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Cambridge City Council

DEVELOPMENT PLAN SCRUTINY SUB-COMMITTEE

To: Scrutiny Sub Committee Members: Councillors Reid (Chair), Saunders (Vice-Chair), Blencowe, Brierley, Herbert and Price

Alternates : Councillors Blackhurst

Executive Councillor for Planning and Climate Change: Councillor Ward

Despatched: Monday, 17 March 2014

Date: Tuesday, 25 March 2014

Time: 4.30 pm

Venue: Committee Room 1 & 2 - Guildhall

Contact: James Goddard

Direct Dial: 01223 457013

AGENDA

1 APOLOGIES

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

Members are asked to declare at this stage any interests, which they may have in any of the following items on the agenda. If any member is unsure whether or not they should declare an interest on a particular matter, they are requested to seek advice from the Head of Legal Services **before** the meeting.

3 MINUTES (*Pages 7 - 18*)

To approve the minutes of the meeting on 17 December 2013 (*Pages 7 - 18*)

4 PUBLIC QUESTIONS (SEE BELOW)

- 5 **DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT 2014** (*Pages 19 - 84*)
- 6 **DRAFT PLANNING OBLIGATIONS STRATEGY SPD** (*Pages 85 - 162*)
- 7 **CAMBRIDGE LOCAL DEVELOPMENT SCHEME 2014** (*Pages 163 - 172*)

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DEVELOPMENT PLAN SCRUTINY SUB-COMMITTEE 17 December 2013
4.30 - 7.20 pm**Present:** Councillors Reid (Chair), Blackhurst, Blencowe, Herbert and Price

Executive Councillor for Planning and Climate Change: Councillor Ward

Officers:

Head of Planning Services: Patsy Dell

Principal Planning Policy Officer: Joanna Gilbert-Wooldridge

Committee Manager: James Goddard

Other Officers Present:

Senior Sustainability Officer: Emma Davies

Planning Policy & Economic Development Officer: Stephen Miles

FOR THE INFORMATION OF THE COUNCIL**13/50/DPSSC Apologies**

Apologies were received from Councillors Marchant-Daisley and Saunders.

Councillors Blackhurst and Herbert were present as alternates.

13/51/DPSSC Declarations of Interest

Name	Item	Interest
Councillor Blackhurst	13/55/DPSSC	Personal: His employer registered interest in the Triangle site (CB1).
Councillors Reid	13/55/DPSSC	Personal: Member of Cambridge Cycling Campaign

13/52/DPSSC Minutes

The minutes of the 5 November 2013 meetings were approved and signed as a correct record.

13/53/DPSSC Public Questions

No public questions were asked.

Members of the public asked a number of questions in the Local Plan section of the meeting (13/55/DPSSC).

13/54/DPSSC Annual Monitoring Report**Matter for Decision**

Monitoring is an important part of the planning process, providing feedback on the performance of development plan policies in terms of their use and implementation. The Council is required to produce an Annual Monitoring Report on at least a yearly basis.

The draft Annual Monitoring Report was attached as Appendix A of the Officer's report for agreement.

Decision of Executive Councillor for Planning and Climate Change

Agreed the content of the Annual Monitoring Report (Appendix A of the Officer's report).

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Planning Policy Officer.

In response to Members' questions the Head of Planning Services and Planning Policy Officer said the following:

- i. Circa 700 houses needed to be completed each year for the Council to meet projected need. Provision was below this amount prior to 2007, but increasing from 2011.
- ii. Housing trajectory has assessed using housing completions and projections looking at:
 - Existing site allocations from the 2006 Local Plan;
 - Sites of 10 or more dwellings with planning permission

- Allocations identified in the Local Plan 2014: Proposed Submission.
- iii. The Council as local planning authority had done all that it could to make sites available for development. House building figures had been affected by the economic down turn. Completion figures were higher since 2011 due to growth sites and urban extensions coming forward.
- iv. A rise in demand had led to pressure to bring development sites forward. Annual Monitoring Report figures were based on evidence provided by developers. Demand was expected to rise in future.
- v. An Annual Monitoring Report would be produced on an annual basis as the Local Plan progresses.

Councillors requested a change to the recommendations. Councillor Reid formally proposed to withdraw the following recommendation from the Officer's report as it was no longer required (no amendments were made at DPSSC):

- (Former 2.1b) To agree that if any amendments are necessary, these should be agreed by the Executive Councillor in consultation with Chair and Spokes of Development Plan Scrutiny Sub Committee.

The Committee approved withdrawing this recommendation unanimously.

The Committee resolved unanimously to endorse the recommendation (former 2.1a) as amended.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

13/55/DPSSC Cambridge Local Plan 2014 – Submission

Public Question

Members of the public asked a number of questions, as set out below.

1. Mr Flynn (January's) raised the following points:

- i. Queried if the announcement of the Council's successful City Deal application would impact on the Local Plan.
- ii. Queried if the Local Plan Development Strategy would be reconsidered due to the City Deal.

The Executive Councillor for Planning and Climate Change responded:

- i. The City Council put a joint case to Central Government with South Cambridgeshire District Council that housing need could be met, but would be implemented faster if transport infrastructure was in place.
- ii. The Development Strategy would not be reconsidered. Confirmation of the City Deal was linked to the timescale for delivery of the local plans.

2. Ms Lindsay (PACT) raised the following points:

- i. **Expressed concern that PACT had not been notified of today's DPSSC meeting.**
- ii. **Expressed concern that the Howard Mallett Centre had been included in the Local Plan as a potential site for development. Suggested this had occurred without consultation with PACT.**
- iii. **Said the Howard Mallett Centre site had been given to residents as a community space, it was not intended as a housing development site.**
- iv. **Expressed concern over the potential loss of open space and requested the Howard Mallett site be removed from the Local Plan.**
- v. **Expressed concern over the reporting of resident's representations in the Local Plan consultation.**

The Head of Planning Services responded:

- i. Referred to section 3.9 (P84) of the Local Plan which covered the Eastern Gate Opportunity Area (including the Howard Mallett Centre).
- ii. The Eastern Gate Opportunity Area was approved through the development and adoption of the Eastern Gate Area Development Framework Supplementary Planning Document, details of which were included in the Local Plan. No new details were added to the Local Plan in relation to the Howard Mallett Centre over and above those from the Supplementary Planning Document.
- iii. The Plan set out some broad principles for the site if it came forward for redevelopment, but did not specify its use eg residential.

Ms Lindsay raised the following supplementary points:

- i. **Reiterated concern that the Howard Mallett centre was included as a site for development in the Local Plan, possibly for residential use.**
- ii. **Asked Planning Officers to protect the site.**

The Principal Planning Policy Officer responded:

- i. Stated a consultation had been undertaken on the Local Plan over the summer of 2013. Reiterated no new details were added to the Local Plan

in addition to those from the Eastern Gate Area Development Framework Supplementary Planning Document.

- ii. Stated there was no reference to dwellings/residential use of the Howard Mallett site in the Local Plan.
- iii. Hypothetically, development was proposed for the Howard Mallett Centre site which involved a loss of community use, policy 5/11 of the Cambridge Local Plan 2006 and its successor policy in the Cambridge Local Plan 2014 (Proposed Submission) would be applied to address the need for community facilities.

The Executive Councillor for Planning and Climate Change added that reference was made to the number of storeys buildings could have on the Howard Mallett site (if approved) to limit the maximum number. If this limit were removed from the Local Plan, there would be no limit on building height on the site.

3. Mr Lucas-Smith (Cambridge Cycling Campaign) raised the following points:

- i. **The Cambridge Cycling Campaign worked to increase road safety and cycle friendly access routes.**
- ii. **Took issue with how the Local Plan represented public responses on cycling. Referred to Cambridge Cycling Campaign representations and suggested these had been ignored.**
- iii. **Suggested the Local Plan should facilitate more journeys by bike.**
- iv. **Suggested the Local Plan only required developers to meet minimum requirements.**

The Executive Councillor for Planning and Climate Change stated that no new substantive issues had been raised in the Local Plan consultation. The Local Plan was brought before DPSSC today to consider if it was sufficiently developed for consideration by the Environmental Scrutiny Committee and Council.

The Head of Planning Services said:

- i. The City Council had followed due process for consultation on the submission stage Local Plan.
- ii. Conflicting demands for land use had been fed back through the consultation. The Council had to balance different growth and development needs around the city.

- iii. The constitution allowed for a pause in the process for Councillors to decide at DPSSC today if the Local Plan was ready to go forward or required amendment.
- iv. Referred to a letter received from Graham Hughes (Cambridgeshire County Council) regarding joint work being undertaken by the City, County and South Cambridgeshire Councils.

As a supplementary point, Mr Lucas-Smith asked the Council to decide planning issues locally instead of referring them to Central Government.

The Executive Councillor for Planning and Climate Change stated:

- i. City growth discussions were focussed on sustainable infrastructure development.
- ii. DPSSC and Environment Committees, plus Council would set local planning policy. Planning Inspectors would consider any challenges of planning policy by developers. The intention was to keep the city compact and protect the Cambridge Green Belt.

Matter for Decision

The Development Plan Scrutiny Sub-Committee has over the last three years considered and commented on the evidence base and individual draft sections of the new Local Plan, prior to it being approved by Full Council for publication for the purposes of public consultation on 27 June 2013. That 'draft plan' is known as the 'Proposed Submission' plan.

Consultation on that plan has taken place (19 July – 30 September 2013) and 2,995 representations have been received to this stage of consultation and have been considered by officers. The Council now has to decide whether to continue to progress with the plan, with or without amendments. If so, and if the amendments were not too extensive, the Council could agree to formally 'submit' the plan to government for independent examination. If the amendments were extensive (e.g. new sites added or existing ones deleted), then the Council may decide to re-consult before 'submitting' the plan for examination.

For this committee, the Officer's key recommendation was that the plan should make its way to Environment Scrutiny Committee on 14 January 2014, and thereafter, to Full Council on 13 February 2014.

If Full Council approves the plan, it will then be submitted to the Secretary of State for public examination by an independent planning inspector.

Decision of Executive Councillor for Planning and Climate Change

The Executive Councillor for Planning and Climate Change supported the following recommendations to Environment Scrutiny Committee and Full Council:

- i. The Council seeks fuller details on the County's Transport Strategy for Cambridge and South Cambridgeshire to provide the City Council with adequate assurances that transport requirements to deliver the Local Plan will be in place.
- ii. Changes to the wording in Appendix B: Schedule of Proposed Changes text to be approved by Executive Councillor, Chair and Spokes.
- iii. That the Cambridge Local Plan 2014: Proposed Submission document and Proposed Policies Map (as approved by Full Council on 27 June 2013) be 'submitted' for examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, together with the sustainability appraisal and associated evidence material in support of the plan, and including the Key Issues (Appendix A of the Officer's report) and Schedule of Proposed Changes (Appendix B).
- iv. That the Duty to Cooperate Report (Appendix C) be agreed and submitted as part of the evidence base for the Local Plan.
- v. That, in the interests of expediency, delegated authority be given to the Head of Planning Services to undertake appropriate negotiations and make further minor additions to the Schedule of Proposed Changes during the examination of the Local Plan (i.e. post 'submission') if in the opinion of the Head of Planning Services it is appropriate and necessary to do so to facilitate the smooth running of the plan through the examination period, (except where changes would be of such significance as to substantially alter the meaning of a policy or allocation). The exercise of this delegation to be reported back to Development Plan Scrutiny Sub-Committee through the course of the examination process.
- vi. That the Head of Planning Services is authorised to prepare and submit reports, proofs of evidence, technical papers, statements of common ground and other such documents required in the presentation of the Local Plan through the examination process and reflecting the Council's

agreed position on these matters and to take such other steps as are conducive or incidental to the submission and examination of the Local Plan.

Reason for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Head of Planning Services.

Members of the committee discussed the report section by section and made the following comments:

Section 2

- i. Councillor Herbert referred to Policy 5: Strategic Transport Infrastructure and said the City Council could not evidence transport needs without County Council input. Councillor Herbert referred to the letter from Graham Hughes and said that it contained general information that was open to interpretation.

The Executive Councillor for Planning and Climate Change plus DPSSC Members all felt that it would be a good idea to invite a County Council representative to January Environment Committee to input into the Local Plan discussion; specifically around transport infrastructure.

- ii. The Head of Planning Services said County Council Transport Strategy was brought to DPSSC for approval of the consultation response in September 2013 and was available on the County Council website.

In response to Members' questions the Head of Planning Services and Principal Planning Policy Officer said the following:

Section 2

- i. The City Council, South Cambridgeshire District Council and Cambridgeshire County Council have a history of joint working on planning matters. South Cambridgeshire District Council made a representation in support of the city's housing need assessment. DPSSC agreed representations to the Draft Transport Strategy for Cambridge and South Cambridgeshire in September 2013.

- ii. There were no further formal updates since June 2013 to the proposed Grosvenor Developments/Wrenbridge Ltd proposed regarding land west of Hauxton Road, Trumpington and at the Abbey Stadium, Newmarket Road. This item will be brought back to committee when required in future.

Section 3

- iii. The Eastern Gate Area Development Framework Supplementary Planning document had weight for the 2006 Local Plan. Details were incorporated into the 2014 Plan.

Section 8

- iv. The City Council had a duty to co-operate with the County plus South Cambridgeshire Councils; but was not obliged to agree with their views. The City Council did not have a suitable site in its Local Plan for a secondary school in the city, hence the County Council's objection to the City Council's Local Plan. The City Council was discussing how to overcome this with the County plus South Cambridgeshire District Council.

Appendix B: Proposals Schedule

- v. Extant permission applied to Site R44: Betjeman House from 2006. Should a planning application come forward regarding this site, the Council's interim planning policy guidance on public houses would be applied; as would National Planning Policy Guidance para 70 and policies under the 2014 Local Plan.
- vi. There was an unresolved issue regarding the provision of a household waste site in the south of the city. The City Council was discussing how to overcome this with the County plus South Cambridgeshire District Council.
- vii. The rewording of PM/2/2003 was designed to require universities to allocate accommodation on a room by room basis to protect dwelling provision (reference Local Plan policy 46).
- viii. There were no changes in the Local Plan regarding policy 68 (open space).

Councillors requested changes to the wording in Appendix B: Schedule of Proposed Changes.

- Councillor Reid formally proposed to amend PM/3/007 as follows: "g. create a distinctive gateway to the city and a high quality urban edge, which is sensitive to the transition from the rural to the urban landscape and respects key views, particularly when approaching the city from the

~~south and south-east, as approached by road from the south and respect key views;”~~

- Councillor Herbert formally proposed to amend PM/3/016 to make specific reference to non-car access to the station;
- Councillor Blencowe formally proposed that the change in wording for PM/B/004 relating to the Site R12 Ridgeons also be applied to Site R10 Mill Road Depot.
- Councillor Blencowe formally proposed to amend PM/6/001 to remove the table column referring to on/off-site provision.

The Committee resolved unanimously to endorse the above changes.

Councillors requested a change to recommendations. Councillor Herbert formally proposed to amend recommendations from the Officer’s report by adding the following as new (i) and (ii); to make the former (i) to (iv) now (iii) to (vi):

- (New) The Council seeks fuller details on the County’s Transport Strategy to provide the City Council with adequate assurances that transport requirements to deliver the Local Plan will be in place.
- (New) Changes to the wording in Appendix B: Schedule of Proposed Changes text to be approved by Executive Councillor, Chair and Spokes.

The Committee unanimously approved the additional recommendations.

The Chair decided that the recommendations highlighted in the Officer’s report should be voted on and recorded separately:

The Committee endorsed recommendations (i) and (ii) as amended by 2 votes to 0.

The Committee endorsed recommendations (iii) – (vi) unanimously as amended.

The Executive Councillor approved the recommendations as amended.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

The meeting ended at 7.20 pm

CHAIR

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To: Executive Councillor for Planning and Climate Change: Councillor Tim Ward
Report by: Head of Planning Services
Relevant scrutiny Development Plan 25 March 2014
committee: Scrutiny Sub Committee
Wards affected: All Wards

Draft Affordable Housing Supplementary Planning Document

Not a Key Decision

1. Executive summary

- 1.1 This report concerns the draft Affordable Housing Supplementary Planning Document (SPD), which will sit alongside the Cambridge Local Plan 2014 once adopted.
- 1.2 The SPD supports Policy 45: Affordable housing and dwelling mix of the submission version Cambridge Local Plan 2014. The policy is included in Appendix 1 of the draft SPD.
- 1.3 The draft Affordable Housing SPD has been prepared to replace the council's current Affordable Housing SPD (January 2008). Wide consultation across relevant service areas within the council has been undertaken.

2. Recommendations

- 2.1 This report is being submitted to the Development Plan Scrutiny Sub-Committee for prior consideration and comment before decision by the Executive Councillor for Planning and Climate Change.

2.2 The Executive Councillor is recommended:

- To agree the content of the draft Affordable Housing SPD (Appendix A);
- To agree that if any amendments are necessary, these should be agreed by the Executive Councillor in consultation with Chair and Spokes of Development Plan Scrutiny Sub Committee;
- To agree for the draft Affordable Housing SPD to be subject to public consultation for 6 weeks in June/July 2014.

3. Background

Introduction

- 3.1 The draft Affordable Housing SPD has been prepared to support and provide further guidance for Policy 45: Affordable housing and dwelling mix in the Cambridge Local Plan 2014. This will also assist the council at the local plan examination, by providing extra detail to the policy and highlighting how the policy will work in practice.
- 3.2 Additionally, the SPD has been created at this stage to support Policy 45: Affordable housing and dwelling mix of the Local Plan through examination, by providing extra detail to the policy and highlighting how the policy will work in practice.
- 3.3 Once adopted, the new Affordable Housing SPD will replace the council's current Affordable Housing SPD (January 2008).

Purpose of the SPD

- 3.4 The purpose of the SPD is to guide the delivery of affordable housing in Cambridge. This SPD has been prepared to support Policy No. 45: Affordable housing and dwelling mix as set out in the Cambridge Local Plan 2014.
- 3.5 The SPD builds upon the current Affordable Housing SPD (2008), by applying lessons learnt during implementation.

3.6 The intention is that this SPD will help all parties involved (such as the Council, developers, landowners and registered providers) deliver affordable housing through new development. The SPD seeks to provide greater clarity and certainty, particularly in terms of:

- the planning process leading to submission of a planning application;
- when the policy applies;
- the specification sought ;
- the type/mix required.

3.7 The SPD has been prepared in consultation with the Housing Development Team, Legal Services, City Development Management, Urban Design and New Neighbourhoods, in order to make it an effective document for those that implement the policy.

Status

3.8 The Cambridge Local Plan 2014 has not yet been adopted and is currently being prepared for examination by the Secretary of State. Consequently, if changes to the Local Plan 2014 policies are made as part of the examination, the SPD will be updated to reflect these changes.

3.9 With this in mind, the adoption of the Affordable Housing SPD will take place at the same time as the Cambridge Local Plan 2014.

Sections of the Affordable Housing SPD

3.10 The Affordable Housing SPD is split into eight sections:

- The Affordable Housing SPD – a brief introduction to the SPD, its purpose and status;
- Planning policy context – includes the definition of affordable housing, relevant national and local guidance and strategies;
- Delivering affordable housing;
- Site layout and distribution;
- Building design;
- Other forms of residential accommodation;

- Occupancy;
- Implementation and Monitoring.

Delivering Affordable Housing

3.11 Section 3 – Delivering Affordable Housing explains how affordable housing will be delivered and requirements calculated in Cambridge in line with Policy 45: Affordable housing and dwelling mix in the Cambridge Local Plan 2014 – Submission Version.

3.12 Given that the thresholds for delivery of affordable housing are dependent on the number of units within a proposed residential development, Section 3 (paragraphs 3.13 – 3.25) and Appendix 2 of the SPD outline the methodology for financial contributions towards the delivery of affordable housing.

3.13 To inform the council’s approach towards financial contributions for affordable housing, the council commissioned consultants Dixon Searle to assess different methodologies.

3.14 The methodologies included variations on the approaches outlined below:

- Land value based contributions;
- Market revenue less affordable housing revenue level;
- Percentage of market value of appropriate dwelling types;
- Relating or equating the contribution to the amount of public subsidy (grant) that may be available;
- Aligning financial contributions to affordable housing build costs.

3.15 The consultants have advised that the most appropriate methodology, in terms of deliverability and resource use, is a land value based approach. This approach uses residual land values. This can be found in Appendix 2 of the SPD. The figures in Appendix 2 are subject to on-going work which is being carried out by the planning policy team with advice from consultants Dixon Searle and may be subject to changes prior to public consultation on this document. Any further changes would be agreed by the Executive Councillor for Planning and Climate Change, Chair and Spokes of Development Plan Scrutiny Sub-Committee.

Site Layout and Distribution

- 3.16 Section 4 of the SPD deals with design issues including site layout and clustering, phasing on growth sites, density and dwelling mix.
- 3.17 Guidance regarding density and dwelling mix is steered by the Cambridge Housing Strategy and the Strategic Housing Market Assessment (SHMA). More detail on the SHMA is provided in Appendix 6 of the Affordable Housing SPD.
- 3.18 The findings from the SHMA are particularly important to the determination of an agreed mix of affordable housing and Appendix 6 of the SPD will be updated, when necessary, to reflect current need. Therefore Appendix 6 of the SPD will be provided as an insert, when purchased in hard copy format to allow for the replacement of this section.

Employment Related Housing

- 3.19 Paragraphs 6.7 and 6.8 of the emerging Cambridge Local Plan 2014 allow for the possibility of employers providing housing specifically for their employees, as part of schemes for employment development. This is to aid employers with the recruitment and retention of staff. Whilst not officially affordable housing in terms of the NPPF (National Planning Policy Framework) definition of affordable housing, this type of housing would assist in accommodating people where employers are experiencing housing-related difficulties in recruiting staff.
- 3.20 Page 19 of the SPD provides greater clarity on the issue, specifying the types of schemes that could qualify (paragraph 6.5 of the SPD), how a scheme should be justified (paragraph 6.7 of the SPD) and what evidence should be provided (paragraph 6.8 of the SPD).

Links with the Planning Obligations SPD

- 3.21 The draft Affordable Housing SPD is closely linked to the draft Planning Obligations SPD as affordable housing provision will be secured through a Section 106 agreement. The section of the draft Affordable Housing SPD regarding legal agreements (page 15 of the

SPD) has been developed in tandem with the draft Planning Obligations SPD, to provide consistency across both documents.

3.22 This procedure was also carried forward into the section on viability and viability assessments (page 12 of the SPD onwards). This provides a standardised methodology for developers to demonstrate whether sites are unviable and unable to provide affordable housing or other associated planning obligations. A standardised viability checklist (found in Appendix 3) is included in both the draft Affordable Housing SPD and the draft Planning Obligations SPD.

Consultation

3.23 Public consultation for the draft Affordable Housing SPD is recommended to take place between June and July 2014.

3.24 A Sustainability Appraisal and Habitats Regulations Assessment Screening Report has been carried out and consulted upon for the emerging Cambridge Local Plan 2014. This consultation took place between 19 July and 30 September 2013. These documents, along with other supporting documents will also be made available to view during this consultation. As the draft SPD supports the Cambridge Local Plan, there is no further need to undertake a separate Sustainability Appraisal or Habitats Regulations Assessment for this document.

3.25 An updated version of the Cambridge Local Plan 2014 Equalities Impact Assessment will also be made available closer to public consultation, which includes updated information relevant to this draft Affordable Housing SPD.

Next Steps

3.26 The final version of this document will be amended prior to adoption to reflect some or all of the following:

- comments we receive on this draft document;
- any amendments to relevant policies in the final local plan;
- any governmental policy changes.

Implications

(a) Financial Implications

There are no direct financial implications arising from this report. Policy recommendations will be considered as part of the review of the Local Plan, which has already been included within existing budget plans.

(b) Staffing Implications (if not covered in Consultations Section)

There are no direct staffing implications arising from this report. The review of the Local Plan has already been included in existing work plans.

(c) Equal Opportunities Implications

There are no direct equal opportunity implications arising from this report. An Equalities Impact Assessment has been prepared as part of the local plan process and the link to it can be found in the background documents section below.

(d) Environmental Implications

The Affordable Housing SPD will assist in the delivery of high quality and sustainable new affordable housing development in the city. When referring to the SPD, users must also take into account other policies in the Cambridge Local Plan 2014. This will include measures to help Cambridge adapt to the changing climate as well as measures to reduce carbon emissions from new development along with protecting and enhancing the built and natural environments. Overall there should be a positive climate change impact.

(e) Procurement

There are no direct procurement implications arising from this report.

(f) **Consultation and communication**

The consultation and communications arrangements for the draft Affordable Housing SPD are consistent with the council's Statement of Community Involvement 2013, and Code for Best Practice on Consultation and Community Engagement.

(g) **Community Safety**

There are no direct community safety implications arising from this report.

5. Background papers

The following background papers were used in the preparation of this report:

- Cambridge Local Plan 2014: Proposed Submission:
https://www.cambridge.gov.uk/public/ldf/draft_submission/Full%20Plan/Full%20Draft%20Plan%20with%20title%20pages%20reduced%20size.pdf
- Addendum to the Cambridge Local Plan 2014: Proposed Submission – Schedule of Proposed Changes
- Sustainability Appraisal of the Cambridge Local Plan 2014;
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Final%20SA%20Report%20for%20Printing.pdf>
- Habitats Regulations Assessment Screening Report of the Cambridge Local Plan 2014;
Part 1 –
https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Appropriate%20Assessment%20Part%201%20-%20FINAL_0.pdf
Part 2 –
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Appropriate%20Assessment%20Part%202%20-%20FINAL.pdf>

6. Appendices

- Appendix A – Affordable Housing SPD.

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name:	Frances Schulz
Author's Phone Number:	01223 457175
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Appendix A

Draft Affordable Housing Supplementary Planning Document

March 2014

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Important Note to the Reader

This is a draft document for consultation. It has been written to support the emerging Cambridge Local Plan 2014, which the council expects to adopt in early 2015.

The final version of this document will be amended prior to adoption to reflect some or all of the following:

- comments received on this draft document during consultation;
- any amendments to relevant policies in the newly adopted local plan;
- any governmental policy changes.

This document will be adopted at the same time as, or shortly after, the local plan is adopted. It will not be adopted before the local plan is adopted.

1 The Affordable Housing SPD

The need for affordable housing

- 1.1 Demand for housing in Cambridge is high, with high private rents and high house prices. Providing the right types of housing in the right places at the right times is critical to support both the national and local economy. This understanding is backed up by long-standing market needs analysis. The provision of affordable housing is integral to meeting and maintaining a balanced mix of the different types, sizes and tenures needed to meet the wide range of housing demands in the city.

