



## Developers' guide to infrastructure contributions



## Table of contents

Introduction .....	3
<b>Part 1 - Context and Policy .....</b>	<b>5</b>
The need.....	5
Range of services covered.....	5
Legal and planning policy context .....	6
Regional policy.....	8
Application of the guide.....	8
Service provision strategies.....	9
Key contacts.....	9
<b>Part 2 - New Approaches to Contributions .....</b>	<b>10</b>
Determining developer contribution via planning obligations.....	10
Formulae and standard charges.....	11
Maintenance payments.....	12
Support or forward funding.....	12
Pooling of contributions.....	12
Audit and administration.....	13
Standard agreements.....	13

Innovative approaches to community infrastructure.....	13
<b>Part 3 - Details of Contributions for each Service Area.....</b>	<b>15</b>
Early years and childcare.....	15
The schools service.....	18
Transportation.....	23
Community Services (Adult learning & libraries).....	28
Libraries.....	28
Adult learning.....	31
Adult social care.....	33
Public art.....	35
Minerals and waste.....	37
Waste management.....	39
Worked example.....	40
Updating and review of the Guide.....	42

## Introduction

This guide looks at the scope and range of contributions that Essex County Council will seek from developers and will be used by County Council Officers in responding to planning proposals both for residential and commercial development. The vehicle used to secure contributions and/or works will be Section 106 of the Town and Country Planning Act 1990 as substituted by the Planning and Compensation Act 1991. The guide will assist developers and local Planning Authorities in identifying at the earliest opportunity the range and in most cases the likely level of contributions that will be sought by the County Council to meet the impact on infrastructure and services by new development proposals. The guide will promote a consistent and transparent approach so communities will be able to see and understand how development in their area is making a fair and positive contribution to the community.

There are twelve District Councils and two Unitary Authorities in Greater Essex and other than for Waste and Minerals applications, they will normally be the determining authority and ultimately make the decisions as to whether an individual development proposal is acceptable in planning terms. The District Councils and Unitary Authorities will have their own developer contribution requirements in respect to supporting infrastructure included in Supplementary Planning Documents (SPDs). Affordable Housing and Open Space are but two and this guide should be read in conjunction with the appropriate District/Unitary guidance. In developing the guide the County Council has worked with The Essex Planning Officers Association which represents the twelve local planning authorities.

The County Council is mindful of the advice contained within the following documents:

The Office of the Deputy Prime Minister's (ODPM) Circular 05/2005 that gives guidance on the use of planning obligations.

The Department for Communities and Local Government's (DCLG) Planning Obligations: Practice Note.

The Audit Commission's suite of documents titled 'Sustainable Communities' examined current practice in developer contributions, in particular with their 'Route Map to Improved Planning Obligations'.

This Guide has been the subject of a formal consultation with GO East, District and Parish Councils, Essex Planning Officers Association and its relevant sub groups, internal County Service providers and the Development Industry. The consultation ran from 16<sup>th</sup> October to the 16<sup>th</sup> November 2007.

The Guide has been approved by the Cabinet Member for Localism and Planning as a County Policy Document. The Guide is not SPD in its own right, but recommended to the Local Planning Authorities within Essex to be used as a reference document and where appropriate included in Core Strategies and Supplementary Planning Documents. Until these come into force this Guide will be used to assess the scope and quantum of contributions where there is a standard formula and an identified need and in the absence of a standard formula on an assessed need basis.

## Part 1 – Context and policy

### The need

The East of England Plan and Regional Spatial Strategy that identifies the scale of development and growth in the East of England to 2021, has recently been the subject of an Examination in Public. The subsequent Inspector's report suggests that 124,500 new homes should be provided within Essex in the period to 2021. However the Secretary of State's proposed changes issued during December 2006 suggests that this should be increased to 127,000 new homes. It remains to be seen what the final figure will be. This scale of growth will place severe pressure on already pressed services and a new approach to funding is needed if that pressure is to be fairly addressed in a way that will meet the accelerated build programme necessary to meet the growth targets for Essex. It is reasonable to expect therefore, that new development will contribute towards or provide new supporting infrastructure to offset the additional demands placed upon such infrastructure.

### Range of services covered

This guide covers the range of services within the statutory remit of Essex County Council, however there are other services that will be impacted by new development and these will also need to be taken into account and balanced against a number of criteria. Some of these, such as the Police service, have already identified the additional resources needed to meet a growth in population and additional commercial and leisure activity. In order to provide as much of a "One Stop Shop" as possible these are included as a summary in the Guide with the detail available on the dedicated website.

As previously stated Local Planning Authorities will normally be the determining authority and ultimately make the decision as to whether an individual development proposal is acceptable in planning terms. Therefore discussions should be held at the earliest time to identify the full range of services that may be involved with both District and County representatives.

Some services and facilities are less definitive and therefore less able to be readily quantified against a standard methodology, including those services based on alternative delivery solutions. Depending on the service delivery strategies and end user patterns for that particular service, these may be geographically, functionally or revenue based. These may be

equally important and in the absence of a standard methodology will need to be assessed on their merits on a case by case basis.

Alternative methods of procurement and delivery, including the direct provision of facilities may be acceptable or preferable to a contribution, again early discussions will highlight whether this may be a more appropriate way to deliver some services for a given development option.

Brownfield or Previously Used sites may also be a case where other considerations may have to be balanced against the standard contribution requirements laid out in this guide. Regeneration benefits and or planning policy considerations together with remediation costs and land values may have to be weighed against what would normally be expected in development mitigation works or contributions. In such cases the onus should be on the applicant to demonstrate exceptional circumstances and that in the knowledge of all likely development costs, the particular proposal is unlikely to be financially viable. This could be demonstrated by an “open book” valuation/negotiation approach.

## Legal and planning policy context

It is clear from recent Government statements and the new Planning Bill now before Parliament, that the Government expects landowners to make a greater contribution to funding community infrastructure from the increase in land value arising from a planning consent being granted, than has so far been the case. A Community Infrastructure Levy (CIL) is now proposed to capture some of this uplift in value of land with possibly the scope of 106 Agreements being scaled back to matters relating to the physical environment of the development. This guide would inform any application of a CIL. However, it is unlikely that a levy could come in before 2009 at the earliest.

### ODPM Circular 05/2005

On the 18<sup>th</sup> July 2005 the Office of the Deputy Prime Minister issued Circular 05/2005 which replaced Circular 1/97. The circular deals with planning obligations made under section 106 of the Town and Country Planning Act amended by the Planning and Compulsory Purchase Act 2004.

The circular, as did the previous one 1/97, identifies five tests that a planning obligation must meet:

- 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;
- reasonable in all other respects.

Importantly the latest circular gives guidance on a number of issues, such as mitigating the impact of development, maintenance payments and pooled contributions. In order to allow developers to predict as accurately as possible the likely contributions they will be asked to make as much information as possible should be provided. Formulae and standard charges can speed up negotiations, ensure predictability and promote transparency.

