

Royal Borough of Greenwich

Supplementary Planning Document

Planning Obligations (s106) Guidance

July 2015

CONTENTS

1.	INTRODUCTION	5
2.	THE POLICY BASIS FOR PLANNING OBLIGATIONS	8
3.	SPECIFIC REQUIREMENTS FOR PROVISION OR CONTRIBUTIONS	11
4.	PROCEDURE FOR COMPLETING A PLANNING OBLIGATION	16
5.	ROYAL GREENWICH LOCAL PLAN: CORE STRATEGY WITH DETAILED POLICIES	21
6.	GLOSSARY	27
7.	CONTACTS AND FURTHER INFORMATION	29
	ANNEX A: AFFORDABLE HOUSING	30
	ANNEX B: TRANSPORT	34
	ANNEX C: EDUCATION AND EMPLOYMENT TRAINING	39
	ANNEX D: MONITORING, REVIEW, LEGAL AND PROFESSIONAL FEES	42

CONTEXT OF PLANNING OBLIGATIONS EXPENDITURE

As at the end of March 2014, Royal Borough of Greenwich has received £62m in planning contributions from developers, and spent the money on projects and infrastructure to make the developments acceptable and to benefit the population of Royal Greenwich. Some of the projects receiving S106 monies have included:

- the rebuilding of Foxfield School
- building the Crossrail station box
- the Royal Greenwich Air Quality Action Plan
- building the Greenwich Centre
- facilities for cyclists and road widening

I. INTRODUCTION

BACKGROUND TO THIS DOCUMENT

- 1.1 The purpose of this supplementary planning document (SPD) is to provide detailed guidance on the type and scale of planning obligations for development proposals within the Royal Borough of Greenwich. Following the introduction of the Royal Greenwich Community Infrastructure Levy (CIL), the adopted Planning Obligations SPD (2008) has been revised and updated to provide clear and robust advice to applicants on the scale of remaining planning obligations that will continue to be secured through section 106 (s106) agreements.
- 1.2 This SPD has been produced to provide advice on how obligations, including contributions in respect of development, will be assessed; and, procedural guidance on how these will be sought and secured. The adopted SPD will be a material planning consideration for use in guiding and determining planning applications.
- 1.3 Royal Greenwich continues to be a focus for significant new development in London, providing new homes and businesses in the borough. The Royal Borough seeks to ensure that new development meets the needs of the community and that development and growth are sustainable. Planning obligations are an effective tool to ensure that the environment is safeguarded and that the necessary infrastructure and facilities are provided to achieve a high quality environment where people choose to live, work, learn and play.
- 1.4 The aim of the SPD is to enable the Royal Borough to deliver site specific infrastructure, facilities, amenities and other benefits to support and serve new development, and offset any consequential planning loss to the area, in line with national legislation, the Development Plan for Royal Greenwich, and Government policy.
- 1.5 In tandem with the use of the Royal Greenwich CIL, the SPD seeks to ensure that new development contributes to meeting the objectives of sustainable development, and mitigates any impacts on the wider environment.

PURPOSE OF THE SPD

- 1.6 The purpose of this updated SPD is to:
 - set out the circumstances where planning obligations requiring financial and direct contributions will be used;
 - ensure that there is no “double dipping” following adoption of the Royal Greenwich CIL charging schedule;
 - provide interested parties and stakeholders with certainty on the expected range and level of contributions;
 - minimise the need for detailed negotiations for each planning application;

- streamline the process by which planning obligations are secured and implemented; and
- ensure an efficient, consistent, accountable and transparent process.

PLANNING OBLIGATIONS GUIDANCE SPD NEXT STEPS

- 1.7 This SPD has been prepared to give advice to planning applicants, and other stakeholders, about how the infrastructure, facilities and services likely to be required in association with developments are to be provided via s106 agreements.
- 1.8 In particular, it amplifies the requirements set out in the *Royal Greenwich Local Plan: Core Strategy with Detailed Policies* (the 'Core Strategy'), adopted July 2014. It covers direct provision of facilities and other obligations to be met by the applicant and, where appropriate, the financial contributions that will be sought.
- 1.9 This SPD on planning obligations has been produced in response to the Government's introduction of the Community Infrastructure Levy (CIL), which replaces most planning obligations or contributions with a flat rate levy. Some site specific non-infrastructure items can still be paid for via a planning obligation, but the majority of the payments will come via CIL.
- 1.10 This SPD sets out what the proposed new s106 charging regime will be.

HOW THE SPD IS STRUCTURED

- 1.11 This SPD comprises the following sections:
- Section 2:** establishes the legislative and policy basis within which planning obligations operate;
- Section 3:** outlines the general principles relevant to the application of planning obligations and the requirements for provision or contributions; and
- Section 4:** sets out the procedure for completing a planning obligation.
- 1.12 The SPD also includes, in **Annexes A to D**, specific requirements for assessing the provision (and any financial contributions) in relation to individual services. The annexes cover:
- Annex A:** Affordable Housing;
- Annex B:** Non-strategic Transport matters;
- Annex C:** Employment and Training; and
- Annex D** Monitoring, Review, Legal and Professional Fees.
- 1.13 In addition to this SPD, the Royal Borough is producing a model s106 agreement. Developers are required to use this model agreement when preparing draft planning agreements that will be submitted as part of their planning application. A revised planning obligations calculator will also be published and available for use by applicants.

ACCESS TO THE SPD AND GUIDANCE

- I.14 The adopted Planning Obligations Guidance SPD, model s106 agreement and planning obligations calculator will be made available from the Royal Greenwich website: www.royalgreenwich.gov.uk.

REVIEW OF THE SPD AND GUIDANCE

- I.15 The SPD will be reviewed, periodically, to take into account significant changes in circumstances that would affect the appropriateness of the requirements in this SPD. This could include:
- a review of the Royal Borough's CIL Regulation 123 List, which necessitates the removal or addition of matters from the Planning Obligations Guidance SPD;
 - changing needs for facilities and services;
 - the preparation of development plan documents (also referred to as local plans) that will form part of the Royal Greenwich Local Plan; and
 - further alterations or reviews of the Mayor's London Plan.
- I.16 Any amendments to the SPD, once adopted, will be subject to public consultation. The construction and other cost rates used in Annexes A to D of the SPD, the model s106 agreement and the planning obligations calculator are index-linked and therefore will normally be updated annually and published as an amendment to the SPD. These will not be subject to formal consultation.

2. THE POLICY BASIS FOR PLANNING OBLIGATIONS

INTRODUCTION

- 2.1 The Royal Borough already requires planning obligations from developers submitting planning applications under section 106 of the Town and Country Planning Act 1990 (as amended). Policies establishing the basis for planning obligations are set out in both the London Plan and the Core Strategy, which constitute the statutory development plan for Royal Greenwich.
- 2.2 This SPD provides clear guidance as to how the Royal Borough will implement policies in the Core Strategy. Its principal role is to amplify policies H3 Affordable Housing, IM1 Infrastructure, and EA(c) Skills and Training, which require s106 agreements to deliver site specific improvements to make the development acceptable in planning terms.

THE USE OF PLANNING OBLIGATIONS AND THE COMMUNITY INFRASTRUCTURE LEVY

- 2.3 The CIL Regulations (Regulation 122) introduced three legal tests to be considered when negotiating, securing and implementing planning obligations. These tests require planning obligations to be:
- 1) necessary to make the development acceptable in planning terms
 - 2) directly related to the development; and
 - 3) fairly and reasonably related in scale and kind to the development.
- 2.4 Whilst it is the Government's intention to replace planning obligations for general types of community infrastructure, planning obligations will still be used for site-specific mitigation measures that are required to make a development acceptable in planning terms.
- 2.5 Agreements must be governed by the fundamental principle that planning permissions may not be bought or sold, and they cannot be used to secure a share in the profit from development.
- 2.6 CIL provides a consistent and transparent mechanism to raise financial contributions currently sought through planning obligations. In short, planning obligations differ from CIL in that the planning contributions are tailored to a specific development and must be directly related to its impact, whereas CIL contributions may be applied anywhere in Royal Greenwich or on Crossrail.
- 2.7 CIL allows local authorities to raise funds from development to pay for infrastructure. CIL takes the form of a tariff per square metre of additional floorspace. The level of the tariff is set by the local authority based on the needs identified through infrastructure planning, but also tested to ensure that it will not affect the viability of developments. The local levy rate(s) are set out in a CIL charging schedule.

NATIONAL PLANNING POLICY FRAMEWORK

- 2.8 National planning policy sets out the use of planning conditions and planning obligations in paragraphs 203 to 206 of the National Planning Policy Framework (NPPF). Paragraph 203 sets out that:

“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”

- 2.9 The NPPF goes on to repeat the three tests set out in the CIL regulations. ODPM Circular 05/2005 Planning Obligations has been replaced by the NPPF. The Department for Communities and Local Government (DCLG) has also produced online planning practice guidance on the use of planning conditions.
- 2.10 The NPPF also highlights that local planning authorities should take account of changes in market conditions over time and be sufficiently flexible to prevent planned development from being stalled (see NPPF paragraphs 173 to 177). In delivering sustainable development, viability and costs are important factors in plan-making and decision taking.
- 2.11 The Royal Borough considers that the impact of these planning obligations as set out in this SPD does not put Local Plan implementation at risk; rather they facilitate sustainable development throughout the economic cycle.