Purpose

- 1.2 A Supplementary Planning Document (SPD) can be prepared to support policies and objectives found in a local plan.
- 1.3 This SPD supports the following Local Plan strategic objectives to:
- “8. meet the housing needs of the city within its sub-region, delivering an appropriate mix of housing types, sizes and tenures to meet existing and future needs, including affordable housing”
- “9. assist the creation and maintenance of inclusive, environmentally sustainable communities.”
- 1.4 This SPD has been prepared to support *Policy No. 45: Affordable housing and dwelling mix* as set out in the Cambridge Local Plan 2014. The full policy as drafted is set out in Appendix 1 of this SPD.
- 1.5 The SPD has been prepared in line with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. Alongside the council’s emerging Planning Obligations Strategy SPD and Community Infrastructure Levy charging schedule, which support the delivery of different forms of infrastructure across the city, this SPD provides advice on the delivery of affordable housing and financial contributions towards affordable housing.
- 1.6 The intention is that this SPD will help all parties involved (such as the council, developers, landowners and registered providers) deliver affordable housing through new development. The SPD seeks to provide greater clarity and certainty, particularly in terms of:
- the planning process leading to submission of a planning application;
 - when the policy applies;
 - the specification sought;
 - the type/mix required.

1.7 The purpose of this document is to help guide the delivery of affordable housing in Cambridge which will help to meet the strategic vision and objectives of the Cambridge Local Plan 2014 by supporting the creation of a sustainable long-term future for communities in Cambridge.

1.8 This SPD will replace the following document:

- Cambridge City Council Affordable Housing SPD, January 2008

Consultation

1.9 The SPD will be the subject of public consultation for a period of six weeks. The consultation for this SPD will run from:

(exact dates to be confirmed)

1.10 There are a variety of ways to respond to the consultation:

- Online by visiting: <http://cambridge.jdi-consult.net/ldf/>
- By filling in and returning a response form available from: <https://www.cambridge.gov.uk/affordable-housing-spd>
- By emailing a response form to: policysurveys@cambridge.gov.uk
- By posting a response form to : Affordable Housing SPD Consultation, Planning Policy, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

1.11 The final version of this document will be amended prior to adoption to reflect some or all of the following:

- comments received on this draft document during consultation;
- any amendments to relevant policies in the adopted local plan;
- any governmental policy changes.

1.12 This document will be subject to final consideration and approval by the council's Environment Scrutiny Committee before its adoption.

1.13 A Sustainability Appraisal and Habitats Regulations Assessment Screening Report has been carried out and consulted upon for the Cambridge Local Plan 2014. This consultation took place between 19 July 2013 and 30 September 2013. These documents will be available to view during this consultation. As the draft SPD supports the Cambridge Local Plan 2014, there is no further need to undertake a separate Sustainability Appraisal or Habitats Regulations Assessment for the SPD itself.

1.14 An updated version of the Cambridge Local Plan 2014 Equalities Impact Assessment will also be made available during consultation, which includes updated information relevant to this SPD.

Status of this Document

- 1.15 This is the draft version of the Affordable Housing Supplementary Planning Document (SPD), agreed for consultation at Development Plan Scrutiny Sub Committee by the Executive Councillor for Planning and Climate Change on 25 March 2014.
- 1.16 Once adopted, the SPD will be a material consideration in the determination of relevant planning applications.
- 1.17 This draft SPD has been written to support the Cambridge Local Plan 2014. This SPD will be adopted at the same time as, or shortly after, the local plan is adopted. It will not be adopted before the local plan is adopted.
- 1.18 It is important to note that the SPD supports Policy 45: Affordable housing and dwelling mix of the emerging Cambridge Local Plan 2014 and does not allocate land for housing or any other form of development. This will be undertaken by the Cambridge Local Plan 2014.

2 Planning Policy Context

What is Affordable Housing?

- 2.1 The National Planning Policy Framework (NPPF) defines affordable housing as follows:

Affordable housing:

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

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the affordable housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

- 2.2 The submission Cambridge Local Plan 2014 uses the same definition (as above) to define affordable housing. Any references within this document to housing tenures, including affordable housing, social rented, affordable rented and intermediate housing will be as defined in the Glossary of this SPD.
- 2.3 References to social rent and affordable rent in this SPD will also apply to any future forms of affordable housing tenure which may be introduced through national policy. Reference to dwelling size refers to the number of bedrooms.

Government Guidance

2.4 On the matter of affordable housing, the Government's guidance is provided through the NPPF. Section 6 of the NPPF looks specifically at delivering a wide choice of high quality homes. Paragraph 3.1 sets out the NPPF definition of affordable housing. Paragraph 50 specifically states the following:

"50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time."

2.5 Paragraphs 56 (good design), 159 (need for a Strategic Housing Market Assessment) and 173 to 177 (viability and deliverability) are also relevant to this SPD. This guidance has been taken into account in preparing this SPD.

2.6 The Government has also issued new National Planning Practice Guidance in March 2014, which has been taken into account during the production of this SPD, in particular, sections on planning obligations and design¹.

2.7 The Government's Housing Standards Review was launched in October 2012². It aims to be a fundamental review of the building regulations framework and voluntary housing standards. It seeks to rationalise existing codes, standards, rules, regulations and guidance.

2.8 The review was undertaken by a wide range of cross sector stakeholder working groups and this consultation set out their proposals on:

- accessibility;
- space;
- security ;

¹ <http://planningguidance.planningportal.gov.uk/>

² <https://www.gov.uk/government/consultations/housing-standards-review-consultation>

- water efficiency;
- energy;
- indoor environmental standards;
- materials;
- process and compliance.

2.9 The consultation closed on 22 October 2013 and the outcome is awaited. Any changes in national housing standards will be reflected in the final version of this Affordable Housing SPD.

Cambridge Local Plan 2014 Policies and relevance to Affordable Housing SPD

2.10 The emerging plan for Cambridge is the Local Plan 2014. This SPD supports *Policy 45: Affordable housing and dwelling mix* of the local plan. This policy is included in full in Appendix 1.

2.11 A number of other policies in the submission Cambridge Local Plan 2014 also reference affordable housing requirements, some of which are listed below. This list is not exhaustive and it is recommended that the submission Cambridge Local Plan 2014 is read as a whole. Pre-application advice can be obtained from development management officers, who will also be able to give more detailed information on which policies apply. Contact details for officers can be found in Appendix 5 of this document.

- Policy 47: Specialist housing – where the development of specialist housing falls within the use Class C3 (Dwellinghouses), which can be found in the glossary definition, the development will be expected to contribute to the supply of affordable housing.
- Policy 77: Development and expansion of hotels - notes that aparthotels and serviced apartments will be treated as residential uses and therefore affordable housing provision will be sought.
- Policies which include the provision of housing as set out in Section Three: City Centre, areas of major change, opportunity areas and site specific proposals of the submission Cambridge Local Plan 2014.

Other relevant strategies and documents

2.12 There are a number of other relevant strategies and documents that have informed the production of the Affordable Housing SPD or must be considered in tandem with the SPD. These are listed below.

- **Balanced and Mixed Communities - A Good Practice Guide 2006:** Best practice guidance on how to develop balanced and mixed communities. Further details on this document can be found at: <https://www.cambridge.gov.uk/public/ldf/coredocs/CD-B-8-2.pdf>
- **Cambridge City Council Charter for New Affordable Housing:** The charter highlights what the council would like to see in new affordable housing schemes. Further details on this document

can be found at:

<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/charter-for-new-affordable-housing.pdf>

- **Cambridge City Council Housing Strategy 2012-2015:** The strategy highlights the council's local housing objectives and priorities, including those in relation to the delivery of new affordable homes and the provision of supported and other specialist housing. The document and any subsequent updates to the strategy can be found at: <https://www.cambridge.gov.uk/housing-and-related-strategies>
- **Cambridge City Council Local Plan - SHLAA and Potential Site Allocations High Level Viability Assessment - Dixon Searle (2013):** Provides a high level assessment of the development viability of potential site allocations and SHLAA sites for the Local Plan 2014. The full document can be found at: <https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/DS%20SHLAA%20High%20Level%20Viability%20Assessment%202013.pdf>
- **Cambridge City Council Local Plan: Community Infrastructure Levy Viability (CIL) Assessment, Dixon Searle (2013):** Provides an assessment of the development viability of introducing a CIL in Cambridge. The document can be found at: <https://www.cambridge.gov.uk/public/ldf/CIL/Cambridge%20City%20Council%20CILViability%20Study%20Final%20Report%20%26%20Appen.pdf>
- **Cambridge City Council Tenancy Strategy 2012 Onwards –** Outlines to Registered Providers operating in Cambridge what they must have regard to when deciding on the types and lengths of tenancy to be offered and the circumstances in which tenancies will be renewed. It also offers guidance on affordability. The document and any subsequent update to the strategy can be found at: <https://www.cambridge.gov.uk/housing-and-related-strategies>
- **Department for Communities and Local Government – Section 106 affordable housing requirements – Review and Appeal (2013).** This document is available to view at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/192641/Section_106_affordable_housing_requirements_-_Review_and_appeal.pdf
- **Strategic Housing Market Assessment:** provides a robust assessment of the housing market in the Cambridge sub-region. The facts and figures in the SHMA are updated periodically, reflecting changes in market signals. A full copy of the Cambridge sub-region SHMA and subsequent updates can be found at the following link: <http://www.cambridgeshireinsight.org.uk/housing/shma>
- **Supplementary Report - Small Sites Affordable Housing Viability Assessment - Dixon Searle (2013):** Assesses affordable housing options for between two and 14 dwellings by running development appraisals to test the viability of providing affordable housing as part of development. <https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/DS%20Supplementary%20Report%20Small%20Sites%20Affordable%20Housing%20Viability.pdf>

3. Delivering Affordable Housing

- 3.1 A significant proportion of affordable housing within Cambridge and nationally is likely to be delivered without any public subsidy from the Homes and Communities Agency. Applicants will need to consider this when purchasing land and considering the development economics. Applicants are responsible for the delivery of the affordable housing and working with registered providers is common practice.
- 3.2 The council does not preclude alternative arrangements for developing affordable housing. Innovative partnerships which maximise the opportunities for attracting external funding will be considered.
- 3.3 On major developments, Cambridge City Council is committed to continued partnership working with registered providers and South Cambridgeshire District Council to deliver affordable housing.
- 3.4 Appendix 4 of this document contains an affordable housing checklist. This checklist is designed to guide applicants and illustrate what affordable housing related information will be required as part of the planning application process.

Pre-application discussions

- 3.5 The council encourages early discussion of plans before submitting a planning application and designing a scheme. Early discussions with planning officers help ensure better quality applications are submitted. It is highly recommended that applicants participate in pre-application discussions, if sites are subject to affordable housing requirements to ensure that the scheme includes a viable affordable housing and dwelling mix in terms of location, size, type and tenure.
- 3.6 Pre-application discussions may include a range of interested parties such as: planning officers; housing development officers; urban design officers; conservation officers; and the County Council's highway advisors. To find out more about pre-application advice, see Appendix 5 and the council's website (<https://www.cambridge.gov.uk/pre-application-advice>) for information on process and charges.
- 3.7 The provision of affordable housing also requires consultation and discussion with the council's housing development team. The team works closely with the planning department, and other infrastructure service providers and registered providers to ensure new communities have all the necessary support to create attractive and sustainable new neighbourhoods. The team is especially important in the negotiation of delivery, identification of a registered provider, tenure mix, location and transfer arrangements of affordable housing. The contact details for the housing development team can be found in Appendix 5.

Planning applications

- 3.8 All relevant development proposals should have regard to the principles set out in this SPD. The council will expect that all planning applications will demonstrate how the design and layout of the proposal has regard to the requirements outlined in this document and in the affordable housing checklist in Appendix 4.
- 3.9 It should be noted that the affordable housing policy applies to the net increase in housing. For example, if an application is submitted to demolish three existing dwellings and build six, the net increase in dwellings on the site would be three. Therefore the policy would be applied to the three additional dwellings only.

Full applications

- 3.10 Full applications should confirm the amount of development proposed, including the amount of affordable housing to be provided; the dwelling mix in terms of tenure and unit size and the location of the affordable homes. In the event that affordable housing cannot be provided on site, applications should confirm the percentage of financial contribution to be provided. This must be agreed with the council.

Outline and reserved matters applications

- 3.11 If an outline application is made, the council will require applicants to define the affordable housing element of the scheme. This will be secured through a planning obligation (for more information regarding planning obligations see the council's Planning Obligations SPD). Outline applications are therefore advised to set out the following:
- the percentage of affordable housing to be provided;
 - the indicative dwelling mix and location of the affordable homes;
 - the indicative tenure mix, dwelling types and sizes.
- 3.12 **Reserved matters applications** should confirm the affordable housing mix proposed on the site, including percentages, dwellings, tenure mix and location. The dwelling and tenure mix should broadly reflect the indicative housing mix specified within the outline application, unless there is a significant change to overall dwelling types and sizes proposed as part of the reserved matters application.

Qualifying sites and thresholds

- 3.13 The requirement for provision of affordable housing has three different thresholds outlined in Policy 45, dependent on overall net number of new units on site.

Table 1: Taken from Policy 45 – Affordable Housing and Dwelling Mix

No. of dwellings	Minimum percentage of affordable housing required
2-9 units	10%
10-14 units	25%
15 units or more	40%

- 3.14 When implementing the policy, it must be noted that financial contributions may also be required on parts of units depending upon the application of this policy. The mix of affordable housing types to be provided on site should follow the council's requirements set out in Cambridge City Council's Housing Strategy³ of 75% affordable rented and 25% intermediate housing (see also Section 4. Site layout and distribution for more detail)⁴. This split is difficult to implement on small scale developments therefore Table 2: Minimum affordable housing requirements sets out what would be expected from smaller developments.

Table 2: Minimum affordable housing requirements

Site capacity (units)	Expected Affordable Housing Provision		Financial contribution required? See Appendix 2
	Number of social rent or affordable rent dwellings	Number of intermediate housing dwellings	
1	No requirement		
2	Off-site financial contribution is acceptable		Yes
3	Off-site financial contribution is acceptable		Yes
4	Off-site financial contribution is acceptable		Yes
5	Off-site financial contribution is acceptable		Yes
6	Off-site financial contribution is acceptable		Yes
7	Off-site financial contribution is acceptable		Yes
8	Off-site financial contribution is acceptable		Yes
9	Off-site financial contribution is acceptable		Yes
10	2	0	Yes
11	2	0	Yes
12	2	1	No

³ <https://www.cambridge.gov.uk/housing-and-related-strategies>

⁴ Or as amended in future.

Site capacity (units)	Expected Affordable Housing Provision		Financial contribution required? See Appendix 2
	Number of social rent or affordable rent dwellings	Number of intermediate housing dwellings	
13	2	1	Yes
14	2	1	Yes
15	5	1	No
16	5	1	Yes
17	5	1	Yes
18	5	2	Yes

- 3.15 The financial contributions required will be calculated using the method illustrated in Appendix 2.
- 3.16 Planning applications submitted for housing development capable of providing two or more dwellings (net) will be assessed against Policy 45 – Affordable housing and dwelling mix.
- 3.17 Where it appears that a larger site has been subdivided into smaller development parcels in order to circumvent the requirements of this policy or for any other reason, the full affordable housing percentage for the larger site will be applied to each parcel.

On-site provision and financial contributions

Sites of 2 to 9 dwellings

- 3.18 On sites capable of delivering between 2 and 9 dwellings, financial contributions towards the provision of affordable housing off-site are considered acceptable. This does not prohibit on-site provision of affordable housing on sites of this scale, but recognises that circumstances may often not allow for delivery on-site.
- 3.19 The financial contributions required in lieu of on-site provision will be calculated using the method illustrated in Appendix 2.

Sites of 10 dwellings and over

- 3.20 Sites with capacity for between **10 and 14 dwellings** will be required to provide a minimum of 25 per cent affordable housing on-site.
- 3.21 Sites with capacity for **15 dwellings or more** will be required to provide for a minimum of 40 per cent affordable housing on-site.
- 3.22 On sites of 10 units or more, developers will be expected to deliver whole units on site with financial contributions provided for fractions of units.
- 3.23 For developments capable of providing 10 units or over, affordable housing will be provided on site, in the interests of creating sustainable, inclusive and mixed communities. However, in exceptional circumstances, if both the council and the developer agree that it is not appropriate to provide affordable housing on a particular site, then off-site provision or a financial contribution in lieu may be

agreed. This will only be considered where there is certainty that such an arrangement will actually result in the provision of affordable housing. The amount of a financial contribution in lieu of on-site provision will be calculated in the same way as illustrated in Appendix 2.

- 3.24 Financial contributions received from developers will be pooled in a specific affordable housing fund to support the provision of new affordable homes. The council will spend commuted sums on direct provision in building affordable homes on sites within the council's ownership or via the acquisition or purchase of land on the open market. Alternatively, the sums collected can be administered in the form of grant to registered providers to build new affordable homes in the city.
- 3.25 Financial contributions will be ring-fenced to enable the local authority to provide stimulus to the affordable housing market, examples of how this may be achieved include:
- local authority development including estate renewals;
 - a Registered Social Landlord (RSL) development;
 - housing purchased on the private market to be transferred to an RSL;
 - vacant properties brought back to use;
 - other housing schemes that qualify under planning policy.

Viability

- 3.26 Planning obligations, like the Community Infrastructure Levy (CIL), are a necessary cost of development and it will be expected that the likely cost of obligations, including the cost of affordable housing provision, will be factored into development from an early stage. The council has tested the viability of development as part of the preparation of the Cambridge Local Plan 2014 and the Cambridge Submission CIL charging schedule. The viability assessments⁵ tested the impact of the proposed CIL rates, alongside Local Plan policy requirements and planning obligations on development. The results of these residual land value development appraisals produced land values that would still incentivise landowners to make their land available for redevelopment. These results were based on area-wide viability assessments, which included additional headroom (the CIL rates are not set at the margins of viability), something that would not be relied on for site specific cases.
- 3.27 The costs incurred in delivering a workable, high quality development should be anticipated and reflected in the price paid for land and will not normally reduce the ability of a site to provide what is required under the planning obligation.
- 3.28 Anticipated costs must include as a minimum: affordable housing; site clearance and remediation; good quality; design measures; landscaping; noise and other environmental attenuation measures; and appropriate infrastructure provision. Price paid for land may not be a determining factor if too much has been paid or historic land values or developer profit margins are being protected at the expense of required planning contributions.

⁵ Local Plan/CIL Viability Assessment, Small Sites Affordable Housing Viability Assessment, Student Accommodation Affordable Housing Viability Assessment, SHLAA Viability Assessment

- 3.29 However, there may be exceptional circumstances where development proposals are unable to meet, in full, the policy requirements of the Local Plan. If the applicant can demonstrate, to the satisfaction of the council, that the scheme cannot be fully compliant and remain financially viable, the council may consider a reduced level of contributions in one or more areas.
- 3.30 In order to determine such applications, the applicant is required to submit an 'open book' viability assessment to the council. In all cases, the council requires viability assessment to be undertaken using a residual land value approach. The applicant should use the Homes and Communities Agency Development Appraisal Tool (<http://www.homesandcommunities.co.uk/ourwork/development-appraisal-tool>) or an equivalent well recognised appraisal tool, to be agreed with the council in advance of the assessment. The viability assessment will need to address the fundamental issue of whether an otherwise viable development is made unviable by the extent of the planning obligations and CIL requirements. The assessment will need to derive a residual land value for the proposed scheme, which can then be compared against a benchmark or threshold land value (Market Value, Existing Use Value or Alternative Use Value).
- 3.31 Viability costs should only include costs that are essential to the development, or required through Local Plan policies, National legislation, regulation and guidance. The provision of additional benefits to development not required through the above e.g. additional parking spaces, underground parking, should not be included as a reason to demonstrate a non-viable development.
- 3.32 The schedule of information to be provided as part of a financial viability assessment on any development scheme can be found at Appendix 3.
- 3.33 Once submitted, the viability assessment will be considered and assessed by the council and an independent viability advisor appointed by the council, with full costs to be borne by the applicant. Commercially sensitive information will be treated in due confidence. However, it may be necessary to report the key issues and broad conclusions to elected members at the time of their consideration of the planning application.
- 3.34 Where the applicant fails to demonstrate that a reduced level of contributions should be applied or that the level of planning obligations that the development can viably support cannot mitigate the impact of the proposed development, then the planning application will be refused.
- 3.35 If it is proved that meeting the full policy requirements for affordable housing would make a scheme unviable, then negotiations will take place to reduce the planning obligations to a point which maximises affordable housing, but results in a viable well designed scheme.
- 3.36 Where the council agrees, on viability grounds, to a reduction in the level of affordable housing below that specified by policy, it will require the resulting Section 106 to include an 'overage' provision, so that if the actual return to the developer when units are sold exceeds the level included in the submitted viability assessment, a proportionate additional contribution is made to affordable housing in the city. The council will require the Section 106 agreement in these cases to make provision for an assessment of overage at the time of sale of units and for 50% of any uplift to be contributed to the council for

affordable housing elsewhere in the city. The council will not expect the additional affordable housing required to be provided on-site, in the case of overage provision.

- 3.37 The Growth and Infrastructure Act 2013 provides a route for applicants who already have the benefit of extant permission on a site to apply under Section 106BA of the Town and Country Planning Act 1990 to reduce the quantum of affordable housing included in a development if the original provisions of the associated Section 106 agreement render the development unviable. The council strongly urges applicants who have concerns about viability to raise and resolve these with the council during pre-application discussions or the application process, when planning obligation issues can be examined comprehensively, and changes to the design of a scheme may help to address the issue of viability. An application under Section 106BA will not allow either of these avenues to be explored.
- 3.38 If applicants believe they must utilise the provisions of Section 106BA, they are advised to follow the guidance offered in the DCLG document Section 106 Affordable Housing Requirements: Review and Appeal (April 2013)⁶. Government advice in this document is that an application under Section 106BA must include the maximum level of affordable housing consistent with the applicant's viability assessment. The guidance also states that unless the application provides the 'open book' evidence referred to in paragraph 3.30 above, it may not provide a sufficient basis for a decision to be made by an Inspector in the event of appeal.
- 3.39 A successful application under Section 106BA will allow the proportion of affordable housing to be reduced for a period of three years. The council will require an overage provision to be made for such developments in the same way as for schemes where a reduced level of affordable housing is agreed bilaterally between the council and developers (see paragraph 3.36 above). At the end of the three-year period, the council will require the proportion of affordable housing required to revert to that required by policy unless a new 'open book' residual land value assessment demonstrates that the development remains unviable. Affordable housing must be provided on site at the level required by policy if the development has not been commenced. If the development is partly complete after three years, affordable housing must be provided (at the level required by policy for the whole site) on any uncompleted part of the site. This provision should be on-site unless a clear justification for not doing so is provided. If the affordable housing cannot be provided on-site, contributions must be made at the rates set out in Appendix 2, based on the qualifying sites and thresholds for developments of 2-9 and 10-14 dwellings in Section 3 of the SPD.

6

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/192641/Section_106_affordable_housing_requirements_-_Review_and_appeal.pdf

4. Site layout & distribution

- 4.1 The layout of developments should integrate affordable (including any supported housing) with the open market housing in ways that minimise social exclusion. Affordable housing should be located fairly and equitably in terms of access, proximity to on-site amenities such as open space, play space and access to community facilities.
- 4.2 The distribution of affordable housing within a new development can have an impact on the social sustainability of a community, in terms of the quality of life of occupants. On the basis of local experience, clustering of no more than 25 units in one particular location has proven to be deliverable. When considering the overall layout of a development, regard will need to be had to the density, tenure mix and type and size of dwellings in establishing the most effective clustering approach. The council would expect to see smaller clusters of affordable housing within lower density schemes.
- 4.3 The geographical distribution of affordable homes will be considered on a site-by-site basis. The council will seek to ensure that new housing regardless of tenure and type is optimally distributed throughout the site. The creation of tenure monocultures should be avoided. The required density on a given site will need to have regard to its wider context and other policies of the local plan.
- 4.4 On phased developments or large developments split into parcels of land; developers must take into account the clustering of affordable housing on neighbouring parcels to ensure the even distribution of affordable housing clusters throughout the area as a whole.

Phasing on growth sites and larger sites

- 4.5 On larger sites where housing is delivered in phases, affordable housing should be delivered proportionately in line with the delivery of market housing. The delivery of affordable housing should run in parallel with that of market housing. This will be ensured through the Section 106 agreement for the development.

Density and dwelling mix

- 4.6 The agreed affordable housing mix in each development will need to address local need in terms of its:
- Provision of social rented, affordable rented and intermediate housing.
 - Provision of flats and family houses categorised by number of bedrooms.
- 4.7 Affordable housing should be provided in a range of sizes, types and tenures to meet a wide range of needs. Duplex dwellings and maisonettes will be treated as similar dwelling types.
- 4.8 Paragraph 159 of the NPPF requires that local planning authorities assess their full housing needs to identify the scale and mix of housing and the range of tenures that the local population is likely to need. Supporting this, Policy 45: Affordable housing and dwelling mix of the Local Plan states that it is vital to provide an appropriate mix of housing types and sizes to meet the projected and current needs of

different households and the wider community. A Cambridge sub-region Strategic Housing Market Assessment (SHMA) has been undertaken to establish the level of housing need.

- 4.9 The findings from the Strategic Housing Market Assessment (SHMA) will be particularly important to the determination of an agreed mix of affordable housing and Appendix 6 of this SPD concerning the SHMA will be updated, when necessary, to reflect current need. The council will also use the most up-to date information available on local need to inform its negotiations on affordable housing mix, including local registers of need for rented and intermediate housing.
- 4.10 Regard will also be had to site characteristics, the scale of development proposed and the housing mix and dwelling type in adjacent existing areas.
- 4.11 The council resolves to achieve 75% social rented and affordable rented housing and 25% intermediate housing on qualifying sites in accordance with the provisions of the Cambridge Housing Strategy 2012-2015 and Cambridge City Council's Tenancy Strategy 2012 and their successor documents. Table 2 in this SPD illustrates the tenure split required within the affordable housing component of a development. The SHMA will also be a key consideration in the determination of affordable housing type (see Appendix 6 – Cambridge Sub-Regional Strategic Housing Market Assessment). In the event that this cannot be achieved, affordable housing provision should reflect the market housing in the proposed development, unless there is a specific need for a dwelling type highlighted by the council.
- 4.12 Policy 55: Responding to context is still relevant where it is considered that a development proposes artificially under occupying a site in order to avoid the provision of affordable housing. In such cases, Policy 55 may be applied to ensure appropriate density for context.

5. Building Design

- 5.1 Affordable housing will be of a tenure blind design, indiscernible from and well integrated with the general market housing. The recent areas of major development in Cambridge such as the Southern Fringe (Trumpington Meadows, Clay Farm, Glebe Farm) demonstrate that the council has a strong ambition to work alongside developers to provide high quality places. All housing should be built to similar standards regardless of tenure. Regard should also be had to Appendix L of the Cambridge Local Plan 2014 – Car and Cycle Parking Requirements.
- 5.2 Dwellings must use high quality and robust materials and the design must respond to the context of the area. Other policies in the submission Cambridge Local Plan 2014 must be taken into consideration in the design of developments and affordable housing and as such the submission Cambridge Local Plan 2014 must be read as a whole, when considering development proposals.
- 5.3 All developments must meet **Policy 51: Lifetime homes and Lifetime Neighbourhoods** criteria. Criteria **a.** of the policy asks that all housing developments should be of a size and internal layout to enable the Lifetime homes standard to be met. In developments over 20 units, criteria **b.** requires 5% of units to meet Wheelchair Housing Design Standards or be able to be easily adaptable to meet Wheelchair Housing Design Standards. The decision as to how this proportion should be allocated across the development will be determined through negotiation with the council. Regard should be had to the following documents:
- [Habinteg – Wheelchair Housing Design Guide \(2006\)](#)
 - [Habinteg - Mind the Step: An estimation of housing need among wheelchair users in England \(2010\)](#)
- 5.4 Internal and external residential space standards are laid out in **Policy 50: Residential space standards** of the Local Plan 2014 and set out a minimum space requirement for dwellings. These standards are applicable to all housing types and tenures. Policies 56: Creating successful places; 57: Designing new buildings and 58: Altering and extending existing buildings are also applicable to all housing types and tenures.

