

CENTRAL BEDFORDSHIRE COUNCIL

**PLANNING OBLIGATIONS
SUPPLEMENTARY PLANNING DOCUMENT
FOR SOUTHERN BEDFORDSHIRE**

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Introduction

This document sets out proposals for an improved approach to negotiating and securing planning obligations associated with new developments within Central Bedfordshire, for the former South Bedfordshire area. A similar document is being produced in Central Bedfordshire for the former Mid Bedfordshire area.

It is intended to provide users of the planning service in the former South Bedfordshire area with greater transparency and certainty of what planning obligations will be sought in conjunction with planning applications for development.

The SPD is published in draft for consultation. Comments received will be fully considered and will inform the final SPD.

Consultation began on Thursday 8th January 2009 and concluded at 17.15 on Thursday 19th February 2009

The second round of consultation began on Monday 6th April 2009 and ended Monday 4th May 2009 at 5.15pm

This document comprises three parts:

- **Part A:** Overview of the new approach to Planning Obligations to be adopted by the Council
- **Part B:** Planning Obligations to be sought in association with new developments
- **Part C:** The Council's procedures for securing and delivering Planning Obligations

It is supported by a separate Background Paper setting out details of needs, costs and application considerations of the main obligations.

Part A: An Improved Approach to Planning Obligations

2.0 What are 'Planning Obligations'?

- 2.1 Planning obligations are a recognised delivery mechanism for matters that are necessary to make a development both sustainable and acceptable in planning terms. Planning obligations are legally binding. They can be delivered through either a unilateral undertaking made by the applicant or an agreement made jointly between the local authority and a developer.
- 2.2 Planning obligations may be development specific, stipulating essential infrastructure work, which must take place in order for the development to proceed. They may also contribute towards objectives of national planning guidance and local planning policy, which are relevant to the proposal and which are required to make development acceptable in planning terms.
- 2.3 The South Bedfordshire area and Luton face a challenging future over the next 20 years or so. As set out within the Milton Keynes South Midlands South Midlands Sub Regional Strategy (MKSMSRS), South Bedfordshire and Luton have been identified as a growth area. This means that in the period up to 2021, 26,300 additional homes should be provided together with sufficient land safeguarded for an additional 15,400 homes in the period 2021 to 2031. Growth is not simply about extra housing. There is a requirement that at least 23,000 extra jobs are delivered up to 2021 and a further 12,000 to 2031.
- 2.4 The MKSMSRS identifies a need for substantial improvement in the infrastructure capacity and contains specific recommendations relating to education, training, health and social care, community facilities, affordable housing, environment and green infrastructure and utilities, which will need to be considered. It recommends that service providers evaluate in detail the nature and scale of provision needed in light of the scale of development, proximity to existing provision, socio-demographic characteristics, and the size, scale, layout and density of development needed to support such services in new and existing developments.
- 2.5 Cumulatively, even small developments create significant additional demands for new infrastructure, services and facilities within an area. It is important therefore, that new development makes commensurate contributions towards new and improved local infrastructure where that development will add to infrastructure needs and requirements. Further investment from public and private sector will be crucial to help address current and future needs for infrastructure provision.

3.0 The Legislative Framework and National Guidance for Achieving Planning Obligations

- 3.1 The legislative framework for planning obligations is set out in section 106 of the Town and Country Planning Act 1990. Circular 05/05 outlines what is needed in order to achieve planning obligations and requires them to be:
- Necessary to make a proposal acceptable in planning terms;
 - Relevant to planning;
 - Directly related to the proposed development;

- Fairly and reasonably related in size and type to the proposed development; and
- Reasonable in all other aspects

Although the 05/05 circular states what is required for planning obligations, local planning authorities are not required to apply all criteria when considering whether or not a planning obligation is to be accepted.

3.2 The planning system works on the principal that planning permissions cannot be bought or sold. Negotiations to gain benefits from development proposals must be fair and reasonably related in scale and kind to the proposed development and reasonable in all other respects. Working in this way, planning obligations can improve the quality of development proposals, which would otherwise be refused. The Council acting as a Local Planning Authority cannot approve unacceptable developments because of unrelated benefits being offered by the applicant. Equally the applicant through planning obligations cannot be expected to pay or contribute towards improving existing shortfalls in infrastructure.

3.3 Planning obligations may be used to:

- Prescribe the nature of development in order to achieve specific planning objectives (i.e. to set a requirement for a given proportion of housing to be affordable);
- Mitigate the impact of development (i.e. by contributing towards or providing additional infrastructure needed as a result of the development, such as education facilities or public transport services);
- Compensate for the loss or damage caused by a development (i.e. by replacing an area of open space lost to development with new provision elsewhere).

4.0 An Improved Approach: The Government's Proposals

4.1 The need for improvements to be made to the way planning obligations are delivered has been well documented. The Government recognises that planning obligations play an integral role in the delivery of sustainable development. Following wide consultation, proposals for a Community Infrastructure Levy (CIL) to deliver the new infrastructure that new homes and communities need were included in the Planning Bill published on 28 November 2007. It is expected that following enactment Regulations for CIL will be made in the autumn of 2009.

4.2 There are some important foundations that have been set down at this stage:

- CIL will empower local authorities to levy 'a charge' to help deliver the infrastructure needed to support the development of their area. It is not expected to meet the entire cost of projects and core public funding will continue to be the main source of funding.
- CIL will improve predictability and certainty for developers as to what they will be asked to contribute; will increase fairness by broadening the range of developments asked to contribute
- Charges will be indexed to an index of inflation. The charging authority will need to be careful that CIL should not be set at such a level that it risks the delivery of its development plan, because development is rendered unviable by the charge proposed.

- CIL should only be levied where there is a genuine infrastructure need to support development of the area. Decisions to levy a CIL should go hand-in-hand with a considered approach to infrastructure planning, as endorsed by Planning Policy Statement 12, to ensure that contributions work towards delivering the future vision of each local area.
 - Local authorities will be able to decide whether the circumstances in their area make the introduction of CIL appropriate and at what level to set the charge.
 - One important premise is that the facility to enter into a negotiated planning obligation using section 106 of the 1990 Act will remain when CIL is introduced. This is because planning obligations can ensure that the specific impacts of a development can be mitigated.
 - Where an authority has in place policies, such as a Planning Obligations SPD, the Government does not propose to provide for the automatic conversion of these types of document into CIL. Obligations signed before any scaling back will remain in force.
- 4.3 At this stage there is a lack of clarity about the possible restriction of the use of planning obligations in relation to the introduction of CIL. Where an authority has in place policies, such as a Planning Obligations SPD, the Government does not propose to provide for the automatic conversion of these types of document into CIL. It does consider that over time these should 'migrate' to CIL and will consider how best to phase this to minimise transitional issues. In any event obligations signed before any scaling back will remain in force.
- 4.4 In order that development fully contributes to the infrastructure needs that it generates it is appropriate that the Council prepares this Policy Document. It should be viewed as interim guidance. It will be reviewed by the Planning Authority in the light of any subsequent changes introduced by Government.

5.0 Aims of the Planning Obligations SPD Document

- 5.1 Reflecting Government's aspirations, this document looks to build upon and improve the Council's existing approach to securing planning obligations by;
- Helping to deliver sustainable communities;
 - Ensuring impacts arising from development are managed or compensated for by the development;
 - Increasing transparency and providing a more practical, consistent and accountable approach to planning obligations negotiation;
 - Complying with Circular 05/2005 requirements, and other national planning guidance, regional and local development plan and best practice;
 - Contributing towards achieving the aims and objectives of the South Bedfordshire Community Plan and those of the Local Strategic Partnership (LSP)

6.0 Status of this document and its relationship to the Development Plan

- 6.1 The SPD is in draft form and has been the subject of public consultation. Comments received during the consultation period will be fully considered by the Joint Committee and will inform the preparation of the final SPD.
- 6.2 This document will play a major role in determining planning applications. Applications will be refused if the application does not meet the requirements set out in the document.

7.0 Sustainability Appraisal

- 7.1 The Government is committed to creating sustainable communities; places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a high quality of life. They are safe and inclusive, well planned, built and run and offer equality of opportunity and good services for all.
- 7.2 To enhance the importance of delivering sustainability a Sustainability Appraisal (SA) has been carried out – this works to ensure that the document meets the criteria of delivering sustainable communities. It is available as a separate document.

8.0 Adoption and Review of this SPD

- 8.1 After Adoption, the first review of this SPD will be dependent upon the programme for the preparation of LDF documents for the new Central Bedfordshire authority and any Government policy advice following the enactment of the Planning Bill and the introduction of the Community Infrastructure Levy.
- 8.2 It should be noted that charges will be kept up to date through index linking as set out in Section 17.0. If circumstances arise that require a significant change to, or addition of, an obligation then the Authority may propose an alteration to this SPD. This would be subject to public consultation and formal consideration prior to adoption.

Part B: Planning Obligations to be sought by the Council

9.0 General Principles

- 9.1 By producing this document, it promotes Central Bedfordshire Council's adoption of planning obligations to provide a planning application process which has speed, transparency and accountability. This will in the main be delivered through the use of standard charges and agreements.
- 9.2 The South Bedfordshire area is expected over the coming years to experience substantial growth which will increase demand on infrastructure and services. Where the quality and capacity of these facilities is unable to cope with the demand arising from developments, contributions will be required. The principle of requiring contributions applies to both residential and commercial development.
- 9.3 In the past obligations for housing schemes have tended to be sought only from larger scale developments of more than 10 dwellings for example. The use of standard charges ensures that small-scale development can reasonably and fairly make contributions towards infrastructure. Thus contributions will need to be made from developments as small as one dwelling. Receipts will be held in pooled funds and contributions used toward the provision of infrastructure and services within the relevant area. All planning obligations will be assessed on a site-by-site basis. Some larger developments may require planning obligations specific to the particular site. For example; where brownfield sites require remediation works to bring the site up to a standard suitable for the development.
- 9.4 Standard charges will not be applicable for the mitigation of site specific impacts and for larger site developments where it is expected facilities and infrastructure will be provided on-site by the developer for the benefit of the future occupants.
- 9.5 **Applicants are encouraged to engage with the Council in pre-application discussions to identify the nature and scope of obligations necessary to the particular development. It is open to applicants to justify why certain charges should not apply to a scheme.**
- 9.6 Subject to the requirements of the local validation checklist, for applications of less than 10 dwellings, a unilateral undertaking must be submitted with the necessary planning application forms. For applications of more than 10 dwellings, either a Planning Performance Agreement is entered into or Heads of Terms of a Section 106 Agreement submitted with the necessary planning application forms. Failure to do this may result in the planning application not being validated.

10.0 Application Considerations

- 10.1 Planning obligations may be sought from housing, commercial and mixed-use developments. Although this SPD specifies types of development and a range of obligations likely to be relevant to them, other uses may well require obligations. For example, a care home providing non self-contained units might attract obligations amongst others for health care provision and similarly, a caravan site for permanent occupation might attract education, transport or other obligations. Where a new scheme replaces an existing development the assessment will normally be applied to

the net impact of development.

10.2 In some circumstances contributions may be required outside of South Bedfordshire's boundaries if the infrastructure and facilities being provided are meeting the needs of a development within the district boundaries or vice versa. This may involve regional or sub-regional projects.

10.3 Residential

10.3.1 Standard charges apply to developments from 1 dwelling upwards. A dwelling is defined as any self-contained unit of residential accommodation.

10.3.2 It should be noted that it is not appropriate for this SPD to promote changes to Saved Local Plan policies. Policies H4 (Mix of Housing) and H5 and H6 (Affordable Housing) will continue to be applied. **All qualifying sites will be subject of a Planning Obligation to deliver affordable housing and to include, where appropriate, all relevant obligations in this SPD.** This applies equally to applications submitted by Registered Social Landlords and developers.

