

# Local Development Framework

## Planning Obligations Supplementary Planning Document



This Supplementary Planning Document was adopted at the Council meeting on 30 April 2007 and is available for downloading at <http://www.oxford.gov.uk/spd>

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### Translations available

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提供有翻譯本  
तरजमे उपलब्ध है  
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The clear English standard does not apply to Appendix 4.

If you would like a copy of the document in larger print, Braille or audio tape, please contact the Planning Policy team.

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1. Gloucester Green cycle stands
2. Paradise Square environmental improvements
3. Old Headington traffic-calming measures
4. Spindleberry Park bridge
5. Affordable housing – Rivermead
6. Folly Bridge towpath improvements
7. Croft Road streetsports site
8. Jowett Walk environmental improvements
9. Frys Hill play area

## PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT

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## INTRODUCTION

1. The policies of the adopted Oxford Local Plan 2001-2016 aim to achieve well-planned, sustainable development. The City Council wishes to ensure that new development in Oxford comes with the necessary social and environmental infrastructure.
2. The purpose of this Supplementary Planning Document (SPD) is to:
  - explain how the City Council will seek to ensure speed, transparency and consistency in the implementation of Local Plan policies through negotiated planning obligations;
  - indicate the infrastructure that is likely to be needed to make development acceptable where it would otherwise be unacceptable in planning terms;
  - provide guidance on standard formulae for calculating contributions where appropriate;
  - set out standard legal agreements so all interested parties are aware from the outset of the likely form of deed and clauses.
3. This clear, definite, upfront approach is intended to help developers. It will indicate their likely infrastructure costs and the terms of related obligations from the outset.
4. The Oxford Local Plan policies remain in effect through the Local Development Scheme until they are replaced by new policies in a Local Development Document. This SPD seeks only to give further guidance on the implementation of particular policies within the Oxford Local Plan. However, it also reflects current national guidance.
5. This SPD does not cover every possible circumstance that may need to be taken into account in a planning obligation. Instead it focuses on the use of planning obligations to address the likely impact of proposed development in most cases. It gives guidance on charges and formulae and sets out standard clauses for the most common infrastructure needs and provisions. Other measures may be negotiated in particular circumstances.



The bull statue outside the Said Business School

## PART 1 – GENERAL GUIDANCE

### NATIONAL POLICY FRAMEWORK

6. A planning obligation is a legal agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning and Compensation Act 1991), usually in association with planning permissions for new development. It normally applies to an aspect of a development that cannot be controlled by imposing a planning condition or by other statutory controls. It can serve various purposes, including:
  - restricting the use of land;
  - requiring specific work to be carried out in, on, under or over the land;
  - requiring land to be used in a specific way; and
  - requiring a sum or sums to be paid to the local planning authority on a specified date or dates, or periodically.
7. Planning Policy Statement 1, *Delivering Sustainable Communities*, sets out the Government's overarching policy on the delivery of sustainable development through the planning system.
8. Guidance on the use of planning obligations is set out in ODPM Circular 05/2005. Planning obligations are negotiated agreements between local planning authorities and individuals with an interest in the land and are enforceable by the local planning authority concerned. For example, planning obligations might be used to prescribe the nature of the development (eg by requiring that a given proportion of housing is affordable); or to secure a contribution from a developer to compensate for loss or damage created by a development (eg loss of open space); or to mitigate a development's impact (eg through increased provision for transport). Obligations can also be secured through unilateral undertakings by developers. Contributions may either be in kind or financial.
9. The obligations created run with the land in perpetuity, so they may be enforced against both the original covenantor and anyone acquiring an interest in the land unless the agreement specifies otherwise.
10. Planning obligations must be:
  - relevant to planning;
  - necessary to make the proposed development acceptable in planning terms;
  - directly related to the proposed development;
  - fairly and reasonably related in scale and kind to the proposed development; and
  - reasonable in all other respects.
11. Government guidance goes on to say that developers may reasonably be expected to pay for, or contribute to, the cost of all or part of additional infrastructure necessitated only by their development. Where a development is unacceptable, it is not legitimate to permit it just because a developer offers benefits or inducements that don't make the development any more acceptable in planning terms. Similarly, obligations should not be used as a means of securing the local community a share in the developer's profits. Developers should not be expected to pay for facilities that are needed solely to remedy existing deficiencies, or to help achieve wider planning objectives where this is not essential to allowing consent for a particular development.
12. In November 2005, the Government issued a consultation document on proposals to collect nationally a supplementary levy on planning gain, based on a proportion of the rise in the value of land when planning permission is granted. Part of the revenue the Government received from this levy would fund regional infrastructure and part would be recycled to local authorities to spend 'as they think fit'. As a result, the Government proposes to reduce the scope of planning obligations to matters that relate specifically to the development site and to affordable housing. In December 2006, the Government issued a further consultation document on specific aspects of the proposals. The Government has stated that any planning-gain supplement system would not be implemented before 2009. Therefore, this SPD is needed in the interim.

## **SOUTH EAST PLAN**

13. The draft South East Plan (March 2006) lists as one of its core principles the need for timely infrastructure provision that keeps pace with development. It states that local authorities should include policies on how developers should contribute towards infrastructure and should prepare guidance on this in their local development documents in liaison with key agencies.

## **LOCAL POLICY**

### **OXFORDSHIRE STRUCTURE PLAN**

14. The adopted Oxfordshire Structure Plan 2016 (Policy G3) refers to the general need for developers to address the infrastructure requirements that result from new development. The County Council has published a general guidance note on this issue, 'Infrastructure Service Needs for New Development', (available on the County Council website [www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)). However, this SPD gives more detail about infrastructure needs in Oxford.

### **OXFORD LOCAL PLAN**

15. The City Council is the local planning authority for determining planning applications. The infrastructure and community facilities required by the City Council's Local Plan policies and the types of development they apply to are set out in Table 1.
16. The Local Plan (policy CP.2) sets out the City Council's main policy for securing planning obligations. It states: 'Planning permission will only be granted when the City Council is satisfied that the direct physical, social and economic infrastructure, or other measures necessary to mitigate against the adverse impact of developments (including a proportional contribution to address the cumulative impact of the proposed development) and the relevant policy aims of the Development Plan, will be provided. The City Council, where appropriate, will seek to secure such measures through planning obligations.' In addition, Table 1 includes other Local Plan policies that refer to the obligations most commonly sought.
17. The City Council is the local authority responsible for deciding the level of

contribution and how it should be secured for types of infrastructure that a district council is responsible for, and for enforcing any on-site or off-site measures within the applicant's control. If infrastructure requirements relate to infrastructure under County Council control, the County Council will be responsible for advising on these requirements and will take part in the negotiations and obligations. The County Council will enforce any on-site measures for projects it is responsible for.

18. Appendix 1 sets out other Local Plan policies that refer to planning obligations, but in practice the measures sought would normally be achieved by condition or other means, and would only be included in planning obligations in site-specific circumstances.

<b>Table 1</b>				
<b>Local Plan Policy</b>	<b>Residential development</b>	<b>Non-residential development</b>	<b>Local authority responsible</b>	<b>Covered by section</b>
CP.2	Education		County Council	2.4
CP.2	Libraries		County Council	2.7
CP.2	Waste recycling centres		County Council	2.13
CP.2	Museum Resource Centre		County Council	2.8
CP.2	Day care provision for adults		County Council	2.3
CP.2	Youth service needs		County Council	2.14
CP.14, RC.10, RC.11	Public art	Public art	City Council	2.10
CP.9, TR.1-2, TR.4-5, SR.9-11, NE.6, RC.10-11	Pedestrian and cycle routes on-site measures, provision of specific off-site routes, general off-site measures and public access to developments near water courses	Pedestrian and cycle routes on-site measures, provision of specific off-site routes, general off-site measures and public access to developments near water courses	County Council	2.12
CP.9, TR.1-4, TR.7-9	Highways and Transport measures in general	Highways and Transport measures in general	County Council	2.12
TR.2	Travel plan monitoring	Travel plan monitoring	City Council	2.12
TR.6		Motorbike parking	County Council	2.12
TR.1-2 & TR.9	Park and Ride	Park and Ride	County Council	2.12
TR.7 & CP.9	Bus service and bus priority measures	Bus service and bus priority measures	County Council	2.12
TR.1-2, TR.13	Controlled parking zones	Controlled parking zones	County Council	2.12
NE.6, NE.17, NE.21 & NE.23 CP.2	Biodiversity	Biodiversity	City Council	2.9
CP.6 HS.4-7	Affordable housing on-site (or off-site in exceptional circumstances)	Affordable housing on-site (or off-site)	City Council	2.1
HS.16		Staff accommodation	City Council	2.1
HS.22-23 SR.2-3 SR.7-8 CP.2	Public open space/outdoor sports facilities Replacement sports facilities Children's play areas Allotments	Provision of public open space; joint use of new sports facilities provided by the private sector Replacement sports facilities	City Council	2.9
ED.5-8, ED.10		Student numbers	City Council	2.11
SR.15-16 CP.2	Community facilities	Joint use of community facilities provided by the private sector	City Council	2.2
CP.2 SR.3	Indoor sports facilities	Joint use of new sports facilities provided by the private sector	City Council	2.6
CP.9, RC.10-11 SR.7 TA.3		Environmental improvements Tourist information signs	County Council City Council	2.5

## STANDARD FORMULAE AND THRESHOLDS

19. Appendix 2 sets out the thresholds and standard formulae/charges that would normally apply to residential development where the impact of development is reasonably predictable. For outline schemes where the number of units is not specified, the contributions will be based on the number of dwellings in the indicative layout, provided this number complies with the Local Plan policies on density and strategic mix set out in the Affordable Housing SPD and with the balance of dwellings to be developed in a Balance of Dwellings SPD. Appendix 3 gives the same information for non-residential development. In some cases, the impacts and how contributions may mitigate them are less predictable and can only be established through site-specific investigation and negotiation.
20. The City Council encourages mixed-use developments in appropriate locations and would apply the standard formulae and charges in proportion to the number of dwellings and amount of non-residential floorspace proposed.

