitness	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC8	Education Facilities	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TDC9	Health Facilities	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	<b>TDC Sub-Total</b>	<b>£7,447</b>	<b>£5,454</b>	<b>£5,454</b>	<b>£6,865</b>	<b>£3,658</b>	<b>£13,939</b>	<b>£388</b>
	Management Fee (5%)	£372.35	£272.68	£272.68	£343.25	£182.90	£696.95	£19.38
	Legal Fee	£ph	£ph	£ph	£ph	£ph	£ph	£ph
	<b>TDC Total</b>	<b>£7,819</b>	<b>£5,726</b>	<b>£5,726</b>	<b>£7,218</b>	<b>£3,841</b>	<b>£14,636</b>	<b>£407</b>

<sup>28</sup> Cost per 100 square metres (GIA)

<sup>29</sup> Cost from existing SPD1 – Developer Contributions to Highways & Public Transport.

<sup>30</sup> Existing SPD1 cost is £134 per bed space.

<sup>31</sup> Costs from existing SPD1. Assumed development is in Accessible Area B which is roughly an average between the three Accessibility Areas.

<sup>32</sup> Existing SPD1 cost is £223 per bed space.

<sup>33</sup> Figures for CO2 emissions sourced from London Renewables toolkit (2005) benchmark emission data (Tables 4.12.2 to 4.12.13)

<sup>34</sup> No figure available – assumed contribution same as for B1 Office.

<sup>35</sup> Figure for Schools applied to all D1 Uses.

<sup>36</sup> Figure for sports centres applied to all D2 uses.

<sup>37</sup> B1 based on 3.33 trees per 100sqm. B2/B8 based on 1.25 trees per 100sqm. C1/D1/D2 based on 3.33 trees per 100sqm. Sui generis based on 1.25 trees per sqm.

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## **B. Section B – Worked Examples**

B.1. The two worked examples set out below are indicative and do not represent any built, permitted or proposed schemes.

B.2. They are based on several assumptions, in particular that all the contributions are met off-site, that the area is deficient in existing facilities and that there are no additional negotiated elements. Provision of obligations on-site will make the level of contribution considerably less. Other examples showing all workings and assumptions are provided within the relevant Technical Notes.

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**Worked Example #1: demolition of four five bedroom houses and construction of thirty, two bedroom flats and ten 3-bed houses in Old Trafford.**

Type		1 bed unit	2 bed flat	2 bed house	3 bed unit	4 bed unit	5+ bed unit	TOTAL
<b>Amount</b>			30		10		-4	36
TDC1	Affordable housing <sup>38</sup>		£105,000					£105,000
TDC2	Highways Infrastructure		£2,190		£2,180		-£872	£3,498
TDC3	Sustainable Transport Schemes <sup>39</sup>		£6,450		£3,340		-£1,336	£8,454
TDC4	Sustainable Energy Schemes		£19,575		£10,405		-£7,378	£22,602
TDC5	Specific Green Infrastructure		£9,300		£9,300		-£3,720	£14,880
TDC6a	Local Open Space		£9,695.40		£4,847.70		-£2,585	£11,958
TDC6b	Semi-natural Greenspace		£9,048		£4,524		-£2,412.80	£11,159
TDC6c	Provision for Children / Young People		£22,737		£11,368.50		-£7,579	£26,527
TDC6d	Outdoor Sports		£31,200		£15,600		-£8,320	£38,480
TDC7a	Swimming Pools		£5,974.20		£2,987.10		-£1,593.12	£7,368
TDC7b	Health and Fitness		£1,080		£540		-£288	£1,332
TDC8	Education Facilities		£111,863.10		£74,575.40		-£44,745.24	£141,693
TDC9	Health Facilities							
	<b>TDC Sub-Total</b>		<b>£334,113</b>		<b>£139,668</b>		<b>-£80,829</b>	<b>£392,952</b>
	Management Fee (5%)		£16,706		£6,983		-£4,042	£19,647
	Legal Fee	£ph	£ph	£ph	£ph	£ph	-£ph	£ph
	<b>TDC Total</b>		<b>£350,818</b>		<b>£146,651</b>		<b>-£84,871</b>	<b>£412,598</b>

<sup>38</sup> Old Trafford is a 'cold' market location so assumption is that 5% affordable housing is required = 2 units.

<sup>39</sup> Old Trafford is a 'Most Accessible' location.

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**Worked Example #2: mixed use development in Altrincham Town Centre consisting of 1,050sqm food store, 3,000sqm non-food retail, 3,700 square metres of offices (B1 use class), 250 bed hotel (11,000sqm) with 1,500sqm health and fitness club and 115 apartments.**

Type		A1 Food Retail	A1 Non-food Retail	B1 Office	C1 Hotel	C3 Residential	D2 Assembly & Leisure	TOTAL
<b>Amount</b>		1,050	3,000	3,700	250 beds	115 <sup>40</sup>	1,500	
TDC1	Affordable housing					£2,415,000 <sup>41</sup>		<b>£2,415,000</b>
TDC2	Highways Infrastructure	£46,778	£27,930	£9,916	£33,500	£8,395	£12,075	<b>£138,594</b>
TDC3	Sustainable Transport Schemes <sup>42</sup>	£124,268	£100,890	£19,869	£44,500	£24,725	£29,640	<b>£343,892</b>
TDC4	Sustainable Energy Schemes	£62,213	£177,740	£202,575	£602,250	£75,037.50	£151,875	<b>£1,271,691</b>
TDC5	Specific Green Infrastructure	£6,510	£18,600	£38,221	£113,630	£35,650	£15,495	<b>£228,106</b>
TDC6a	Local Open Space					£37,165.70		<b>£37,165.70</b>
TDC6b	Semi-natural Greenspace					£34,684		<b>£34,684</b>
TDC6c	Provision for Children / Young People					£87,158.50		<b>£87,158.50</b>
TDC6d	Outdoor Sports					£119,600		<b>£119,600</b>
TDC7a	Swimming Pools					£22,901.10		<b>£22,901.10</b>
TDC7b	Health and Fitness					£4,140		<b>£4,140</b>
TDC8	Education Facilities					£428,808.55		<b>£428,808.55</b>
TDC9	Health Facilities							
	<b>TDC Sub-Total</b>	<b>£239,769</b>	<b>£325,160</b>	<b>£270,581</b>	<b>£793,880</b>	<b>£3,270,364</b>	<b>£209,085</b>	<b>£5,108,839</b>
	Management Fee (5%)	£11,988	£16,258	£13,529	£39,694	163,518	£10,454	<b>£255,442</b>
	Legal Fee	£ph	£ph	£ph	£ph	£ph	£ph	<b>£ph</b>
	<b>TDC Total</b>	<b>£251,757</b>	<b>£341,418</b>	<b>£284,110</b>	<b>£833,574</b>	<b>£3,433,882</b>	<b>£219,539</b>	<b>£5,364,281</b>

<sup>40</sup> Assumed all units are 2-bed flats.

<sup>41</sup> Altrincham is 'hot' market location so assumed 40% provision provided off-site (46x£52,500).

<sup>42</sup> Altrincham Town Centre is a 'Most Accessible' location.

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### C. Section C – Development Viability Guidance

- C.1. The applicant should let the Council know that it plans to raise the issue of viability as soon as it is apparent so that a process to deal with it can be established. This should be during the pre-application stage, as it will be expected that the developer has already incorporated the impact of the contribution on their project. Early engagement gives the developer the opportunity to present their case and provides adequate time to scope the relevant viability issues, plan the work programme, agree on an analytic approach/model, and table the delivery mechanisms that will be used (in the event that it is necessary).
- C.2. The methodology, underlying assumptions and any software used to undertake this appraisal should be agreed with the Council, with the normal approach being the current methodology endorsed by the Homes and Communities Agency, which is an economic appraisal tool prepared by GVA Grimley, please see the HCA website for details: <http://www.homesandcommunities.co.uk/economic-appraisal-tool>.
- C.3. The tool is endorsed by the HCA to assist Local Planning Authorities and developers negotiate and agree the viability of planning obligations generally. The toolkit also helps development partners demonstrate how grants from the National Affordable Housing Programme (NAHP) will help them deliver more affordable housing over and above the level that can be supported from planning obligations alone. In the event that the developer uses a proprietary programme, the developer should be prepared to provide the Council with the opportunity to interrogate its underlying structure and assumptions.
- C.4. At the very least a proprietary model will need to include assumptions and evidence for the following items:
- Site and/or building acquisition costs
  - Construction costs and programme
  - Fees, finance and all other associated costs
  - Projected development value
  - Gross and net development profit margin

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- C.5. In the event that the Council has questions about the model's assumptions or asks for more detail, the developer will provide supporting evidence which reveals the basis of the assumptions. Evidence could be from sources such as the Building Cost Information Service (BCIS), SPON's Architects' and Builders' Price Book or Valuation Office Agency (VOA) data. For rental and sales data (including yields), it is expected that the developer will provide evidence of market transactions.
- C.6. Any consideration of viability must look at the overall package of requirements on a development and in accordance with Policy L8 the Council will determine any revisions to the required contributions on a site by site basis, paying regard to the Core Strategy's Strategic and Place Objectives.
- C.7. The cost of assessing development viability will be met by the developer who is claiming non-viability for the planning application. Abnormal costs should be reflected in the price paid for the site. Demolition of existing structures, site clearance and decontamination should be reflected in the land value. It will not be acceptable to make allowance for known site constraints in any financial viability appraisal.
- C.8. The financial appraisal should be presented on a residual land value basis taking into account all the reasonable costs of the development including required contributions to local services and infrastructure, the provision of affordable housing and a reasonable profit margin to the developer. It should also include a valuation of the site in its existing, or in the case of a vacant or derelict site, its last use, not its purchase price or hope value. The appraisal should preferably form part of pre-application negotiations and must accompany the planning application.
- C.9. It may not always be appropriate to agree to reduce the total amount of contributions payable where there are issues of viability relating to a specific development. For example should the reduction in the level of on-site affordable housing to be provided prejudice the deliverability of affordable housing required in the Plan, the Council may consider that the development cannot be approved.
- C.10. If an initial reduction in the required target is agreed, the S106 Agreement will include provisions for both overage and review mechanism(s). If the development is not completed within 3 years of the date of the planning permission, a further consideration of viability will be carried out at that stage (and every 3 years thereafter) for the purposes of determining whether the level of contribution should increase for the balance of the development still to be completed, any revision may not be limited to the geographical target, but may be increased to cover the previously resultant shortfall from the earlier part development of the site. In order to explore phased payments and/or a clawback mechanism, it will be necessary to use a cash flow

model to explore the range of options and to measure the relative impacts of different potential solutions on project viability.