THE LONDON PLAN

- 2.12 London Plan Policy 8.2: Planning Obligations sets out the Mayor’s strategic priorities for planning obligations. The highest importance should be given to: affordable housing; supporting the funding of Crossrail where appropriate (see London Plan Policy 6.5); and other public transport improvements. Importance should also be given to: tackling climate change and air quality, social infrastructure, and the provision of small shops.
- 2.13 On 1 April 2012, the Mayor of London started charging CIL (the ‘Mayoral CIL’) on most development in London to help provide £300m towards the cost of delivering the Crossrail project. In Royal Greenwich the Mayoral CIL is being charged at the rate of £35psqm of net additional gross internal floor area where new dwellings are proposed. The Royal Borough collects the Mayoral CIL on behalf of the Mayor.

ROYAL GREENWICH LOCAL PLAN

- 2.14 The Core Strategy is the primary planning document of Royal Greenwich's Local Plan and replaces all the policies and most other parts of the Greenwich Unitary Development Plan (UDP). Only an updated UDP Policies Map (as amended by the Core Strategy) and the UDP Site Schedules (as amended by the Core

Strategy) remain. These will be replaced once a second local plan on site allocations, currently in preparation, is adopted.

- 2.15 The Core Strategy sets out the spatial strategy, long term spatial vision, spatial objectives and core policies for development within Royal Greenwich to cover the period up until 2028. The Core Strategy requires applicants to provide or contribute to community facilities and infrastructure as set out in policy IM1.
- 2.16 The range of planning benefits that will be sought in relation to development proposals via s106 agreements include:
- affordable housing;
 - local employment and training; and
 - non-strategic transport.
- 2.17 Section 5 sets out the relevant policies from the Core Strategy.

TYPES OF CONTRIBUTION

- 2.18 Contributions may be either in the form of ‘in kind’ or ‘financial’ contributions. “In kind” contributions are those contributions where the developer builds or provides directly the matters necessary to fulfil the obligation such as a crèche or healthcare facility, which serves the people living in a residential development. In terms of financial contributions, payments can be made in the form of a lump sum or as phased payments, related to defined dates, events or triggers.

MAINTENANCE PAYMENTS

- 2.19 Where contributions are secured through planning obligations for the provision of facilities, it may be appropriate for the developer to make provision for subsequent maintenance.

POOLED CONTRIBUTIONS

- 2.20 Following the introduction of CIL nationwide in April 2015 there is a restriction on the use of pooled contributions towards types of infrastructure capable of being funded through the levy. From April 2015 no more may be collected in respect of specific infrastructure through a s106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010 (DCLG CIL Guidance February 2014).

3. SPECIFIC REQUIREMENTS FOR PROVISION OR CONTRIBUTIONS

INTRODUCTION

- 3.1 Some planning obligations are required in order to deliver an acceptable development or to regulate the future use and management of the land. These requirements are specific to the site and type of development being proposed and as such this SPD does not try to set out all of the circumstances where such requirements will arise.
- 3.2 The SPD is focussed on those planning obligations which arise directly out of the application of policies in the Core Strategy, such as the requirement to provide affordable housing. This SPD is intended to work in tandem with the CIL charging schedule. Any item covered by planning obligations will not be charged for under CIL.
- 3.3 Different types and scales of development will require different planning obligations. The Royal Borough will apply a series of formulae or standardised charges for particular services or facilities. Detailed advice and the formulae applicable to particular obligations or services are set out in **Annexes A to D**.
- 3.4 The types and sizes of applications that will attract obligations are set out in the remainder of this section. The process for completing a planning obligation is set out in Section 4 of this document.

GENERAL PRINCIPLES IN SEEKING PLANNING OBLIGATIONS

- 3.5 There are a series of key or general principles which apply to all qualifying development and planning obligations. These principles will guide the Royal Borough's overall approach to securing planning obligations.

Unacceptable development

- 3.6 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.
- 3.7 The Royal Borough has consulted on a Local Information Requirements List, which, if adopted, would require that a statement of proposed obligations be submitted at the time of making a planning application. The Royal Borough is producing a model s106 agreement. Developers are required to use this model agreement when preparing draft planning agreements that will be submitted as part of their planning application. A revised planning obligations calculator will also be published and available for use by applicants. Planning applications will not be registered until a statement of proposed obligations and a draft agreement have been submitted.

On-site provision

- 3.8 The Royal Borough's policies and good planning practice require that provision should normally be made on site for facilities required to support a particular development. However, there will be circumstances where provision will be other than on site and the Royal Borough will require a monetary contribution towards providing, or contributing towards, the provision of such facilities on an appropriate alternative site. This will include situations where the development is of such a small scale that on site provision is not physically possible. The standard methods used to calculate such contributions are outlined in **Annexes A to D**.
- 3.9 The levels of contribution required will be reduced or waived, where the developer makes appropriate provision on-site of particular services or facilities. Any reduction will normally be calculated by the application of the formula for that particular service.

Timing of provision and contributions

- 3.10 It is important that planning obligations take effect in time to meet the additional demands from developments as they arise. The Royal Borough, however, recognises that there may be viability considerations and that, generally, the timing of provision (or contributions) will need to be tied to development 'triggers.' In such circumstances, the S106 agreement will specify the trigger points or dates at which the obligations need to be implemented.

Basis for calculation of contributions

- 3.11 For standard residential development, the formulae in the SPD are based on a 'per dwelling' basis taking account of any existing occupiable dwellings on the site. This is to enable them to be directly applicable to outline applications where the size of individual dwellings may not be defined. For residential institutions, the formulae are based on a 'per bed space' basis.
- 3.12 For non-residential developments, the formulae relate to the net increase in occupiable gross floorspace in square metres in those uses.

Application of contributions

- 3.13 Generally, standard residential developments will be expected to make appropriate affordable housing provision, as a first priority.

Consideration of viability issues

- 3.14 The Royal Borough will normally seek the full contributions as set out in the accompanying Annexes. In some circumstances, the Royal Borough may consider the viability of individual development proposals through an open book appraisal.

Indexation of contributions

- 3.15 Where the applicant is to make direct provision of facilities and these are phased, any additional costs which arise from inflation will automatically be met by the applicant. Where obligations take the form of financial contributions, the rate for such contributions will be set at the time of application. The rates set out in **Annexes A to D** apply from April 2015 and they will be subject to indexation in line with the RPI from the date of adoption of the SPD unless specified otherwise.
- 3.16 Any contributions not paid by the trigger date are subject to late payment penalty. All financial contributions are subject to upwards only index linking regardless whether the payment is on time or late. The payment is indexed linked up to the trigger date. Contributions will be index linked from the date of application based on the RPI (All in Tender).

Dispute resolution

- 3.17 All Section 106 deed of planning obligations contain a dispute resolution clause which sets out how disagreements between the parties to the S106 will be resolved. In the event of any dispute arising between the parties in respect of the planning agreement it will be referred to an independent expert. The expert will have at least ten years relevant experience.
- 3.18 The role of the independent expert is to facilitate or contribute to the negotiation process. It is the responsibility however, of the parties involved to agree on the outcome of the planning obligation negotiations. The final determination of the planning application remains with the local planning authority.

The Royal Borough's commitments and covenants

- 3.19 The Royal Borough will use its best endeavours to secure any necessary new and improved services to serve the development. In certain circumstances, the Royal Borough will make specific covenants, to ensure the provision of a facility at a particular time.

MONITORING OF PLANNING CONTRIBUTIONS AND COMPLIANCE

- 3.20 The Royal Borough will continue to account for contributions received, according to the service area for which they are intended. The Royal Borough will report annually on how contributions are being spent. The Royal Borough has a defined officer responsible for monitoring and managing contributions.
- 3.21 Applicants are required to submit an accurate record of the scheme content and to monitor development progress on an annual basis until the whole development is completed. Schedules for completion by the applicant are provided in **Annex D**.

TYPES AND SCALE OF QUALIFYING DEVELOPMENT

3.22 The Royal Borough will seek contributions towards services and facilities from a broad range of development types. These are set out in Table 3.1.