## POOLED CONTRIBUTIONS AND CULMULATIVE IMPACT OF DEVELOPMENT

21. Where a combination of several developments creates the need for infrastructure, the City and County Councils may pool contributions to meet that need. Infrastructure requirements may be identified and costed based on the cumulative impact of developments. The cost of the infrastructure will then be split in proportion to the needs arising from the proposed developments, to ensure that infrastructure is provided in a fair, equitable and timely way. The infrastructure would be progressed after funding to start an appropriate scheme had been secured.

## PLANNING OBLIGATIONS PROCESS

22. As stated in the City Council's Statement of Community Involvement, all applicants and their agents are strongly encouraged to discuss development proposals with the City Council planning team before they submit a formal planning application. However, this does not guarantee a proposal will be accepted. Discussion before applying may highlight the likely impact of the development, and suggest ways to mitigate it. Alternatively, infrastructure requirements will be identified when applications are submitted.

23. For major applications, a 'development team' will be set up to discuss the initial proposals. This team will include officers in other departments of the City Council and may include outside bodies, such as the County Council. However, while planning officers will offer advice, any advice given cannot influence or pre-judge the formal consideration of an application.
24. The City Council will tell applicants how it will secure the infrastructure needed (by unilateral undertaking or agreement) and who will be involved. Applicants should complete and return a legal questionnaire so that a draft obligation can be promptly prepared.
25. Applicants are encouraged to discuss and agree draft heads of terms at the pre-application stage whenever possible, so the obligation can be drafted when they submit the application. Planning officers will present to committee key aspects of a proposed obligation that are relevant to the application. The City Council expects to decide major applications involving a planning obligation within 13 weeks of submission, to meet targets set by the Government. If the applicant delays completing the obligation unduly, the committee will grant officers delegated powers to refuse the application.
26. Details of the procedures for securing the various infrastructure needs are set out in the City Council Negotiating and Implementing Planning Obligations Code of Practice (available on the City Council website).

## PRIORITY FOR INFRASTRUCTURE

27. Most developments are expected to satisfy all the infrastructure requirements identified. Applicants who say they cannot meet all infrastructure requirements because they think these are not viable must support their case with financial evidence, which they should submit with the planning application. The evidence will be open to public scrutiny and, where necessary, will be audited by external experts. When applicants submit evidence of non-viability, the City Council will expect to see the calculations for the important factors set out in enough detail for viability to be properly assessed and tested. Any 'assumptions' must be clearly explained and justified. This evidence will be assessed on

whether the figures prove that the scheme would be unviable if it were to meet all planning obligation requirements.

28. The City Council expects developers to have considered the financial implications of the planning obligation policies when buying land for development or taking an option to buy the land. The City Council is aware that developers will try to maximise the land value for the landowners. However, the planning system is clear that legitimate planning obligations should be taken off the land value. So land cost will not be accepted as a reason for non-viability. An example of a potentially acceptable reason would be the extraordinary cost of clearing up a highly contaminated site.
29. In cases where the nature and scope of planning obligations sought may make a development less economically viable, the need for affordable housing will be balanced against the need for other infrastructure measures that will mitigate the impact of development, depending on the circumstances of the case.

#### MAINTENANCE CONTRIBUTIONS

30. Where a development results in a need for new infrastructure or a new facility and the infrastructure is passed to the City Council's ownership (eg open space provision, children's play area, public art), the City Council will require a maintenance contribution, generally as a one-off payment. The maintenance contribution to cover the physical upkeep of the facility will usually be equivalent to 10 years' maintenance cost and reflects the time lag between providing the new facility (with additional establishment costs such as replacing dead shrubs and trees) and including it in the public sector funding stream. Where developers choose to retain responsibility for the facility, they will need to be bound by a planning condition to ensure proper maintenance (or by obligation on sites involving biodiversity issues).

#### LEGAL AGREEMENTS

31. Appendix 4 sets out a standard unilateral undertaking and an agreement with standard clauses. These broadly follow the standard agreement in the Planning Obligations Practice Guidance.
32. Developers will be encouraged to use unilateral undertakings in the standard form in Appendix

4 when the contributions required towards infrastructure for solely City Council or solely County Council functions are currently under £10k. Such payments are made in full on completion of the unilateral undertaking. They do not require the local authority to establish title to land and should require less time to complete. Any other unilateral undertaking offered by an applicant would need to be assessed by the appropriate legal teams and may not benefit from the streamlined process of the standard unilateral undertaking. Non-standard unilateral undertakings may need to prove title and confirm other legal elements. Unilateral undertakings may also be offered under the planning appeal process.

33. Agreements are required when securing funding currently above £10k or infrastructure that both the City and County Council are responsible for. Contributions are normally payable when development starts.
34. Financial contributions must be index-linked to maintain the real value of the payments, so that the infrastructure can be provided in good time. The indices used will differ according to the type of infrastructure concerned. The Royal Town Planning Institute's (RTPI) Building and Construction Information Services (BCIS) all-in tender price index will be used for buildings, while for highway works, the monthly bulletin of indices produced for the DTI would be appropriate. The Halifax Price Index for the South East will be used for affordable housing contributions. All obligations will include penalty clauses for late payments (See Appendix 4, clauses 2.6.1-2.6.3 and clause 6).
35. Where the precise level of development in an outline permission requires subsequent approval, the obligation will include clauses allowing for a proportionate increase in the scale of contributions. For example, where outline permission is granted (and the indicative layout on which the contributions are based is for 20 units of housing), if the reserved matters application increases this to 25 units, the obligation will include formulae requiring a proportionate increase in the contributions payable.
36. Applicants must meet the costs of preparing and producing the obligation, which will be charged at an hourly rate. Applicants will be asked to agree a solicitor's undertaking on costs or to provide part payment of legal fees in advance when submitting the legal questionnaire.

37. Once the planning obligation is signed, administrative costs are incurred on tasks such as providing on-site measures, receiving financial contributions and spending contributions in accordance with the terms of the obligation. This requires compliance checks, monitoring, project management and implementation by the City and County Councils. Standard charges will apply to recoup these costs. For large-scale developments, phased payments may be agreed by negotiation, although this will incur an additional administrative charge. The standard charges are:

Unilateral undertakings used for infrastructure up to £10k	£100
Contributions up to £10,000	£100
£10,001 to £25,000	£250
£25,001–£50,000	£500
£50,001–£150,000	£1,500
£150,001–£500,000	£3,750
£500,000–£1m	£5,000
Over £1m - £2m	£10,000
Over £2m	£10,000 plus 0.5% of any element of the contribution over £2m
City Council on-site measures or off-site measures within the applicant's control per clause	£700
City Council discharging of County Council clauses – per clause	£75

38. Where the City and County Councils are both party to the obligation, these charges will apply separately according to the respective functions of the two authorities. For example, for an obligation involving on-site affordable housing, a £55k transport contribution and a £15k contribution towards a play area, the developer should pay the County Council £1,500 (for the transport contribution) and £1,025 to the City Council (£700 for on-site measure plus £250 for play area plus £75 for discharging the County clause).

#### PREDICTED NEED FOR INFRASTRUCTURE PROVISION

39. **Residential development** – The Oxfordshire Structure Plan 2016 proposed that 6,500 dwellings should be built in Oxford between 2001 and 2016. The adopted Oxford Local

Plan 2001-2016 predicts approximately 7,200 dwellings to be built over the Plan period, which equates to 480 dwellings a year. In the first five years of the Plan period, approximately 2,900 dwellings were completed and planning permission was granted for a further 4,422 dwellings. This indicated that Oxford is likely to exceed the Local Plan target.

40. The Oxford Urban Potential Study 2005 predicts 3,320 more dwellings to be built (excluding those that have already gained planning permission) and these additional dwellings could contribute towards infrastructure.

41. The Oxfordshire Survey of New Housing in Oxford undertaken by the County Council provides information on the average occupancy of bedrooms per type of property. These averages will be used to calculate the infrastructure needs per dwelling.

No. of bedrooms in property	Occupancy all people
1	1.40
2	1.88
3	2.68
4+	4.41

42. **Non-residential development** – The Oxford Local Plan identifies non-residential or mixed-use development sites that may come forward for development in the next 10 years. An analysis has been made of the predicted increase in floorspace from the potential development sites identified in the Plan. This information has informed the predicted overall increase in additional peak-hour trips likely to arise from new development and is set out in more detail in the transport section.

## PART 2 – TYPES OF INFRASTRUCTURE

43. This section sets out the types of infrastructure for which developer contributions are sought, including the thresholds that apply and the standard charges/formulae where appropriate.
44. The Background Papers (available on the City Council website) give further information on the locations of existing or proposed infrastructure, explain in more detail the deficiency of infrastructure, and set out how the contributions are formulated.