- C.11. The Council or appropriate external body will employ confidentiality and discretion with any evidence provided, and this will only be utilised to address and evaluate a specific claim. However, it may be necessary to report the key issues and broad conclusions in reports to elected members at the time of consideration of a planning application.
- C.12. If the Council agrees that a proposal cannot reasonably afford to meet all of the Council's specified requirements, it will not necessarily result in the proposal receiving approval from the Council without the need for contributions. Instead it is quite possible that the issues will be so significant that the application will be refused, but in reaching its judgement the Council will consider whether there are overriding benefits in favour of granting permission, and if so will seek to prioritise planning obligation requirements. This judgement will be made on a site by site basis based on the Strategic and Place Objectives set out in the Core Strategy.
- C.13. In addition, where there is robust evidence of market failure in relation to delivery of development, the Council may introduce measures to stimulate the market's recovery. These will be clearly publicised at the time, and for example may include the 'capping' of certain planning obligation requirements, temporary discounts or exemptions from the TDC rates and flexibility in the phasing of TDC payments

## D. Section D – Previous Representations

D.1. The production of this SPD has been informed by two earlier rounds of consultation. The first being specific to the affordable housing topic in 2008 and the second being a broader one on the scope and issues of the suite of SPDs prepared to support the Core Strategy, which was carried out in 2009. A summary of the responses received to these consultations is set out below.

### Planning Obligations SPD

Person ID	Comments ID	Summary Of Representation
1018	107	In relation to when obligations will be sought. It is considered that the scope should consider if a different formula should be applied when homes are being built for predominantly affordable housing by a social housing provider. Often schemes that are being built for rent do not return a profit over a long period of time and section 106 contributions add to the problems of getting a scheme agreed especially at a time when the current grant regime is under great scrutiny and likely to be reduced in the future.
1026	188	The problem with the SPD Scopes and Issues report is that it duplicates much of what is already contained within the Draft Core Strategy in so far as Planning Obligations are covered by Policy L8; Climate Change by Policy L5; Design by Policy L7; Open Space, Recreation and Green Infrastructure by Policies R2, R3 and R5; and Affordable Housing by Policy L2.
1026	194	<ul style="list-style-type: none"> <li>- Will be superceded by CIL</li> <li>- To succeed it will have to relate to an up to date, costed and programmed infrastructure plan</li> <li>- Flexibility must be built in</li> <li>- Clarity and transparency will be fundamental as will the ability to pool contributions</li> <li>- If a site is not viable then either the development will not proceed and/or it will not be possible to obtain any planning obligations</li> <li>- It will not be acceptable for the Council to 'establish an acceptable level of developer profit'.</li> <li>- Any mechanism for 'overage clauses' will need to be carefully thought through and should also include the ability for 'clawback' of contributions when these are not spent within the agreed timescales.</li> </ul>
1035	110	An SPD is an appropriate document in which to expand on the Planning Obligations policy in the Core Strategy which should provide more detailed definitions of the matters for which obligations will be sought and set out the requirement for development to deal with its impact on infrastructure, services, resources and amenities.
1035	114	It is recommended that the Social Infrastructure and Developer Contributions to Highway and Public Transport Schemes be merged with the Planning Obligations SPD as we do not see any advantage of having separate documents.



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1037	147	We would want to see obligations that broadly secure conservation and enhancement of the natural environment (including towns and cities); and public access and enjoyment of it. This includes conservation and enhancement of landscapes and townscapes, biodiversity and geodiversity, access and recreation to green spaces, green infrastructure, cleaning maintenance and security of public open spaces, sustainable design and construction; and sustainable transport.
1045	243	At the outset it is important to note that the Councils overall approach to securing planning obligations is required to adhere to principles set out within Circular 05/05. This establishes the principle that contributions are 'intended to make acceptable development which would otherwise be unacceptable in planning terms.'
1045	245	The section of the report on the Planning Obligations SPD states that this SPD will define geographical variations in relation to economic viability. Whilst viability will vary across the Borough according to prevailing market conditions, viability is affected by a number of variables beyond geographic location, including site conditions for example. The SPD should therefore be clear that geographical location is only one consideration and whilst forming a potential starting point in considering viability, should be considered alongside other factors.
1045	247	The proposed content of the planning Obligations SPD states that this SPD will establish a mechanism for imposing overage clauses. Whilst overage may be used to secure uplift in planning contributions, this should only be used in exceptional circumstances. It is expected that these instances would be limited to those where the developer has realised a significantly greater profit from the development to that originally anticipated, and where a reduced or no contribution was originally considered to be required due to viability issues.
1045	249	The report is unclear whether and how the Council intend to impose the proposed Community Infrastructure Levy (CIL) charge upon developers, and how this may operate alongside the continued requirement for other contributions. The CIL will change the way in which financial sums, required to address the impacts of the Development Plan, are calculated and spent. It will be important to ensure that where CIL is charged, the requirement for additional planning obligations is reconsidered and duplication of costs to the developer is avoided. It is recommended that further clarification as to whether and how the SPDs will be reviewed once the CIL comes into effect is provided within the Draft Planning Obligations SPD to provide developers with a clearer understanding of the Councils future approach.
1047	150	The Planning Obligations SPD will provide guidance on the use of standard formulae for calculating developer contributions towards the provision of facilities covered in some of the other SPDs. These include affordable housing, recreational and health facilities, green infrastructure, highway improvements and public transport.
1051	165	Whilst section 5 sets out particular situations where contributions will potentially be sought it is noted that under iv) on page 3 that there may be other circumstances in which contributions will be required, i.e. Section 5 is not all-embracing. It is considered that this overall approach is sensible and pragmatic, accordingly it is supported.

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1072	124	<p>The opportunity for respondents to fully engage with the questions posed in the consultation document is constrained by uncertainties on a number of fronts.</p> <p>The Local Development Scheme (LDS) approved in March 2009 specified that 'a future review of the LDS will need to include' SPDs relating to</p> <ol style="list-style-type: none"> <li>1. Accessible, Integrated Sustainable Transport</li> <li>2. Car and Other Vehicle Parking Standards</li> <li>3. Community Infrastructure Levy</li> <li>4. Planning Obligations</li> <li>5. Renewable Energy/Sustainability</li> </ol> <p>The current consultation document provides scoping details for SPDs 2 and 4 but not 1,3 or 5. What is the status of SPDs 1,3 and 5 as featured in the March 2009 LDS? There is concern that a Planning Obligations SPD - described as an 'overarching' SPD in the consultation document, cannot be comprehensive and 'overarching' if there are further SPDs which will be prepared in addition to those listed in the consultation document.</p>
1072	127	<p>Based on the LDS, it would appear that Trafford BC will seek to pursue developer contributions under the new powers afforded by imminent legislation (and associated regulations) on Community Infrastructure Levy (CIL). The CIL is designed to fund infrastructure similar to many of the "matters" described in section 5 of the proposed overarching "Planning Obligations SPD", the implication is that the Planning Obligations SPD under preparation is intended to be integrated with CIL, is this so, or will the Planning Obligations SPD be produced independently of CIL?</p>
1072	129	<p>The relationship between the "Planning Obligations SPD" and the others which involve contributions is very unclear. That for open space and recreation for example includes methods to determine contributions and a spreadsheet calculator for financial contributions, as do other SPDs. There is a risk of great confusion and overlap between the different SPDs. We suggest that all the issues relating to calculating contributions should be covered by the "overarching" "Planning Obligations SPD".</p>
1072	131	<p>Public Realm and Public Art are the only two "matters" (listed in section 5 of the scope) to be treated exclusively within the "Planning Obligations" SPD and not covered by a separate SPD. It is questioned what distinguishes these matters from the others, upon which the consultation document provides scoping for "individual" SPDs.</p>
1072	132	<p>Climate Change is a matter upon which the "Planning Obligations SPD" will provide guidance on contributions. It is explicitly considered in the "Consideration of Climate Change in the Design and Construction of Developments and the Public Realm" SPD. However the scoping for several of the SPDs (such as "Developer Contributions to Highway and Public Transport Schemes" and "Green Infrastructure") excludes any mention of climate change despite the emphasis in national planning policy statements on the contribution of public transport and green infrastructure in addressing the climate change agenda.</p>