10.3.3 How the charge works.

Where there is a net increase in dwellings, charges will be applied to the net increase in bedroom content. If there is no net change in the number of dwellings, charges are then applied to dwellings where an increase of two or more bedrooms occurs. Calculation for this is the net difference between total applicable charges for new dwelling(s) and the existing according to number of bedrooms. The calculation of charges (for residential schemes) will be determined by an assessment of the number of bedrooms proposed and any rooms and spaces capable of being used as bedrooms having regard to the type and size of unit. In certain obligations exemptions are specified, for example, in Education where a contribution would not be sought for a scheme for elderly persons. This particular exemption applies only to a development specifically designed for this purpose, for example, with communal facilities and age limits of occupiers controlled by the provider.

10.3.4 Standard charges per dwelling are based on household occupation rates published within the ONS/DEFRA 2002/03 Survey of English Housing.

Average per dwelling	1 Bed	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7 & 7+ Beds
2.4 persons	1.3 persons	1.9 persons	2.6 persons	3.2 persons	3.6 persons	3.9 persons	4.4 persons

10.3.5 Where an outline planning permission is granted the planning obligation will be the obligations required and will be conditional on the bedroom content on the approval of details.

10.4 Non – Residential Development

10.4.1 Obligations may also be sought from commercial development. The range of possible developments apart from large industrial/business schemes includes mixed-use, retail, hotels, and holiday/leisure attractions. They may require mitigation and/or generate

needs to provide additional facilities to assist employees and/or the local community such as libraries, childcare, open space and sports provision. The need for Planning Obligations will be considered on a case-by-case basis. Obligations likely to be sought from commercial development are set out in the tables below where an indicative threshold may be included.

11.0 The Basis of Planning Obligations Sought:

11.1 Education

11.1.1 There is a statutory responsibility for the provision of education services. This provision includes nursery, lower, middle and upper education plus sixth-form education and special needs services and facilities.

11.1.2 In accordance with the Sustainable Communities Plan, the Authority wishes to ensure that the impact of new development is managed and that additional educational infrastructure and services needed as a result of new development are provided in tandem with that development.

11.1.3 The Authority has operated its system of seeking developer contributions for education provision since 2002. This system is now adopted within this draft SPD. In accordance with that policy, planning obligations will be sought towards the following:

- *Mainstream Education Needs: Lower, Middle and Upper Schools;*
- *Early Years Education and Daycare;*
- *Children's Social Services and Children's Centres;*
- *School Transport.*

Mainstream Education Requirements: Lower, Middle and Upper Schools and Post – 16 Education

11.1.4 The demand for school places from each new development is calculated using a census-based model, which forecasts the number of children generated in each age group. The model takes into account the number, (and where known) the type and mix of dwellings proposed. The cost of individual places is then multiplied by the child generation figures to result in a contribution figure per dwelling. The cost per pupil is based on current DCSF guidance on cost per pupil place, adjusted to reflect Bedfordshire costs.

11.1.5 Post -16 education is entering a period of considerable change because of government proposals to make it compulsory to stay in education or training until the age of 18. Currently, staying on rates in schools equate to the two years 12 and 13 being equivalent to one year group and that is the basis on which pupil generation figures are calculated. However, the level of anticipated demand for post -16 education in the future is an unknown quantity in terms of pupil generation rates given the wide variety of post 16 education options (with many courses being work based diplomas rather than class room related). Accordingly, if it is found that a need for further capacity is identified due to higher pupil generation rates post 16, the Local Education Authority may seek additional provision at the catchment area Upper School or local Further Education college as appropriate. Funding for Further Education Establishments will be sought using the same standard charge based on DCSF cost/pupil place formula applied for calculating Upper School Provision.

Table 1: Mainstream Education Requirements	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • Finance for additional educational provision at lower, middle, upper schools and post-16 education. • New sites and buildings. <p>Where developments require new buildings the full capital costs will be sought including the fitting out of the building, laying out or extending playing fields etc, initial costs of equipment for the school, and fees for the design /supervision etc. Also for new schools the costs of providing a "school safety" scheme near the school entrance(s) may be sought and infrastructure within the housing based on the School Travel Plan and Accessibility strategies.</p> <p>In the event of the developer providing a building, it will need to be built to an agreed specification, with the developer paying the costs of the Authority for preparing and checking specification compliance before handover.</p> <p>Where several sites contribute to the need for a new school or extension the cost of land and buildings may be spread between the sites on the basis of a formulaic "standard charge". Timing of contributions and provision will be assessed on a case-by-case basis.</p>
Current policy/guidance on the issue	<p>Guidance on Contributions for Education Provision was approved by the former Beds County Council in 2002. However the opportunity was taken to update the guidance in light of 2001 census. Annex 1 of the Background Paper accompanying this SPD includes current DCSF guidance on cost/pupil place. Annex 2 includes information on site sizes and site suitability. The guidance for education provision was updated in 2007 and contained within the document "Developer Contributions Strategy for Bedfordshire County Council Infrastructure and Services" March 2007.</p> <p>RSS Policy SS2</p>
Geographical areas where known issues	<p>Annex 1 contains a schedule which is also available on the Education website. School numbers on roll vary and consultation with the Children's Services department is required on all sites of 10 or more dwellings.</p>
Basis of Children's Services department assessing need and contributions.	<p>The estimated pupil numbers to arise from a new development on the basis of 4 children/age group/100 dwellings is compared with capacity in local catchment area school and forecast school rolls, taking into account new housing permitted but not built. Capacity excludes temporary accommodation. Where there is insufficient capacity then contributions will be sought on the basis of DCSF current indicators of cost/pupil place for extensions unless there is a costed feasibility scheme or actual scheme that can be used to assess costs, or a new school or site is needed.</p> <p>Bedfordshire operates a lower, middle and upper school system. For assessing need the pupils are taken as comprising 5-year groups at lower school level (aged 5 - 9), 4-year groups at middle school level (aged 9 – 13) and 4-year groups at upper school level (aged 13 – 18, this includes the two years of sixth form which currently is equivalent to one year group).</p>
Current cost guidelines	<p>The current DCSF figures for cost/pupil place in 2008/9 for extensions are £11,965 lower school, £15,049 middle school and £18,455 upper school</p>
Threshold/type of development which may trigger need	<p>Residential development of 1 dwelling or more will be expected to contribute towards new provision in areas of need.</p> <p>Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix. More details are included in Background Paper Annex 1.</p>

Charging Method

Standard Charge for new residential development where there is insufficient capacity to provide for additional educational needs arising from the development proposed. Generic standard charges are:

£2,393 per dwelling for lower school provision
 £2,408 per dwelling for middle school provision
 £2,953 per dwelling for upper school provision
 £7,754

Derived Standard Charges for dwellings are:

	2 beds house	2 beds flat	3 beds	4 beds	5 beds	6 beds	7+ beds
Lower	£1894	£947	£2592	£3191	£3590	£3889	£4387
Middle	£1906	£953	£2609	£3211	£3612	£3913	£4415
Upper	£2338	£1169	£3199	£3937	£4430	£4799	£5414
Total	£6138	£3069	£8400	£10339	£11632	£12601	£14216

Where developments are of 10 or more dwellings and will result in the need for new schools or extended school buildings, provision will be negotiated on a case-by-case basis.

Note: In July 2006 after a review, the former Beds CC resolved to retain a three-tier education system in Bedfordshire and to seek to improve school standards by other action. Progress is to be reviewed in late 2009. Officers will continue to make sure that legal agreements are worded flexibly so that expenditure can be used to tackle shortfalls in provision for the appropriate age group in the catchment area irrespective of the location/tier.

Early Years Education and Day-Care

11.1.6 The requirements for new development to contribute towards the additional provision of pre-school education and daycare are set out below:

Children's Centres

Table 2: Early years Education and Day-care															
Type of facility for which provision may be needed	3 + nursery class on proposed new school, 3 + unit on existing school, Community centre suitable for pre-school use, 3+ Early years provision in Children's Centre Day nursery from 0+, site (0.2 ha) or facility on large developments Provision for Early Years and Extended Services at new or existing school 3+ provision can be made in several ways but any facility would need to meet government guidelines for sessional or day care for the age group														
Current guidance on the issue	All children 3+ are entitled to 5 half-day sessions of pre-school education/week funded by the government. Childcare Act 2006 requires local authorities to secure adequate early learning provision and to secure sufficient childcare for parents who wish to work. Government policy is for extended schools for childcare and Children's Centres where health/social services etc. outreach provision is made. School sites are viewed as a good location for these facilities. RSS Policy SS2														
Geographical areas where known issues	Annex 1 contains areas where there are or will be capacity issues – in Leighton Buzzard any development would need more early years and childcare provision. In the villages developments of 50 or more, or cumulatively a number of smaller schemes may need additional provision. In Houghton Regis and Dunstable developments of 100+ houses may need additional provision.														
Basis of assessing need and contributions	Using same pupil generation rates as for education an assessment is made of the number of children between the age of 3 and school entry age that will be entitled to early years education. Then the DCSF cost/pupil place (primary) is applied. More details in Annex 1 of the Background Paper.														
Current cost guidelines	30 place 3 + unit as part of new school £250,000 and a 50 place unit approx. £350,000. A new 'standalone' facility will cost more.														
Threshold/type of development which may trigger need	Residential development of 1 dwelling or more will be expected to contribute towards new provision where needed locally. Sites/facilities for new on-site daycare provision may be sought from large housing sites of 500 units or commercial/employment developments of 1000 employees or more. Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.														
Charging Method Standard Charge for new residential development of 1 or more dwellings where there is insufficient capacity at present to provide for additional early years educational needs arising from the development proposed. Standard Charge is £718 per dwelling															
Derived Standard Charges are: <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>2 bed House</th> <th>2 Bed Flat</th> <th>3 Beds</th> <th>4 Beds</th> <th>5 Beds</th> <th>6 Beds</th> <th>7+ Beds</th> </tr> </thead> <tbody> <tr> <td>£568</td> <td>£284</td> <td>£778</td> <td>£957</td> <td>£1077</td> <td>£1167</td> <td>£1316</td> </tr> </tbody> </table>		2 bed House	2 Bed Flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£568	£284	£778	£957	£1077	£1167	£1316
2 bed House	2 Bed Flat	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds									
£568	£284	£778	£957	£1077	£1167	£1316									
Commercial development of 1000 employees to be negotiated on a case-by-case basis.															

11.1.7 The Council's requirements for new development to contribute towards the additional provision of children's centres and children's social services are set out in the table below:

Table 3: Children's Centres and Social Services						
Type of facility for which provision may be needed	Additional accommodation to form children's centres at schools. Centres also provide accommodation for outreach worker.					
Current guidance on the issue	Government publication "Every Child Matters" 2003. RSS Policy SS2					
Geographical areas where known issues	In Leighton Buzzard, and Icknield Ward of Dunstable new developments will require additional provision. Elsewhere the largest new developments may require additional provision.					
Basis of assessing need and contributions	Children's centres are to be provided for every 800 children to provide joined up services. A social worker is needed for about every 100 houses, though only the capital costs of local outreach/counselling facilities will be sought for children's services. Social Services suggest 1 room and store is required for every 500-1000 houses. See Annex 1 of the Background Paper.					
Current cost guidelines	Freestanding Children's centres cost approximately £450,000 to provide. The cost of providing additional permanent roomspace to operate Children's Social Services may cost in the region of £300,000.					
Threshold/type of development which may trigger need	Standard Charge for new residential developments of 1 or more dwellings where there is insufficient capacity Contributions are not sought for elderly, student or 1 bedroom flats/houses. Up to a 50% allowance may be made for 2 bed flats dependent on firm information on the dwelling type and mix.					
Charging Method Standard Charge for new residential developments of 1 or more dwelling where new or upgraded children's centres are needed locally. Standard charge is: £203 per dwelling						
Derived Standard Charges are:						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£161	£81	£220	£271	£305	£330	£372
New children's centres associated with the provision of new schools on a development will be negotiated on a case-by-case.						