### 2.1 AFFORDABLE HOUSING

45. Oxford's Housing Requirements Study 2004 identified a need for between 1,700 and 1,800 additional affordable dwellings per year over the Local Plan period.
46. The gap between the predicted increase in all new housing and the specific need for affordable housing means every opportunity must be taken to build affordable housing on suitable sites.
47. The Local Plan requires affordable housing as part of any development of 10 or more dwellings, or on a site that includes residential development and has a capacity of at least 10 dwellings, or on a residential site with a gross area of at least 0.25ha. Developers may not get round this policy by artificially subdividing sites. The City Council will require generally at least 50% of the total number of dwellings on site to be affordable housing.
48. Affordable housing should be provided as part of the proposed development unless the City Council and the developer consider it is preferable for a financial or other contribution to be made towards the provision of an element of affordable housing on another site.
49. Where a need for affordable housing is directly related to a commercial development, the City Council will seek a financial or other contribution appropriate to the scale and kind of development. This will not be applied to retail developments or to non-profit making public sector projects such as those in the education and health sectors.
50. The City Council has produced an Affordable Housing SPD giving more details of the affordable housing policies and how they should be implemented.

Threshold:	Residential – 10 or more dwelling or 0.25ha
Contribution: generally a minimum 50% on site. In exceptional circumstances financial contribution:	See extract of Affordable Housing Supplementary Planning Document Appendix 2 for formulae

Threshold:	Non-residential - where justified
Contribution if not provided on-site:	See extract of Affordable Housing Supplementary Planning Document Appendix 3 for formulae



Affordable housing at Elizabeth Jennings Way

## 2.2 COMMUNITY FACILITIES

- 51.** Community centres represent a vital resource for building a cohesive community. Such centres can provide a wide range of leisure activities for a range of groups. Where residential developments will increase the need for such facilities, the City Council will seek a contribution towards either building more facilities or improving existing facilities.
- 52.** A study by Strategic Leisure Limited (November 2005) for Oxford City Council reviewed community centre provision in the public, commercial and voluntary sectors and identified several centres where improvement to the quality of provision was needed. The City Council owns 24 community centres and there are also 28 private community centres. They are reasonably well distributed throughout Oxford.
- 53.** Dedicated community centres are not available in seven wards. Of the existing City Council facilities, 13 out of the 24 were assessed as being of average quality or below. Of the 28 private sector facilities, 16 were rated as average or below. Additional population generated by new development will place additional demands on community facilities, so these will be inadequate to serve the new development. Therefore the quality of provision clearly needs improving to allow greater use of the community centres.
- 54.** For residential developments of 20 or more dwellings, the Community Development and Regeneration team will advise on whether contributions towards a community centre are appropriate. Any such contributions will be agreed by negotiation according to the specific requirements arising from the application.
- 55.** Where community centres are provided by the private sector, any charges made for facilities should be affordable. The City Council will seek to influence this with a joint use agreement.

Threshold:	Residential where justified – 20 or more dwellings
Contribution:	By negotiation

### 2.3 DAY-CARE PROVISION FOR ADULTS

- 56.** Resource centres and day centres provide support for older people in an environment where they can mix and make friends. The resource centres and day-care centres provide a range of facilities for older people to enable them to live safely and independently in their homes for as long as possible. The County Council may seek contributions from residential proposals towards improved provision of and access to such facilities where the proposals are expected to place an extra demand upon adult day-care provision. The adequacy of existing facilities will be assessed.
- 57.** An estimate of the demands likely to arise from residential development proposals on adult resource and day-care facilities will normally be based on the average occupancy of persons aged 65 years and older in the development (information provided in the County Council survey of people in new housing in Oxfordshire 2005). Proposals incorporating designated elderly accommodation will be assessed separately.

Threshold:	Residential development of 10 or more dwellings where justified based on the number of 65-year-olds (and above) per average dwelling:			
	1-bed	2-bed	3-bed	4+ bed
	0.15	0.28	0.15	0.15
Contribution:	By negotiation			

- 58.** The resources centres will form the hubs of a network of smaller day centres. The resources centres and day-care facilities would provide a service to meet higher levels of need arising in part from new development and should also become important resources for the local communities.
- 59.** The centres would provide a range of services to meet a spectrum of needs such as information and advice, health promotion activities, social contact and involvement in local groups. They will enable more people to live at home and will promote social inclusion.
- 60.** For larger-scale developments, supported housing may have to be provided on site.

## 2.4 EDUCATION

- 61.** Education infrastructure is an integral part of new residential development and is an important element in achieving sustainable communities. Oxfordshire County Council is the local education authority (LEA) responsible for education provision. Developments likely to generate demand for more school places will be expected to contribute towards enhancing education facilities where these are insufficient to support the development. This may include contributions or the allocation of land (or both) to enable schools to be built or extended.
- 62.** Generally a financial contribution for an extension or upgrading of off-site education facilities will be sought from residential development that fills a school to over 95% of its capacity. Obligations may be required for:
- early years facilities (for children aged 0-3yrs);
  - primary school facilities (for 4-10 year olds);
  - secondary school facilities (for 11-16 year olds);
  - sixth forms (where applicable); and
  - Special Educational Needs (SEN) facilities (for 4-15 year olds).
- 63.** Contributions will not be sought from developments of one-bed dwellings, developments exclusively for students, or sheltered/elderly housing and other specialist housing developments where children will not be resident.
- 64.** The availability of school places will be calculated from the County Council's latest forecasts or those in the approved School Organisation Plan and schools admission policies current at the date a planning application is registered. The current Department for Education and Skills (DfES) cost multiplier will be used to calculate contributions to extending facilities.
- 65.** Calculations of contributions for schools will be based upon multiplying the number of children (of the appropriate age) moving into the new housing by the cost per pupil of extending schools. The costs per pupil are based on the DfES cost multipliers for Oxfordshire using,

where available, the extensions elements of the cost multipliers. The calculation will be based on the likely increase in pupils generated by the new development. The table below indicates the costs per dwelling likely to be required if a development increased the need for pupil places in areas where the local schools had insufficient spare capacity.

Threshold	Residential – 10 or more dwellings where there is an education need			
Contribution	1-bed	2-bed	3-bed	4+ -bed
Primary	£0	£864	£5,169	£6,461
Secondary	£0	£615	£3,687	£7,784
Sixth-form	£0	£128	£766	£1,617
Total:	£0	£1,607	£9,622	£15,862
Early Years and SEN	By negotiation			

- 66.** Because of current capacity in secondary and sixth-form provision, the contribution would be reduced for most areas of Oxford. In those parts of the city where the appropriate (partnership) secondary schools include Cheney School or The Cherwell School, the costs per dwelling (for contributions to secondary and sixth-form provision) can be reduced by 2/3rds. In areas where both those schools are the partnership schools, the reduction could be 50%. An adjustment may also be appropriate for primary schools where limited capacity is available.
- 67.** Where education needs could not be met by extending existing schools, the housing developers may have to contribute land and full funding for a new school. The costs of providing and equipping a new school will be calculated using the County Council's adopted Primary and Secondary School Briefs and Government advice.
- 68.** Any needs, arising from a development proposal, to expand or improve Early Years and Special Education Needs provision would be assessed and negotiated individually.

## 2.5 ENVIRONMENTAL IMPROVEMENTS

**69.** The City Council seeks new development that enhances the quality of the public space around the development. To achieve this, the Council wishes to create safe, attractive and user-friendly pedestrian areas in the City centre, district centres (Cowley Road, Cowley Centre, Headington and Summertown) and neighbourhood centres.

Threshold:	Non-residential – above 2,000 m <sup>2</sup> and changes of use that attract a large number of people within the city, district and neighbourhood centres
Contribution:	£15k per CCTV camera but will depend on location

**70.** The County or City Council (depending for example on land ownership) will seek, where appropriate, contributions towards environmental improvements such as enhanced pavement materials, street furniture, trees and landscaped areas, lighting and signs (including tourist information signs). The City Council will also seek contributions for the provision or enhancement of public squares and spaces.



Environment improvement scheme Jowett Walk

Threshold (may be on-site provision):	Non-residential – above 2,000 m <sup>2</sup> and changes of use that attract a large number of people within the city, district and neighbourhood centres
Contribution:	By negotiation

**71.** To keep the City centre a safe environment, the City Council will seek contributions to improve CCTV surveillance where the new development creates a need for additional CCTV cameras. CCTV is often said to be the single most effective measure in reducing the fear of crime; simply pointing out a CCTV camera can give vulnerable people confidence.

**72.** Whilst difficult to cost precisely, a single stand-alone CCTV camera costs approximately £15k, although there are considerable economies of scale if this is linked to an existing system, or several cameras are proposed at the same time. The idea is to allow total coverage, so that successive pan and tilt (multi-directional) cameras can achieve contiguous tracking. Where new or improved CCTV is needed, this will be sought where justified based on a costed improvement.

## 2.6 INDOOR SPORTS FACILITIES

73. The City Council considers it important to provide new facilities where there are gaps in existing provision, and to improve existing facilities where opportunity allows. Where new development generates additional demand for facilities, improvements to facilities will be sought to mitigate the impact of development. The City Council will also seek public access to private and institutional facilities through sharing schemes and joint user agreements.

74. There are currently eight City Council-operated indoor sports facilities. 13 sports facilities are provided by commercial operators, four by the voluntary sector and 10 by the education sector. Some facilities serve mainly the local community whilst others serve the City as a whole and beyond.

75. A study by Strategic Leisure Limited (November 2005) for the City Council assesses both City Council-operated facilities and those in the private sector. It examines different types of facilities and their locations across the City. It assesses future demand likely to arise from new development. It describes existing City Council-owned facilities as being of variable quality. Several of the indoor facilities therefore need improving. The study has helped to formulate the City Council's Sport and Leisure Strategy.