Table 3.1 Qualifying developments that trigger contributions

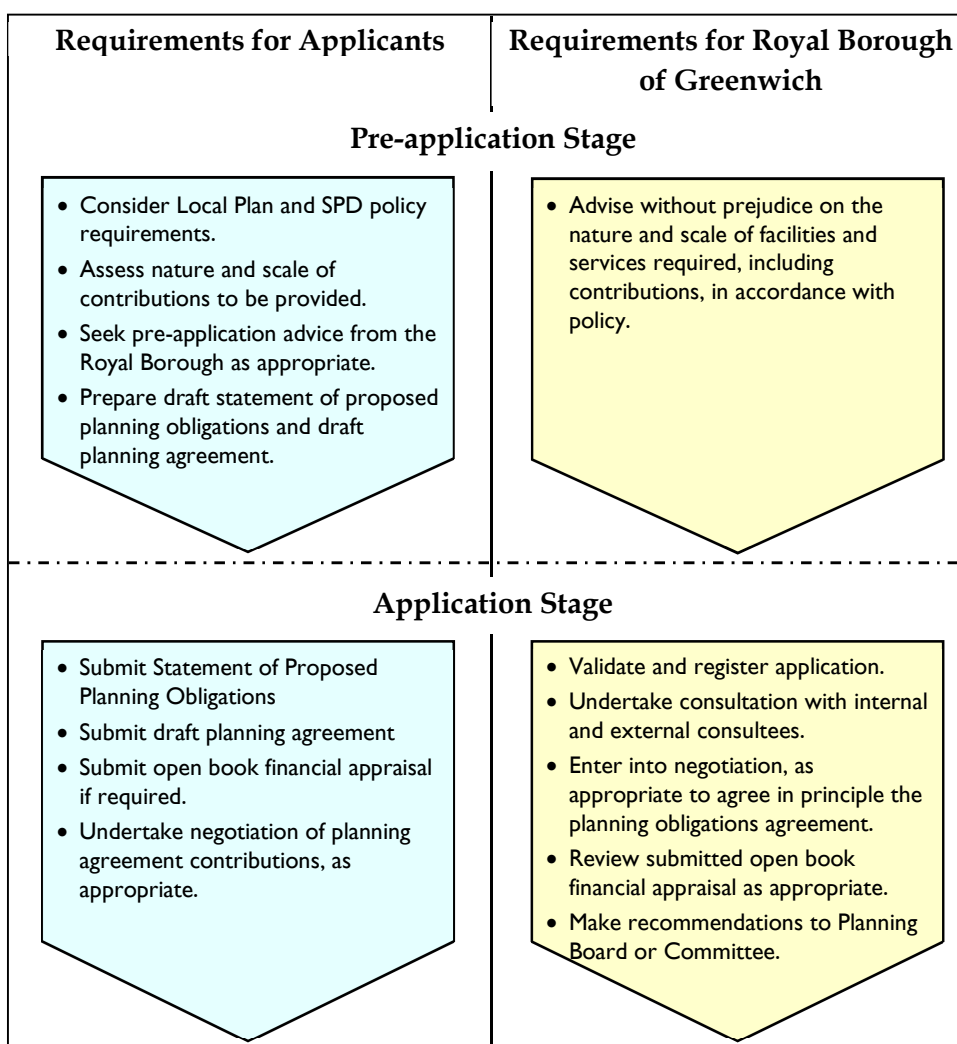
Type of qualifying development	Use class	Contributions sought
Residential development		
Applications that include the creation of 10 or more additional residential dwellings, including sub-division of existing dwellings	C3	Affordable housing Transport Employment training Monitoring, review, legal and professional fees
Residential educational institutions		
Applications that include the creation of 25 or more additional student bed spaces Residential accommodation for staff will be treated as residential development in class C3	C2	Transport Monitoring, review, legal and professional fees
Hospitals, nursing homes and other residential care		
Applications that include the creation of 25 or more additional bed spaces	C2	Employment training Transport Monitoring, review, legal and professional fees
Prisons, other secure residential facilities		
Applications that include the creation of 25 or more additional places	C2A	Transport Employment training Monitoring, review, legal and professional fees
Town centre uses		
Applications that include the creation of 500m ² or more additional floor space	A1 to A5 B1(a) C1 D2 Sui-generis, including casinos, nightclubs, theatres, and amusement arcades.	Transport Employment training Monitoring, review, legal and professional fees

Type of qualifying development	Use class	Contributions sought
Business uses		
Applications that include the creation of 500m ² or more additional floor space in other business uses	B1 (a), (b) and (c) B2 B8 D2 Sui-generis including waste facilities, show rooms and retail warehouse clubs	Transport Employment training Monitoring, review, legal and professional fees

4. PROCEDURE FOR COMPLETING A PLANNING OBLIGATION

INTRODUCTION

4.1 The Royal Borough’s objectives are both to streamline the handling of planning applications and to ensure that applicants for planning permission have clear guidance. The Royal Borough is seeking to ensure a high standard of service and that applications which are to be subject to planning obligations are determined within the CLG target periods for decision. It will work closely with planning applicants and other stakeholders to achieve this. Applicants are advised to start negotiations with officers at an early stage. Please refer to paragraph 3.7 above on a potential requirement to include information with planning applications in order for them to be considered valid.



OVERALL PROCEDURE FOR AGREEING PLANNING OBLIGATIONS IN PARALLEL TO CONSIDERATION OF PLANNING APPLICATIONS

4.2 **Figure 4.1** shows what is required by both the applicants and the Royal Borough at each stage before and during the consideration of planning applications. The

procedures have been simplified, particularly for smaller applications. In each case, the objective is to ensure that, as far as possible:

- applications are determined within the target periods for decisions set by CLG; and
- applicants provide information that is available from the date of submission of the application, which enables the Royal Borough and consultees to respond properly to applications; and
- the content of proposed planning obligations is settled before applications are presented for determination.

PRE-APPLICATION DISCUSSIONS

- 4.3 The London Plan, the Core Strategy and this SPD all provide clear guidance on the requirements for planning obligations from developers. Applicants should use the planning obligations calculator on the Royal Greenwich website to agreementcalculate and verify proposed financial contributions.
- 4.4 The Royal Borough strongly recommends that applicants should participate in pre-application discussions. Having regard to policy guidance, applicants should come forward with a schedule of proposed planning obligations including financial contributions as a basis for discussion. The GLA also provides a pre-application service.

SUBMISSION OF PLANNING APPLICATIONS

- 4.5 The Royal Borough requires adequate information on the planning obligations being proposed by the developer to be submitted at the time of the application. This needs to be based on the requirements set out in the Core Strategy and in **Annexes A to D** of the SPD.
- 4.6 All applications for ‘qualifying development’ must be supported by a statement of proposed obligations at the time of making the application. This should follow the service headings in **Annex A to D** of the SPD.
- 4.7 The applicant will also need to submit a draft agreement, using the Royal Greenwich model section 106 agreement available on the Royal Greenwich website. Applications will not be registered until a statement of proposed obligations and a draft agreement have been submitted.

APPRAISAL, VALIDATION AND AGREEMENT OF PLANNING OBLIGATIONS

- 4.8 Planning applications, design and access statements, environmental statements and a statement of proposed obligations, alongside other submitted documents, will be the subject of public and statutory consultation in the normal way. The Royal Borough undertakes consultation as soon as possible after applications have been validated and registered.

- 4.9 The draft planning agreement will be subject to review and validation by the Royal Borough which may lead to further negotiation and revision. We aim to negotiate any amendments to the agreement such that the agreement can be signed by the developer and/or owner of the site before the application is considered by Committee/Planning Board or the relevant Chief Officer for a decision, where Members may make further amendments to the agreement.

CONSULTATION ON PLANNING OBLIGATIONS

- 4.10 The Royal Borough will consult with Government and public agencies and take account of comments in formulation of site specific requirements. With respect to 'strategic planning applications' this will include the Greater London Authority (GLA) and Transport for London (TfL).

REQUIREMENTS FOR OPEN BOOK APPRAISALS

- 1) identify and justify (with comparable evidence where appropriate) all development value and cost variables;
- 2) specify any 'exceptional' cost items with supporting evidence in writing from reputable cost consultants;
- 3) adhere to the standard conventions in terms of appraisal calculations not least regarding developer's profit;
- 4) specify all assumptions made concerning the provision of affordable housing, CIL and planning obligations;
- 5) provide Red Book, or other appropriate valuations to support Existing Use Values where they arise;
- 6) identify in cash flow terms the effect of deferred contributions and CIL payments;
- 7) demonstrate that the development proposal in financial terms is the only feasible option when compared to other possibilities including any role played by public sector providers of 'gap' funding; and
- 8) satisfy where necessary any Independent Assessor's evaluation.

- 4.11 The Royal Borough's Officers, the GLA and external consultees, community and other stakeholders will have the opportunity to comment on any submitted Statement of Proposed Obligations that form part of a planning application.

USE OF DEVELOPMENT OR VIABILITY APPRAISALS

- 4.12 The Royal Borough recognises that in dealing with development proposals, financial viability concerns may arise. These are not intended to include developers who acquire sites without permission at an unrealistically high price and then seek reductions in affordable housing or other requirements. Viability concerns may arise genuinely, for example where remediation costs are exceptional. The Royal Borough has consulted on a Local Information

Requirements List, which, if adopted, is expected to require that all viability appraisals must be submitted at application stage alongside other planning documents and that this appraisal will be published in unredacted form for public consultation.

- 4.13 In the interests of meeting planning policy objectives and/or regeneration initiatives, the Royal Borough may, in such circumstances, consider the merits of individual development proposals, through an open book appraisal.
- 4.14 In these cases, the Royal Borough will require detailed financial appraisals utilising the GLA's Viability Toolkit, or another recognised appraisal model, to be provided by the applicant to support their argument.
- 4.15 An independent financial assessor may be required to be commissioned by the Royal Borough and the costs are to be met by the applicant. The independent financial assessor's report shall be provided to the Royal Borough.