### **DCLG Planning Obligations: Practice Guidance**

During July 2006 the Department of Communities and Local Government that replaced the Office of the Deputy Prime Minister issued a further document: 'Planning Obligations: Practice Guidance'. The aim of the guidance is to provide practice tools and methods to help improve the development, negotiation and implementation of planning obligations. The guidance includes a number of case studies of joint working and a formulaic approach to contributions where appropriate. This Guide seeks to use this best practice and apply it to the specific needs arising from development in Essex.

### **Audit Commission**

The Audit Commission produced four related documents in August 2007 having researched how effectively councils use planning obligations. The introduction states 'The effective use of planning obligations is a key part of this new agenda. They are essential to delivering the necessary infrastructure for creating sustainable communities. They can:



- improve social inclusion through mixed tenure developments;
- mitigate the impact of development on communities;
- compensate for loss or damage created by development;
- and support basic off site infrastructure such as access roads’.

The ‘Route Map to Improved Planning Obligations’ produced by the Audit Commission suggests six building blocks to improve performance and again this Guide seeks to reflect these in its approach to planning contributions.

### **A Community Strategy 2004-2024**

‘Shaping the Future of Essex: A Community Strategy 2004-2024’ will form a key part of the policy framework for Essex County Council in dealing with change in the County over the next twenty years. It reflects the views of the residents of Essex and how we will deal with a range of issues facing the County and its residents over the next two decades.

## **Regional policy**

The provision of supporting infrastructure for the planned development contained in the Regional Spatial Strategy (RSS) was a fundamental issue at the East of England Plan Inquiry and a concern voiced by many participants. The Inspector’s report has now been considered by the Government, who have issued their response in the form of the Secretary of State’s proposed ‘Changes to the Draft Revision’ to the RSS. This concentrates on the Regional aspects of the plan and clearly looks to the Local Planning process to articulate and deliver in partnership the necessary sub-regional and local infrastructure. The final Plan is expected to be published towards the beginning of 2008.

## **Application of the Guide**

Whether the consideration is of a single dwelling or a major development it will be necessary to identify the impact on services before applying the appropriate contribution. For instance if there was sufficient library capacity in an area to serve the proposal then no charge would apply. Where the proposal forms part of a larger provision that will require additional facilities then it is reasonable to apply the standard contribution. Where no standard charge appears in

the Guide then the impact of the development on that Service will be assessed on a case by case basis.

As the new Planning System evolves, Local Planning Authorities are developing a Standard Charge approach to developer funding. Where such a charge applies it will be necessary to determine if the charge includes a County element.

## Service provision strategies

Further information on the objectives and policies that lie behind the requirements laid out in this Guide can be found on the Essex County Council website [www.essex.gov.uk](http://www.essex.gov.uk) . These cover the existing services provided by Essex County Council. For similar details of the other services also impacted by development and contained in this guide, but not directly provided by Essex County Council, please refer to [www.essexcc.gov.uk/developercontributions](http://www.essexcc.gov.uk/developercontributions).

This Guide is recommended to Local Planning Authorities for use in developing Core Strategies and LDD's (Local Development Documents) and early contact with the appropriate Local Authority is recommended to ensure that more detailed and /or specific advice is not available in those subsequent planning documents.

## Key contacts

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## Part 2 – New approach to contributions

### Determining developer contribution via planning obligations

The impact of a development proposal will be determined using information provided by the developers /landowners, the District and County Authorities, and other appropriate information sources, together with the approach and methodologies contained within this Guide. Regard will also be had for national, regional and local policies and, where appropriate, emerging policies and guidance. Currently Circular 05/2005 is the main reference document.

Contributions required to address the impact of new development may be provided in a number of ways depending on the scope and impact of the development being proposed. For instance, a new junction on the highway network required to access the site would generally be part of the development of the site. Whereas improvements to the surrounding highway network, required to address the impact of additional traffic generated by the development, may be either by works constructed by the developer or a financial contribution towards works. In the case of services such as education or health for instance, a contribution using a formulae approach may be more appropriate. In some cases the transfer of land for a facility such as a school would be required. In the case of large developments there may be scope to consider joint use of buildings to house community service providers.

Phasing of infrastructure or contributions may be appropriate for large development with a build programme spanning many years. Such phasing may reflect that a facility or road improvement is not needed at the start of building but needed at a later date during the build programme. Financial contributions can also be phased to reflect the viability of the site.

A formal assessment for contributions can be made at the time of a planning application being submitted or at a preliminary stage subject to adequate information on the scale and mix of development being proposed. Such assessments are made on the information available at the time and experience shows that proposals can change as the planning process moves forward, or as a large site is developed. This may require a re-assessment of infrastructure need.

## Formulae and standard charges/tariffs

In order to give greater certainty and speed the process of negotiation a formulaic approach with a standard charge will be used for County Services whenever possible. Where a District is preparing its Core Strategy and supporting Planning Documents and proposing a Tariff or Standard Charge, the County will work with them to ensure that County services such as Transportation are included. With some County Services a standard charge may not be possible, especially where the complexity and range of the impact needs to be the subject of detailed analysis and option development. Direct Site-Related or Local Area-related Transportation requirements may be such a case, where a detailed impact study will be required followed by a number of iterations.

Having regard to the Government's proposals for a Community Infrastructure Levy the County Council has developed a County Wide Transportation Charge that will be applied to all new dwellings in Essex. This two tier approach covers the wider strategic impact on the County's transport system (County Wide Charge) and the local impact (Direct Site-Related and Local Area-related), determined either through District Core Strategy Development or case by case basis.

Where standard charges are used, either on individual sites or within the framework of an Local Development Document, a longer- term relationship will need to exist between the Local Planning Authority, the County Council and the developers or successors in title. This relationship will deliver the supporting infrastructure as the area is developed in a cohesive and sustainable way.

Where a formulaic approach is being taken across the piece to fund the totality of supporting infrastructure, consideration will need to be given to a delivery mechanism to direct and monitor funding and ensure infrastructure is provided in a timely manner to support the development of the area. This could range from a formal Local Delivery Vehicle (LDV) to a more informal association of key stakeholders.

## Maintenance payments

Where appropriate maintenance contributions will be requested. New structures or unusual use of high maintenance materials may incur such payments. Each case will be taken on its merits both for amount and duration of the payment. Usually this will be a one off payment held in an appropriate account. There may be cases where the developer for good reason wishes to maintain a structure or feature. In such cases a bond may be requested to indemnify the Authority against any failure to carry out maintenance to a satisfactory standard.

## Support or forward funding

Forward funding and/or revenue support may be required where an element of the development package is required to be in place at an early stage in the build programme to service that area. The early provision of public transport or other key services that need to be in place at first occupation would be an example.