76. Further studies are currently looking at specific future requirements. They will clarify where further provision or improvements (or both) are needed to meet the additional demand. However, on the basis of the studies undertaken so far, they are likely to identify the need to seek improvements to indoor leisure facilities.

77. The method of formulating the contribution is based on Sport England participation rates as detailed in the Strategic Leisure study and construction and refurbishment costs. The contribution equates to £90 per person. The contribution will apply at a reduced rate of £60 per student room for student accommodation to

take account of the students' period of residence and other student facilities available.

Threshold:	Residential – 10 or more dwellings where there is a need to improve the local facilities			
Contribution:	Student accommodation			
	1- bed	2- bed	3- bed	4+ bed
	£125	£168	£240	£393
This equates to £90 per person. £60 per student place will be applied to student accommodation				



Barton swimming pool

## 2.7 LIBRARIES

**78.** Libraries are important to the cultural and social infrastructure of communities, backing up education provision for school children, students and lifelong learners. They also promote social inclusion, helping to bridge the gaps in access to information. All public libraries must be equipped to the national standard with Information and Communication Technology (ICT) facilities and internet access.

**79.** Oxfordshire County Council, as a public library authority, has a statutory duty under the Libraries and Museums Act 1964 to provide a comprehensive, efficient and modern library service to those who live, work or study within Oxfordshire.

**80.** As the library authority, the County Council must meet the Department for Culture, Media and Sport public library service standards, which cover issues such as distance to library facilities, provision of ICT and replenishment of book stock.

**81.** For a library service to be successful, community libraries must offer quality premises. Therefore, to maintain and improve the library service to the wider community the County Council will seek contributions to meet the extra demands arising from new development.

**82.** The formula for developer contributions from residential development is based on the County Council's adopted standard of providing 23 m<sup>2</sup> of publicly available library space for each 1,000 population, i.e. 0.023 m<sup>2</sup> per person, and as there is currently too little provision in all libraries in Oxford contributions will be sought from all residential developments that meet the threshold. An average of two items of stock (books, audiovisual material etc) per head of population should be provided in any new extension or facility. This contribution equates to £84 per person.

**83.** Oxford's large student population use the public library service as well as the university and college facilities. The number of full-time students is expected to rise, and therefore so are the demands on the public libraries. Taking

into account the education facilities and the students' period of residence in a year, a reduced contribution towards improving library infrastructure is considered appropriate from developers of purpose-built student accommodation. So contributions may be required at 75% of the standard per-person rate.

Threshold:	Residential – 10 or more dwellings Student accommodation			
Residential contribution:	1-bed £118	2-bed £159	3-bed £226	4+ bed £373
	This equates to £84 per person Student accommodation contribution £63 per student place			

## 2.8 MUSEUM RESOURCE CENTRE

- 84.** The County Council's museum service provides a central Museum Resource Centre (MRC) at Standlake in West Oxfordshire. The MRC provides essential support to museums throughout Oxfordshire for educational, research and leisure activities. The MRC provides public access to the heritage and local history collections for study and research, as well as archaeology collections. It also provides key conservation advice and training for amateurs and small museums to look after their objects and collections. New developments will increase demand on the service, which should be met by the expansion of the central facility.
- 85.** The MRC provides safe and controlled conditions to store exhibits and provides public exhibitions to meet demands for access to the exhibits. The MRC is used by schools and by the general public. The expansion will contribute towards the City Council's vision to provide more and improved affordable leisure activities as well as promoting social inclusion.
- 86.** The MRC is operating at capacity and needs an extension to meet the demands arising from further development throughout the county. The provision of the extension largely depends on external (non development-related) funding. However, that potential funding will not meet all the costs of the expansion.
- 87.** A contribution towards the expansion will be required from residential development throughout the County. The amount per dwelling is based on a fair division of about £0.6m (about 20%-25% of the scheme) between the residential developments expected in the county up to 2026.

Threshold:	Residential – 10 or more dwellings			
Contribution:	1-bed	2-bed	3-bed	4+ bed
	£7	£9	£13	£22

## **2.9 OUTDOOR SPORTS FACILITIES, PUBLIC OPEN SPACE/CHILDRENS PLAY AREAS, ALLOTMENTS, BIODIVERSITY**

- 88.** A Green Space Study by Scott Wilson (August 2005) made a comprehensive assessment of public open space, including allotment facilities. Similarly, the study by Strategic Leisure Limited (November 2005) assessed City Council open air sports facilities and those in the private sector. The studies examined the level and the quality of provision. These studies have informed the production of the City Council's Green Space Strategy and the Sport and Leisure Strategy. These documents show where there is an imbalance or poor quality in provision, which use by the occupants of the new development is likely to worsen.
- 89.** The Green Space Study recommended a standard of 5.75ha of public open space per 1,000 population. This is divided into 1.98 ha of formal open space and 3.77 ha of informal space per 1,000 population.
- 90.** The City Council will require residential development involving 20 or more dwellings to provide at least 10% of the site area as suitable public open space where:
- there is a shortage of public open space in the vicinity;
  - the development would create a significant additional need for public open space; or
  - the site contains or adjoins a feature of recreational, ecological, visual or historic interest which should be conserved.
- 91.** The City Council will require suitable play space for children as part of the public open space provision where the Green Space Strategy identifies a need. In suitable locations, play areas for older children should be made.
- 92.** On developments of 10 or more dwellings where the need created by the new development would be best served by improvements to public open space or children's play space (or both), the City Council will require a contribution in place of on-site provision. This contribution may go towards funding City, neighbourhood or local park areas or ecological areas near the development.
- 93.** The open space/children's play space contributions are calculated according to the cost per additional person (or child for play areas) to maintain Oxford's local standards for open space/children's play space and accommodate new development.
- 94.** Children's play areas should be well designed, suitably located (with safe pedestrian access and, where possible, visible from adjacent homes) and properly fenced, surfaced and equipped with at least five items of play equipment.
- 95.** To meet the needs of older children, the City Council will seek to provide more teenage play facilities and to ensure that children living in all parts of Oxford have adequate facilities within a 15-minute walk from their home.
- 96.** In exceptional circumstances where granting planning permission leads to the loss of open-air sports facilities, the City Council will secure alternative provision of equivalent or improved benefit to the community in terms of size, utility and access. This alternative provision could be in the form of major improvements to existing outdoor sports facilities, such as changing facilities, improved drainage, levelling, floodlighting or an all-weather surface. Improving such facilities in this way will enhance their capacity by increasing the range of uses on sports grounds. The outdoor sport contribution is calculated according to the cost per additional person of providing these improvements.
- 97.** The City Council will only seek contributions from developers towards the improvement of local sports facilities when the need arising from the development justifies this. The City Council will also seek public access to private and institutional facilities through sharing schemes and joint user agreements.
- 98.** The City Council will seek to increase the biodiversity interest of new developments by creating or enhancing habitats as part of the proposals.
- 99.** The City Council will require improvements to waterside settings for developments near to water courses, in terms of improving the visual appearance, protecting or creating wildlife habitats and providing public access.

**100.** The planning obligations required to secure these measures may involve on-site works if species have to be relocated or new habitats created or managed. Alternatively, financial contributions may be sought to create or enhance a biodiversity feature.

Threshold for open space park/ ecology area:	Residential – 10 or more dwellings			
Contribution if there is no on-site provision:	1-bed	2-bed	3-bed	4+ bed
	£333	£447	£636	£1,048
	This equates to £254 per person			

Threshold for open space park/ ecology area:	Non-residential: developments at specific locations			
Contribution if there is no on-site provision:	By negotiation			

Threshold for play areas:	Residential – 10 or more dwellings			
Contribution if no on-site provision:	1-bed	2-bed	3-bed	4+ bed
	£15	£56	£151	£319
	This is based on the average occupancy of children per dwelling			

Threshold sports grounds:	Residential – 10 or more dwellings			
Contribution if no on-site provision:	1-bed	2-bed	3-bed	4+ bed
	£90	£120	£171	£281
	This equates to £64 per person			

Threshold for sports grounds:	Non-residential – developments on sports fields requiring replacement facilities			
Contribution if no on-site provision:	By negotiation			

**101.** Where new infrastructure is provided and the land is transferred to the City Council, developers will be asked to contribute towards adequate maintenance over 10 years.

Threshold for maintenance:	Residential – will apply when land to be transferred to the City Council
Contribution: (covers 10 years maintenance)	£37,370 per ha for open space, park, ecology area. £8,700 for local park play area £23,790 for neighbourhood park play area

**102.** The City Council will seek contributions from new residential developments towards improving local allotment facilities where development is likely to increase use of the allotments and where the existing facilities are inadequate. Improvements may include seating, storage facilities and toilet provision.

Threshold for allotments:	Residential – 10 or more dwellings			
Contribution:	1-bed	2-bed	3-bed	4+ bed
	£6	£8	£11	£18
	This equates to £4 per person			



Barnes Road pocket park

## 2.10 PUBLIC ART

**103.** Public art, integrated with buildings and landscape, is an important cultural asset, which can enhance and enliven the local environment. Public art should be commissioned and designed by artists for particular buildings or sites that are accessible to the public. It can take a wide variety of forms in public locations, such as paintings, sculpture, murals, memorials, street furniture and facilities for performance arts or cultural events.

**104.** The City Council will seek the provision of public art in association with major developments. Public art must be incorporated within the development site, or be provided near to the development. Public art can be permanent or temporary work, inside or outside a building, an integral part of a building or free-standing in an open space. It can be large or small scale, reflecting or contrasting with its environment. Materials and processes used to develop the piece can involve woodwork, stone carving, metal work, painting, glasswork, lighting, photography and textiles.