OBLIGATIONS AS PUBLIC DOCUMENTS

- 4.16 In almost all cases, the Royal Borough will not present applications for approval, unless the necessary planning obligation agreement has been signed by the developer and/or owner of the site. The content of the planning agreement will be reported to Members along with all other material considerations.

COLLECTION OF AND ACCOUNTING FOR FINANCIAL CONTRIBUTIONS

- 4.17 The dates or 'trigger' events which will dictate when planning obligations, including financial contributions are to be discharged, will be defined within individual agreements. In the case of agreements, where only financial contributions are to be made, the first date for payment generally will be on the implementation of the development following the prior discharge of all reserved matters and/or planning conditions. Later payments will be based on an appropriate phasing of obligation payments to be agreed. For example, the payment of legal and professional fees will normally be required upon completion of the planning obligations agreement.
- 4.18 The Royal Borough will maintain accounts into which financial contributions will be paid. These accounts will identify the service area or programme for which the payment has been made.
- 4.19 The Royal Borough will prepare and publish an annual report recording contributions received, those that are pending and the infrastructure or community service projects which have received funding (or approval of funding) within the preceding year.

MONITORING COMPLIANCE WITH PLANNING OBLIGATIONS

- 4.20 The details of agreed planning obligations will be held on an electronic database in order to track compliance as the development proceeds. The information will be

required to be submitted by the applicant in the format set out in **Annex D** of the SPD.

- 4.21 The Royal Borough will liaise with developers (and applicants) and use other means of monitoring including site inspections, to ensure that applicants discharge their obligations at the agreed date or trigger. Where financial payments are due to the Royal Borough these become payable on the due date (or, in the case of ‘trigger’ events, whenever those occur). Payment will be required no later than 30 days after the due date or trigger event. Should payment not be received within that period, a late penalty payment will be applied at 4% above the Lloyd’s Bank base rate.
- 4.22 The Royal Borough will report the results of monitoring and compliance with Section 106 agreements once a year, identifying individual permissions and the obligations due. In the event that provision of facilities and/or payment of contributions are delayed beyond the due date, the Royal Borough may take formal action to secure payments with interest, through civil recovery procedures.

5. ROYAL GREENWICH LOCAL PLAN: CORE STRATEGY WITH DETAILED POLICIES

PLANNING OBLIGATIONS POLICIES

- 5.1 The following extracts from the Core Strategy set out policies where planning obligations might be sought in relation to particular development proposals. These should be read in conjunction with the Core Strategy and applicants should have regard to the particular circumstances of the development.

POLICY IM1 – INFRASTRUCTURE

The Royal Borough will ensure, through the use of conditions and planning obligations attached to planning permissions, that all qualifying development provides for the infrastructure, facilities, amenities and other planning benefits that are necessary to support and serve it and to offset any consequential planning loss to the local area in a way that secures the best use of land and a properly planned, well designed, accessible and integrated environment. The Royal Borough will seek appropriate planning obligations in accordance with its Planning Obligations SPD.

Developments incorporating a significant amount of infrastructure, public realm and open space should reach a Civil Engineering Environmental Quality Assessment rating of 'Excellent.'

POLICY IM3 – CRITICAL PHYSICAL INFRASTRUCTURE

The Royal Borough will support those transport schemes that are critical to Royal Greenwich's development and will:

- safeguard land for the Crossrail route (see Policies Map) and seek financial contributions, in accordance with Policy C1;
- advocate and work in partnership with relevant agencies to deliver a new package of Thames river crossings in East London, including the continued safeguarding of the Silvertown Link Tunnel and the Gallions Reach crossing (see Policies Map);
- support the intensification of the use of the river for transport of people and freight, including upgrades to the Woolwich Ferry service;
- protect and enhance river bus services and piers in Royal Greenwich, including supporting their extension eastwards;
- protect waterway support infrastructure and facilities;
- advocate and work in partnership with relevant agencies to deliver improved transport infrastructure at Thamesmead and Abbey Wood and along the waterfront area at Charlton Riverside and the Greenwich Peninsula; and
- support improved links between residential areas in the south of Royal Greenwich and employment areas in the north, including at the Jubilee line North Greenwich station.

POLICY IM4 - SUSTAINABLE TRAVEL

The Royal Borough supports the development of an integrated and sustainable transport system that is extensive in coverage and meets the needs of residents, businesses, workers and visitors in Royal Greenwich. All development in Royal Greenwich should contribute to improved accessibility and safety, and reduce the use of the private car and the need to travel. Development should be designed for the needs of pedestrians, cyclists and public transport users first and intense uses, such as schools and shops, should be close to public transport, cycling and pedestrian nodes and interchanges to enhance connectivity.

Cycling and walking are supported within Royal Greenwich. The needs of pedestrians, including those with disabilities, and cyclists should be prioritised in development and the design and layout of development should reflect this. High standards of safety, accessibility and convenience will be required, including establishing and maintaining links with public transport.

All existing footpaths and cycleways, including the existing riverside and Thames paths, will be safeguarded and the development of new and improved footpaths and cycleways will be supported. Developments along the riverside must ensure that they incorporate the provision for a riverside pathway and contribute to improvements to this where it is required.

Where development is proposed alongside Deptford Creek the provision of a waterside path should be included to provide public access to pedestrians and cyclists. Proposals to provide a pedestrian bridge across the Creek will be supported.

POLICY IM(B) - WALKING AND CYCLING

The Royal Borough is committed to protecting and enhancing the Borough's footpaths and cycle ways and new developments should provide for the needs of their users. Development in the Borough should:

- i. integrate with the existing footpath and both the London and local cycle networks and encourage the principles of shared space;
- ii. provide sufficient provision of changing and shower facilities for cyclists;
- iii. provide cycle parking in line with policy IM(c);
- iv. promote walking and cycling safety, with well lit, signed and well maintained routes and safe facilities for crossing roads and at transport interchanges;
- v. take account of 'desire lines' to local shops, services and schools, including safer routes to school and to public transport nodes; and
- vi. Take account of the Borough's Cycling Strategy and in particular the development of primary and local cycle networks through Royal Greenwich.

POLICY IM(C) - PARKING STANDARDS

Developments must provide the minimum level of car parking provision necessary, for people with disabilities, as set out in the London Plan, and ensure provision for servicing, safe pick-up, drop-off and waiting areas for vehicles such as taxis and coaches, where that activity is likely to be associated with the development.

Developments supported by a high level of public transport accessibility and within Controlled Parking Zones should be car free. Development in areas of on-street parking stress should be 'car-capped.' For car capped developments, the Royal Borough will:

- limit on-site car parking to spaces designated for disabled people, any operational or servicing needs, and spaces designated for the occupiers of development;
- not issue on-street parking permits; and
- use a condition / legal agreement to ensure that future occupants are aware they are not entitled to on-street parking permits.

The Royal Borough will also strongly encourage contributions to car clubs and pool car schemes in place of private parking in new developments across the Borough and seek the provision of electric charging points as part of any car parking provision, following the minimum standards set out in the London Plan.

Developments must meet, as a minimum, the standards for cycle parking as set out in the London Plan.

POLICY CHI COHESIVE COMMUNITIES

All development must include measures that help to create and maintain cohesive communities that encourage diversity and reduce inequalities between areas. Developments are expected to:

- i. support the development of new and improved community facilities where there are identified local needs and where the development is in line with the Council's strategy for the provision of services (see also Policy IMI and the Infrastructure Delivery Plan). Facilities must be easily accessible for all and be located in or on the edge of town or local centres unless a special need for a location elsewhere can be demonstrated;
- ii. consider community safety and aim to discourage crime;
- iii. ensure that publicly accessible spaces and buildings such as streets, parks and public squares are well maintained and provide opportunities for natural surveillance;
- iv. create safe streets, including measures that allow for shared surfaces/spaces and improve the permeability of the environment;
- v. encourage the shared use of community facilities;
- vi. protect local services and encourage a mix of community and retail uses in existing local centres and neighbourhood parades; and
- vii. encourage the successful integration of tenures in new developments, including a community development strategy for developments of over 50 dwellings.

POLICY DHI - DESIGN

All developments are required to be of a high quality of design and demonstrate that they positively contribute to the improvement of both the built and natural environments.