## Pooling of contributions

In some cases the pooling of contributions may be an appropriate way of collecting together funding from a number of developments in an area. This will facilitate the provision of infrastructure needed to meet the cumulative impact of that development in and where a single development would not fairly be able to meet that cost. In such cases there will need to be a clear framework on how the contributions will be collected and infrastructure subsequently provided. A business case approach is recommended. As with Standard Charges, there needs to be a transparent mechanism to prioritise and deliver the infrastructure for which the contributions have been collected. A less formal body or LDV, involving Key stakeholders such as Members, Officers and Developers may be appropriate. The provision of supporting infrastructure can have a direct relationship on the attractiveness of a particular development and affect its viability.

The make up of such a body should reflect the range and scope of the infrastructure involved. With both the standard charge and the pooling approach, the delivery mechanism needs to be agreed and identified early in the process so that certainty of timely delivery can be demonstrated.

Cross border impacts can raise particular issues where pooling or a standard charge is used. A development for housing in one district can rely on the supporting services from another. Police, Fire, Health and of course transport are examples. Joint LDD's where appropriate can be used, but funding may well be collected in one district whilst the service impact is identified in another. Both authorities may well need to be party to any 106 agreement as the obligation to deliver via the contribution is with both authorities. The agreement will need to address how such funding will be called down and service provision/enhancement delivered and in what time frame.

## Audit and administration

There has always been the need to record and track the obligations contained in a Planning Agreement and most Authorities have systems to do this. The change in approach to developer funding encouraged by Government and contained in this Guide also demands a step change in recording, monitoring and administering Agreements. The County Council has installed an up to date and dedicated database to deal with Agreements, and following the recommendations of the Audit Commission Report has appointed Monitoring Officers to ensure the discharge of obligations. The database will also facilitate an important Audit trail for each Agreement.

## Standard agreements

Essex County Council has been using a standard Legal Agreement for some time now with general acceptance both from the development industry and Local Planning Authorities, for continuity the County will continue to use this for future agreements. This approach will be reviewed during the consultation period, as the DCLG in their Practice Guidance include a Law Society model agreement which is recommended. The use of standard clauses in an agreement can play a major role in speeding the process and should be used whenever possible.

## Innovative approaches to community infrastructure

Essex County Council are considering how best to provide enhanced community services in the most cost effective and flexible way. Whilst this guide looks at the established delivery mechanisms innovative solutions will be considered if they meet the core objectives of a service or services. Such solutions will probably come forward on larger scale developments

where a range of impacts will arise and economies of scale can be better exploited. New multi use buildings and partnering may be an example. Discussions with developers and others are welcome and should form part of any pre application process.

Essex has a reputation for producing quality and ground breaking design initiatives for the built environment. The Essex County Council *Design Guide for Residential Areas* has recently been updated and a new document *The Urban Place Supplement* has recently been launched. These documents have and will make a major contribution to the quality of the built environment in Essex and should be used wherever possible.

For further information on both the Design Guide and Urban Place Supplement contact [Elizabeth.Moon@essexcc.gov.uk](mailto:Elizabeth.Moon@essexcc.gov.uk)

## Part 3 – Details of contributions for each service area

### Early years and childcare

#### Background

Under the Schools Standards & Framework Act 1998 and the government's Ten Year Childcare Strategy (December 2004), ECC have a duty to ensure sufficient Early Years and Childcare places are available within their administrative area. Provision is encouraged through a number of providers and in a range of settings including primary schools and children's centres. In addition to the outline guidance in this Guide more detailed guidance on the developer contributions that may be sought has been produced ('Contributions to Early Years and Childcare Provision from Residential and Employment Developments' Sept. 2005) and this document should always be consulted at the earliest opportunity when assessing the viability of a scheme.

#### When will contributions be sought?

All residential developments of twelve or more dwellings will be considered as will proposals likely to result in the employment of twenty five or more people. Applications for smaller developments will be exempt unless their co-location with other sites necessitates a holistic look at their cumulative impact.

The Early Years and Childcare Service (EYCS) will only require developer contributions where there is a current or forecast lack of provision in the immediate area to the proposed development. To facilitate parental preference and provide for contingency planning a figure of around 5% surplus provision should however be maintained. Evidence of local need is collected by the Children's Information Service and provided to the EYCS in the form of a yearly audit. For the purposes of developer contributions, only permanent accommodation can be counted and long term demand must include other housing projects proposed for the area.

#### Forecasting pre-school children from new housing

When estimating the number of children that a new housing development will generate (child yield) the EYCS takes account of the number of houses and flats that are suitable to house children. In summary the number of pre school children that a new development will generate and who will require an additional place can be expressed as four children per one hundred



dwellings for Childcare (0.04 per unit) and five children per one hundred dwellings for Early Years (0.05 per unit). One bed units and other categories of home such as student and elderly accommodation are excluded from any calculation. Where the density of the development exceeds fifty per hectare, flats are treated as producing half the normal child yield (0.02 Childcare and 0.025 Early Years places per flat).

Example: -A development consisting of 120 x one bed flats; 200 x two and three bed flats and 65 houses on a five hectare site (above 50 per hectare) would generate the following number of children requiring an additional place:-

#### Childcare

Dwelling Type	Units	Factor	Places
One bed	120	0	0
Flats	200	0.02 (high density)	4
Houses	65	0.04	2.6
Total	385		6.6

#### Early Years

Dwelling Type	Units	Factor	Places
One bed	120	0	0
Flats	200	0.025 (high density)	5
Houses	65	0.05	3.25
Total	385		8.25

#### Forecasting pre-school children from employment sites

When estimating the number of pre-school children that a new employment proposal will generate the EYCS uses a factor of two Childcare and two Early Years places per one hundred employees. In the case of Outline applications where the number of employees is not stated, an estimate based on floor space is made. The guidance on estimating employee numbers in different types of business published by the ODPM in December 2004 (Employment Land Reviews – Guidance Note) is currently used.

Example: - A development expected to employ 150 staff would generate the following number of children requiring an additional place:-

Provision	Employees	Factor	Places
Childcare	150	0.02	3
Early Years	150	0.02	3

### Contribution requirements

In the case of smaller developments contributions will be sought to help extend existing provision, or to pool contributions towards a larger project. Each place is estimated to cost £14,326 at April 2008 prices and all contributions will be calculated and index linked by reference to this date. The index used to uplift EYCS contributions to current costs and hence future proof contributions against build cost inflation is the 'PUBSEC Index' published by the DTI. Based on the residential development example above the contribution sought would thus be: -

Provision	Places	£ per Place	Total
Childcare	7	£14,326	£100,282
Early Years	8	£14,326	£114,608
Total	15		£214,890

On large developments it is likely that new provision will need to be established. In these cases a feasibility study will be commissioned to determine the exact scope of the works and produce a bespoke cost. This takes around six months and developers are advised to provide the information necessary to start the process as part of their pre application process.

Often new provision can be attached to a new school or provided as part of a larger community resource. In such cases, land must be provided as well as the building costs and the developer will need to prove to the EYCS that the land offered meets a rigorous checklist of requirements. Any remediation or re-grading of the land must always be completed by the developer prior to the development being commenced. Utilities and access must also always be provided to agreed points on the boundary prior to transfer to the EYCS.