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1073	232	<p>The intentions of the proposed Planning Obligations SPD are acknowledged as it will be important to secure contributions and infrastructure via the planning process. This SPD is even more prevalent when taking into account the large scale development aspirations emerging through the Core Strategy, which should provide significant contributions. However section 106 agreements do not extend to Government departments and as such the Agency cannot be party to such agreements.</p> <p>(Reference to DfT Circular 02/2007 regarding highways agreements between developers and highway authorities made under Section 278 of the Highways Act 1980.)</p> <p>The Agency will work with developers throughout the pre application phases of emerging development schemes to ensure appropriate mitigation and infrastructure can be secured, and welcome the intention for a SPD within Trafford which should clearly set out what level of contributions and associated infrastructure are to be sought. In addition, the aspiration to cover 'highways infrastructure public transport' schemes within this SPD, as public transport schemes and infrastructure will be needed to ensure emerging development sites within Trafford come forward as sustainably as possible. It is appreciated that this SPD is only at the scoping stage at present, and the Agency will provide more detailed comments and analysis upon publication of the draft SPD.</p>
1093	151	<p>RSS has no specific policy on this but may have some relevance, for example Policy DP4 - Making the Best Use of Existing Resources and Infrastructure, L1 Health, Sport, Recreation, Cultural and Education Services Provision, L5 Affordable Housing and EM1 Integrated Enhancement and Protection of the Regions Environmental Assets.</p>
1150	104	<p>Objective (i) sounds as if it would allow a developer to "buy off" the planning process by offering enough of a "sweetener" to achieve a scheme which might not be good for its planned location.</p> <p>Objective (iv) sounds as if it is opening the door to not applying planning rules fully or consistently.</p>
1152	113	<p>Support is given to the aim of the Planning Obligations SPD which states: "The intention is to provide a fair, transparent and predictable basis for negotiating planning obligations." It is important to bear this aim in mind when the Council are preparing the various planning obligation SPDs in order to provide developers with clarity as to when a contribution is likely to be sought, and how much that contribution is likely to be.</p>

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1152	114	<p>In respect of viability, it is important that the SPDs reflect Circular 05/2005 which recognises that in certain cases it may not be feasible for a proposed development to meet all the requirements set out in local, regional and national planning policy, and still be economically viable. Furthermore the requirements of the SPDs must be applied on a site by site basis as there may be abnormal costs associated with certain sites. For example a heavily contaminated brownfield site may incur significant remediation costs in order to allow a development to come forward. Similarly, in terms of developer contributions towards highway and public transport needs, it is essential that such contributions are determined on an individual site basis, utilising information contained with Transport Assessments.</p> <p>The policy wording on which requirements are sought must not be overly rigid or prescriptive; it must be sufficiently flexible to allow developers to negotiate with the LPA over contributions on a site by site basis.</p>
1152	118	<p>In terms of affordable housing, PPS3 requires Local Planning Authorities (LPA) to use information from an up to date Housing Market Assessment (HMA) to set both the amount and size of the affordable housing requirement. On this basis the LPA must use a HMA as the evidence base for any affordable housing requirement. In any event the LPA must remain flexible in their approach to affordable housing requirements not only in respect of amount and size but in terms of viability in accordance with Circular 05/2005.</p>
1182	102	<p>Agree with the initial statement to promote 'sustainable development providing social, economic and environmental benefits'. However it is considered that there should be an additional key principle 'Guidance for evaluating the impact of a development with regard to sustainability'.</p>
1183	102	<p>The aim of the Planning Obligations SPD is supported, which intends to provide 'a fair, transparent and predictable basis for negotiating planning obligations'. This should be considered by the Council when preparing the Planning Obligations SPDs to provide developers with clarity as to the requirements that are likely to be necessary to make a development acceptable which would otherwise be unacceptable in planning terms. However it must be recognised that there may be instances where it is possible to make development proposals acceptable, which otherwise might be unacceptable, through the use of planning conditions. As prescribed in Circular 05/2005 paragraph B2, only where it is not possible to use planning conditions should planning obligations be imposed.</p>

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1183	103	<p>In terms of the requirements of the Planning Obligations SPDs, these should be applied with a degree of flexibility and determined on a site by site basis. For example there could already be extra costs associated with bringing a site forward such as costly remediation works which when coupled with demanding Planning Obligations could hinder a schemes viability and prevent the site from coming forward for development. The SPDs should therefore have consideration towards Circular 05/2005 which recognises that in certain cases it might not be feasible for a proposed development to meet all the requirements set out in local, regional and national planning policy, and still be economically viable. It is therefore recommended that Planning Obligation requirements are not onerous and are considered on a site by site basis taking into account specific site circumstances. Establishing the development threshold principles should also allow for flexibility. For example, Planning Policy Statement 3 (PPS3) (2006) states that Local Authorities should consider information from an up to date Housing Market Assessment when determining both the size and amount of affordable housing requirements.</p>
1183	104	<p>There should be some flexibility as to how developers should meet these Planning Obligation requirements. For example in the case of affordable housing, applicants, landowners and developers should be able to make a contribution, either on site or in other ways to meeting the requirement. Paragraph 29 of PPS3 demonstrates that where it can be robustly justified, off site provision or a financial contribution in lieu of on site provision (of broadly equivalent value) may be acceptable as long as the agreed approach contributes to the creation of mixed communities in the local area. This flexibility in meeting the requirements should not just apply to affordable housing and should be considered during the preparation of all SPDs requiring developer contributions, providing an option for meeting the requirement either off site or in the form of a financial contribution.</p>
1183	105	<p>It is recommended that when the draft SPDs are issued for consultation further details are also provided on the Councils approach to the Community Infrastructure Levy (CIL). It will be important to understand whether these planning obligations are to act as an interim measure until CIL is implemented, or are the Council opting out of embracing CIL and therefore the SPDs will have a longer life span?</p>

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### Affordable Housing

Person ID	Comments ID	Summary Of Representation
1018	108	Under the Affordable Housing SPD, forms of affordable housing, this only mentions 2 areas when in reality there are now a number of products available including rent to home buy and near market rent.
1018	112	In relation to when obligations will be sought. It is considered that the scope should consider if a different formula should be applied when homes are being built for predominantly affordable housing by a social housing provider. Often schemes that are being built for rent do not return a profit over a long period of time and section 106 contributions add to the problems of getting a scheme agreed especially at a time when the current grant regime is under great scrutiny and likely to be reduced in the future.
1026	193	The problem with the SPD Scopes and Issues report is that it duplicates much of what is already contained within the Draft Core Strategy in so far as Planning Obligations are covered by Policy L8; Climate Change by Policy L5; Design by Policy L7; Open Space, Recreation and Green Infrastructure by Policies R2, R3 and R5; and Affordable Housing by Policy L2.
1026	195	<ul style="list-style-type: none"> <li>- Any SPD should include an agreed and transparent test for viability</li> <li>- There will need to be regular published reviews of 'the needs across the Borough'.</li> <li>- Clarity and transparency will be paramount particularly in relation to any off site or pooled provision</li> <li>- CIL may impact upon the Councils proposals</li> <li>- How do the Council propose to secure long term mixed sustainable communities?</li> </ul>
1045	246	The section of the report on the Planning Obligations SPD states that this SPD will define geographical variations in relation to economic viability. Whilst viability will vary across the Borough according to prevailing market conditions, viability is affected by a number of variables beyond geographic location , including site conditions for example. The SPD should therefore be clear that geographical location is only one consideration and whilst forming a potential starting point in considering viability, should be considered alongside other factors.
1045	248	The proposed content of the planning Obligations SPD states that this SPD will establish a mechanism for imposing overage clauses. Whilst overage may be used to secure uplift in planning contributions, this should only be used in exceptional circumstances. It is expected that these instances would be limited to those where the developer has realised a significantly greater profit from the development to that originally anticipated, and where a reduced or no contribution was originally considered to be required due to viability issues.

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1073	233	<p>The Agency are keen to see sustainable sites being developed; that provide good access to key services and places of employment and leisure, as well as being accessible by public transport, cycling and walking routes. By developing these sites, this should reduce the need to make trips via private car. In addition, and in line with Government policy, the Agency would prefer new housing to be proposed on brownfield/previously developed sites rather than on greenfield sites. In order to establish suitable sites the Agency is happy to input into the emerging SPD to ensure that the sites proposed are ones that minimise the impact at the SRN. The Agency has previously commented on the Trafford SHLAA, and as such would expect the Affordable Housing SPD to be consistent with the SHLAA.</p>
1093	150	<p>Policy L4 Regional Housing Provision sets out the range of actions local authorities need to take with regard to housing provision. L5 Affordable Housing sets out a range of potential delivery mechanisms for securing affordable housing.</p>
1111	102	<p>Given the ageing population in the Borough and the efforts being made to promote health and well being in order that more are able to stay in their own homes. It is expected that there would be a "lifetime homes" option to be promoted to prospective developers. There is a great shortage of care home facilities in the borough and the next 25-30 years will see longevity increase even more. Lifetime homes standards (Rowntree) need not be much more expensive if designs are well thought out and developments are not using "off the shelf" designs so widespread in many projects. Features built in at the construction stage are much cheaper than the disruptive work of adaptation in later years. What is the Council doing in actively seeking developers, or are developers just standing in line just waiting to build in the borough? The answer to that question will undoubtedly influence any decision on a lifetime homes strategy for homes, whether social or private.</p>
1150	105	<p>Content section 10: Regarding "Registered Social Landlords", there needs to be proper safeguards in place to properly protect tenants and the public money put into social housing schemes.</p>
1152	115	<p>In respect of viability, it is important that the SPDs reflect Circular 05/2005 which recognises that in certain cases it may not be feasible for a proposed development to meet all the requirements set out in local, regional and national planning policy, and still be economically viable. Furthermore the requirements of the SPDs must be applied on a site by site basis as there may be abnormal costs associated with certain sites. For example a heavily contaminated brownfield site may incur significant remediation costs in order to allow a development to come forward. Similarly, in terms of developer contributions towards highway and public transport needs, it is essential that such contributions are determined on an individual site basis, utilising information contained with Transport Assessments.</p> <p>The policy wording on which requirements are sought must not be overly rigid or prescriptive; it must be sufficiently flexible to allow developers to negotiate with the LPA over contributions on a site by site basis.</p>