School Transport

11.1.8 The requirements for new development to contribute towards the additional provision of school transport services are set out in the table below:

Table 4: School Transport	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • Funding for school transport for pupils from large developments until on site provision made. • Also interim “gap” funding for school transport in initial years (up to 3 yrs) between children moving into new developments and budget provision. • Facilities at destination schools for buses to “drop off” pupils • Pick up facilities close to the site itself.
Current guidance on the issue	Policy on school transport to bus pupils up to age 16 on distance or highway safety grounds. PPG 13 Transport RSS Policy T1
Geographical areas where known issues	Obligations may apply district wide
Basis of assessing need and contributions	Where under School Transport Policy requirements there is a need for provision of school transport and problems are likely to arise. Costs estimated on cost of providing for the estimated number of children coming forward each year, as the site is developed likely to be eligible for school transport.
Threshold/type of development which may trigger need	Residential developments of 50 dwellings or more. Contributions are not sought for elderly, student or 1 bedroom flats/houses and up to a 50% allowance may be made for 2 bed flats when there is firm information on the dwelling mix. More details are included in Background Paper Annex 1
Charging method	Negotiated on by a case-by-case basis.

11.2 Sustainable Transport

11.2.1 Planning Policy Guidance 13 (Transport) promotes accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling with an emphasis towards reducing the need to travel.

11.2.2 Planning obligations may be used to achieve improvements to public transport, walking and cycling where such measures would be likely to influence travel patterns to the development involved. Obligations may therefore include both off-site and on-site measures with the emphasis upon maximising access by public transport, walking and cycling.

11.2.3 The Highway Authority’s approach to negotiating planning obligations on transportation issues is incorporated into the Developer Contributions Strategy (adopted March 2007). The Council has adopted those requirements within this SPD as the basis of planning obligations for additional transportation provision. Details are set out below.

Table 5: Transportation – general requirements	
<p>Type of facility for which provision may be needed</p> <p>cross referencing to other tables</p>	<p>Normally identified through Travel Assessment and Travel Plans including</p> <ul style="list-style-type: none"> •Highway Works •Public transport, improvement to facilities and services •Improvement to the local highway network with particular emphasis on accessibility - walking and cycling routes and safe crossing points including safer routes to schools •Traffic calming and management •Welcome packs with information on public transport and other local sustainable travel opportunities. <p>More details below in separate sections. Contributions to major defined projects Contributions may also be sought towards major infrastructure projects (usually but not always identified through Development Plan Documents) by a standard charge/ tariff based on a costed scheme. These could include contributions to new or improved strategic infrastructure, station improvements etc. in particular such as new Station at Elstow New Settlement and Luton and Dunstable busway. Local Projects Contributions may be sought to locally identified projects e.g. in parish plans where justified by the impact of development on the locality</p>
Current guidance on the issue	National Planning Policy Guidance Notes in particular PPG13. Beds CC document Approach to Highway and Transportation Issues, updated November 2006 - this is reproduced as Appendix 3 in view of its key role in identifying the range and scope of Works and contributions required, in the context of LTP2 and DFT Guidance on Accessibility Planning
Geographical areas where known issues	The transportation issues associated with a development will vary throughout the authority and between rural and urban locations but all substantial new developments are likely to require transportation obligations.
Basis of assessing need and contributions.	Local Plan, Travel Assessment, Travel Plan which is a key tool in identifying needs for all modes of transport, negotiation at planning application, Design and Accessibility Statement
Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its scale. Travel Plans are generally required for residential development of 50 or more dwellings and employment areas of more than 1000 sq. m gross floor area. It is expected that these will accompany the application.
Charging Method	Negotiated on a case-by-case basis

Highways Works

Table 6: Highways Work	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> •Major new road as part of development proposals •Off-site highway works such as junction improvement, traffic calming and management •Mitigation “pot” for major sites to deal with future improvement works as part of a “plan, monitor, manage approach” together with funding for traffic count monitoring. <p>See Background Paper Annex 3</p>
Current guidance on the issue	PPG13. Planning Policy, Highway and Transportation Issues,– see Annex 3. RSS Policy T1
Geographical areas where known issues	Applies district wide. All substantial new developments are likely to require transportation obligations.
Basis of assessing need and contributions.	Local Plan, Travel Assessment/Travel plan which are key tools, negotiation at planning application stage.
Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its scale.
Charging method	Negotiated on a case-by-case basis

Walking/Cycling and Safer Routes to School

Table 7: Walking/cycling and safer routes to school	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> •New or improved routes for pedestrians and cyclists to link development to existing network and services and facilities in nearby settlements – on or off road as appropriate (preferably off road for routes to lower/middle schools) •Safe crossing points such as light controlled crossings (sometimes in association with traffic calming), bridge, underpass. Where a particular problem is envisaged CCTV provision may be required, including provision and maintenance of cameras etc. Otherwise ducting may be required. •Cycle parking
Current guidance on the issue	PPG13. Highway Authority publication Cycle Stand, School Travel Plan Strategy, DfT Good Practice Guide October 05
Geographical areas where known issues	Applies district wide
Basis of assessing need and contributions.	Local Plan, Travel Assessment and Travel Plan which are key tools, negotiation at planning application stage,
Current cost guidelines	
Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its scale. Travel Plans are generally required for residential development of 50 or more dwellings/ 1000sq. m gross floor area for employment
Charging Method	Negotiated on a case-by-case basis

Public transport/sustainable transport measures

Table 8: Public Transport/sustainable transport measures	
Type of facility for which provision may be needed	Financial Contribution to improved public transport services or Demand Responsive Transport service in early years of a development <ul style="list-style-type: none"> •Contribution towards railway stations, improvements and interchange facilities •Provision of bus routes within the development, completed to surface course for early bus route provision •Bus priority lanes or "gates" on/off site •Improvements to bus stops for low level buses, disabled access •Planned provision of bus stops/shelters (and associated wider footways) •Real time information displays •Publicity and promotion of public transport through welcome packs for instance provided by developers •Contributions to major sustainable transport schemes, in particular the Luton-Dunstable busway •Contribution to Park and Ride facility and services in lieu of town centre parking provision •Car sharing schemes, travel information systems/broadband connection see Annex 3 for further information
Current policy/guidance on the issue	PPG13. Highway Authority Planning Policy, Highway and Transportation Issues, updated Nov 06 - see Annex 3. RSS Policies SS2, T1, T7 and T13
Geographical areas where known issues	Applies district wide
Basis of assessing need and contributions.	Travel Assessment /Residential or Workplace Travel Plan or School Travel Plans.
Threshold/type of development which may trigger need	Any development may have some obligation commensurate to its scale
Charging method	Negotiated on a case-by-case basis

11.3 Health Care Facilities

11.3.1 The levels of housing and population growth planned for the South Bedfordshire area will place additional pressure on existing health and social care provision. Whilst in some instances, existing infrastructure has capacity to cope with growth; NHS Bedfordshire (formerly the Bedfordshire Primary Care Trust) indicates that a number of communities will need new or extended health facilities to cater for this growth. There will also be additional needs for Secondary and Mental Health Care facilities.

11.3.2 The basis of health proposals and priorities is set out in the NHS Bedfordshire medium term strategy “A Healthier Bedfordshire 2007 –2012”.

11.3.3 Based on population statistics, the increase in population from 2006 to 2021 is 28,900 people. Using the national average of 1,800 patients to a GP, a total of 16 additional GP’s will be required to service the population to 2021. If the assumption is that 4 or 5 GP practices work together then 3 or 4 new health care centres will be needed by 2021 and an additional 2 by 2031.

11.3.4 Work undertaken by NHS Bedfordshire identifies the cost of a 4-GP Primary Healthcare Centre as being in the order of £1.87m (accommodation and land). This equates to a contribution for healthcare of an average £703 per dwelling. Additional placements generated by population growth for Secondary and Mental Health Care have been costed by NHS Bedfordshire and equate to an average per dwelling of £568 and £32 respectively.

11.3.5 The calculation basis for these charges are set out in Annex 4 of Background Paper These standard charges are set out in the table below:

Table 9: Health Care Facilities	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • New Primary Care Centres • Additional Secondary Care facilities • Additional Mental Health Care facilities.
Current policy/guidance on the issue	RSS Policy SS2
Geographical areas where known issues	District wide for Secondary and Mental Health Care. Primary care in areas of need: Dunstable and Leighton Linlade.
Basis of assessing need and contributions	NHS Bedfordshire contribution calculation set out in Annex 5 of the Background Paper. Where charges for Primary Health Care are required in defined areas of need and extensions to existing facilities are required then only the buildings element of the charge would be applicable.
Threshold/type of development which may trigger need	All new residential development. Health Impact Assessments (HIA) will be used as follows: 50 – 199 dwellings within areas of need 200 – 999 dwellings - all areas - high level HIA 1000+ dwellings full HIA

Charging Method

Standard Charge for all new residential development where new facilities are needed to help provide for additional healthcare needs arising from the development proposed.

The standard charges are:

Primary Health Care - **£444(Buildings), £156(Land) - £600 total Derived Charges are:**

	1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
Building	£241	£352	£481	£592	£666	£722	£814
Land	£85	£124	£169	£208	£234	£254	£286
	£326	£476	£650	£800	£900	£976	£1100

Where extensions to premises are needed then only the Buildings charge would apply

Secondary Health Care: **£568**

Derived Charges are:

1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+Beds
£308	£449	£615	£757	£852	£923	£1041

Mental Health Care: **£32**

Derived Charges are:

1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+Beds
£18	£ 26	£35	£43	£49	£53	£59

11.4 Environmental Impacts

11.4.1 Planning obligations will be sought to mitigate a number of 'direct' site related environmental impacts of development upon archaeology, the historic environment, biodiversity, geology, landscape and flood risk management. In certain circumstances, replacement and/or mitigation works will not be an option and that some proposals are going to remain inherently unacceptable regardless of the level of replacement or mitigation works proposed. Because these 'direct' environmental impacts are specific to the nature of each site where they occur they will be negotiated on a case-by-case basis.

11.4.2 Whilst the Green Infrastructure standard charges set out in Table 19 include costings for the delivery of elements of the historic environment, biodiversity and landscape these are to provide for more general future greenspace needs. It is not intended that such obligations are sought twice and case-by-case basis negotiation will ensure this.

11.4.3 The basis for securing planning obligations to deal with these environmental impacts is set out below:

Archaeology

Type of facility for which provision may be needed	Archaeological investigation; protection, management, interpretation and enhancement of sites and features.
Current guidance on the issue	PPG's 15 and 16 RSS ENV6 and C1
Geographical areas where known issues	Any areas of archaeological interest within the district.

