

Summary of key changes in Review of Planning Obligations SPD

SECTION 1

General Principles

- SPD updated in context of new policies of adopted Derby City Local Plan Part 1
- Updated approach to seeking S106 contributions in light of CIL Regulations
 - Tightening up of S106 tests
 - Requirement for contributions to be; necessary to make development acceptable in planning terms; directly related to development proposals and fairly and reasonable related in scale and kind
 - Restriction on pooling of contributions towards single infrastructure projects
- City Council's response to the CIL Regulations
 - Continuing with S106 in light of viability of local market conditions
- Outstanding point of how contribution rates will be increased in future
- New section which gives greater explanation of how Council will take account of development viability and the implications for S106 contributions

SECTION 2

Affordable Housing

- New section clarifying affordable tenure types
- New sections about Grant Funding for affordable housing and Private Rented Sector schemes

Education

- Greater detail on how capacity of school places at existing schools will be assessed
- Greater detail on requirements for school buildings being constructed by developers on site

Open Space

- Change from incidental open space to amenity green space in line with new Local Plan policy
- Clearer guidance on financial contributions to off-site open space provision in terms of proximity to development sites
- Greater detail on Council's requirements if developer elects to maintain and manage public open space privately instead of transferring ownership and responsibility to Council

Transport

- Updated reference to LTP 3 and new transport schemes
- Update to contributes rates and how calculated to base on trip rates of different land uses, rather than by geographical corridors
- More detail on requirements for travel plans and monitoring

Community Facilities including Health, Community Centres and Indoor Sports Facilities

- New approaches to calculating contributions for community centres
- Introduction of new approach to calculating health facility provision in light of guidance from South Derbyshire Clinical Commissioning Group
- Contributions only sought for community centres and indoor sports where there is no existing capacity to absorb impact from new residential development

New chapter on Flooding and Drainage

- Guidance for developers about the information required for the design and provision and transfer of on-site Sustainable Drainage Systems
- New contribution thresholds and contribution rates for maintenance
- Approach to seeking planning obligations towards flood defences in OCOR area

New chapter on Student Accommodation

- With the increase recently in applications for student accommodation, this new chapter sets out how planning obligations will be sought that take into account the need to mitigate the impact of these schemes on the local neighbourhood but also the degree of impact in terms of the services and infrastructure provided by students and the university and the relative amount of time that students are resident in the city.

SECTION 3

Site Specific Contributions

- Contributions will be only sought on a site by site basis depending on the characteristics and location of the development including libraries, public realm, public art, biodiversity, historic environment, community safety and the Derby and Sandiacre Canal

APPENDICES A and B

- Thresholds have been updated in line with adopted Local Plan
- Contribution rates have been updated to be more consistent and to reflect current costs