



Listening Learning Leading

# Section 106 Planning Obligations Supplementary Planning Document

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## **South Oxfordshire**

### Section 106 Planning Obligations Supplementary Planning Document

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## EXECUTIVE SUMMARY

New development plays an important role in any prosperous locality. Whether it is the provision of new homes, employment or recreational facilities, development is essential to provide for our current and future needs. However, development comes with its pressures on the environment and community, the impact on our roads, schools and general amenity.

This Supplementary Planning Document (SPD) identifies how the council will use its powers as the Local Planning Authority to ensure new development contributes to infrastructure such as roads, schools, community facilities, leisure facilities, open space, GP surgeries etc.

In general, the council will seek to secure financial contributions (planning obligations) for strategic and site specific infrastructure necessary to support new development. The Government introduced changes of how we can pool financial contributions for strategic infrastructure and the preferred mechanism is the Community Infrastructure Levy (CIL). Planning obligations will still continue to be used on individual sites to mitigate the direct impact of a proposed development and will be the primary mechanism for securing affordable housing, which, together with self-build, is outside the remit of CIL.

With the introduction of the Community Infrastructure Levy we cannot ask the developer to pay CIL and planning obligations for the same infrastructure in relation to the same development.

This document sets out the council's approach towards seeking planning obligations when the Community Infrastructure Levy has come into effect to avoid double charging.

# 1 INTRODUCTION

## Purpose of this document

- 1.1 The purpose of this document is to set out the district council's approach towards seeking planning obligations, alongside the council's Community Infrastructure Levy (CIL) Charging Schedule. It is a general guide and development proposals will continue to be assessed on a case-by-case basis with the individual circumstances of each site being taken into consideration.
- 1.2 The CIL Regulations mean that since 6 April 2015 the council has been limited in the use of Section 106 obligations, and is only able to pool a maximum of five separate planning obligations (entered into on or after 6 April 2010) for an infrastructure project or a type of infrastructure. The new mechanism for pooling financial contributions is the Community Infrastructure Levy. Therefore the council has introduced a CIL charging schedule in order to secure CIL receipts from development as a source of funding for infrastructure. Section 106 planning obligations will still continue to be used on individual sites to mitigate the direct impact of a proposed development and will be the primary mechanism for securing affordable housing, which is outside the remit of CIL.
- 1.3 This Supplementary Planning Document (SPD) sets out what will be required through Section 106 planning obligations. It identifies infrastructure types where planning obligations may be applicable and outlines the council's general approach to securing planning obligations. This Supplementary Planning Document, replaces the Interim Guidance for Planning Obligations (September 2008).

## What are planning obligations?

- 1.4 Planning obligations are legally binding and are intended to make development acceptable, which would otherwise be unacceptable in planning terms.
- 1.5 The CIL Regulations 122 set out that the use of planning obligations should only be sought where they meet all of the following tests:
  - They are necessary to make a development acceptable in planning terms;
  - They are directly related to a development;
  - They are fairly and reasonably related in scale and kind to the development

Paragraph 204 of the National Planning Policy Framework (NPPF) reaffirms the test above.

- 1.6 A planning obligation is usually an agreement between a developer, landowners and the local planning authority. However, it can also be in the form of a unilateral undertaking that is offered by a developer. It is used to regulate development or the use of land. A planning obligation may:-
- Restrict the development or use of the land in any specified way
  - Require specific operations or activities to be carried out in, on, under or over the land
  - Require the land to be used in a specific way
  - Require a sum or sums to be paid to the local authority on a specified day or date
  - Be enforced against anyone acquiring an interest in the land.
- 1.7 Planning obligations should be used where it is not possible to address unacceptable impacts through a planning condition (paragraph 203 NPPF).

### **What is the Community Infrastructure Levy**

- 1.8 CIL is a charge that local authorities can choose to apply to new development in their area, with the income received being used to fund a wide range of infrastructure such as transport schemes, schools, community facilities, health and social care facilities, parks, green spaces and leisure facilities. These infrastructure types or projects will be set out in an infrastructure list known as a Regulation 123 List. CIL is not charged on affordable housing or self-build. The levy rate(s) should be set at a level which does not threaten the viability and scale of development identified in the adopted Core Strategy.

### **Planning conditions**

- 1.9 Planning conditions may not require the payment of money or the transfer of land ownership but may be attached to the planning permission and set out details or required standards, timeframes, and works which must be carried out at prescribed stages in the development process. Where necessary they also require further details which must be submitted in order to make the development acceptable. Failure to comply with planning conditions could render a development unlawful and un-implementable in its original form.
- 1.10 Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable precise and reasonable in all other respects (paragraph 206, NPPF).

## **Section 278 Agreements**

- 1.11 Section 278 Agreements allow developers to enter into a legal agreement with Oxfordshire County Council as Highway Authority to fund alterations or improvements to the public highway where the County Council considers the agreement is of benefit to the public. Section 278 Agreements generally require the developer to carry out works on adjacent highways and may extend into the site to enable the development to take place or to mitigate the impact of the development.

## **Relationship between planning obligations, planning conditions, Section 278 Agreements and CIL**

- 1.12 With the introduction of a CIL charge, the use of Section 106 planning obligations will be scaled back. Section 106 planning obligations will continue to be used on individual sites to mitigate the direct impact of a proposed development and will be the primary mechanism for securing affordable housing, which is outside the remit of CIL. Each Section 106 obligation must meet the CIL test, as set out above. A developer cannot be asked to pay CIL and Section 106 for the same infrastructure in relation to the same development.
- 1.13 Further details about the CIL levy are set out in the Draft Charging Schedule and supporting documents, and can be found on the council's website [www.southoxon.gov.uk/cil](http://www.southoxon.gov.uk/cil).
- 1.14 CIL Regulation 123 places a limit on the number of Section 106 planning obligations that can be collected to fund a specific infrastructure project or type of infrastructure. If the council wants to pool contributions from more than five developments to pay for a project or an infrastructure item, it will have to use CIL. Unlike Section 106 planning obligations, CIL receipts can be pooled into one fund and used for any infrastructure needed to support the development of the district.
- 1.15 The pooling restriction on planning obligations does not apply to S278 agreements. The CIL Amendment Regulations 2014 have brought S278 agreements within the restrictions imposed by Regulation 123 which means that CIL cannot be spent on a highway scheme for which a S278 agreement has been made. This ensures that there is no overlap between the highway infrastructure funded through CIL and that funded by Section 278. This means that where a highways improvement scheme is listed on the R123 list, it will not be possible to enter into a S278 agreement for that scheme.



1.16 We need to ensure that the use of CIL and planning obligations does not overlap. We have published an infrastructure list (known as the Regulation 123 List) that sets out the infrastructure projects or types of infrastructure that we intend will be, or may be, wholly or partly funded by CIL receipts. This List will be regularly updated in consultation with key stakeholders. CIL will be the main source of infrastructure funding through the grant of planning permission, beyond the immediate needs of the development sites (and excluding strategic sites that have been exempt from CIL, see Appendix 1).

1.17 Table 1 below summaries the various mechanisms outlined above.

**Table 1: Interaction between Section 106, planning conditions, Section 278 Agreements and CIL**

Mechanism		Use
Section 106 planning obligation	Can secure specific on-site infrastructure and contributions towards off-site infrastructure required to make development acceptable in planning terms	Affordable Housing  To address the direct impacts of development
Planning condition	To mitigate the adverse effects of the development and enable development proposals to proceed where it would otherwise be necessary to refuse planning permission	Planning applications - permit development to go ahead only if certain conditions are satisfied
Section 278 Agreements	Allows developers to fund alterations to the public highway	Highway improvements
Community Infrastructure Levy	Mechanism for pooling contributions from new developments to fund infrastructure of the area	District wide infrastructure set out in the Regulation 123 list

## **2 Policy Framework**

### **National level**

2.1 The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act; Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended); and the National Planning Policy Framework (NPPF) in particular paragraphs 203 to 205.

### **Local level**

2.2 Development proposals should be considered in line with the

- Saved policies of the South Oxfordshire Local Plan 2011 or any document replacing this
- South Oxfordshire Core Strategy, adopted 2012, or any document replacing this
- Infrastructure Delivery Plans and supporting evidence
- Supplementary Planning Documents

2.3 This Supplementary Planning Document supports and supplements the South Oxfordshire Core Strategy (2012) and saved policies of the Local Plan 2011 and is an important material planning consideration in the decision making process of planning applications.

2.4 A summary table of the relevant planning policies is set out in Appendix 2. Where reference is made to planning policies as at adoption of this document this will also apply to any revised or new policy adopted by the council.

2.5 The council is currently preparing a new South Oxfordshire Local Plan, which will look ahead to 2031 and consider (among other things) how best to plan for the additional housing need identified in the Oxfordshire Strategic Housing Market Assessment, which was published in 2014. The new plan is expected to be adopted during 2017 and as such the council will review the CIL charging schedule and Planning Obligations Supplementary Planning Document. This document will continue to apply until such time a replacement document is adopted.

2.6 The statutory planning framework is informed by further policy and strategy guidance prepared and adopted by the County Council such as the Local Transport Plan.

- 2.7 The overarching reasoning and justification for requiring planning obligations, to secure appropriate forms of development which are supported by the necessary on- and off-site infrastructure requirements, are set out in policy CSI1 of the South Oxfordshire Core Strategy.

“New development must be served and supported by appropriate on- and off-site infrastructure and services. Planning permission will only be granted when infrastructure and services to meet the needs of the new development, including that set out in the Infrastructure Delivery Plan, and/or mitigate the impact of the new development is already in place or will be provided to an agreed timescale.