Access to flatted developments

- 5.5 Developers should avoid designs that would result in high maintenance and service charges affecting the affordable part of development. When designing a scheme, it is recommended that applicants liaise with the council's planning and housing development teams early in the design process (and an appointed registered provider). Contact details for officers are listed in Appendix 5.
- 5.6 In flatted schemes, no more than 15 affordable dwellings should normally have access from a common stairwell or lift. This is in line with the Homes and Communities Agency's housing quality indicator 2.15⁷.

⁷ <http://www.homesandcommunities.co.uk/hqi>

The design review process

- 5.7 The council aspires to create major new developments that provide high quality design, whilst building a sense of community, connectivity, character and tackle the issues of climate change.
- 5.8 Where particular design and conservation issues are identified as part of a planning application, schemes have the option of being taken to the council's Design and Conservation Panel as part of the consultation process. The Panel exists to support the council in delivering the Government and the council's design and conservation objectives to secure the highest possible design quality of buildings and spaces, and to preserve and enhance the historic environment. The panel meets monthly to consider and advise on planning applications before they go to planning committee. Visit the following website to find out how to submit a proposal: <http://www.cambridgearchitects.org/home/design-and-conservation-panel> .
- 5.9 The Cambridgeshire local authorities have an independent Quality Panel which provides the on-going review and scrutiny of emerging masterplans and design codes for the major growth sites in Cambridgeshire. The panel reviews these proposals and assess their merits against the Cambridgeshire Quality Charter for Growth⁸. Visit the following website to find out how to submit a proposal: <https://www.cambridge.gov.uk/urban-design-guidance-and-resources>.

⁸ https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/cambridgeshire_quality_charter_2010.pdf

6. Other forms of residential accommodation

Student housing

- 6.1 Policy 46: Development of student housing – the qualifying criteria for student housing includes criterion b. which states that the development must not result in the loss of existing market and affordable housing.
- 6.2 A [Student Accommodation – Affordable Housing Financial Contributions Viability Assessment](#) was produced for the council in May 2013. Conclusions highlighted that the average surplus from the residual land value generated by student accommodation development is probably too low to confidently recommend that the council should include a policy for the collection of financial contributions from student accommodation, therefore the development of new student housing will not be required to contribute to the supply of affordable housing.

Employment related housing

- 6.3 Paragraphs 6.7 and 6.8 of the emerging Cambridge Local Plan 2014 allow for the possibility of employers providing housing specifically for their employees, as part of schemes for employment development. This is to aid employers with the recruitment and retention of staff. Whilst not officially affordable housing in terms of the NPPF definition of affordable housing, this type of housing would assist in accommodating people who cannot easily access homes on the open market.
- 6.4 It is important to allow the possibility of employers providing housing specifically for their employees, as part of schemes for employment development, and on employment sites, as an exception to policy 41. Any such employment related housing should be a limited number of dwellings (often only a single dwelling, rarely more than two or three) that do not detract from the general employment use of a site and do not harm the on-going use of the site for employment.
- 6.5 Examples of schemes which could qualify under employment related housing could be:
- A caretaker's or teacher's flat within school premises;
 - An office block which requires one or two on-site caretaker premises either for facilities management purposes or for new employees.
- 6.6 Onsite provision for highly paid executives and employees on employment related sites would not be acceptable.
- 6.7 The provision of employment related housing will need to be justified and meet a demonstrable need. Survey work should be carried out to establish the demonstrable need through such issues as:
- The level of staff turnover for a five year period;
 - The level of recruitment and retention problems experienced;
 - Any likelihood of the need for future expansion of the business in question;
 - Housing circumstances of employees;
 - Income of employees.

- 6.8 Other evidence which could be usefully provided could include:
- Evidence of hard to fill posts;
 - Evidence of posts which have a requirement to live close to their place of employment and why;
 - Evidence of number of employees who cannot afford to live within Cambridge or the surrounding area and their salaries;
 - Evidence of average house prices in the area being considered for development by type and tenure.
- 6.9 Agreement would also have to be reached with the council on the following:
- Managing transition of occupancy;
 - Conditions surrounding the occupancy of an employment related dwelling once an employee no longer works for the business;
 - Monitoring and review of employment related housing need;
 - What steps should be taken in the event of business closure/ take-over /merger or buy-out. For example: Should the status of the development be reassessed? Should employment related housing be maintained?
- 6.10 Employment related housing should be managed and maintained as such in perpetuity. Occupancy of employment related housing will be secured through a Section 106 agreement.
- 6.11 In order to manage employment related housing in the instance of a business closing down or leaving the area, a cascade mechanism will be included within the Section 106 agreement. This cascade mechanism will be implemented where employment related housing is no longer required. The mechanism will ensure that employment related housing will become affordable housing, subject to local circumstances and provided arrangements can be made for the management of the homes. This may be taken on by the council or a private registered provider. Transfer arrangements would need to be drawn up in consultation with the council's housing development and legal services teams.
- 6.12 Although the policy refers to the emergence of new employment schemes, it is understood that need may arise for existing employers to provide employment related housing. As above, the provision of dwellings related to specific employers will need to be justified and managed indicated above.
- 6.13 Employment related housing will be subject to the provision of affordable housing as set out in Policy 45 and this SPD.

Other sites where Policy 45 is applicable

- 6.14 Specialist housing developments (Policy 47 of the Local Plan) will be subject to Policy 45, as will sites that fall under Policy 77: Development and expansion of hotels, which notes that aparthotels and serviced apartments will be treated as residential uses and therefore affordable housing provision will be sought.

- 6.15 Affordable housing in the form of Traveller pitches can be provided in lieu of bricks and mortar where required in order to meet identified need. One single pitch would be equivalent to one dwelling. The pitch must be provided on the same terms as an affordable housing unit.

7. Occupancy

- 7.1 The occupation of affordable housing will be limited to people in housing need and shall be available in perpetuity in order to assist future eligible households as specified in Policy 45: Affordable housing and dwelling mix. Where the provision of affordable housing is to be owned and retained by a registered provider, this is taken to be an adequate safeguard that provision will be of long-term benefit and that arrangements exist for the benefit to be recycled for alternative affordable housing provision if the original affordable housing is lost for any reason e.g. through the Right to Acquire or Right to Buy schemes. Where the affordable housing is to be owned and retained (as opposed to managed), by a body other than a registered provider, equivalent safeguards concerning its long-term nature and the recycling of benefit will need to be secured by legal agreement.
- 7.2 In managing the initial occupancy of affordable housing in larger developments, the council will consider the use and application of local lettings policies. These aim to assist the creation of balanced and mixed communities both from the start and over the longer term. Existing practice already aims to avoid an initial peak in child numbers in such developments, which can lead to difficulties for school planning and provision.
- 7.3 Co-operatively managed housing is an acceptable form of affordable housing provision, and can be used to deliver housing for both the social rented sector and the intermediate market. The housing may take a number of forms, including tenant managed schemes, ownership housing co-operatives, co-housing schemes (privately-funded developments organised on cooperative lines), and mutual home ownership developments.”
- 7.4 The key points of co-operative schemes are that they are:
- run by its members, i.e. tenants;
 - help to create sustainable, mixed communities;
 - are flexible of tenure (i.e. members can move from one tenure (e.g. rented) to another, and vice-versa);
 - intermediate in the sense of allowing members to take an equity investment, depending on income, in the mutual society that owns their homes, not in a property per-se;
 - land may be separated from the property e.g. via a Community Land Trust designed to be held in perpetuity to eliminate transfer to the open market.

8. Implementation and Monitoring

Planning decisions

- 8.1 All relevant planning proposals should comply with Government guidance and the adopted Local Plan assisted by this SPD. Failure to do so may lead to a refusal for planning permission unless amendments can be made, planning conditions imposed or legal agreements introduced to minimise or counter any potential negative impact of the development site.
- 8.2 As part of the decision making process, the council will need to reach an appropriate balance between a wide range of competing planning objectives and material considerations in order to manage the development and use of land in the wider public interest. A balance will need to be struck between the relevant policies in the Local Plan and the specific circumstances of each case.
- 8.3 For full details on planning conditions, obligations and the Community Infrastructure Levy, please see separate documents entitled:
- Planning Obligations SPD
 - Community Infrastructure Levy Charging Schedule

Legal Agreements and Affordable Housing

- 8.4 Section 106 of the Town and Country Planning Act 1990 (as amended) allows the local planning authority to enter into a legally binding agreement with a landowner in association with the granting of planning permission in order to secure planning obligations such as contributions towards or the provision of affordable housing.
- 8.5 The council's standard Section 106 agreement includes clauses to secure the provision of affordable housing. The agreement is made by deed between the landowner(s), Cambridge City Council, Cambridgeshire County Council and (may also include a registered provider) and any other person/organisation with an interest in the application site.
- 8.6 Where affordable housing is to be secured by Section 106, the council's Legal Services will usually produce the first draft and the applicant will be required to pay the council's legal and administrative costs incurred in negotiating and completing the deed and the costs of the transfer of any land to the council, as well as to pay a contribution towards the cost of monitoring for compliance.
- 8.7 The proposed Heads of Terms of any Agreement will need to be established before instructions to draft a section 106 agreement are sent to Legal Services and the agreement must be completed before any planning permission can be issued.
- 8.8 Appendix 4: Affordable housing checklist illustrates what is expected as part of an affordable housing scheme and required through a section 106 agreement.

- 8.9 A summary of some of the standard affordable housing clauses that form part of the Section 106 agreement are outlined below. It should be noted that the following list is not intended to be an exhaustive list.
- Development cannot commence before the approval of an affordable housing scheme (to include information regarding the phasing of delivery and the proposed scheme description) and the proposed affordable housing provider;
 - Development cannot commence until the completion of a transfer of the affordable housing site or the grant of a long lease to an approved affordable housing provider/registered provider;
 - The affordable housing must be completed before any more than 50% of Market housing can be occupied;
 - A nominations agreement will be required to ensure the council retains control of who the new social rent/affordable rent homes will be let to;
 - Affordable housing units must meet, at minimum, level four of the Code for Sustainable Homes;
 - The percentage and split of wheelchair accessible units on sites over 20 dwellings.
- 8.10 Any references to financial contributions will normally be index linked to the Building Cost Information Service (BCIS) and take into account of any price increases in the index during the time period that elapses between the date of the deed and when the contribution is due to be paid.
- 8.11 Further information can be obtained by contacting the council's Legal Services. See Appendix 5 for details.
- 8.12 A 'mortgagee-in-possession' clause will usually only be acceptable where a registered provider is involved and subject to a requirement that the mortgagee first actively seeks to dispose of properties to another registered provider approved by the council.

Monitoring and Review

- 8.13 This SPD will be monitored, and reviewed and updated, if required, to ensure that it remains relevant and in accordance with the Cambridge Local Plan 2014. It will be monitored via the Annual Monitoring Report which the council prepares each year covering a wide range of planning matters. The Annual Monitoring Report can be found on the council's website at <https://www.cambridge.gov.uk/annual-monitoring-reports>.

Appendix 1 – Local Plan Policy

Below is *Policy 45: Affordable housing and dwelling mix* from the Cambridge Local Plan 2014 proposed submission. The policy contains proposed amendments which will be submitted to the Secretary of State for examination and have been tabled and agreed at the following committee meetings:

- Development Plan Scrutiny Sub Committee on 17 December 2013;
- Environment Scrutiny Committee on 14 January 2014;
- Full Council on 13 February 2014.

The adopted version of this SPD will contain the final version of Policy 45 following any amendments and the adoption of the Cambridge Local Plan 2014.

Policy 45: Affordable housing and dwelling mix

Planning permission will only be granted for residential development on sites where the minimum percentage of affordable housing has been secured on site in line with the thresholds and percentages set out in the table below:

No. of dwellings	Minimum percentage of affordable housing required
2 -9 units	10%
10-14 units	25%
15 or more units	40%

On sites capable of delivering between 2 and 9 dwellings, financial contributions towards the provision of affordable housing off-site are considered acceptable. This does not prohibit on-site provision of affordable housing on sites of this scale, but recognises that circumstances may often not allow for delivery on-site.

Where it appears that a larger site has been subdivided into smaller development parcels in order to circumvent the requirements of this policy or for any other reason, the threshold and the pro-rata percentage of affordable housing sought will apply to the requirement from the larger area as a whole. The required density on a given site will need to have regard to its wider context and other policies of this plan.

The occupation of affordable housing will be limited to people in housing need and shall be available in perpetuity. Affordable housing shall be provided on development sites with the capacity of 10 dwellings or more in accordance with the percentages and thresholds set out above unless exceptional circumstances are demonstrated. Where affordable housing is provided, it shall be of tenure blind design indiscernible from and well integrated with the general market housing.

Developments should include a balanced mix of dwelling sizes*, types and tenures to meet projected future household needs within Cambridge. The mix of dwellings and tenure types shall have regard to the

Policy 45: Affordable housing and dwelling mix

differing needs for different unit sizes of affordable housing and market housing.

All sites including employment related housing will be required to make affordable housing provision in line with the thresholds and percentages set out above.

Further details on the practical implementation of this policy will be set out in an up to date Affordable Housing Supplementary Planning Document.

*Measured by the number of bedrooms to be provided in each dwelling.

Policy 45: Supporting text

- 6.3 With a strong economy, Cambridge is at the centre of an area of significant housing growth planned for the coming years. With high housing costs but only limited land available for housing, the city also has a strong housing need. The council recognises that meeting housing need is a key priority. However, following assessment of development viability across the city, the affordable housing requirement is not applied to planning applications for student accommodation.
- 6.4 The council has adopted this approach to overcome concerns about the number of planning applications coming forward in the city below the previously adopted affordable housing threshold of 15 dwellings. However, it is noted that the introduction of single percentage for affordable housing at a lower threshold than 15 dwellings could make schemes less viable or unviable and could reduce the amount of housing delivered. A graduated approach towards affordable housing requirements, starting at lower site size thresholds and percentages, is considered more appropriate. Where applications are made for outline planning permission, a planning obligation will be required to secure affordable housing in accordance with the thresholds and percentages in the policy.
- 6.5 The council has adopted this approach to overcome concerns about the number of planning applications coming forward in the city below the previously adopted affordable housing threshold of 15 dwellings. However, it is noted that the introduction of single percentage for affordable housing at a lower threshold than 15 dwellings could make schemes less viable or unviable and could reduce the amount of housing delivered. A graduated approach towards affordable housing requirements, starting at lower site size thresholds and percentages, is considered more appropriate.
- 6.6 On smaller sites delivering under 10 units, financial contributions will be the standard approach in supporting the delivery of affordable housing. On larger sites delivering 10 units or more, developers will be expected to deliver whole units on site with financial contributions sought for fractions of units.

Policy 45: Supporting text

Table 6.1: Affordable Housing Definition

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

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the affordable housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Employment Related Housing

- 6.7 The existing pressures on the housing market in Cambridge can lead to employers facing difficulties with the recruitment and retention of staff. Due to Cambridge’s high house prices and levels of housing need, it is important to allow the possibility of employers providing housing specifically for their employees, as part of schemes for employment development.
- 6.8 It is anticipated that this policy will facilitate small numbers of employment related dwellings coming forward. Affordable housing requirements will apply to schemes in line with the thresholds set out in policy 45 above. The provision of dwellings related to specific employers will need to be justified and managed by reference to the employer carrying out detailed survey work

Policy 45: Supporting text

to ascertain the level of demonstrable need for such housing. This can be established by identifying the level of recruitment and retention problems experienced. Survey work would need to establish:

- The level of staff turnover for a five year period;
- Any likelihood of the need for future expansion of the business in question;
- Housing circumstances of employees; and
- Income of employees.

Occupation of employment related housing will be secured through a Section 106 obligation.

Mix of Dwelling Types, Sizes and Tenures

- 6.9 In order to provide affordable homes to those who need them, the council will require a high proportion of affordable housing to be provided on site. It is also vital to provide an appropriate mix of housing types and sizes to meet the needs of different households within the wider community. This allows residents to remain in the locality as their housing needs change, and helps build balanced and mixed communities.
- 6.10 In addressing development proposals coming forward, the council needs to have an up-to-date understanding of the local housing market, and how it interacts with other housing markets, and the level of local need for housing. Our Strategic Housing Market Assessment for the Cambridge housing market area draws on a number of data sources and has been developed with a range of partners. This will inform the development of a new Affordable Housing Supplementary Planning Document, which will address both tenure and dwelling mix. Applicants need to demonstrate that the proposed mix of units will deliver a balanced mix of dwelling sizes, types and tenures to meet projected future household need within Cambridge in line with the approach towards tenure and dwelling mix set out in the council's Affordable Housing Supplementary Planning Document.

Appendix 2 – Financial Contributions

1. This appendix illustrates the method for the calculation of affordable housing financial contributions. The methodology used builds on previous work undertaken by Dixon Searle Partnership (DSP) for the Cambridge City Council (CCC) Local Plan Review Community Infrastructure Levy (CIL) viability assessment (February 2013) and Supplementary Report, 'Small Sites Affordable Housing Viability' (June 2013).

Methodology

2. The methodology involves estimating broadly the value of the land plot(s) or part plot(s) on which affordable housing would be provided, if it were being provided on site.
3. Figure 1 illustrates the value levels of housing in Cambridge by ward. This data was gathered using a robust evidence base, which was used to inform the [Community Infrastructure Levy Viability Assessment \(2013\)](#) (Found in Appendix 3 of the Community Infrastructure Viability Assessment 2013). A range of factors and data were used to assess and develop the value levels in Cambridge including:
 - An overall residential market review (by ward based areas): using property advertised for sale/including sold subject to contract from rightmove.co.uk;
 - DSP New-build housing research: based on marketing prices and DSP trial adjustments;
 - Zoopla research residential information;
 - Research Feedback Log and Stakeholder Consultation: gathered from various agents and developers operating in Cambridge;
 - Other property information (economic and market context and trends, house-price trends, etc.): from the bank of England, Royal Institution of Chartered Surveyors (RICS) Housing Market Survey, Land Registry.

Figure 1 – Value levels of housing by ward

Value Level	Value (£/sq.m)	1-bed flat	2-bed flat	2-bed house	3-bed house	4-bed house	Indicative Settlement Relationship to Value Level	
VL 1	£2,500	£125,000	£175,000	£207,500	£124,000	£312,500	Cherry Hinton / Kings Hedges	Falling Market from typical current lower-end
VL 2	£3,000	£150,000	£210,000	£249,000	£288,000	£375,000		Arbury / Abbey / East Chesterton
VL 3	£3,500	£175,000	£245,000	£290,000	£336,000	£437,500	Trumpington / Petersfield	
VL 4	£4,000	£200,000	£280,000	£332,000	£384,000	£500,000		Queen Edith's / Castle
VL 5	£4,500	£225,000	£315,000	£373,500	£432,000	£562,000	Improving market from current typical / mid-range	
VL 6	£5,000	£250,000	£350,000	£415,000	£480,000	£625,000	Market / Newnham	
VL 7	£5,500	£275,000	£385,000	£456,500	£528,000	£687,500		Upper end (noting that some instances exceed this) / improving market higher values

Note: For wards which span one or more VL (Value Level), the council will apply the lowest value level for that ward, when calculating affordable housing contributions.

- DSP then determined the floorspace per dwelling type by using figures for unit sizes based on *Policy 50: Residential Space Standards* of the submission Cambridge Local Plan 2014.
- Using Value Levels (VL) of housing by ward, based on the number of bedrooms (Figure 1) and dwelling size assumptions based on Policy 50, the following calculation was applied to determine the financial contribution per square metre for affordable housing provision:

Example scenario:

Step 1 (market sales value (GDV) starting point):

2 unit market scheme:

1 x 2 bed house at 83 sq. m @ CIL study VL 3 i.e. MV (market value) £290,500, and

1 x 3 bed house at 96 sq. m @ VL 3 i.e. MV £336,000

Gross Development Value (GDV) total = £626,500 based on 179 sq. m new housing.

Step 2 (estimate the land value associated with that by using the RLV% calculation, then add acquisition and servicing allowance):

Residual land value (RLV) before affordable housing is estimated at 30% of Market Value (MV)

MV (sale value of 2 houses) £626,500 x 30% (0.30) = market plot value estimate (with no affordable housing) = £187,950.

Add 15% (£28,192.50) for land acquisition & preparation costs = £216,142.50.

Step 3 (consider the affordable housing (AH) % and application of the sum):

Assuming a 10% equivalent proportion of affordable housing = $0.1 \times £216,142.50 = £21,614.25$ financial contribution level.

= contribution equivalent to £120.75/sq. m (say £120/sq. m).

Further details explaining the calculation

6. **Gross Development Value** refers to the total value achieved on sale of the completed development.
7. The **Residual Land Value** % used in the above calculation is 29.9%. This is rounded to 30% for simplicity. It is arrived at by carrying out a series of small site appraisals using fairly simple residual land valuation and on the basis of schemes providing no affordable housing on-site.
8. **15% uplift**. Is used to reflect a contribution that the registered provider/council normally also benefits from (also costs the developer) in the scenario of the developer being reimbursed for reasonable build costs; because the developer will also have committed expense to make the site available and ready for development – i.e. acquisition and servicing costs. It is reasonable to consider that an allowance should be made for these costs, again to “replace” the land value and related subsidy that that would have been provided in an on-site affordable housing scenario.
9. The affordable housing equivalent proportion (% target) is then applied. In the example calculation above, a 10% affordable housing contribution has been applied to illustrate the affordable housing contribution for sites providing 2 to 9 dwellings. For sites providing 10-14 and 15 plus dwellings, a 25% or 40% contribution would be applied at this stage.

10. The above methodology is then adjusted down further to reflect more complex dwelling mixes and sizes and concludes that potential financial contributions per square metre for sites providing 2 to 9 dwellings are as illustrated in Figure 2. These provide a consistent approach across all combinations of housing mix, type and tenure. It should be noted however, that the calculations have been based on unit sizes of up to 4 bedrooms. Where a scheme involves units providing more than 4 bedrooms per unit, the calculations for affordable housing contributions may have to be undertaken on a bespoke basis.

Figure 2 – Financial contributions for developments providing 2 to 9 dwellings

Value Level (VL – as LP CIL Study)	Value (£/sq.m)	Affordable Housing Financial Contribution (Viewed in £ / sq.m of private accommodation)
VL 1	£2,500	£79
VL 2	£3,000	£95
VL 3	£3,500	£111
VL4	£4,000	£127
VL 5	£4,500	£143
VL 6	£5,000	£158
VL 7	£5,500	£174

How to Calculate an Affordable Housing Contribution for 2 to 9 dwellings

Applicants will calculate affordable housing contributions as follows⁹.

- **Step 1: Calculate the overall floorspace for the proposed development**
- **Step 2: Assess which value level your development falls into using Figure 1.**
- **Step 3: Apply the Affordable Housing Contribution to the floorspace using Figure 2**

A worked example illustrates the calculation below.

Step 1: Calculate the overall floorspace for the proposed development

The site proposes 3 2-bed houses and 2 3-bed houses, based in Cherry Hinton.

Calculating the overall floorspace this equates to:

$$(3 \times 83) + (2 \times 96) = 441 \text{ sq.m}$$

Step 2: Assess which value level your development falls into, using figure 1.

The development is in Cherry Hinton. Figure 1 states that properties in Cherry Hinton fall into Value Level 1 and 2. For wards which span one or more VL (Value Level), the council will apply the lowest value level for that ward, when calculating affordable housing. Therefore for the purpose of this calculation, Cherry Hinton is classed as Value Level 1.

Step 4: Apply the Affordable Housing Contribution to the floorspace using figure 2

Figure 3 illustrates that financial contributions for Value Level 1 properties are £79/sq.m.

$$441 \text{ sq.m} \times 79 = £34,839$$

Therefore the affordable housing financial contribution required for the development is £34,839.

⁹ As part of the application process, the council will check all calculations.

How to Calculate an Affordable Housing Contribution for sites of 10 or more dwellings

On sites of 10 units or more, developers will be expected to deliver whole units on site with financial contributions provided for fractions of units. Therefore financial contributions will be calculated as follows¹⁰.

Applicants will use the steps below to calculate affordable housing contributions¹¹.

- **Step 1: Calculate the financial contribution required using the appropriate affordable housing contribution as illustrated in Table 1 of this SPD.**
- **Step 2: Calculate the overall floorspace for the proposed development**
- **Step 3: Assess which value level your development falls into using Figure 1.**
- **Step 4: Apply the Affordable Housing Contribution to the floorspace using Figure 2**
- **Step 5: Calculate the value of the financial contribution**

A worked example illustrates the calculation below.

Step 1: Calculate the affordable housing contribution required.

A site providing 14 dwellings will be subject to 25% affordable housing provision, therefore:

$$14 \times 0.25 = 3.5$$

This means that 3 affordable housing units are to be provided on site, with 0.5 of a unit as a financial contribution.

Step 2: Calculate the overall floorspace for the proposed development

The site proposes 10 2-bed houses and 4 3-bed houses, based in Cherry Hinton.

Calculating the overall floorspace this equates to:

$$(10 \times 83) + (4 \times 96) = 1,214 \text{ sq.m}$$

¹⁰ Where a scheme involves units providing more than 4 bedrooms per unit, the calculations for affordable housing contributions may have to be undertaken on a bespoke basis.

¹¹ As part of the application process, the council will check all calculations.

Step 3: Assess which value level your development falls into, using figure 1.

The development is in Cherry Hinton. Figure 1 states that properties in Cherry Hinton fall into Value Level 1 and 2. For wards which span one or more VL (Value Level), the council will apply the lowest value level for that ward, when calculating affordable housing. Therefore for the purpose of this calculation Cherry Hinton is classed as Value Level 1.

Step 4: Apply the Affordable Housing Contribution to the floorspace using figure 2

Figure 3 illustrates that financial contributions for Value Level 1 properties are £79/sq.m.

$$1,214 \text{ sq.m} \times 79 = \text{£}95,906$$

Step 5: Calculate the value of the financial contribution

$$\text{£}95,906 = 3.5 \text{ (total affordable housing contribution required – see step 1)}$$

Therefore:

$$\text{Financial contribution} = (\text{Step 4}/\text{total affordable housing contribution}) \times \text{the required fraction}$$

$$\text{Financial contribution} = (\text{£}95,906/3.5) \times 0.5 = \text{£}13,700.86.$$

Therefore the affordable housing financial contribution required for the development is £13,701.