To achieve a high quality of design, all developments are expected to:

- i. Provide a positive relationship between the proposed and existing urban context by taking account of:
 - a) Topography, landscape setting, ridges and natural features;
 - b) Existing townscapes, local landmarks, views and skylines;
 - c) The architecture of surrounding buildings;
 - d) The need to retain trees in line with Policy OS(g) and Policy OS(f);
 - e) The quality and nature of materials, both traditional and modern;
 - f) Established layout and spatial character;
 - g) The scale, height, bulk and massing of adjacent townscape;
 - h) Architectural, historical and archaeological features and their settings;
 - i) The effective use of land;
 - j) The potential for a mix of uses;
 - k) Patterns of activity, movement and circulation particularly for pedestrians
l) and cyclists;
 - m) The cultural diversity of the area; and
 - n) Acceptable noise insulation and attenuation.
- ii. Promote local distinctiveness by providing a site-specific design solution;
- iii. Demonstrate that the development contributes to a safe and secure environment for users and the public (See Policy CHI);
- iv. Achieve accessible and inclusive environments for all, including disabled people;
- v. Create attractive, manageable well-functioning spaces within the site;
- vi. Maximise energy conservation, through effective layout, orientation, use of appropriate materials, detailing and landscape design (also see Policy E1);
- vii. Benefit the Borough by helping mitigate and adapt to climate change;
- viii. Enhance biodiversity consistent with the Greenwich Biodiversity Action Plan;
- ix. Incorporate living roofs and/ or walls in line with Policy E(f);
- x. Demonstrate on-site waste management including evidence of waste reduction, use of recycled materials and dedicated recyclable waste storage space;
- xi. Demonstrate water efficiency and demand management measures;
- xii. Wherever possible, building materials are responsibly sourced and minimise environmental impact;
- xiii. Demonstrate measures that reduce surface water flood risk and landscape the environment in a way that provides for permeable surfaces;
- xiv. Meet the requirements of Policy H5 for residential schemes;
- xv. integrate with existing path and circulation networks and patterns of activity particularly for pedestrians and cyclists; and,
- xvi. for non-residential buildings in major developments, achieve an 'excellent' BREEAM rating.

POLICY H3- AFFORDABLE HOUSING

Developments of 10 or more homes or residential sites of 0.5 hectare or more will be required to provide at least 35% affordable housing. The precise percentage, distribution and type of affordable housing will be determined by the particular circumstances and characteristics of the site and of the development, including financial viability.

POLICY H5 - HOUSING DESIGN

New residential development, redevelopment, refurbishment or conversions will be expected to achieve a high quality of housing design and an integrated environment. The Council will take into account the key relationships between the character of the area, site location and housing densities and expect the following:

- i. For new build homes, the achievement of Code for Sustainable Homes at least code level four (4);
- ii. The design of the development is consistent with Policy DHI and, for all new build housing developments, is also consistent with the Mayor of London's Housing SPG;
- iii. An acceptable level of noise insulation being achieved by means of sensitive design, layout and in developments vulnerable to transportation noise and vibration;
- iv. A presumption against single-aspect north facing units and a presumption in favour of dual aspect units where possible;
- v. In flats a good-sized balcony, a terrace or enclosed communal gardens should be provided;
- vi. Family housing should normally have direct access to a private garden. Schemes with predominantly family housing should, as far as practicable, be within reasonable walking distance of nursery and primary schools, local shops, play areas and amenities;
- vii. Safety and security of residents and public (see also Policy CHI);
- viii. The provision of new housing to Lifetime Homes standards;
- ix. In residential developments of 25 or more units, 10% of dwellings to be built to full wheelchair standard, or easily adaptable for residents who are wheelchair users;
- x. New build developments of flats that are three or more storeys will be required to have sufficient lift(s);
- xi. Adequate provision for waste recycling; and
- xii. The achievement of the BREEAM Standards for Domestic Refurbishment rating of 'Excellent'.

POLICY H(E) CHILDREN'S PLAY AREAS

The Council will safeguard existing children's play areas. In residential developments that include over 50 units of family housing, suitably equipped and well-designed children's play areas are required for different age groups.

POLICY EA(A)- LOCAL EMPLOYMENT SITES

The Royal Borough seeks to maximise the contribution to employment in Royal Greenwich from sites in existing or previous employment use. Non employment uses will only be permitted on vacant employment sites where it can be demonstrated that:

- i. The site is environmentally or physically unsuitable for any employment generating use;
- ii. Marketing on fair price and terms for at least two years indicates there is no realistic prospect of any form of employment arising; or
- iii. Employment is only viable within a mixed use scheme.

POLICY EA (C) - SKILLS AND TRAINING

Training and skills development in Royal Greenwich will be promoted by:

- Supporting the establishment of skills centres and other training provision particularly those that will provide the skills required by the Borough's key growth sectors.
- Seeking contributions from new developments towards Greenwich Local Labour and Business Service (GLLaB) to provide training and skills opportunities for local people as set out in the Planning Obligations SPD 2008.

6. GLOSSARY

AFFORDABLE HOUSING

Housing to meet the needs of households whose incomes are not sufficient to allow them to access appropriate housing in Royal Greenwich, comprising social rented, affordable rent, and intermediate housing.

AFFORDABLE RENTED HOUSING

Housing that is available to tenants at up to a maximum of 80% of market rent and allocated in the same way as social rented housing is at present. The government has introduced a series of measures such as changes to tenure; greater flexibility for local authorities in their strategic housing role and options to increase mobility for social tenants.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Community Infrastructure Levy (CIL) is a planning levy, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended).

DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT (DCLG)

Government department responsible for national policy on planning, housing, regional and local government.

DEVELOPMENT PLAN

A plan for the use of land for a specified area, which local planning authorities have a statutory duty to produce. The *Royal Greenwich Local Plan; Core Strategy with Detailed Policies* together with The London Plan is the statutory development plan for the Royal Borough of Greenwich.

FAMILY HOUSING

Housing that has three or more bedrooms and direct access to a garden. The definition may be flexible in developments where dwellings have two large double bedrooms but only if it can be demonstrated that they could cater for a family.

GREATER LONDON AUTHORITY (GLA)

Established in 2000, the GLA is made up of the Mayor and a separately elected Assembly. The Mayor has responsibility for producing strategic planning guidance for London, published as the London Plan.

INTERMEDIATE HOUSING

Housing at prices and rents above those of social rent, but below Market price or rents, and which meet the criteria set out in Affordable Housing above. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent.

LOCAL PLAN

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

THE LONDON PLAN

The statutory spatial development strategy for the Greater London area that is written by the Mayor of London and published by the Greater London Authority. It provides the overall spatial vision for the entire region, identifying the broad locations for growth, often by identification of sub-regions, and major infrastructure requirements, together with borough housing targets. Along with Local Plans, the London Plan forms part of each London Borough's Development Plan. The Mayor of London also provides supplementary planning guidance (SPG) to The London Plan.

PLANNING OBLIGATIONS (SECTION 106 AGREEMENTS)

A legal undertaking entered into by way of a deed in connection with a planning permission under Section 106 of the Town and Country Planning Act 1990.

REGISTERED PROVIDER (RP)

A non-profit making organisation that allocates housing within its own stock on the basis of need, and is responsible for housing provision, construction, improvement and management for rent and sale (also known as a registered social landlord).

SOCIAL RENTED HOUSING

Housing typically owned and/or managed by a registered social landlord for subsidised rent to households on low incomes who would otherwise be unable to access suitable housing.

SUPPLEMENTARY PLANNING DOCUMENT (SPD)

An SPD is a non-statutory local development document that provides further detail on the implementation of particular policies and proposals contained in the Development Plan for an area. SPDs are prepared by a process of public consultation followed by formal adoption by the local planning authority.

TENURE

The legal and financial arrangements under which someone has the right to live in a house or flat, for example private ownership, affordable rent, social rent, shared ownership, intermediate rent, private rent.

7. CONTACTS AND FURTHER INFORMATION

ROYAL BOROUGH OF GREENWICH CONTACT DETAILS

Mike Hows, Chief Planning Officer

Clare Loops, Planning Policy Manager

Neil Willey, Area Planning Manager (West Area)

David Gittens, Area Planning Manager (East Area)

Andrew Parker, Planning Manager (Major Developments)

FURTHER INFORMATION AND REFERENCE DOCUMENTS

DCLG, **National Planning Policy Framework** March 2012.

DCLG, **Community Infrastructure Levy Guidance**, February 2014.

Royal Borough of Greenwich, **Local Plan: Core Strategy with Detailed Policies**, July 2014.

Royal Borough of Greenwich, **Community Infrastructure Levy Charging Schedule Infrastructure (Regulation 123) List**, March 2015.

Mayor of London, **The London Plan Spatial Development Strategy for Greater London, Consolidated with Alterations Since 2011**, March 2015

ANNEX A: AFFORDABLE HOUSING

INTRODUCTION

- A.1 This annex sets out guidance for deriving the planning contributions towards affordable housing. The annex forms one of four that detail the Royal Borough's approach to planning obligations.
- A.2 The Royal Borough policy is that affordable housing provision will be required onsite. Only in exceptional circumstances will any offsite provision or commuted payment be considered.

DEFINITION

- A.3 Affordable housing is housing designed to meet the needs of households whose incomes are not sufficient to allow them to access appropriate housing in the Royal Greenwich housing market, comprising both social rented, affordable rented and intermediate housing, including key worker housing.