- 105.** There are three procedures for securing public art:
1. Where public art is required, it should preferably be considered as part of the design process and incorporated into the submitted planning application. The public art would then be secured by condition.
  2. An applicant could agree to a planning obligation to provide public art on site up to a certain value but may need to pay a contribution if they require assistance to manage the project.
  3. The applicant could agree to a planning obligation to make a financial contribution towards a work of art on or close by the site.

**106.** These processes are set out in more detail in the Negotiating and Implementing Planning Obligations Code of Practice.

**107.** Where a planning obligation is required, this would cover management fees, interview and

design costs, artist's fees, fabrication costs, installation and maintenance.

**108.** Oxford uses a principle called 'Percent for Art'. 'Percent for Art' is an internationally used funding mechanism for the commissioning of public art. The Arts Council of England endorsed 'Percent for Art' in 1988 as an important means to integrate the work of artists into planned development of public space. As a guideline, the City Council will seek approximately 1% of the total development cost to go towards public art.

**109.** The City Council is interpreting this % as a fixed figure from the average building cost per dwelling and will seek a minimum of 0.5%. The Valuation Office has said that the average cost per dwelling for Oxford is £1,000 per m<sup>2</sup> and has provided guidance on the average floorspace per dwelling.

Threshold:	Residential: 20 or more dwellings			
Contribution if no on-site provision:	1-bed	2-bed	3-bed	4+bed
	£235	£330	£450	£570

**110.** For non-residential development, the Valuation Office says the average construction costs of a basic building (say for warehouse use) is £870 per m<sup>2</sup>. A more substantial building with, say, lifts and air conditioning in office developments costs £1,640 per m<sup>2</sup>. The City Council applies the Percent for Art policy to these development types and will seek a minimum of 0.5% of total development costs.

Threshold:	Non-residential: developments of more than 2000 m <sup>2</sup> or floorspace or a development that will have a significant impact on the public realm or a high degree of public access.
Contribution if no on-site provision:	£870 per m <sup>2</sup> for a basic building and £1,640 per m <sup>2</sup> for office style developments x floorspace x 0.5%

## 2.11 STUDENT NUMBERS

- 111.** The University of Oxford is expecting significant growth over the Plan period, with an estimated need for an additional 75,000 m<sup>2</sup> of floorspace. Proposals to increase floorspace will only be granted planning permission if, through planning obligations, the University of Oxford accommodates more students in purpose-built accommodation and limits the number housed elsewhere.
- 112.** The Local Plan states that Oxford Brookes University forecasts a need for up to 50,000 m<sup>2</sup> of extra floorspace over the Plan period. Oxford Brookes says it needs the increase to accommodate the projected growth in student numbers and research activities and particularly to improve the quality of its facilities. Currently Oxford Brookes is developing a master plan for future development.
- 113.** The City Council acknowledges the need for more floorspace at the two universities but needs to ensure that any increase does not reduce the amount of private-sector housing available. Planning permission will only be granted for additional teaching/administrative accommodation where the number of full-time students at each of the two universities living in Oxford in accommodation not provided by their respective universities does not exceed 3,500 in the academic years up to 2008, and 3,000 after that date.

Threshold:	Academic floorspace or residential student accommodation
Contribution:	Non-financial – obligation on student numbers

- 114.** Planning permission will only be granted for the establishment of new educational establishments or the expansion of existing ones where the applicant agrees to a limit on the number of students and to accommodate the students in other educational premises, purpose-built accommodation or family lodgings.
- 115.** Information on student numbers is supplied to the City Council each year from the two universities and is monitored as part of the Annual Monitoring Report.

## 2.12 TRANSPORT

- 116.** Oxford is the largest urban area in Oxfordshire and is unique in its transport demands and characteristics. Routes into the City are mainly constrained by the Rivers Thames (also known as the Isis) and Cherwell and their tributaries. These routes become heavily congested in the peak hours. Park-and-Ride facilities are located on the principal routes at the edge of the City and make a vital contribution to the access strategy. Controlled parking zones are an important management tool in Oxford. Many land uses, particularly within the central area, have no car parking, and employees, shoppers and visitors have to use public transport.
- 117.** There is an extensive network of bus routes within the City and this mode of transport accounts for a high proportion of journeys. For the transport in Oxford to operate efficiently, public transport, cycling and walking must represent a high and increasing proportion of trips. Continued improvements to these methods of transport are needed to make them more efficient and attractive.
- 118.** People travel to work and shop within the City from a wide area. Improvements on the edge of the City can relieve congestion and shorten journey times for those with destinations in the centre. Because of this broad impact, developer contributions are required across the whole of the City.
- 119.** Most developments will be on previously developed sites. As a development takes place the overall total number of trips may increase or in some cases remain similar, but in either case different demands may be placed on the transport infrastructure. The developer funding has to reflect this change in demand.
- 120.** For all developments, contributions should focus on improvements to bus travel, walking and cycling in preference to improving access by private car (including the creation of new routes where appropriate). Contributions may also go towards traffic-calming measures, to improve cycle safety, and to Park-and-Ride. It is the overall change in travel demand that further burdens the infrastructure, and the formula accommodates that change in a way which fully exploits sustainable travel modes, and integrates with the wider transport strategy.
- 121.** Travel plans will be required for developments likely to have significant transport implications. The more complex Travel plans may be secured by obligation. Further details on the content of travel plans are set out in the adopted Parking Standards, Transport Assessments and Travel Plans Supplementary Planning Document.
- 122.** Contributions help to address the total travel demand created by a development, which cannot otherwise be met through capital spending programmes. A standard contribution will be required towards strategic transport improvements for all modes, and it may be pooled and applied to schemes related to the proposed development. Additional contributions will be sought where necessary to ensure adequate local site access. Any significant benefits to the wider transport network from proposed developments will be taken into account.
- 123.** The City and County Councils have identified schemes to improve the transport network, prioritised in line with the Local Transport Plan 2006-2011 and Local Plan policies on cycling and footpath provision. The estimated cost of the higher priority public unfunded schemes has been divided by the number of new trips likely to be generated by development on sites allocated in the Oxford Local Plan (which have not yet been developed). The calculation of contributions according to trip generation is based on national data for bus and car movements from particular types of development. However, the schemes it applies to take account of all modes of transport.
- 124.** For non-residential developments, the contribution payable will be based on traffic generation information (for peak network hours) provided by the applicant in the transport assessment, which they must submit with any application. Based on the predicted infrastructure requirements, the County Council (local highways authority) has estimated that the cost per additional peak hour trip is £3,325.

Threshold (may be on-site/local access measures in addition). Account will be taken of the potential different needs of specialist housing types:	Residential – 10 or more dwellings			
Contribution:	1-bed £1,600	2-bed £2,450	3-bed £2,625	4+ bed £2,975

Threshold (may be on-site measures in addition):	Non-residential – all developments 500 m <sup>2</sup> or above
Contribution:	£3,325 x per additional peak hour trip provided by the developer



Cycle track off Walton Well Road

**2.13 WASTE RECYCLING CENTRES**

**125.** The County Council is a waste disposal authority, and is responsible for disposing of the county’s household waste and running recycling centres throughout Oxfordshire. It has to meet statutory recycling and composting targets as well as targets to reduce the amount of waste going to landfill. Progress is measured through the Best Value Performance Indicator process. While the County Council-operated waste recycling centres have one of the best recycling rates in the country, the Council is keen to increase recycling further. Oxford City currently recycles and composts less waste than any other waste collection authority in the county. Oxford City Council is the waste collection authority and operates a household recycling scheme.

**126.** Major development proposals should help to achieve the targets. Developers are therefore expected to provide infrastructure or financial contributions (or both) towards the reduction, re-use and recycling of waste material.

**127.** The main recycling centre serving Oxford is at Redbridge (south Oxford). To mitigate the impact of additional pressures at the recycling centre, contributions will be required from developers towards its redesign and increased capacity.

**128.** This sum is based upon the costs of upgrading a facility in Oxfordshire.

Threshold:	Residential – 10 or more dwellings			
Contribution:	1 bed	2 bed	3 bed	4& 4+ bed
	£75	£85	£100	£135

## 2.14 YOUTH SERVICE

**129.** The County Council (as local education authority) has a duty, currently set out in Section 508 of the Education Act 1996, to provide youth service facilities in their area. The Government considers that facilities made available through the youth service form an important part of the education system.

Threshold:	Residential – 10 or more dwellings where justified on a costed improvement
Contribution:	By negotiation

**130.** The County Council runs services for young people in non-formal settings through youth centres. The County Council Children's and Young People's Plan (operational from April 2006) is based on the promotion of health, safety and general economic well-being for young people. The outcomes for young people will contribute to the City Council's Vision as outlined in the Local Plan. The youth service has a key role in achieving these outcomes for young people aged 13-19 years.

**131.** In early 2006 the Government produced a document as part of the 'Every Child Matters – Change for Children' agenda: *Youth Matters: Next Steps*. The Youth Matters proposals provide a balance of opportunity, support and challenge to ensure successful transition for every young person to adulthood. Youth Matters envisages a strong local menu of "things to do and places to go" for young people.

**132.** Current youth service accommodation in Oxford is at:

- Barton;\*
- Blackbird Leys;\*
- East Oxford;
- Headington;
- Riverside Centre;
- Rose Hill;\*
- Wolvercote.

\*within City Council community centre buildings

**133.** Where new residential development takes place, the impact of the population generated upon existing youth centre infrastructure and youth service needs will be assessed, taking into account existing youth service provision. Where improved facilities are needed, a contribution will be sought based on a costed improvement.