Appendix 3 – Checklist for Viability Assessment Review Indicative Information Requirements

The council has produced this viability appraisal review checklist to provide advice to applicants on the information the council expect to be submitted if an applicant wishes to pursue a case of non-viability. This following information is expected from the applicant if a development is proposed which does not provide the amount or type of affordable housing and/or financial contributions expected through Cambridge City Council's local plan policies. This is not exhaustive, but provides a basic guide as to what to include within a viability assessment:

A.1 Viability Assessment Reports & Appraisals – general points:

- The applicant should provide a brief covering report providing an overview of why the viability case is being made. This should detail the viability case being made - what the issue is – it should be clear on the request / offer that is being made (i.e. the extent of departure from Policy compliance considered necessary) and the reasons why in the applicant's view this should be considered;
- The report should be accompanied by the supporting information / evidence associated with the viability assessment and appraisal(s) / sensitivity tests;
- Homes and Communities Agency (HCA) Development Appraisal Tool (DAT) or similar agreed toolkit to be used;
- The appraisals content and summaries to be supplied in PDF and also "live" (functional) appraisal version(s) to aid the review process;
- Appraisal(s) should be consistent with and clearly linked to (explained by) the written submission / covering report;
- Appraisals should show the optimum planning obligations position that can be reached in the opinion of the applicant based on their viability assessment;
- Applicants should provide a policy compliant assumptions version to illustrate the differences / viability issues;
- If sensitivity analysis carried out – provide an explanation of sensitivity assumptions.

A.2 Scheme Details and Context – the report/appraisal(s) should include / provide the following:

- **An Ordnance Survey based site plan and overview layout plan**
 - To include indication of the location and extent of any adjoining highways works or similar.
- **Scheme description/details to include**
 - Site areas (ha) - gross and net (developable)
 - land areas for any other non-residential / ancillary / other uses
 - Confirmation of resulting development density

- Total residential unit numbers; both market and affordable (with percentage of affordable housing)
- Residential unit schedules (market and affordable housing) with:
 - type of units
 - number of bedrooms
 - floor areas (usually GIA)
 - any non-saleable floor areas / net : gross ratio
- Any commercial / other / mixed use development details – equivalent information (to include gross and net internal floor areas).
- **Details of timings and any phasing**
 - Include numbers and types of units in each phase)
 - Assumed project / phase start and end dates
 - Construction start and period
 - Sales period, rate of sale and any post construction sales period
 - affordable housing timing
 - construction period
 - payments / handover / receipts.

A.3 Site Value – the report/appraisal(s) should include / provide the following:

- **Details of current use(s)** of the site and planning context / status (with any relevant supporting information)
- **Value of site / premises** at the assessment (current) date – include supporting evidence
 - Full explanation with valuation and other supporting details where relevant
 - Details of any special assumptions and planning risk adjustment being made with respect to alternative use value assessment as a basis for site value
 - Clear approach on whether site value being used as an appraisal input or as a benchmark against which a RLV is being compared (i.e. is the viability benchmark based on land value or profit)
 - Land purchase and timing details may be relevant – including background, basis / planning assumption, any conditions, etc.
- **Land purchase related costs / fees**
 - Stamp duty, legal and any agent’s fees plus supporting information if necessary.

A.4 Gross Development Value (GDV) – the report/appraisal(s) should include / provide the following:

- **Assumed sales values**
 - Provide sales values both as £ per unit and £/m²
 - Ground rents
 - Total revenue summarised
 - Provide supporting evidence including analysis of any comparables research / agents advice / other justification.
 - Service charges or any other deductions / incentives that may impact on value

- **Affordable housing revenue assumptions**
 - Provide revenue assumptions both as £ per unit and £/m² (where based on offer(s) from Registered Providers please indicate offer and provide supporting evidence)
 - Indicate tenure assumptions - by unit type and overall mix (e.g. affordable rent / shared ownership or similar ratio)
 - Affordable and/or social rent assumptions
 - Rent assumptions
 - Percentage of market rent assumed
 - Other financial criteria used to calculate affordable housing revenue where applicable
 - Assumptions for shared ownership revenue
 - Percentage initial equity share and percentage rent on retained equity;
 - Equivalent information / explanation on any other affordable housing models / variation.

- **Commercial / Non-Residential Values (where applicable):**
 - Rental values
 - Yields
 - Void rates
 - Rent free periods
 - Tenant incentives
 - Any other area that impacts on value (e.g. purchaser's costs).

Above to be provided with supporting evidence.

A.5 Development Costs – the report / appraisal(s) should include / provide the following:

- **Build Costs**
 - Basis and source of build cost assumptions / estimates – e.g. all-in / unit costs plus external / site works; contingency percentage and any other costs additions.
 - £/m² rates for each element (if separated) and totals provided.
- **Other**
 - E.g. abnormals (provide supporting evidence)
 - Site or other works
 - Infrastructure or services related costs etc. not otherwise allowed-for.
- **Build cost related fees**
 - Details and basis / percentage (of build costs). E.g. professional fees (architect, planning, surveyors etc.).
- **Survey / investigation or similar costs**
 - Provide details and supporting evidence.
- **Sustainability standards**
 - Provide details and supporting evidence for costs relating to:
 - Sustainable design and construction costs (Code for Sustainable Homes / renewable energy or equivalent for both market and affordable
 - Any additional measures and costs.
- **S.106 obligations and contributions**
 - Provide details and costs including explanation and any Council / formulaic calculations
 - Anticipated CIL liability and any relevant assumptions where applicable.
- **Finance costs**
 - Finance rates assumed (negative and positive cashflow balance)
 - Related fees
 - The appraisal cash flow should be provided.
- **Development Profit**
 - Clear statement on target return / assumed fixed appraisal input and basis (percentage of value / percentage of cost or other) including:
 - Profit assumptions on private / affordable housing and commercial / other non-residential elements of the scheme where applicable.
- **Sale & marketing costs**
 - Usually expressed as a percentage of value with details of any separate elements provided.
- **Legal fees on sale**
 - Provide details and supporting evidence where applicable. Generally expressed as a rate per unit or percentage of value.

Please note: Documents and accompanying evidence should be provided by the applicant / their agent(s) as a package with an explanatory note of the components / appendices in electronic format where possible. Depending on scale of plans and size of reports, printed copies of some elements may be requested to aid the review.

Appendix 4 - Affordable Housing Checklist

The list below offers a guide to what will be required in a planning application submission in relation to affordable housing. For outline planning applications, the list below will not be wholly relevant and submitted documents may show indicative information. This is a guide only, the list is not exhaustive. For further guidance please contact, the housing development team (see Appendix 5).

- Site plan showing tenures (rented and intermediate);
- Floor plans showing tenures with areas (rented and intermediate);
- Floor plans showing the location of the wheelchair accessible unit(s), if applicable;
- A schedule of accommodation showing number, size (number of bedrooms), type (houses, flats and duplexes) and tenure of units, including highlighting wheelchair accessible units;
- Number of bedspaces;
- Car parking plan showing tenures;
- Phasing plan;
- Elevations of affordable housing and private housing;
- A statement detailing adherence to the Design and Quality Standards April 2007, Code for Sustainable Homes, Lifetime Homes and Secured by Design, or any subsequent standards the council requires for affordable housing

Appendix 5 – Contact Details

Application forms for pre-application discussions

Information on pre-application advice can be found at:

<https://www.cambridge.gov.uk/pre-application-advice>.

Applications are sent to:

By post:	Planning Service Cambridge City Council PO Box 700 Cambridge CB1 0JH
By email:	planning@cambridge.gov.uk
By telephone:	01223 457000

Housing development team

The team is especially important in the negotiation of delivery, identification of a registered provider, tenure mix, location and transfer arrangements of affordable housing

By post:	Housing Development, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH.
By email:	housingdevelopment@cambridge.gov.uk
By telephone:	01223 457910

Planning policy

By post:	Planning Policy, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH.
By email:	policysurveys@cambridge.gov.uk
By telephone:	01223 457000

Legal Services

By post:	Legal Services, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH.
By email:	legal@cambridge.gov.uk
By telephone:	01223 457414

Appendix 6 – Cambridge Sub-Regional Strategic Housing Market Assessment

Introduction

1. The Cambridge Sub-Region Strategic Housing Market Assessment (SHMA) pulls together data from a wide range of sources to provide a comprehensive assessment of the housing market across the Cambridge housing sub-region. It was last updated in 2012, based on 2009/10 data. The current SHMA and any further updates can be seen in full on the web at:
<http://www.cambridgeshireinsight.org.uk/housing/shma>
2. This appendix gives a summary of headline information in the SHMA which supports the council's requirements for provision of affordable housing, as well as providing guidance on the mix of sizes of affordable housing to be provided. Reference should always be made to the latest SHMA information and this appendix will be updated accordingly, if the SHMA identifies significant relevant changes to the market.

Need for Affordable Housing

3. The SHMA identifies a significant shortfall in affordable housing provision in Cambridge, with high levels of need for new affordable homes over the life of the Local Plan. (*SHMA Chapters 12 & 13*). However, a balance needs to be struck between affordable and other tenures to create sustainable, inclusive and mixed communities as required by the NPPF, and recognising the need for developments to be financially viable.
4. Data shows that demand for housing in Cambridge is high:
 - Average and lower quartile house prices are considerably higher than nationally and in the rest of the housing sub-region (*SHMA chapter 5*);
 - Ratios of average and lower quartile house prices to local incomes also remain high, and a significant proportion of local people are unable to afford to buy even a lower quartile one bedroom flat. (*SHMA chapter 10*);
 - Private rent levels are also significantly higher than the national average and again the highest in the Cambridge housing sub-region. They are also rising faster than in any other part of the sub-region. (*SHMA chapter 6*);
 - The way that Local Housing Allowance rates are calculated means that there are very limited numbers of properties available in the private rented sector in Cambridge for which the rent is fully covered by housing benefit. This, together with the reluctance of some landlords to let to

benefit claimants makes it very difficult for those on low incomes to access private rented housing. (*SHMA chapter 6*).

- The city's population rose by 15,000 (15.6%) between 2001 and 2011, and is projected to increase by a further 22% between 2011 and 2031 which will further increase housing demand.

Tenure of Affordable Housing Required

5. The greatest need for affordable housing in terms of numbers of applicants is for social and affordable rent homes. However, there is also strong demand in Cambridge for intermediate tenures – including shared ownership. The mix of social and intermediate tenures required by the SPD is based on balancing expressed need (through applicant registers) and projections of changes in household type and incomes, with the need to provide mixed communities.

Size of Affordable Housing Required

6. The SHMA contains a range of data which points to the sizes of homes required.
7. Some data indicates a need for smaller affordable homes to be provided:
 - The Census 2011 showed an occupancy rate of 2.54 people per dwelling, which is projected to fall in future years. (*SHMA Chapter 14, and New Development Surveys*)¹².
 - The greatest future increase in households is projected to be in single person households, and in those in the 45-64 and 65 plus age brackets. (*SHMA Chapters 12 & 14*).
 - There is a higher number of applicants for social housing on the Home-Link housing register requiring one bedroom properties than other property sizes. Two bedroom properties are the next highest in demand, with lower need for three bedrooms or more. (*Strategic Housing Key Facts*).
 - On the Homebuy Intermediate Housing register, the majority of applicants are one and two person households, and the local market for one bedroom homes is currently strong. (*SHMA Chapter 8*).
 - Households aged over 85 showed the largest percentage increase between 2001 and 2011 compared with other age groups. Couple households had the largest numerical increase 2001 to 2011 compared to other household types. (*SHMA Chapter 3*)
8. By contrast, other data points to the need for larger properties:
 - The greatest projected need across all tenures in Cambridge is for homes with three bedrooms or more. (This is based on past trends, and does not take into account actual population change recorded in the 2011 Census, but it gives a starting point for assessing the actual mix required in the local area). (*SHMA Chapter 14*);

¹² Cambridgeshire New Development Surveys: <http://www.cambridgeshireinsight.org.uk/housing/new-development-surveys>

- The number of single person households in the city is projected to decrease slightly up to 2021. (*SHMA Chapter 3*)
 - Cambridge currently has a generally younger population than the rest of the sub-region. The largest numerical increase between 2001 and 2011 was in the 0-19 age group. (*SHMA Chapter 12*);
 - Turnover of larger properties for rent tends to be lower – more one bedroom properties are let each year than other property sizes. (*SHMA Chapter 7*);
 - Applicants for intermediate housing are permitted to apply for one more bedroom than their household is deemed to require, and purchasers – as is the case with market housing - will generally buy the largest home they can afford. (*SHMA Chapter 8*).
9. This range of data needs to be understood in the context of the current supply of affordable housing. For example, nearly thirty per cent of the council’s homes (the council being the largest social housing provider in the city) are currently one-bedroom properties, with around one third having two bedrooms. The council’s supply of one bedroom dwellings includes some sheltered housing for older people, and other temporary and specialist housing. (*SHMA Chapter 7, and local data*). For historic reasons, the profile of the affordable housing may differ from that of private housing

Required size mix, based on data and issues

10. The SHMA indicates the size mix of new housing between 2011 and 2031. The SHMA tends to overstate the need for larger homes for affordable housing as studies show that market housing is generally under-occupied by one bedroom in relation to the size of the household. The council has therefore undertaken further analysis of SHMA data to provide a more reasonable split of the size mix of new affordable housing. This involves reducing the percentage of 4 bedroom properties by half, and adding this percentage to the three bedrooms, then repeating this process for the smaller properties to dampen the number of larger properties and increase the number of smaller ones as follows:

	Four bedroom	Three bedroom	Two bedroom	One bedroom
Starting point (SHMA) - summarised	19%	43%	33%	6%
Applying 'Dampening' effect	10% (19%-10%)	31% (43%-22%+10%)	38% (33%-16%+21%)	22% (6+16%)
Resulting Recommended mix	9%	31%	38%	22%

SHMA Chapter 12, Table 12 – summarised and 'dampened'

11. It could be argued that the estimated dwelling mix should be further 'dampened'. However, the above allows a realistic - and progressive - degree of under-occupation on new affordable housing: i.e. around 10%.

12. The following mix should be taken as a guide:

- No more than 20% one bedroom general needs
- At least 40% two bedroom general needs
- 30% three bedroom
- 10% four bedroom

In view of the ageing population and the need to provide a better range of options to enable older people to down-size, a percentage of the smaller properties should be provided for older people, or as other forms of specialist housing to meet the needs of disabled or vulnerable people.

13. This should be seen as a guideline for the mix on new developments. However, variations from this may be required from site to site, depending on issues such as: the size and character of the site; the character of the wider area; existing housing provision, housing need in the local area; etc.

Glossary

Term	Definition
Affordable Housing (AH)	<p>Housing provided for people whose income levels mean they cannot access suitable market properties to rent or buy locally to meet their housing needs. It includes social rented, affordable rented and intermediate housing. Affordable housing should:</p> <ul style="list-style-type: none"> • meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices; and • include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision. <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Affordable rented housing	<p>Rented housing provided by local authorities and private registered providers of social housing to households that are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).</p> <p>From April 2012, most new homes funded by government grant have to be offered at affordable rents, to generate funding for further new affordable housing. Some existing social rent homes may also be converted to affordable rents in agreement with the Homes and Communities Agency.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Aparthotels and serviced apartments	<p>Aparthotels and serviced apartments offer a higher level of service than normal rented apartments, such as cleaning, laundry, food hampers, toiletries and the provision of towels. The letting is normally on a daily short-term basis, although some might require a minimum 2–3 night stay. There are also reception facilities and a hotel-style booking system.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
BCIS	<p>The Building Cost Information Service, known as BCIS, is a leading provider of cost and price information for the UK construction industry. It is a part of the Royal Institution of Chartered Surveyors.</p>
CIL	<p>Community Infrastructure Levy</p>
Code for Sustainable Homes	<p>Developed to enable a change in sustainable building practice. It is intended as a single national standard to guide industry in the design and construction of sustainable homes. There are six levels of the Code, with Level 6 equating to a zero carbon home. At each level, there are minimum energy efficiency/carbon emissions and water efficiency standards.</p>

Term	Definition
	Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms
Cooperative	<p>A co-operative is an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly-owned and democratically controlled enterprise.</p> <p>Cooperatives are based on the values of responsibility, democracy, equality, equity, and solidarity. In the tradition of their founders, cooperative members believe in the ethical values of honesty, openness, social responsibility, and caring for others. Co-operative housing has been shown to deliver enhanced outcomes in terms of community cohesion, reductions in crime (and fear of crime) and antisocial behaviour, and health benefits.</p>
Cooperative Housing	<p>Co-operatively managed housing is an acceptable form of affordable housing provision, and can be used to deliver housing for both the social rented sector and the intermediate market. The housing may take a number of forms, including tenant managed schemes, ownership housing co-operatives, co-housing schemes (privately-funded developments organised on cooperative lines), and mutual home ownership developments.</p> <p>Key points of Co-operative schemes:</p> <ul style="list-style-type: none"> • Run by its members, i.e. tenants • Helping to create sustainable, mixed communities • Flexibility of tenure (i.e. members can move from one tenure (e.g. rented) to another, and vice-versa) • Intermediate in the sense of allowing members to take an equity investment, depending on income, in the mutual society that owns their homes, not in a property per-se • Land may be separated from the property e.g. via a Community Land Trust designed to be held in perpetuity to eliminate transfer to the open market
Cluster	<p>Concentrations of companies in related activities, recognisable suppliers, service providers and institutions, which are cooperating, competing and collaborating to build competitive advantage, often across traditional sector boundaries. Such concentrations often depend on access to specialist skills and infrastructure within a specific area.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Dixon Searle Partnership (DSP)	Housing and development consultants
Employment related housing	Employment related housing is to aid employers with the recruitment and retention of staff. Whilst not officially affordable housing in terms of the NPPF definition of affordable housing, this type of housing would assist in accommodating people who cannot afford homes on the open market.
Gross Development Value (GDV)	The total value achieved on sale of the completed development. It is shown before the deduction of any costs or allowances and is simply the total of funds realised on the sale of the completed development.

Term	Definition
Intermediate housing	Homes for sale and rent provided at a cost above social rent, but below market levels, and which meet the criteria for affordable housing (above). These can include shared equity (shared ownership and equity loans), other low-cost homes for sale and intermediate rent, but not affordable rented housing.
Local plan	Sets out policies to guide the future development of Cambridge. It also sets out where future development will take place, and identifies land for new housing, community facilities, shops and employment. In addition, the local plan identifies land to be protected from development, such as the Green Belt and open space. It is the key document used to determine planning applications for new development in the city.
Market Housing	Housing for those households who can afford to pay the full market price to buy or rent their home, i.e. occupied on the basis of price alone.
Market Value (MV)	The value of market housing.
Mixed use developments	Development comprising two or more uses as part of the same scheme (e.g. shops on the ground floor and residential flats above). This could apply at a variety of scales from individual buildings, to a street, to a new neighbourhood or urban extension. Cambridge Local Plan 2014: Proposed Submission , Glossary of terms
National Planning Policy Framework (NPPF or The Framework)	This document sets out national planning policies for England and the Government's requirements for the Planning System. The policies in the NPPF must be taken into account when preparing Local Plans. Cambridge Local Plan 2014: Proposed Submission , Glossary of terms
Nominations Agreement	A contract under which the council has a right to place those in housing need into homes owned by registered providers (previously known as housing associations/registered landlords) as they become available.
Overage provision	A provision included in a Section 106 agreement, which ensures that if the actual return to the developer when units are sold exceeds the level included in the submitted viability assessment, a proportionate additional contribution is made to affordable housing in the city.
Registered Provider (RP)	Registered providers (RP) are landlords who provide affordable accommodation for rent and/or sale. The way they operate is governed by a government body called the Homes and Communities Agency.
Residual Land Value (RLV)	Land value and referred to as a residual because it is the amount remaining after a calculation that deducts from the GDV (as above) the various costs of development (e.g. usually comprising of costs including build costs and contingencies, professional fees, site purchase costs, finance costs, developer's profit, marketing and sales expenses). The amount left over (hence 'residual') indicates the land price that can be justified by the calculation and the assumptions used within it.
Section 106	A binding legal agreement requiring a developer or landowner to provide or contribute towards facilities, infrastructure or other measures, in order for planning permission to be granted. Planning obligations are normally secured

Term	Definition
	<p>under Section 106 of the Town and Country Planning Act 1990.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Serviced Apartments	<p>Aparthotels and serviced apartments offer a higher level of service than normal rented apartments, such as cleaning, laundry, food hampers, toiletries and the provision of towels. The letting is normally on a daily short-term basis, although some might require a minimum 2–3 night stay. There are also reception facilities and a hotel-style booking system.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Shared ownership	<p>A form of intermediate tenure low cost home ownership housing. Homes in which the occupier owns a share of the equity and pays rent on the remaining share.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Strategic housing market assessment (SHMA)	<p>This document for the Cambridge sub-region draws on a number of data sources and has been developed with a range of partners. It assesses the housing needs of the sub-region as well as each district and helps to inform the scale and mix of housing and the range of tenures that are required to meet the need.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Social housing	<p>Housing let at lower than market rents to people in housing need. It includes social rent, affordable rent and intermediate housing tenures and is usually provided by not-for profit organisations including housing associations and councils.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Social rented	<p>Rented housing owned by local authorities and private registered providers, for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Specialist housing	<p>Developed with particular groups of people in mind such as older people (including the frail elderly and those with dementia), people with physical and sensory disabilities, those with learning difficulties or acquired brain injury, young people at risk, people with alcohol or drug dependency, and those requiring refuge from harassment and violence, and others who may, for a variety of reasons, be excluded from the local community. Examples may range from a small scheme of cluster flats with additional facilities for support staff, to much larger extra care schemes enabling older people to live in their own self-contained accommodation but with care and support on-site.</p>

Term	Definition
	<p>This definition also includes the provision of housing that may be designed in a particular way or has staff office or staff night-time facilities when staff are needed to support the people who are living in the housing.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Use classes order	<p>The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as use classes. More detail on what types of uses fall within each use class is set out below.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Use class C3	<p>Dwelling houses Use as a dwelling house (whether or not a main residence). Split into three sub-categories: a) houses occupied by a single person or by people regarded as forming a single household; b) houses occupied by not more than six residents living together as a single household where care is provided for residents; and c) houses occupied by not more than six residents living together as a single household where no care is provided to residents (other than use within class C4)</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Use class C4	<p>Houses in multiple occupation Houses occupied by between three and six unrelated individuals as their only or main residence. N.B. Large HMOs (more than six people) are unclassified, therefore sui generis.</p> <p>Taken from the Cambridge Local Plan 2014: Submission, Glossary of terms</p>
Value Level (VL)	<p>Describes points within the overall range of market sales values (GDV) that are relevant in the Council's area and various localities within that. Usually expressed as a '£ /sq. m.' (£ per square metre) or '£/sq. ft.' (£ per square foot) indication that can be applied to varied dwelling floor areas and provides a more consistent and useful comparison basis for considering sales values (GDVs) and the viability impacts of those varying alongside other viability factors.</p>

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To: Executive Councillor for Planning and Climate Change:
Councillor Tim Ward

Report by: Head of Planning Services

Relevant scrutiny committee: Development 25/03/2013
Plan Scrutiny
Sub-Committee

Wards affected: All

Draft Planning Obligations Strategy Supplementary Planning Document

Not a key decision

1. Executive summary

- 1.1 The current Planning Obligations Strategy Supplementary Planning Document (SPD) was adopted in 2010. Due to changes in the legislative and planning policy framework this now needs to be updated. The revised Planning Obligations Strategy SPD and Community Infrastructure Levy (CIL) Charging Schedule are mutually dependant policy documents that need to be put in place and updated alongside the emerging Local Plan. Councillors are asked to consider the Draft Planning Obligations Strategy Supplementary Planning Document (SPD) prior to its submission to the planning inspectorate in support of the Council's Draft CIL Charging Schedule and also prior to formal public consultation on the Draft SPD.
- 1.2 In order to adopt a CIL the Council has to produce a draft list of infrastructure which could benefit from CIL funds. Any infrastructure on that list cannot receive any funds from a S.106 planning obligation. This list is known as the 'Reg.123 list' (this title being taken from the Regulation number which requires publication of such a list). The Council took the opportunity to consult on a Draft Regulation 123 List during the public consultation on the Draft Cambridge CIL Charging Schedule. Councillors are now asked to consider updates to the list to reflect responses received during the public consultation and also developments in the Draft Planning Obligations Strategy SPD.

2. Recommendations

- 2.1 The Executive Councillor for planning and climate change is recommended to:

- 2.2 Approve the Revised Draft Planning Obligations Strategy SPD, as set out in Appendix 1, for a six week consultation public consultation period between June and July 2014.
- 2.3 Approve the Revised Draft Planning Obligations Strategy SPD for submission to the planning inspectorate in support of the Submission Draft CIL Charging Schedule on 28 March 2014.
- 2.4 Approve the updated Draft CIL Regulation 123 List, as set out at Appendix 3, for submission to the planning inspectorate in support of the Draft CIL Charging Schedule on 28 March 2014.
- 2.5 To agree, as of the 1 April 2014, the approach towards monitoring fees outlined in paragraph 3.23 is implemented.
- 2.6 Agree that if any amendments are necessary, these should be agreed by the Executive Councillor in consultation with Chair and Spokes of Development Plan Scrutiny Sub-Committee.

3. Background

- 3.1 The City Council has an adopted Planning Obligations Strategy SPD (October 2010) which needs to be updated to reflect changes in national legislation and policy guidance. Namely, the introduction of the Community Infrastructure Levy (CIL) in 2015.
- 3.2 The CIL is a charge that local authorities can levy on all new development in their area to fund infrastructure improvements needed to support development. CIL partially replaces S.106 planning obligations.
- 3.3 The CIL was introduced by the Planning Act 2008 and came into force through the CIL Regulations 2010 (as amended) on 6 April 2010. As of that date it became unlawful for a planning obligation to be taken into account when determining a planning application for development, or any part of a development, if the obligation does not meet all of the following tests:
 - It is necessary to make the development acceptable in planning terms;
 - It is directly related to the development; and,
 - It is fairly and reasonably related in scale and kind to the development.

- 3.4 The purpose of the tests are to distinguish the different roles that both CIL and planning obligations have when used together to support new development. The CIL Regulations (as amended) also specify that upon the adoption of a CIL, or by 6th April 2015, whichever is the sooner, the use of planning obligations must be scaled back. This means that, once the CIL is in place, a planning obligation cannot be used to fund a project or type of infrastructure if there have been 5 separate obligations on or after 6 April 2010 which fund that project or type of infrastructure.
- 3.5 CIL breaks the link between the development and the development site. Unlike S.106 planning obligations CIL funds are not earmarked for particular types of infrastructure. CIL funds are pooled into a central pot from which they can be used for any infrastructure needed to support development across the City Council's administrative area.
- 3.6 Planning obligations remain for on-site mitigation required to make a development acceptable in planning terms, including the provision of affordable housing. The principle is that all eligible developments must pay a CIL as well as, any site-specific requirement to be secured through Section 106 Agreements.
- 3.7 These changes make it impossible to continue with a tariff style system for collecting planning obligations. The Council's Planning Obligations Strategy (POS) SPD 2010 sets out a tariff style approach. Once the Council introduce CIL or April 2015, whichever is sooner, it will no longer be possible to enforce the approach set out in the current SPD. As a result it is necessary to update the Council's Planning Obligations Strategy SPD. The purpose of this report therefore is to present a revised Draft Planning Obligations Strategy SPD (attached at Appendix 1), and to seek approval to submit the Draft POS SPD to the planning inspectorate in support of the Council's CIL Draft Charging Schedule and also to publish the Draft POS SPD for a formal 6 week period of public consultation.
- 3.8 The Draft Planning Obligations Strategy SPD will give all involved in the planning process a clear understanding as to what charges may be applicable for different forms of development as well as demonstrating to an inspector considering the Council's CIL approach that there will be no double charging for infrastructure.
- Cambridge City Council Community Infrastructure Levy**
- 3.9 The introduction of a CIL for Cambridge City Council is now reaching advanced stages, with formal submission of the Charging Schedule to the planning inspectorate expected at the end of March 2014 alongside the Local Plan.