Infrastructure and services required as a consequence of development, and provision for their maintenance, will be sought from developers and secured by the negotiation of planning obligations, by conditions attached to the planning permission, and/or other agreement, levy or undertaking, all to be agreed before planning permission is granted.

- 2.8 This S106 Planning Obligations Supplementary Planning Document will be relevant to all development proposals including residential, employment and retail. Specifically in respect of retail and employment development financial contributions may be sought for:
- (i) Transport and highway works including footpaths and cycle routes
  - (ii) The enhancement and provision of the public realm including public art
  - (iii) Mitigation measures required directly as a result of a specific development; and wider air quality measures
  - (iv) Provision and maintenance of flood protection and water management (i.e. SUDs)
- 2.9 With regard to utilities such as gas, electricity, water supply, water quality and waste water treatment the developer will need to work closely with relevant providers to ensure adequate capacity to serve the development. Some site specific requirements for larger sites may involve the provision of new electric substations, water pumping stations, supply pipe work etc., depending on their scale, location and nature. The council will want assurance that the developer and utility providers have put in place arrangements for the delivery of this type of infrastructure and therefore the developer should liaise with utility providers at an early stage (pre-application) to identify any capacity issues and how to overcome these.

### 3 Obligation types

3.1 The types of infrastructure the council will seek provision for are in the main: education, highways and transport, open space, leisure, community and cultural facilities. Table 2 below offers a guide to what infrastructure types will be covered by Section 106 planning obligations and what will be covered by CIL. Infrastructure requirements for strategic sites, excluded from CIL, will be secured by Section 106 planning obligations and are set out in Appendix 1.

<b>Table 2: Guide to funding mechanisms for different infrastructure types</b>		
Provision, improvement, replacement, operation or maintenance		
The strategic sites North-East Didcot, Ladygrove-East Didcot and site B Wallingford are referred to as the Strategic Sites		
	<b>CIL</b>	<b>S106, or alternative statutory provision</b>
<b>Affordable housing</b>		√
<b>Recreation, Sports and Leisure:</b>		
Recreation, sports and leisure facilities other than site-specific requirements	√	
On-site provision of recreation, sports and leisure facilities in accordance with policy requirements and to make the development acceptable in planning terms		√
On and off-site provision of recreation, sports and leisure facilities to serve development at strategic sites		√
<b>Open space, play, biodiversity and allotments:</b>		
On-site provision of <ul style="list-style-type: none"> <li>• open space</li> <li>• play areas</li> <li>• allotment</li> </ul> in accordance with policy requirements		√
<ul style="list-style-type: none"> <li>• Play areas</li> <li>• Allotment</li> </ul> Other than site specific requirements	√	
On-site habitat creation and mitigation to include restoration enhancement and management of existing sites of ecological value		√

<b>Infrastructure type</b>	<b>CIL</b>	<b>S106</b>
Strategic habitat creation, enhancement and restoration	√	
Ecological enhancement of watercourses in line with Water Framework Directive	√	
<b>Community and cultural infrastructure:</b>		
On-site and off-site provision of community facilities (including youth support and adult learning) to serve development at the strategic sites		√
Community facilities (including youth support and adult learning)	√	
Libraries and the Museums	√	
Library facilities incl. book stock provision to serve development at the strategic sites		√
Site related provision and maintenance of public art associated with development at the strategic sites; and retail and employment development.		√
Improvements to the public realm and town centres. Improvements to increase accessibility for disabled in town centres and the public realm, associated with development at the strategic sites and employment development.		√
Contributions towards the conservation, restoration and enhancement of the historic environment and archaeological sites and monuments will be sought where an impact is directly linked as a consequence of a development site and requires mitigation.		√
Public realm/public art	√	
Improvements to the public realm and town centres	√	
Improvements to increase accessibility for disabled	√	
Provision, expansion, maintenance of cemeteries	√	

Infrastructure type	CIL	S106
<b>Education:</b>		
Education infrastructure <sup>1</sup> to serve development at the strategic sites <sup>2</sup>		√
Land for education provision associated with development to make the development acceptable in planning terms		√
<ul style="list-style-type: none"> <li>• Other primary education (incl. pre-school)</li> <li>• Secondary education</li> <li>• Further education</li> <li>• Special education needs</li> </ul>	√	
<b>Transport:</b>		
Strategic highways or transport infrastructure projects (including public rights of way)	√	
Site specific transport infrastructure including any works necessary for vehicle, cycle and pedestrian access and/or public transport on or adjacent to the site as a result of the development. Mitigation works remote from the development site where the need for such works is identified in a Transport Assessment. Works associated with a S278 Agreement or planning conditions.		√

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<sup>1</sup> Primary education (incl. pre-school), secondary education, further education and special education needs

<sup>2</sup> Sites that are not strategic sites will raise monies for education from CIL

<b>Infrastructure type</b>	<b>CIL</b>	<b>S106</b>
Contribution towards delivery of the Science bridge, Didcot Northern Perimeter Road Phase 3, A4130 widening, Hitchcock Way/Jubilee Way roundabout, strategic bus network and Culham river crossing schemes associated with development at the strategic sites and employment developments (where appropriate)		√
Travel plan monitoring		√
<b>Recycling:</b>		
Contributions for household waste and recycling centres to serve development at the strategic sites		√
Recycling facilities and improvements to household waste and recycling centres	√	
Provision of household recycling and waste bins		√
<b>Health care :</b>		
Health services / local GP surgeries	√	
On-site or off-site provision to health services (GP surgeries) to serve development at the strategic sites		√
<b>Fire and Rescue:</b>		
Extensions and/or new fire and rescue service infrastructure	√	
<b>Community safety and policing:</b>		
Improvements to policing and community safety infrastructure	√	
On and off-site provision of policing and community safety to serve development at the strategic sites		√

<b>Infrastructure type</b>	<b>CIL</b>	<b>S106</b>
<b>Health and Wellbeing (Adult Day Care)</b>		
On and off-site related provision of health and wellbeing to make the development acceptable in planning terms and to serve development at the strategic sites		√
Health and wellbeing facilities	√	
<b>Street naming</b>		
Street naming and street nameplates		√
<b>Air Quality</b>		
Mitigation infrastructure/measures required directly as a result of a specific development incl. retail and employment development		√
Wider Air Quality Infrastructure/Measures associated with development at the strategic sites; and retail and employment development		√
Infrastructure/measures to improve air quality and monitoring	√	
<b>Flood protection and water management</b>		
Strategic flood protection	√	
On-site provision of flood protection and water management (i.e. SUDs) in relation to residential, retail and employment development		√

## **4 Approach to negotiating planning obligations**

- 4.1 We encourage applicants to discuss their proposals with planning officers before they submit a formal application. These pre-application discussions should help to identify potential problems and issues to ensure that the council can determine applications without unnecessary delays. We also encourage developers to discuss their proposals with the County Council, local community and parish council and engage with utility providers. Further information to the council's approach to negotiating planning obligations and assessing the need for infrastructure is set out in Appendix 3.



## **5 Viability**

- 5.1 Infrastructure provision is a necessary cost of development and it is expected that the likely cost of infrastructure, including the cost of affordable housing provision, will need to be factored into the development from an early stage.
- 5.2 The council will take this into account if the applicant produces evidence as to why the site is not viable.
- 5.3 Applicants should take into account the required affordable housing provision, the Community Infrastructure Levy, land area requirements, infrastructure needs and requirements and other known constraints when negotiating the purchase of land.
- 5.4 Exceptional or abnormal costs may include extensive contamination and necessary engineering works to create a sustainable platform for development or infrastructure works (i.e. diversion of utility networks) which are over and above anticipated costs of a site without those abnormal works.
- 5.5 In cases where the applicant considers that the proposed development cannot viably support the council's policy requirements and other identified needs, the council will require the applicant to submit a financial appraisal and supporting evidence. Ideally this should be at an early stage in the application process.

## **PLANNING OBLIGATION GUIDANCE**

### **6 Affordable Housing**

- 6.1 The NPPF (paragraphs 50 and 54) indicates that where there is an objectively assessed need for affordable housing in a market area Local Planning Authorities should set policies to meet this need. It refers to the size, type, tenure and range of housing that should reflect local demand.
- 6.2 Policy CSH3 of the Core Strategy sets out that 40% affordable housing will be sought on all sites where there is a net gain of three or more dwellings subject to the viability of provision on each site. The developer must provide a full residual land appraisal for scrutiny. A tenure mix of 75% social rented and 25% intermediate housing will be sought.

## 7 Recreation, Sports and Leisure

**On-site provision, maintenance and management of sports, recreation and leisure facilities in accordance with policy requirements and to make the development acceptable in planning terms will be secured through Section 106 (including provision to serve the strategic sites). New facilities may be provided on-site, however in some circumstances it may be appropriate to secure provision off-site, for example, where it links better with existing sports provision. The council will be liaising with its Leisure Team to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development and CIL compliancy.**

**Other provision and enhancement of sports, recreation and leisure facilities will be funded through CIL.**

- 7.1 The National Planning Policy Framework (paragraph 73) recognizes the contribution that access to sport and recreation facilities can make in promoting the health and well-being of communities.

### Indoor and outdoor sport

- 7.2 Supporting text of Policy R3 of the Local Plan sets out that the council will seek planning obligations from developers to meet requirements for indoor sports facilities where appropriate, including provision in relation to future maintenance and long term retention of the facilities. Policy R2 of the Local Plan requires the **provision of outdoor playing space for new residents to a minimum standard of 2.4ha per 1000 persons, of which 1.6ha per 1000 persons should be for outdoor pitches.**
- 7.3 Developers will also be required to demonstrate that satisfactory provision for long term maintenance has been made.
- 7.4 This is reflected in the council's Leisure and Sports Facility Strategy (2011) and special infrastructure requirements have been set out in the Infrastructure Delivery Plan, which has been based on the latest up-to-date assessments.
- 7.4 We are currently undertaking an assessment of recreational space, leisure facilities and playing pitches to inform a new leisure and sports facilities strategy. Current standards will be updated in light of the assessment with the next review of this document.
- 7.5 We expect the developer to arrange for future maintenance of all outdoor sport facilities. The commuted sums for the maintenance

and management of sport and recreation facilities have been set out in Appendix 5. If there is a management company in place we expect the Sports Clubs to be represented on the management company's board.