Basis of assessing need and contributions	On an individual case-by-case basis dependant on the assessment of impacts and relevant policy and guidance. Generally archaeological issues are dealt with by condition after initial assessment but there are occasions when we may recommend S106 agreements as the most appropriate way to deal with specific issues directly related to the sites such as archaeological investigation, protection, management and enhancement of sites and features. Public access to sites and provision of interpretation boards will also be considered.
Threshold/type of development which may trigger need	Those affecting areas of archaeological interest and Scheduled Ancient Monuments
Charging Method	To be negotiated on a case-by-case basis

Historic Environment

Table 11: Historic Environment	
Type of facility for which provision may be needed	Repair, protection monitoring, restoration, conservation management, enhancement, public access to and interpretation of historic environment assets such as historic buildings, structures and areas (including listed buildings and conservation areas) and historic parks and gardens (including registered historic parks and gardens).
Current guidance on the issue	PPGs 15 and 16 RSS policies ENV6 and C1
Geographical areas where known issues	Applies over the whole district
Basis of assessing need and contributions	On an individual case-by-case basis dependant on the assessment of impacts and relevant policy and guidance. Generally historic environment issues are dealt with through the application and by condition. There are occasions where we recommend S106 agreements as the most appropriate way of dealing with specific issues e.g. repairs to a historic asset secured through a development or monitoring of its condition.
Threshold/type of development which may trigger need	Those affecting features and areas of architectural or historic interest.
Charging Method	To be negotiated on a case-by-case basis

Biodiversity and Geology

Table 12: Biodiversity and Geology	
Type of facility for which provision may be needed.	Creation and long-term implementation of a protective management regime for existing habitats, species or geological sites. Creation of new habitats, sites for species conservation or geological sites and adequate provision to secure long term management
Current guidance on the issue	PPS9, Defra circular 01/2005 and ODPM/Defra/English Nature (2005) Planning for Biodiversity and Geological Conservation: A Guide to Good Practice. UK and Local Biodiversity Action Plans and Local Geodiversity Plan RSS Policies ENV1, ENV3 and SS8
Geographical areas where known issues	Applies across the whole District
Basis of assessing need and contributions.	On an individual case by case basis dependant on assessment of ecological/geological impacts and on recommendations in relevant good practice guidance
Threshold/type of development which may trigger need	Any development that has an immediate impact on priority (defined in UK and Local Biodiversity Action Plans and Local Geodiversity Plan, BAP and GP) habitats, species or geology. Any development that has an immediate impact on sites or species protected by law or on locally designated sites. (County Wildlife Sites, Regionally Important Geological Sites, sites identified as of local biodiversity significance in local green space or other strategies) Any development assessed as having significant resulting impact on important

	priority habitats/species/geological sites, sites and species protected by law or locally designated site.
Charging Method	To be negotiated on a case-by-case basis.

Landscape

Table 13: Landscape	
Type of facility for which provision may be needed.	<p>Conserving and adding to landscape character through:</p> <ul style="list-style-type: none"> • Enhancement and long term management of existing landscapes • Creation, establishment and long term management of new landscaping • Integrating new developments and landscaping with existing <p>This section covers hard and soft landscaping. Landscape renewal needs to take account of cultural and ecological resources, and the potential for enhancement, as well as the existing characteristics and condition of the landscape.</p>
Current guidance on the issue	<p>PPS7 RSS 14 and other policy guidance. The Bedfordshire Landscape Character Assessment (County and District levels). Countryside Agency: Countryside In and Around Towns. Local Plan Policy NE3 Areas of Great Landscape Value</p>
Geographical areas where known issues	<p>District Wide National, regional and local priorities for conservation/enhancement include the Chilterns AONB, growth areas and other landscape areas identified in Strategic Green Infrastructure Plan.</p>
Basis of assessing need and contributions.	On a case-by-case basis, following landscape assessment and a study of the visual impact on the surrounding landscape, and relevant policy and guidance.
Threshold/type of development which may trigger need	Any development which has an immediate or resulting impact on landscape character, resulting in the need to restore, enhance or protect existing features and/or to create a new, appropriate landscape context.
Charging Method	To be negotiated on a case-by-case basis

Flood Risk Management

Table 14: Flood Risk Management	
Type of Facility for which provision may be needed	<p>Future maintenance, refurbishment and replacement of flood risk management facilities provided by developer to serve development.</p> <p>Contribution to improve existing off-site system which development outfalls into, so as to achieve the required standards of service that may differ from pre to post development.</p>
Current guidance on the issue	<p>PPS 25 RSS Policies SS2, WAT 2 and WAT4</p>
Geographical areas where known issues	Applies across the whole District
Basis of assessing need and contributions	<p>All Developments require a flood risk assessment in accordance with PPS25. On an individual case-by-case basis dependent on the Flood Risk Assessment prepared by the developers to the satisfaction of the operating Authority.</p>
Threshold/type of development which may trigger need	All developments
Charging Method	<p>Each case will be negotiated individually with Local Bedfordshire river drainage boards to assess if the site is within, or impacts on the drainage in the Boards District.</p> <p>Consultation will also be held with the Environment Agency</p>

11.5 ExtraCare and Enhanced Sheltered Housing

- 11.5.1 Social Services indicate an increasing need for the provision of 'ExtraCare' and enhanced sheltered (ES) housing. ExtraCare housing is in essence, purpose built accommodation in which varying amounts of care and support can be offered and where some services and facilities are shared. Such housing 'bridges the gap' between nursing home accommodation and owner/occupier retirement homes. Review of housing and care needs of older people in Bedfordshire: Report from the ExtraCare Charitable Trust and Contact Consulting (September 2006) indicated a shortfall in the period to 2015 of 172 units of ExtraCare housing, 69 units of rented ES housing and 138 units of leasehold ES housing in the South Bedfordshire area. Provision is usually in 40-60 units.
- 11.5.2 Major new housing schemes over 500 dwellings will be expected to provide for such housing as part of their overall mix.

Table 15: ExtraCare and Enhanced Sheltered Housing	
Type of facility for which provision may be needed	Site for, or provision of "extra care" retirement dwellings, minimum 40 units which may be leasehold (private) and/or shared ownership or housing association
Current guidance on the issue	RSS Policy SS2 September 2006 report by ExtraCare Trust to Bedfordshire County Council. Saved
Geographical areas where known issues	Applies district wide.
Basis of assessing need and contributions	Review of housing and care needs of older people in Bedfordshire: Report from the ExtraCare Charitable Trust and Contact Consulting (September 2006)
Threshold/type of development which may trigger need	All sites of 500+ dwellings. Objective to provide for 6 -7 % minimum of dwellings to be "ExtraCare"
Charging Method	To be negotiated on a case-by-case basis.

11.6 Leisure, Recreational Open Space and Green Infrastructure

- 11.6.1 New residential development and significant commercial development brings with it additional demands for leisure infrastructure including new indoor sports/leisure facilities. It often brings the need to provide for improved recreational open space, such as additional sports courts, pitches, amenity space, children's play space, allotments and access to the wider countryside for recreation. The Council's enabling role requires it to ensure the delivery of these facilities to the appropriate quality standard and in the appropriate location.
- 11.6.2 PPG17 makes it clear that planning obligations may be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision. It states that local authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increase local needs. To justify planning obligations however, PPG17 makes it clear that local authorities must have a sound understanding of leisure needs and should set local standards to confirm levels of provision required.
- 11.6.3 In general terms where additional leisure needs arise associated with new development that cannot be met through existing provision, it is expected that development should contribute towards new, extended or improved facilities. As a

general principle contributions will be pooled and ring fenced. Where development is of sufficient size and location to justify the provision of new facilities by itself, it will be expected to fund the total cost of such provision. Details of developer's planning obligations in respect of leisure and recreational facilities are set out below.

Indoor Sports and Leisure Centres

11.6.4 Within the former South Bedfordshire area there are three leisure centres located in Dunstable, Houghton Regis and on the outskirts of Leighton Buzzard. In addition there are also 5 school sites, which have indoor sports provision. The extent of community access however, is at the discretion of the individual schools. The Council also works closely with town and parish councils and private local organisations to help provide smaller leisure facilities.

11.6.5 In response to growth and the aim of improving leisure provision within the district, the Council adopted in June 2008 a Sports Facilities Strategy that uses local standards to calculate the need for indoor sports facilities. Priority facility needs include accessible sports halls, fitness stations, swimming pools and squash courts. Whilst some of the most critical issues to be addressed are in Leighton Buzzard there are district wide needs.

Table 16: New indoor sports and leisure centres							
Type of Facility for which provision may be needed	Needs include swimming pools, sports halls, health and fitness stations and indoor bowls. Refurbishment of the facilities at Tiddenfoot and replacement of facilities at Houghton Regis						
Current guidance on the issue	PPG17 RSS Policies SS2 and C1 South Beds District Council Sports Facilities Strategy (2008) Strategic Leisure Ltd.						
Geographical areas where known issues	District wide						
Basis of assessing need and contributions	See Annex 5 of Background paper. Exemptions and/or partial exemptions may apply to ExtraCare homes and other specialist housing to be negotiated on a case-by-case basis						
Threshold/type of development which may trigger need	All new residential development. Non-residential development may be required to contribute; large commercial of 1000sq m or 50 or more employees; holiday accommodation such as holiday and caravan parks.						
Charging method							
Standard Charge for all new residential development to help provide for new planned leisure centres is: £715							
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+Beds	
£387	£566	£775	£954	£1073	£1162	£1311	
Commercial developments and holidays parks will be charged on a case-by-case basis							

Recreational Open Space

11.6.6 Policies R2 – R10 and R14 in the Adopted Local Plan sets out standards for the provision of Children's Playspace, Outdoor Sporting Open Space and Informal Recreational (Amenity) Space. The Local Plan also includes specific guidelines of the

circumstances in which open space provision should be made on-site (normally the first preference) or off-site. The standard of provision is as set out below:

Category	Standard
Children's Playspace	0.7ha per 1000
Outdoor Sporting Space	1.7ha per 1000 * See 11.6.7 below
Amenity Space	0.8ha per 1000

11.6.7 At present there is no assessment of the quantity and quality of children's play space and amenity space so that addressing needs for new or improved cannot be undertaken other than those generated by specific development schemes. However, when the Council adopted the Sports Facilities Strategy it also adopted a Playing Pitch Strategy which included a new local standard of 2.4ha per 1000 for outdoor sporting space. This Strategy identified various needs that will be generated by the growth of population to 2021. The costs and contributions are set out in the table below

Table 17: Recreational Open Space															
Type of Facility for which provision may be needed	New children's playspace, outdoor sporting open space (i.e. Playing pitches, courts etc.) and informal open space. Improvements to existing open space near to development sites.														
Current guidance on the issue	RSS Policies SS2 and C1 Saved Local Plan Policies R10 and R11 South Beds District Council Playing Pitch Strategy (2008) Strategic Leisure Limited Green Space Strategy (2008) Halcrow														
Geographical areas when known issues	Applies district wide.														
Basis of assessing need and contributions	See Annex 6 of the Background Paper for basis of charges.														
Current cost guidelines	See Annex 6 of the Background Paper for basis of charges.														
Threshold/type of development which may trigger need	All new residential development. Children's Play and Amenity space; on-site in accordance with Local Plan Standards. Outdoor Sporting Space; on large schemes case-by case negotiation for on-site provision and/or contributions where appropriate; single dwelling upwards standard charge contributions as set out below. Exemptions Depending on the nature of the development and location contributions towards children's play space will not be required for rest homes, nursing homes and hostels. Requirements for other specialist housing will be considered on its merits. Non residential development Large commercial of 1000sq m or 50 or more employees; holiday accommodation such as holiday and caravan parks may be required to contribute to Outdoor Sporting and Informal Space; Health Facilities may be required to contribute to open space.														
Charging method Standard Charges for all new residential developments are: Outdoor Sporting Open Space: £720 per dwelling Derived Charges are:															
<table border="1"> <thead> <tr> <th>1 Bedroom</th> <th>2 Beds</th> <th>3 Beds</th> <th>4 Beds</th> <th>5 Beds</th> <th>6 Beds</th> <th>7+ Beds</th> </tr> </thead> <tbody> <tr> <td>£390</td> <td>£570</td> <td>£780</td> <td>£960</td> <td>£ 1080</td> <td>£1170</td> <td>£1320</td> </tr> </tbody> </table>		1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£390	£570	£780	£960	£ 1080	£1170	£1320
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds									
£390	£570	£780	£960	£ 1080	£1170	£1320									
Non Residential Development Large commercial development, holiday accommodation and Health facilities to be negotiated on a case-by-case basis for Informal Open Space and exceptionally Outdoor Sporting Space															

11.6.8 In addition, planning obligations will be used by the Council to secure commuted sums towards the maintenance of recreational open space for an initial 20-year period. The basis of calculating commuted maintenance sums is available on request.

