

Committee: Cabinet

Agenda Item

Date: 18 February 2014

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Title: Developer Contributions Guidance

Portfolio Holder: Cllr Barker

Key decision: **No**

Summary

1. Uttlesford District Council enters into many planning obligations each year as a result of planning approvals. Over the last year the Council has revised and updated its standard obligation and requirements.
2. At its meeting in June 2013 Cabinet adopted a new Developer Contributions Guide. Officers have carried out a 6 month review of the document and are recommended two changes within the document.

Recommendations

3. To adopt the revised Developer Contributions Guidance as a material planning consideration.

Financial Implications

4. The charges will give rise to a new income stream that will contribute towards the running costs of the planning service.

Background Papers

5. None

Impact

- 6.

Communication/Consultation	<p>The adopted document will be placed on the website.</p> <p>Consultation has taken place on elements of the document already.</p> <p>UDC undertook consultation on the Housing Strategy which led to the setting of affordable housing targets, mix of units and tenure split.</p> <p>UDC/consultants undertook survey work with all Parish/Town Councils to understand local need for sport and recreation provision. This culminated in the</p>
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	published 'Open space, sports facilities and playing pitch strategy'. ECC undertook consultation relating to education and highways requirements.
Community Safety	No impact.
Equalities	The requirement will affect all equally.
Health and Safety	No impact.
Human Rights/Legal Implications	No impact.
Sustainability	No impact.
Ward-specific impacts	Affects all wards
Workforce/Workplace	To consider as part of planning application process.

Situation

7. Uttlesford District Council enters into many planning obligations each year as a result of planning approvals. Over the last year the Council has revised and updated its standard obligation and requirements.
8. At its meeting in June 2013 Cabinet adopted a new Developer Contributions Guide. Officers have carried out a 6 month review of the document and are recommended two changes within the document.
9. The majority of requirements are the same for all 'major' planning applications although each site can bring its own individual requirements. The Guidance Document therefore sets out the Council's approach to dealing with the main requirements. Collating the information in one place will mean that developers are clear about the Council's requirements and can prepare their submissions accordingly.
10. The review has focused on two elements:
 - Affordable housing contributions on schemes of 1 – 4 units
 - Monitoring clauses for developments including phasing.
11. Changes are proposed in both sections and are highlighted in the text of the document at paragraphs 2.7, 2.8 and 6.10.
12. The aim of the changes to the affordable housing contributions is to simplify the process, stop the requirement of a viability report on each and every application and clearly set out the amount of contribution required.

13. The change regarding the monitoring contribution is to ensure that larger schemes involving more than one phase pay a monitoring contribution per phase. This reflects the level of work required on these larger schemes.

Conclusion

14. The Council has considered the need for clear guidance for developers and has produced a document which will be made publically available.

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Not all required contributions listed.	1 – The document states that it is not exclusive. Those listed are the main requirements.	1 – Additional requirements from sites can be included.	Carefully considered what is included within document.
Developer does not comply with adopted Guidance.	2 – Developers may challenge the requirements. Clear planning justification lies behind the requirements which will be set out in these instances.	2 – Refusal to comply may result in refusing the application leading to appeal or resubmission.	Publish document so that requirement is clearly set out. Raise through pre-application meetings.
Contributions collected insufficient to cover associated costs.	2 – Historically the contributions collected have not covered the associated costs for the predicted period.	2 – funding therefore needs to be provided from other Council sources to make up difference.	Clearly set out requirements and calculate the contributions required in detail. Refuse to accept transfer of land where contributions proposed are deemed to be insufficient.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.