## Trafford LDF – draft SPD 1 Planning Obligations: Technical Note 1

1152	117	<p>In terms of affordable housing, PPS3 requires Local Planning Authorities (LPA) to use information from an up to date Housing Market Assessment (HMA) to set both the amount and size of the affordable housing requirement. On this basis the LPA must use a HMA as the evidence base for any affordable housing requirement. In any event the LPA must remain flexible in their approach to affordable housing requirements not only in respect of amount and size but in terms of viability in accordance with Circular 05/2005.</p> <p>It is important that this representation is reflected in the draft SPDs when they are published for public consultation in 2010, in order to ensure the documents are capable of meeting their aim of providing developers with a transparent and predictable process for calculating planning obligations.</p>
1182	103	<p>The reference to the Code for Sustainable Homes is welcome here. Obviously there is also reference to 'geographical variations' and 'siting' which ought to provide a way to provide policies so as to reduce reliance on the private car.</p>
1184	101	<p>Given that Trafford MBC have committed to ambitious housing growth targets as part of the AGMA New Growth Point, it is felt that it may be appropriate to consider an alternative approach to the affordable housing guidance. I would suggest developing an alternative SPD, 'Enabling Housing Growth'. This could incorporate the proposed content of the Affordable Housing SPD, and also cover other areas such as housing design standards, quality neighbourhoods, and what a developer must provide as part of their planning application. However, it may also be possible to develop some of the proposed content of the Affordable Housing SPD if this is considered more appropriate.</p>

### Affordable Housing SPD Feedback from Stakeholder Workshop Groups - 15 May 2008

Affordable Housing Need, Targets and Tenure Mix	<ul style="list-style-type: none"> <li>• Flexibility and clarity needs to be clearly articulated in the SPD</li> <li>• Other added benefits being brought to the area by other developments</li> <li>• Identifying existing communities/needs</li> <li>• Social mobility in relation to peoples need</li> <li>• It should depend on particular location of development</li> <li>• Specify %</li> </ul>
Property Type, Tenure Mixes	<ul style="list-style-type: none"> <li>• HNA – surplus of 1 bed properties</li> <li>• Address different needs e.g. BME</li> <li>• Sustainability – different range of property types</li> <li>• 1st time buyers/shared ownership (is shared ownership aimed at families or first time buyers?)</li> <li>• Local need and a need to accommodate a more diverse section of community e.g. not just 1 bed apartments</li> <li>• Demonstrate that properties can be adapted to respond to peoples needs</li> <li>• Look at the area and decide if there is an imbalance of certain tenure /housing need</li> </ul>



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	<ul style="list-style-type: none"> <li>• 50/50 split of units needed</li> <li>• Should be flexibility (quality or quantity or both)</li> <li>• Balance (something with more need or subsidy)</li> <li>• Reduce pressure on Housing waiting list</li> </ul>
Viability	<ul style="list-style-type: none"> <li>• Economic Assessment</li> <li>• Three Dragons – can be manipulated</li> <li>• Developers more favourable now of Affordable Housing</li> <li>• Land owners more resisting</li> <li>• RSLs - better working with developers</li> </ul>
What Other Methods Could We Use?	<ul style="list-style-type: none"> <li>• Open book approach</li> <li>• Land price issue – high expectations from owners</li> </ul>
Define Affordable Housing?	<ul style="list-style-type: none"> <li>• Income based – more descriptive – clarity for income required</li> <li>• Assessed annually</li> <li>• Different products tailored to different areas</li> <li>• Key workers – migration out of borough because of wait and unable to afford leaving an aging population, increasing the demand for extra care</li> <li>• Commuting problems</li> </ul>
Commuted Sums	<ul style="list-style-type: none"> <li>• In lieu of affordable housing</li> <li>• Problem with calculation of commuted sums if developer chooses route of restricted area</li> <li>• Better return on capital invested</li> <li>• Percentage returns higher</li> <li>• Cross subsidy</li> </ul>
Regeneration Benefits	<ul style="list-style-type: none"> <li>• Encourage private developers to improve affordable stock</li> <li>• Encourage Housing Mix</li> <li>• Tight margin of profit in those areas would not encourage developers</li> </ul>
Should Housing Corporation standards be adopted?	<ul style="list-style-type: none"> <li>• Good standard to start with but need to be flexible</li> <li>• Costly so may have to have fewer units</li> <li>• Biggest uncertainty regarding costs of sustainable technologies whether viable etc.</li> <li>• Macclesfield have success of using housing Corporation standard.</li> </ul>
Should named RSL influence the standards needed for particular schemes?	<ul style="list-style-type: none"> <li>• More affordable units funded through S106 than by housing grants</li> <li>• Local RSLs have local knowledge plus know management issues</li> <li>• Need to engage early can influence design and have certainty that will take over properties</li> <li>• Need to be flexible</li> </ul>
Is a rural exception policy applicable for Trafford?	<ul style="list-style-type: none"> <li>• Housing for young people needed otherwise they will move out</li> <li>• Housing should be just rented to limit stair casing</li> <li>• Macclesfield have used S106 funding as grant to RSL to buy rural housing</li> </ul>
Exceptions -What sort of information should be submitted to judge exemption for different forms of accommodation e.g. extra care housing?	<ul style="list-style-type: none"> <li>• Extra care housing</li> <li>• Category 2</li> <li>• Need range of tenure for older people this will free up family accommodation</li> <li>• Renovating historic buildings expensive making affordable units unviable</li> <li>• Concern over definition of key worker</li> </ul>

**Affordable Housing SPD Stakeholder Workshop Preferences and Solutions Questionnaire – 15 May 2008**

**Q1 – Should different parts of the borough be targeted for particular demand e.g. 100% affordable or lower than 40% affordable? Yes/No**

- Yes – But this will be area specific and must be linked to HSS Need/Strategies
- Yes – Areas where there are clear regeneration benefits should perhaps have a lower requirement for affordable housing.
- Yes – Not possible to state until SHMA has been undertaken which incorporates sub-area analysis
- Yes – The percentage should vary depending upon the level of need within the area that is being considered
- Yes – Given the disparity of values within Trafford the high value areas should command a higher % of affordable units
- Yes – But only if local housing market/needs can robustly justify different approach e.g. Partington/Old Trafford
- Yes – The North (Old Trafford)
- Yes – All development sites must be assessed on its own individual needs and characteristics backed up by robust data
- Yes – Higher percentages could be provided where need is greatest
- Yes
- No
- No
- No – Need SPD to be fairly specific to ensure delivery of affordable housing
- No – Demand must follow need (not market)
- No – A target should be set for the overall affordable housing requirements, the actual amount may differ from that (usually lower) dependant on a number of criteria
- No – 100% affordable would act as a disincentive to landowners/developers. Only consider 100% on publicly owned land.

**Q2 – Should particular tenure mixes be sought in some areas? Yes/No If yes which areas and what mixes?**

- Yes – Need more involvement 'outright sale' in Old Trafford and Manchester discounted affordable in South Trafford, Altrincham, Hale and Bowdon
- Yes – Mono tenure areas will need alternative tenures which can be introduced through S106
- Yes – Demand again will dictate and need is providing diversity of tenure/mix/size etc plus sustainability of the area overall
- Yes – Consider having different tenure mixes where we want to change the existing tenure profile
- Yes
- Yes – Will be dependent upon findings of a SHMA
- Yes – as above – it should be based upon need as evidenced in the Housing Market Assessment
- Yes – Shared equity should be pursued in lower value areas
- Yes – Partington and other areas of high social rented accommodation – look at shared ownership at 100% level
- Yes – An assessment should be made of existing tenure, house prices etc in an area. The tenure should help create more mixed/balanced sustainable communities
- Yes – Tenure mix should promote mixed communities where possible, unless there is a clear need for a specific tenure
- Yes – Use HNS/SHMA
- Yes – Example: Lower levels of tenures in areas where high levels (e.g. Ex LA Estates and their environs) already exist.
- No
- No
- No

**Q3 – Should the split between rented and shared ownership be a 50 50 split. Yes/No? If no should some areas be different, which areas and what splits?**

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- Yes
- Yes
- Yes – Where possible, but recognise that rented units require greater subsidy, so at times s/o units will be preferred for viability
- Yes – As a starting point yes as this reflects the need. However need scope for this to be altered
- See Question 2
- No – Demand/Housing Need strategies and market demand should be used to assist in defying split
- No – Tenure split should be based on findings of an SHMA (example 6.3 in particular). Splits should be based upon findings of a SHMA which incorporates sub-area analysis
- No – The split should depend on a number of factors including HMA need, scheme viability and nature
- No – The split should reflect the balance of tenures within that particular area
- No – The split should be based on need in specific areas but with a bias towards developing shared ownership
- No – 80 -20 – rural areas
- No – It would be too crude to apply this model across all sites as response for question 1 – detailed assessments and negotiations are critical.
- No – Ratio should ideally arise from identified needs
- No
- A flexible approach could be required to respond to specific needs

### **Q4 – Do you have a preferred method to calculate and appraise viability? Yes/No? If yes what should this be?**

- Yes – Positive net present value and payback within 30 years
- Yes - Housing Corporation toolkit
- Current viability tools (i.e. Econ Assessment Tool) are easy to complete but data can be altered to suit outcome required!!
- Yes – Open book policy – where developers profit margin is clearly shown
- Yes Open book – though confidentiality issues (commercial issues/FOIA) should be a consideration when progressing this method
- Open book approach examined by chartered surveyor at council. If there continues to be dispute an independent part should be appointed
- Straightforward residual valuation with land value as an output based on specified minimum return on GDV e.g. 15% or alternative based on local experience
- No – A transparent and ‘watertight’ system is required. Given the openness of many current tools (EAT, 3 Dragons etc) perhaps an independent consultant should be employed at the developers cost
- No
- No
- No
- No – Although it must be fair and equitable whilst being met at minimal cost to all parties. This could otherwise be an opportunity for consultants to abuse
- No – Whatever method is used there will always be an element of negotiation in the process
- No – But policy should be informed by assessment of economic viability and available subsidy (public or developer contributions) Para 29 PPS3