## **8 Open space, play, green infrastructure, biodiversity and allotments**

### Open space

***On-site provision and management of open space (in accordance with policy requirements) will be secured through Section 106.***

- 8.1 Local Plan policy R6 requires developers to provide public open space for informal recreation to meet the needs of the new residents.
- 8.2 We will assess the need for open space and informal amenity areas. This will be on a site-by-site basis taking into account features of the site, the nature of the development and the accessibility of other provision within the locality. In accordance with policy R6 of the Local Plan, we will expect a minimum provision of  
**10m<sup>2</sup> per person or 10% of a site (whichever is greater) as open space.**
- 8.3 Open space should be provided as an amenity within a development to promote healthy living, informal areas of play and to create a sustainable, accessible, distinctive and attractive development.
- 8.4 The laying out and initial maintenance and management of open space is the responsibility of the developer and the developer must pay for the future maintenance and management of all shared amenity and local spaces. A management company arranged by the developer is the council's preferred approach, and this option is being discussed first. Only when agreed by the district council, applicant and the town/parish council will the land be transferred to the town/parish. A commuted sum to cover the costs of maintenance must accompany the transfer of the land. The Town/Parish council will need to enter into a separate legal agreement with the district council, to ensure that they will take full responsibility of the open space, prior to the issue of planning permission.
- 8.5 Once the works are completed the areas should be available for use by the public and following the completion of twelve months

maintenance period, the developer can seek transfer of the land to the town/parish council with a commuted sum to cover 20 years maintenance (from date of land transfer).

- 8.6 Commuted sums for the maintenance of public open space are set out in Appendix 5. Table 1 gives overall indicative management costs. To enable a more site specific cost, table 2 provides a breakdown of the cost associated with different types of open space management.

If it has been agreed that maintenance of open space will be undertaken by a management company the council will require means to ensure the future maintenance of open space is carried out in perpetuity.

### Play areas

**On-site provision of play areas will be provided on sites, and this will be secured through Section 106. Enhancement to existing play areas will be funded through CIL.**

- 8.7 Play space for children is vital to their health and development. In addition to private gardens, public parks and the countryside, there is a need for casual and equipped play space that is safe and conveniently located. Consideration must also be given to the need to provide young teenagers with areas to assemble and play. Provision of play equipment for children with disabilities and surface of play areas should also be considered.
- 8.8 Policy R2 of the Local Plan endorses the Fields in Trust (formerly the National Playing Fields Association)
- standard of 0.8ha of children's play space for every 1,000 people,**
- 8.9 and sets out that three levels of children's play space should be provided: i. Local areas for play, ii. Local equipped areas for play and iii. Neighbourhood equipped areas for play.
- 8.10 **of the required 8m<sup>2</sup> we will expect 5 m<sup>2</sup> to be casual and 3 m<sup>2</sup> to be equipped play space.**
- 8.11 We will liaise with the town/parish council to establish the most appropriate form of provision taking account of the location, scale and form of the proposed development.
- 8.12 Developers must pay for the future maintenance and management of play areas and when agreed transfer land to town/parish councils or arrange alternative management body to undertake that responsibility. Commuted sums are set out in Appendix 5.

- 8.13 In general we will expect the developer to maintain the play facility for twelve months before it transfers it to the town/parish council with the payment of a commuted sum to cover 20 years maintenance (from the date of land transfer). Alternatively if a management body maintain the play facility we require means to ensure the maintenance in perpetuity.
- 8.14 On-site provision should be made before occupation of dwellings with commuted sums for maintenance paid on transfer of ownership. On major developments timing of on-site provision will need to be agreed.
- 8.15 The council endorses the general design principles set out in 'Planning and Design for Outdoor Sport and Play' (NPFA, Fields in Trust) and further Specifications for children's play provision is set out in Appendix 6.

### **Green infrastructure and biodiversity**

**Where mitigation for the ecological impacts of a development can be achieved on-site this is generally secure by planning condition. Arrangements for long term maintenance will be secured by planning obligation.**

**Ecological enhancement of watercourses in line with the Water Framework Directive will be funded through CIL. Strategic habitat creation, enhancement and restoration will also be funded through CIL.**

- 8.16 Each new development site will need to demonstrate that it can meet the required Green Infrastructure provision on site to a standard to be agreed with the district council. Where this is not possible, contributions in lieu will be sought to enhance existing facilities and mitigate against the increased pressure of use. Developers must pay for the future maintenance and management and commuted sums have been set out in Appendix 5.
- 8.17 Green infrastructure is a collective term for open green spaces which can include amongst other things parks and gardens, woodlands, commons, playing fields, outdoor sports facilities, recreation spaces, rights of way and bridleways and river corridors. The council's Green Infrastructure Strategy (July 2011) aims to deliver parks and gardens, accessible natural and semi natural green space, green links, accessible countryside, and Registered Common Land Nature Reserves. These provide important informal recreation facilities and a biodiversity resource.
- 8.18 The NPPF sets out that planning plays a role in the protection, enhancement and management of networks of biodiversity and green infrastructure (paragraph 114). It is clear that pursuing sustainable development includes moving from a net loss of

biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.

- 8.19 The Biodiversity 2020<sup>3</sup> sets out the government's objectives to conserve enhance and restore the diversity of England's wildlife and to contribute to rural renewal and urban renaissance by enhancing biodiversity in green spaces among developments.
- 8.20 It is clear that the government expects the development industry to both minimise its direct impact on biodiversity and to make a substantial contribution towards enhancing local biodiversity. Whilst it is sometimes possible to enhance biodiversity within the site boundary, it is more often a strategic issue better dealt with on a parish, district, county or regional level.
- 8.21 Green Infrastructure requirements are set out in the Green Infrastructure Strategy (July 2011) and the Didcot Greenspace Network Feasibility Study (March 2008). These studies have identified a shortfall of green infrastructure of 138 hectares. This is directly attributable to the proposed population increase at Didcot and the rest of the district. This figure does not take into account existing shortfalls in the provision of green infrastructure with current population levels.

### Allotments

**On-site provision of allotments will be secured through S106 (including provision related to the strategic sites).**

**Off-site provision and enhancement of allotments will be funded through CIL.**

Allotments are valuable community spaces that provide people with the opportunity to enjoy an active and healthy lifestyle. The opportunity to play, walk, cycle or work on an allotment in a pleasantly landscaped and largely open environment close to where people live enhances quality of life and promotes health and fitness. Allotments should be accessible on foot, by bicycle, car and public transport. We will require the

**provision of 0.30ha allotments per 1,000 people.**

- 8.23 If the allotments are provided on site as part of the development developers must pay for the future maintenance and management of the allotments and arrange for a management body to

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<sup>3</sup> Biodiversity 2020: A strategy for England's wildlife and ecosystem services, Department for Environment, Food and Rural Affairs, August 2011

undertake that responsibility indefinitely. Where, in exceptional circumstances, the transfer land to town/parish councils is agreed a maintenance contributions must be made as set out in Appendix 5. We will expect the developer to maintain the allotments for twelve months before it transfers it to the town/parish council with the payment of a commuted sum to cover 20 years maintenance.

## 9 Community and cultural infrastructure

### Community facilities, libraries, museum resource centre, adult learning, youth facilities and cemeteries

On-site and off-site provision and management of community facilities (including youth support and adult learning) to serve development at strategic sites will be secured through Section 106.

Improvements to existing community facilities (including youth support and adult learning) will be funded through CIL.

Library facilities (including book stock provision) to serve development at strategic sites will be secured through Section 106. Provision of and increasing capacity at libraries and the Museum Resource Centre will be funded through CIL.

**New development will be expected to contribute to the provision of new, or the expansion of existing, cemeteries and their maintenance to serve the population generated by the development. This will be funded through CIL.**

- 9.1 Paragraph 17 of the NPPF sets out the need to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
- 9.2 Community infrastructure is important; both in terms of basic provision of services and facilities and in terms of helping develop new communities at strategic sites. Policy CF2 of the Local Plan welcomes proposals involving the provision of new community facilities and services for the local population.
- 9.3 Community centres/halls provide opportunities for a variety of social, welfare and leisure activities that provide for the needs of local residents and assist in the creation of sustainable communities.
- 9.4 Libraries are important to the cultural and social infrastructure of communities, backing up educational provision for school children, students and lifelong learners.

- 9.5 Oxfordshire County Council's museum service provides a central Museum Resource Centre (MRC) at Standlake in West Oxfordshire. It provides essential support to museums and schools throughout Oxfordshire for educational, research and leisure activities.
- 9.6 The Adult Learning Service offers a wide range of educational and recreational courses to cater for all ages and abilities. The courses are provided in a variety of settings including schools, community buildings and purpose built adult learning centres.
- 9.7 On large strategic sites the number of new residents, their distance from existing facilities and the need to provide a focus of social activity for the new community may generate a need for a new community building on-site. Generally, this need for new provision will have been identified when allocating a site for development and will also be set out in the Infrastructure Delivery Plan. As such planning obligations will be used to secure new provision.
- 9.8 Other community infrastructure such as improvements to existing community centres/halls, adult learning and youth facilities, increasing capacity at libraries and the museum resource centre, will be funded through CIL.