The precise quantum of development that will trigger a bespoke project cannot be defined exactly, as location will play an important part. By way of guidance, however in isolation, a development of less than 500 houses or one employing less than 1,200 people is unlikely to generate the need for bespoke provision. It must be recognised however that contributions

may be pooled within an area, with land required from the larger developments not wholly justified only on the basis of their own child yield. A financial adjustment to the contribution may be justified where there is a significant disparity between the land requirement and scale of development. By way of indication a 50 place Children's Centre is likely to require a minimum of 0.3 hectares of land if built in isolation from other services.

## **Safer routes**

In consultation with colleagues in Essex County Council's Highways & Transportation Service the provision of walking and cycling routes between EYCS provision and developments will be looked at to see if any improvements are required to make them safer. Financial and/or off site works may be required as a result.

## **The schools service**

### **Background**

The Schools Service has sought financial contributions to mitigate the impact on schools of new housing since 1999. Prior to this time only land for new schools was sought. Essex wide Supplementary Planning Guidance setting out a consistent robust methodology to seeking contributions was produced in association with the Essex Planning Officers' Association and adopted by Essex County Council in September 2004. Further details of the approach are given in the booklet 'Developer Contribution Guidelines' published by the Schools Service in January 2005. This document should always be consulted at the earliest opportunity when assessing the viability of a scheme.

### **When will contributions be sought?**

All developments of twelve or more residential dwellings will be considered. Applications for smaller developments will be exempt unless their co-location to other sites necessitates a holistic look at their cumulative impact.

The Schools Service will only require developer contributions where there is a current or forecast lack of permanent places at the local school or in the immediate area to the proposed development. It should be noted however that the Audit Commission has recommended a figure of 5% surplus places within an area to facilitate parental preference and admissions outside the normal round. Evidence of local need is published yearly in the Essex School

Organisation Plan (SOP). In determining the local supply of places only permanent accommodation will be counted and forecast demand will include other housing projects proposed for the area. Only primary schools within two miles and secondary schools within three miles safe walking distance can be considered when assessing local supply and faith and selective schools may also be excluded. The groups of schools shown in the SOP will generally be used, especially in urban areas.

### Forecasting pupils from new housing

When estimating the number of pupils that a new housing development will generate (pupil yield) the Schools Service takes account of the number of houses and flats that are suitable to house children. In summary the number of pupils that a new development will generate and who will require an additional place at a local school can be expressed as thirty pupils per one hundred dwellings for primary (0.3 per unit) and twenty pupils per one hundred dwellings for secondary (0.2 per unit). One bed units and other categories of home such as student and elderly accommodation are excluded from any calculation. Where the density of the development exceeds fifty per hectare, flats are treated as producing half the normal pupil yield (0.15 primary and 0.1 secondary per flat).

Example: A development consisting of twelve x one bed flats; twenty x two and three bed flats and eight houses on half a hectare (above 50 per hectare) would generate the following number of pupils requiring an additional place:

#### Primary

Dwelling Type	Units	Factor	Places
One bed	12	0	0
Flats	20	0.15 (high density)	3
Houses	8	0.3	2.4
Total	40		5.4

#### Secondary

Dwelling Type	Units	Factor	Places
One bed	12	0	0
Flats	20	0.1 (high density)	2
Houses	8	0.2	1.6
Total			3.6

## Contribution requirements

In the case of smaller developments contributions will be sought to help extend existing schools on the basis of multiplying the pupil yield by the appropriate Department for Children Schools & Families (DCSF) cost per place figures (regionally adjusted for Essex). For April 2008 these are £11,124 primary and £16,858 secondary.

Based on the above example the contribution sought would thus be: -

Age Range	Pupils	Cost per Place	Total
Primary	5	£11,124	£55,620
Secondary	4	£16,858	£67,432
		Total	£123,052

The DCFS cost per place figures are adjusted annually and all contributions will thus be quoted and require indexation from April at the start of the appropriate financial year during which the amount was calculated. The index used to uplift Schools contributions to current costs and hence future proof contributions against build cost inflation is the 'PUBSEC Index' published by the DTI.

In the case of larger developments, specific projects may need to be identified and contributions secured that fully fund them. This may lead to contributions providing additional places not fully justified by the pupil yield but instead by the need to produce manageable class groups. In these cases a feasibility study will be commissioned to determine the exact scope of the works and produce a bespoke cost. This process takes a minimum of four months and developers are advised to provide the information necessary to start this process as part of their pre application process. Such projects may also require the developer to secure additional land for the school or the financial means to purchase it.

On large developments it is likely that a new school will need to be provided. Again a feasibility study will be required and the developer will need to prove to the Schools Service that the land offered for the new school meets a rigorous checklist of requirements. Such feasibility studies take around six months to complete and can only be commissioned after the likely suitability of the land has been established. Any remediation or re-grading of the land must always be completed by the developer prior to the residential elements of the development being commenced. Utilities and access must also always be provided to agreed points on the boundary prior to transfer to the Schools Service.

The precise number of dwellings that will trigger either a bespoke project or a new school cannot be defined exactly, as location will play an important part. By way of guidance, however, a development of less than 100 units is unlikely to require a bespoke project as it will equate to less than thirty pupils (one class) at either primary or secondary age. In contrast a development of 700 houses could be expected to produce sufficient pupils to fill a one form entry primary school and would almost certainly trigger the need for a bespoke project. A one form entry primary school requires 1.1 hectares of land. The smallest new secondary school Essex would seek to establish is 600 places and a school this size requires around 5.2 hectares.

### **Sixth form provision**

The Learning and Skills Council are responsible for post sixteen provision. The majority of Essex secondary schools have a sixth form and as such in some cases expanding the number of secondary places will naturally lead to an increase in the number of sixth form places demanded. One hundred houses can be forecast to generate the need for four additional sixth form places and the applicable April 2008 DCSF cost per place figure is £18,051.

### **School transport**

Where it is not possible to provide additional school places within a reasonable walking distance of the new development or via a safe route, an additional contribution towards school transport will be required. This contribution will be in addition to any pupil places contribution and will usually pertain to the cost of providing the transport for the number of additional pupils.

### **Safer routes to school**

In consultation with colleagues in ECC's Highways & Transportation Service the provision of walking and cycling routes between sites and local schools will be looked at to see if any improvements are required to make them safer. Financial and/or off site works may be required as a result.

## **School Travel Plans and Safer Journeys to School**

The County Council has a statutory duty under the Education and Inspections Act 2006 to develop a School Travel Plan with all existing schools by 2010 and all new schools as they come into being. It also has a statutory duty to promote the use of sustainable methods of transport (including public transport, walking and cycling) for all education and training related journeys from pre-school to post 16 age students.

Therefore where a private development includes a proposal for building a new or revised school or other educational or training establishment, the developer will be required to work with the County Council's School Travel Plans and Safer Journeys to School teams to develop and implement a school travel plan and associated safer journeys to school infrastructure programme.