Allotments

11.6.9 While Open Space Strategies include information on existing allotment provision, the Adopted Local Plan does not set a standard for the improvement of existing sites or provision of new sites. It is therefore likely that a potential requirement for new allotment provision will only occur in association with large new residential developments. The demand for allotments together with the quality and quantity of provision in a settlement will be used to inform the decision as to whether or not development should make allotment provision as part of its proposals. The 'PPG 17' Study of Open Space may also lead to local standards.

For schemes of 200 or more dwellings planning obligations will be negotiated on a case-by-case basis.

Countryside Recreation Space and Green Infrastructure

11.6.10 In order to deliver the sustainable growth planned for South Bedfordshire, investment needs to be made into green infrastructure, along with other forms of infrastructure. Pressure will be placed on the existing green infrastructure network, so there is a need to invest in existing facilities and to create new facilities. This will result in the development of a planned, multifunctional network that delivers social, economic and environmental benefits.

11.6.11 In order to plan for the additional green infrastructure necessary, the Bedfordshire and Luton Green Infrastructure (GI) Consortium has been set up. The consortium consists of a range of statutory agencies, local authorities and voluntary sector organisations and the Secretariat and support is provided by Bedfordshire County Council.

11.6.12 A Countywide Strategic GI Plan was completed in March 2007 and a GI Plan for Luton and the South Bedfordshire area is being developed. Sufficient work has been undertaken to identify and cost the priority work needed to deliver a multi-functional Green Infrastructure Network across the South Bedfordshire area. This enables a Standard Charge to be derived and to be applied to all new dwellings.

11.6.13 For some elements of Infrastructure it may be appropriate to seek contributions from commercial development. These would be negotiated on a case-by-case basis.

Table 18: Green Infrastructure	
Type of facility for which provision may be needed	Green infrastructure covers landscapes, biodiversity, historic environment, outdoor access and recreation and is strongly linked to public benefits. It includes a wide range of type of asset (e.g. country parks, historic landscapes, nature reserves, woodland, ancient monuments and footpaths) and activity (e.g. management, improvement and creation). Assets can have access for the public and may be owned by public bodies, the voluntary sector, private individuals or organisations. They include countryside and heritage sites owned by local authorities. The green infrastructure networks combine all these elements and

	<p>deliver a number of functions at the same time and the aim is to improve, expand and link the network through proposals in GI plans. Contributions sought are likely to be financial, but contributions of land/planting may also be appropriate in some circumstances.</p>					
Current policy/guidance on the issue	<p>Extensive policy and guidance at national, regional, sub-regional and local level including PPG17. County Council priority and action for managing growth and delivering improved infrastructure. RSS Policies SS1, SS2, SS8, C1, ENV1, 2, 3, 4, and 6 Saved Local Plan Policies R14, R15 and R16.</p>					
Geographical areas where known issues	<p>Green Infrastructure obligations will apply district wide.</p>					
Basis of assessing need and contributions	<p>Impact of new development upon usage of existing areas identified on a case-by-case basis, taking account of the emerging Strategic GI Plan and existing plans such as the AONB Management Plan etc. Basis of Green Infrastructure Standard Charge is set out in Annex 7</p>					
Threshold/type of development which may trigger need	<p>All new residential development district wide. Commercial development of 1000 sq. m or more</p>					
<p>Charging Method Standard Charge for all new residential developments: £707 Derived Charges are:</p>						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 beds	6 beds	7+ beds
£384	£561	£767	£944	£1062	£1151	£1298
<p>Commercial development of 1000 sq. m or more: Case-by-case basis District wide</p>						

Rights of Way

11.6.14 As part of the Green Infrastructure charge, contributions will be directed at securing and enhancing strategic access routes. The need for improvements linked to development proposals to improve accessibility, surfacing and linkages to existing and proposed rights of way networks will, however, remain. Where the scale and location of development will require linkages and/or lead to increased use the Council will secure appropriate planning obligations.

Type of Facility for which provision may be needed	New or improved routes (including footpaths, bridleways and cycle ways where appropriate) to existing or proposed network. To include surface improvements for desired use, erection of structures, which are access friendly (such as bridges and gates, not stiles), signage, lighting (where appropriate), dog bins and other works necessary to make routes accessible. Contributions will need to include commuted sums to cover establishment, management and maintenance.
Current guidance on the issue	Outdoor Access Improvement Plan, RRS Policies SS8, T1 and T9 Saved Local Plan Policies R14 and R15
Geographical areas where known issues	Applies district wide. Particular consideration will be given to achieving off site local pedestrian/cycleway routes which link development sites with open spaces and leisure/community uses and strategic routes.
Basis of assessing need and contributions	Impact of new development upon usage of existing areas will be identified on a case-by-case basis.
Threshold/type of development which may trigger need	All residential and commercial developments will be considered
Charging method	To be negotiated on a case-by-case basis.

11.7 Social and Community Infrastructure

11.7.1 An appropriate range and scale of community facilities and local services is an essential ingredient of building cohesive, inclusive and sustainable communities. Social infrastructure should include providing community development staff; helping people to access services, network and socialise; to form new community groups and get involved in volunteering and a range of community facilities.

11.7.2 Responsibility for the provision of community facilities lies primarily with other organisations although the Council often plays a critical enabling and/or co-ordinating role.

11.7.3 The additional growth planned for the South Bedfordshire area will place additional pressure on existing facilities and may exacerbate existing deficiencies in certain areas. Equally, new developments will generate extra demand and some areas may improve the viability and vitality of existing community facilities and services.

11.7.4 Local authorities, local organisations and local charities have traditionally been the source of funding for the provision of community facilities. Some facilities, such as shops, are generally privately funded. Post offices receive Government subsidy although financial constraints have led to increased scrutiny of the current network of facilities, with many smaller outlets facing closure. In some cases community shops, sometimes embracing a post office, have been established to provide a much needed facility.

11.7.5 Whilst such funding will need to continue, development will where appropriate, be expected to make a contribution towards new or enhanced facilities. Such

contributions could take the form of land, buildings or other capital costs, or a combination. Additionally, as with many other service areas, pressure is growing to seek revenue contributions, particularly as 'pump-priming' for the early years of new provision.

Interim Community Facilities

- 11.7.6 In large housing schemes there is a need to provide, as early as possible, a community meeting point or "facility" for residents to socialise, access information and from where emerging groups can operate. This "facility" could take various forms and will be temporary until the development is of a size to justify purpose designed buildings. The size of a temporary "facility" is expected to be related to the eventual scale of development. It is essential that developers recognise and address this need early in the design and implementation process.
- 11.7.7 It should be recognised that a "facility" can be provided in a variety of ways and it would be inappropriate to be overly prescriptive in this document. However, in recent large scale housing schemes in this area, notably at Leighton Buzzard, the Council has successfully adopted a Community House Model in which a house has been secured to fulfill the role of a facility. Other examples include the use of space in another community facility which negates the need for a dedicated interim community facility but requires contributions towards facilitating the occupation of that space (e.g. rent). Guidance on the considerations in the provision of a suitably equipped facility is set out in Annex 8 of Background Paper.

Type of facility for which provision may be needed	Temporary and then permanent community facilities. Initial premises may be provided from buildings that will eventually be used for other purposes e.g. dwellings/garages/business units.
Current guidance on the issue	Research by the MKSM Social Infrastructure Group, set out in their report <i>Strong Communities</i> (September 2002). Luton and South Bedfordshire Social and Community Infrastructure Study (January 2009). RSS Policy SS1
Geographical Areas where known issues	District wide on large housing schemes
Basis of assessing need and contributions	Individual assessment for residential schemes of 100 or more dwellings
Current cost guidelines	To be negotiated on a case-by-case basis
Threshold/type of development which may trigger need	100 dwellings or more for facilities
Charging Method	To be negotiated on a case-by-case basis

Community Development

- 11.7.8 In addition to the provision of interim/permanent facilities it is necessary to contribute towards the provision of "Community Mobiliser" workers (with the requisite community development skills) for large scale developments. Guidance on this is set out in Annex 8; Background Paper.

Type of facility for which provision may be needed	Community mobiliser workers to facilitate opportunities for new residents to meet, socialise and organise themselves through new community and self-help groups.
Current guidance on the	Research by the MKSM Social Infrastructure Group, set out in their

issue	report <i>Strong Communities</i> (September 2002). Luton and South Bedfordshire Social and Community Infrastructure Study (January 2009). RSS Policy SS1
Geographical Areas where known issues	District wide on large housing schemes
Basis of assessing need and contributions	Individual assessment for large scale residential schemes
Current cost guidelines	To be negotiated on a case-by-case basis
Threshold/type of development which may trigger need	700 +dwellings per Mobiliser worker
Charging Method	To be negotiated on a case-by-case basis

Welcome Information Packs

- 11.7.9 Where community facilities are not provided and the development is less than 700, it is important that incoming residents are made aware of the services and facilities that are available or being made available locally in association with the development. In this context, when residents register as Council Tax payers, the Council, working with local service providers and partners, will provide every household with 'Welcome to your Local Community' household information packs.
- 11.7.10 **The Standard Charge for these packs is £19 per dwelling. Contributions to cover the cost of these packs will be secured for all new residential development.** The basis for this is set out in Annex 11 of Background Paper.

Village and Community Halls

- 11.7.11 Village and community halls may offer a range of facilities such as meeting places, club venues, cultural, learning, sports and leisure. In many small rural communities in particular, they can be a hub of activities and a focus for local people. In a large new development provision may well be in a multi-use building.
- 11.7.12 The former South Bedfordshire area has 5 community Halls, located in Houghton Regis, Leighton Buzzard and three in Linslade and additional halls are also in Dunstable.
- 11.7.13 In addition to these, there are also numerous community buildings in rural villages in the Southern Bedfordshire area of Central Bedfordshire Council, including village halls, school halls and church halls. The Rural Services Survey, lists 16 village halls, 8 church halls, 6 social clubs and 8 school halls available for community use
- 11.7.14 However, recent work conducted by Roger Tym and Partners has identified the need for 7 additional community halls to accommodate the expected growth from 2006 to 2031 in the former South Beds area. Additional recent survey information will help to affirm or amend this data.
- 11.7.15 These recognised needs; together with population increases arising from new development will increase the demands placed upon existing centres and halls. The Council would like to ensure that these continue to meet the needs of its new and existing residents. Therefore, contributions will be sought towards the provision of new centres, halls or enhancement of existing facilities, where they

are necessary. In some instances revenue funding may also be sought in the form of facility management and maintenance costs for a limited period of time.

- 11.7.16 Based upon local experience of recent new developments, the standard provision for community centres is 100 sq metres of floor space per 1000 people. This equates to 0.1 sq. metres per person. In smaller settlements, a higher ratio could be considered reasonable as there are often few or no other community facilities within the vicinity, the populations are generally smaller and there needs to be a basic size of hall and standard of facilities to make the facility viable, however, the 0.1 sq. metres per person standard will be applied by the Council in all circumstances where improvements are needed locally. Based on this standard, a standard charge for all new residential development is set out below:

Table 22: Community and Village Halls						
Type of Facility for which provision may be needed	New community/village halls or extensions/improvements to existing facilities					
Current guidance on the issue	RSS policies SS2 and C1,					
Geographical areas where known issues	ChaltonDunstable, Eggington, Heath & Reach, Hockliffe, Houghton Regis, Hyde, Leighton Linslade, Slip End, Totternhoe and Whipsnade Growth Areas around Leighton Buzzard and Linslade.					
Basis of assessing need and contributions	South Beds Community Venues Survey May – February 2009 BRCC survey					
Current cost guidelines	The standard charge is based upon the average costs of providing a new community/village hall at £1,879 per sq. metre. See Annex 8 of Background Paper.					
Threshold/type of development which may trigger need	All new residential development					
Charging Method						
Standard Charge for all new residential developments in defined Parishes is £451						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£244	£357	£489	£601	£677	£733	£827
Developments over 350 dwellings to be negotiated case-by-case.						