#### Public realm/ Public art

**The council will expect developers of major schemes to incorporate public art into their development through for example the design of spaces and buildings.** Site related provision and maintenance of public art associated with development (including at strategic sites) will be secured through Section 106.

Where appropriate, site related provision and management of public art associated with retail and employment development will be secured through Section 106.

**Where appropriate, contributions towards the conservation, restoration and enhancement of the historic environment and archaeological sites and monuments will be sought where an impact is directly linked as a consequence of a development site and requires mitigation.**

**Improvements to the public realm and town centres. Improvements to increase accessibility for people with disabilities in town centres and the public realm, associated with development at the strategic sites and employment development will be secured through Section 106.**



Other developments will fund public art/public realm provision and improvements to increase accessibility for disabled through CIL.

- 9.9 Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. It is important to plan positively for high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development proposals. Paragraph 7 indicates the provision of local services that reflect the community's needs and support health, social and cultural well-being as a key social component in achieving sustainable development.

### Public art

- 9.10 Planning Policy Guidance states that public art and sculpture can play an important role in making distinctive places. The council recognises that the development and delivery of public art can contribute significantly to cultural wellbeing of communities and the role that cultural infrastructure in the public realm such as public art can play in improving the quality of the environment and the overall design in new development proposals. Policy D12 of the Local Plan states that the council will seek a contribution towards public art. The council will seek provision for public art on residential developments in excess of 1 hectare; retail or employment developments in excess of 2,000 square meters gross floorspace.
- 9.11 A strategy for public art and cultural wellbeing and culture is being updated by our Arts Development Officers. Guidance is contained in the South Oxfordshire Design Guide and a leaflet 'Public Art Commissioning in Oxfordshire'. The involvement of local community alongside professional artists in the design and commissioning of bespoke public art is important in creating unique sense of place.
- 9.12 Public art integrated into developments will assist in delivering that buildings and spaces provide visual interest and a sense of identity. Therefore the public art officer should be involved in the masterplanning of major schemes at an early stage. In these cases the commissioning of public art work should involve professional art organisations, and include stakeholder and community engagement. A written public art statement, with the commissioning process, artist briefs and budget is usually expected to be in place prior to the commencement of the development.
- 9.13 We will require a **commuted sum for maintenance** where the ownership of on-site art features is to pass to anyone other than the site owner/developer and for all off-site art features. This will represent **7% of the value of the works** to cover the costs associated with monitoring, repairs and maintenance over a 15-year period.

## Public realm

- 9.14 Core Strategy policy CST1 aims to improve vitality and viability of town centres and local centres. Core Strategy policy CS DID1 seeks improvements to the central area of Didcot by regenerating the Broadway area and the area around the station. The council recognizes that improvements to the movement network around the centre and to the public realm can help support accessibility for residents, visitors and people with disabilities.
- 9.15 Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development (as defined in Paragraphs 6-10). When assessing any application for development which may affect the setting of a heritage asset, local planning authorities need to consider the implications of cumulative change.
- 9.16 There is a tendency to undervalue the public realm which provide the backdrop to our daily lives. For a development to be successful, the detailing of a scheme and its public realm areas needs to be of a consistently high standard. Good quality public realm is more than just aesthetically pleasing, it also:
- plays a large role in determining the character / feel of the place;
  - supports urban regeneration, by improving the attractiveness of a place;
  - reduces opportunities and motivation for crime and other anti-social behaviour, and fear of crime, by upgrading areas and redesigning or improving spaces;
  - generates social and community cohesion; by allowing communities to celebrate where they live and generate pride in their surroundings,
  - aids movement in and between spaces;
  - ensures distinctiveness.

## **10 Education (including pre-school, primary, secondary, further education and special needs education)**

**Education infrastructure associated with development at the strategic sites and land for education provision associated with development to make it acceptable in planning terms will be sought through Section 106. Strategic sites will raise monies or provide education facilities through Section 106.**

**Other education facilities will be funded through CIL. Sites that are not strategic sites will raise monies for education from CIL.**

- 10.1 As set out in paragraph 72 of the NPPF, the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.
- 10.2 Decisions as to whether or not there is sufficient capacity in a school are made with reference to current and forecast numbers on roll and school capacity. Empty places at a school do not necessarily equate to there being excess capacity at that school. Any assessment of adequate and appropriate capacity will not normally include temporary accommodation.
- 10.3 New provision will have been set out in the council's IDP. It will be important to identify the proposed school site in the masterplanning stage and ensure that it is of a size sufficient to meet the needs arising from the development and allowing for expansion.
- 10.4 Oxfordshire County Council publishes an annual Pupil Place Plan which sets out the framework for and approach towards the provision of places for all types of educational need. The strategy also sets out a framework for how school provision is expected to change in future, including anticipated requirements for new schools and school extensions linked to planned housing growth.
- 10.5 The need for educational infrastructure will be calculated by multiplying the forecast number of pupils (of the appropriate age) arising from the net increase in dwellings by the "cost per pupil" of the required additional expanded/new infrastructure (see Appendix 3).
- 10.6 In circumstances where it is not possible to provide school places within a reasonable walking distance an additional contribution towards the cost of providing transport for children to school may be required and secured through S106 planning obligation. The contribution would reflect the cost of providing the transport for a defined period of time. Information on the County Council's home to school travel policy can be found on its website.
- 10.7 Detailed discussion will be necessary in order to agree the actual boundaries of any school site allocated, including the location, and timing of access and services. Further land may be required where it is necessary to provide additional facilities co-located with the school.

## 11 Transport

**Site specific transport infrastructure including any works necessary for vehicle, cycle and pedestrian access and/or public transport on or adjacent to the site as a result of the development will be secured through Section 106. Mitigation works remote from the development site where the need for such works is identified in a Transport Assessment and the monitoring of travel plans will be secured through Section 106.**

**Strategic highways or transport infrastructure projects (including public right of way) will be funded through CIL, except for development serving the strategic sites and employment development. Where appropriate a financial contribution through Section 106 will be sought towards delivery of the Science bridge, Didcot Northern Perimeter Road Phase 3, A4130 widening, Hitchcock Way/Jubilee Way roundabout, strategic bus network and Culham river crossing schemes.**

11.1 Planning obligations will be sought to mitigate the direct impact of development proposals on the highways network where it is necessary in order to make the development acceptable and where the highway works are within the site. Site related highway works will have been identified in a Transport Assessment and may include:<sup>4</sup>

- works to footways/cycleways including public rights-of-way
- raised kerbs
- new junctions
- access roads to and within the site
- link roads
- Traffic Regulation Orders
- traffic lights
- pedestrian crossings
- signage
- public transport on or adjacent to the site
- lighting and street furniture

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<sup>4</sup> Please refer to County Council guidance 'Transport for new developments: providing for public transport' (October 2012).

- 11.2 Section 106 agreements can be used to secure highway works where they are directly related to a development proposal and they may be delivered through the developer entering into a S278 agreement with Oxfordshire County Council.
- 11.3 Section 4 of the NPPF requires the planning system to promote sustainable transport. The provision of viable transport infrastructure necessary to support sustainable development is important in facilitating sustainable development. It also makes an important contribution towards the wider sustainability and health objectives of the Government.
- 11.4 New development in the district will place additional pressure on the district's transport and highway networks including public transport infrastructure, bus services and pedestrian and cycle routes. Policy CSI1 of the Core Strategy sets out that new development must be served and supported by appropriate on and off-site infrastructure and services. Policy CSM2 requires that new developments which generate significant amounts of movement must be supported by an appropriate transport assessment and travel plan where appropriate. Guidance can be found on the county council's website at:
- <https://www.oxfordshire.gov.uk>
- 11.5 Oxfordshire County Council is the Highway Authority for the area and the council consults the county council on planning proposals that affect the highway network. All development proposals will be assessed on their own merits in relation to the impact they have upon the highway network.
- 11.6 New development proposals will be required to provide for appropriate specific works and improvements both on-site and off-site to mitigate the direct impact of the development scheme on the transport network. It will be important to identify these in the masterplanning stage in liaison with Oxfordshire County Council and ensure that the transport proposals are sustainable, to meet the needs arising from the development.
- 11.7 Strategic district wide transport improvements as set out in the Local Transport Plan 4 will mainly be funded through CIL (except for the three strategic sites that will be contributing through S106) and other sources of funding.
- 11.8 In addition to the provision of infrastructure improvements, Travel Plans can form part of a planning application proposal with the aim of reducing car usage and increasing the use of public transport, walking and cycling in support of sustainable transport objectives and would normally be sought via a planning condition.

## 12 Recycling

**Recycling facilities and improvements to existing Household Waste & Recycling Centers serving the district to meet the needs of the increased population will be funded through CIL.**

**Site related contributions for household waste and recycling centers to serve development at strategic sites will be secured through Section 106, e.g. provision of household recycling/waste bins.**

- 12.1 Policy D10 of the Local Plan requires development to make adequate provision for the management of waste in new developments. Reducing waste to landfill through reducing, reusing and recycling waste is one of the aims of the South Oxfordshire Community Strategy.
- 12.2 New development will require the provision of new recycling bins. The council may seek financial contributions for the provision of recycling bins on sites of 11 and more units through Section 106. On smaller sites of 10 and less units the council will issue an invoice to the applicant. Further information is provided on the council's webpage

<http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/delivering-infrastructure/section-106>

## 13 Health care

**On and off-site provision to health services (e.g. GP surgeries<sup>5</sup>) to serve development at the strategic sites will be secured through Section 106. Increasing capacity to health services such as local surgeries due to the cumulative impact will be funded through CIL.**

- 13.1 Policy CSI1 sets out the council's approach to the delivery of infrastructure to support development. Improve access to quality health and social care is one of the aims of the South Oxfordshire Community Strategy. Requirements for additional health facilities have been set out in the council's Infrastructure Delivery Plan.