### **Q5 - Do you have a preferred methods to calculate commuted sums? Yes/No? If yes what is it and should a Trafford average be calculated or a different rate for different areas e.g. Regeneration areas?**

- Yes – Guided by Housing Corporation average grant rates.
- Yes – Please see the Stockport SPG on Affordable Housing
- Yes – Rate should be the same as if the AH were to be provided on-site i.e. the Housing Corporation Model (1) No are commuted (2) With AH Sum = 1 - 2
- Yes – Same rate – should be equivalent cost to the developer as if on site
- Yes - Calculate cross-subsidy required to meet target provision on-site. On costs for other sites = disincentive

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- Yes – 30% of developed OMU \*Totalled up\*
- Use subsidy figures which could be required to provide units on site as basis for calculation
- In line with PPS5, commuted sums should be equivalent in value to the provision had it been made on site. They should only be required when off-site provision can be robustly justified.
- If this is calculated on overall scheme costs/values, then a different rate for different areas is appropriate.
- No
- No
- No – Some guidelines are important but again a case by case scenario is required
- No – A different rate for different areas

### **Q6 – Definition of Affordable Housing – At present use 3 x average earnings. Are there other criteria that should be brought in or should developers negotiate with RSL over value of individual schemes?**

- Negotiate each scheme as demand and mixed tenure is important
- Housing Corporation target rents should play a part alongside average earnings/mortgage costs
- Agree that average income x 3 is reasonable method. Should consider if average income data collected from local residents or those employed in area as this will provide different results.
- For intermediate housing 3 x average earnings should form the basis of negotiations. For rented schemes, S106 agreements should stipulate rent levels required, allowing developers to negotiate subsequently with RSLs
- Flexible approach encouraged, depending upon local circumstances – local RSLs may well have an input.
- RSLs would prefer to negotiate, although 3 x earnings is the starting point.
- As long as income data is up to date then the present system is considered accurate
- It may be necessary in areas with more expensive land costs
- 3 x household and 3.5 x individual income – should though be room to negotiate
- Unless there are regular published sources of household income, 3 x average incomes is clear and unambiguous indicator to use this as basis for negotiations
- Variable for the different tenures
- Developers to utilise existing relationships etc to drive forward a deliverable product with RSLs
- Local disparities should be a consideration, lower income households could be further polarized.

### **Q7 – Should Housing Corporation Development standards be adopted? Yes/No?**

- Yes
- Yes
- Yes – Include code for sustainable homes Level 3 as minimum
- Yes
- Yes
- Yes
- Yes
- Yes
- Yes
- Yes – but flexible
- Yes
- Yes
- No – Only in instances where Housing corporation funding is also involved.
- No – Good starting point but need flexibility
- No only where Housing Corporation funding is used
- No – not possible on all developments. Increasing quality demand may see developers walk away

### **Should it be a development requirement to have schemes linked to an RSL and to what extent should the RSL influence design, tenure mix and location of units? Yes/No**

- Yes - Given much more robust than developer specification

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<ul style="list-style-type: none"> <li>• Yes – Currently don't think that LA's have the powers to require RSL involvement but it can be a preference.</li> <li>• Yes – But influence could need to be substantiated by planning process particularly re-location and design. Also RSL ability to manage completed scheme.</li> <li>• Yes – This seems to be the only way to drive standards up and make affordable homes liveable for the long term.</li> <li>• Yes – current system of relationships between developers and RSLs as sufficient</li> <li>• Yes – It is also important to consider other appropriate national standards/guidance (e.g. Lifetime Homes)</li> <li>• Yes – This is essential to achieve sustainable developments. RSLs can address housing need and tenure issues and long term management</li> <li>• No – Government policy encourages a 'mixed economy' of providers, both registered and un-registered. Management can be controlled adequately through the provisions of a S106 agreement, irrespective of the status of the body managing the affordable housing.</li> <li>• No – Encourage engagement with RSLs but it should not be a requirement</li> <li>• No – RSLs should be involved at an early stage but scheme design and mix should ultimately rest with the developer.</li> <li>• Negotiation</li> <li>• No – Important for RSL to be involved at an early stage however cannot specify RSL have to be used – developers have own affordable housing schemes</li> <li>• No</li> </ul>
<p><b>Q8 – Should the SPD set out criteria for site size, density and suitability? Yes/No</b></p> <ul style="list-style-type: none"> <li>• Yes – as a guide in relation to the average</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes – But subject to building constraints</li> <li>• Yes</li> <li>• Yes</li> <li>• Depends upon overall need/supply ratio – if needs aren't being met all sites within national threshold should be targeted.</li> <li>• No – Should be a matter for determination as part of every individual planning application, based on specifics of scheme design.</li> <li>• No – Flexibility required depending on individual circumstances</li> <li>• No</li> <li>• No – Prefer a simpler system</li> <li>• No – This is a more of a wider issue not specific to affordable housing</li> <li>• No</li> </ul>
<p><b>Q9 – Is a rural exceptions policy applicable to Trafford? Yes/No</b></p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• No</li> <li>• No comment</li> <li>• Is the rural area sufficiently large that households in need can not resolve their situation by moving a short distance to the urban area?</li> <li>• No strong feeling but GB boundary is tight and strict control is needed</li> <li>• No</li> <li>• No</li> <li>• No – Not convinced that rural settlements are sufficiently remote or large enough to suggest their housing needs cannot be met by borough wide approach</li> <li>• No – There is a need for affordable rented accommodation in Dunham Massey and Warburton linked to the wages paid to agricultural workers and the retail trade</li> <li>• No – not necessary</li> <li>• Don't know enough about the area – but Government seems to favour a positive approach to rural exceptions schemes and Housing Corporation is currently looking to meet enhanced rural completions targets, so there is a bidding opportunity to</li> </ul>

consider.
<p><b>Q10 – What sort of information should be submitted to judge exceptions for different forms of accommodation?</b></p> <ul style="list-style-type: none"> <li>• Business care and evidence of demand</li> <li>• Local housing mix – ie if area of high social housing maybe need for low cost homes and thus alter tenure types available</li> <li>• Do not understand the question!</li> <li>• Extra Care and Category II Sheltered Schemes for the elderly should be exempt i.e. they meet particular identified needs for the local elderly population</li> <li>• A supporting statement (similar to a planning application design statement) detailing exceptions and reasons why e.g. HNA</li> <li>• Independent appraisal by 3<sup>rd</sup> party</li> <li>• Information which explains how the developer has responded to need outside the criteria/need in the SPD</li> <li>• Local need</li> <li>• Depends what the exceptions are</li> <li>• Self assessment pro forma (see report – Macclesfield Cabinet 20.05 08)</li> <li>• Properly researched evidence of need for the specialist accommodation on offer and supporting statements from Housing/Social Care/PCT providers</li> <li>• Where a development will be meeting a particular need (e.g. Extra Care)</li> </ul>
<p><b>Q11 – Do you think the workshop has been useful? Yes/No What improvements would you suggest?</b></p> <ul style="list-style-type: none"> <li>• Yes – A bit more time availability</li> <li>• Yes – Closer adherence to Para 29 PPS in development of LDDs</li> <li>• Yes – Workshops too close together. Could have been better in separate areas</li> <li>• Yes – further detailed consultation would ensure a good result</li> <li>• Yes – Possibly ask delegates to bring examples of best practice for relevant workshops</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> <li>• Yes</li> </ul>
<p><b>Q12 – Have you been satisfied with the quality of the venue and presentation?</b></p> <ul style="list-style-type: none"> <li>• Yes - both</li> <li>• Yes - both</li> <li>• Yes - both</li> <li>• Yes - both</li> <li>• Yes - both</li> <li>• Yes - both</li> <li>• Yes - both</li> <li>• Yes – both</li> <li>• Yes - both</li> <li>• Yes – both</li> <li>• Yes - both</li> <li>• Yes – both – very interesting and informative</li> <li>• Yes - Presentation</li> <li>• No - Venue</li> <li>• No - Venue – You have been hamstrung by room size, shape and furniture – Waterside Arts Centre next time?</li> <li>• Yes both</li> </ul>

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Developer Contributions to Highways and Public Transport SPD