## GLOSSARY

### *Affordable housing*

Dwellings at a rent or price that can be afforded by people who are in housing need and would otherwise be accommodated by the City Council.

### *Annual Monitoring Report*

Information on the implementation of the policies of the Local Development Framework.

### *Best value performance indicator*

A Government indicator assessing the performance of a local authority on a particular service.

### *Controlled parking zones*

Areas where on-street parking controls have been introduced.

### *Department of Education & Skills (DfES) basic need cost multipliers*

These give a building cost per pupil place and are prepared annually by the DfES. There is one cost multiplier for each phase of education. They reflect part of the costs of improving education infrastructure at schools, and are based on a weighted average of multipliers for extended and new schools.

### *Development team*

The development team will include appropriate officers from the City Council. It may include if appropriate outside bodies such as the County Council.

### *Housing Requirements Study*

Study to assess the level and type of housing need in Oxford.

### *Local development document*

The documents which (taken as a whole) set out the City Council's policies relating to the development and use of land in Oxford.

### *Local Development Framework*

The Local Development Framework is replacing the previous development plan system and contains detailed policies and proposals to guide development in Oxford.

### *Major planning application*

Definition of major planning applications in the General Development Procedure Order 1995:

- a residential development of 10 or more dwellings;
- residential development on a site of 0.5 hectares or more;

- development involving a building(s) with floorspace of 1,000 m<sup>2</sup> or more;
- any other development on a site of 1 hectare or more.

### *ODPM Circular 05/2005*

Office of the Deputy Prime Minister advice to local planning authorities on the use of planning obligations.

### *S106/S46 agreement*

A legal document binding developers and the City or County Council (or both) to carry out specific works or payments that are necessary to allow the development to go ahead. Sections 46 and 47 of the Planning and Compulsory Purchase Act 2004 give the Secretary of State the power to make regulations to replace S106, but the Secretary of State has not yet taken these powers.

### *School organisation plan*

This sets out how a local education authority proposes to provide sufficient primary and secondary school places to meet the needs of the population within its area.

### *South East Plan*

Document containing planning policies for the South East region. Also known as the Regional Spatial Strategy for the South East.

### *Supplementary Planning Document (SPD)*

A document that supports and elaborates on policies and proposals in development plan documents.

### *Transport assessment*

A technical document detailing the potential transport impacts of a proposed development, and ways of mitigating these impacts.

### *Travel plans*

Documents submitted with planning applications assessing the transport impact of development, including mitigation measures.

## REFERENCES/BACKGROUND DOCUMENTS

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Design and quality standards Housing Corporation April 2007	<a href="http://www.housingcorp.gov.uk/upload/pdf/Design_quality_standards.pdf">http://www.housingcorp.gov.uk/upload/pdf/Design_quality_standards.pdf</a>
Code for Sustainable Homes Report for English Partnerships and the Housing Corporation February 2007	<a href="http://www.housingcorp.gov.uk/upload/pdf/Code_for_Sustainable_Homes_050407.pdf">http://www.housingcorp.gov.uk/upload/pdf/Code_for_Sustainable_Homes_050407.pdf</a>
Using the planning process to secure Travel Plans Best Practice Guide, Department of Transport, July 2002	<a href="http://www.dft.gov.uk/stellent/groups/dft_control/documents/contentservertemplate/dft_index.hcst?n=13893&amp;l=3">http://www.dft.gov.uk/stellent/groups/dft_control/documents/contentservertemplate/dft_index.hcst?n=13893&amp;l=3</a>
Assessment of Travel Plans, Oxfordshire County Council October 2003	Hard copy available for inspection at Ramsay House
Public Realm Strategy 2000	<a href="http://www.oxford.gov.uk/planning/background-studies.cfm">http://www.oxford.gov.uk/planning/background-studies.cfm</a>
Green Space Study, Scott Wilson, August 2005	Hard copy available for inspection at Ramsay House
Open air sports facilities, Strategic Leisure Ltd, November 2005	Hard copy available for inspection at Ramsay House
Community Centres, Strategic Leisure Ltd, November 2005	Hard copy available for inspection at Ramsay House
Indoor Sports Facilities, Strategic Leisure Ltd,	<a href="http://www.oxford.gov.uk/council/leisure-strategy.cfm">http://www.oxford.gov.uk/council/leisure-strategy.cfm</a>

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November 2005	
Sports and Leisure Strategy, Oxford City Council, April 2006	<a href="http://www.oxford.gov.uk/council/leisure-strategy.cfm">http://www.oxford.gov.uk/council/leisure-strategy.cfm</a>
Green Space Strategy, Oxford City Council, April 2006	<a href="http://www.oxford.gov.uk/council/leisure-strategy.cfm">http://www.oxford.gov.uk/council/leisure-strategy.cfm</a>
Tender Price Index, Construction and refurbishment costs for indoor leisure facilities, Ridge & Partners 2006	Hard copy available for inspection at Ramsay House
Department for Education and Skills Basic Needs Cost Multipliers	<a href="http://www.teachernet.gov.uk/management/resources/finance/andbuilding/schoolbuildings/designguidance/costinformation/">http://www.teachernet.gov.uk/management/resources/finance/andbuilding/schoolbuildings/designguidance/costinformation/</a>
Primary and Secondary School Briefs Oxfordshire County Council	<a href="http://cpg.oxfordshire.gov.uk/wps/wcm/connect/CPG/Core+consultants+manual/E++Further+county+council+documents/">http://cpg.oxfordshire.gov.uk/wps/wcm/connect/CPG/Core+consultants+manual/E++Further+county+council+documents/</a>
School Organisation Plan 2004-2009, Oxfordshire County Council	<a href="http://www.oxfordshire.gov.uk">http://www.oxfordshire.gov.uk</a>
Children and Young People's Plan 2006-2009, Oxfordshire County Council	<a href="http://www.oxfordshire.gov.uk/wps/portal/publicsite/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKL94k3Mg8FSZnFO8WHOepHogtZloR8PfJzU_WD9L31A_QLckMjyh0dFQEnurQ-/delta/base64xml/L3dJdyEvd0ZNQUFzQUMvNEIVRS82X01fMU9C?WCM_GLOBAL_CONTEXT=http://apps.oxfordshire.gov.uk/wps/wcm/connect/Internet/Council+services/About+your+council/Plans+and+publications/Children+and+Young+People's+Plan/AYC+++PP++Children+and+Young+People's+Plan+2006-2009">http://www.oxfordshire.gov.uk/wps/portal/publicsite/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKL94k3Mg8FSZnFO8WHOepHogtZloR8PfJzU_WD9L31A_QLckMjyh0dFQEnurQ-/delta/base64xml/L3dJdyEvd0ZNQUFzQUMvNEIVRS82X01fMU9C?WCM_GLOBAL_CONTEXT=http://apps.oxfordshire.gov.uk/wps/wcm/connect/Internet/Council+services/About+your+council/Plans+and+publications/Children+and+Young+People's+Plan/AYC+++PP++Children+and+Young+People's+Plan+2006-2009</a>
Every Child Matters, Change for Children Agenda Youth Matters: Next Steps	<a href="http://www.everychildmatters.gov.uk/youthmatters">http://www.everychildmatters.gov.uk/youthmatters</a>
Children and Young People Plan in Oxfordshire, April 2006	<a href="http://www.oxfordshire.gov.uk/wps/portal/publicsite/councilservices?WCM_GLOBAL_CONTEXT=http://apps.oxfordshire.gov.uk/wps/wcm/connect/Internet/Council+services/About+your+council/Plans+and+publications/Children+and+Young+People%27s+Plan/">http://www.oxfordshire.gov.uk/wps/portal/publicsite/councilservices?WCM_GLOBAL_CONTEXT=http://apps.oxfordshire.gov.uk/wps/wcm/connect/Internet/Council+services/About+your+council/Plans+and+publications/Children+and+Young+People%27s+Plan/</a>
Background papers – setting out the methodology for contributions and providing further information	<a href="http://occweb/planning/planning-obligations-spd.cfm">http://occweb/planning/planning-obligations-spd.cfm</a>

## Appendix 1

**Local Plan policies that refer to planning obligations but in practice would in most cases be secured by condition rather than a planning obligation or for other reasons specified.**

(In accordance with Circular advice where there is a choice between imposing conditions and entering into a planning obligations, imposing a condition is preferable.)

The following issues may be included in planning obligations in fairly rare, individual circumstances.

<b>Policy reference</b>	<b>Policy title</b>
CP.2	Contributions where appropriate for other public services/ infrastructure measures should the need arise and be justified
CP.11	Landscape design
CP.13	Accessibility
TR.8	Guided bus/GTE (as the County Council does not currently propose to pursue the proposals under this policy)
HE.2	Archaeology – normally covered by condition. If a major development has significant archaeological implications, it may need a negotiated financial contribution secured by legal agreement for excavation, recording and publication of results.
HE.8	Important parks and gardens
NE.13	Water quality
NE.15	Loss of trees and hedgerows
HS.14	Speculative student accommodation (occupancy restrictions, management controls and restricting students from bringing cars to Oxford)
EC.8	Employment training
ED.6	Oxford Brookes University – student accommodation (restrict students from bringing cars to Oxford)
ED.8	University of Oxford – student accommodation (restrict students from bringing cars to Oxford)
TA.3	Tourist information – interpretive displays, additional tourist information signs on non-highway land. (The aspects of the policy seeking tourist information signs on highway land will be secured by planning obligation.)
TA.5	Tourist accommodation – dual use (as any package of transport measures would be covered by transport policies that may involve planning obligations.)

