

## **9 PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT**

**Report By: Forward Planning Manager**

### **1 Wards Affected**

All

### **2 Purpose**

- 2.1 To receive and agree a draft supplementary planning document setting out the Council's policy and use of planning obligations for consultation purposes. This document is included within the Council's Local Development Scheme (January 2007) and is being produced in line with the regulations of the new planning system introduced under the Planning and Compulsory Purchase Act 2004.

### **3 Financial Implications**

- 3.1 Costs such as printing and undertaking the consultation exercise will be met from the Planning Delivery Grant. Once adopted, the SPD will result in additional contributions, towards infrastructure costs and other community needs resulting from development, being received by the Council.

### **4 Background**

- 4.1 Under the new planning system, Supplementary Planning Documents (SPD) are produced to expand on plan policy and provide additional information and guidance in support of policies and proposals in Development Plan Documents. When adopted, the Herefordshire Unitary Development Plan (UDP) will have the status of a Development Plan Document (DPD) and its policies will be "saved" as part of the Council's "Local Development Framework" for a minimum three-year period. Policies S1 and DR5 of the UDP refer to Planning Obligations.
- 4.2 The purpose of an SPD on Planning Obligations will be to make clear to all interested parties the Council's policy stance on the subject. Once adopted, it will become a material consideration in the determination of planning applications where contributions are sought.
- 4.3 In July and as part of initial consultation and information gathering, the Council sought the views of selected Parish Councils and a number of interested organisations and stakeholders as to the form that this document should take. Those views followed from a series of consultation questions that were set out in the 25<sup>th</sup> August Planning Committee report and are set out in appendix 2. On 13<sup>th</sup> November and as part of the Council's member training programme, a seminar was held to inform on the use of planning obligations. Points raised at that seminar have been addressed within the draft document.

## 5 Aims of the SPD

5.1 The aim of this SPD is to:

- Provide as much certainty as possible to landowners, prospective developers and other interested parties;
- Ensure a uniform application of policy;
- Ensure the process is fair and transparent;
- Enable developers to have a 'one stop shop' approach to establishing likely contributions expected; and
- Facilitate a speedier response from the authority to development proposals.

5.2 The SPD will therefore assist in pre-application discussions and will provide a transparent and accountable procedure by which planning obligations are negotiated and secured for development within the Council.

## 6 SPD Outline

6.1 The SPD has been drafted in three parts:

- Part 1: Context – covering obligation types, priorities, policy context and community involvement.
- Part 2: Code of Practice – defining the Council's approach and procedure for negotiating, preparing and completing obligations, including monitoring and management.
- Part 3: Community Infrastructure – sets out the obligation areas, thresholds and tariffs where appropriate and justified.

## 7 SPD Process

7.1 The 25<sup>th</sup> August Planning Committee report outlines the procedures to follow when preparing an SPD as set out in the Council's Statement of Community Involvement Submission Document (June 2006). A Sustainability Appraisal and Consultation Statement will accompany the document. A Scoping Report has already been consulted upon and sets the context and basis for the appraisal. All comments received from this further consultation will be reported back to this Committee along with recommended changes.

### Recommendation

**THAT Cabinet be recommended to agree the publication of the draft Supplementary Planning Document for consultation purposes.**

**Background papers**

Local Development Scheme (January 2007)  
Statement of Community Involvement – Submission Draft (June 2006)  
Herefordshire Unitary Development Plan Revised Deposit (May 2004)  
Planning Committee Report 25<sup>th</sup> August 2006  
Sustainability Appraisal - Subsidiary Scoping Report November 2006.