Person ID	Comments ID	Summary Of Representation
1026	199	<ul style="list-style-type: none"> <li>- These potentially could involve significant funds but there is no local infrastructure plan</li> <li>- How sustainable is the building of major new roads?</li> <li>- Schemes should be realistic and costed not 'indicative'.</li> </ul>
1035	113	It is recommended that the Social Infrastructure and Developer Contributions to Highway and Public Transport Schemes be merged with the Planning Obligations SPD as we do not see any advantage of having separate documents.
1041	138	GMPTE has a particular interest in the 'Developer Contributions to Highway and Public Transport Schemes SPD' and would welcome early involvement in its preparation so as to ensure that new development is going to be adequately served by public transport.
1072	126	It is noted that renewable energy is mentioned within the proposed "Consideration of Climate Change factors in the Design and Construction of Developments and the Public Realm SPD", and that sustainability and accessibility are mentioned as explicit aims within the "Developer Contributions to Highway and Public Transport Schemes SPD." Have the SPDs on "Accessible Integrated Sustainable Transport" and "Renewable Energy/Sustainability" been amalgamated within the SPDs proposed in the consultation document?
1072	133	Climate Change is a matter upon which the "Planning Obligations SPD" will provide guidance on contributions. It is explicitly considered in the "Consideration of Climate Change in the Design and Construction of Developments and the Public Realm" SPD. However the scoping for several of the SPDs (such as "Developer Contributions to Highway and Public Transport Schemes" and "Green Infrastructure") excludes any mention of climate change despite the emphasis in national planning policy statements on the contribution of public transport and green infrastructure in addressing the climate change agenda.
1073	237	<p>The Agency have previously commented on the need for a robust transport evidence base and local infrastructure plan, which support the development aspirations identified within the Core Strategy. As such it is recognised that this SPD, coupled with the Planning Obligations SPD, will help to secure transport improvements which will ensure these developments can come forward. As a consequence, the Agency will typically seek to support any public transport infrastructure proposals which will look to reduce the number of trips made by car, and therefore minimise the impact on the SRN.</p> <p>Moreover, the transport evidence proposed as part of the LDF needs to support the emerging DPD to ensure the proposed transport schemes are suitable, sustainable and can contribute to modal shift. This transport evidence base will also have to take into account the phasing of the development, to ensure that the schemes that are identified are in place before development comes online. Any transport evidence needs to support all relevant SPDs mentioned in this review to ensure a consistent rather than piecemeal approach to development-related transport infrastructure is developed.</p>

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		<p>The proposed SPD should accord to the guidance and principles set out in DfT circular 02/2007 - Planning and the Strategic Road Network.</p>
1073	241	<p>The Agency is encouraged by the scope and range of the proposed SPDs, and support the aims of the SPDs which look to improve accessibility , deliver public transport, cycling and walking infrastructure and reduce the need to travel by private car. In addition there is a clear potential to work jointly across SPDs , in parallel with the Core Strategy, to ensure a consistent approach is developed, and that public transport, cycling and walking infrastructure will be developed with the emerging development quantum across the borough.</p> <p>Where there are common interests and grounds for joint working, for example the proposed crossing of the Manchester Ship Canal as part of emerging development aspirations at Carrington, it may be worth publishing joint SPDs with other Local Planning Authorities where cross boundary issues are likely to arise. This would be beneficial with regards to pooling of resources and knowledge, as well as presenting a consistent approach to a common issue.</p> <p>The Agency will require a robust transport evidence base to underpin policies and development sites emerging through the Trafford LDF. Where policies and development sites are not justified in transport terms, the Agency reserves the right to formally object to them at the requisite stage of the LDF process, as the Agency will not be able to support development aspirations or spatial policies which would adversely impact upon the operation and safety of the SRN.</p> <p>The Agency will provide more detailed responses to the SPDs during the consultation periods, and will assess them in conjunction with DfT Circular 02/2007.</p> <p>Where there are common interests and grounds for joint working, for example the proposed crossing of the Manchester Ship Canal as part of emerging</p>
1093	149	<p>Spatial principle policy DP5 deals with managing travel demand, reducing the need to travel, and increasing accessibility. RT2 supports this by providing more detail on managing travel demand. RT3 and RT9 are also relevant, dealing with public transport, walking and cycling. Consideration should also be given to the current RSS Partial Review which includes a revision of regional parking standards.</p>



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1150	109	<p>Regarding highways, there needs to be a caveat that such contributions are not allowed to subvert the planning process.</p> <p>L4, point 7 (= use of the Borough's waterways for all types of transportation) is excellent, but will need intermediate protection putting on landing places and wharves (and all the accesses thereto) along these water routes, so that they are not destroyed by other developments.</p> <p>L4, point 8 (= maximize the potential of existing light and heavy rails networks) is also excellent and the following measures will help with this:</p> <ul style="list-style-type: none"> <li>- Open a small station in Timperley on the Altrincham-Stockport heavy rail line (Chester- Altrincham-Stockport-Manchester Service)</li> <li>- Ensure that Metrolink has double units every 6 minutes between Altrincham and Piccadilly during the peak hours.</li> <li>- Ensure an attractive and reliable commuter train service between Manchester and Flixton (or Irlam)</li> <li>- Safeguard the old railway line between Skelton junction (Timperley) and Cadishead) (via west Timperley and Partington) for possible re-activation as light or heavy rail</li> <li>- Safeguard the former rail line from Skelton junction via Broadheath, Dunham and Lymm to Warrington (currently the cycle and bridleway) for future shared use with a single line and passing loop light rail line.</li> </ul>
1152	116	<p>In respect of viability, it is important that the SPDs reflect Circular 05/2005 which recognises that in certain cases it may not be feasible for a proposed development to meet all the requirements set out in local, regional and national planning policy,</p>
1182	107	<p>Welcome the inclusion of the text 'to ensure that new growth is sustainable and accessible by a choice of modes of transport' and the provision that developments 'will contribute towards the identified funding shortfall in planned public transport'.</p>

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Climate Change SPD

Person ID	Comments ID	Summary Of Representation
1026	189	The problem with the SPD Scopes and Issues report is that it duplicates much of what is already contained within the Draft Core Strategy in so far as Planning Obligations are covered by Policy L8; Climate Change by Policy L5; Design by Policy L7; Open Space, Recreation and Green Infrastructure by Policies R2, R3 and R5; and Affordable Housing by Policy L2.
1026	200	<ul style="list-style-type: none"> <li>- It is not clear what this SPD is aimed at when there is existing Government policy covering the majority of these matters?</li> <li>- Reference is made to 'renewable energy technologies' but many of these are not yet available or have to be developed for residential application</li> <li>- Much of the SPD as set out is aspirational and not deliverable, for example what are 'local heat islands'?</li> <li>- SUDs are included yet in many instances United Utilities will not formally adopt SUDs?</li> <li>- If an 'Energy/Sustainable Design statement' is to be required then any SPD should include a check list for reference</li> <li>- Any policy/checklist must be up to date and realistic, there is little point in requiring developers to meet unrealistic standards</li> </ul>
1037	150	We would welcome references to 'sustainable' in both the title and supporting text, including sustainable design and construction. We assume that this will also include guidance on micro-renewables and community schemes.
1037	152	<p>Biodiversity is a core component of sustainable development, underpinning economic development and prosperity, and has an important role to play in developing locally distinctive and sustainable communities. All local authorities and other public authorities in England and Wales now have a duty to have regard to the conservation of biodiversity in exercising their functions. The Duty aims to raise the profile and visibility of biodiversity, to clarify existing commitments with regard to biodiversity and to make it a natural and integral part of policy and decision making. The Duty is set out in Section 40 of the Natural Environment and Communities Act (NERC) 2006 and states that:</p> <p>"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".</p> <p>This duty for Local Authorities should be taken into consideration when plan making to ensure that appropriate matters are taken into consideration when determining planning applications. Guidance is available in the Defra publication, Guidance for Local Authorities in Implementing the Biodiversity Duty.</p>

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1051	169	The production of this SPD is supported. The Trust is aware from previous consultations that a number of local authorities have produced SPDs on this topic and that there is plenty of good practice available - particular attention is drawn to the work previously undertaken by a) The former Congleton Borough Council, and b) Daventry Council.
1072	125	It is noted that renewable energy is mentioned within the proposed "Consideration of Climate Change factors in the Design and Construction of Developments and the Public Realm SPD", and that sustainability and accessibility are mentioned as explicit aims within the "Developer Contributions to Highway and Public Transport Schemes SPD." Have the SPDs on "Accessible Integrated Sustainable Transport" and "Renewable Energy/Sustainability" been amalgamated within the SPDs proposed in the consultation document?
1072	135	The consideration of Climate Change factors in the Design and Construction of developments and the Public Realm SPD is hugely over ambitious because it has chosen to specify the methods by which mitigation and adaptation will be achieved; it will be very detailed if it fulfils its promise and it will be constantly out of date and frequently inappropriate for different development situations. It is also doubtful whether planning is the right regulatory framework through which to control building and building materials issues - they are covered by building regulations and should not be duplicated. It would be better if this SPD set down outcomes that are to be achieved, for example Code Level X, leaving the developer to devise appropriate means.
1072	141	If Public Realm and/or Public Art are to be subject of a separate SPD, then it is considered that these matters are inseparable from one another and should be treated as a single matter.
1073	238	Require consultation on the proposed SPD in case any issues arise that may impact on the SRN.
1093	145	Spatial Principles Policy DP7 promotes environmental quality at the strategic level with a wide range of measures. Within this context, EM1 promotes integrated enhancement and protection of the region's environmental assets, including landscape, nature, historic environment, trees, woodlands and forests. A series of policies then give a steer on environmental design and construction including EM5 Integrated Water Management, EM16 Energy Conservation and Efficiency and EM18 Decentralised Energy Supply. Policy L4 on Housing Provision encourages the use of Code for Sustainable Homes standards.