**Appendix 2**

**CHARGES AND THRESHOLDS – RESIDENTIAL DEVELOPMENT**

**1. Financial contributions payable in addition to 50% affordable housing on sites having the capacity for 10 dwellings or more .**

Infrastructure Average occupancy	1 bed 1.4 person £	2 bed 1.88 person £	3 bed 2.68 person £	4 bed+ 4.41 person £	Notes
<b>Threshold: developments with 10 or more dwellings</b>					
Education - primary	0	864	5,169	6,461	Does not apply to specialist housing (such as sheltered housing or exclusive student flats/accommodation). Adjust to take account of capacity in some schools.
Education - secondary	0	615	3,687	7,784	Does not apply to specialist housing (such as sheltered housing or exclusive student flats/accommodation). Adjust to take account of capacity in some secondary schools.
Education – sixth form	0	128	766	1,617	Does not apply to specialist housing (such as sheltered housing or exclusive student flats/accommodation). Adjust to take account of capacity in some secondary schools.
Libraries	118	159	226	373	Contribution applies to residential accommodation. Separate contribution for purpose-built student accommodation of £63 per student place.
Transport	1,600	2,450	2,625	2,975	Measures will include cycle, pedestrian, public transport traffic management, Park-and-Ride in addition to any specific measures needed as a result of development and on-site measures provided or routes reserved. Account will be taken of the potential different needs of specialist housing types.
Outdoor sports ground	90	120	171	281	Contribution applies if no on-site measures are included
Open space, park or ecology areas	333	447	636	1,048	Contribution applies if no on-site measures. Maintenance contribution if land transferred to the City Council of £37,370 per ha to cover 10 years' maintenance.
Play facilities	15	56	151	319	Contribution applies if no on-site measures. Maintenance contribution if land transferred to City Council of £8,700 for local park play area and £23,793 for neighbourhood park play area, to cover 10 years' maintenance.

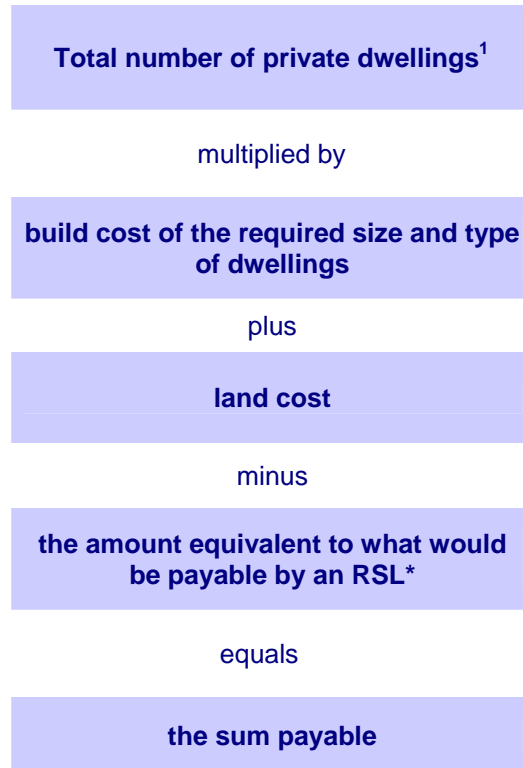
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Indoor leisure facilities	125	168	240	393	Contribution applies to residential accommodation. Separate contribution for purpose-built student accommodation of £60 per student place
Allotments	6	8	11	18	
Waste recycling centres	75	85	100	135	
Museum resource centre	7	9	13	22	
Education – early years					By negotiation
Youth service					By negotiation
Day care provision for adults					By negotiation
<b>Threshold: developments of 20 or more dwellings</b>					
Public art	235	330	450	570	
Community facilities					By negotiation
<b>Threshold – 100 dwellings or more</b>					
Special education needs					By negotiation
<b>Other contributions/charges</b>					
Costs of preparing legal agreement					Will be based on hourly rate
Costs of implementing legal agreement					See Table 2, paragraph 37. Will depend on value of contributions and number of on-site measures
Maximum contribution potentially payable from infrastructure developments with standard charges	2,604	5,439	14,245	21,996	Plus other charges that may be applicable by negotiation and costs of preparing and implementing the legal agreement

The above contributions are costed at June 2006 prices. They will be updated according to the BCIS All-in Tender Pricing Index published in the Quarterly Review of Building Prices by the Royal Institution of Chartered Surveyors except for highway contributions. Highway contributions will be adjusted according to the Monthly Bulletin of Indices – Prices Adjustment Formulae for Construction Contracts (1990 Series) published on behalf of the Department of Trade and Industry.

2. The adopted Affordable Housing Supplementary Planning Document sets out the following formulae for calculating developer contribution towards affordable housing from a residential development and self-contained student accommodation, when the City Council does not consider an on-site contribution appropriate.

**Table 4 Formula for calculating financial contribution from residential development**



<sup>1</sup> Ensures that the overall number of dwellings results in 50% affordable and 50% market.

\*See Appendix 3, paragraphs 1 - 3.

### Example of calculating a contribution for residential development:

Based on a development of 40 dwellings (6x1 bed, 8x2 bed, 20x3 bed, 6x4 bed) and based on the following list of infrastructure identified to mitigate the impact of development plus 50% affordable housing on-site. Assume the site is in the catchment area of East Oxford primary school and partnership secondary schools are Cheney, Oxford Community and Peers Technology.

East Oxford primary school – forecast capacity under 95% so no contribution.

Secondary partnership schools – Cheney, Oxford Community and Peers Technology – only Cheney with forecast capacity exceeding 95% and assume even split of pupils between schools so contributions reduced by 2/3rds.

Infrastructure and authority responsible	1 bed 1.4 person £	2 bed 1.88 person £	3 bed 2.68 person £	4+ bed 4.41 person £	Total	Notes
Education – secondary County	0	1,640 (£615 x 8 ÷ 3)	24,580 (£3,687 x 20 ÷ 3)	15,568 (£7,784 x 6 ÷ 3)	41,788	See above
Education - 6 <sup>th</sup> form County	0	341 (£128 x 8 ÷ 3)	5,106 (£766 x 20 ÷ 3)	3,234 (£1,617 x 6 ÷ 3)	8,681	See above
Libraries County	708 (£118 x 6)	1,272 (£159 x 8)	4,520 (£226 x 20)	2,238 (£373 x 6)	8,738	
Waste recycling County	450 (£75 x 6)	680 (£85 x 8)	2,000 (£100 x 20)	810 (£135 x 6)	3,940	
Museum Resource Centre County	42 (£7 x 6)	72 (£9 x 8)	260 (£13 x 20)	132 (£22 x 6)	506	
Open space/park/ecology City	1,998 (£333 x 6)	3,576 (£447 x 8)	12,720 (£636 x 20)	6,288 (£1,048 x 6)	24,582	
Play facilities City	90 (£15 x 6)	448 (£56 x 8)	3,020 (£151 x 20)	1,914 (£319 x 6)	5,472	
Outdoor sports ground City	540 (£90 x 6)	960 (£120 x 8)	3,420 (£171 x 20)	1,686 (£281 x 6)	6,606	
Indoor leisure facilities City	750 (£125 x 6)	1,344 (£168 x 8)	4,800 (£240 x 20)	2,358 (£393 x 6)	9,252	
Allotments City	36 (£6 x 6)	64 (£8 x 8)	220 (£11 x 20)	108 (£18 x 6)	428	
Public art City	1,410 (£235 x 6)	2,640 (£330 x 8)	9,000 (£450 x 20)	3,420 (£570 x 6)	16,470	
Cost of implementing					4,075	Value of County

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agreement						contributions £63,653 So from Table 2 County monitoring fee is <b>£1,500</b> Number of County contributions – 5 Value of City contributions £62,810 So from Table 2 City monitoring fee is £1,500 plus £700 for affordable housing on- site clause plus discharge County clauses 5 x £75. So City monitoring fee is <b>£2,575</b>
Overall total:					130,538	

**Appendix 3**

**CHARGES AND THRESHOLDS NON-RESIDENTIAL DEVELOPMENT**

INFRASTRUCTURE	FORMULAE/STANDARD CHARGE	NOTES
<b>Threshold: 500m<sup>2</sup> or above</b>		
Transport	£3,325 x per additional peak hour trip movements provided by developer	Applicants are required to provide trip generation information under the requirements for submitting transport assessments in the Oxford Local Plan
<b>Threshold: 2000+ m<sup>2</sup></b>		
Public art – City Council to arrange	£870 per m <sup>2</sup> for basic warehouse-style building x 0.5%, £1,640 per m <sup>2</sup> for office-style developments x 0.5%	Contribution applies if no on-site measures. Also applies to developments with lower thresholds if they have a significant impact on the public realm.
Affordable housing	See tables 5-9 below	
<b>Threshold: related to specific locations</b>		
Developments on sites of ecological and geological significance and creating/protecting wildlife habitats	By negotiation	Contribution applies if no on-site measures. Maintenance contribution if land transferred to the City Council of £37,370 per ha to cover 10 years' maintenance.
Developments on sports fields requiring replacement facilities	By negotiation	Contribution applies if no on-site measures. Maintenance contribution applies if land is transferred to the City Council of £37,370 per ha to cover 10 years' maintenance.
Environmental improvements Public squares and spaces	By negotiation	Contribution applies if no on-site measures. Environmental improvements apply to development in city, district and neighbourhood shopping centres over 2000 m <sup>2</sup> or changes of use that attract large numbers of people. May include CCTV provision – approx £15k per CCTV camera). Public square provision applies to developments in the city centre
<b>Other contributions/charges</b>		
Cost of preparing legal agreement		Will be based on hourly rate.
Cost of implementing legal agreement		See Table 2 – paragraph 37. Will depend on the value of contributions and the number of on-site measures.