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<sup>5</sup> This does not include dental surgeries as these are normally private profit making companies

## 14 Fire & Rescue

**Extensions and/or new fire and rescue service infrastructure will be funded through CIL.**

- 14.1 Any new development can increase demands on the fire and rescue service both by extending an area of fire risk, and increasing the level of fire risk in an area. The demands placed on the fire and rescue service manifest themselves in a variety of forms depending on the scale and nature of the proposed development. These can include:
- the need to acquire land and the capital costs of buildings and associated facilities for the provision of new, relocated or extended fire stations;
  - the provision of new vehicles to provide effective emergency cover;
  - the provision of emergency access arrangements;
  - securing access to water to meet fire-fighting needs (hydrants and appropriate water mains with adequate pressure to supply them).
- 14.2 It will generally be a requirement that external fire hydrants are provided to the satisfaction of the Oxfordshire Fire & Rescue Services - this will usually be dealt with by planning condition.

## 15 Community Safety and policing

**Improvements to community safety and policing infrastructure will be funded through CIL. On and off-site provision of community safety and policing infrastructure to serve development at the strategic sites will be secured through Section 106.**

- 15.1 Policy CSQ3 of the Core Strategy and policy D6 of the Local Plan promote measures to reduce opportunities for crime and the need to create safe towns and villages. Reducing the fear of crime is one of the aims of the South Oxfordshire Community Strategy<sup>6</sup>.
- 15.2 Thames Valley Police are responsible for the delivery of Policing in the area. The additional growth planned in the area will lead to an additional demand on their existing resources and accordingly

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<sup>6</sup> Our place, our future – South Oxfordshire Sustainable Communities Strategy, 2009 - 2026

there will be a need to deliver additional infrastructure to mitigate this impact.

## **16 Health and Wellbeing (Adult Day Care)**

**Oxfordshire County Council has identified a requirement for new health and wellbeing centres in the Didcot area and Wallingford to meet the needs of population growth from allocated strategic sites.**

**On and off-site provision of health and wellbeing facilities directly required to make the development acceptable in planning terms and to serve development at the strategic sites will be secured through Section 106.**

**Other health and wellbeing facilities will be funded through CIL.**

- 16.1 Oxfordshire County Council provides day services for adults through a network of Health and Wellbeing Resource Centres across the county. The centres typically provide a range of facilities to enable adults to live independently in their own homes and communities for as long as possible.

## **17 Street naming**

**Site related provision for street naming and street nameplates will be secured through Section 106.**

- 17.1 South Oxfordshire District Council is the Street Naming and Numbering authority for this district within Oxfordshire and carries out these functions under the provisions of the Oxfordshire Act 1985.

- 17.2 For new development that requires new street names and street nameplates the council will seek financial contributions for street naming and the provision of street nameplates through Section 106 (Index RPI Dec. 2013). Further information is set out on the council's webpage

<http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/delivering-infrastructure/section-106>



## 18 Air Quality

**Mitigation infrastructure/measures required directly as a result of a specific development and wider Air Quality Measures associated with development at strategic sites and retail and employment development will be secured through Section 106.**

**Infrastructure/measures to improvement air quality and the monitoring of it will be funded through CIL.**

- 18.1 Policy CSM1 (vi) of the council's Core Strategy promotes and support traffic management measures and environmental improvements which increase safety and improve air quality.
- 18.2 There are three quality management areas in Wallingford, Henley and Watlington, and due to traffic issues, air pollution exceeds the levels set by European and UK regulations. The council has published a draft action plan and 'Air Quality Guidance for Developers', which can be found on the website: <http://www.southoxon.gov.uk/services-and-advice/environment/air-quality>
- 18.3 For developments which are likely to have an impact on air quality, an air quality assessment will need to be submitted as part of the planning application. The overall aim of an air quality assessment is to determine whether the development will have a significant impact on air quality or whether the existing air quality environment is unacceptable for the proposed development. It will identify likely impacts on air quality and the need for additional monitoring.
- 18.4 The council has published an Air Quality Action Plan 2014 on its website and aims to increase the provision of electric vehicle charging points in new development and in council car parks. Where possible, planning conditions will be used for electric vehicle charging points on individual properties.

## 19 Flood Protection and Water Management

**On-site provision and maintenance of flood protection and water managements (i.e. SUDs) in relation to residential, retail and employment development will be secured through Section 106.**

**Strategic flood protection projects will be funded through CIL.**

- 19.1 Section 10 of the NPPF deals with the challenges of climate change, flooding and coastal change. It states that planning authorities should adopt proactive strategies to mitigate and adapt

to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

- 19.2 Policies CS11 of the Core Strategy and EP4 of the Local Plan require developers to demonstrate that existing, planned and/or committed infrastructure is sufficient to accommodate new development proposals.
- 19.3 This includes demonstrating that there is adequate water supply, surface water drainage, foul drainage and sewerage treatment capacity both on and off site to service the development. Necessary improvements to sewerage water treatment infrastructure will be programmed by the water companies and need to be completed prior to occupation of the development. This will be secured through planning conditions.
- 19.4 New development proposals should be planned to avoid increased vulnerability to the range of impacts arising from climate change. Where new development proposals are brought forward in areas that are vulnerable, care should be taken to ensure that risks can be managed through sustainable adaption measures.
- 19.5 Management of surface water should be considered as part of a Flood Risk Assessment for sites over 1ha and/or in areas vulnerable to flooding, as already required by the NPPF. The flood risk measures required to mitigate a development proposal should be managed on site or by way of condition. In exceptional circumstances a Section 106 agreement may be needed for off-site measures. These may cover design and maintenance of sustainable drainage systems or flood management features. The council will expect any flood management measures to be in place prior to occupation of the development.
- 19.6 Potential flooding and pollution risks from surface water can be decreased by reducing the volume and rate of water entering the sewerage system and watercourses. Sustainable Drainage Systems (SUDs) seek to manage surface water as close to its source as possible and mimic surface water flows arising from a site prior to its development.
- 19.7 SUDs can include infrastructure such as infiltration devices to allow water to soak into the ground; filter strips and swales; filter drains and porous pavements, and basins and ponds to hold excess water after rain and to allow controlled discharge to avoid flooding. Source control measures can also be used such as rainwater recycling.
- 19.8 Policy CSQ2 (vi, vii) encourages the use of SUDs to manage surface water run-off generated by development.

- 19.9 The use of SUDs is required for all new development where appropriate and should be carefully designed as a structural feature of the development. SUDs are often integral to a development and cannot easily be accommodated within a site once a layout has been planned. As such developers should liaise with the county council (as lead local flood authority) and council at an early stage to discuss options for an appropriate and sustainable approach to site drainage. Full details of the proposed SUDs and/or how the proposed development meets the county council's Flood Risk Management Strategy will need to accompany planning applications.
- 19.10 When planning a sustainable drainage system, developers need to ensure their design allows for maintenance of the system, so that it continues to provide effective drainage for the development. A poorly maintained system can increase flood risk rather than reduce it. Developers need to make arrangements for the future maintenance of sustainable drainage systems. SUDs associated with adopted highway provision are dealt with under S278 and S38 provisions.

## **20 Legal, administration and monitoring**

- 20.1 The council (and county council) will require its legal costs of preparing a planning obligation to be borne by the developer/applicant. These costs will depend upon the form and complexity of the obligation and the amount of work necessary to settle the draft and proceed to completion. Developers will need to meet reasonable legal fees even if the planning obligation is not completed. The council will negotiate legal fees on a case by case basis, and the County Council.
- 20.2 The council also needs to administer and monitor the provisions of a planning obligation and will require the applicant/developer to bear this cost (see Appendix 4). Further information is set out on the council's webpage
- <http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/delivering-infrastructure/section-106>
- 20.3 We will make no charge where the applicant pays upfront all the contributions with the unilateral undertaking. We will negotiate the monitoring fees for obligations that are more complex and need to be monitored over a long period. The County Council will similarly require its administration and monitoring costs to be met by the applicant/developer.

## **21 Interest on late payment and enforcement**

21.1 Trigger points (including triggers for payments) will vary for each individual obligation within the Section 106 agreement. The developer is bound in each Section 106 agreement to notify the council upon commencement of the development. Where the council is not notified and obligations become overdue the council will seek to enforce the obligation and will activate the default interest clause.

21.2 A clause included in the Section 106 agreement will encourage prompt payment by inserting a provision for payment of interest at a default rate where payments are overdue. As a final recourse, where obligations are not subsequently enforced, the council will take legal action against those in breach of a Section 106 agreement. Non-financial obligations are also legally binding and where not provided according to the terms of the Section 106 agreement may be legally enforced by the council.

## **22 Indexation**

22.1 Financial contributions are based upon the costs of infrastructure. Financial contributions will be indexed to ensure that they retain their original “real value”. The base date of the indexation will be stipulated when costs were prepared. An appropriate index will be used for the type of infrastructure sought and has been set out in the relevant section.