Youth Services

- 11.7.17 The 1944 Education Act requires the County Council to provide youth services for 13 -19 year olds such as social/meeting places plus support, information, advice and informal education opportunities These responsibilities are distinct from that which is provided by the Council from a leisure perspective.
- 11.7.18 The scale of growth expected across the South Beds area is expected to give rise to additional Youth Centres and improvement to those that exist in Barton, Caddington, Houghton Regis, Leighton Buzzard and Toddington.
- 11.7.19 The Councils requirements for new development to contribute towards youth provision is as follows:

Table 23: Youth Provision	
Type of Facility for which provision may be needed	Space for Youth Services and support for skills/education/IT, preferably as a separate wing in a community centre/library, school or similar
Current guidance on	Government Strategies: Aiming High A Ten Year Strategy, Targeted Youth

the issue	Support and Integrated Youth Services, Every Child Matters; Youth Matters; Transforming Youth Work – Resourcing, Excellent Youth Services. RSS Policy SS2
Geographical areas where known issues	Leighton Buzzard, Houghton Regis, Dunstable Caddington. Toddington and Barton existing buildings unsatisfactory.
Basis of assessing need and contributions	Need can be assessed on basis of demographic and social indicators. Large new developments should provide youth facilities.
Current cost guidelines	New provision either wing on existing building or free standing - between 250-400 sq. m £2,000 sq. m
Threshold/type of development which may trigger need	Where no provision in village/town Large new housing areas about 1000+ houses Large commercial development 1000 sq. m. or more
Charging method	Negotiated on a case-by-case basis

Libraries

11.7.20 Library services contribute to the educational, economic, social, cultural and recreational well being of the community. The County Council has a duty to provide a comprehensive and efficient library service for everyone who lives, works or studies in the County. Facilities can range from large central libraries within towns to community libraries, resource centres providing electronic access to services within multi-use buildings and mobile facilities.

11.7.21 New residential development will add pressure onto the existing library service. There are presently five libraries serving residents in the district. Bedfordshire County Library Service currently administers the five libraries within the district at Barton, Dunstable, Houghton Regis, Leighton Buzzard and Toddington. A mobile library visits other parts of the district.

11.7.22 In planning for additional capacity to help improve facilities and services to serve population growth, the former County Council has identified the need for improvements. It is currently rebuilding Houghton Regis Library, has a long-standing requirement for a library in Caddington and is seeking a long-term solution to the difficulties of the building in Vernon Place, Dunstable.

11.7.23 The former County Council's requirements for new development to contribute towards the provision of library services are set out below.

Table 24: Libraries	
Type of facility for which provision may be needed	<ul style="list-style-type: none"> • Additional equipment/bookstock. • New library, including fitting out and books. • Extension to existing library if capacity issue including commensurate increase in bookstock • Stopping place for mobile library.
Current policy/guidance on the issue	DCMS Public Library Service Standards. RSS – Policies SS2 and C1 MLA Public Libraries, Archives and New Development a Standard Charge Approach
Geographical areas where known issues	<u>Equipment/Bookstock etc.</u> : No current known issues but an increase in bookstock and IT facilities etc. in libraries will be needed to respond to major housing growth <u>Library facilities</u> : Caddington, Dunstable and parishes which look towards them – Kensworth, Whipsnade, Studham, Eaton Bray. Totternhoe look towards Dunstable. Kensworth, Slip End and Hyde look towards both Caddington and Dunstable, and possibly Luton as well.
Basis of assessing need and contributions	The County Council aims to provide permanent library facilities to serve catchments of 6000+ populations requiring a standard of library space

	equating to 23sq.m net per 1000 population, 30 sq. m gross. Minimum library size is about 150 sq. m on site 0.2 ha. Equipment/Bookstock is provided at a ratio of 2 items/per head at about £24 (i.e. £12 per item). See Annex 9 of Background Paper.					
Current cost guidelines	150 sq. m library about £375,000 + fitting out and bookstock 2 items/head of population at about £24 per person.					
Threshold/type of development which may trigger need	All new residential development will be expected to contribute towards additional library equipment/bookstock and the capital costs of new/upgraded library facilities where they are required. Large commercial development with 100 plus employees in the areas of need will be assessed on a case-by-case basis.					
Charging Method						
Standard Charge for all new residential development in defined Parishes to cover additional equipment/bookstock is: £58. Derived Charges are:						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 beds	6 beds	7+ beds
£31	£46	£63	£77	£87	£94	£106
Standard Charge (including equipment/bookstock) for all new residential development in defined Parishes where new or upgraded libraries are required is: £195. Derived Charges are:						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 beds	6 beds	7+ beds
£105	£154	£211	£260	£293	£317	£357
Commercial development to be negotiated on a case-by-case basis.						

Local Shops and Services

11.7.24 Planning obligations may be used by the Council to secure provision of neighbourhood shops and services when approving large new residential development. **Consideration will be given to securing neighbourhood shops and services on all new residential developments of 500 dwellings or more**

Places of Worship

11.7.25 Traditionally, places of worship are provided and sustained by the communities and congregations for whom they emanate. Places of worship undoubtedly contribute to the creation of sustainable communities.

11.7.26 Consequently, **on new residential developments of 500 dwellings or more, developers may be required to provide, or assist in the provision of multi-faith meeting places.** This will usually take the form of a multi-function room within a community building. The level of provision will be related in scale to the development and if flexibly designed could meet a range of community activity needs.

Cemeteries and Burial Grounds

11.7.27 Churchyards and burial grounds in the district are owned and managed by a variety of organisations. Many of the sites are identified as being near, or in some cases very near to their maximum capacity. Several town/parish councils have been trying to secure additional land to extend their burial grounds for some time with limited success due to the high value attached to land in and around settlements.

11.7.28 More certainly than with any other facility, the need for burial and ashes space will continue, accounting for 30% of disposals. This need will be further increased by planned growth in the district's population. Seeking developer contributions for the provision of additional burial space is considered to be reasonable and

justified. Contributions sought will be towards the capital provision of new or improved facilities.

11.7.29 Where a completely new burial ground is provided by development, some revenue funding may also be sought for initial facility management and maintenance costs, usually for a period of up to 3 years. The cost of a standard charge for contributions towards additional burial space is set out below.

Table 25: Cemeteries and Burial Grounds						
Type of Facility for which provision may be needed	New burial ground or extension to existing burial ground					
Current guidance on the issue	RSS Polices SS2					
Geographical areas when known issues	Subject to further assessment but needs established in Eaton Bray, Hockliffe, Leighton Linlade, and Streatley					
Basis of assessing need and contributions	See Annex 10 of Background Paper. Large schemes will be negotiated on a case-by-case basis					
Current cost guidelines	Estimated £130,000 to purchase and provide 100-space burial ground					
Threshold/type of development which may trigger need	All new residential developments					
Charging method						
Standard Charge for all new residential developments in defined Parishes is: £7						
Derived Charges are:						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+Beds
£4	£6	£8	£9	£11	£11	£13
Residential developments of 500 or more dwellings will be negotiated on a case-by-case basis.						

11.8 Information Technology and Community Websites

11.8.1 All new development will need to provide information technology cabling to enable up to-date links to the Internet. For large residential schemes of 500 or more dwellings, developers may be required to establish or contribute towards the establishment of a community website where such facilities do not exist at present. Requirements will be negotiated on a case-by-case basis.

11.9 Waste Management

Waste Collection and Recycling Facilities

11.9.1 The Council is committed to minimising waste and increasing the level of recycling within the district in accordance with national policy.

11.9.2 New residential development will give rise to the need for further waste collection and recycling facilities. Planning obligations will be sought for the capital costs of equipping all new residential properties with kerbside and domestic waste/recycling containers as appropriate.

11.9.3 In addition, larger residential schemes will be required to contribute towards the provision of 'bring sites/community recycling sites' in accordance with the Audit Commission standard of 1 bring site per 750 households.

Table 26: Waste Collection and Recycling	
Type of Facility for which provision may be needed	Kerbside and domestic waste/recycling containers Provision of 'bring sites' for recycling glass, paper or larger 'community re-cycling site' to include cardboard/textiles, or contribution to the provision or upgrade of an existing site. Approx 15m x 5m for a basic site and at least 20m from nearest residential property sited to avoid noise disturbance.
Current guidance on the issue	Bedfordshire and Luton Minerals and Waste Local Plan (Adopted 2005), Waste Management Supplementary Planning Document "Managing Waste in New Developments" (Adopted April 2006) RSS Policies SS2, and WM6
Geographical areas when known issues	Applies district wide in relation to kerbside and domestic waste/recycling containers. Additional 'bring to sites' will be negotiated on case-by-case basis
Basis of assessing need and contributions	All houses and flats to be subject of a standard charges. Bring sites for large developments. See Annex 12 of Background paper.
Current cost guidelines	See Annex 12 of Background paper
Threshold/type of development which may trigger need	Kerbside containers: All new residential development. Bring Sites: Residential developments of 50 dwellings or more may be required to contribute towards the provision of new bring sites where they are needed. Residential developments of 750 dwellings or more will be required to provide a new bring site as part of development.
Charging method	For Kerbside Waste Collection/Recycling, the Standard Charge for all new residential development is: £96 per dwelling (for houses) £52 per dwelling (for flats/communal residents) The need for contributions towards 'bring to sites' in the defined Parishes and new bring sites for all large developments will be negotiated on a case-by-case basis

11.10 Emergency Services

Fire and Rescue Services

11.10.1 There are 3 fire stations in the former South Beds area, although the fire service considers Luton and the whole of Bedfordshire to be one authority, which consists of a total of 14 stations. The stations in the South Beds area are found in Dunstable, Leighton Buzzard and Toddington. With Dunstable being a dedicated 'wholetime' station with a 24hour crew.

11.10.2 The Combined Fire Authority has the statutory duty to ensure that all development is provided with adequate water supplies for fire fighting. In urban areas, hydrants should be located 90 metres apart and in rural areas, 180 metres apart. Where large new developments are proposed, developers will often be required to provide new fire hydrants as part of their development. This provision will be sought through standard wording in planning obligations as appropriate. In practice, the need for hydrants is determined at the time the water services for the development are planned in detail, which is usually after planning permission is granted. If adequate hydrants are available when the water mains are planned then no extra hydrants will be needed.

11.10.3 The Fire Service also has a policy of seeking sprinkler systems in new flatted/communal residential development, such as sheltered housing and in schools. The Council supports this requirement and will secure planning obligations to install sprinkler systems for such developments. The ability of large-scale developments to be adequately served by fire and rescue services

will be assessed on an individual basis. Any impacts will need to be addressed through planning obligations. This may be through the provision of a new fire station or contributions to extend an existing facility.

Police Force

11.10.4 There are police premises in Dunstable, Leighton Buzzard and Houghton Regis. The Bedfordshire Police Force indicates that additional accommodation facilities and officers will be required in the district as a result of planned population growth. A new Police base will be required at Houghton Regis to ensure a local neighbourhood policing presence. Additionally the existing police bases at Dunstable and Leighton Buzzard may require extensions. Additional custody facilities will also be needed at principal police stations to service the additional demand from South Bedfordshire.

11.10.5 The ability of large-scale developments to be adequately policed will be assessed on an individual basis. Any impacts will need to be addressed through planning obligations. This may be through the provision of a new police base or contributions to extend an existing facility. Some commercial developments, particularly those that might attract concentrations of people, may also be the subject of an obligation and will be negotiated on a case-by-case basis.

11.10.6 A methodology for calculating contributions to Policing infrastructure requirements has been developed which sets out the basis of a standard charge for residential development. This is set out in Annex 14 of the Background Paper.

