

Bath Western Riverside Supplementary Planning Document (BWR SPD)

Appendix C: Developer Contributions

Update April 2014

[This appendix to the Bath Western Riverside Supplementary Document (SPD) was originally adopted in March 2008. It has been updated to take into account legislative changes and latest price information as derived from the National Statistics RPI index, to the financial contributions requirements only. All prices within the original document are assumed to be as at March 2008, Updated prices as stated are at May 2014]

The Appendix sets out the planning authority's requirements for developer contributions. It should be read in conjunction with Section 3.3 of the SPD which sets out the national and local policy context, and information on negotiating and monitoring contributions.

Affordable Housing

The justification for affordable housing contribution is as set out in Policy CP9 of the Bath & North East Somerset Core Strategy. The dominant form of affordable housing provided should be rented accommodation managed by a Registered Social Landlord, with the Council expecting 75% of the affordable housing at BWR to be social rented. An element of intermediate home ownership accommodation will also be acceptable, however, a range of intermediate home ownership products (if possible ranging from 25% to 75% ownership) should be provided. The low cost home ownership products must be affordable for those households in need of intermediate housing who are unable to buy on the open market and who fulfil the application criteria of the Council's Homesearch (allocations) policy.

Infrastructure related to BWR

Proposals for the individual Development Zones (see Plan 3.1 of the SPD) will be expected to include (either physically, financially or both) the following specific infrastructure requirements:

Zone 1: (East)

- Public realm enhancements to James St West / Green Park Rd / Charles St junction.
- New bridge crossing of river for vehicles & pedestrians.
- Provision of fully operational Sustainable Transport route and link to James St West.
- Strengthened and enhanced Victoria Bridge and potential new pedestrian and cycle bridge to Norfolk Crescent.

- Enhanced traffic junction on Lower Bristol Road providing vehicular access to Victoria Bridge Road and public realm enhancements
- Enhanced pedestrian crossing of Upper Bristol Road.
- New pedestrian route to Victoria Park obelisk.
- Improved junction of Marlborough Lane and Upper Bristol Road, including public realm enhancements.
- Improved junction of Locksbrook Road and Upper Bristol Road, including public realm enhancements.
- Provision of a site for a cultural facility
- Flood alleviation measures.

Zone 2: (West)

- Re-location of Midland Road Depot.
- Provision of fully operational Sustainable Transport route.
- Strengthened and enhanced Victoria Bridge
- New signalised traffic junction on Lower Bristol Road providing vehicular access to Victoria Bridge Road and public realm enhancements
- Enhanced pedestrian crossing of Upper Bristol Road.
- Replacement for destructor bridge (Midland Road) to allow two-way vehicular river crossing.
- Enhanced junction of Upper Bristol Road and Midland Road, incorporating public realm improvements and better pedestrian access to Royal Victoria Park.
- New junction of Lower Bristol Road and Midland Road.
- New pedestrian bridge in the vicinity of existing service crossing of river.
- Enhanced junctions of Windsor Bridge Road with Upper and Lower Bristol Road, including public realm improvements.
- Improved junction of Marlborough Lane and Upper Bristol Road, including public realm enhancements.
- Improved junction of Locksbrook Road and Upper Bristol Road, including public realm enhancements.
- Provision of site for Primary School and community facilities.
- Flood alleviation measures.

Other on-site requirements, or requirements in relation to onsite items:

- Public Open Space (see para. 1.6.51)
 - Public Toilets (and commuted sum for maintenance -£212K)
 - Street Furniture – Benches and Bins – (and commuted sums for maintenance £67.5k and £13.5k respectively)
- Commuted sum for street cleaning £111.71 per linear metre
- Mini Recycling Centre, and facilities for refuse and recycling collection (individual Green Boxes and Wheelie Bins) or communal facilities depending on nature of the design.
- CCTV provision in the retail area.

Occupancy Assumptions

The s106 requirements are based on an estimate of likely occupancy arising from the development, both to calculate the requirements arising from the development and to allocate costs between different uses.

The 1999 Housing Needs survey has been used as the source for the following residential occupancy assumptions used in this SPD.

Property Type	Assumed Occupancy
1 Bed	1.31
2 Bed	1.81
3 Bed	2.39
BWR Total	5,396

Standard Occupancy assumptions for other types of development have been used as follows:

Use per m2	Assumed Occupancy
Non Food Retail	20
Food Retail	19
Office	19
Hotel	30
Leisure	65
Culture	36
Bars / Cafes	13
Av Commercial	26
Av Employment	19

Student Accommodation	Assumed Occupancy
1 bed	1

The remaining part of this Appendix sets out the requirements for pooled contributions calculated on a formulaic basis in relation to each service element.