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1093	147	<p>Policy DP9 sets out the regional approach to reducing emissions and adapting to climate change. It sets out a range of reduction and adaptation measures that local authorities and others will need to be taken on board as an urgent regional priority. It also indicates that policy makers should use the North West Integrated Appraisal Toolkit as a basis for assessing and strengthening the climate change elements of their plans and strategies.</p> <p>Policy EM17 sets out regional policy and targets for renewable energy, stressing the importance of sub regional studies in establishing local strategies for dealing with renewable resources and setting targets. A positive approach to renewable energy resources is promoted. The policy also lists criteria which should be taken into account in identifying proposals and schemes for renewable energy. EM18 deals with decentralised energy supply, requiring authorities to set out targets in their Development Plan Documents for decentralised and renewable or low carbon energy sources to be used in new developments. A target is also set within EM18, to be used in advance of targets being set in DPDs.</p> <p>Climate change will lead to coastal changes, so for coastal areas reference should be made to RDF3, which provides a framework for coastal development, and EM6, which deals with managing the North Wests coastline.</p>
1096	158	<p>The principle of providing guidance on design issues in relation to surface water is supported. In particular the reference to the use of the Strategic Flood Risk Assessment is encourage to inform the appropriate use of SUDS.</p>
1150	110	<p>This SPD is particularly clear-cut in its aims and methods, so its text should be safeguarded and maintained into any final document without being fudged.</p>
1182	101	<p>The Council should adopt planning policies with environmental sustainability in mind. Support for the Council producing an SPD to allow for the impact of climate change when considering the design and planning of developments and in matters affecting public realm.</p> <p>However it is considered that there could be more emphasis on preventative metods aimed at reducing the contribution of the commercial activities and lifestyles of Trafford businesses and residents to carbon emissions.</p>
1182	108	<p>The presence of this SPD is very welcome and it covers a wide range of measures e.g. to promote use of sustainable energy and to limit the use of the private car. There is concern about the mention of carbon offsets which may be open to inaccuracies in emissions calculations. Also mention could be made of domestic insulation (unless it has been included implicitly by reference to the Code for Sustainable Homes).</p>

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Green Infrastructure SPD

Person ID	Comments ID	Summary Of Representation
1026	192	The problem with the SPD Scopes and Issues report is that it duplicates much of what is already contained within the Draft Core Strategy in so far as Planning Obligations are covered by Policy L8; Climate Change by Policy L5; Design by Policy L7; Open Space, Recreation and Green Infrastructure by Policies R2, R3 and R5; and Affordable Housing by Policy L2.
1026	197	- Questions arise about the delivery and maintenance of the proposed Green Infrastructure, the calculation of contributions and how links are made to with other strategies - Delivery?
1035	116	It is also suggested that Open Space and Green Infrastructure be merged as these cover similar matters and will overlap.
1037	149	Wholly support a Green Infrastructure SPD. The provision of high quality infrastructure should be an integral part of the creation of sustainable communities. Would bring to the attention of the Council the following publication 'North West Green Infrastructure Guide', which includes information to help planners to implement measures to contribute towards this provision.
1051	167	<p>It is considered that the Open Space and Recreation SPD and the Green Infrastructure SPD might usefully be combined, or at the very least should be brought forward simultaneously.</p> <p>A key element will be to ensure that open spaces work better by recognising and enhancing their multi-functional benefits. As an example rather than simply having a standard for sports pitch provision it is important that the quality of that provision is not limited to matters such as the standard of the playing surface but also embraces the potential for bio-diversity enhancement, e.g. not mowing every square inch of the area to a fine sward but allowing unused corners to become wilder pockets of biodiversity value, not simply fencing boundaries but providing mixed native species hedges so that wildlife corridors are established. It is therefore important that the SPD relating to Open Space and Recreation in particular recognises the wider values of open spaces and how these can be maximised.</p> <p>It is also important to note that there are a number of providers of both open spaces and green infrastructure within the Borough, not just Council owned/managed spaces such as parks and sports provisions, e.g. the role of the Bridgewater Canal, private sports pitches and community woodland - ensuring that there is the wherewithal to resource the appropriate management of such assets so that their benefits are maximised can be equally as important, or indeed more beneficial, than investment in new spaces.</p> <p>In relation to Green Infrastructure attention is drawn to the work on a NW Green Infrastructure Guide which is currently at post consultation stage.</p> <p>Two leaflets prepared by the Trust relating to the multifunctional benefits of open spaces were attached with the response.</p>

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1072	134	Climate Change is a matter upon which the "Planning Obligations SPD" will provide guidance on contributions. It is explicitly considered in the "Consideration of Climate Change in the Design and Construction of Developments and the Public Realm" SPD. Howe
1072	140	It is suggested that the SPDs on "Open Space and Recreation" and "Green Infrastructure" could with benefit be combined. Policy R3 - Green Infrastructure of the Core Strategy (Further Consultation version) lists "Open and amenity space, childrens play space, playing fields and urban parks and gardens" as assets within the Borough's Green Infrastructure network.
1073	235	Broadly encourage the aspirations to promote green infrastructure through the planning process.
1096	157	The production of a Green Infrastructure SPD is welcomed. The importance of Green Infrastructure is recognised and supports the development of Green Infrastructure networks. These can help to deliver a range of Environment Agency objectives including Water Framework Directive, as well as wider community benefits.
1150	107	To integrate this SPD with that for Open Space and Recreation would send the message that all green infrastructure is available for sport/recreation/casual access. There must be rules which enshrine the concept that some green infrastructure must be protected from any public access, for reasons of nature conservation/habitat protection etc.
1182	105	This SPD appears to have satisfactorily addressed the desirability of providing areas with high biodiversity, green roofs and tree planting etc as well as identifying gaps in the network of sites.

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### Open Space and Recreation SPD

Person ID	Comments ID	Summary Of Representation
1026	191	The problem with the SPD Scopes and Issues report is that it duplicates much of what is already contained within the Draft Core Strategy in so far as Planning Obligations are covered by Policy L8; Climate Change by Policy L5; Design by Policy L7; Open Space, Recreation and Green Infrastructure by Policies R2, R3 and R5; and Affordable Housing by Policy L2.
1026	196	<ul style="list-style-type: none"> <li>- This will be impacted by CIL</li> <li>- What about management?</li> <li>- How will access to the open space be maintained?</li> <li>- What is the Council's recreation strategy with regard to 'indoor leisure facilities' and what are these and where are they proposed?</li> <li>- Questions arise over the calculation of contributions and delivery, this will need to be clear and transparent.</li> </ul>
1035	115	It is also suggested that Open Space and Green Infrastructure be merged as these cover similar matters and will overlap.
1037	148	We support the objectives listed, however we would also include reference to green infrastructure and a strategic, planned approach to its establishment in the borough. We would also welcome references to conservation and enhancement of biodiversity and geodiversity, and landscape townscape character through the provision of open or green spaces. We would welcome references and links to the health benefits of green spaces to encourage healthy lifestyles for people.
1045	244	At the outset it is important to note that the Councils overall approach to securing planning obligations is required to adhere to principles set out within Circular 05/05. This establishes the principle that contributions are 'intended to make acceptable development which would otherwise be unacceptable in planning terms.'
1051	166	<p>It is considered that the Open Space and Recreation SPD and the Green Infrastructure SPD might usefully be combined, or at the very least should be brought forward simultaneously.</p> <p>A key element will be to ensure that open spaces work better by recognising and enhancing their multi-functional benefits. As an example rather than simply having a standard for sports pitch provision it is important that the quality of that provision is not limited to matters such as the standard of the playing surface but also embraces the potential for bio-diversity enhancement, e.g. not mowing every square inch of the area to a fine sward but allowing unused corners to become wilder pockets of biodiversity value, not simply fencing boundaries but providing mixed native species hedges so that wildlife corridors are established. It is therefore important that the SPD relating to Open Space and Recreation in particular recognises the wider values of open spaces and how these can be maximised.</p> <p>It is also important to note that there are a number of providers of both open spaces and green infrastructure within the Borough, not just Council owned/managed spaces such as parks and sports provisions, e.g. the role of the Bridgewater Canal, private sports pitches and community woodland - ensuring that there is the wherewithal to resource the appropriate management of such assets</p>

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		<p>so that their benefits are maximised can be equally as important, or indeed more beneficial, than investment in new spaces.</p> <p>In relation to Green Infrastructure attention is drawn to the work on a NW Green Infrastructure Guide which is currently at post consultation stage.</p> <p>Two leaflets prepared by the Trust relating to the multifunctional benefits of open spaces were attached with the response.</p>
1072	130	<p>The relationship between the "Planning Obligations SPD" and the others which involve contributions is very unclear. That for open space and recreation for example includes methods to determine contributions and a spreadsheet calculator for financial contributions, as do other SPDs. There is a risk of great confusion and overlap between the different SPDs. We suggest that all the issues relating to calculating contributions should be covered by the "overarching" "Planning Obligations SPD".</p>
1072	139	<p>It is suggested that the SPDs on "Open Space and Recreation" and "Green Infrastructure" could with benefit be combined. Policy R3 - Green Infrastructure of the Core Strategy (Further Consultation version) lists "Open and amenity space, childrens play space, playing fields and urban parks and gardens" as assets within the Borough's Green Infrastructure network.</p>
1073	234	<p>Would like to see new developments located in suitable accessible areas to ensure that the use of the private car is minimised.</p>
1093	148	<p>EM1 is a key policy, promoting integrated enhancement and protection of the regions environmental assets, including landscape, nature and biodiversity, this historic environment, trees, woodlands and forests.</p> <p>Policy EM3 Green Infrastructure should also underpin any consideration of open space and green space provision. Plans and proposals should aim to deliver wider spatial outcomes that incorporate environmental and socio economic benefits. EM3 also details a wide range of actions Local Authorities and their partners should take in relation to conserving, managing and creating green infrastructure.</p>
1150	106	<p>R5, point 2, (= protect/enhance such areas) and point 3 (= promote the use of sustainable transport modes) can be fully supported.</p> <p>However, you must avoid the problem of car parking provision at the facility generating more road traffic which would mitigate against these protection aims.</p>
1182	104	<p>Welcome the categories having been designed to link in with the provision of parks and greenspace addressed by the Green Infrastructure SPD.</p>



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### Social Infrastructure SPD