BACKGROUND

- A.4 The approach to the delivery of affordable housing via planning agreements is determined by Development Plan policies set out in the *Royal Greenwich Local Plan: Core Strategy with Detailed Policies* (July 2014) (the 'Core Strategy') and in the Mayor's London Plan (March 2015).
- A.5 A continuous supply of affordable housing is needed to meet the needs of Royal Greenwich. Between 2001 and 2011 the population grew by 40,197 and number of households in Royal Greenwich increased from 92,788 to 101,045. The average household size increased from 2.3 people per home to 2.5 people per home. However, the average number of rooms per home decreased from 4.7 to 4.6.
- A.6 The affordable housing needs for Royal Greenwich have been objectively assessed and are identified in the South East London Strategic Housing Market Assessment (2014). Policy HI of the Core Strategy sets a target of a minimum of 38,925 net new homes over the plan period of 2013–2028.
- A.7 It is anticipated that the housing capacity identified in the Strategic Housing Land Availability Assessment (GLA, 2013) will be sufficient to satisfy the objectively assessed need for affordable housing in Royal Greenwich, if development coming forward on these sites is delivered in line with Royal Greenwich Development Plan policies.

POLICY CONTEXT

A.8 Policies set out in the Core Strategy that are relevant to the delivery of affordable housing are:

- **Policy H1** sets the amount and locations for new housing development in Royal Greenwich over the local plan period.
- **Policy H2** sets out the housing mix of types and sizes for all developments including conversions, with table 4.1 identifying the percentage of the housing sizes for market, intermediate and social rented housing.
- **Policy H3** seeks to ensure that a minimum of 35% of new dwellings on developments of 10 or more homes, or from residential sites 0.5 hectares or more are affordable to those on low and lower incomes.

DEVELOPMENTS FOR WHICH CONTRIBUTIONS WILL BE SOUGHT

A.9 In line with Policy H3, the development of appropriate affordable housing will be required in all residential schemes of ten homes or more, or where the residential site size is 0.5 hectares or larger. Developments of student accommodation that are not robustly secured for student use (either by planning agreement or condition relating to the use of the land or its occupation by members of specified educational institutions) will be expected to make a contribution towards the provision of affordable housing.

A.10 The requirement of 35% of homes in new development to be delivered as affordable housing is a minimum. The Affordable Housing Viability Assessment (July 2011, updated December 2012) for the Core Strategy demonstrated that this amount is viable, and that 'there are some circumstances where a higher provision of affordable housing (50%) and other planning obligations could be delivered, not least as the housing market recovers. Furthermore, where sites with low existing use values are subject to redevelopment proposals, such as employment sites, up to 60% affordable housing may be deliverable.'

REQUIREMENTS FOR AFFORDABLE HOUSING

A.11 Affordable housing should be delivered onsite and should be provided as 70% social/affordable rented and 30% intermediate housing, with the housing mix seeking to meet table 4.1 of the Core Strategy.

A.12 The provision of intermediate housing (including key worker housing) will be secured through a legal agreement, to include an affordable housing marketing plan. Paragraph 4.1.16 of the Core Strategy sets out the household income bands for this type of affordable housing.

A.13 Affordable housing should be distributed across a development site to help create mixed and balanced communities. Developers that have made affordable housing contributions are expected to involve a Registered Provider (RP) to own and/or manage the affordable housing.

- A.14 Only in the following circumstances will offsite provision or financial contributions be acceptable. Firstly, where the site or building configuration makes provision impractical, i.e. the development proposal is for 1 and 2 bedroom units and there is a need for affordable family housing; and secondly, where it would contribute to the provision of mixed and balanced communities, i.e. where affordable housing is already concentrated. In these or similar instances part or possibly the entire affordable housing requirement for the development could be offsite or through financial contribution.
- A.15 If a financial contribution is considered to be acceptable based on the above criteria, then a contribution of £100,000 (subject to indexation) per home will be charged. Any financial contribution will be reserved for the provision of affordable housing elsewhere in Royal Greenwich and secured through a legal agreement.
- A.16 The Royal Borough will also require that all developments, including affordable housing or equivalent, meet all relevant policies set out in the Royal Greenwich Local Plan, the Mayor's London Plan, Royal Greenwich supplementary planning documents and London Plan supplementary planning guidance. This includes, but is not limited to, the following requirements for developers to:
- a) involve a registered provider to own and/or manage the affordable housing where contributions are expected (paragraph 4.14 of the Core Strategy);
 - b) include the registered provider's or Royal Borough's requirements in terms of affordable housing content prior to submitting the planning application;
 - c) assess the likely level and type of grant aid, where appropriate, at the time of application;
 - d) clearly identify any other affordable housing funding source;
 - e) maximise tenure integration but also provide an internal and external management and maintenance regime that will enable affordable housing service charges to be set and agreed in line with the affordability criteria and thus meet affordability requirements;
 - f) include, as part of any car park management plan that applies to the development, measures to ensure affordable housing tenants/residents have the opportunity to park on site and this car parking is to be provided at no extra cost to the RP;
 - g) achieve a high quality of housing design and integrated environment by meeting all requirements set out in Core Strategy Policy DHI Design and Policy H5 Housing Design, including the delivery of 10% of dwellings built to full wheelchair standard, in accordance with the Greenwich Wheelchair Site Brief, in developments of 25 homes or more;
 - h) be designed in accordance with the Mayor's Housing SPG, which sets design standards including internal space standards;

- i) meet Lifetime Neighbourhood requirements as set out in Core Strategy Policy CHI Cohesive Communities, to ensure that the development is designed to be welcoming, accessible and inviting for everyone, including the preparation of a Community Development Strategy for developments of 50 homes or more;
- j) meet the requirements set out in Core Strategy policy CH2 Healthy Communities, in order to address health inequalities, including the preparation of a health impact assessment for developments of 10 homes or more; and,
- k) prepare an energy assessment for developments of 10 homes or more, as required by Core Strategy Policy E1 Carbon Emissions, and London Plan Policy 5.2, demonstrating how the development will achieve a Code for Sustainable Homes code level 4 (Core Strategy policy H5), using the Greener Greenwich SPD for further guidance.

ANNEX B: TRANSPORT

INTRODUCTION

B.1 This annex sets out guidance for deriving the provision of necessary transport infrastructure and forms one of four that detail the Royal Borough's approach to planning obligations.

DEFINITION

B.2 For the purposes of this annex, the types of transport infrastructure for which contributions will be sought are confined to non-strategic site specific transport matters needed to make developments acceptable in planning terms such as access ways which serve the development, or the provision, improvement or enhancement of transport infrastructure required to accommodate the increased usage due to the pull of the development. Transport contributions will be relevant to all qualifying applications that result in a net increase in passenger trips to ensure the appropriate transport mitigation measures are secured through the s.106 agreement.

BACKGROUND

B.3 Improvements to transport capacity are integral to the creation of sustainable and cohesive communities and play an important role in enhancing quality of life for all residents and combating social exclusion for disadvantaged individuals and groups. Growth in the number of residents and workers in Greenwich requires a programme of work to improve the quality and increase the capacity of transport services.

B.4 Contributions will be sought that provide for appropriate infrastructure to cater for proposed increases in the residential population and generated through increased employment opportunities.

POLICY CONTEXT

B.5 Policies set out in the Core Strategy which seek contributions for infrastructure are:

- **Policy IM1** allows for the use of planning conditions and obligations to provide for the infrastructure, facilities and amenities that are necessary to serve the development and offset any planning loss to the area.
- **Policy IM3** seeks to extend public transport into underserved parts of the Borough plus the improvement of bus and rail services. It seeks appropriate contributions towards public transport infrastructure..
- **Policy IM4** sets the standards for transport provision associated with new development and promotes accessibility and safety. The needs of pedestrians

should be prioritised. The inclusion of a riverside pathway is necessary on riverside developments. All forms of sustainable travel are promoted.

- **Policy IM(b)** seeks provision for secure cycle parking and other cyclist needs. It also sets out the need to provide for pedestrians and encourage walking.
- **Policy IM(c)** seeks contributions towards car clubs and car pool schemes and the installation of electric charging points

DEFINING DEVELOPMENT

B.6 Transport development is considered to be infrastructure which serves the Royal Borough of Greenwich and the region. Key infrastructure projects include, Crossrail, bus route upgrades and strategic cycle networks.

DEVELOPMENTS FOR WHICH CONTRIBUTIONS WILL BE SOUGHT

B.7 Transport contributions may be triggered from the following:

- a. all applications for residential development of 10 units or more;
- b. applications for residential educational institutions that create 25 or more additional bed spaces;
- c. applications for hospital, nursing home, and other residential care of 25 or more additional bed spaces;
- d. applications for prisons or other secure facilities of 25 or more additional places;
- e. town centre developments of 500m² or more additional floor space; and,
- f. business developments of 500m² or more additional floor space.

B.8 Transport contributions are equally important to residential and business developments, both of which will generate a need. Developments should make some level of contribution to local travel, with particular attention to improving public transport.

METHODOLOGY FOR CALCULATING CONTRIBUTIONS

B.9 Contributions will be sought for the following local infrastructure projects, where appropriate. These can be a mix of physical, social and green infrastructure:

- local improvements to public transport generally (e.g. local bus stop accessibility);
- local traffic management (e.g. 20mph zones);
- local provision for pedestrians;
- local neighbourhood (non-strategic network) provision for cyclists;
- local road safety schemes;

- controlled parking zone(s);
- local road network improvements;
- public off street parking;
- riverside walkways; and,
- behaviour change measures (e.g. cycle training, cycle maps, and road safety education).