- 3.10 The Council consulted on its Draft CIL Charging Schedule for six weeks from 28th October 2013 to 9th December 2013. This was following approval for consultation at Environment Scrutiny Committee on 08th October 2013. The Draft POS SPD should be read alongside the Council's Draft CIL Charging Schedule and Supporting Information (which includes the City Council's Draft CIL Regulation 123 list). The combination of these documents sets out a clear guide to developers, landowners and stakeholders on the likely scope of planning obligations applicable to developments.
- 3.11 The table at Appendix A of the Draft Cambridge CIL Charging Schedule and Supporting Information Consultation Document set out broadly how CIL might work alongside S.106 in Cambridge once CIL is adopted.
- 3.12 Appendix A of the Draft Charging Schedule and Supporting Information Consultation Document has formed the basis for the revised Planning Obligations Strategy SPD and comments received during the consultation have been taken into account when formulating the Draft SPD.
- 3.13 Key issues raised in response to the consultation on Appendix A are outlined in Appendix 2 of this report, alongside the draft council response on these issues, which outlines if and how these issues have been taken into account in the development of the Draft Planning Obligations Strategy SPD.
- 3.14 A summary of the main points raised in the consultation are listed below with a summary a draft response:

Consultation Comments (summary)	Draft Response (Summary)
The Planning Obligations SPD should be published immediately to give assurances that developers won't pay for the same infrastructure through CIL and S.106	<i>The purpose of this report is to get approval for a Draft Planning Obligations SPD</i>
The Draft Reg.123 list is overly brief and generic	<i>The Council has yet to identify which specific projects will benefit from CIL funds but the infrastructure categories identified in the Draft Regulation 123 List should ensure that CIL funds will</i>

Consultation Comments (summary)	Draft Response (Summary)
	<i>contribute meaningfully to infrastructure and Local Plan delivery</i>
There is no evidence that public art could be funded by S.106 and CIL	<i>Public Art will be secured by planning condition or CIL funds. S.106 will not be used</i>
There needs to be a CIL approach to the natural environment	<i>The approach to the natural environment is clarified in the SPD</i>
There is an underestimation of S.106 contributions when assessing CIL rates	<i>This is not the case. See more detailed response in Appendix 2</i>
There needs to be clarification of where S.106 and CIL will be used to fund the delivery of infrastructure within the same categories	<i>The Draft SPD provides this clarification</i>

Proposed use of S106 Planning Obligations and CIL

- 3.15 The Council will continue to use S.106 planning obligations where site-specific infrastructure is required to make a development acceptable in accordance with the tests outlined at paragraph 3.3 above. This is appropriate as site-specific infrastructure requirements are difficult to define fully in advance of an appraisal of a planning application or because of the impracticability of delivering certain infrastructure effectively through CIL.
- 3.16 ***Draft Cambridge City Council Planning Obligations Strategy SPD 2014*** – The Draft SPD is attached at Appendix 1 to this report. The document sets out the background of the local and national planning policies which are applicable to planning obligations. It then identifies topic areas where planning obligations may be applicable. Finally it sets out the Council’s general procedural approach to planning obligations.
- 3.17 The SPD outlines that CIL, and where appropriate, other funding (capital funding, city deal), can be used to fund infrastructure which includes:
- Strategic transport infrastructure;

- Education infrastructure;
- Strategic household waste recycling;
- Libraries and lifelong learning facilities;
- Community facilities (community rooms, public library, primary care facility, community centre, place of worship, function room, acute health care, civic and court buildings);
- Strategic public realm improvements (strategic projects to improve the streetscene and built environment of the city);
- Public art projects that have a citywide benefit;
- Indoor sports facilities (Formal provision such as sports halls and swimming pools);
- Outdoor sports facilities (playing pitches, courts and greens);
- Allotments; and,
- Strategic green infrastructure projects.

3.18 The Council will continue to use S.106 to ensure the delivery of (This list is not exhaustive):

- Affordable housing (dealt with in a separate Draft Affordable Housing SPD)
- Site-specific transport infrastructure (e.g. Travel Plans; Site specific works, access roads etc.; Site specific pedestrian cycle facilities; dropped kerbs, contributions to car clubs etc.)
- Open space provision for children and teenagers (play areas, kickabout areas, adventure playgrounds, multi-use games area, skate-park, bike-park etc.)
- Site-specific informal open space (Hard landscaping, benches, trees, shrubbery, surfaces for sitting out or dog walking, casual playspace, improvements to existing informal open)
- Household waste and recycling receptacles
- Site specific public realm improvements
- Site specific ecological mitigation

3.19 The revised SPD details the circumstances under which a S.106 Agreement may be appropriate to mitigate the impacts of development. A separate Draft Affordable Housing SPD will be published alongside this document.

3.20 **Monitoring and Implementation Fees** - The development of the new draft Planning Obligations Strategy SPD has also provided the opportunity to take stock of the way that monitoring fees are being applied under the current strategy. This is important because the current strategy will continue to operate during 2014/15 until the adoption of the new strategy.

- 3.21 The current Planning Obligations Strategy SPD (adopted in March 2010) allows the Council to charge a £150 monitoring fee per financial contribution clause and a £300 monitoring fee per infrastructure provision clause/condition (as set out on pages 44-45 of the current strategy). These fees were similar to the practice at other authorities at the time. It has become clear, however, that the monitoring fees received in practice by the City Council has fallen some way short of the costs incurred in monitoring and managing planning obligations.
- 3.22 There is an now opportunity for the Council to increase its monitoring fees as part of **new** Section 106 agreements entered into during the coming year under the current strategy.
- 3.23 It is therefore proposed that, from 1 April 2014, the Council updates its monitoring fees structure under the current Planning Obligations Strategy SPD so that:
- a. monitoring fees for all financial planning obligations (eg, for community facilities, informal open spaces, indoor and outdoor sports and waste facilities) and non-financial planning obligations would be 5% of the total value of those financial contributions (up to a maximum of £50,000);
 - b. Large scale developments may have their fees agreed by negotiation a case by case basis but the default position for a monitoring charge will be 5% of total contributions
- 3.24 The introduction of 5% monitoring fees for financial contributions could be a significant help in offsetting the costs of monitoring and managing developer contributions and would enable the Council to make better use of resources.
- 3.25 Please note that this will not affect Section 106 agreements that have already been signed (including those where the payment of monitoring fees has not yet been triggered).
- 3.26 ***Consultation on the Draft CIL Regulation 123 List*** – Linked intrinsically to its strategy on planning obligations the Council needs to agree and publish its intentions for how revenue raised from the CIL will be spent. This is done through the publication of an infrastructure project list known as the ‘Reg.123 list’ (this title being taken from the Regulation number which requires publication of such a list). It should be noted that simply because a project or infrastructure theme goes on the Reg.123 list it does not mean the project will definitely happen or get paid for through CIL funds. However, it does mean that the said

project must not receive any funds direct from a S.106 planning obligation.

- 3.27 The Council took the opportunity to consult on a Draft Regulation 123 during the public consultation into the Draft Cambridge CIL Charging Schedule between 28 October 2013 and 9 December 2013. It is now recommended that the Draft Regulation 123 List is updated to reflect the consultation responses and the development of the Draft Planning Obligations Strategy SPD.
- 3.28 Key issues raised in response to the consultation on the Draft Regulation 123 list, alongside the draft Council response on these issues. The Draft Council response, attached at Appendix 2 of this report, outlines if and how these issues have been taken into account in the development of the Draft Planning Obligations Strategy SPD.
- 3.29 A summary of the main points raised in response to the consultation is listed below with a summary of a Draft Response:

Consultation Comments (summary)	Draft Response (Summary)
More detail is required to make it clear how critical infrastructure from the Council's Infrastructure Delivery Study will be delivered	<i>The Council has yet to identify which specific projects will benefit from CIL funds but the infrastructure categories identified in the Draft Regulation 123 List should ensure that CIL funds will contribute meaningfully to critical infrastructure and Local Plan delivery</i>
Infrastructure identified in the Council's Infrastructure Delivery Study as critical and necessary in relation to the northern fringe east, as well as a list of potential schemes submitted by Brookgate as part of their representation, should be included in the R.123 list	<i>Detailed infrastructure requirements, site capacity, viability, timescales and phasing will be established through the preparation of AAP for the Northern Fringe East</i>
The R.123 list is overly brief and generic	<i>The Council has yet to identify which specific projects will benefit from CIL funds but the infrastructure categories identified in the Draft Regulation 123 List</i>

Consultation Comments (summary)	Draft Response (Summary)
	<i>should ensure that CIL funds will contribute meaningfully to infrastructure and Local Plan delivery</i>
Double counting can only be avoided once the Draft Planning Obligations SPD is published	<i>The Draft SPD will be published alongside the submission Draft Charging Schedule</i>
It is unclear where the line will be drawn between what is development specific and strategic in relation to transport	<i>The Draft SPD provides further clarification</i>
CIL should include the arts	<i>Under the proposed approach Public Art projects could benefit from CIL funds. Arts and cultural facilities (excluding public art) could benefit from S.106.</i>

- 3.30 As the Draft Planning Obligations Strategy SPD and the Draft Regulation 123 list are inextricably linked it is logical that the developments in the Council's approach to the interaction between S.106 and CIL that have taken place since the consultation on the Draft CIL Charging Schedule and Supporting Information are reflected in the Submission Regulation 123 List.
- 3.31 A balanced approach needs to be taken as to what goes on the Reg.123 list. First, it needs to be comprehensive enough so that it is demonstrable that CIL funds will contribute towards the implementation of the Local Plan and support development of the area. Second, it needs to leave scope so that planning obligations can be used to make a development acceptable in planning terms. For example, if the Regulation 123 list is so comprehensive (or broad) as to list (or cover) every single piece of infrastructure that is needed the Council would not be able to negotiate any S.106 funding even when it would otherwise be perfectly sensible or reasonable to do so.
- 3.32 The starting point for the prioritisation of projects, or broad areas of infrastructure, to go on the Draft Reg.123 list is the Cambridge City Council and South Cambridgeshire District Council Infrastructure Delivery Study. The subsequent decision as to which infrastructure projects receive CIL funding from the finalised Reg.123 List will

ultimately lie with the City Council. However, input from the County Council and other key stakeholders will be essential on all these matters. As such, sound governance arrangements around maintaining the Reg.123 list, the prioritisation of CIL spend and the policy mechanism around developer contributions in general are essential.

3.33 The proposed Submission Regulation 123 List is attached at Appendix 3 to this report and Appendix 2 to the Draft Planning Obligations Strategy SPD. This sets out recommendations as to which sorts of infrastructure will be delivered via CIL or other public funds, and therefore NOT funded by S.106 Planning Obligations.

3.34 The key changes from the Reg. 123 list published at Draft Charging Schedule Consultation Stage are the inclusion of outdoor sports facilities, allotments, strategic informal open space and strategic green infrastructure.

Public Consultation and Next steps

3.35 The Council's CIL approach will be go through examination directly after the examination into the Cambridge Local Plan 2014. The Draft Planning Obligations Strategy SPD and Draft Regulation 123 list will be submitted to the planning inspectorate in support of the Draft CIL Charging Schedule. Relevant consultees will be invited to comment on the new draft planning obligations strategy SPD between June and July 2014.

3.36 Consultation responses will be summarised and considered, then changes made to the document where necessary. A draft final version will then be presented to DPSSC for consideration and comment prior to its adoption alongside the CIL Charging Schedule.

4. Implications

(a) Financial Implications

4.1 The cost of the consultation and further work on the Draft SPD will be met from within the current resources of the Planning Policy team.

4.2 Monitoring Fees - The exact amount of extra income that the proposed new approach could generate will depend on the value of S106 agreements entered into over the next year: these increased monitoring fees will be received over the next five years or so as new developments commence and payments are triggered. It is worth noting, however, that if - hypothetically - 5% monitoring fees had been

in place over the last four years, the Council would have received around £60,000 more towards its monitoring and management costs.

(b) Staffing Implications

4.2 There are no direct staffing implications arising out of this report.

(c) Equal Opportunities Implications

4.3 There are no implications arising directly from this report.

4.4 An Equalities Impact Assessment has been published alongside the Draft CIL Charging Schedule Consultation Document.

(d) Environmental Implications

4.5 There are no direct environmental implications arising from this report. Once introduced CIL together with the Planning Obligations Strategy SPD will assist in the delivery of high quality sustainable new developments, alongside the protection and enhancement of the built and natural environments of the city. As such it is anticipated that the SPD will have a positive climate change rating, although the precise nature of this positive impact will be dependent on the detailed proposals.

(e) Procurement

4.6 There are no direct procurement implications arising from this report.

(f) Consultation and communication

4.7 Appropriate consultation with residents and developers and other key stakeholders will be undertaken at key stages.

(g) Community Safety

4.8 There are no direct community safety implications arising from this report.

5. Background papers

Cambridge Community Infrastructure Levy – Draft CIL Charging Schedule and Supporting Information – Consultation Document, October 2013, <https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Draft%20Charging%20Schedule%2015102013.pdf>

Cambridge and South Cambridgeshire Infrastructure Delivery Study, Peter Brett Associates on behalf of Cambridge City Council, September 2012,
<https://www.cambridge.gov.uk/public/ldf/CIL/Appendix%20B%20-%20Infrastructure%20Delivery%20Study%20FINAL%20REPORT%20and%20Appendices.pdf>

Cambridge and South Cambridgeshire Infrastructure Delivery Study Update 2013
<https://www.cambridge.gov.uk/public/ldf/CIL/Infrastructure%20Delivery%20StudyUpdate%20%28Final%20Report%20Amended%20with%20Appendices%29.pdf>

Draft Cambridge City Council Local Plan Review – Viability, Community Infrastructure Levy Viability Assessment, Dixon Searle LLP on behalf of Cambridge City Council
<https://www.cambridge.gov.uk/public/ldf/CIL/Appendix%202%20-%20CIL%20Viability%20Assessment%20FINAL%20DRAFT.pdf>

Community Infrastructure Levy Guidance, 2013, DCLG
<https://www.gov.uk/government/publications/community-infrastructure-levy-guidance>

Community Infrastructure Levy Guidance, 2014, DCLG
http://www.planningportal.gov.uk/uploads/cil/cil_guidance_main.pdf

6. Appendices

Appendix 1 – Cambridge City Council Draft Planning Obligations Strategy Supplementary Planning Document 2014

Appendix 2 – Summary of representations received on the Draft CIL Charging Schedule and supporting Information consultation in relation to question 5 on the proposed interaction between S.106 and CIL and question 6 on the proposed Draft CIL Regulation 123 List

Appendix 3 – Cambridge City Council Draft CIL Regulation 123 List

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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Appendix 2 – Summary of representations received on the Draft CIL Charging Schedule and Supporting Information consultation in relation to question 5 on the Council’s proposed interaction between S.106 and CIL and question 6 on the Council’s proposed Draft Community Infrastructure Levy Regulation 123 List

- 1.1 On 28 October 2013 Cambridge City Council invited representation on its Community Infrastructure Levy Draft Charging Schedule. The consultation ran for a period of 6 weeks and ended on 09 December 2013
- 1.2 A summary of the comments raised by the representations and officers’ response to issues raised is contained in tables A2.1 and A2.2 below.
- 1.3 **Question 5 – Do you support, object or have any comments to make in relation to Appendix A – The interaction between Section 106 and CIL following the adoption of a charging schedule?** A total of 6 representations were received in response to this question. The key issues raised are summarised below:
- The Planning Obligations SPD should be published immediately to give assurances there will be no double dipping
 - The Draft R.123 list is too brief and generic
 - There is no evidence why public art could be funded by S.106 and CIL
 - There needs to be a CIL approach to the natural environment
 - There is overreliance on the assumption that no more than 5 developments will fund infrastructure items and therefore contributions will continue to be collected via S.106
 - There is an underestimation of S.106 contributions when assessing CIL rates
 - There needs to be clarification where S.106 and CIL will be used to fund the delivery of infrastructure within the same categories
- 1.4 **Question 6: Do you support or object to the Draft Regulation 123 list outlined at Appendix B of the consultation document?** A total of 6 representations were received in response to this question. The key issues raised are summarised below:
- More detail is required to make it clear how critical infrastructure from the Infrastructure Delivery Study will be delivered
 - Infrastructure identified in the Infrastructure Delivery Study as critical and necessary in relation to the northern fringe east, as well as a list of potential schemes submitted by Brookgate as part of their representation, should be included in the R.123 list
 - The R.123 list is too short and generic
 - Double counting can only be avoided once the Draft Planning Obligations SPD is published
 - It is unclear where the line will be drawn between what is development specific and strategic in relation to transport
 - CIL should include the arts

Table A2.1 – Question 5: Do you support, object or have any comments to make in relation to Appendix A – The interaction between Section 106 and CIL following the adoption of a charging schedule? – Summary of representations and officer response

Respondent	Representation number	Summary of Representation	Draft Council Response
Bidwells on behalf of Brookgate Ltd	28454	<p>There are a number of infrastructure categories within Appendix A where it is suggested that both S.106 and CIL will be used to fund the delivery of infrastructure within these categories. However, without further guidance this provides insufficient clarity as to how infrastructure necessary to deliver the Local Plan will be provided.</p> <p>In the <u>absence of an SPD</u> it is difficult for developers to be confident '<u>double dipping</u>' will not occur.</p> <p>Appendix A suggests transport infrastructure will be funded both through S.106 and CIL but little clarity is given to when such projects would be development specific and when infrastructure requirements would be addressed through CIL funding. This position is exacerbated by the <u>lack of detail or specific projects within the Draft Regulation 123 list</u>.</p> <p>No evidence has been provided as to why <u>Public Art</u> could be regarded as strategic infrastructure which could be funded by CIL as well as S.106. There are no references within the Infrastructure</p>	<p><u>Absence of an SPD</u>: Further guidance on how S.106 will continue to operate alongside CIL is provided in the Draft Planning Obligations Strategy SPD which was published alongside the Submission CIL Charging Schedule on March 28th 2013.</p> <p><u>Double Dipping</u>: Double dipping refers to funding an infrastructure project using S.106 and CIL. Appendix A has provided assurance that the Council does not intend to 'double dip' to fund infrastructure. This is an approach that has been supported by a number of developers responding to the consultation, however, for the avoidance of any doubt, the Council will publish a Draft Planning Obligations Strategy SPD alongside the Submission Draft Charging Schedule to further clarify its position.</p> <p><u>Lack of detail or specific projects within the Draft Regulation 123 list</u>: The Draft R.123 covers a broad range of infrastructure. Infrastructure on the R.123 list cannot then be funded via S.106.</p> <p>The starting point for the prioritisation of projects, or broad areas of infrastructure, on the Reg. 123 list has been the Draft Local Plan</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
		<p>Delivery Study to Public Art infrastructure requirements.</p> <p>It is unclear what <u>strategic biodiversity enhancements</u> refer to. No explanation has been given as to what 'other' infrastructure might refer to.</p> <p>Brookgate therefore consider that the Council's approach to s106 and CIL is not consistent with the Government's CIL Guidance. It is considered that there are inconsistencies between the approach outlined in Appendix A and the Regulation 123 List in Appendix B and that insufficient clarity has been provided as to how various infrastructure requirements will be funded.</p>	<p>2014 and the Cambridge City Council and South Cambridgeshire District Council Infrastructure Delivery Study Update 2013.</p> <p>The Council has yet to identify which specific projects will benefit from CIL funds. The final decision as to which infrastructure projects receive CIL funding from the finalised Regulation 123 list will ultimately lie with the City Council. However, input from the County Council and other key stakeholders will be essential on all these matters.</p> <p>Given that it is likely to be early 2016 before the Council has collected a meaningful amount of CIL funds it would be premature at this stage to outline detailed spending priorities and so the Draft Reg. 123 list concentrates on broad areas of infrastructure where there will be growth related infrastructure requirements over the Local Plan period.</p> <p><u>Public Art</u>: Public art will either be secured by CIL or planning condition. S.106 will not be used and so there will be no double counting.</p> <p>Public art provides social, economic and cultural benefits and can improve the quality of the built environment and provide distinction and character. Public art infrastructure can</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
			<p>mitigate the impacts of new development through measures that help to re-establish local identity and sense of place. The City Council's Arts Strategy 2011-2014 (soon to be updated) and the Report to the City Council on the Audit and Needs Analysis of the Arts Infrastructure in the City of Cambridge 2013 provide the evidence base for arts infrastructure in Cambridge.</p> <p><u>Strategic Biodiversity Enhancements</u>: The Draft Planning Obligations SPD contains a chapter on the Natural Environment</p>
Boyer Planning on behalf of Berkeley Homes	28436	Conditional support. Guidance, contained in Appendix A, on the relationship between S.106 and CIL is welcomed. The adequacy of this guidance and the degree to which double-counting will definitely be avoided can only reasonably be concluded once the Draft SPD has been made available.	Noted. The Draft SPD will be published alongside the Submission Draft CIL Charging Schedule on March 28 th 2013.
Countryside Properties	28427	<p>Object: Appendix A is objected to.</p> <p>The <u>Draft R.123 list</u> is too brief and generic.</p> <p>It is considered that there is <u>over-reliance</u></p>	<p><u>R.123 List is overly brief and generic</u>: The Draft R.123 covers a broad range of infrastructure. Infrastructure on the R.123 list cannot then be funded via S.106.</p> <p>The starting point for the prioritisation of projects, or broad areas of infrastructure, on</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
		<p><u>on the assumption that no more than 5 developments will fund infrastructure items</u> and therefore contributions can continue to be collected through S106.</p> <p>For example, in respect of outdoor sports facilities and allotments. It is questioned whether the Council would be able to guarantee delivery should less than 5 developments come forward.</p> <p><u>There is no definition of what constitutes Strategic Transport Infrastructure</u></p> <p>Tables 2 and 3 appear to show that if to date CIL had been collected, rather than S106 contributions, a significantly lower level of total contribution would have been collected by the Council. It is assumed that the desire to continue to fund infrastructure through pooled contributions, as set out in Appendix A, is driven by this potential shortfall in future contributions.</p>	<p>the Reg. 123 list is outlined in the Draft Local Plan 2014 and the Cambridge City Council and South Cambridgeshire District Council Infrastructure Delivery Study Update 2013.</p> <p>The Council has yet to identify which specific projects will benefit from CIL funds. The final decision as to which infrastructure projects receive CIL funding from the finalised Regulation 123 list will ultimately lie with the City Council. However, input from the County Council and other key stakeholders will be essential on all these matters.</p> <p>Given that it is likely to be early 2016 before the Council has collected a meaningful amount of CIL funds it would be premature at this stage to outline detailed spending priorities and so the Draft Reg. 123 list concentrates on broad areas of infrastructure where there will be growth related infrastructure requirements over the Local Plan period.</p> <p><u>Overreliance on the assumption that no more than 5 developments will fund infrastructure items:</u></p> <p>After consideration of the comments received during the Draft CIL Charging Schedule consultation and on further consideration of delivery of open space the Council</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
			<p>recommends a change of approach towards Open Space other than that recommended in Appendix A of the Draft Charging schedule.</p> <p>It is considered that it would no longer be possible to deliver, via off-site financial contributions, larger pieces of open space infrastructure such as outdoor sports facilities, allotments and strategic informal open space (parks, strategic green infrastructure) because of the restrictions on pooling planning obligations imposed by the CIL Regulations 2010 (as amended). This change, which is reflected in the Draft Planning Obligations SPD and the Submission Draft Reg.123 List, takes into consideration the scale of development coming forward through the Draft Local Plan 2014 and also the administrative difficulties associated with the 5 planning obligation rule.</p> <p><u>There is no definition of strategic infrastructure:</u> Noted. However, Policy 5 of the Submission Cambridge Local Plan 2014 defines Strategic Transport Infrastructure. Development proposals must be consistent with and contribute to the implementation of the transport strategies and priorities set out in the Cambridgeshire Local Transport Plan and the Transport Strategy for Cambridge and South Cambridgeshire.</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
			<p><u>The (Council's) desire to continue to fund infrastructure through pooled contributions is driven by a potential shortfall in future contributions:</u></p> <p>It is acknowledged that it would be difficult to fund infrastructure from pooled contributions in the future hence the proposed change of approach towards formal open space.</p>
Savills on behalf of Marshalls of Cambridge	28464	<p>There is a <u>gross underestimation of the cost of Section 106 contributions</u> when assessing the viability of the CIL rates. This then feeds into an overestimate as to the scale of CIL that is viable. The amount of Section 106 per dwelling can be seen to be increasing year on year and in 2012 it stood at £1,326.9 This means that the £1,000 per dwelling assumption within the Viability Assessment underestimates the cost of Section 106 by nearly 25%, which could have a significant impact on viability. The Planning Obligations SPD should be published immediately.</p>	<p>Noted. The assumption used in respect of S.106 in the CIL viability study is a typical assumption at this study level, as found suitable and robust in other cases and studies of this nature. It is considered on the basis that CIL will largely replace s.106 and particularly across smaller and non-strategic type schemes as are representative of the planned supply. The Draft Planning Obligations Strategy SPD will be published alongside the Submission Local Plan and Submission Draft Charging Schedule on 28 March 2013.</p>
Cambridgeshire	28419	<p>Support. We would welcome the opportunity to work with the City on</p>	<p>Noted. The County Council has been a key consultee in the development of the City</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
County Council		opportunities for funding. This is critically important given that there is expected to be a large infrastructure funding gap of £1.8bn (or £700m without strategic infrastructure).	<p>Council's infrastructure and contributions policies. The County Council has contributed to the development of the Cambridge and South Cambridgeshire Infrastructure Delivery Study, the Cambridge Draft CIL Charging Schedule and Supporting Information Consultation Document and the Draft Planning Obligations SPD 2014. The City Council will continue to work with the County Council on priorities for infrastructure spending.</p> <p>The funding gap mentioned is across Cambridge City and South Cambridgeshire and includes the A14 upgrade scheme which is listed in the infrastructure delivery study as a South Cambridgeshire District Council Infrastructure requirement.</p>
Natural England	28471	<p>In the absence of a <u>CIL approach to enhancing the natural environment</u>, we are concerned that the only enhancements to the natural environment would be ad hoc, and not deliver a strategic approach, and that as such the local plan may not be consistent with the NPPF paragraph 114.</p> <p>Potential strategic infrastructure requirements may include:</p>	<p>Noted. The Draft Planning Obligations SPD will make an allowance for strategic improvements to the strategic green infrastructure projects to be funded via CIL.</p> <p>Allotment provision and strategic green infrastructure now appear on the Draft CIL Regulation 123 List.</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
		<ul style="list-style-type: none">• Access to natural greenspace.• Allotment provision.• Infrastructure identified in the local Rights of Way Improvement Plan.• Infrastructure identified by any Local Nature Partnerships and or BAP projects.• Infrastructure identified by any Green infrastructure strategies.• Infrastructure identified to deliver climate change mitigation and adaptation.	