Table 27: Capital Costs of Additional Policing						
Type of Facility for which provision may be needed	New and upgraded general office accommodation and custody facilities. Enquiry points and neighbourhood policing offices, and additional vehicles					
Current guidance on the issue	RSS – SS2					
Geographical areas when known issues	Applies district wide to areas of need.					
Basis of assessing need and contributions	Case-by-case basis					
Current cost guidelines	See Annex 13 of the Background Paper					
Threshold/type of development which may trigger need	All new residential developments. Larger schemes of 500 or more dwellings will be subject to individual assessment. Commercial developments and Nightclubs where a concentration of people will be found. Typical thresholds are 1000 sq m or 1 hectare or more					
Charging method						
Standard Charge for new residential development in areas of need is: £207						
Derived Charges are:						
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds
£112	£164	£224	£276	£311	£336	£380
Large residential developments of over 500 dwellings or more and commercial developments will be negotiated on a case-by-case basis.						

11.11 Public Realm and Community Safety

11.11.1 The quality of the environment within the council's, town, village and neighbourhood centres makes an important contribution toward maintaining sustainable communities. Development that attracts additional visitors and activity into the public realm will result in increased wear and tear. This in turn leads to an increase in the need to renew public space over time. Such renewal may incorporate the provision of new and redesigned public spaces, new

surfacing, street lighting and furniture, hard and soft landscaping, improved signage, public art, litter bins and CCTV.

11.11.2 The Council, working in partnership with the former Bedfordshire County Council and town councils, has recently completed a number of town centre environmental improvement schemes at Houghton Regis, Dunstable Leighton Linslade and additional schemes may be identified in future.

11.11.3 Where renewal schemes are planned, the Council considers it reasonable that non-residential development in and adjacent to the defined Town Centre areas should contribute towards public realm renewal projects where it is evident that those developments will lead to a material level of increased usage. Contributions would be functionally and geographically linked to improvement schemes.

Public Art

11.11.4 Public art integrated with buildings and landscape is an important cultural asset that can enhance and enliven the local environment. The Arts Council endorsed 'Percent for Art' in 1988 as an important means to integrate the work of artists into the planned development of public space.

11.11.5 When provided as part of a development, public art should be fully integrated into that development and complement its overall objectives. It should be appropriate to the scheme and its location, both in terms of public usage and design context and where possible be subject to public consultation and input. The work should also be clearly visible by the public, preferably also publicly accessible and should remain on site permanently or for an agreed period of time.

11.11.6 The work is likely to be commissioned and created specifically for the development. It can take a wide variety of forms such as paintings, sculpture, murals, floor designs, memorials, landscaping, street furniture and temporary work such as performance arts or installations. Materials and processes can involve woodwork, stone carving, metalwork, painting, glasswork, lighting, photography and textiles.

11.11.7 It is unlikely that structure or works located within the public highway will be considered eligible, as the Highway Authority will not normally accept the maintenance liability for such works.

11.11.8 The preferred method for securing public art will be as part of the design process and incorporated in the submitted planning application, where the public art can be secured by condition. An applicant could however also agree to a planning obligation to provide public art on site up to a certain value, in accordance with the Council's standard charge.

11.11.9 Exceptionally, a planning obligation for an off-site contribution will also be acceptable, but there must, in these circumstances, be a known opportunity for public art provision in the locality to which the contribution would be earmarked.

Table 28: Public Art	
Type of facility for which provision may be needed	Piece of public art on development site or contributions to commission piece of art or art project on site. Exceptionally, contributions towards off-site works in the locality will be considered.
Current guidance on the issue	South Beds Public Art Strategy 2007-12 RSS Policy C1
Geographical areas where known issues	Applies district wide.
Basis of assessing need	Need for new public art on developments of 100 or more dwellings will be

and contributions	assessed on a case-by-case basis using £221 per dwelling. Commercial development will be expected to contribute at a rate of £1 per sq. metre for 1000 sq. metres or above. See Annex 14 of Background Paper.														
Current cost guidelines	'Per cent for art' minimum 1% of capital cost; £221 per dwelling for residential and £1 per square metre for commercial														
Threshold/type of development which may trigger need	New residential development of 100 dwellings or more and large scale commercial development such as significant new retail development or business/industrial parks of 1000 sq. metres or more.														
Charging Method Standard Charge for new residential developments of 100 or more dwellings is: £221 per dwelling Derived Charges are:															
<table border="1"> <thead> <tr> <th>1 Bedroom</th> <th>2 Beds</th> <th>3 Beds</th> <th>4 Beds</th> <th>5 Beds</th> <th>6 Beds</th> <th>7+ Beds</th> </tr> </thead> <tbody> <tr> <td>£120</td> <td>£175</td> <td>£239</td> <td>£295</td> <td>£332</td> <td>£359</td> <td>£405</td> </tr> </tbody> </table>		1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds	£120	£175	£239	£295	£332	£359	£405
1 Bedroom	2 Beds	3 Beds	4 Beds	5 Beds	6 Beds	7+ Beds									
£120	£175	£239	£295	£332	£359	£405									
Standard Charge for new commercial/retail development of 1000 sq. metres or more is: £1 per sq. metre															
The determination of whether public art should be provided on or off-site will be on a case-by-case basis.															

CCTV

- 11.11.10 'Safer Places: The Planning System and Crime Prevention' guide (ODPM 2004) states that the prevention of crime and consideration of community safety are matters that local planning authorities should consider in planning for new development. It also states that planning applications should demonstrate how crime prevention measures have been considered and that this should form part of the applicant's design statement submitted with an application. The Secured by Design award scheme is promoted by Bedfordshire Police as a means to achieve some of the aims of safer places. Applicants are advised to consult with the Council's Community Safety team before submitting an application.
- 11.11.11 The provision of CCTV may be identified as a need from the outset of a large scale development including residential but particularly mixed use schemes and those incorporating entertainment and leisure venues, commercial or retail. Other isolated areas may also require CCTV. All these cases will be looked at on an individual basis. Where it is felt necessary as a consequence of development, the provision of or a contribution towards CCTV will be required. This will include the cost of the equipment, its initial set up, linking to the control centre and annual maintenance/running costs over an agreed period of time, usually 5 years.
- 11.11.12 Where it is agreed that CCTV is required, developers will be expected to lay the necessary cabling and connections at the outset. This will avoid unnecessary disruption to local residents when cameras are installed and linked to the control centre.

Table 29: CCTV	
Type of facility for which provision may be needed	CCTV equipment; communication links and Control Room equipment and facilities
Current guidance on the issue	RSS Policy ENV 7
Geographical areas where known issues	Applies district wide.
Basis of assessing	See Annex 15 of the Background Paper.

need and contributions	
Current cost guidelines	See Annex 15 of the Background Paper.
Threshold/type of development which may trigger need	Larger residential schemes of 500 or more dwellings will be subject to individual assessment. Mixed Use and Commercial developments particularly where a concentration of people will be found
Charging Method	Negotiated on a case-by-case basis

12.0 TABLE 30 SUMMARY OF OBLIGATIONS SOUGHT FOR RESIDENTIAL DEVELOPMENT

In the table below 'N' denotes those obligations, which are subject to case-by-case negotiation. **SC** denotes that the standard charges will normally apply. It should be noted that the latter do NOT apply in all areas. The 'Generic' amount is the basis on which the charges is calculated for the different sizes of dwellings by bedroom content; all amounts are £. Further details are shown in Appendix 1.

Obligation	Details		Generic	1 Bed	2 Bed	3 bed	4 Bed	5 Bed	6 Bed	7 Bed
Education	Mainstream	SC	7,754	nil	6,138	8,400	10,339	11,632	12,601	14,216
	Early Years	SC	718	nil	568	778	957	1,077	1,167	1,316
	Children's Centres	SC	203	nil	161	220	271	305	330	372
	School Transport	N								
Transport	General	N								
	Highways Works	N								
	Walking/Cycling	N								
	Public Transport	N								
Health Care Facilities	Primary	SC	702	380	556	761	936	1054	1141	1288
	Secondary	SC	568	308	449	615	757	852	923	1041
	Mental	SC	32	18	26	35	43	49	53	59
Environmental Impacts	Archaeology	N								
	Historic Environment	N								
	Biodiversity and Geology	N								
	Landscape	N								
	Flood Risk	N								
Extracare Housing		N								
Leisure, Recreational Open Space & Green Infrastructure	Indoor Sports Centres	SC	715	387	566	775	954	1073	1162	1311
	Recreational Open Space	SC	720	390	570	780	960	1080	1170	1320
	Allotments	N								
	Green Infrastructure	SC	707	384	561	767	944	1062	1151	1298
	Rights of way	N								
Social Community Infrastructure	Community Halls	SC	451	244	357	489	601	677	733	827
	Youth services	SC	62.50	0	119	163	200	225	244	275
	Interim Community Facilities	N								
	Community Development	N								
	Library Equipment	SC	58	31	46	63	77	87	94	106
	Library Buildings	SC	137	74	108	148	183	206	223	251
	Local Shops	N								
	Places of Worship	N								
	Cemeteries	SC	7	4	6	8	9	11	11	13
	Welcome Information Packs	SC	19	19	19	19	19	19	19	19
	IT and Community Websites	N								
Waste Collection & Facilities	Recycling Houses	SC	96	96	96	96	96	96	96	96
	Recycling Flats	SC	52	52	52	52	52	52	52	52
	Bring sites	N								
Emergency Services	Fire Services	N								
	Police	SC	207	112	164	224	276	311	336	380

Public Realm and Community Safety	Public Realm in Town Centres	N								
	Public Art	SC	221	120	175	239	295	332	359	405
	CCTV	N								

Part C: Council Procedures for Securing and Delivering Planning Obligations

13.0 The Drafting and Completion of Legal Agreements

- 13.1 Pre – application discussions with planning officers and other relevant parties are strongly recommended before planning applications are submitted. The discussions will help establish the likely planning obligations, whether a S106 agreement or Unilateral Undertaking is appropriate and what information is required on submission to avoid potential delays in registering and processing applications. The Council will seek to ensure that planning obligations are dealt with as quickly and effectively as possible.
- 13.2 The Council expects planning applications to be determined within the timescales set by Government. These targets are:
- Major applications 13 weeks
 - Minor and other applications 8 weeks
- 13.3 In order to meet these targets, where either a Unilateral Undertaking or a S106 agreement will be required, it will be necessary to provide certain information to the council.
- 13.4 Below is a checklist outlining the information required by the council to validate an application for planning permission:
- i) Proposed heads of terms of a S106 legal agreement, or unilateral undertaking or a justification for non compliance with the standard charges;
 - ii) Proof of owners' title. All owners of the site are required to enter the agreement. If the land is registered, this will be by recent office copy entries. If unregistered, an epitome of title should be provided;
 - iii) Names and addresses of any charges, lessees, mortgages or other holders of security on the land, as all parties with an interest in the land.
 - iv) A solicitors undertaking the requirement to pay the Council's reasonable legal costs in connection with the negotiation and preparation of the legal agreement/unilateral undertaking;
 - v) If there is a solicitor acting on behalf of the applicant contact details are required
- 13.5 The checklist may be adopted by the Council as a direction under Regulation 4 of the Town and Country Planning Regulations 1988 and section 62 of the Town and Country Planning Act 1990. If it is adopted, failure to submit the information required by the direction may result in an application being treated as invalid under Article 5(4) of the General Development Procedure Order 1995 (as amended).
- 13.6 In any event if an application has been registered, the council may decide to refuse it because the appropriate mitigation cannot be provided in accordance with this SPD document.
- 13.7 A timetable for completion of the legal agreement will be forwarded to the applicant following registration of the application. If a planning agreement or unilateral undertaking has not been completed within the appropriate time period and it is believed there has been an unreasonable delay, planning permission will be

refused on the basis that planning obligations have not been entered into. A revised timetable may be agreed if a delay is considered by the Council to be unavoidable.

14.0 Template agreement

14.1 In order to achieve a consistent approach to developments the Council will seek to use a standard form of legal agreement in dealing with all planning applications. A copy of the Council's template agreement is available on request.