Per 'occupancy' contribution

Total infrastructure costed for Zone 1 and Zone 2	Total estimated occupancy	@ occupancy contribution
£21,975,269	8,556	£2,568

Educational Facilities Policy Background

The justification for requiring obligations in respect of Educational Facilities is as set out in CIL Regulations (as amended) and Policy CP.13 of the Bath & North East Somerset Core Strategy, Policies IMP.1, CF.3 and GDS.1 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

Education Obligations apply to residential development only, if implementation of the development will result in the generation of additional pupil numbers in excess of that which local schools can accommodate.

The education authority's assessment of existing capacity in local schools concludes that provision of additional secondary places is not required, however if secondary school or sixth form provision is required, the B&NES Planning Obligations SPD will be used to calculate contributions

The provision of a site for a Primary School and community facilities within zone 2 has already been identified as a requirement elsewhere in this SPD (1.6.53-1.6.56).

The following types of residential accommodation will not be subject to Education Obligations: sheltered housing, rest homes, nursing homes, hostels, student accommodation, one bedroom dwellings and studio flats.

Basis of Calculation

The standards used to assess education provision requirements are as follows: Nursery 3.4 places per 100 eligible residential units Primary 24 places per 100 eligible residential units The cost per school place (as advised by DfES for 2006/07) is as follows: Nursery Primary £ 5,290 £ 10,579 These figures are specific to B&NES as they include a local factor provided by DfES and are updated annually.

Conclusion

This equates to a requirement for financial contributions as follows:

March 2008 prices	Nursery	Primary	Total
1 Bedroom units	NIL	NIL	NIL
2 Bedroom units	£181	£2,539	£2,720
3 Bedroom units	£181	£2,539	£2,720
May 2014 prices	Nursery	Primary	Total
1 Bedroom units	NIL	NIL	NIL
2 Bedroom units	£218	£3,063	£3,282
3 Bedroom units	£218	£3,063	£3,282

Youth Facilities

Policy Background

The justification for requiring obligations in respect of Youth Facilities is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1, CF.3 and GDS.1 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

Youth Obligations apply to residential development only. The following types of residential accommodation will not be subject to Education Obligations: sheltered housing, rest homes, nursing homes, hostels, student accommodation, one bedroom dwellings and studio flats.

Basis of Calculation

Pooled contributions are required towards youth facilities which will form part of a mixed use community facility, probably associated with the Primary School. The estimated total cost of the youth facilities element is £115,000. Other uses on this site will include Library, sports, and primary health care facilities. The cost is spread equally across the expected residential development (excluding 1 bedroom properties).

The provision of a site for a Primary School and community facilities, which will include Youth facilities, within zone 2 has already been identified as a requirement elsewhere in this SPD (1.6.53-1.6.56).

The calculation assumes standalone premises. If it is proposed to make sports provision on a joint use basis (e.g. in conjunction with a school / other community facilities) it might be possible to consider reducing the required contributions to the extent that costs are lower.

Conclusion

The requirement for financial contributions is as follows:

	March/2008 prices	May/2014 prices
1 Bedroom units	NIL	NIL
2 Bedroom units	£57	£68.77
3 Bedroom units	£57	£68.77

Community Meeting Places

Policy Background

The justification for requiring obligations in respect of Community Meeting Places is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1, CF.3 and GDS.1 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

Community Meeting Places Obligations apply to residential development only.

Basis of Calculation

The provision standard for community meeting places is 0.3m² per resident. The current unit cost is £1,520 per m², which converts to £456 per person.

The provision of a site for a Primary School and community facilities within zone 2 has already been identified as a requirement elsewhere in this SPD (1.6.53-1.6.56).

The calculation converts the above costs and standards in to amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix.

The calculation assumes standalone premises. If it is proposed to make sports provision on a joint use basis (e.g. in conjunction with a school / other community facilities) it might be possible to consider reducing the required contributions to the extent that costs are lower.

Conclusion

The requirement for financial contributions is as follows:

	March/2008 prices	May/2014 prices
1 Bedroom units	£595	£717.87
2 Bedroom units	£825	£995.37
3 Bedroom units	£1,088	£1,312.68

Cultural Facilities

Policy Background

The justification for requiring obligations in respect of Cultural Facilities is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1,CF.3 and GDS.1of the Bath & North East Somerset Local Plan. Paragraph B3.41 makes specific reference to the need for a middle scale (350-650) seat venue.

Trigger for Obligation

Cultural Facilities Obligations apply to all types of development within BWR.