Person ID	Comments ID	Summary Of Representation
1026	198	<ul style="list-style-type: none"> <li>- No local infrastructure plan?</li> <li>- This should be subject to a regular review</li> <li>- Questions arise over the calculation of contributions, pooling and delivery?</li> </ul>
1035	111	<p>We are pleased to see that cultural facilities have been included in the relevant infrastructure but as this is also dealing with developer contributions we refer you to our comments for the Planning Obligations SPD. We do not support the suggestion that this SPD could be combined with the Green Infrastructure as the topics are dissimilar. Neither need there be a community Infrastructure SPD when all the topics dealing with developer contributions should be amalgamated and perhaps given an 'umbrella' title of Infrastructure Provision or Development.</p>
1035	112	<p>It is recommended that the Social Infrastructure and Developer Contributions to Highway and Public Transport Schemes be merged with the Planning Obligations SPD as we do not see any advantage of having separate documents.</p>
1051	168	<p>The connections between the health agenda and access to a range of open spaces and the wider countryside (SPDs on Open Spaces and Green Infrastructure) is noted.</p>
1073	236	<p>Social Infrastructure, located in areas that can be accessed by a variety of non car modes, is important to ensure the development aspirations contained within the Core Strategy are as sustainable as possible. The aspiration to identify deficiencies within the provision of education, health and community facilities as these deficiencies should be correlated with development aspirations (and subsequent planning contributions) to ensure development emerges on a sustainable basis which minimises the need for private car trips.</p> <p>The Agency is already aware of the strategic sites and locations emerging through the Core Strategy, and as such is aware of their accessibility to key services through independent accessibility mapping analysis. As such the Agency would expect to see detailed analysis of each development site with regard to social infrastructure to ensure the sustainability of these sites is considered when they are being master planned. As a consequence the potential for this SPD to be combined with the Developer Contributions SPD is supported to ensure a consistent approach.</p>
1150	108	<p>R6, point 3: given that cultural development is an organic thing, how can the official/bureaucratic structure mechanistically promote such development? This does have vaguely Stalinist overtones, so should perhaps be re-examined.</p>
1182	106	<p>The aim of this SPD could state, in addition, how developments are to limit their environmental impact, linking in with the requirements under the Development Contributions to Highway and Public Transport Schemes SPD.</p>

SPDs in General

Person ID	Comments ID	Summary Of Representation
1026	187	The Learning from Experience Document published by the Planning Inspectorate in September entitled 'Local Development Frameworks' points out that the core strategy should be a brief document conveying the main elements of the spatial vision and strategy. The Core Strategy should focus relentlessly on critical issues that relate to the way the area is intended to develop and the strategies to address the critical issues identified. Leaving critical questions to be answered in subsequent DPD's or SPD's is likely to lead to a finding of unsoundness.
1026	203	<p>Most of the SPD's set out in the report will be affected or superceded by the debate at the Examination and the introduction of CIL. They are already covered by policies in the Draft Core Strategy and if they are to be considered critical to the delivery of the strategy then they should remain within it, if not then the issues should be included within an SPD however it is clear from Government advice they should not be in both, and one should naturally follow the other. Most importantly, to make sense of the contributions that may or may not be required is the Local Infrastructure Plan and this is currently missing from the debate. The SPDs are setting out how contributions may be collected but at the present time there is no indication what they may be collected for and what the costs will be.</p> <p>In conclusion it is considered that these SPDs are premature at the present time and should be delayed until after the Examination and the publication of the legislation on CIL. These comments are in relation to the information currently published and our client retains the right to comment further on the matters in this report and any future documents covering these matters to be published by the Council.</p>
1072	128	<p>In addition to considering the responses to the consultation questions, a written response is requested to the following questions, in order to be able to contribute usefully to the emerging Local Development Framework over the coming months:</p> <ul style="list-style-type: none"> <li>- Has the timetable for producing the Core Strategy Publication version slipped from November 2009 (as described in the LDS) to June 2010 (as implied in the current consultation document).</li> <li>- What are the consultation arrangements for draft SPDs; what form will "public participation" take, during February 2010, as scheduled on page 3 of the consultation document?</li> </ul>
1072	136	It is considered that since the Core Strategy has not been finalised , speculating on whether the SPDs, which are at the scoping stage of production, will assist in delivering the Strategy is impossible.
1072	137	There are few references to the obligations to be placed upon the Local Authority; only one SPD, that for open space and recreation, will say how the money collected will be spent. It is vital, if contributions are to be accepted as anything other than another tax, that the LA makes a commitment to spend the sums collected for the specific purpose and within a given time limit, in default of which they should be returned to the developers.

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1072	138	<p>The SPD on Social Infrastructure refers to capital and revenue spending; it is the only one to do so and it does not apply to the same the same distinction to all types of social infrastructure. Part of the agreement for contributions under each and every SPD - must be that they provide for capital works, the necessary revenue funding is identified and earmarked.</p>
1093	152	<p>For SPDs and other guidance covering a specific area, e.g. masterplans, a wide range of RSS policy may be relevant. Thematic policies on the economy, housing, transport and the environment should be considered. Also policies RDF 1-4 set out the spatial priorities for development across the North West, including priorities for development, rural areas, coast and Green Belt. Chapters 10-13 of the RSS set out broad strategies for each sub region in the North West, and provide more detailed policies for the different parts of each sub region.</p> <p>A further consideration for area briefs and masterplans will be the sequential approach as expressed generally in Policy DP4, and also in policies W3, in relation to office development and W5, in relation to retail development. It is important that masterplans and area briefs promote good quality, sustainable design and construction.</p> <p>A further consideration for area briefs and masterplans will be the sequential approach as expressed generally in Policy DP4, and also in Policies W3, in relation to office development and W5, in relation to retail development. It is important that masterplans and area briefs promote good quality, sustainable design and construction.</p>
1120	109	<p>Trafford College acknowledges and welcomes the opportunity to remain actively involved in supporting Trafford Council to shape its planning policies and to assist the Council in ensuring the effective delivery of its policies, services and aspirations. The College plays an important role in the Borough in its capacity as a key service provider of high quality training and education, as an employer and as a landowner. The college is to continue to work in partnership with the Council and other stakeholders, as necessary, to assist the Council to ensure that the best quality services are developed and maintained to serve the needs of Traffords residents now and into the future.</p> <p>The college notes that the formal consultation period to the draft SPDs is anticipated to commence early 2010. The college has the potential to assist delivery of the aspirations in several of the SPDs and considers that it can play a key role in delivering high quality, sustainable development in the borough.</p> <p>The College wishes to be continually involved in the development of the SPDs as the formal consultation process gets underway and welcomes the opportunity to continue working with the Council.</p>

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1150	113	<p>Should SPD scope be expanded to look at additional issues? If so what?</p> <p>The general issue of whether or not a particular area is now fully developed, and the planning consequences of this, should at least be briefly referred to and examined in some part of this general planning process. There must already be some parts of the Borough where there is simply no more room for any development, except by demolition and re-development on site, a process which could mean the loss of some locally valued building or facility.</p> <p>If there is a conflict of issues or priorities, which SPD would rule? That is, is there a need for a hierarchy of SPDs, and if there is, what would it be? This might have consultation implications. Quite apart from the issue that staff in the Planning Office have to undertake the task of writing them, it would be preferable not to combine any together, because to do so would compress some issues to fit into a smaller conceptual framework. This would lose some finer points of planning detail which might have a significant relevance to a specific planning issue at a future date.</p>
1152	112	<p>After reviewing the Scope and Issues Report, in terms of the proposed timescale for the production of the Trafford Core Strategy, it is understood that the Council intends to consult upon all 8 draft SPDs in February 2010. It is important to stagger the proposed dates for consultation, or provide a longer consultation period to ensure sufficient opportunity for review. This would also give the LPA further time in which to consider the representations received as a result of the consultation.</p>
1183	101	<p>Following a review of the report it is noted that the Council intend to consult upon all 8 draft SPDs in February 2010. It is recommended that a more staggered approach is adopted as this will provide the public, developers, landowners and other interested parties with sufficient time to review the consultation document and submit informed representations. Staggering the different consultation exercises will also provide the LPA with more time to consider the representations received.</p>
1185	101	<p>A bespoke SPD should be explored to identify and protect specifically targeted shopping parades and to limit the amount of takeaway outlets in the Borough.</p> <p>Shopping parades are an integral part of community life as they encourage social cohesion. Shopping parades have a community value that is greater than the sum of its parts. As such assurances are needed that specific shopping parades will be treated on a case by case scenario.</p> <p>Further to this, the increase in takeaway outlets should be monitored and consideration should be given to ensuring that areas do not become saturated. ( e.g. the Waltham Forest SPD).</p>
1185	102	<p>The Media City site provides an excellent opportunity for the Borough which should be embraced and maximised through development controls. The forward planning system should be tailored to reflect the unique nature of particular development sites to ensure that the character and merits of these sites are maintained.</p>

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1185	103	<p>Stretford Town Centre needs a new vision, a planning document should be created to articulate Stretford's unique position and attributes within the Borough.</p> <p>As the town centre is split by major roads, the town lacks a sense of place and this is something that has not been addressed. A new vision for Stretford needs to be captured.</p>
1185	104	<p>A bespoke SPD should be tailored solely to ensure that any planning risks or opportunities that are specific to the unique character of a specific locality are managed accordingly.</p> <p>Concern that a generic approach to planning, could lead to an oversight of specific needs within a particular location and as a result, risks to the character of a specialist area will not be managed appropriately.</p>
1185	106	<p>SPDs should have the capacity to be prioritised in order for the planning process to become more flexible. It is considered reasonable that in order to attract suitable development that some SPDs be given more weight than others.</p>
1185	107	<p>The final SPDs should be accompanied with more information on the associated policies from within the Core Strategy.</p> <p>Concern that the SPDs, once completed, will not have enough supportive information from within the Core Strategy. Especially since the SPD and the Core Strategy are interrelated.</p>