# Appendices

**Appendix 1 - Infrastructure Requirements for Core Strategy Strategic Sites excluded from CIL**

<b>Infrastructure provision</b>	<b>North-East, Didcot</b>	<b>Ladygrove East, Didcot</b>	<b>Site B, Wallingford</b>
Allocation site for	2,030 dwellings	647 dwellings	555 dwellings
Affordable housing	40% affordable housing on site	40% affordable housing on site	40% affordable housing on site
Education	<p>1 no x 2FE (full cost of construction) and 1 no x 1FE primary school, requiring 2.22 ha land (each) including early education provision.</p> <p>Land for new secondary school. 8.68ha land, sufficient for a 1,200 pupil facility.</p> <p>Contributions based on pupil generation towards construction of a second primary school, a secondary school and Special Education Needs.</p>	<p>Financial contribution towards the timely provision of extra primary education at North-East Didcot to ensure that the composite provision there is of 2no x 2FE primary schools. If such timely provision is not achievable then, at this site the provision of a new 1FE primary school including early education (with capacity to expand to 2FE), requiring 2.22 ha land will be sought.</p> <p>Financial contribution for new secondary school at North East site.</p> <p>Financial contribution towards new Special Education Needs provision in Didcot area</p>	<p>Provision (full cost of construction) of new 1 FE primary school. Land for one primary school ,2.22 ha (with capacity to expand to 2FE)</p> <p>Financial contribution based on pupil generation towards expansion of Wallingford secondary school and Special Education Needs provision</p>

<b>Infrastructure provision</b>	<b>North-East, Didcot</b>	<b>Ladygrove East, Didcot</b>	<b>Site B, Wallingford</b>
Transport	<p>Access from existing roundabouts on the A4130 NPR and from the north-south B4016</p> <p>Highway on and off site works identified through the Transport Assessment.</p> <p>Financial contribution towards the delivery of - the Science Bridge scheme - the Northern Perimeter Road (phase 3) scheme - the A4130 widening scheme - the Culham river crossing - Jubilee way roundabout - Strategic bus network</p>	<p>Access to site (through S278 Agreement)</p> <p>Highway on and off site works identified through the Transport</p> <p>Assessment and further masterplanning work Financial contribution towards the delivery of - the Didcot Northern Perimeter Rd (phase 3) direct delivery of northern section (A4130 to northern edge of site) - the Science Bridge scheme - the Northern Perimeter Road (phase 3) scheme - the A4130 widening scheme (east of Milton Interchange to Science Bridge) - the Culham river crossing scheme Jubilee way roundabout Strategic bus network</p>	<p>New access onto A4130, alterations to existing access on Wantage Road Highway on and off site works identified through the Transport Assessment.</p> <p>Where appropriate financial contribution towards the delivery of - the Northern Perimeter Road (phase 3) - the A4130 widening - the Culham river crossing - Jubilee way roundabout - Strategic bus network</p>
Public transport	Financial contribution for public transport improvements to and from the site	Financial contribution for public transport improvements to and from the site.	Financial contribution for public transport improvements to and from the site
Bus stops	Provision of bus stops and associated infrastructure.	Provision of bus stops and associated infrastructure.	Provision of bus stops and associated infrastructure.
Walking and cycling	Pedestrian and cycle links within the site and links into existing network e.g. national cycle route underneath the Northern Perimeter Road bridge to the south west corner.	Provision of pedestrian and cycle links and associated infrastructure, both within the site and to/from local services and facilities in Didcot and links to National cycle network.	Provision of pedestrian and cycle links and associated infrastructure, both within the sites and to/from local services and facilities in Wallingford and links to National cycle network.
Travel Plan	Travel plan monitoring	Travel plan monitoring	Travel plan monitoring
Public Rights of Way	Financial contribution for on and off site works in relation to Public Rights of Way network (existing route to Wittenham Clumps)	Financial contribution for on and off site works in relation to Public Rights of Way network (existing route to Wittenham Clumps)	Financial contribution for on and off site works in relation to Public Rights of Way network (footpaths 16 / 28).

Infrastructure provision	North-East, Didcot	Ladygrove East, Didcot	Site B, Wallingford
Indoor and outdoor recreation and sports facilities	<p>3.8ha for the leisure facility (leisure centre and all weather pitch) plus land to provide pitches and a pavilion to a total land take of 14ha. Leisure centre and pitches and pavilion to have separate access points.</p> <p>Adequate parking to serve both facilities incl. disabled and coach parking.</p> <p>Facilities should link with pedestrian and cycle network (Sustran). 10.2 ha is to be provided to include land for pitches and a pavilion (subject to change once the playing pitch strategy is adopted). The pavilion is to include 6 changing rooms plus other facilities (club meeting room, kitchen, storage) to meet Sport England standards and national governing bodies.</p> <p>The leisure development site is to incorporate a jogging/cycle trail.</p> <p>Provision for floodlit tennis courts.</p> <p>The management of the outdoor pitches and associated facilities will be negotiated separately to the leisure centre.</p>	<p>Financial contribution to new leisure centre in the Didcot area</p> <p>This development generates a need for 1.26 tennis courts. Land to be provided for 2 court floodlit site</p> <p>1.68 ha of football pitches 0.42 ha of cricket and 0.25 ha of rugby. Provide land and develop 2.35 ha joint football fields and 8-strip cricket field on site. Plus a financial contribution of a football/ cricket pavilion</p> <p>Financial contribution for a 0.31 ha MUGA</p>	<p>Financial contribution towards Leisure Centre</p> <p>0.48 ha outdoor sport provision</p> <p>1.5 ha pitch provision</p>
Play areas	<p>4.25ha for play comprising at least 1.6ha of formal play space, which should take the form of equipped play areas and informal play to serve all ages.</p> <p>A MUGA (782 sq.m) to be provided on site.</p> <p>Commuted sum for the maintenance, if not managed by a management company</p>	<p>1.22 ha for play comprising 0.76 ha casual and 0.46 ha equipped pay space.</p> <p>Commuted sum for the maintenance, if not managed by a management company.</p>	<p>0.95 ha for play comprising of LAP, LEAP and NEAP</p> <p>Commuted sum for the maintenance, if not managed by a management company</p>



<b>Infrastructure provision</b>	<b>North-East, Didcot</b>	<b>Ladygrove East, Didcot</b>	<b>Site B, Wallingford</b>
Open space/ amenity space	At least 10% of the site to be informal open space. Much of the space can be provided in combination with SUDs and some areas prone to flooding. Also the gas pipeline constraint strip can be promoted as part of the open space. Commuted sum for maintenance, if not managed by a management company.	10 sq.m per person or 10% of the site (whichever is greater) as informal open space. Commuted sum for the maintenance, if not managed by a management company.	10 sq.m per person or 10% of the site (whichever is greater) as informal open space. Commuted sum for the maintenance, if not managed by a management company.
Green space and biodiversity	Tree survey and ecological survey to be submitted and findings considered in masterplan. Mitigation on-site or off-site habitat creation, restoration and management to mitigate or compensate biodiversity impacts.	Green space (not less than 8 ha incl. local park of 6ha)	4.4 ha of green infrastructure (according to IDP)
Allotments	1.5ha for allotments on-site including vehicular access, disabled parking, raised beds, water and secure fencing. Not to be located in the floodplain.	0.46ha for allotments on-site including vehicular access, disabled parking, raised beds, water and secure fencing.	0.36ha for allotments on-site including vehicular access, disabled parking, raised beds, water and secure fencing.
Community centres/halls	Provision of neighbourhood centre including shops and a community centre, parking and outdoor space for markets. It is suggested that an overall site area for the local centre, incl. one large community centre, and some residential should be 3 ha. The community facility needs to be provided early in the development and funding for a community development worker is also required. If Didcot Town Council are not willing to manage the community building an alternative management arrangement will need to be secured.	Neighbourhood centre and community centre according to policy in Local Plan (tbc)	Financial contribution for enhancement of existing community hall

<b>Infrastructure provision</b>	<b>North-East, Didcot</b>	<b>Ladygrove East, Didcot</b>	<b>Site B, Wallingford</b>
Integrated Youth support service	There is scope to provide services within the community centre	Financial contribution towards enhancement of existing facility at North East Didcot or GWP	Tbc
Adult learning	There is scope to provide facilities within the community centre	Financial contribution towards facility at North East site Didcot	Tbc
Health and Wellbeing provision (Adult Day Care)	Financial contribution towards Health and Wellbeing centre in Didcot	Financial contribution towards Health and Wellbeing centre in Didcot	Financial contribution towards Health and Wellbeing in Wallingford
Fire and Rescue	Fire hydrants (to F&RS specifications) to be provided on site – secured via a planning condition	Fire hydrants (to F&RS specifications) to be provided on site – secured via a planning condition	Fire hydrants (to F&RS specifications) to be provided on site – secured via a planning condition
Recycling	Financial contribution towards enhancement of Household Waste Recycling Centre (Drayton) or nearest alternative and provision of recycle and waste bins	Financial contribution towards enhancement of Household Waste Recycling Centre (Drayton) or nearest alternative and provision of recycle and waste bins	Financial contribution towards enhancement of Household Waste Recycling Centre (Oakley Wood) or nearest alternative and provision of recycle and waste bins
Health	Site related improvements to doctors surgeries	Site related improvements to doctors surgeries	Site related improvements to doctors surgeries
Libraries	Financial contribution towards increasing capacity at Didcot library with commensurate book stock provision	Financial contribution towards increasing capacity at Didcot library with commensurate book stock provision	Financial contribution towards increasing capacity at Wallingford library with commensurate book stock provision
Public art/Public realm	Site related provision and management of public realm/public art including increase accessibility for disabled in Didcot town centre	Site related provision and management of public realm/public art including increase accessibility for disabled in Didcot town centre	Site related provision and management of public realm/public art including increase accessibility for disabled in Wallingford town centre
Air Quality	Mitigation measures required directly as a result of the development and contribution towards wider air quality measures.	Mitigation measures required directly as a result of the development and contribution towards wider air quality measures.	Mitigation measures required directly as a result of the development and contribution towards wider air quality measures.
Street naming	Provision of street naming and street nameplates	Provision of street naming and street nameplates	Provision of street naming and street nameplates