This will involve considerations including (but not limited to) access to the school site and walking/cycling route provision. There will be a presumption against siting car pick up or drop off sites in association with the school and developers will be expected to take actions to minimise the carbon footprint produced by the 'school run' associated with the school. This may involve providing funding for the education of residents and promoting the use of sustainable travel modes. The developer may also be asked to pay for bus services aimed at the school /education journey segment, where this is considered appropriate.

Where a development does not involve the creation of a new or revised school or other educational establishment, a developer will still be required to have consideration for the impact of the development on the 'school (or wider educational) run' and take action to minimise the concomitant carbon footprint. This may include the provision of specific education journey infrastructure (for example, but not limited to: footpaths, cycle paths or site specific infrastructure such as cycle stands or parent waiting shelters) or for funding to support public transport to this end.

In addition the developer may be asked to contribute toward the production of educational material to promote the use of sustainable modes of travel. This could include leaflets or supporting training in local schools or other education establishments likely to be affected by the development.

## Transportation

### General approach

The County Council as Highway Authority is responsible for the management and maintenance of all adopted roads within the county other than those designated as trunk roads (A12, A120) and motorways (M11, M25) which are at present the responsibility of the Highways Agency or part of the A130 which is under the remit of Design Build Finance Operated (DBFO).

In addition to this role the County Council is a statutory consultee to the planning process under the Town and Country Planning General Development Order 1988. The Development Control Policy Framework and Development Control Policies included within the current Local Transport Plan have been refreshed and can be found on the ECC web site under Transportation and Planning then Development Control.

In the new planning process the County Council is working with District Authorities in developing Core Strategies and other supporting planning documents. In this interim period there will be a mix of the traditional approach to identifying development impact on a site by site basis and that where supporting infrastructure delivery and funding is identified in the District's planning documents.

### County-Wide Transportation Charge

The County-Wide Charge will be in addition to any direct Site Related infrastructure requirement or Local Area requirement to release a proposed development. The details are currently being prepared and will be posted in this Guide as soon as they are ready. They will include the policy background, an explanation of the methodology, details of the charge and a worked example.

### Current practice to identify Site-Related and Local Area Impact

The Highway Authority Requirements state that:

- Each development will be considered on its impact on the highway network in terms of policy, safety, capacity and accessibility.
- The highway network has Development Control Policies that protects its routes and these will be applied when considering development.



- Any proposed highways works required for development will need to be designed to the highest geometric standards therefore optimising highway safety
- Any development proposal will be tested against existing capacity to ensure that we have reliable highway infrastructure and minimise congestion on the highway network
- All development will be subject to a sustainability test that will consider whether the development is accessible and to ensure that model choice is available with the aim to reduce the need to travel by the private car

### **Provision of technical work**

Each development site that proposes 50 dwellings (or more or alternative development such as commercial or leisure uses that generate equivalent or higher traffic flows) will require a full Transport Assessment (TA) or a Transport Statement (TS). The assessment will identify the impact of the development in order to make the site sustainable in transport terms and therefore acceptable to the Highway Authority. Guidance on the preparation of a TA or TS can be found on the ECC web site or by requesting a copy of the County Councils Transport Assessments Guidelines. Early discussions with the Highway Authority are recommended to scope the parameters of any TA or TS.

The TA or TS will be used to identify mitigation measures associated with the development which the developer will be asked to fund in total or part, depending on the measures identified. Such measures could include additional highway infrastructure including cycling and walking, network management measures and enhanced public transport provision.

### **Developments below 50 residential dwellings /40 passenger car movements (Small Scale)**

Small scale developments, in particular those in urban and town centre locations, will have a cumulative impact on existing transport infrastructure. Given the scale of this type of development in most cases it is unlikely that a TA/TS will be required. However, to deal with the cumulative impact contributions will be sought to fund the local measures. These will be identified in developing Core Strategies and Local Development Frameworks.

## **Workplace Travel Planning**

A Travel Plan is a long term travel management strategy designed to manage the demand for trips and accessibility at a development and promote travel choice. They can be supplied for business, education, retail, leisure and residential developments and in every case should be produced in line with the Council's transport policies.

Travel Plans cover sustainable transport opportunities such as walking, cycling, public transport and car sharing. They also encourage employers to consider introducing such practices as flexible and home working. They should contain a package of practical measures, which includes a mix of incentives and disincentives, to improve access by public transport, walking and cycling and to reduce the need for parking associated with the proposal and to mitigate transport impacts. The document should also contain targets, (in agreement with Essex County Council), and identify measurable outcomes plus include arrangements for monitoring the progress of the plan including actions to be agreed in the event that targets are not met.

They can be adapted to reflect the particular needs of individual organisations and the specific circumstances of each site. A Travel Plan should be written clearly and be a practical "living document" that changes in response to both internal and external influences on the development.

It should be noted that planning conditions and obligations will be required to ensure that a Travel Plan is implemented at a development, particularly if it is large and complex. Mode share targets will be specified as part of the Travel Plan obligations, (within the Section 106 agreement); therefore the plan would need to have incorporated an appropriate set of measures to meet these targets.

## **Monitoring and Review**

The initial staff travel survey should take place within the first six months of occupation of the premises, followed by an annual survey for the next five years. Essex County Council's Workplace Travel Plan Team should be sent results of the survey in the form of a report for each of those five years showing the progress of the Travel Plan. If the set targets have not been achieved the Travel Plan will be reviewed by Essex County Council and discussions made for new measures to be put in place. Developers are required to pay a monitoring fee of £3,000 for those Travel Plans which are secured through the planning process. This is to cover

ongoing supervision of the Travel Plan and assistance with the development of the owners monitoring reports for the first five years of occupancy.

The Workplace Travel Plan Team has an online travel survey system available for developers / consultants to use, which automatically produces data that can be analysed and compared from year to year. This system will benchmark the organisation's travel behaviour and document the progress of the implemented Travel Plan. On going funding of Travel Plan measures will be negotiated at the time of the planning application.

To find out more about Workplace Travel Planning call 0845 603 7631 or email the [travelplanteam@essex.gov.uk](mailto:travelplanteam@essex.gov.uk)

### **Residential Travel Planning**

The Transport Information and Marketing Scheme and Residential Season Ticket Provision is applicable to all residential applications of 10 or more dwellings. Developers will be required to produce a Transport Information and Marketing Scheme for each dwelling. The pack should contain information about walking and cycling routes to the development, details on car sharing, community transport, taxis and school transport plus public transport information including current timetables. Developers are also required to provide a redeemable voucher for a public transport season ticket, for each eligible member of the residential household. This will be negotiated at the time of the planning application and will form part of their sustainable transport commitments.

The Transport and Information Marketing Scheme packs can be purchased from the Essex County Council Workplace Travel Plan Team on 0845 603 7631 or at [travelplanteam@essex.gov.uk](mailto:travelplanteam@essex.gov.uk)

### **Transport Information and Marketing Scheme and Residential Season Ticket Provision**

The scheme is applicable to residential applications of more than 10 dwellings. Developers will be required to produce a Transport Information and Marketing Scheme for each dwelling. They will also be required to provide each eligible member of the residential household with a voucher, redeemable for a public transport season ticket. This will be negotiated at the time of the planning application and will form part of their sustainable transport commitments.