Table A2.2 - Question 6: Do you support or object to the Draft Regulation 123 list outlined at Appendix B of the consultation document? – Summary of representations and officer response

Respondent	Representation number	Summary of Representation	Draft Council Response
<p>Bidwells on behalf of Brookgate Ltd.</p>	<p>28455</p>	<p>The <u>Draft Regulation 123 list provides very limited information</u> with regard to the types of projects that will be funded through CIL. There are a number of <u>types of infrastructure where it is suggested both s.106 and CIL will be used</u> for their delivery – transport, community infrastructure.</p> <p>It is unclear <u>what critical infrastructure will be delivered through CIL</u> and this lack of clarity undermines confidence in investing in key projects such as Northern Fringe East.</p> <p>To comply with the NPPF the R.123 list should support delivery of the Local Plan and the key developments identified within it. More detail is required to make it clear how critical infrastructure will be funded. Whilst these projects are generally identified within the Infrastructure Delivery Study Update, no reference is made in the Draft R.123 list.</p> <p>Brookgate consider that critical CIL eligible infrastructure identified within the Infrastructure Delivery Study is included</p>	<p>The Draft Regulation 123 list provides <u>limited information and it is unclear where critical infrastructure will be delivered through CIL:</u> The Draft R.123 covers a broad range of infrastructure. Infrastructure on the R.123 list cannot then be funded via S.106.</p> <p><u>Further detail on the mechanisms for securing S.106 and CIL funding</u> will be provided in the Draft Planning Obligations Strategy SPD which will be published alongside the Submission CIL Charging Schedule on March 28th 2013.</p> <p><u>Critical CIL Infrastructure</u> - The starting point for the prioritisation of projects, or broad areas of infrastructure, on the Reg. 123 list has been the Draft Local Plan 2014 and the Cambridge City Council and South Cambridgeshire District Council Infrastructure Delivery Study Update 2013.</p> <p>The Council has yet to identify which specific projects will benefit from CIL funds. The final decision as to which infrastructure projects receive CIL funding from the finalised Regulation 123 list will ultimately lie with the City Council. However, input from the County Council and other key stakeholders will be</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
		<p>within the Regulation 123 list. <u>Moreover, Brookgate wish to have critical and necessary infrastructure that is of relevance to Northern Fringe East included on the R.123 list.</u> They also submit a number of potential schemes they suggest should also be included in the Reg 123 list</p>	<p>essential on all these matters.</p> <p>Given that it is likely to be early 2016 before the Council has collected a meaningful amount of CIL funds it would be premature at this stage to outline detailed spending priorities and so the Draft Reg. 123 list concentrates on broad areas of infrastructure where there will be growth related infrastructure requirements over the Local Plan period.</p> <p><u>Brookgate wish to have critical and necessary infrastructure that is of relevance to Northern Fringe East included on the R.123 list:</u></p> <p>With particular reference to the Northern Fringe East the quantum of development, specific infrastructure requirements, site capacity, viability, timescales and phasing will be established through the preparation of an Area Action Plan (AAP) for the site. It would be premature to include specific infrastructure requirements related to this site on the R.123 list at this stage but that is not to say they could not be included in a future iteration.</p>
Boyer Planning on behalf of Berkeley	28437	Conditional Support. Welcome the publication of a Regulation 123 list but certainty double counting can be avoided will only be capable of being readily	Noted. The Draft Planning Obligations SPD will be published alongside the Submission CIL Charging Schedule on March 28 th .

Respondent	Representation number	Summary of Representation	Draft Council Response
Homes		understood once the Draft Planning Obligations SPD has been published.	
Countryside Properties	28428	<p>The Draft R.123 list is <u>overly brief and generic</u> leading to the risk of double counting and ambiguity over what will be funded.</p> <p><u>It is unclear where the line will be drawn between what is development specific and strategic in relation to transport.</u></p>	<p>The Draft R.123 list is <u>overly brief and generic</u>: The Draft R.123 covers a broad range of infrastructure. Infrastructure on the R.123 list cannot then be funded via S.106.</p> <p>The starting point for the prioritisation of projects, or broad areas of infrastructure, on the Reg. 123 list has been the Draft Local Plan 2014 and the Cambridge City Council and South Cambridgeshire District Council Infrastructure Delivery Study Update 2013.</p> <p>The Council has yet to identify which specific projects will benefit from CIL funds. The final decision as to which infrastructure projects receive CIL funding from the finalised Regulation 123 list will ultimately lie with the City Council. However, input from the County Council and other key stakeholders will be essential on all these matters.</p> <p>Given that it is likely to be early 2016 before the Council has collected a meaningful amount of CIL funds it would be premature at this stage to outline detailed spending priorities and so the Draft Reg. 123 list concentrates on</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
			<p>broad areas of infrastructure where there will be growth related infrastructure requirements over the Local Plan period.</p> <p><u>It is unclear where the line will be drawn between what is development specific and strategic in relation to transport:</u> The Draft Planning Obligations Strategy SPD provides more information in relation to development specific and strategic transport infrastructure.</p>
Savills on behalf of Marshalls of Cambridge	28465	The Reg 123 list currently refers to types of infrastructure. We would prefer to see the inclusion of the critical projects set out within the Infrastructure Delivery Study Update on the Regulation 123 list. This will provide reassurances that certain types of infrastructure will be funded by CIL and not S.106. Any double counting could render sites undeliverable.	See response to Countryside Properties above (rep number 28428).
ShrimplinBrown on behalf of Howard Osborne LLP	28451	The list (R.123 List) covers very broad themes and is therefore of very limited use until it can be worked up in more detail.	See response to Countryside Properties above (rep number 28428).

Respondent	Representation number	Summary of Representation	Draft Council Response
Cambridgeshire County Council	28420	<p>Support. We would welcome the opportunity to work with the city on the prioritisation of infrastructure. The County Council wishes to work with CCC on the development of a protocol to clarify further how infrastructure will be prioritized and to agree how funding will be transferred to the County Council to deliver the essential infrastructure related to growth.</p> <p>Concerns that the R.123 list will not comply with Regulation 122.</p>	<p>The county council have been consulted at every stage in the production of the Cambridge City Council and South Cambridgeshire Infrastructure Delivery Study 2012 and Infrastructure Delivery Study Update 2013. We will continue to involve the county council as key stakeholders with any further prioritisation of CIL funds.</p> <p>Regulation 122 applies to planning obligations, it does not apply to the R.123 list of infrastructure.</p>
Cambridge Past, Present and Future	28440	<p>In relation to <u>heritage sites, green infrastructure, green space and outdoor sports facilities</u> we can envisage scenarios where there are existing deficits within neighbourhoods, perhaps remote from proposed development sites where funding is needed to provide new or enhanced facilities, including ongoing maintenance. <u>These facilities are currently not covered on the Regulation 123 List.</u> Cambridge PPF believes this omission should be amended, otherwise important networks of greenspace, existing</p>	<p>Noted. The Draft R.123 list has been updated to include strategic green infrastructure and outdoor sports facilities.</p>

Respondent	Representation number	Summary of Representation	Draft Council Response
		deficiencies or important heritage facilities may be neglected in the future	
Cambridge International Arts	28414	Cambridge International Arts objects on the grounds that the list of infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL should include the Arts. The arts should stop being seen as a luxury - but should be considered crucial to well-being and a useful tool for engagement where deployed properly.	Noted. City wide Public Art projects could benefit from CIL funds as set out in the Draft Planning Obligations Strategy SPD. Arts and cultural facilities (excluding public art) could benefit from S.106 if they are in accordance with the test outlined in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).
Mr Hugh Chapman	28412	I object on the grounds that in my view the list of infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL should include the Arts. I do not object to any of the other areas identified on that list being funded by CIL. I propose that the inclusion of the Arts in this list be worded "The Arts, especially where projects overlap with and/or compliment other areas on this list"	See above
Dr Edward Lloyd Jenkins	28413	One of the most important reasons for disenchantment and disillusionment, currently in large sections of the residents of Cambridge city, is the lack of	See above

Respondent	Representation number	Summary of Representation	Draft Council Response
		<p>recognition of the untapped talent, particularly in the arts. So many people, artists and public alike, would experience life enhancement through active involvement, preferably in a multi use arts centre affordable to all sections of the public. This need should/must be included in the 123 list, and under CIL.</p>	

Appendix 3

Cambridge City Council **Community Infrastructure Levy Draft Regulation 123 List** (Version to accompany the Community Infrastructure Levy Draft Charging Schedule consultation)

The infrastructure listed below will be eligible to be funded through the Community Infrastructure Levy. The Draft Regulation 123 list, as set out below, defines which projects and/or types/sections of infrastructure that the Council will fund through CIL revenues. It will take effect upon the implementation of the Council's CIL Charging Schedule.

The list is not definitive, and in no order of priorities, as no formal decisions have yet been taken to confirm how CIL funds will be allocated amongst the listed infrastructure projects. It is a list of infrastructure that CIL could be used to fund, subject to Council priorities and the levels of available CIL funding.

Ultimately, it will be necessary to prioritise both within theme areas (e.g. strategic/on-site transport) and also between theme areas (e.g. education and community facilities). Factors such as whether an infrastructure element is essential or even required by legal statute or regulation if a development was to go ahead would be taken into account.

CIL Draft Regulation 123 List – Infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL:

Strategic Transport Infrastructure (excluding development specific mitigation works on, or directly related to, a development site)
Education Infrastructure
Strategic household waste recycling facilities
Libraries and lifelong learning facilities
Community Facilities (excluding where a new development leads to the loss of a community facility and re-provision is required on-site or directly related to that site)
Strategic public realm improvements
Indoor Sports Facilities (excluding where a new development leads to the loss of a sports facility and a re-provision is required on-site or directly related to that site)
Outdoor Sports Facilities (excluding where a new development leads to the loss of a sports facility and a re-provision is required on-site or directly related to that site)
Allotments
Strategic Green Infrastructure

Appendix 1

Draft Planning Obligations Strategy Supplementary Planning Document

March 2014

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Important Note to the Reader

This is a draft document for consultation. It has been written to support the emerging Cambridge Local Plan 2014 and the emerging Cambridge Community Infrastructure Levy, both of which the council expects to adopt in early 2015.

The final version of this document will be amended prior to adoption to reflect some or all of the following:

- comments received on this draft document;
- any amendments to relevant policies in the final local plan;
- any governmental policy changes.

This document will be adopted at the same time as the Council's Community Infrastructure Levy Charging Schedule is adopted. It will not be adopted before the local plan is adopted.

1. Introduction

1.1 Purpose of this document

- 1.1.1 In Cambridge a need has been identified for 14,000 additional homes and 22,100 jobs between 2011 and 2031. This growth will result in increased pressure on local infrastructure, services and facilities, creating demand for new provision. The Council and developers have a responsibility, through the planning process to manage the impact of this growth and ensure that any harm caused by development is mitigated and that the necessary infrastructure is provided. The Council expects new development to contribute to site related and other infrastructure needs.
- 1.1.2 The purpose of this document is to clearly set out the Council's approach, policies and procedures in respect of the use of planning obligations. It has been prepared as a Supplementary Planning Document (SPD) to support *Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy* of the Draft Cambridge Local Plan 2014. The full policy is set out at Appendix 1.
- 1.1.3 Supplementary Planning Documents provide greater detail on the Council's policies set out in the Local Plan. The National Planning Policy Framework (NPPF)(Paragraph 153) supports the production of SPD's where they can help developers make successful applications or aid infrastructure delivery.
- 1.1.4 The Planning Obligations Strategy SPD supports the following proposed Local Plan strategic objectives to:
- '9. Assist in the creation and maintenance of inclusive, environmentally sustainable communities';
- '12. Promote social cohesion and sustainability and a high quality of life by maintaining and enhancing provision for open space, sports and recreation, community and leisure facilities, including arts and cultural venues that serve Cambridge and the Cambridge Sub-region'; and,
- '14. Ensure appropriate and timely provision of environmentally sustainable forms of infrastructure to support the demands of the city, including digital and cultural infrastructure'.
- 1.1.5 The SPD will;
- Aid the smooth functioning of the planning application process by explaining the Council's process and procedures for using planning obligations to local residents, developers and landowners;

- Clarify the relationship between planning conditions, planning obligations and the Community Infrastructure Levy (CIL);
- Explain the circumstances under which the Council will collect planning obligations to mitigate the impacts of a development on the city's infrastructure;
- Help ensure the timely provision of environmentally sustainable forms of infrastructure to support growth; and,
- Assist in securing both local and national objectives in respect of the provision of sustainable development in Cambridge

1.1.6 This SPD will replace the following adopted document:

- Cambridge City Council Planning Obligations Strategy SPD, March 2010

1.2 Status

1.2.1 This is the draft version of the Planning Obligations Strategy SPD 2014, agreed by the Executive Councillor for Planning and Climate Change at Development Plan Scrutiny Sub Committee on 25 March 2014.

1.2.2 This SPD (once adopted) will support Local Plan policies on delivering infrastructure and sustainable growth and will be a material consideration in the determination of relevant planning applications. The SPD itself has been prepared in accordance with the Planning and Compulsory Act 2004 (as amended) and having regard to the National Planning Policy Framework (paragraph 153).

1.3 Consultation on the Planning Obligations Strategy SPD

1.3.1 The Draft SPD will be submitted to the Planning Inspectorate on 28 March 2014 to support the examination of the Cambridge Community Infrastructure Levy. The Draft SPD will also be the subject of public consultation for a period of six weeks. The consultation for this SPD will run from:

(Exact dates to be confirmed – June/July 2014)

1.3.2 There are a variety of ways to respond to the consultation:

- **Online** by visiting: <http://cambridge.jdiconsult.net/ldf/>
- By filling in and returning a **response form** available from: <https://www.cambridge.gov.uk/planning-obligations-strategy-spd>
- By **emailing** a response form to: policysurveys@cambridge.gov.uk

- By **posting** a response form to: Planning Obligations Strategy SPD Consultation, Planning Policy, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

1.3.3 Following consultation the Draft Planning Obligations Strategy SPD will be updated to reflect comments received. The Planning Obligations Strategy SPD will be adopted by the Council on the same date as the CIL Charging Schedule (anticipated in early 2015) when it will become a material planning consideration in the determination of planning applications. This Planning Obligations Strategy SPD will then supersede the Council's existing Planning Obligations Strategy, March 2010.

1.3.4 The final version will be amended prior to adoption to reflect some or all of the following:

- comments received on this draft document;
- any amendments to the submission Draft CIL Charging Schedule;
- any amendments to relevant policies in the adopted version of the Cambridge Local Plan 2014 submission version; and,
- any governmental policy changes.

1.3.5 This document will be subject to final consideration and approval by the Executive Councillor for Planning and Climate Change at the City Council's Environment Scrutiny Committee before its adoption.

1.3.6 A Sustainability Appraisal and Habitats Regulations Assessment Screening Report has been carried out and consulted upon for the emerging Cambridge Local Plan 2014, this consultation took place between 19 July 2013 and 30 September 2013. These documents will also be made available to view during this consultation. As the draft SPD supports the Cambridge Local Plan, there is no further need to partake in a separate Sustainability Appraisal or Habitats Regulations Assessment for this document.

1.3.7 An updated version of the Cambridge Local Plan 2014 Equalities Impact Assessment and the Cambridge Community Infrastructure Levy Equalities Impact Assessment will also be made available.

1.4 Background

1.4.1 This document has been prepared by Cambridge City Council (the local planning authority). Throughout this document, when the words 'we' or 'us' are used, we are referring to Cambridge City Council.

1.4.2 To find out more about the Planning Obligations Strategy SPD or to respond to our consultation please visit: <https://www.cambridge.gov.uk/planning-obligations-strategy-spd>

1.4.3 If you would like to contact us, please do so as follows:

- You can email us at policysurveys@cambridge.gov.uk – please ensure you refer to the Planning Obligations Strategy SPD.
- You can also write to us at: Planning Policy, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH - please ensure you refer to the Planning Obligations Strategy SPD.
- You can call planning policy on: 01223 457000

2. Legislative and Planning Policy Context

2.1 Legislative Context

2.1.1 The legislative basis for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990, as amended by later legislation including Section 12 of the 1991 Planning and Compensation Act and the Planning Act 2008.

2.1.2 CIL was introduced by the Planning Act 2008 and came into force through the CIL Regulations 2010 (as amended) on 6 April 2010. As of that date regulation 122 made it unlawful for a planning obligation to be taken into account when determining a planning application for development, or any part of a development, if the obligation does not meet all of the following tests:

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

2.1.3 The purpose of the tests are to distinguish the different roles that both CIL and planning obligations have when used together to support new development. The CIL Regulations also specify that upon the adoption of a CIL, or by 6th April 2015, whichever is the sooner, the use of planning obligations must be scaled back. This means that a planning obligation cannot be used to fund a project or type of infrastructure if there have been 5 separate obligations on or after 6 April 2010 which fund that project or type of infrastructure.

2.1.4 Cambridgeshire County Council as the Highways Authority may also use Section 278 of the Highways Act 1980 to secure private sector funding of works to the highway network where necessary to serve the proposed development, except where they are intended to be funded through the CIL.

2.2 The National Planning Policy Framework (NPPF)

2.2.1 Paragraphs 203 to 206 of the NPPF set out the Governments policy on planning obligations. These paragraphs reiterate the tests for planning obligations set out in the CIL Regulations; restate the principle that planning conditions are preferable to planning obligations; requires local authorities to take into account changes in market conditions over time in policies and planning obligations and make sure they are sufficiently flexible to prevent planned development from being stalled.

2.3 The Community Infrastructure Levy (CIL)

- 2.3.1 The CIL is a charge which local authorities can place on developers to help fund infrastructure needed to support new development in their areas. It will partially replace the existing Section 106 system. Unlike Section 106 Planning Obligations, CIL receipts are not earmarked for particular infrastructure. Instead, CIL monies are pooled into one fund which can be used for infrastructure, as set out in the Council's Regulation 123 List¹, needed to support new development across the City Council's administrative area. Planning obligations may not be used to fund an item that is locally intended to be funded by CIL.
- 2.3.2 Following its introduction CIL receipts will be used to help fund, in whole or part, infrastructure needed to support or mitigate the impact of new development over an area, whereas Section 106 planning obligations will remain for on-site mitigation, including the provision of affordable housing. A separate Draft Affordable Housing SPD is being produced alongside this document.
- 2.3.3 The CIL and planning obligations need to be complementary contribution mechanisms. This SPD will clarify how the Council intends to implement each mechanism in partnership.

2.4 Cambridge Local Plan 2014 Submission Version

- 2.4.1 The proposed Cambridge Local Plan 2014 is due for submission to the Secretary of State for Examination in Public in March 2014. It is anticipated that the Draft Cambridge Local Plan will be adopted by the Council in early 2015. Proposals which require planning obligations should be considered in accordance with the Cambridge Local Plan 2014 (once adopted). This SPD will support and supplement the Local Plan, and so will be an important material consideration in the decision making process.
- 2.4.2 The Local Plan outlines that planning obligations are required to secure appropriate forms of development which meet the necessary on and off-site infrastructure requirements, whilst ensuring sustainable development. The overarching reasoning and justification for planning obligations is set out in the Vision for Cambridge to 2031 and the Local Plan Strategic Objectives as well as the following policies of the Local Plan:
- Policy 1 – The presumption in favour of sustainable development
 - Policy 85 – Infrastructure Delivery, planning obligations and the Community Infrastructure Levy (Appendix 1)

¹ The CIL Regulation 123 (R.123) list sets out the infrastructure that can be funded in whole or part by CIL. The Cambridge City Council Draft Regulation 123 List can be found at Appendix 2 for information.

2.4.3 Other policies within the Cambridge Local Plan 2014: Proposed Submission provide specific and detailed justification for various types of planning obligation e.g. Policy 68 – Open space and recreation provision through new development. Such policies are referred to in the relevant sections of this SPD.

2.5 Cambridge CIL Charging Schedule – Submission Version

2.5.1 The Council consulted on its Draft CIL Charging Schedule between October 28th and December 9th 2013. The Council intends to submit its Draft CIL Charging Schedule for examination alongside the Draft Cambridge Local Plan 2014 in March 2014. It is anticipated that Cambridge City Council’s CIL will come into effect in April 2015.

2.5.2 Cambridge City Council is proposing to charge CIL in respect of development for the following rates:

Use	Charge £/sq.m
Residential (C3; C4 including sheltered accommodation)	£125
Retail (A1 – A5 and sui generis uses akin to retail*)	£75
Student Accommodation	£125
All other development including B, C1, C2 and D class uses	£0

* sui generis akin to retail includes petrol filling stations; shops selling and/or displaying motor vehicles; retail warehouse clubs.

2.5.3 Further information on the Council’s CIL is available on the Council’s website <https://www.cambridge.gov.uk/community-infrastructure-levy>. The Draft CIL Charging Schedule and Supporting Information should be read alongside this document.

3. Cambridge City Council approach to Planning Obligations and CIL

3.1 Scope of contributions

3.1.1 To address the limitations imposed by the CIL Regulations, Section 106 planning obligations in the city will be scaled back and used to seek financial and non-financial obligations as set out below. The priority areas for Section 106 agreements as set out in this document are not exhaustive and the Council may wish to negotiate other forms of planning obligations depending on the individual circumstances of a site and proposal, where obligations are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development in question.

3.1.2 The Council expects new development to contribute to site related and other infrastructure needs through a combination of the following mechanisms:

- Planning conditions (Site/development related)
- Planning obligations to secure developer contributions or works in kind e.g. s106 Agreements (site/development related)
- Cambridge Community Infrastructure Levy (Strategic, local and city wide requirements)

3.2 Planning Decisions

3.2.1 All planning proposals should comply with Government guidance, the Local Plan (once adopted) assisted by this SPD (once adopted). Failure to do so may lead to a refusal for planning permission unless amendments can be made, planning conditions imposed or legal agreements introduced to minimise any potential negative impact of the development site.

3.2.2 In making planning decisions, the Council will need to reach an appropriate balance between a wide range of competing planning objectives and material considerations in order to control the development and use of land in the wider public interest. A balance will need to be struck between the relevant policies in the Local Plan and the specific circumstances of each case.

3.3 Planning Conditions

3.3.1 Planning conditions are requirements made by the Council, in the granting of permission, to ensure that certain actions or elements related to the development proposal are carried out. They cannot be used to secure financial contributions. In Cambridge such conditions are likely to cover construction arrangements, external materials and landscaping, and

measures to ensure that the development is carried out in accordance with the approved plan.

3.3.2 Paragraph 203 of the NPPF states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. Paragraph 206 of the NPPF states that planning conditions should only be imposed where they are;

- Necessary;
- Relevant to planning;
- Relevant to the development to be permitted;
- Enforceable;
- Precise; and,
- Reasonable in all other respects.

The policy requirement is known as the six tests. The Council will consider whether an issue can be satisfactorily addressed through a condition, which meets the tests before negotiating a planning agreement.

3.3.3 Where there is a choice between imposing planning conditions and entering into a planning obligation to manage the impacts of a new development, the use of planning conditions is always preferable.

3.4 Planning Obligations

3.4.1 Planning obligations are legally binding agreements entered into between a Local Authority and a developer under section 106 of the Town and Country Planning Act 1990. They are private agreements negotiated between planning authorities and persons with an interest in a piece of land. They are intended to make development acceptable that would otherwise be unacceptable. They provide the mechanism by which measures are secured to mitigate the impact of development on facilities and infrastructure that are geographically or functionally related to it.

3.4.2 Planning obligations do this through:

- Prescribing the nature of a development (e.g. by requiring affordable housing²);

² The Council is currently producing an Affordable Housing SPD which will be consulted on alongside the Planning Obligations Strategy SPD

- Securing a contribution from a developer to compensate or re-provide for loss or damage created by a development (e.g. through the transfer of land, requiring of a commuted payment to be made, requiring new habitats to be created etc.); and,
- Mitigating a development's impact on the locality (e.g. through the securing of environmental improvements and the provision of both on and off-site infrastructure and facilities to serve the development such as new roads and junction improvements which, without the proposed development taking place would not be required).

3.4.3 The outcome of the use of planning obligations should be that the proposed development is brought into compliance with Local Plan policies and that any development specific works are undertaken satisfactorily. Used effectively, planning obligations can significantly increase the quality of development.

3.5 Section 278 Agreements

3.5.1 Section 278 (S.278) agreements under the Highways Act are legally binding agreements between the Local Highway Authority and the developer to ensure delivery of necessary highway works. Currently, the limitations on planning obligations in Regulation 123 do not apply in Section 278 Agreements. S.278 Agreements cannot be required for works that are intended to be funded through the CIL, with the exception of the Highways Agency where those restrictions do not apply.

3.5.2 S.278 Agreements are not the responsibility of the Council as Local Planning Authority. Further guidance on S.278 Agreements can be found on the Department of Transport website and from Cambridgeshire County Council as the Local Highway Authority.

3.6 The Cambridge Community Infrastructure Levy

3.6.1 Funds raised through the CIL will be used to pay for a wide range of community infrastructure (strategic, citywide and local) that is required to support the needs of sustainable development. The proposed Draft CIL Regulation 123 (R.123) list that sets out the infrastructure that can be funded by CIL can be found at Appendix 2 for information. Section 106 agreements will not be used to secure infrastructure that has already been identified for delivery and investment from CIL funds through the draft R.123 list.

3.6.2 The R.123 list can evolve over time to reflect changing priorities for the provision of infrastructure. Should a type of infrastructure be removed from the R.123 list then the Council may seek to negotiate planning obligations for that type of infrastructure.

3.7 Obligation types

3.7.1 The following sections set out the obligation types which may be required as part of any Section 106 Agreement. The matrix below offers a guide to what infrastructure types could be provided/funded by S.106 Planning Obligations and what could be funded by the Cambridge City Council CIL. This is a guide only, the list is not exhaustive.