The above contributions are costed at June 2006 prices. They will be updated according to the BCIS All-in Tender Pricing Index published in the Quarterly Review of Building Prices by the Royal Institution of Chartered Surveyors except for highway and affordable housing contributions. Highway contributions will be

adjusted according to the Monthly Bulletin of Indices – Prices Adjustment Formulae for Construction Contracts (1990 Series) published on behalf of the Department of Trade and Industry. Affordable Housing contributions will be adjusted according to the Halifax Price Index for the South East.

**The adopted Affordable Housing Supplementary Planning Document sets out the following contribution towards affordable housing from commercial developments.**

<b>Table 5 Commercial developments by use class and whether of not a contribution towards affordable housing is sought</b>				
<b>Use class</b>		<b>Contribution required?</b>	<b>Comment</b>	<b>Typical floor space per employee (sq.m)<sup>2</sup></b>
A1	<b>Shops</b>	No	Contribution not required from retail development	n/a
A2	<b>Financial and professional services</b>	No	Contribution not required from retail development	n/a
A3	<b>Restaurants and cafes</b>	No	Contribution not required from retail development	n/a
A4	<b>Drinking establishments</b>	No	Contribution not required from retail development	n/a
A5	<b>Hot food takeaway</b>	No	Contribution not required from retail development	n/a
B1(A)	<b>Offices</b>	Yes	-	20.7
B1(B)	<b>Research and development</b>	Yes	-	27.2
B1(C)	<b>Light industry</b>	Yes	-	30.0
B2	<b>General industrial</b>	Yes	-	38.2
B8	<b>Storage or distribution</b>	Yes	-	40.1
C1	<b>Hotels</b>	Yes	Hotels may provide self-contained accommodation for their staff on site, which would reduce the level of contribution	1 employee per 2 bedrooms
C2	<b>Residential institutions</b>	Yes	Residential institutions may provide self-contained accommodation for their staff on site, which would reduce the level of contribution	Information required from applicant
C3	<b>Dwellings</b>	No	If a mixed-use development has elements of both commercial and residential use, the commercial part will be considered against Policy HS.7	n/a
D1	<b>Non-residential institutions</b>	Yes	Except where the development is by a non-profit making public sector organisation	60

<sup>2</sup> Data from Use of Business Space and Changing Working Practices in the South East, DTZ and SEERA, May 2004

D2	Assembly and leisure	Yes	Except where the development is by a non-profit making public sector organisation	33.2
	Sui generis	Seek advice from the planning department.		

**Table 6 Formula used to calculate contributions towards affordable housing from commercial development**

Method of contribution from commercial development	Formula
Financial contribution	<p>Estimated number of employees in the new development <i>multiplied by</i> <b>0.01-0.05 (to represent 1 - 5% of employees)</b> <i>multiplied by</i> <b>(build cost of the require size and type of dwelling + land cost – the amount equivalent to what would be payable by an RSL)</b> <i>equals</i> <b>the sum payable</b></p>
Contribution in kind (where development is mixed use that includes residential)	n/a

1. To estimate the selling prices to an RSL for the affordable dwellings it is necessary to obtain advice from one or more local RSLs, and the variation in local values. This was obtained by Fordham Research for Oxford's Housing Viability Study 2004 (HVS). Selling prices for units on a zero grant basis may have risen slightly since the time of the HVS, to reflect increases in incomes in particular. Selling prices for both social rented and shared ownership affordable housing vary with the type of dwelling (house or flat) and with location within Oxford. As it is unlikely that a location or scheme would have been identified towards which the contribution would go, it is sensible to take an average of the selling price in terms of dwelling type and location.
2. In calculating the amount that would be payable by an RSL, developers should assume an 80/20 social rented/shared ownership mix and should base the mix of dwellings on the Strategic Mix as set out in Table 7 below (combining city centre and out-of-centre mixes due to a site not being identified).
3. To reflect increases in earnings, the values in Table 8 will be uplifted each year.

**TABLE 7: STRATEGIC MIX SOUGHT FOR AFFORDABLE DWELLINGS ON CITY-CENTRE AND OUT-OF-CENTRE SITES**

PROPERTY SIZE (BEDROOMS)	CITY-CENTRE SITES		OUT-OF-CENTRE SITES	
	SOCIAL RENTED	SHARED OWNERSHIP	SOCIAL RENTED	SHARED OWNERSHIP
1	5%	10%	5%	10%
2	40%	10%	10%	10%
3	25%	0%	50%	0%
4+	10%	0%	15%	0%
TOTAL	80%	20%	80%	20%

**Table 8 Amount equivalent to what would be payable by an RSL for assessing cash in lieu contributions from developers at July 2006**

Tenure	£ per sq ft	£ per sq m
Social rented	71.50	769.00
Shared ownership	150.00	1,613.30

**Table 9 Suggested sizes of affordable dwellings**

Size of dwelling	sq ft	sq m
1 bed 2 person flat	484 – 538	45 – 50
2 bed 3 person flat	613 – 721	57 – 67
2 bed 4 person flat	721 – 807	67 – 75
2 bed 4 person house	807	75
3 bed 5 person house	914 – 1,022	85 – 95
4 bed 6 person house	1,076 – 1,130	100 – 105
4 bed 7 person house	1,162 – 1,237	108 – 115

### Example of calculating a contribution for a mixed-use development:

Based on a redevelopment of a B1a use site for a mixed-use development of 60 dwellings (9 x 1 bed, 12 x 2 bed, 30 x 3 bed, 9 x 4 bed) and 2,900 sq.m. floorspace for B1b use; 390 sq.m. for A3 use; and 46 student units. The site identified that the following infrastructure was required in addition to 50% on-site affordable housing for the residential element.

For calculating the affordable housing contribution from B1b use – applying the floorspace per employee in Table 5 of 27.2 per employee: 2,900 sq.m. divided by 27.2 = 106 employees x 1% (applying formula in Table 6) = 1 employee. The City Council would therefore require 1 additional 3-bed house on site for the affordable housing contribution from commercial development.

Assume the site is in the catchment area of St. Ebbe's primary school – forecast occupancy greater than 95% by 2013 so contribution applies. Of the secondary partnership schools – Cheney, Oxford Community, Peers Technology and The Cherwell School – only Cheney and Cherwell have forecast capacity exceeding 95% and an even split of pupils between schools is assumed, so contributions are reduced by 50%.

Infrastructure and authority responsible	1 bed 1.4 person £	2 bed 1.88 person £	3 bed 2.68 person £	4+ bed 4.41 person £	Total	Notes
Education – primary County	0	10,368 (£864 x 12)	155,070 (£5,169 x 30)	58,149 (£6,461 x 9)	223,587	
Education – secondary County	0	3,690 (£615 x 12 ÷ 2)	55,305 (£3,687 x 30 ÷ 2)	35,028 (£7,784 x 9 ÷ 2)	94,023	
Education 6 <sup>th</sup> form County	0	768 (£128 x 12 ÷ 2)	11,490 (£766 x 30 ÷ 2)	7,277 (£1,617 x 9 ÷ 2)	19,535	
Libraries County	1,062 (£118 x 9)	1,908 (£159 x 12)	6,780 (£226 x 30)	3,357 (£373 x 9)	16,005	£13,107 residential plus £63 x 46 students=£2898 Total:16,005
Transport County	14,400 (£1,600 x 9)	29,400 (£2,450 x 12)	78,750 (£2,625 x 30)	26,775 (£2,975 x 9)	235,775	Assessment of additional trips generated by B1b, A3 and C2 student use against current use results in increase of 26 additional peak hour trips. £3,325 x 26= £86,450 plus residential use £149,325 Total: £235,775
Waste recycling	675	1,020	3,000	1,215	5,910	

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County	(£75 x 9)	(£85 x 12)	(£100 x 30)	(£135 x 9)		
Museum Resource Centre County	63 (£7 x 9)	108 (£9 x 12)	390 (£13 x 30)	198 (£22 x 9)	759	
Open space/park/ecology City	2,997 (£333 x 9)	5,364 (£447 x 12)	19,080 (£636 x 30)	9,432 (£1,048 x 9)	36,873	
Indoor leisure facilities City	1,125 (£125 x 9)	2,016 (£168 x 12)	7,200 (£240 x 30)	3,537 (£393 x 9)	16,638	£13,878 residential plus £60 x 46 students = £2,760
Allotments City	54 (£6 x 9)	96 (£8 x 12)	330 (£11 x 30)	162 (£18 x 9)	642	
Public Art City	2,115 (£235 x 9)	3,960 (£330 x 12)	13,500 (£450 x 30)	5,130 (£570 x 9)	51,683	Non-residential floorspace 2,900 B1 + 390 A3=3,290 x £1,640 per sq.m. x 0.5% = £26,978 plus residential £24,705 Total: £51,683
Environmental Improvements City					6,000	Contribution by negotiation based on cost of 6 cycle stands
Cost of implementing agreement					7,725	Value of County contributions £595,594 So from Table 2, County monitoring fee is <b>£5,000</b> Value of City Contributions £111,838 so monitoring fee will be £1,500 plus £700 for on- site affordable housing clause plus discharge County clauses 7 x £75= £525 Total: <b>£2,725</b>
Overall total:					715,157	