## **Special maintenance payments:**

- **Traffic signals**

The maintenance of any highway scheme provided by a developer needs to be considered. If the highway scheme is purely to facilitate access to the development, rather than assisting with the overall movement and capacity of the network, the maintenance costs will be borne by the developer. These costs will include the maintenance of the equipment to the same standard as the Highway Authority for 10 years and making provision for the complete refurbishment of the site after that time, again, to the same standards as the Highway Authority refurbishments at that time.

- **Public transport**

To secure the longer term maintenance of the infrastructure, the developer will be required to provide a 'commuted maintenance sum' to ECC in respect of any new installations to offset the ongoing maintenance costs for a period of 10 years from the date of acceptance and take over of passenger transport infrastructure by ECC on a site.

- **Street lighting**

Developers may wish to enhance their proposed developments by utilising street lighting lanterns that are not contained within Essex County Council Standard Specifications. Providing the roads to be illuminated can be lit to the British Standard utilising a lantern chosen from the Select List, and providing the developer is prepared to pay a commuted sum to the lantern chosen, the developer may install non-standard lantern which would subsequently be adopted in the normal way. This non standard street lighting solution will be subject to a 10 year commuted sum payment.

- **Drainage**

The means of drainage of surface water from the road must be assessed. Ideally, the road water should drain into a Public Sewer (adopted by Water Authority), or a dedicated Highway Drain (adopted by the Highway Authority). Alternatively, drainage easements may be considered if the road water drains into a private system. Where there is deviation from the required method, and if the alternative method is acceptable to the Highway Authority, a

commuted sum will be required. Therefore for any non standard drainage solutions these will be subject to a 10 year commuted sum payment.

- **Trees**

Any trees proposed within the highway must be agreed with the Highway Authority and sited clear of all underground services and visibility sight splays, and must be laid out to complement the street lighting scheme. All proposed tree planting must be financially supported by the developer. This to be set at a realistic level, to be agreed with the Highway Authority. This payment will cover the cost of future maintenance for a 10 year period.

## Community Services (Adult Learning & Libraries)

### General Statement

The following outlines the general approach to development contributions for Community Services. The contributions will be used flexibly to make provision locally (within or near to new developments), and/or as part of larger town centre facilities, or in accordance with service strategy. The exact nature of new facilities will be subject to service strategy, consultation with local people, user patterns and the prevailing local circumstances. The opportunity to take advantage of multi-use design will be closely examined and followed whenever practicable. ECC welcome early discussions with developers and landowners in this respect.

The context for the developer contributions proposed below has been informed by the South East Museum, Library & Archive Council (SEMLAC) publication “The South East Public Library Tariff” (January 2006), which can be viewed on their web site [www.semlac.org.uk](http://www.semlac.org.uk). This was preceded by publications: 1) Museum, Library & Archive Provision and new development in the South East, March 2005, and 2) Securing Developer Contributions for Museum, Library and Archive Facilities in the South East – Guidance Note, June 2005.

### Libraries

The Library service is statutory (1964 Public Libraries and Museums Act), and is required to provide a comprehensive and efficient service for all residents and persons working in Essex. This statutory function is articulated by central Government through Public Library Service Standards.

1. The methodology is District/Borough based and takes into account:

- All planning applications will be considered.
- Inclusion of other known planning applications in the District/Borough.
- Long term capacity and future requirements across the whole of the District/Borough.
- The Essex standard for a new stand-alone library is that it should serve a discrete community of at least 7,000 people.
- Land acquisition costs are not included in the rate per dwelling.
- On substantial development sites (usually 300+ units) a new site/premises may also be required at no cost to ECC or the LPA.
- The Community Services General Statement above.

2. The detailed calculation uses the following factors:

- A service requirement of 23m<sup>2</sup> net of public library space per 1,000 population, based upon the draft Public Library Standard, plus circulation and non-public areas. Parking space will be required generally in accordance with national and/or recognised standards.
- Building costs are based upon the RICS BCIS Tender Price Index and new build prices.
- Fitting out costs including furniture, fittings, technology etc are based upon current fitting out costs of new provision in Essex.
- Provision of stock based on the Public Library Standard “Stock level per 1,000 population”, and using the average price of new books taken from the Holt Jackson review of new book prices paid by Public Libraries.

Current rate per dwelling for 2008 - £234.46

Costs are subject to review as and when necessary, but at least annually, to reflect changes in build costs.

## Methodology

### Space requirement:

23sq.m per 1000 population (net public floor space excluding circulation and services' space)  
– National Public Library Standard

### Building cost:

Construction cost (including external works) = £2,291 per sq.m – based on RICS BCIS Tender Price Index (January 2008)

Fitting out costs = £1,289 per sq.m – based on current fitting out costs of new provision in Essex (January 2008)

TOTAL building cost = £3,580 per sq.m

### Stock cost:

Stock items per 1,000 population = 1,532 – National Library Standard upper threshold

Average stock item price = £10.02 – based on Holt Jackson book price index (September 2007)

### Cost per 1,000 population:

Building – Total cost x 23 sq.m = £82,340

Stock – Items per 1,000 population x Average price per item = £15,351

Total = £97,691

### Contribution per dwelling:

Cost per person = £97.691

Average number of persons per dwelling = 2.4 - *[Regional average house occupancy]*

Cost per dwelling = £234.46

## Adult learning

### Mission Statement

*To put the learner at the heart of what we do by developing learning opportunities for adults in partnership with others, and by providing access to a flexible, high quality service which is delivered locally across Essex.*

#### 1. The methodology is District/Borough based and takes into account:

- All planning applications will be considered.
- Inclusion of other known residential planning applications in the District/Borough.
- Current capacity and future requirements will be assessed across the whole of the District/Borough based of ECC full time adult education facilities.
- Land acquisition costs are not included in the rate per dwelling.
- On substantial development sites (usually 300+ units) a new site/premises may also be required at no cost to ECC or the LPA. Please refer to Appendix 1 for general details of site requirements.
- The Community Services General Statement above.

#### 2. The detailed calculation uses the following factors:

- The number of enrolments in Essex converted to full time equivalent students (using a Further Education Funding Council model for converting numbers of students to full-time equivalents).
- A requirement for 70 sq.m for 30 full time students, based on the DfES standard for a general teaching classroom, plus circulation and non-public areas. Parking space will be required on a per staff/student basis in accordance with national standards and/or recognised standards.
- Building costs are based upon the RICS BCIS Tender Price Index and new build prices.
- Fitting out costs including furniture, fittings and technology etc., based upon current fitting out costs of new provision in Essex.



Current rate per dwelling for 2008 - £100

Costs are subject to review as and when necessary, but at least annually, to reflect changes in build costs.