15.0 Costs of preparing and monitoring legal agreements

15.1 Draft legal agreements will normally be prepared by the applicant's solicitor. The Council's solicitor will then conclude the agreement. Whether the Council initially prepares the legal agreement, or it is drafted by the applicant's solicitor, the Council will expect to recover the full costs of preparing and/or concluding the agreement. Where paragraph 15.2 iv applies, the Council will require an undertaking from the solicitor acting on behalf of the applicant to pay the Council's legal costs for preparing a legal agreement regardless of whether it is completed. The undertaking should be given in the sum of £1000 each for the Council and the County Council. If negotiations exceed this amount, the applicant will be notified that the undertaking should be increased to reflect the additional costs. The legal fee will be collected at the time of entering into an agreement (i.e. the point at which the agreement is signed and sealed on the grant of planning permission). If planning permission is not granted no fees will be due.

15.2 The Council will charge applicant's to cover the legal costs of concluding legal agreements and unilateral undertakings. Fees will apply as follows::

- (i) Unilateral undertakings: £310
- (ii) S106 agreements where only standard charges apply: £310
- (iii) Standard S106 agreements: £620
- (iv) S106 agreements for large scale schemes (generally in excess of 50 dwellings or 2000sq.m commercial floor space. Individual basis, based upon the cost of £175 per trigger point included in the agreement.

15.3 Hourly costs of the Council's solicitor is a standard rate revised annually as part of the Council's review of charges. More complicated legal agreements may however be concluded on the Council's behalf by external solicitors or lawyers. Where this is so, rates of costs will be notified to the applicant in advance.

15.4 The Council will also expect applicants to pay towards the costs of administering and monitoring planning obligations once entered into. Administration/monitoring is charged at a rate of £25 per hour. Fees will apply as follows:

- i. Unilateral undertakings: £175
- ii. S106 agreements where only standard charges apply: £175
- iii. Standard S106 Agreements: £350
- iv. S106 Agreements for large-scale schemes (generally in excess of 50 dwellings or 2000sq.m commercial floorspace): individual basis, based upon the cost of £175 per trigger point included in the agreement.

16.0 Timing and phasing of payments

- 16.1 Both the provision of infrastructure and timing of payment of negotiations will be negotiated on an individual basis for large developments. This may involve a phased programme of payments. These will include development, completion/occupancy trigger points.
- 16.3 Applications which involve a unilateral undertaking or straightforward S106 agreement for smaller developments (e.g. 10 dwellings) are expected to pay contributions prior to commence of development.
- 16.4 Interest will be payable if contributions are not paid to the Council at the agreed time. This will be 4% above the Bank of England Rate. This is in addition to any index linking.
- 16.5 All contributions are to be paid to the Council in the first instance unless specifically sated otherwise in the agreement. The Council will pass on any contributions intended for release to, or spending by another organisation in accordance with the requirements of the agreement.
- 16.6 The originator of the planning obligation is required to advise the council if a site is sold on with the benefit of the planning permission and obligation. Where part of a development is sold on, the original developer who entered the agreement is liable for fulfilling the obligation unless clear documentary evidence is provided to the Council to the contrary.

17.0 Index linking contributions

- 17.1 The commencement of development may not take place immediately following the completion of the legal agreement. All contributions will be indexed linked to ensure their values stay in line with inflation and reflects changes in cost. It is intended that all contributions within the strategy will be updated annually to reflect current costs.
- 17.2 Unless otherwise stated in the Background Paper, index linking will be from October 2007 as this is the date of most of the base calculations. A range of index linking calculations will be used, relevant to the type of contribution, the main ones being the Retail Price Index (RPI) and the Building Costs Information Service (BCIS) Public Sector Quarterly Building Price and Cost Indices and Road Construction Tender Price Index.

18.0 Bonds

- 18.1 Bonds will be required where a developer intends to carry out work themselves instead of payment contributions to the Council. For example, constructing a community building agreed as part of the development proposed. The bond sum can then be drawn upon by the Council to provide the facility if the works are not carried out as agreed. Bonds will also be required for example where the development is funding a school, where development is staged and not all in place prior to contract being let.

19.0 Viability

- 19.1 The purpose of this document is to provide developers with information on the planning obligations likely to be required in association with new development at the

earliest stage, so that the obligation costs may be factored into negotiations on land acquisition. Where a developer considers that the requirements of the Council would have a significantly harm the viability of a proposal, the onus will be on the applicant to demonstrate this.

19.2 In instances where it is necessary to appoint an independent valuation advisor to assess the submitted viability evidence, the costs will be met by the applicant. Proven impact on the viability of the scheme will be a material consideration in the assessment of the planning application.

20.0 Monitoring enforcement and expenditure

20.1 All planning obligations will be monitored to ensure they are being undertaken or paid at the agreed times. If there is a failure to comply, the Council will take appropriate enforcement action and full cost recovery will be sought.

20.2 Financial contribution will normally be ring-fenced to be spent on specific projects. The spending/release of financial contributions will be monitored to ensure contributions are spent by the Council and other relevant organisations as established in the agreement. Monitoring information will be presented in the Council's annual LDF Monitoring Statement each year.

21.0 Repayment of unused contributions

21.1 Where contributions are made by unilateral undertakings there is no provision for repayment. For S106 contributions that have not been spent or released to another organisation for spending within 10 years from date of receipt by the Council (or longer if stated in the agreement) will be returned to the developer. All contributions received by the Council will be held in interest bearing accounts, with the interest being paid to the developer upon return of contribution.

22.0 Applications to discharge or vary a planning obligation

22.1 In exceptional cases, where an agreement has been entered into and a change in circumstances has resulted in the inability for an obligation to be carried out, applicants can apply for an obligation to be discharged or varied.

22.2 An application to discharge or vary a planning obligation will only be agreed by the Council if it can be fully justified and is a last resort. This situation may arise where an anticipated need for a particular facility at the time of the grant of planning permission is no longer required. The variation or discharge of obligations will not be used as a means for developers to backtrack on agreed obligations where needs as a result of development still arise.

23.0 Commuted sums for maintenance of facilities secured through planning obligations

23.1 Where certain facilities are secured by planning obligations associated with the new development permitted, the Council will require commuted sums to be paid in respect of the initial maintenance of those facilities. The maintenance period covered will often be 20 years (e.g. for open space). Commuted sums will be calculated using current maintenance contract prices and will be index linked.

APPENDIX 1 CHARGES SUMMARY TABLE Page 1

Obligation	Specific Matters	Authority for obligation	SC=Standard Charge N=Negotiated case-by-case	Generic Average 2.4 persons	1 Bed 1.3 persons	2 Bed 1.9 persons	3 Bed 2.6 persons	4 Bed 3.2 persons	5 Bed 3.6 persons	6 Bed 3.9 persons	7+ Bed 4.4 persons	Threshold for application	Requirement from commercial development	Notes
Education	Lower Schools	CBC	SC	2393	0	1894	2592	3191	3590	3889	4387	1 dwelling	n/a	Exceptions for 1 bed flats, replacement dwellings, mobile homes and homes for the elderly, 50% charge for 2-bed flats
	Middle Schools	CBC	SC	2408	0	1906	2609	3211	3612	3913	4415	1 dwelling	n/a	exceptions as for lower schools
	Upper Schools	CBC	SC	2953	0	2338	3199	3937	4430	4799	5414	1 dwelling	n/a	exceptions as for lower schools
	Early Years Education and Daycare	CBC	SC	718	0	568	778	957	1077	1167	1316	1 dwelling	case-by-case when 1000+ employees	exceptions as for lower schools
	Children's Centres & social services	CBC	SC	203	0	161	220	271	305	330	372	1 dwelling	n/a	exceptions as for lower schools
	School transport	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	50 dwellings	n/a	
Sustainable Transport	General Requirements	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Highway Works	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Walking/Cycling,safer routes to school	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Public/ sustainable transport measures	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
Health Care	Primary care buildings	CBC	SC	513	278	406	556	684	770	834	941	1 dwelling	n/a	
	Primary Care land	CBC	SC	702	380	556	761	936	1054	1141	1288	1 dwelling	n/a	
	Secondary Care	CBC	SC	568	308	449	615	757	852	923	1041	1 dwelling	n/a	
	Mental Care	CBC	SC	32	18	26	35	43	49	53	59	1 dwelling	n/a	
Environmental Impacts	Archaeology	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Historic Environment	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Biodiversity and Geology	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Landscape	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
	Flood Risk Management	CBC & Internal Drainage Board	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
Extracare Housing	ExtraCare and Enhanced Sheltered Housing	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	500 dwgs	n/a	

APPENDIX 1 CHARGES SUMMARY TABLE Page 2

Obligation	Specific Matters	Authority for obligation	Standard Charge (SC) Negotiated case-by-case (N)	Generic Average 2.4 persons	1 Bed 1.3 persons	2 Bed 1.9 persons	3 Bed 2.6 persons	4 Bed 3.2 persons	5 Bed 3.6 persons	6 Bed 3.9 persons	7+ Bed 4.4 persons	Threshold for application	Requirement from commercial development	Notes	
Leisure, recreational open space and Green Infrastructure	Indoor Sports and Leisure Centres	CBC	SC	715	387	566	775	954	1073	1162	1311	1 dwelling	case-by-case or 50+ employee		
	Recreational Open Space Children Play	CBC	N									1 dwelling	case-by-case developments of 1000+ sq.m or 50+ employees	Exceptions for replacement dwellings, mobile homes. Partial exceptions for elderly retirement homes	
	Outdoor Sport	CBC	SC	720	390	570	780	960	1080	1170	1320	1 dwelling			
	Informal Open Space	CBC	N									1 dwelling			
	Allotments	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	200 dwelling	n/a	case-by-case
	Green infrastructure	CBC	SC	707	384	561	767	944	1962	1151	1298	1 dwgs	case-by-case 1000+ sq.m		
	Rights of Way	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case	
Social Community Infrastructure	Village and Community Halls	CBC	SC	451	244	357	489	601	677	733	827	1 dwgs	n/a	350 or + dwellings, case-by-case	
	Youth Services	CBC	SC	62.50	0	119	163	200	225	244	275	1 dwg	case-by-case 1000+ sq.m	1,000 dwellings on-site provision likely	
	Interim Community Facilities	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	100 dwgs	n/a		
	Community Development	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	700 dwgs	n/a		
	Libraries (books)	CBC	SC	58	31	46	63	77	87	94	106	1 dwgs	case-by-case		
	Libraries (new/upgraded Bldgs)	CBC	SC	195	105	154	211	260	293	317	357	1 dwgs	n/a		
	Local Retailing	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	500 dwgs	n/a		
	Places of Worship	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	500 dwgs	n/a		
	Cemeteries & Burial Grounds	CBC	SC	7	4	6	8	9	11	11	13	1 dwgs	n/a	500 or + dwellings case-by-case	
	Welcome Information Packs	CBC	SC	19	19	19	19	19	19	19	19	19	1 dwgs	n/a	
IT and community websites	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	500 dwgs	n/a		
Waste Management	Kerbside waste collection and recycling containers	CBC	SC	96	96	96	96	96	96	96	96	1dwgs	n/a		
	Kerbside waste collection, recycling containers Flats	CBC	SC	52	52	52	52	52	52	52	52	1 dwgs	n/a		
	Bring sites	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	50-750 dwgs	n/a	50 dwlgs -750 dwgs	
Emergency Services	Fire and Rescure	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	n/a		
	Police Force	CBC	SC	207	112	164	224	276	311	336	380	1 dwgs	case-by-case 1000+ sq.m	500 or more dwellings	
Public Realm and Community Safety	Maintaining and Renewing Public Realm	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case		
	Public Art	CBC	SC	221	120	175	239	295	332	359	405	100 dwgs	£1 per sq.m on developments of 1000+sq.m	In and adjacent to Town Centres	
	CCTV	CBC	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	case-by-case	case-by-case		