<b>Infrastructure provision</b>	<b>North-East, Didcot</b>	<b>Ladygrove East, Didcot</b>	<b>Site B, Wallingford</b>
Flood Protection and water management	A flood risk assessment and drainage strategy is required. Plan and sections to show existing ground and proposed ground and slab levels.	A flood risk assessment and drainage strategy is required.	A flood risk assessment and drainage strategy is required.
Sustainable Drainage System	SUDS to be implemented across the site before construction to provide sufficient discharge to the stream (Ladygrove Brook). Phasing requirements for drainage to be submitted. Roads and hard surfaces to incorporate permeable construction methods.	SUDS to be implemented across the site. Roads and hard surfaces to incorporate permeable construction methods	SUDS to be implemented across the site. Roads and hard surfaces to incorporate permeable construction methods

**Appendix 2 - Summary table of relevant planning policies (to also include any new or updated policies)**

	<b>Core Strategy</b>	<b>Saved policies in the Local Plan</b>
Infrastructure provision	CSI1	D11
Affordable housing	CSH3	H10
Education	CSI1, CSEM1, CSDID3, CSDID4, CSTHA1, CSWAL2	
Adult learning	CSI1	
Transport	CSM1, CSM2, CSDID1, CSDID2, CSDID3, CSDID4, CSHEN1, CSTHA1, CSWAL1, CSWAL2, CSR3, CSI1	T1, T2, T7 D5 (iii)
Public Rights of Way	CSWAL2	R8
Indoor and outdoor recreation and sports facilities	CSDID2, CSDID3, CSDID4, CSHEN1, CSTHA1, CSWAL1, CSI1, CSR3	R1, R2, R3, R4
Play areas	CSI1	
Open space/ amenity space	CSI1	D3, R6, HEN4
Green space and biodiversity	CSG1, CSB1, CSDID4	C6, C8, C9
Allotments	CSI1	R6
Community centres/halls	CSDID2, CSR3, CSI1	CF2
Children's centre and nursery provision	CSI1	
Integrated Youth support service	CSI1	
Cemeteries	CSI1	
Community safety	CSDID2, CSQ3, CSI1	D6
Recycling	CSI1	D10
Health	CSDID4, CSR3, CSI1	
Libraries	CSI1	
Museum resource centre	CSI1	
Public art/Public realm	CSDID1, CSDID2, CSQ3, CST1	D12
Air Quality	CSM1, CSDID1, CSWAL1, CSWAL2	
Flood Protection and water management	CSQ2	EP4
Sustainable Drainage System	CSQ2	EP6
Health and Wellbeing provision for the Elderly	CSI1	
Fire and Rescue	CSI1	

### **Appendix 3 - Approach to negotiating planning obligations and assessment of need**

The council will seek to negotiate planning obligations on the following basis:

- The district council will in co-operation with the county council and other bodies identify the impacts expected to arise from development proposals on infrastructure such as enabling transportation works, schools and libraries and highlight the need for planning obligations as early in the application process as possible.
- On strategic sites, where infrastructure will be secured through Section 106 the district council will discuss with the local parish the need for community infrastructure, with reference to the outdoor recreation and sports facilities, play areas and community facilities. Neighbourhood Plans and Community Plans will help identify the need for necessary infrastructure.
- Where the need arises for provision and/or contributions to services not administered by the district council we will work with the County Council and other agencies, where necessary.
- We will require a financial appraisal and supporting evidence (preferably at pre-application stage) in cases where the applicant considers that the site with the proposed development cannot viably support the identified infrastructure requirements.
- We will seek confirmation that the applicant will pay the local authorities' legal costs and will need details of the ownership of the application site before any legal work takes place.
- We will require the applicant/developer to bear the local authorities' costs to administer and monitor the compliance of obligations (please see Appendix 4).
- Where a scheme requires a S106 agreement, for instance a major planning application for residential development draft heads of terms for a Section 106 legal agreement should be submitted with the planning application. The draft Section 106 legal agreement should be agreed before the planning application is referred to Planning Committee. The legal agreement must be then signed and completed before the issue of a planning permission. The absence of a necessary planning obligation may be sufficient for the council to refuse permission.
- Where an application is made that is part of a wider development area then masterplanning for the wider site must

also be shown, with appropriate landowner agreements shown to be in place, so that infrastructure needs are planned in for the wider area.

- All parties will need to act quickly/efficiently, effectively and reasonably to secure the timely completion of agreements prior to the issuing of any planning permission. This highlights the need to engage with all parties involved at an early stage.

### Assessment of need

In assessing the impact and likely demand for infrastructure arising from a new housing development, an estimate of the likely occupancy and therefore additional population is used as set out below:<sup>7</sup>

1 bedroom – 1.28 persons

2 bedrooms – 1.87 persons

3 bedrooms – 2.75 persons

4+ bedrooms – 4.01 persons

The above occupancy rates per unit will be applied to all residential development proposals of 400 dwellings and under. For larger developments an excel based model known as POPCAL 10 will be used to calculate a detailed population profile associated with the proposed development.

Where the precise amount of development is not specified in an outline application the agreement will include a mechanism for the contributions to be calculated pre and/or post-implementation according to the housing mix approved at reserved matters.

Where on site provision is required the council will expect facilities and open space to be provided in accordance with a detailed specification of works and proposals for ongoing maintenance, to be submitted and agreed at detailed application stage. A supplementary agreement setting out management arrangements will need to be signed before the issue of a planning permission.

### **Education (primary, secondary, special needs)**

The table below sets out (for those proposals where a bespoke POPCAL 10 assessment is not appropriate i.e. 400 and fewer units) the expected pupil generation rates per dwelling.

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<sup>7</sup> Occupancy rate derived from the Oxfordshire Survey of New Housing, 2008

**Table 1 - Pupil generation rates per dwelling**

	1 Bed	2 Bed	3 Bed	4+ Bed
Primary (4-10)	0.00	0.20	0.39	0.51
Secondary (11-15)	0.00	0.11	0.24	0.39
Sixth Form (16/17)	0.00	0.01	0.03	0.07

These rates are derived from the Oxfordshire Survey of New Housing (2008). A reduction of 15% has been applied to the rates to take account of pupils using the independent sector. A further reduction has been applied to the sixth form rates as it is recognised that not all children will stay in school into the sixth form.

Based on the current number of children being educated in Special Educational Needs (SEN) schools in Oxfordshire 1.11% of the total estimated pupils will need to be educated in a SEN school (the majority of pupils with a statement of special educational needs are educated in “mainstream” schools).

## **Appendix 4 - Monitoring fee**

The completion of a planning obligation involves the district council in various admin/monitoring work which places a cost burden on the authority. This work is directly related to Section 106 agreements, which are themselves necessary to enable development. The council recovers the cost of the administration and monitoring of each agreement through Section 106 monitoring fees. This work includes:

- Updating and maintaining a planning obligations database;
- Ensuring that all the financial and non-financial obligations in agreements are met (excluding taking enforcement action);
- Providing calculations, sending invoices and receiving payments;
- Ensuring financial contributions are used for the specific purpose outlined in the obligation;
- Keeping and maintaining transparent accounting procedures;
- Providing regular updates for Councillors, Cabinet, Scrutiny Committees and the wider community

Tasks undertaken by the Housing team in relation to monitoring of Section 106 agreements include:

- Ensuring that milestones within the Section 106 are met and that the Registered Provider's contract with the developer matched the requirements in the Section 106 in terms of unit type, size and tenures as well as site layout.
- Once construction has started, following up with the Registered Provider on a regular basis to ensure delivery of completed units is in line with initial agreed delivery programme.
- Resolving any issues arising which could impact on affordable housing delivery in line with agreed timescales and conditions.

If there is no management company in place work in relation to on-site infrastructure and open space includes:

- Undertaking site visits to ensure that infrastructure has been provided in accordance with the Section 106 agreement and that it is fit for purpose.
- Resolving any issues and carry out a second site visit to sign off the works.
- The length of time taken to carry out the monitoring of on-site open space will depend on the amount of open space to be monitored.

Monitoring fees can be found on the council's website  
<http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/delivering-infrastructure/section-106>





## Appendix 5 – Commuted sums

<b>South Oxfordshire SPD 106 Commuted Sums</b> <b>For the Maintenance of Public Open Space and Playing Fields: Detailed Costs Table</b>					
<p>Please note that the creation of a Management Company is the council's preferred way to manage the ongoing maintenance of public open space and other on-site facilities. The council will only seek maintenance costs in those exceptional circumstances where facilities are transferred to a third party e.g. a parish council.</p>					
Maintenance cost (including management cost) Based on Q1/2015 Costs (BIS Repair and Maintenance)	Comment	Cost per sqm/yr	Cost per linear m/yr	Costs per item /yr	Commuted Cost over 20 years
<b>Table 1: Public open space by area (when not managed by management company)</b> <b>Overall indicative management costs</b>					
Small area up to 1,000 sqm		£29.47			
Medium areas (semi-natural) from 1,00 to 10,000 sqm		£19.63			
Medium areas (formal park/green civic space) from 1,000 sqm to 10,000 sqm		£39.22			
Large areas over 10,000 sqm		According to agreed masterplan			

<b>Table 2: Breakdown of the costs associated with different types of open space management (when not managed by management company)</b>					
<b>Maintenance cost (including management cost) Based on Q1/2015 Costs (BIS Repair and Maintenance)</b>	<b>Comment</b>	<b>Cost per sqm/yr</b>	<b>Cost per linear m/yr</b>	<b>Costs per item /yr</b>	<b>Committed Cost over 20 years</b>
Woodland matrix planting (large sites)	Newly planted. Large sites.	£27.00			£540.00
Individual tree (small sites)	Newly planted, up to 15 to 20 trees @/100sqm. Otherwise use woodland matrix cost			£20.54	£589.02
Hedge/shrub matrix	Min 10% cover	£0.40			£11.47
Wildflower swards		£0.30			£8.66
Damp grassland/mainly wet balancing areas		£0.20			£5.86
Rough grassland/mainly dry balancing areas		£0.15			£4.33
Amenity grass (in park)		£0.20			£5.74