Basis of Calculation

The building cost of a cultural facility which meets the requirements of the local plan (B3.41) and would provide a facility for conferences and exhibitions as well as being a music venue, has been estimated.

The proposed facility will be a facility for the whole city and funding will need to come from a variety of sources. A feasibility study analysing the options has been commissioned.

An element of the funding is included here as a s106 requirement in relation to BWR, based on the share of the total city that will be formed by BWR on completion in 2021, taking into account the quantum of existing development in the city, and other development expected in that time period.

The calculation weights different types of uses based on assumed occupancy levels as set out in the introduction to this Appendix, and a scaling factor of 0.1 in relation to non-residential uses.

The provision of a site for a Cultural Facility within zone 1 has already been identified as a requirement elsewhere in this SPD (1.6.52).

Conclusion

The requirement for financial contributions is therefore as follows:

	March/2008 prices	May/2014 prices
Residential:		
1 Bedroom units	£343	£413.83
2 Bedroom units	£476	£574.30
3 Bedroom units	£627	£756.48
Commercial / m2	£1.00	£1.21
Employment / m2	£1.38	£1.66

Transport Infrastructure Policy Background

The justification for requiring obligations in respect of Transport is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1 and GDS.1 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

Transport Obligations apply to all types of development within BWR.

Basis of Calculation

Key transport infrastructure items are listed in pages 1 and 2 under Zones 1 and 2 and contributions will be sought based on ***the per 'occupancy' figure***. There may be some site specific contributions which are not listed in pages 1 and 2.

Sports Facilities

Policy Background

The justification for requiring obligations in respect of Sports Facilities is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1 and GDS.1 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

Sports Facilities Obligations apply to residential development only.

The following types of residential accommodation will not be subject to Sports Facilities Obligations: sheltered housing, rest homes, and nursing homes.

Basis of Calculation

The standards and costs of provision required are taken from the Sport England Sports Facilities calculator. Underlying this calculator are national standards of provision for pools, sports halls and indoor bowls. The calculator also includes construction cost assumptions which are locally weighted. This equates to £288 per person.

The provision of a site for a Primary School and community facilities, which might include sports facilities, within zone 2 has already been identified as a requirement elsewhere in this SPD.

The calculation converts the above costs and standards in to amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix.

The calculation assumes standalone premises. If it is proposed to make sports provision on a joint use basis (e.g. in conjunction with a school / other community facilities) it might be possible to consider reducing the required contributions to the extent that costs are lower.

Conclusion

The requirement for financial contributions is therefore as follows:

	March/2008 prices	May/2014 prices
1 Bedroom units	£376	£453.65
2 Bedroom units	£522	£629.80
3 Bedroom units	£688	£830.08

Green Space

Policy Background

The justification for requiring obligations in respect of Green Space is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1, CF.3, SR.3, and GDS.1 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

In line with Local Plan Policies CF.3, SR.3 and GDS.1, Planning Obligations will be applied to all approved development that creates a demand for additional green space and/or places additional pressure on existing facilities. The Obligations are a mechanism to implement the local green space standards and aim to ensure that the needs of those occupiers of new development have access to a range of high quality green spaces that meet their needs and that the demands for green space created by new development does not deny existing occupiers these same opportunities.

The obligations will most often relate to residential development but will also apply to some other proposals such as tourism enterprises that bring additional visitors to an area or office and retail developments that generate open space needs for employees.

What types of Green Space should be provided?

The Bath & North East Somerset Local Plan requires the provision of areas for outdoor recreation and sport, allotments and children's play facilities as part of new housing development sites proposed under Policy GDS.1 and in the case of other sites where need is generated by new development .

National guidance in PPG17 with its Companion Guide sets out an open space typology which the government considers appropriate when Councils are assessing open space provision. Drawing on information gained from the recent green space assessment and audit, the Council has produced its own bespoke, PPG 17 compliant typology in recognition of the multi-functional nature of the majority of green spaces, and the diverse range of provision, management and need across Bath & North East Somerset. This guide includes standards for the following land types:

- 1 Formal Green Space – including parks and public gardens along with recreation grounds and spaces for informal activities.
- 2 Natural Green Space – including woodland, natural and semi-natural spaces and green corridors.
- 3 Allotments – including community gardens and community orchards

Standards for most outdoor sports facilities available to the public and the provision of facilities for children and young people are included in the formal green space standard as it is within these spaces that these facilities are generally provided.

Financial contributions secured for the provision of green space may be spent on one or more of the above infrastructure types depending on needs identified in the Green Space Strategy.