Table 1: S.106/CIL Requirements

	Planning obligations/ conditions ³	CIL
Affordable Housing*	✓	
Transport		
Strategic highway or transport		✓
Site specific infrastructure	✓	
Education **		✓
Open Space		
Informal open space, provision for children and teenagers	✓	
Indoor sports facilities, Outdoor sports facilities, Allotments (excluding where a new development leads to the loss of a any of these facilities and re-provision is required on-site or directly related to that site to make that development acceptable in planning terms)		✓
Waste		
Household waste and recycling facilities	✓	
Large scale waste and recycling facilities		✓
Libraries and lifelong learning facilities**		✓

³ Infrastructure and other items to be delivered through Section 106 Agreements, S.278 of the Highways Act or Planning Conditions

	Planning obligations/ conditions ³	CIL
Community facilities (excluding where a new development leads to the loss of a community facility and re-provision is required on-site or directly related to that site to make that development acceptable in planning terms)		✓
Public Art		
Citywide public art projects		✓
On site through design considerations (by condition)	✓	
Public Realm		
Strategic public realm projects		✓
Site-specific public realm improvements/projects	✓	
Natural Environment		
Strategic mitigation measures		✓
On site mitigation	✓	

***Affordable Housing is not dealt with in this document the Council is currently developing an Affordable Housing SPD which will be adopted alongside this document**

**** Education and Libraries and Lifelong Learning Facilities are not dealt with in this document as they are listed on the Council's Draft CIL Regulation 123 List and so are not eligible for funding via planning obligations while they are on that list.**

4. Transport

4.1 Introduction

4.1.1 The Council is committed to ensuring that new developments will be located to help minimise the distance people need to travel, and be designed to make it easy for everyone to move around the city and access jobs and services by sustainable modes of transport.

4.2 Policy background

4.2.1 ***Draft Transport Strategy for Cambridge and South Cambridgeshire*** – Key transport objectives for Cambridge and South Cambridgeshire are set out in this document. The Draft Transport Strategy is being progressed alongside the Draft Cambridge Local Plan 2014 and the Draft South Cambridgeshire Local Plan 2014. The purpose of the strategy is to

- Provide a detailed policy framework and programme of schemes for the area
- Support the Cambridge and South Cambridgeshire Local Plans and take account of committed and predicted levels of growth, detailing the transport infrastructure and services necessary to deliver this growth.

4.2.2 ***Cambridge Local Plan 2014 Submission Version*** – The key relevant Local Plan policies are:

- Policy 5 – Strategic Transport Infrastructure. Development proposals must be consistent with and contribute to the implementation of the transport strategies and priorities set out in the Transport Strategy for Cambridge and South Cambridgeshire.
- Policy 80 – Supporting sustainable access to development. This policy prioritises access by walking, cycling and public transport in new developments.
- Policy 81 – Mitigating the transport impact of development. This policy ensures that sufficient information is supplied with all development proposals that the transport impact is suitably assessed, usually in the form of a transport assessment; a travel plan will accompany all major development; and that reasonable and proportionate financial contributions/ mitigation measures are secured where necessary to make the transport impact of development acceptable.
- Policy 82 – Parking management.

4.3 What can be funded by CIL?

4.3.1 Funding for transport infrastructure required as a result of incremental growth will normally be required by the Council as part of the CIL and other mainstream funding programmes. Strategic transport improvements to support growth, including measures to

promote walking, cycling, prioritise public transport and highways traffic calming and capacity improvements where appropriate could benefit from CIL funds.

4.4 What can be funded by planning obligations?

- 4.4.1 Most developments generate new transport movements. In the case of many development schemes, specific works and improvements will be required either on-site or off-site to mitigate the direct impact of the development scheme on the transport network and to make the proposed development acceptable, for example improvements to junctions, provision of traffic signals, traffic calming, walking and cycling related measures, public transport enhancements, etc. These can be described as development specific transport works and are normally required to be implemented as part of the development scheme.
- 4.4.2 Obligations will be sought where there is a requirement to improve existing, or construct new, highway infrastructure in order to access development in a safe and appropriate manner or to mitigate the effects of the development on the highway network.
- 4.4.3 Obligations will also be sought where there are requirements to improve non-car accessibility infrastructure in order to access development in a safe and appropriate manner or to mitigate the effects of the development on the transport networks.
- 4.4.4 There is no threshold below which a transport obligation may not be required and there are no types of development that would be exempt from transport infrastructure requirements.

Types of obligations

- 4.4.5 Cambridgeshire County Council is the Highway Authority for the Cambridge City Council area. Cambridge City Council consults Cambridgeshire County Council on planning proposals that affect the highway network. Cambridgeshire County Council provides advice on the scope of obligations for transport infrastructure works and measures where it is considered there is a need to mitigate the impact of new development on the transport networks. A range of transport measures may be required as a result of individual schemes, however, the main types of obligations are likely to be, inter-alia:
- *Travel Plans* - A Travel Plan is a package of measures to reduce car travel to and from a proposed site, and to encourage the promotion of more sustainable forms of transport by increasing the awareness of travel options, such as walking and cycling, and through the provision of facilities to support such options. Travel Plans should include targets for the reduction in travel related impacts and include resources for supporting and maintaining the travel plan. Travel Plans are likely to be secured via planning

conditions on most sites, but may require a planning obligation on larger or more complex development proposals

- Works required to secure safe access and egress from the development site to the adjoining highway network or to mitigate the direct impact of the development on the off-site road network;
- Provision of internal roads to adoptable standard;
- Site-specific pedestrian and cycle facilities;
- Site-specific measures to improve public transport services and facilities;
- The provision, removal or relocation of street furniture; dropped kerbs; pedestrian crossings; traffic lights; signage; or trees;
- Contributions to enforce car free and car capped development;
- Contributions to car clubs; and
- Contributions to low emission vehicle infrastructure.

4.4.6 Provision to be made for on-site facilities can be made through planning conditions and a Section 38 or Section 278 Agreement under the Highways Act 1980, and they may also be secured through a S.106 planning obligation.

4.4.7 In most circumstances the obligation will be on the developer to implement the approved works via the relevant legal agreements. However there may be some circumstances where it would be acceptable to contribute a sum of money to the local highways authority to implement the work on the developer's behalf. Where improvements are secured in this way, developers will be required either to develop a costed up scheme in consultation with the local Highways Authority or commission the local Highway Authority to design and implement the scheme.

4.4.8 Where a developer is obliged to implement a transport improvement through a planning obligation, or has made a financial contribution to the local highway authority to implement an item of transport infrastructure directly related to a specific development, the timing of implementation will be clearly specified in the planning obligation agreement relating to the development. The trigger for payment (of the financial contribution) is likely to be related to the implementation of the development.

5. Open Space and Recreation

5.1 Introduction

5.1.1 Open spaces, regardless of ownership, are a key aspect of high quality urban environments and are fundamental to the character of the city. Attractive, accessible and well-designed open space can support and enhance the appearance of an area, creating more desirable places to live/work and underpinning economic success.

5.1.2 The Council expects that all residential developments should contribute to the provision of open space and recreation facilities.

5.2 Policy background

5.2.1 **Cambridge Local Plan 2014 Submission Version:** Policy 67 – Protection of Open Space, Policy 68: Open Space and Recreation Provision through New Development and Policy 73: Community Sports and Leisure Facilities are the key policies which give justification for obligations in connection with open space in Cambridge City. The following policies also make reference to the need for provision of Open Space:

- Policy 7 – The River Cam;
- Policy 8 – setting of the city;
- Policy 9 – The City Centre;
- Policy 13 – Area of major change and opportunity areas – general principles;
- Policy 16 – Cambridge Biomedical Campus Major Area of Change, Policy 17 – Southern Fringe Areas of Major Change, Policy 20: Station Areas West and Clifton Road Area of Major Change, and Policy 25 – Old Press/Mill Lane Opportunity Area;
- Policy 55 – Responding to context;
- Policy 56 – Creating successful places
- Policy 69 – Protection of sites of local nature conservation importance;
- Policy 73 – Community, sports and leisure facilities.

5.2.2 Appendix I – Open Space and Recreation Standards of the Draft Cambridge Local Plan 2014 identifies standards for the provision of Open Space guidance on application of these standards. The guidance is designed to ensure a consistent approach to the provision of open space through new developments.

5.2.3 **Technical Guidance:** Relevant technical guidance that supports the Cambridge Local Plan 2014 Submission Version includes:

- Open Space and Recreation Strategy 2011 (an updated version will be adopted alongside the Local Plan). This sets out the vision for open space and recreation provision in Cambridge;
- Cambridgeshire Green Infrastructure Strategy 2011;
- Cambridgeshire Horizons (2008). The Cambridgeshire Quality Charter for Growth;
- Natural England (2009). Green Infrastructure Guidance;
- Sport England Facilities and planning guidance.

5.2.4 The Council will soon be carrying out a review of Open Space and Recreation Strategy 2011, in conjunction with a Playing Pitch Strategy. Once complete these will supplement Appendix I of the Cambridge Local Plan 2014 Submission Version and help determine priorities and inform contributions.

5.3 Categories of Open Space Provision

5.3.1 The City Council's standards for the provision of open space and recreation facilities are set out in Appendix I of the Cambridge Local Plan 2014 Submission Version and are based on five types of provision:

- Outdoor sports facilities – includes playing pitches, courts and greens;
- Indoor sports facilities – formal provision such as sports halls and swimming pools;
- Provision for Children and Teenagers – equipped children's play areas and outdoor youth provision;
- Informal Open Space Provision – informal provision including recreation grounds, parks and natural green spaces;
- Allotments.

5.4 What can be funded by CIL?

5.4.1 Funding towards the following infrastructure can be provided by the City Council's CIL:

- Indoor sports facilities (excluding where a new development leads to the loss of a sports facility and a re-provision is required on-site or directly related to that site)

- Outdoor sports facilities (excluding where a new development leads to the loss of a sports facility and a re-provision is required on-site or directly related to that site)
- Allotments

5.5 What can be funded by planning obligations

5.5.1 Planning obligations will be used to secure, allow access to, and maintain newly created, public open space. Informal open space and provision for children and teenagers will be secured through planning obligations.

5.5.2 In accordance with Policy 73 – Community, sports and leisure facilities the loss of a facility that was last in use as a community, sports or leisure facility will only be permitted if it is demonstrated that:

- The facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users. For leisure uses it should satisfy peak period need; or
- The facility is no longer needed.

In these exceptional circumstances re-provision of the facility on, or directly related to, the development site will be secured via planning obligation.

5.6 On-site provision of open space through planning obligations

5.6.1 The Council will seek, in accordance with Policy 68, to secure on-site provision of open space, where appropriate, in order to serve the needs of the new community and create an attractive living environment. The precise type of on-site provision required will depend on the size and location of the proposal and the existing open space provision in the area. Where possible additional open space should be designed into the scheme. It is the Council's preference that Open Space provided through S.106 agreements be provided on-site.

5.6.2 **Standards for provision** – Requirements will be calculated using the open space standards set out in Appendix I of the Cambridge Local Plan 2014: Propose Submission (and Table 2 below). The Open Space and Recreation Strategy 2011 (and any subsequent updates) gives further guidance on specific requirements for the provision of open space, including in relation to catchments areas, existing areas of deficiency and the design of new open space provision.

Table 2: Open Space Standards

Type of open space	Standard
Provision for children and teenagers	0.3 hectares per 1,000 people
Informal open space	2.2 hectares per 1,000 people

When the standards should be applied

5.6.3 The standards are applicable to residential units created as a result of development, regardless of whether they result from new build or conversions. Certain types of housing will not always need to meet the full standard.

5.6.4 Provision will not be required in the following exceptions:

- Provision for children and teenagers will not be sought for those parts of developments consisting of one bedroom units.
- The standards do not apply to nursing homes within class C2.

5.6.5 The open space requirement for specialist housing will be considered on its own merits, taking into account the needs arising from that development.

5.6.6 For each type of open space and recreation provision the following should be taken into account:

- a. The size and character of the proposed development;
- b. Townscape considerations;
- c. Its location in relation to adjacent housing and existing open space; and
- d. Opportunities for creating open space and recreation provision nearby.

5.6.7 The standards are based on specific types of open space. However consideration should be given to including other types of open space and recreation provision and these could help to meet the standards. Where there are deficiencies in certain types of open space provision in the area surrounding a proposed development, the Council will seek variations in the component elements to be provided by the developer in order to overcome them.

How the standards should be applied on-site

- 5.6.8 The amount of land required to meet the standard will be calculated for each type of open space or sports provision. This is done by calculating the number of new residents arising from new development. The number of people will be taken from the information provided in the design and access statement for the planning application. The design and access statement will provide the indicative number of bedspaces/residents in order to meet the requirements of Policy 50: Residential Space Standards of the Cambridge Local Plan 2014: Proposed Submission.⁴ For student housing and houses in multiple occupation, the number of people to be accommodated will be used.
- 5.6.9 It is acknowledged that the smaller the site the less opportunities there is likely to be to practically provide the full range of open space requirements as set out in Appendix I of the Cambridge Local Plan 2014: Proposed Submission (and Table 2 above).
- 5.6.10 It is also acknowledged that once CIL has been adopted, the ability to pool financial contributions from planning obligations will be restricted to five obligations per project or type of infrastructure. The restriction on pooling will restrict the Council's ability to fund open space through financial contributions. This emphasises the need for development proposals to meet their open space requirements on site.
- 5.6.11 In light of this, the Council is keen to explore, in the first instance, the opportunity to deliver some form of on-site open space no matter what size of scheme is proposed.
- 5.6.12 **Informal Open Space** - The expectation is that some form of open space will be delivered on-site on all developments. On smaller developments examples of this could be hard landscaping, a sandpit, a barbeque area, a bench and a tree or basic shrubbery, etc. items which collectively are easy to maintain. Opportunities should also be sought on all developments to provide small areas of natural and semi-natural greenspace (e.g. soft surfaces for jogging, sitting out or dog walking).
- 5.6.13 While it is acknowledged that it will not be possible to deliver amenity greenspace (informal playspace used for kickabout and casual playspace) on some smaller developments, it should be considered on all developments of 25 dwellings and over. Provision may also be required on developments of less than 25 dwellings subject to design and context considerations.

⁴ Policy 50 – Residential Space Standards sets out the minimum designated occupancy per dwelling type and unit size

- 5.6.14 On larger developments, for example 100 dwellings or more, larger types of informal open space, such as urban parks and gardens and larger areas of natural green space, should be considered.
- 5.6.15 **Provision for Children and Teenagers** – While it is acknowledged that it will not be possible to deliver Local Play Areas (LAPs - small age appropriate equipped play areas) on some smaller developments, LAPs should be considered on-site on all developments of 10 dwellings and over. Provision may be required on developments of less than 10 dwellings subject to design and context considerations.
- 5.6.16 Locally Equipped Areas for Play (LEAP)(kickabout areas, adventure playgrounds), should be considered on-site on all developments of 50 dwellings and over. Provision may be required on developments of less than 50 dwellings subject to design and context considerations.
- 5.6.17 Neighbourhood Equipped Areas for Play (NEAP)(Multi-use games area, skate park, bike park) and Youth Space should be provided on-site as part of larger developments of 100 units or more. Provision may be required on developments of less than 50 dwellings subject to design and context considerations.
- 5.6.18 **Maintenance of on-site provision** – In respect of open space provided on-site as part of a development, arrangements will need to be made for its maintenance and management.
- 5.6.19 The Council will not normally consider adopting an area of informal open space that is less than 300m² in size or adopting provision for children and teenagers that is less than 100m² in size. Where open space provided as part of a development does not meet the threshold required by the City Council for adoption the developer should provide a strategy for the future management and maintenance of that open space.
- 5.6.20 Where the thresholds for adoption are met maintenance fees will normally involve the payment of a commuted sum to the Council based on the cost of maintenance and management for a period of 12 years, although there may be instances where the circumstances of a particular site require a contribution calculated on a longer period where there is sufficient justification. Maintenance fees for informal open space and provision for children and teenagers are set out below.
- 5.6.21 **Maintenance of informal open space** – Maintenance costs will be calculated based on the following standards. It should be noted that maintenance fees for large scale complex applications may need to be negotiated on a case by case basis.

Table 3 – Maintenance of informal open space⁵

Facility	12 Year Maintenance Fee
Trees - Extra heavy Standard 14 - 16cm girth	£210
Trees - Extra heavy Standard 18 - 20cm girth	£210
Trees - Mature 20 - 25cm girth	£279
Trees in paved areas	£559
Shrubs/hedge	£25m ²
Ornamental Planting/Herbaceous	£2,517 m ²
Amenity Turf	£2 m ²
Grass Seeded Area	£2 m ²
Wildflower Seeded Area	£2 m ²
Reinforced Grass Surface	£42 m ²
DECKING	£42 m ²
Bulb Planting	£2 m ²
Block Paving – Concrete	£42m ²
Feature Paving – Clay/Granite	£70m ²
Macadam Path	£24//linear metre
Self-binding gravel	£19m ²
Bollards/Drop bollards	£84 per bollard
Benches	£559 per bench
Bins	£489 per bin
Dog bins	£559 per bin
Oak Sleeper Wall	£14/linear metre
Cycle Racks	£699 per rack
Information Signs	£6294 per sign
Knee Rail Fencing	£14 linear metre

Source: Cambridge City Council Streets and Opens Spaces Team

5.6.22 **Maintenance of provision for children and teenagers** – Commuted sums for the maintenance of provision for children and teenagers are to be calculated as follows based on recently agreed planning obligations:

Table 4 – Maintenance of play space for children and teenagers⁶

Facility	Standard for provision	12 year Maintenance Fee
Local Areas of Play (LAPs), Locally Equipped	0.3ha/000 people	£109/person (£362/m ²) (This figure is based on a LAP of 100m ² in

⁵ The figures in table 3 are subject to on-going work which is being carried out by the Council's Streets and Open Spaces Team and may be subject to change prior to public consultation on this document including in relation to the provision of replacement facilities

⁶ The figures in table 4 are subject to on-going work which is being carried out by the Council's Streets and Open Spaces Team and may be subject to change prior to public consultation on this document including in relation to the provision of replacement facilities

Facility	Standard for provision	12 year Maintenance Fee
Areas of Play (LEAP's), Neighbourhood Equipped Areas of Play (NEAP's) and Youth Space		area with at least 4 pieces of equipment for younger children costing £36,200 to maintain for 12 years)

Source: Cambridge City Council Streets and Opens Spaces Team

5.6.23 Maintenance contributions will be index linked to the Building Cost Information Service (BCIS) and take account of any increases in the index during the time period that elapses from the adoption of the SPD and the date the maintenance fee is due to be paid.

5.7 Provision of open space via financial contributions in lieu of on-site provision

5.7.1 In accordance with Policy 68 of the Cambridge Local Plan 2014: Proposed Submission it is only in exceptional cases that financial contributions would be deemed acceptable in lieu of on-site provision. This can only apply in the following circumstances:

- a. If the proposed development would be of insufficient size in itself to make the appropriate provision feasible within the site (in accordance with the open space standards), or
- b. In exceptional circumstances , if taking into account the accessibility/capacity of existing open space sites/facilities and the circumstances of the surrounding area the open space needs of the proposed residential development can be met more appropriately by providing either new or enhanced provision off-site

5.7.2 Where a financial contribution is deemed to be acceptable the open space standards outlined in Table 2 are applicable. This financial contribution will be negotiated on a case by case basis, and will be subject to the limitations of pooling funds from different schemes to one particular infrastructure improvement or provision.

5.7.3 When financial contributions are sought for the provision or improvement of open space they will be calculated using the number of persons likely to inhabit the development and the cost basis for provisions will include costs of maintenance for a 12 year period.

6. Waste recycling

6.1 Introduction

6.1.1 There needs to be an emphasis on developments addressing their own waste implications and having the necessary recycling provision in place to serve the needs of occupiers. Cambridgeshire County Council is the waste planning authority for Cambridge and deals with all strategic waste issues. All development needs to make provision for waste recycling in order to be sustainable.

6.2 Policy Background

6.2.1 **NPPF** – The NPPF emphasises, at paragraph 156, the need for waste management and the provision of waste management infrastructure.

6.2.2 Cambridge Local Plan 2014 Submission Version:

Policy 85 – Infrastructure Delivery, planning obligations and the Community Infrastructure Levy sets out the justification for planning obligations in connection with new developments.

Policy 57 – Designing new buildings stipulates that new buildings will be supported where they can demonstrate that they successfully integrate functional needs such as refuse and recycling.

6.2.3 Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011:

Policy CS16 – Household Recycling Centres states that new development will contribute to the provision of household recycling centres.

Policy CS28 – Waste Minimisation, re-use, and Resource Recovery requires new development to contribute to the provision of bring sites.

The Core Strategy requires that a RECAP Waste Management Design Guide Toolkit (see below) must be submitted with each planning application.

6.2.4 RECAP Waste Management Design Guide 2012:

This Guide sets out practical information on the provision of waste storage, waste collection, recycling, and bring sites. It includes a Toolkit which provides a framework for developers and planners to assess what contributions will be required towards the provision of Household Recycling Centres and bring sites

6.3 What can be funded by CIL?

6.3.1 Provision for strategic household waste recycling can be considered for CIL funding.

6.4 What can be funded by S.106 planning obligations?

6.4.1 Financial contributions will be required from all developments for the provision of household waste and recycling receptacles on a per dwelling basis and will be used to fund the number of receptacles generated directly by the needs of development.

Table 5: Developer Contributions towards waste receptacles

Houses	£80 per house based on 3 x standard bins
Flats	£150 per flat (based on provision of large communal Eurobins which are litre for litre more expensive than small bins.)

6.4.2 For large scale developments consideration will be given to the need to incorporate additional mini recycling centres (bring sites) within the development site based on the likely level of additional demand generated by the development. Developments over 200 dwellings will be assessed on an individual basis to consider the potential for underground mini recycling facilities.

7. Public Art

7.1 Introduction

- 7.1.1 Public art provides social, economic and cultural benefits and can improve the quality of the built environment and provide distinction and character. Public art can mitigate the impacts of new development through measures that help to re-establish local identity and sense of place. In this way public art can also be considered a form of community infrastructure that should be funded.
- 7.1.2 The provision of public art should form an integral element to new development in order to help mitigate its impact on its physical environment and setting.

7.2 Policy background

- 7.2.1 **NPPF** - Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. It is important to plan positively for high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development proposals.
- 7.2.2 **Cambridge Local Plan 2014 Submission**
Policy 85 – Infrastructure Delivery, planning obligations and the Community Infrastructure Levy sets out the justification for planning obligations in relation to new development.
Policy 56 – Creating successful places states that development proposals should embed public art as an integral part of the proposals as identified through the Council’s Public Art Supplementary Planning Document.
- 7.2.3 **Cambridge City Council Arts Strategy 2011 – 2014**; This documents sets out the Councils intention to ensuring that support for the arts is maintained and developed
- 7.2.4 **The Audit and Needs Analysis of Arts Infrastructure in the City of Cambridge 2013**; This document looks at priorities in the development of arts infrastructure.

7.3 What can be funded by CIL?

- 7.3.1 Public art projects required to address the cumulative impact of development, and that have a citywide benefit, could be funded via CIL.

7.4 What can be funded by planning obligations?

- 7.4.1 S.106 planning obligations will not be used to secure public art. However, all major development of 10 or more dwellings, or a site area of 0.5ha or more will be required to

make provision for public art in order to mitigate its impact on its physical environment and setting.

- 7.4.2 Where public art is required it should be considered as part of the design process and incorporated into the submitted planning application. Public Art is likely to be dealt with by way of a planning condition to reinforce the normal design/development requirements.

8. Public Realm

8.1 Introduction

8.1.1 Creating a well-used and active public realm helps foster a sense of community and reduces crime. The way buildings front on to public spaces, through proposed uses, functions and activity and the way open spaces are designed to meet the needs of residents and visitors is crucial to the creation of high quality and enduring places.

8.1.2 The Council is committed to ensuring that all new development proposals contribute to a high quality public realm.

8.2 Policy background

8.2.1 **NPPF** - Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. It is important to plan positively for high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development proposals.

8.2.2 Cambridge Local Plan 2014 Submission Version

Policy 85 – Infrastructure Delivery, planning obligations and the Community Infrastructure Levy sets out the justification for planning obligations in relation to new development

Policy 56 – Creating successful places states that development proposals should create and improve public realm, open space and landscaped areas that respond to their context and development as a whole and are designed as an integral part of the scheme. Proposals should also use materials, finishes and street furniture suitable to their location and context.

Policy 59 – Designing landscape and the public realm states that high quality public realm must be designed as an integral part of new development and co-ordinated with adjacent sites and phases

8.2.3 The Council intends to set out more detail on how development can contribute to these improvements through the production of a City Centre public realm strategy supplementary planning document.

8.3 What can be funded by CIL?

8.3.1 Where necessary the Council will use CIL to fund or part fund strategic projects to improve the streetscene and built environment. This would be in relation to projects that have a citywide benefit, such as city or neighbourhood centre public realm improvements, but are not directly related to a development site.

8.4 What can be funded by planning obligations?

8.4.1 For developments large enough to have public space within the site most matters will be dealt with by planning condition.

8.4.2 Section 106 Agreements may be required to address issues in respect of site-specific on-site and directly related site public realm improvements. Examples of what might be required are provided below, the list is not exhaustive:

- Carriageway surfacing
- New or improved footways
- Removal of street clutter
- Street furniture
- Street lighting
- Cycle stands

9. Natural environment

9.1 Introduction

9.1.1 Cambridge's natural environment helps define the character and setting of the city, and contributes significantly to Cambridge residents' quality of life. The Council is committed to maintaining and enhancing the natural environment against the background of a successful, growing city.

9.2 Policy background

9.2.1 **NPPF** - Paragraph 109 of the NPPF seeks to conserve and enhance the natural environment. It states that the planning system should contribute to and enhance the natural and local environment. It should do this by minimising the impacts on biodiversity and also remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

9.2.2 Paragraph 118 of the NPPF states that if significant harm to the environment as a result of the environment cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused.

9.2.3 Cambridge Local Plan 2014 Submission Version

Local Plan policies that are significant to nature conservation include:

- *Policy 69 – Protection of sites of local nature conservation importance; and,*
- *Policy 70 – protection of priority species and habitats; and, Policy 71 – Trees.*

9.3 What can be funded by CIL?

9.3.1 Strategic improvements to landscape, habitats, access to the countryside and major green infrastructure projects could be funded by CIL

9.4 What can be funded by planning obligations?

9.4.1 Environmental mitigation measures will be considered on a site by site basis. Most issues will be localised and are likely to be small scale where it is appropriate to deal with them by means of a planning conditions.