B.10 All developments will be required to provide necessary on site transport infrastructure and facilities. The levels of contributions expected will be calculated on a case by case basis to reflect the impact of the development and the need for improved transport facilities in the vicinity.

TRANSPORT ASSESSMENT

B.11 Developers will be required to submit a Transport Assessment for developments that employ a large workforce and/or attract significant number of trips, in accordance with Policy 6.3 of the London Plan. Where a developer has submitted a Transport Assessment and identified issues that need to be addressed, this will be implemented by means of a planning obligation or conditioned as part of any approval. TfL advice on transport assessments and travel planning is available from the following websites: <http://www.tfl.gov.uk/infofor/urban-planningandconstruction/transport-assessment-guidance> and <http://www.tfl.gov.uk/info-for/urban-planning-and-construction/travel-plans>

PUBLIC TRANSPORT

B.12 The Royal Borough's policy is to improve accessibility and encourage use of public transport. In addition, all development should be well served by public transport. In order to cater for proposed increases in population and employment associated with new development it is necessary to invest in public transport. The Royal Borough will seek financial contributions from development towards improvements to local bus stop accessibility and other local public transport improvements necessary for the development to be acceptable in planning terms. The exact amount sought will vary depending on the size, location and design of the development.

TRAVEL PLANS

B.13 Travel Plans are one of the tools to ensure that a development minimises any adverse environmental consequences of the travel demand that it generates. A Travel Plan should aim to reduce reliance on the private car, minimise the need to travel to and from the site, promote car clubs and promote the use of sustainable forms of transport including river bus services. In accordance with Policy 6.3 of The London Plan, the implementation of Travel Plans will be secured through planning obligations or secured as a condition as part of a planning

approval. Submitted travel plans will be expected to contain appropriate targets and commit to monitoring being carried out.

CAR PARKING

- B.14 The availability of car parking has a major influence on people's choice of mode of travel. A certain level of off-street parking provision, however, may be necessary for a development to proceed. The Royal Borough will ensure that parking standards in new development accord to the standards set out in Core Strategy Policy IM(c) Parking Standards. Maximum car parking requirements are used as part of a package of measures to promote sustainable transport and in areas of high public transport accessibility, parking provision could be lower.
- B.15 In relation to new residential development the maximum provision for parking should be one space per unit, as set out in Core Strategy Policy IM(c) Parking Standards. Residents from new developments in areas of on-street parking stress will be prevented from obtaining on-street car parking permits.
- B.16 Where new developments are proposed within a new or extended Controlled Parking Zone a contribution for additional enforcement activity in the vicinity of the development will be required. The level of the charge will vary depending on the size and location of the development.
- B.17 The provision of new local car club spaces will be sought as part of the travel plan or the car parking management plan. Developers will be required to provide a range of measures to implement the actions in the travel plan, which may or may not have a financial cost. The developer in residential schemes will need to make, as a minimum, a financial contribution equivalent to five years membership to a local car club for each unit.

Contribution = cost of annual car club membership x 5 (no. of years) x no. of new units.

E.g. a new development of 100 units and an annual car club membership of £60pa would equate to a contribution of £30,000.

- B.18 For town centre and business development, the pricing, management structures, monitoring and review of usage will need to be detailed in the car park management plans. Car park management plans will normally be secured by planning obligations or as a condition.
- B.19 Active and passive provision for spaces with EV charging points will be secured through planning obligations or as a condition with an adequate number of spaces to be provided as per Development Plan policy.

HIGHWAYS

- B.20 New development may necessitate off-site improvements to the public highway. Where specific works to the highway are to be undertaken by an applicant (or by

the Royal Borough or TfL on behalf of the applicant), the Royal Borough will also require an agreement under S278 of the Highways Act 1980. All works to streets must be undertaken to appropriate agreed standards and it will be a requirement for the developer to pay for the maintenance of the works for a minimum of one year after the works are complete.

PROVISIONS FOR PEDESTRIANS AND CYCLISTS

- B.21 As part of their proposals, developers should incorporate safe and attractive routes for pedestrians and cyclists on site. Where existing links to and from the development are not satisfactory, contributions will be sought for local neighbourhood-level improvements. The Royal Borough will seek provision or financial contributions towards the cost of providing or enhancing the pedestrian and cycling environment to and from the site (including tactile paving, improved signage and facilitating better local permeability to the strategic walking and cycling networks) The total financial contribution sought will depend on the scale, impact and nature of the development.
- B.22 New residential developments will be expected to provide secure cycle storage or parking on site in line with the London Plan standards.
- B.23 In addition a financial contribution will be sought towards the provision of adult cycle training for residents, which is a 'Smarter Travel' initiative that should be contained within a developer's Travel Plan. New residential developments generate additional pressure, arising from population increases, on this (free to the user) Royal Borough-provided facility. Trainees typically receive four hours of training, at a cost of £25 per hour, and we would expect take up from 20% of adult residents within a development if promoted properly through the Travel Plan. The contribution will assume the minimum one adult per residential unit.

Contribution = 4 hours x £25 per hour = £100 x number of residents taking up training (20% of total units)

E.g. a new development of 100 units would generate 20 adult trainees x £100 per trainee = £2000.

ANNEX C: EDUCATION AND EMPLOYMENT TRAINING

INTRODUCTION

- C.1 This annex sets out guidance for deriving planning contributions towards employment training and forms one of four annexes that together outline the Royal Borough's overall approach to planning obligations.
- C.2 The contribution formulae outlined in this annex will be relevant to all qualifying developments where employment training provisions are to be provided off site or as a partial contribution. Where sufficient provision is delivered as part of the development itself or directly by the developer, further contributions will not be sought.

DEFINITIONS

- C.3 Contributions to employment training services incorporate the full range of facilities and schemes that support residents in gaining skills and finding employment. Employment and training services cover a range of initiatives including employment support, targeted training schemes which equip Royal Greenwich residents with a range of skills needed to compete for jobs required for all phases of the development and operational use. GLLaB works with a range of community stakeholders to promote opportunities widely and provides a job brokerage and matching service.

BACKGROUND

- C.4 Education and employment training facilities are important assets for the local community, not only as places of learning for school age children, but increasingly as community facilities capable of providing lifelong learning and family support outside school hours. Improving the skills of the local population is important in promoting a vibrant labour market and local economy that provides jobs for local people and a full range of goods and services for residents and visitors.
- C.5 The Royal Borough has been successful in securing training and employment opportunities for local people from large scale development activity in Greenwich. It uses planning obligations to secure the commitment of developers to using local labour and also financial contributions towards the training, support and recruitment of local people. The umbrella organisation Greenwich Local Labour and Business (GLLaB) has been set up by the Royal Borough to provide training and recruitment services. The Royal Borough has, since 2001, been using planning obligations to secure financial contributions to GLLaB.

POLICY CONTEXT

C.6 The policies set out in the Core Strategy that seek contributions for employment training are:

- **Policy IM1** seeks contributions towards infrastructure, facilities and amenities directly related to the development.
- **Policy EA(c)** seeks contributions and commitments to Greenwich Local Labour and Business, to provide opportunities for local job seekers, contractors, end-user employers and local businesses.

DEVELOPMENTS FOR WHICH CONTRIBUTIONS WILL BE SOUGHT

C.7 Employment and training contributions will be sought from the following:

- a. residential developments of 10 or more units;
- b. applications for hospital, nursing homes and other residential care with 25 or more additional bed spaces;
- c. applications for prisons or other secure facilities with 25 or more additional places;
- d. town centre developments of 500m² or more additional floor space; and
- e. business developments of 500m² or more additional business floor space.

METHODOLOGY FOR CALCULATING CONTRIBUTIONS

C.8 The methodology for calculating employment training contributions will follow the established approach in the Royal Borough of Greenwich, which goes towards funding the work of GLLaB. Employment and training contributions in Royal Greenwich had been charged at a rate of £1 per sq ft since 2001. However, with the adoption of the Planning Obligations SPD in 2008 the Royal Borough set an updated standard rate of £20 per m² on town centre and business development. The rate for residential development was £750 per dwelling.

C.9 The assumptions and methodology setting these rates have been reassessed and, with the adoption of this Planning Obligations Guidance SPD, new rates to be charged are: £10 per m² on town centre and business development (when the development proposes 500m² or more of additional floor space; and, £1,000 per dwelling for residential development, when 10 or more units are proposed.

C.10 In the case of hospital, nursing homes and other residential care and prisons and other secure residential facilities, calculations will be made on a per bed space basis. This calculation is found by dividing the contribution sought for one dwelling by total household size (2.3 persons). The rate of contribution will be £435 per bed space.