Basis of Calculation

The calculation is based on local standards of provision as follows:

Quantity Standards for the Provision of Green Space	
Type	Quantity
Formal Green Space	a minimum of 15 sq. m per person
Natural Green Space	a minimum of 20 sq. m per person
Allotments*	a minimum of 2.8 sq. m per person with a minimum site size of 1,500 sq. m / 10 plots

Generally, on site provision will be required where the size, topography and other characteristics of the application site makes this feasible. On site green space should be an integral part of the development's design concept and should fully take account of, for example, considerations relating to access, orientation, topography, biodiversity and the character of the locality.

Where green space is provided by the developer, it must be maintained to the satisfaction of the Council for a period of no less than 12 months. In some cases this period may be extended (e.g. if remedial works required prior to transfer are not completed within an agreed timescale). Developers will then be required to dedicate the green space and any associated facilities (e.g. changing facilities, play equipment, landscaping) to either the District or Parish Council and to make a capital commuted contribution to cover their maintenance over a 10 year period.

The commuted sums used by the Council represent the cost of maintaining the different types of open space per annum and will be revised annually. The current rates (2006/07) are as shown below.

Green Space -Annual Maintenance costs (on-site and off-site)		
Type	Cost of Maintenance per annum (£/sq.m)	
	March/2008 prices	May/2014 prices
Formal Green Space	£48.49	£58.50
Natural Green Space	£11.48	£13.85
Allotments	£6.63	£8.00

In cases where a proportion of the required green space is to be provided on site with the rest off-site, there will be a need for a similar level of financial contribution towards annual maintenance, but also a contribution to pay for the capital costs of construction. The current rates for the construction costs (2006/07) are as shown below.

Off-site Green Space – Construction costs		
Type	Cost of Provision (£/sq.m)	
	March/2008 prices	May/2014 prices
Formal Green Space	£46.08	£58.60
Natural Green Space	£8.61	£10.39
Allotments	£45.15	£54.47

NB -these rates do not include land purchase which would be an additional cost to be added. These rates include a 6% supervision fee.

Alternatively it may be that offsite provision can be made (at least in part) through enhancement of existing faculties rather than new construction. The current rates (2006/07) for off-site enhancement are as shown below.

Off-site Green Space – cost of enhancement of existing faculties		
Type	Cost (£/sq.m)	
	March/2008 prices	May/2014 prices
Formal Green Space	£47.89	£57.78
Natural Green Space	£10.04	£12.11
Allotments	£25.89	£31.24

This is a combined cost which includes both capital and commuted revenue elements. The capital element includes a 6% supervision fee.

If the quantity of land dedicated by the developer to the Council is greater than the minimum local standards, then the commuted sums to cover maintenance will relate to the total land area not just that required by the standards.

The calculation converts the above costs and standards in to amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix.

Conclusion

The calculation of required contributions in relation to a particular application depends on a specific assessment of the quantities of on-site provision being made as part of the development, and whether any off-site provision is made through enhancement of existing provision or new provision.

Social Services Policy Background

The justification for requiring obligations in respect of Social Services is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy, and Policies IMP.1 and CF.3 of the Bath & North East Somerset Local Plan.

Social Services obligations are required to cover the anticipated costs of disability adaptations in relation to new residents of the BWR site.

Trigger for Obligation

Social Services Obligations apply to residential development only.

Basis of Calculation

Analysis of likely requirements for and current costs of disability adaptations gives rise to an estimated requirement of £18.53 per person.

The calculation converts the above unit costs into amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix.

Conclusion

The requirement for financial contributions is therefore as follows:

	March/2008 prices	May/2014 prices
1 Bedroom units	£24	£28.96
2 Bedroom units	£34	£41.02
3 Bedroom units	£44	£53.09

Economic Development

Policy Background

The justification for requiring obligations in respect of Economic Development is as set out in CIL Regulations (as amended), Policy CP.13 of the Bath & North East Somerset Core Strategy and Policy IMP.1 of the Bath & North East Somerset Local Plan.

The 'Linking to Employers' section of the Bath & NE Somerset Learning Plan encourages local training provision which meets employer needs and addressing basic skills.

The contribution will be used to ensure local companies and residents are able to capitalise on the opportunities for procurement and employment offered by the development activity. It will be utilised to fund support staff able to promote procurement opportunities to the local supply chain and an intermediary service to assist in matching employment vacancies to the local construction skills base, along with an allocation to develop on-site training facilities and support the tutelage.

Trigger for Obligation

Economic Development Obligations apply to all types of development within BWR.

Basis of Calculation

The calculation is based on the cost of providing the above services during the construction period. It will also ensure that capacity is available to contribute toward the training infrastructure required to capitalise on the opportunities presented by this development.