9.4.2 Depending on the scale of the development there may be circumstances where schemes require mitigation measures to be included in a S.106 Agreement. Matters which could be included in a S.106 Agreement include, but are not limited to:

- Ecological Mitigation/Remediation
- Major contamination issues

- Species protection and habitat protection

10. Other Potential Development Specific Requirements

10.1 What may be required via planning obligations?

10.1.1 Chapters 4 to 10 may not represent all possible planning obligations requirements that may be applicable to any individual development. The precise circumstances of each development will be different and therefore may be additional development specific requirements, such as mitigation measures, that may be needed to address the impact of individual developments. Such requirements by reason of their nature will need to be assessed on a site by site basis. The list below sets out some additional potential planning obligations that may be applicable, depending on the individual circumstances and constraints of the development site and the nature of the proposed development. This list is not exhaustive. The relevant policy reference from the Cambridge Local Plan 2014 Proposed Submission are given in each case:

- Arts and Cultural facilities (Policy 73, Policy 85)
- In exceptional circumstances, where granting planning permission leads to the loss of community, sports or leisure facilities, the City Council will secure alternative provision to the existing scale, range, quality and accessibility for its users (Policy 73, Policy 85)
- Impacts on the historic environment (Policy 61, Policy 63, Policy 85)
- Pollution/Air Quality mitigation measures (Policy 36, Policy 85)
- Sustainable Urban Drainage Systems (SUDS) (Policy 31, Policy 85)

11. Implementation

11.1 Negotiation/Viability

- 11.1.1 Planning obligations, like CIL, are a necessary cost of development and it will be expected that the likely cost of obligations, including the cost of affordable housing provision, will be factored into development from an early stage. The Council has tested the viability of development as part of the preparation of the Cambridge Local Plan 2014 Submission Version and the Cambridge Submission CIL charging schedule. The viability assessments⁷ tested the impact of the proposed CIL rates, alongside Local Plan policies and planning obligations on development. The results of these residual land value development appraisals produced land values that would still incentivise landowners to make their land available for redevelopment. These results were based on area-wide viability assessments, which included additional headroom (i.e. the CIL rates are not set at the margins of viability), something that would not be relied on for site-specific cases.
- 11.1.2 The costs incurred in delivering a workable, high quality development should be anticipated and reflected in the price paid for land and should not reduce the ability of a site to provide what is required under the planning obligations.
- 11.1.3 Anticipated costs must include affordable housing, site clearance and remediation, good quality, design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision. Price paid for land may not be a determining factor if too much has been paid or historic land values or developer profit margins are being protected at the expense of required planning contributions.
- 11.1.4 There may be exceptional circumstances where development proposals are unable to meet, in full, the policy requirements of the Development Plan. If the Applicant can demonstrate, to the satisfaction of the City Council, that the scheme cannot be fully compliant and remain financially viable, the Council may consider a reduced level of contributions in one or more areas.
- 11.1.5 In order to determine such applications the applicant is required to submit an 'open book' viability assessment to the Council. In all cases, the Council requires viability assessment to be undertaken using a residual land value approach. The applicant should use the Homes and Communities Agency Development Appraisal Tool (<http://www.homesandcommunities.co.uk/ourwork/development-appraisal-tool>) or an equivalent well recognised appraisal tool, to be agreed with the Council in advance of the

⁷ Local Plan/CIL Viability Assessment, Small Sites Affordable Housing Viability Assessment, Student Accommodation Affordable Housing Viability Assessment, SHLAA Viability Assessment

assessment. The viability assessment will need to address the fundamental issue of whether an otherwise viable development is made unviable by the extent of the planning obligations and CIL requirements. The assessment will need to derive a residual land value for the proposed scheme, which can then be compared against a benchmark or threshold land value (Market Value, / Existing Use Value or Alternative Use Value).

- 11.1.6 Viability costs should only include costs that are essential to the development, or required through Local Plan policies, National and local legislation, regulation and guidance. The provision of additional benefits to development not required through the above e.g. additional parking spaces, underground parking, should not be included as a reason to demonstrate a non-viable development.
- 11.1.7 The schedule of information to be provided as part of a Financial Viability Assessment on any development scheme can be found at Appendix 3.
- 11.1.8 Once submitted, the viability assessment will be considered and assessed by the City Council and an independent viability advisor appointed by the City Council, with full costs to be borne by the applicant. Commercially sensitive information will be treated in due confidence, however it may be necessary to report the key issues and broad conclusions to elected members at the time of their consideration of the planning application.
- 11.1.9 Where the applicant fails to demonstrate that a reduced level of contributions should be applied or that the level of planning obligations that the development can viably support cannot mitigate the impact of the proposed development, then the planning application will be refused.
- 11.1.10 If it is proved that meeting the full policy requirements for affordable housing would make a scheme unviable, then negotiations will take place to reduce the planning obligations to a point which maximises affordable housing, but results in a viable well designed scheme.
- 11.1.11 The Growth and Infrastructure Act 2013 provides a route for applicants who already have the benefit of extant permission on a site to apply under Section 106BA of the Town and Country Planning Act 1990 to reduce the quantum of affordable housing included in a development if the original provisions of the associated Section 106 agreement render the development unviable. Further guidance in relation to applications under Section 106BA is included in the Council's Draft Affordable Housing Supplementary Planning Document.

11.2 Legal Agreements

- 11.2.1 Section 106 (S106) of the Town and Country Planning Act 1990 (as amended) allows the local planning authority to enter into a legally binding agreement with a landowner in association with the granting of planning permission in order to secure planning obligations.
- 11.2.2 The Council's S106 agreement includes clauses to secure the provision of planning obligations. The agreement is made by Deed between the landowner (s), Cambridge City Council, Cambridgeshire County Council and any other person with an interest in the application site.
- 11.2.3 In all cases where a planning obligation is to be secured by S106 the Council's Legal Services will usually produce the first draft and the applicant will be required to pay the Council's legal and administrative costs incurred in negotiating and completing the deed and the costs of the transfer of any land to the Council, as well as to pay a contribution towards the cost of monitoring for compliance.
- 11.2.4 The proposed Heads of Terms of any Agreement will need to be established before instructions to draft a section 106 agreement are sent to Legal Services and the agreement must be completed before any planning permission can be issued. The applicant will be expected to provide Heads of Terms reflecting the obligations outlined in this SPD, and reflecting all parties with interests in the relevant land.
- 11.2.5 Where it considers it appropriate, and having first assessed whether there is any risk to the City Council and County Council in doing so, the City Council may decide to make it a condition of a planning permission that there shall be no commencement (including demolition) until such time as the terms of the section 106 agreement in accordance with the approved Heads of Terms and template have been agreed and entered into by all the parties with interests in the land.
- 11.2.6 Where the City Council decides that such a condition is not appropriate, for example (but not limited to the following example) because one or more of the site specific Heads of Terms are not drafted with sufficient certainty, the permission will not be issued until the section 106 agreement has been completed. Failure to complete the agreement in a timely manner may risk refusal.
- 11.2.7 Any references to financial contributions will be index linked to the Building Cost Information Service (BCIS) and take account of any increases in the index during the time period that elapses between the date of the deed and when the contribution is due to be paid.
- 11.2.8 Further information can be obtained by contacting the Council's Legal Services on: 01223 457414.

11.3 Practical points for preparing and completing planning applications

11.3.1 In order to enable the completion of planning obligations to take place quickly and effectively, the following points should be borne in mind:

- Use of conditions including Grampian type conditions⁸ or Unilateral Undertakings⁹ rather than S.106
- Use of standard clauses where possible
- Proposed Heads of Terms should be submitted with planning applications/as soon as possible following registration of planning applications. The applicant should notify the planning case officer of the solicitor they intend to instruct to act on their behalf in relation to the S.106 Agreement. They should also ask their solicitor to contact Legal Services so that the appropriate undertaking for the City Council's and (where a party) the County Council's legal costs can be provided (or to cover the cost of external solicitors if the City Council decides that this is appropriate). Up to date evidence of title should also be provided at an early stage.
- As all parties with an interest in the application may need to be party to any planning obligation relating to it, applicants should inform and involve landlords and anyone else with an interest in the land (for example, a bank with a charge) at an early stage. If such parties are not involved until the first draft of the planning obligation is produced, this can slow down the process considerably
- Where contributions to the City Council and County Council towards physical or social infrastructure are required through a planning obligation they will be index linked to reflect any increases in the index (as described in paragraph 11.2.7).

11.4 Monitoring of planning obligations

11.4.1 Once a planning obligation is signed, administrative costs are incurred on tasks such as checking legal agreements, processing financial contributions in accordance with the terms of the obligation, updating the Council's S.106 database, monitoring of triggers associated with the provision of on-site/off-site infrastructure, and monitoring conditions that secure planning obligations. The list is not exhaustive.

11.4.2 This requires compliance checks, monitoring, project management and implementation by the City Council. Standard charges will apply to recoup these costs. These standard charges

⁸ A Grampian Condition is a planning condition attached to a decision notice that prevents the start of the a development until off-site works have been completed.

⁹ A unilateral undertaking is a simplified version of a S.106 Agreement. It is a legal deed that is only entered into by the landowner and not the Council. It will only be appropriate circumstances.

will be imposed on a per clause basis as outlined in Table 6 below in line with Policy 85 of the Draft Cambridge Local Plan 2014.

11.4.3 Large-scale developments may be agreed by negotiation, although this will incur an additional administrative charge. Such agreements will need to be agreed as part of the S.106 negotiation process on a development specific basis.

Table 6 – Monitoring Charges

Type of planning obligation	Monitoring Charge
Monitoring charges on financial and non-financial planning obligations	The management and administration charge will be 5% of the total contribution(s) (subject to a maximum charge of £50,000).
Large Scale Development	To be considered on a case by case basis. May be agreed by negotiation, subject to an additional management and administration charge. The default position for administration charge will be 5% of total contribution(s).

11.5 Review of planning obligations and expenditure of contributions

11.5.1 In order to ensure that information on planning obligations receipts and expenditure is available and the system is fully accountable, the following measures are an integral part of the City Council’s processes:

- Reports on planning applications presented to Planning Committees/Area Committees will identify any key aspects of planning obligations recommended by the planning officer;
- A copy of each planning obligation will be placed on the public planning register in association with the planning decision notice to which it relates
- An overview of contributions received and projects funded will be reported to Environment Scrutiny Committee;
- The Council has a system of devolved decision making in place whereby Area Committees prioritise how devolved funding from or within contribution categories is used on local projects to provide or improve local facilities. At the same time some developer contributions from major developments are assigned to a citywide fund for strategic projects benefiting more than one area in the city

Appendix 1

Cambridge City Council Submission Draft Local Plan 2014 – Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

Permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the new development. Where existing infrastructure will be placed under strain due to the impact of new development, improvements to existing infrastructure or compensatory provision should be made so that an appropriate level of infrastructure is maintained.

Infrastructure provision will reflect the Council's priorities for infrastructure set out in the Cambridge and South Cambridgeshire Infrastructure Delivery Study and its successor documents. The Council will work positively with neighbouring authorities and Cambridgeshire County Council on infrastructure issues, including the Community Infrastructure Levy (CIL), which the Council is committed to introducing in 2014. Until the introduction of the CIL, and to a lesser degree thereafter, the Council will continue to use planning obligations under Section 106 of the Town and Country Planning Act 1990 to ensure developer contributions towards necessary infrastructure are maximised.

Planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

Planning obligations and/or a future CIL could be required for the following:

- a. transport infrastructure
- b. public transport
- c. drainage and flood protection
- d. waste recycling facilities
- e. education
- f. healthcare
- g. leisure and recreation facilities
- h. community and social facilities
- i. cultural facilities, including public art
- j. emergency services
- k. green infrastructure
- l. open space
- m. affordable housing

The above list is not exhaustive and there may be scope for requiring developer contributions towards a wider range of infrastructure measures. Contributions could

also be used to secure ongoing maintenance where this is deemed appropriate.

The introduction of CIL in 2014 will be accompanied by a review of the Council's guidance on planning obligations, and will ensure that the range and level of contributions towards local infrastructure needs are kept up to date and maximised in the context of emerging CIL practice and guidance.

Appendix 2 – Draft Regulation 123 List

Cambridge City Council

Community Infrastructure Levy Draft Regulation 123 List

(Version to accompany the Community Infrastructure Levy Draft Charging Schedule consultation)

The infrastructure listed below will be eligible to be funded through the Community Infrastructure Levy. The Draft Regulation 123 list, as set out below, defines which projects and/or types/sections of infrastructure that the Council will fund through CIL revenues. It will take effect upon the implementation of the Council's CIL Charging Schedule.

The list is not definitive, and in no order of priorities, as no formal decisions have yet been taken to confirm how CIL funds will be allocated amongst the listed infrastructure projects. It is a list of infrastructure that CIL could be used to fund, subject to Council priorities and the levels of available CIL funding.

Ultimately, it will be necessary to prioritise both within theme areas (e.g. strategic transport) and also between theme areas (e.g. education or community facilities). Factors such as whether an infrastructure element is essential or even required by legal statute or regulation if a development was to go ahead would be taken into account.

CIL Draft Regulation 123 List – Infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL:

Strategic Transport Infrastructure (excluding development specific mitigation works on, or directly related to, a development site)
Education Infrastructure
Strategic household waste recycling facilities
Libraries and lifelong learning facilities
Community Facilities (excluding where a new development leads to the loss of a community facility and re-provision is required on-site or directly related to that site)
Strategic public realm improvements
Indoor Sports Facilities (excluding where a new development leads to the loss of a sports facility and a re-provision is required on-site or directly related to that site)
Outdoor Sports Facilities (excluding where a new development leads to the loss of a sports facility and a re-provision is required on-site or directly related to that site)
Allotments

Strategic Green Infrastructure

Appendix 3 – Viability Appraisal Review Information Requirements

The Council has produced this viability appraisal review checklist to provide advice to applicants on the information the City Council expect to be submitted if an applicant wishes to pursue a case of non-viability. This following information is expected from the applicant if a development is proposed which does not provide the amount or type of affordable housing and/or financial contributions expected through Cambridge City Council's Development Plan policies. This is not exhaustive but provides a basic guide as to what to include within a viability assessment:

A.1 Viability Assessment Reports & Appraisals – general points:

- The applicant should provide a brief covering report providing an overview of why the viability case is being made. This should detail the viability case being made - what the issue is – it should be clear on the request / offer that is being made (i.e. the extent of departure from Policy compliance considered necessary) and the reasons why in the applicant's view this should be considered;
- The report should be accompanied by the supporting information / evidence associated with the viability assessment and appraisal(s) / sensitivity tests.
- Homes and Communities Agency (HCA) Development Appraisal Tool (DAT) or similar agreed toolkit to be used.
- The appraisals content and summaries to be supplied in PDF and also "live" (functional) appraisal version(s) to aid the review process.
- Appraisal(s) should be consistent with and clearly linked to (explained by) the written submission / covering report.
- Appraisals should show the optimum planning obligations position that can be reached in the opinion of the applicant based on their viability assessment.
- Applicants should provide a policy compliant assumptions version to illustrate the differences / viability issues.
- If sensitivity analysis carried out – provide an explanation of sensitivity assumptions.

A.2 Scheme Details and Context – the report/appraisal(s) should include / provide the following:

- **An Ordnance Survey based site plan and overview layout plan**
 - To include indication of the location and extent of any adjoining highways works or similar.
- **Scheme description/details to include**
 - Site areas (ha) - gross and net (developable)
 - land areas for any other non-residential / ancillary / other uses
 - Confirmation of resulting development density

- Total residential unit numbers; both market and affordable (with percentage of affordable housing)
- Residential unit schedules (market and affordable housing) with:
 - type of units
 - number of bedrooms
 - floor areas (usually GIA)
 - any non-saleable floor areas / net : gross ratio
- Any commercial / other / mixed use development details – equivalent information (to include gross and net internal floor areas).
- **Details of timings and any phasing**
 - Include numbers and types of units in each phase)
 - Assumed project / phase start and end dates
 - Construction start and period;
 - Sales period, rate of sale and any post construction sales period
 - affordable housing timing
 - construction period
 - payments / handover / receipts.

A.3 Site Value – the report/appraisal(s) should include / provide the following:

- **Details of current use(s)** of the site and planning context / status (with any relevant supporting information).
- **Value of site / premises** at the assessment (current) date – include supporting evidence
 - Full explanation with valuation and other supporting details where relevant
 - Details of any special assumptions and planning risk adjustment being made with respect to alternative use value assessment as a basis for site value
 - Clear approach on whether site value being used as an appraisal input or as a benchmark against which a RLV is being compared (i.e. is the viability benchmark based on land value or profit).
 - Land purchase and timing details may be relevant – including background, basis / planning assumption, any conditions, etc.
- **Land purchase related costs / fees**
 - Stamp duty, legal and any agent’s fees plus supporting information if necessary.

A.4 Gross Development Value (GDV) – the report/appraisal(s) should include / provide the following:

- **Assumed sales values**
 - Provide sales values both as £ per unit and £/m²

- Ground rents
 - Total revenue summarised
 - Provide supporting evidence including analysis of any comparables research / agents advice / other justification.
 - Service charges or any other deductions / incentives that may impact on value
- **Affordable housing revenue assumptions**
 - Provide revenue assumptions both as £ per unit and £/m² (where based on offer(s) from Registered Providers please indicate offer and provide supporting evidence)
 - Indicate tenure assumptions - by unit type and overall mix (e.g. affordable rent / shared ownership or similar ratio)
 - Affordable and/or social rent assumptions
 - Rent assumptions
 - Percentage of market rent assumed
 - Other financial criteria used to calculate affordable housing revenue where applicable
 - Assumptions for shared ownership revenue
 - Percentage initial equity share and percentage rent on retained equity;
 - Equivalent information / explanation on any other AH models / variation.
 - **Commercial / Non-Residential Values (where applicable):**
 - Rental values
 - Yields
 - Void rates
 - Rent free periods
 - Tenant incentives
 - Any other area that impacts on value (e.g. purchasers costs).

Above to be provided with supporting evidence.

A.5 Development Costs – the report /appraisal(s) should include / provide the following:

- **Build Costs**
 - Basis and source of build cost assumptions / estimates – e.g. all-in / unit costs plus external / site works; contingency percentage and any other costs additions.
 - £/m² rates for each element (if separated) and totals provided.
- **Other**
 - E.g. abnormal (provide supporting evidence)

- Site or other works
- Infrastructure or services related costs etc. not otherwise allowed-for.
- **Build cost related fees**
 - Details and basis / percentage (of build costs). E.g. professional fees (architect, planning, surveyors etc.).
- **Survey / investigation or similar costs**
 - Provide details and supporting evidence.
- **Sustainability standards**
 - Provide details and supporting evidence for costs relating to:
 - Sustainable design & construction costs (Code for Sustainable Homes / renewable energy or equivalent for both market and affordable
 - Any additional measures and costs.
- **S.106 obligations and contributions**
 - Provide details and costs including explanation and any Council / formulaic calculations
 - Anticipated CIL liability and any relevant assumptions where applicable.
- **Finance costs**
 - Finance rates assumed (negative & positive cashflow balance)
 - Related fees
 - The appraisal cash flow should be provided.
- **Development Profit**
 - Clear statement on target return / assumed fixed appraisal input and basis (percentage of value / percentage of cost or other) including:
 - Profit assumptions on private / affordable housing and commercial / other non-residential elements of the scheme where applicable.
- **Sale & marketing costs**
 - Usually expressed as a percentage of value with details of any separate elements provided.
- **Legal fees on sale**
 - Provide details and supporting evidence where applicable. Generally expressed as a rate per unit or percentage of value.

Please note: Documents and accompanying evidence should be provided by the applicant / their agent(s) as a package with an explanatory note of the components / appendices in electronic format where possible. Depending on scale of plans and size of reports, printed copies of some elements may be requested to aid the review.



To: Executive Councillor for Planning and Climate Change: Councillor Tim Ward
Report by: Head of Planning Services
Relevant scrutiny committee: Development Plan Scrutiny Sub Committee 25/03/2013
Wards affected: All Wards

Cambridge Local Development Scheme 2014

Not a key decision

1. Executive summary

- 1.1 Cambridge City Council is required to maintain a Local Development Scheme (LDS). An LDS sets out a timetable for the production of new or revised Development Plan Documents (such as a Local Plan or Area Action Plan).
- 1.2 Following the recommendation of the Joint Strategic Transport and Spatial Planning Group on 6 February 2014 to commence the preparation of an Area Action Plan for the Cambridge Northern Fringe East (CNFE) area and amend the LDS, it is necessary for the council to consider whether it wishes to update the LDS with the latest timetable and publish it on our website.

2. Recommendations

- 2.1 The report is being submitted to Development Plan Scrutiny Sub-Committee for prior consideration and comment before decision by the Executive Councillor for Planning and Climate Change.
- 2.2 The Executive Councillor is recommended to
 - 1) Approve the Cambridge Local Development Scheme 2014 and agree to it being brought into effect on 26 March 2014.

3. Background

- 3.1 The Planning and Compulsory Purchase Act 2004 introduced the requirement for councils to prepare and maintain a Local Development Scheme (LDS). An LDS sets out a timetable for the production of new

or revised Development Plan Documents (such as a Local Plan or Area Action Plan) by the local council.

- 3.2 The council prepared its first LDS in 2005, and issued updates in 2007, 2008, 2012 and 2013. These are available on our website at: <https://www.cambridge.gov.uk/local-development-scheme-and-latest-information> .
- 3.3 The CNFE area is a major development priority for Cambridge and the wider area. Both the City Council and South Cambridgeshire District Council have committed to its redevelopment through respective policies in their new Local Plans which both propose the preparation of a joint Area Action Plan (AAP). Given the multiple land uses and ownership, and the complexity of the area it is important to provide a clear and comprehensive steer for its redevelopment. The planning system, through the AAP, can provide a clear planning framework for the development of the area to ensure there is an integrated, rather than piecemeal, approach which maximises the potential of the area and ensures development opportunities are not missed or compromised.
- 3.4 The attached 2014 version of the LDS, which, if approved, will supersede previous versions, sets out a work programme for the Council over a three-year period to 2017. In summary, the timetable for the preparation of the AAP is;

TIMETABLE FOR PREPARATION OF CNFE AAP	
Commencement of AAP	March 2014
Issues & Options Consultation	December 2014 to January 2015
Publication of Submission Draft AAP & Public Consultation	September 2015 to October 2015
Submission	April 2016
Examination of AAP	April 2016 to September 2016
Adoption and Publication of AAP	October 2016

- 3.5 It is a legal requirement for the council to keep its LDS up to date and approval of this March 2014 LDS will ensure we meet such requirements prior to the formal commencement of work on the Area Action Plan.

4. Implications

(a) Financial Implications

4.1 There are no direct financial implications arising from this report.

(b) Staffing Implications (if not covered in Consultations Section)

4.2 There are no direct staffing implications from this report.

(c) Equal Opportunities Implications

4.3 There are no direct equal opportunities implications from this report.

(d) Environmental Implications

4.4 There are no direct environmental implications arising from this report.

(e) Consultation

4.5 The LDS is not subject to direct public consultation. However, the LDS is an important tool to aid consultation on the AAP because it sets out a timetable to which the council is committed to follow in preparing and consulting on the AAP, thereby giving the public 'advance warning' of when consultation periods on the AAP are likely to take place.

(f) Community Safety

4.6 There are no direct community safety implications arising from this report.

5. Background Papers

- The Planning and Compulsory Purchase Act 2004:
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- The Town and Country Planning (Local Planning) (England) Regulations 2012:
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>
- Local Development Scheme 2013
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/local-development-scheme-2013.pdf>

6. **Appendices**

- Appendix A: Local Development Scheme 2014

7. **Inspection of papers**

If you have a query on the report, please contact:

Author's Name: Sara Saunders
Author's Phone Number: 01223 457186
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Appendix A



Cambridge Local Development Scheme

26 March 2014

This scheme was approved by the Executive Councillor for Planning and Climate Change on 25 March 2014 following consideration of the scheme by the Development Plan Scrutiny Sub-Committee of the same date. The scheme is brought into effect on 26 March 2014.

Cambridge Local Development Scheme 2014

Introduction

The Planning and Compulsory Purchase Act 2004 introduced the requirement for councils such as Cambridge City Council to prepare and maintain a Local Development Scheme (LDS). An LDS sets out a timetable for the production of new or revised Development Plan Documents (such as a Local Plan) by the local council.

The council prepared its first LDS in 2005, and issued updates in 2007, 2008, 2012 and 2013.

This 2014 LDS, which supersedes previous versions, sets out a planning work programme for the Council over a three-year period to 2017. It will be regularly reviewed to keep it up to date.

What are the current adopted Development Plan Documents for Cambridge?

The current Development Plan Documents for Cambridge are the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 and Site Specific Proposals Plan 2012, saved policies from the Cambridge Local Plan 2006, the Cambridge East Area Action Plan 2008, the North West Cambridge Action Area Plan October 2009, and the Cambridge Proposals Map (October 2009).

What new Development Plan Documents are to be prepared?

The Cambridge Local Plan 2006 is currently in the process of being reviewed and replaced, as confirmed by this LDS. The new Local Plan for Cambridge is due to be adopted in 2015, following public consultation and examination by the Planning Inspectorate on behalf of the Secretary of State. The Cambridge East Area Action Plan will also be slightly amended by the new Cambridge Local Plan. The North West Cambridge Area Action Plan will not be affected by the new Local Plan and will therefore remain in force in full.

The Minerals and Waste Documents are the responsibility of Cambridgeshire County Council. Cambridge City Council is not aware that a review of them is to take place in the foreseeable future.

The Council is also, jointly with South Cambridgeshire District Council (SCDC), preparing an Area Action Plan for the site known as Cambridge Northern Fringe East. This will be classified as a Development Plan Document. The plan is to adopt this new Area Action Plan in October 2016.

A schedule setting out more detail on the preparation of the new Local Plan and the Cambridge Northern Fringe East Area Action Plan is set out on the next pages.

Development Plan Documents to be produced

Document Title	Subject matter and geographical area	Chain of Conformity	Consultation	Publication of Submission Draft DPD & Public Consultation	Submission and Examination of DPD	Adoption and Publication of DPD	Policies it will replace
Cambridge Local Plan 2014	Sets out the vision, objectives and strategy for the spatial development of Cambridge. Lists sites allocated for development, which are illustrated on an accompanying Policies Map. Sets out the policies against which planning applications will be considered. Covers the whole of Cambridge City Council administrative area	Conformity with the NPPF	Issues & Options - June/July 2012 Issues & Options 2 (including site options for development) - January/February 2013	July/September 2013	Submission in March 2014 Examination period March 2014 to November 2014	January 2015	All remaining saved policies in the Cambridge Local Plan 2006 Policy CE/3 & CE/35 of the Cambridge East Area Action Plan.

Cambridge Northern Fringe East Area Action Plan	Sets out a vision and planning framework to ensure the future co-ordination of development at Cambridge Northern Fringe East	Conformity with the National Planning Policy Framework Compatibility with the adopted Cambridge-shire and Peterborough Minerals and Waste Core Strategy (July 2011 and Site Specifics Proposals Plan (February 2012) Development Plan Documents	Issues & Options consultation from December 2014 to January 2015	September 2015 to October 2015	Submission in April 2016 Examination from April 2016 to September 2016	October 2016	Saved policy 9/6 Northern Fringe in the Cambridge Local Plan 2006 or Policy 14: Northern Fringe East and land surrounding the proposed Cambridge Science Park Station Area of Major Change in the Cambridge Local Plan 2014: Proposed Submission (dependent on which policy is adopted at the time). Policy SP/17 Rail Infrastructure in South Cambridgeshire's Site Specific Policies DPD and Policy SS/4 Cambridge
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<p>Northern Fringe East and land surrounding the proposed Cambridge Science Park Station in South Cambridgeshire's. Local Plan: Proposed Submission (dependent on which policy is adopted at the time)</p>							
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Further Information Sources

Below are links to websites which will assist should you require further information on LDSs

- The Planning and Compulsory Purchase Act 2004:
<http://www.legislation.gov.uk/ukpga/2004/5/contents>
- The Town and Country Planning (Local Planning) (England) Regulations 2012:
<http://www.legislation.gov.uk/uksi/2012/767/contents/made>
- Planning Advisory Service:
<http://www.pas.gov.uk>
- Planning Portal:
<http://www.planningportal.gov.uk>