- C.11 The contributions support the costs of a range of services provided by GLLaB programmes for residents and small businesses in the Royal Borough. GLLaB is the Royal Borough’s employment and job brokerage service. It is the mechanism which links local people to the employment and business opportunities arising from regeneration and development activity in Royal Greenwich.
- C.12 GLLaB provides a comprehensive range of back-to-work employment programmes, customised and pre-employment training which equip residents with the skills needed to enter and then progress in the labour market. GLLaB supports the spread of economic prosperity by working with those most at risk of poverty as a result of unemployment and economic inactivity. GLLaB’s customised pre-employment training programmes support high-volume recruitment with guaranteed interviews to deliver people with the skills required by employers. Since its formation GLLaB has supported over 17, 500 into employment and met the training and workforce development needs of over 25,000 residents.
- C.13 The contributions sought reflect the current training and operation costs of running the programme, directly related to the impact of the type of development proposed.
- C.14 The use of local labour can also limit the environmental impact of new development due to people commuting shorter distances to travel to work. This particular policy objective provides the basis of the Government’s commitment to reducing the environmental impact of new developments.

WORKED EXAMPLES

- C.15 Taking an example of a 50 dwelling residential scheme with a 650m² business unit and a 25 bed care facility, the total contribution towards employment and training expected is shown in **Table C.5**.

Table C.5 Summary table of employment and training contributions

Use	Cost	Cost
50 dwellings	£1,000/dwelling	£50,000
25 bed care facility	£435/bed space	£10,875
650m ² business space	£10/m ² of floor space	£6,500
Total		£67,375

- C.16 The total cost of employment training contributions for a development of 50 dwellings with a 25 bed care facility and 650m² of business floor space will be **£67,375**.

ANNEX D: MONITORING, REVIEW, LEGAL AND PROFESSIONAL FEES

INTRODUCTION

D.1 This annex sets out guidance for deriving the provision, including planning contributions towards monitoring, review, legal and professional fees and forms one of four that detail the Royal Borough's approach to planning obligations.

DEFINITION

D.2 Contributions will be sought towards the following:

- the Royal Borough's costs of monitoring compliance with any s106 planning obligation agreement and related conditions where the monitoring involves excessive time, effort and resources;
- the Royal Borough's costs, where a planning obligation agreement includes specific provision for the review of the amount or nature of any service or community facility to be provided, required under a planning obligation; and
- payment of the Royal Borough's legal and professional fees, directly incurred in the completion of any planning obligation agreement or where such an agreement needs subsequently to be modified.

BACKGROUND

D.3 The Royal Borough incurs substantial costs in assessing the requirement for planning obligations in relation to individual planning applications. This includes undertaking development appraisals, the negotiation and the drafting of individual S106 planning obligation agreements. These are over and above the normal costs of dealing with planning applications, for which applicants already pay a fee. Following completion of an agreement, the applicant or the Royal Borough may find it necessary to modify an agreement. The Royal Borough incurs further costs in negotiating such modified agreements.

D.4 The Royal Borough maintains a database of all current agreements and monitors compliance against set targets and triggers. This includes maintaining contact with developers before and during construction, site inspections, legal advice and in the collection and accounting for financial contributions. In certain instances, agreements allow for the subsequent submission of detailed proposals for the provision or payment for community facilities. These necessitate further technical and legal advice, negotiations and approvals.

DEVELOPMENTS FOR WHICH CONTRIBUTIONS WILL BE SOUGHT

- D.5 Contributions towards monitoring, review, legal and professional fees shall be sought from the following:
- a. all applications for residential development of 10 units or above;
 - b. applications for educational institutions that create 25 or more additional bed spaces;
 - c. applications for hospital, nursing home, and other residential care of 25 or more additional bed spaces;
 - d. applications for prisoner or other secure facilities of 25 or more additional places;
 - e. business developments of 500m² or more additional floor space; and
 - f. town centre developments of 500m² or more additional floor space.

METHODOLOGY FOR ASSESSING CONTRIBUTIONS

- D.6 The Royal Borough operates a streamlined system of charging and monitoring for planning obligations. This system is being amended to reflect the reduced number of items which will be subject to charges following the adoption of CIL.

PROFESSIONAL AND TECHNICAL FEES

- D.7 For all applications where the Royal Borough expects that significant professional time or the use of external consultants will be necessary, fees will be charged. Applicants will normally be notified of such fees at the time of application and certainly within four weeks of submission.

LEGAL FEES

- D.8 The Royal Borough's solicitors will maintain a record of time spent and fees will be charged accordingly.
- D.9 Where an agreement contains the requirement to review or submit later detailed proposals for community facilities or services, or where the applicant is seeking to modify the agreement, the same arrangements will apply for professional, technical and legal fees as applied to the original agreement.

CONTRIBUTIONS TOWARDS MONITORING AND COMPLIANCE COSTS

- D.10 The Royal Borough will monitor to ensure that the terms of the planning obligation agreements are being adhered to as part of its public function as the local planning authority. However, there are circumstances where the Royal Borough will request a contribution towards the monitoring because the monitoring would involve excessive time, effort and resources.

D.11 Examples of when a monitoring contribution would be requested are where the development would require monitoring and input across several council departments and developments which would require monitoring over several years such as phased schemes. In addition, if the Royal Borough has to take formal action to secure payment, normal cost recovery arrangements will apply including the cost of taking litigation action.

DEVELOPMENT MONITORING INFORMATION REQUIREMENTS

D.12 In order for the Royal Borough to monitor development progress, all applicants are required to complete and submit the following schedules:

- a. Schedule M1: Gross non-residential floorspace permitted;
- b. Schedule M2: Dwellings existing and proposed;
- c. Schedule M3: Renewable Energy; and
- d. Schedule M4: Annual completions.

D.13 Templates are provided and information must be supplied in the specified format. Submission of Schedules M1, M2 and M3 is required within two months of the issue of permission and need to be updated whenever changes to the scheme are approved. Applicants are required to update the schedules, to maintain an accurate record of the total scheme content, to reflect any subsequent changes to the scheme.

D.14 The developer or any successor must monitor development progress for each financial year (1 April to the following 31 March inclusive), and complete and provide to the Royal Borough within two months of the end of that financial year, **Schedule M3: Renewable Energy** and **Schedule M4: Annual completions**, until the whole development is completed.

SCHEDULE M1: GROSS NON-RESIDENTIAL FLOORSPACE PERMITTED (M ²)					
Permission Reference:					
Use Class		Pre-existing	Proposed		
A1	retail shop				
A2	business or financial service				
A3	restaurant or café				
A4	bar or pub				
A5	hot food take-away				
B1a	office not recorded under A2				
B1b/c	light industry or R&D				
B2	general industry				
B8	warehousing or storage				
C1	hotel or guest house			No. rooms:	
C2	clinic, hospital, boarding college			Specify use:	
D1	school or college (not boarding)				
	hospital, clinic or crèche			Specify use:	

SCHEDULE M1: GROSS NON-RESIDENTIAL FLOORSPACE PERMITTED (M²)					
Permission Reference:					
Use Class		Pre-existing	Proposed		
	church, hall, exhibition gallery			Specify use:	
D2	indoor sports or leisure use			Specify use:	
Sui Generis	Non-residential only			Specify use:	
Other	Non-residential only			Specify use:	
Total					
And	How many off-street non-residential car parking spaces will be provided?				

SCHEDULE M2: DWELLINGS EXISTING AND PROPOSED							
Permission Reference:							
	Pre-existing			Proposed			
	Private	Affordable	Total	Private	Social Rented	Intermediate	Total
Hostel/care home rooms							
Non S/C bedsits							
Studio							
1-bed flat							
2-bed flat							
2-bed house							
3-bed flat							
3-bed house							
4-bed flat							
4-bed house							
5+ bed house							
TOTAL							
How many of the proposed units will be built to meet wheelchair standards?							

SCHEDULE M3: RENEWABLE ENERGY (ANNUAL UPDATE)		
Permission Reference:		
Source	Total proposed (KWh)	Active (KWh) as at 31 March 20xx
Solar panels		
Photovoltaic panels		
Wind turbines		
Ground heat exchange		
Combined Heat & Power **		
Other		
Total		
(**only if using waste/biomass/renewable fuel)		

SCHEDULE M4: ANNUAL COMPLETIONS: YEAR ENDING 31 MARCH 20XX					
Permission Reference:					
Dwellings Completed	Private	Social Rented	Intermediate		Total
Hostel/care home rooms					
Non S/C bedsit rooms					
Studio					
1-bed flat					
2-bed flat					
2-bed house					
3-bed flat					
3-bed house					
4-bed flat					
4-bed house					
5+ bed house					
How many of the above units meet wheelchair standards?					
Non-residential floorspace completed: Year ending 31 MARCH 20XX					
retail shop	A1	(sqm gross)			
business or financial service	A2	(sqm gross)			
restaurant or café	A3	(sqm gross)			
bar or pub	A4	(sqm gross)			
hot food take-away	A5	(sqm gross)			
office not recorded under A2	B1a	(sqm gross)			
light industry or R&D	B1b/c	(sqm gross)			
general industry	B2	(sqm gross)			
warehousing or storage	B8	(sqm gross)			
hotel or guest house	C1	(sqm gross)			
clinic, hospital, boarding college	C2	(sqm gross)			
school or college (not boarding)	D1	(sqm gross)			
hospital, clinic or crèche	D1	(sqm gross)			
church, hall, exhibition gallery	D1	(sqm gross)			
indoor sports or leisure use	D2	(sqm gross)			
Non-residential only	Sui	(sqm gross)			
Non-residential only	Other	(sqm gross)			
Total					