<b>Civic Centre:</b>					
Individual tree	Use for individual trees and individual trees in rows etc.			£20.54	£589.07
Shrubs beds		£3.79			£108.79
Amenity grass areas (in centre): mowing, cleansing, general maintenance etc.		£0.52			£14.78
Block paving/ Hard surface etc.		£4.89			£140.13
<b>Existing habitat/features:</b>					
Pond/open water		£0.28			£8.15
Hedgerow – new	New, regularly maintained		£1.36		£38.98
Hedgerow – existing			£3.11		£89.18
Mature tree individual	Typically existing mature tree			£162.68	£4,665.00
Semi-mature tree				£82.12	£2,354.99
Woodland newly planted		£27.00			£540.00
<b>Sport, Recreation and Play:</b>					
LEAPS	Repair, maintenance, site cleansing	£2.63			£92.00
NEAP	Repair, maintenance, site cleansing	£4.63			£159.00

MUGA	Repair, maintenance, site cleansing				£36,800.00
Skate Park	Repair, maintenance, site cleansing				£36,800.00
Sport pitches. NB: indicative costs. For detailed costs see the Sports and Leisure Commuted Sums document. Excludes pavilion/clubhouse costs	Item cost based on an adult football pitch- including safety margin = 107.90m x 71.33m (0.7697ha) and using Sport England Protecting Playing Fields Cost Sheet 2014, excl abnormal	£1.35		£11,700.00	£298,101.00
Artificial grass pitch		£2.34			£67.02
<b>Amenity Other:</b>					
Tarmac paths	Assume 2m width		£7.77		£222.68
Crushed stone paths	Assume 2m width		£3.86		£111.34
Seat/bench	Re-staining/repainting and repairing			£29.39	£840.80
Allotments	Boundary fences and roadway maintenance	£3.00			
Litter bins emptied: fortnightly	including disposal			£71.00	
Litter bins emptied: 1x per week	including disposal			£142.00	
Litter bins emptied: 2x per week	including disposal			£284.00	
Litter bins emptied 3x per week	including disposal			£426.00	
Litter bins emptied 4x per week	including disposal			£568.00	
Litter bins emptied 5x per week	including disposal			£710.00	

Litter bins emptied 7x per week	including disposal			£994.00	
Dog bins emptied: fortnightly	including disposal			£163.54	£4,689.79
Dog bins emptied: 1x per week	including disposal			£366.13	£10,556.79
Dog bins emptied: 2x per week	including disposal			£736.27	£21,113.58
Dog bins emptied 3x per week	including disposal			£981.25	£28,138.71
Dog bins emptied 4x per week	including disposal			£1,308.33	£37,518.28
Dog bins emptied 5x per week	including disposal			£1635.41	£46,897.85
Dog bins emptied 7x per week	including disposal				

## **Appendix 6 - Specifications for Children's play provision**

A detailed specification will be required to be submitted with a full application or at each detailed Reserved Matters application[s] stage and will be subject to community consultation.

Each equipped play space is to be designed to be interesting, varied challenging and stimulating providing a range of opportunities, including running, balancing, sliding, climbing, swinging, crawling and jumping, socialising, playing ball games and being generally active, in accordance with the Fields in Trust: Planning and Design for Outdoor Sport and Play, 2008. Each equipped play area will have good natural surveillance. They will be designed to be in accordance with the Equality Act 2010 and will be integrated with other open spaces and areas of existing and new planting. The design should take account of Government guidance on Developing an Accessible Play Space and ROSPA's guidance on accessible play areas.

### **General Characteristics for children's play provision**

Children's play areas should be:

- appropriate to the needs of the local community
- sited minimum of 10 m from the nearest dwelling boundary or 30 m from the nearest door or window of the nearest dwelling, whichever is less, and to include buffer planting to screen site without compromising passive surveillance
- Separated from major vehicle movement and accessible from pedestrian routes and cycle ways
- Surfaced path to access site
- Safety surfacing for all equipment to comply with the relevant standard to EN1177, free from surface water ponding and designed to limit the need for maintenance
- Safety surfacing around equipment for toddlers to be wet pour or similar approved. Bark, timber chips and tiled finishes will not be acceptable.
- All equipment must comply with the relevant standard to EN1176
- The boundaries of the play area should be recognisable by either fencing or landscaping. Perimeter fences are generally considered inappropriate though some fencing may be necessary if the site adjoins one or more roads. If the site is enclosed there should be two, outward-opening, self-closing gates on opposite sides of the site and one maintenance gate. If fencing is used, a height of 1 metre is suggested. Depending on location, there may need to be a barrier limiting the speed of a child entering or leaving the site.
- Optimum use of changes in level, textural and colour variety in materials used to stimulate senses
- Integrated, as far as possible, with other open spaces and areas of amenity planting to provide separation from nearby dwellings

### **Facilities and Features**

- LAP: It may contain demonstrative features that allow young children to identify and claim the space as theirs. Depending on the location it may have a 600mm guard rail, low fence or planting to indicate the perimeter.
- LEAP: Not less than 5 types of equipment to provide a variety of challenges and experiences designed for a range of ages, at least some of which should be suitable for disabled users.
- NEAP: minimum activity zone of 1,000m<sup>2</sup>, comprising an area for play equipment and structures, and a hard surfaced area of at least 465 m<sup>2</sup>
- The buffer zone is to include soft landscape; planting should be varied to provide a mix of scent, colour and texture in accordance with the Fields in Trust
- Seating provision close to equipment in sun and shade
- Litter bins at entrances
- More adventurous play to be sited separately
- Signage stating name and telephone number of agency responsible for maintaining site

### **Planting and Biodiversity**

- Good mix of “child-friendly” (i.e. not sharp, spiky or poisonous) plant and tree species in the vicinity
- Generous use of planting to enhance amenity, stimulate the senses of sight, sound, touch and smell

### **Post Installation Safety Inspections**

Post installation equipped play areas will be subject to a post installation RoSPA inspection. An inspection regime must be incorporated in the management and maintenance plan

### **Management and Maintenance**

A detailed maintenance schedule and management plan for 20 years maintenance will be submitted with detailed / reserved matter applications to be approved by condition. The maintenance and management must address safety inspections including weekly visual inspections and 3 monthly RoSPA inspections. The management shall include arrangements for litter picking, dog waste clearance, dog waste and general waste collection.



## **Glossary**

**Air Quality Assessment:** An assessment of the impact of a development on the levels of certain pollutants in the local area.

**Affordable Housing:** Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

**Biodiversity:** The variety of life on earth encompassing the whole range of mammals, birds, reptiles, amphibians, fish, insects, and other invertebrates, plants, fungi and micro-organisms.

**Community Infrastructure Levy:** The Community Infrastructure Levy (CIL) scales back the existing system of Section 106 (S106) planning obligations, to limit their use to site mitigation and provision of affordable housing, and to introduce a tariff-based system whereby developers will contribute to the cost of necessary infrastructure.

**Core Strategy:** Sets out the long-term spatial vision for the Council, the spatial objectives and strategic policies to deliver the vision.

**Green infrastructure:** The network of accessible, multi-functional green and open spaces.

**Infrastructure:** Service provision, physical infrastructure and amenity.

**In perpetuity:** means of endless duration, not subject to termination

**Local Area for Play (LAP):** a small area of unsupervised open space specifically designated for young children for play activities close to where they live

**Local Equipped Area for Play (LEAP):** an unsupervised play area equipped for children of early school age

**NEAP (Neighbourhood Area for Play):** An unsupervised site serving a substantial residential area, equipped mainly for older children but with opportunities for play for younger children. NEAPs and Multi Use Game Areas are considered strategic play areas as these serve for a larger catchment area.

**Planning condition:** Requirements attached to a planning permission to limit or direct the manner in which a development is carried out.

**Planning contributions:** Planning (developer /Section 106) contribution payments, which are necessary to be paid to the local planning authorities to mitigate the impacts of development and to make the development acceptable in planning terms.

**Planning obligation:** Legal agreements between a planning authority and a developer, (or undertakings offered unilaterally by a developer), that ensure that planning contributions and/or works related to a development are undertaken. For example, the provision of highways. Sometimes called “Section 106” agreements.

**Regulation 123 List:** Indicative list of those infrastructure types and/or projects that the council may wholly or partly fund by the CIL.

**Saved Policies:** Policies within development plans, local plans and structure plans that are saved for a time period during replacement production of Local Development Documents.

**Section 106 (Legal) agreement:** A legal agreement under section 106 of the 1990 Town and Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer/land owner, or undertakings offered unilaterally by a developer (see Planning Obligation).

**Section 278 (Legal) agreement:** A legal agreement made with Oxfordshire County Council (or occasionally in the case of strategic highways the Highways Agency) regarding improvements to the public highway.

**Strategic sites:** Strategic sites allocated through South Oxfordshire Core Strategy (Dec 2012) and are North East Didcot, Ladygrove East Didcot and Site B Wallingford

**Supplementary Planning Document (SPD):** Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the development plan and are not subject to independent examination.

**Sustainable Community Strategy (SCS):** The Sustainable Community Strategy is a long-term strategy to promote the social, economic and environmental wellbeing of the District and improve the quality of life of its resident.

**Unilateral undertaking:** A type of planning obligation distinct from an agreement in which only one party makes an express promise, or undertakes a performance without first securing a reciprocal agreement from the other party.

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Listening Learning Leading