Conclusion

The requirement for financial contributions is therefore as follows:

Type	Cost	
	March/2008 prices	May/2014 prices
Residential (£/unit)	£120	£144.78
Commercial (£/m ²)	£5	£6.03
Employment (£/m ²)	£5	£6.03

Libraries

Policy Background

The justification for requiring obligations in respect of Libraries is as set out in CIL Regulations (as amended) and Policy CP.13 of the Bath & North East Somerset Core Strategy and Policies IMP.1 and CF.3 of the Bath & North East Somerset Local Plan. B&NES Council has a statutory duty to provide a comprehensive, efficient and modern library service to those who live work or study within its boundaries.

Trigger for Obligation

Libraries Obligations apply to all types of development within BWR, but the assumed occupancy of non-residential properties is taken into account to include only the proportion who are non B&NES residents so as to avoid double counting.

Basis of Calculation

The calculation applies the International Federation of Libraries Associations (IFLA) standard for Library provision which is 42 m² per 1,000 population. The building cost of library provision is estimated at £3,000 per m², with an allowance for books / IT stock of £9.38 per head.

The calculation converts the above unit costs into amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix. A scaling factor of 0.37 is applied to the assumed occupancy of commercial and employment space so that it is based on the likely proportion of occupants who are not B&NES residents only.

The provision of a site for a Primary School and community facilities, which might include Library facilities, within zone 2 has already been identified as a requirement elsewhere in this SPD (1.6.53-1.6.56). The calculation assumes standalone premises. If it is proposed to make sports provision on a joint use basis (e.g. in conjunction with a school / other community facilities) it might be possible to consider reducing the required contributions to the extent that costs are lower.

Conclusion

The requirement for financial contributions is therefore as follows:

Type	Cost	
	March/2008 prices	May/2014 prices
Residential (£/unit)		
1 Bedroom units	£177	£213.55
2 Bedroom units	£245	£295.59
3 Bedroom units	£323	£389.70
Commercial (£/m ²)	£1.91	£2.30
Employment (£/m ²)	£2.64	£3.19

Police

Policy Background

The justification for requiring obligations in respect of Police is as set out in CIL Regulations (as amended) and Policy CP13 of the Bath & North East Somerset Core Strategy.

Trigger for Obligation

Police Obligations apply to all types of development within BWR.

Basis of Calculation

The Avon & Somerset Constabulary has assessed the policing requirements that are likely to arise from the BWR development and estimated the additional building / parking space necessary to accommodate the officers and other staff required.

The calculation provides for office type accommodation for 7 people and parking spaces for 2 cars. This is not an on-site requirement, but a financial contribution to off-site provision.

The calculation converts the above costs into amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix.

Conclusion

The requirement for financial contributions is therefore as follows:

Residential (£/unit)	March/2008 prices	May/2014 prices
1 Bedroom units	£33.00	£39.81
2 Bedroom units	£46.00	£55.50
3 Bedroom units	£61.00	£73.60
Commercial (£/ m2)	£0.97	£1.17
Employment (£/ m2)	£1.34	£1.62

Primary Health Care

Policy Background

The justification for requiring obligations in respect of Primary Health Care is as set out in CIL Regulations (as amended) and Policy CP.13 of the Bath & North East Somerset Core Strategy and Policies IMP.1 and CF.3 of the Bath & North East Somerset Local Plan.

Trigger for Obligation

Primary Health Care Obligations apply to all types of development within BWR.

Basis of Calculation

The Bath & NE Somerset PCT has assessed the primary health care requirements that are likely to arise from the BWR development and estimated the building / parking space necessary to accommodate the staff and facilities required.

The calculation provides for the construction costs of a health care facility with a floor area of 800m² and 40 parking spaces, within the BWR development.

The provision of a site for a Primary School and community facilities, which might include health facilities, within zone 2 has already been identified as a requirement elsewhere in this SPD (1.6.53-1.6.56).

The calculation converts the above costs into amounts per unit of development based on assumed occupancy levels as set out in the introduction to this Appendix. A scaling factor of 0.5 is applied to the assumed occupancy of commercial and employment space.

The calculation assumes standalone premises. If it is proposed to make sports provision on a joint use basis (e.g. in conjunction with a school / other community facilities) it might be possible to consider reducing the required contributions to the extent that costs are lower.

Conclusion

The requirement for financial contributions is therefore as follows:

	March/2008 prices	May/2014 prices
Residential:		
1 Bedroom units	£340	£410.21
2 Bedroom units	£472	£569.47
3 Bedroom units	£622	£750.45
Commercial (£/m ²)	£4.96	£5.98
Employment (£/m ²)	£6.86	£8.28