## **Methodology**

### Space requirement:

70 sq.m per 30 F/T students – DfES standard for class teaching space = 2.33 sq.m per F/T student

### Building cost:

Construction cost = £2,291 per sq.m – based on RICS BCIS Tender Price Index

Fitting out costs = £1,289 per sq.m – based on current fitting out costs of new provision in Essex

TOTAL building cost = £3,580 per sq.m

Therefore; Cost per student = £8,341 per sq.m

### Students as proportion of population:

Enrolments in Essex (2006/07 academic year – last audited accounts) = 39,675

Full/Time equivalent =  $39,675 \times 0.158 = 6,269$  F/T students

Essex population = 1,371,260 (mid year 2007)

Proportion of Population =  $1,371,260 / 6,269 = 0.005$

### Contribution per dwelling:

Cost per F/T student/person = £8,341 per sq.m

Multiplied by proportion of Essex population who are F/T students  $\times 0.005 = £41.70$  per person

Average number of persons per dwelling = 2.4 [*Regional average house occupancy*]  $2.4 \times £41.70 = £100$

Cost per dwelling = £ 100

## Adult social care

### Background

Adult Social Care produces Accommodation strategies relating to the needs of vulnerable adults living in Essex. These reflect the strategic direction of the service and models which will address the demographic growth and peoples' needs. Where possible this information is broken down to District/Borough level to inform developers exploring future housing development. The strategies are available on the Essex County Council website in the Health and Caring pages.

The type of services provided by Social Care and the way they are delivered is changing. There is a shift from segregated residential and day centre based care, to community and home based services. The Council is moving from direct provision to a commissioning role, working in partnership with health services in particular. Inward migration of population and new housing developments impact on the demand for services. Large scale developments are likely to require specific capital developments to provide new infrastructure. Generally the Council would want to see Developers' plans promote a sense of community, well-being and safety; good mobility access to public places and 'Home for Life' properties adaptable for all needs.

During 2008 Adult Social Care will be producing an overarching Accommodation Strategy (this will consolidate the client specific Accommodation Strategies into one) and is designed to:

- Feed into Section 106 discussions on new developments at the planning stage to ensure strategic aims are met
- Provide one clear reference point for local planning and housing authorities
- Reduce the demand for social and health services through the provision of a good range of housing options.

To ensure that the population of Essex is able to live in accommodation of their choice it is important that new developments are located in areas that can provide services for the whole community and their well-being needs without putting further pressure on existing services. It is important that this community infrastructure is included at build stage of new developments rather than retrospectively.

The importance of preventative services being developed should not be ignored and these services are often best placed in the local area. The introduction of personal budgets and the future importance of Local Area Agreements signal a need to plan and deliver a range of services locally e.g. community well-being centres, supported accommodation options which could include other services delivered to the wider community in an area.

Examples specific to service user groups are given below:

#### Learning Disability -

- Move away from people living in registered care (currently 31%) – this means that people with a learning disability will be living in a range of locations – which will include new developments
- Life expectancy of people with a learning disability has significantly increased over the past few years which in turn will place pressure on locality services being available
- Younger people with a learning disability are increasingly accessing home ownership and are likely to need community based services

#### Older People -

- The older people's population of Essex is due to increase rapidly over the next 20 years and there is less likelihood of living in registered care. These people may wish to remain in their existing home or may need to move to sheltered/extra care accommodation and receive services locally. There will be a greater demand for sheltered and affordable accommodation over the coming years as a result.

Contribution from developers to social care/health infrastructure costs:

£90 - £104 per unit developed on developments with more than 25 units, according to the district in which the development is situated. Some contributions may be requested jointly with the local Primary Care Trust.

Further Information Available for Registered Social Landlords and Developers

- Homes for Older People
- Learning Disability Accommodation Strategy (due 2008)

- Supporting People 5 year strategy and successor documents
- Joint Strategic Needs Assessment
- Mental Health Accommodation Strategy (due 2008)
- Local Strategic Housing Market Assessments

The above information will be posted on the Essex County Council website when it becomes available.

## Public art

It is recognised that public Art is an important factor in improving the aesthetics of our built environment, enhancing a sense of community and place whilst also fostering community pride and ownership.

All initiatives in the built environment can benefit from the skills and approach of an artist. These include the identification of local context opportunities, community collaboration, site appraisals, contributing to design teams, master plans and other development partnerships.

Essex County Council has a longstanding commitment to the commissioning of public art as part of its Capital Development Programme. This has included headline projects related to art in architecture and highways programmes, with Essex gaining recognition on a national level for quality and strategic focus. This is an integral part of the Essex Design Initiative and forms part of our strategy to enhance and improve the image of the County of Essex nationally and internationally, as an exciting, forward looking and developing location.

ECC has established a Public Art Common Fund to improve efficiency of strategic planning and delivery of public art projects. By streamlining the process we will create;

- Strategic planning of public art expenditure;
- The creating of landmark schemes where appropriate
- Efficient delivery of small number of high impact projects (max 10 per year)

However, there are limitations as to what the County Council can achieve on its own with limited resources. Private developments have a major role to play as well, in enhancing the environment for communities with the use appropriate art work.

The County Council will encourage all private sector developments to include the concept of integrating art within their schemes. This can manifest itself in many forms such as:

- large scale three-dimensional artworks such as sculpture
- gateway and water features, which can also act as focal points or navigational features within an estate
- street furniture, which can make a contribution by the sensitive use of fencing, paving, railings, security screening, tree grills, lighting and bollards.

To be most effective, artists should be engaged at an early stage in shaping any proposition for development and certainly, in advance of the submission of a planning application.

The following outlines the general approach to development contributions for Public Art as set out in the 'Urban Place Supplement':

- in every development on sites over 0.1 ha the inclusion of artists and artworks is strongly recommended
- as a guideline 1% of the total development cost (including fees, but excluding cost of borrowing) should be allocated for art
- in larger developments greater than one hectare in area, or where more than ten homes are created, or where the total floor space is more than 1,000 square meters the contribution of 1% will be a requirement where adopted by the local planning authority.

The Public Art Team lead the delivery of Essex County Council's Public Art Strategy to ensure the work and skills of artists feature in the structures and functioning of new development, either as part of a County Council funded programme, through liaison with Districts & Borough Councils, or by acting as expert consultants for privately funded development. As these arrangements range from district to district, early consultation is strongly recommended.

The Urban Place Supplement is available at:

[http://www.the-edi.co.uk/?section=publications\\_UPS](http://www.the-edi.co.uk/?section=publications_UPS)

## Minerals and waste

The Essex County Council Minerals and Waste Planning Team is responsible for the production of minerals and waste policy documents, including the statement of community involvement, and for determining planning applications for mineral and waste development across Essex and the County Council's own development proposals. In these circumstances District Authorities and Parish Councils are consultees in the process.

### Background

Planning applications for minerals and waste are very varied in scale and nature. Each application is dealt with on its own merits; the need for a planning obligation to mitigate impacts on the environment & community will depend on the circumstances of each application.

It is not possible to provide specific formulas/calculations for contributions that may be required for minerals and waste proposals. The contributions would be assessed on the individual merits and circumstances of each proposal.

### In what circumstances will contributions be sought?

Planning Obligations can be sought for many different types of facilities including:

- highway improvement and reinstatement works
- off-site highway safety works
- off-site provision of landscaping, screening, noise attenuation measures
- off-site monitoring of noise, dust, blasting impact
- financial guarantees for site restoration
- provision for extended aftercare & long term management of restored sites habitat creation and protection
- safeguarding protected species and species of local biodiversity interest
- site interpretation and public access

- associated community facilities and projects.

## **Relevant policy**

The justification for such contributions is supported by the following policy:

Circular 05/05

MPS2 “Controlling and Mitigating the Environmental Effects of Minerals extraction in England” (2005)

MPG2 “Applications, Permissions and Conditions” (1998)

MPG7 “The reclamation of Mineral Workings” (1996)

PPS9 “Biodiversity and Geological Conservation” (1994)

Minerals Local Plan – policies - MLP3 “Access and Highway Arrangements concerning mineral workings” (1996) & MLP13 “Reasons for refusing minerals applications” (1996)

Waste Local Plan – Policy W10A “Planning Conditions and Obligations” (2001)

Minerals Development Document – there is also likely to be a policy in the emerging Minerals Core Strategy

## **When will planning obligations be raised as an issue**

County Planning Authority is putting a strong emphasis on pre application discussions and early public consultation. This is set out within the Statement of Community Involvement. Through early discussion with the developer and local community the type of matters that might require a planning obligation would be identified at an early stage, such that the authority would be looking for the application to set out what elements would be offered through a planning obligation. Ideally the application would include heads of terms of an agreement or even a draft agreement. Such an approach ensures the determination process of an application is kept to a minimum.

Type of development which may trigger the need for an obligation, it is not possible to be specific as to the nature or scale of minerals and waste development which would trigger the need for a planning obligation; it is very much dependent on the particular circumstances of each application.

## Waste management

### Background

The County Council has overall responsibility for waste planning and disposal in Essex, except in the unitary authority areas of Southend on Sea and Thurrock. The County Council is directly responsible for providing and managing the County's 23 Recycling Centres for Household Waste and acts jointly with the 12 District and Borough councils in managing household waste. The 12 Districts and Boroughs are responsible for waste collection. The unitary authorities of Southend on Sea and Thurrock have a combined role for waste planning, collection and disposal.

Through the Waste Management Advisory Board, the County Council and the 12 District/Borough Councils have produced a draft Joint Municipal Waste Management Strategy for Essex. The Strategy sets out how waste will be managed in the future. Essex favours an approach to waste management that is led by waste minimisation, has high levels of recycling and Mechanical Biological Treatment (MBT). This approach is also necessary to meet the requirements of the Waste and Emissions Trading (WET) Act 2003 that implements the European Landfill Directive.

### Identified needs

Projections for waste arisings over the next 25 years suggest unsustainably high impacts for Essex and Southend, both in financial and environmental terms. Historically, the majority of waste arisings have been landfilled; however, the Essex councils recognise that this is no longer a pragmatic or desirable means of managing waste in the future.

Landfill tax is currently £21 a tonne (in 2006/07) and is expected to rise at a rate of at least £3 a year to £35 a tonne. The cost of waste disposal per tonne for municipal waste in 2005/06 was £55.19. Each household produces approximately 1.2 tonnes of waste per annum.

If the County fails to keep landfill under the targets set for Essex through the Landfill Allowance Trading Scheme (LATS) the government will levy penalties of £150 a tonne. Essex and Southend on Sea are currently involved in a waste private finance initiative (PFI) procurement exercise. The application for PFI credits is to support the development of capital infrastructure which is essential for the successful delivery of the waste management strategies of Essex and



Southend, resulting in increased recycling and diversion of biodegradable waste currently sent to landfill.

This new approach to waste management has considerable financial implications.

### **Assessing contributions**

The value of a new and existing waste management network, forecast to be required by 2011, is £170m. This waste management network is likely to consist of two mechanical biological treatment (MBT) plants, eight satellite transfer stations and 27 Recycling Centres for Household Waste (RCHW) (only two of which are new build).

In order to raise sufficient capital to extend this network to meet waste management needs imposed by the new development, local authorities should request pro-rata contributions to the capital expenditure required. Developers of new households will therefore be asked to contribute an amount no greater than the contribution made by all existing households.

Set out below is the methodology for the appropriate contribution:

Residential development - class C3.

Capital cost of a new waste management network for 2011 to 2034 - £170m

Capital cost (£170m) divided by the expected number of Essex households in 2011 - 590,000 households

Contribution per new dwelling = £288

The contribution will be reviewed in 2009 when contracts for the new build waste management network are awarded and the actual costs are known.

### **Worked Example**

This appendix presents a worked example for a hypothetical development for ECC services and is, therefore, for illustrative purposes only. It assumes that the range of services shown, are needed to support the development. It does not include the requirements of the District Authorities or other agencies. Other services mentioned in this guide and for which there is not a standard charge, will be considered on a site by site bases, such a service for example could be Transportation.

## **Development Example**

120 one bed flats, 200 two and three bed flats and 65 houses on a five hectare site.

## **Early Years and Childcare**

Based on example page 16

Childcare	£84,700
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Early Years	£96,500
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## **The Schools Service**

Based on page 19 factored up for development example

Primary	£449,300
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Secondary	£463,815
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## **Libraries**

Based on cost per person	£55,899
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## **Adult Learning**

Based on cost per person	£32,048
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## **Waste Management**

Based on cost per household	£110,880
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## **Police**

Based on per dwelling	£157,907*
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## Total Cost

£1,442,363

As a rough guide this equates to £3,746 per unit, index-linked to April 2006 costs. This figure would change with different mixes of units or one dwelling type development and/or where it can be demonstrated that existing services do not need to be increased to accommodate the development.

\* Police charges are not included in this Guide, but the amount shown is that supplied by the Essex Police Authority.

## Updating and review of the guide

The electronic copy of the Guide will be updated periodically as new text becomes available. Readers will be informed of the sections which have been changed. To obtain the latest electronic copy please contact Peter Douch [peter.douch@essex.gov.uk](mailto:peter.douch@essex.gov.uk)

The latest version of the Guide will also be published on the County Council's web site [www.essexcc.gov.uk/developercontributions](http://www.essexcc.gov.uk/developercontributions)

The printed Guide will be updated annually to ensure that changes in legislation or Government Guidance can be incorporated. Best practice across the Country will be monitored and where appropriate changes to the Guide will be made to reflect this. Standard charges will also be reviewed on an annual basis.

This booklet is issued by Essex County Council.  
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**Essex County Council – making Essex a better place to live and work**

**The information contained in this booklet is available in alternative formats: large print, Braille, audio tape or disk.**



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