

**Bath and North East Somerset Council**

**DRAFT**

**Planning Obligations Supplementary Planning Document  
Regulation 12(a) Report of Consultation and Consultation  
Statement**

**Statement of Compliance with the Neighbourhood  
Planning Protocol**

**January 2015**

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## **1.0 Background**

- 1.1 This report sets out the consultation that took place in the lead up to and during public consultation of the Bath and North East Somerset Council (B&NES) Draft Planning Obligations Supplementary Planning Document SPD (in this document referred to as the Draft SPD) between 24<sup>th</sup> July and 18<sup>th</sup> September 2014, and reviews the consultation responses received, the number of representations made, and a summary of the main issues raised by the representations.
- 1.2 This document has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 which requires that Local Authorities set out the persons the local planning authority consulted when preparing the supplementary planning document, a summary of the main issues raised within the consultation responses, and how those issues have been addressed
- 1.2 This document complies with the Council's Neighbourhood Planning Protocol which indicates that the following documents will be made publicly available:
  - Comments made during the consultation will be available for public inspection and available online.
  - A consultation report, for each key stage in the preparation of a local policy document which sets out who was consulted, how they were consulted, a summary of the main comments received and how these have been addressed (this current document)
  - A statement of compliance to the Neighbourhood Planning Protocol (see section 4).
- 1.3 The consultation on the Draft SPD was taken following the adoption of the Bath and North East Somerset Council Core Strategy in July 2014. The SPD provides additional guidance on the interpretation of Core Strategy Policies in particular CP9 and CP13 highlighting how the policy will work in practice.
- 1.4 Once adopted, the new Planning Obligations Strategy SPD will replace the Council's current Planning Obligations SPD (2009).
- 1.5 The intention is that this SPD will help all parties involved (such as the Council, developers, landowners and registered providers) deliver infrastructure to support new development.
- 1.6 The draft SPD has been prepared in consultation with the Council's Development Management team, Housing Services, the Highways Department, Environment Team, Economic Development team and Education Services and external organisations such as Avon Fire and Rescue.

1.7 The Council's Registered Providers were consulted on emerging proposals for affordable housing delivery, tenure, design and standards and as part of ongoing policy development throughout the formal SPD consultation process.

## **2.0 Public Consultation**

2.1 The Council's Cabinet approved the draft SPD for public consultation on 16<sup>th</sup> July 2014 and Public Consultation was held in parallel with the Draft CIL Charging Schedule between 24<sup>th</sup> July and 18<sup>th</sup> September 2014.

2.2 Notification of the draft SPD consultation was emailed to:

- Statutory Consultees including adjoining Local Authorities and all Parish and Town Councils
- Local Development Framework database contacts including individuals, developers and agents.

2.3 A public notice was displayed within the Bath Chronicle, the Western Daily Press and the Midsomer Norton, Radstock and District Journal on 24<sup>th</sup> July 2014.

2.4 Hard copies of the draft SPD were made available in all libraries including mobile libraries in the district and in the Council One Stop Shops in Bath; Riverside, Keynsham and the Hollies, Midsomer Norton.

2.5 A comments form was made available for consultation responses. Comments were requested in writing to 'Community Infrastructure Levy, Planning Policy, Bath and North East Somerset Council, PO Box 5006 Bath BA1 1JG' or by email to [cil@bathnes.gov.uk](mailto:cil@bathnes.gov.uk).

2.6 An introduction to the Draft Planning Obligations SPD together with the Community Infrastructure Levy, with links to the supporting viability and infrastructure evidence was made publicly available on the Bath & North East Somerset Council website with a direct web link to the page - [www.bathnes.gov.uk/CIL](http://www.bathnes.gov.uk/CIL).

2.8 An email address and contact telephone number was provided on all the consultation material and the website, for those who wanted to ask questions and seek further information. The Council's first point of contact, Council Connect, was briefed so that they could respond to general enquiries about the consultation thus allowing more detailed queries to be dealt with by members of the Planning Policy team.

### 3. Summary of Responses to the Consultation

3.1 The Council received a total of 30 responses to the consultation from the following stakeholders.

The Respondents to the Draft Charging Schedule are set out below:

Rep No	Date Received	Respondent Name	Respondent/ Organisation	Agent
SPD/01	15/8/14	Rachael Bust, Chief Planner	The Coal Authority	
SPD/02	3/9/14	Anthony Ross Planning Advisor	Theatres Trust	
SPD/03	5/9/14	Sean Walsh Asset Manager	Highways Agency	
SPD/04	11/9/14		Curo Enterprises Ltd	Peter Roberts, Barton Willmore
SPD/05	16/9/14	Garry Parsons	Sport England	
SPD/06	17/9/14	Jane Hennell Area Planner	The Canal and River Trust	
SPD/07	17/9/14	Ralph Butt	Morris & Co LLP	
SPD/08	17/9/14	Amanda Grundy	Natural England	
SPD/09	18/9/14	David Newton	Kersfield Developments	
SPD/10	18/9/14	Alastair Gibson	Charlecombe Homes Ltd	
SPD/11	18/9/14	David Halewood	Colston & Colston Chartered Surveyors	
SPD/12	18/9/14	Francine Watson	Knight Frank LLP	
SPD/13	18/9/14	Ian Walker	CaSa Architects Ltd	
SPD/14	18/9/14		SW HARP Consortium	Felicity Tozer, Tetlow King
SPD/15	18/9/14	Simon Coles	Keep Architecture	
SPD/16	18/9/14		Sainsbury's	Sarah Hawkins, WYG
SPD/17	18/9/14	Andrew Given	Goughs Solicitors	
SPD/18	18/9/14	Mr C Mackenzie	Designscape Architects	
SPD/19	18/9/14	Ian McMurtry	Swinhay Ltd	
SPD/20	18/9/14	Peter Hibbert	Affordable Housing Solutions	
SPD/21	18/9/14		IM Properties	Rebecca Collins, GVA
SPD/22	18/9/14	Andy Reading	Environment Agency	
SPD/23	18/9/14	John McQueen	McBallester Ltd	
SPD/24	18/9/14		Housebuilder and Developer Consortium	Ian Stevens, Savills
SPD/25	18/9/14	Ken Hopkins	Mactaggart and Mickel	Tom Roche, Roche Associates Ltd
SPD/26	18/9/14	Simon Hawketts	Intelligent Property	
SPD/27	18/9/14	Jane Lewis Town Councillor	Midsomer Norton Town Council	
SPD/28	26/9/14	Gavin Davis	Shepperton Builders Ltd	
SPD/29	19/9/14	David Redgewell	South West Transport Network Rail Futures	
SPD/30	22/9/14	Rohan Torkildsen	English Heritage	

3.2 In line with the Council's Protocol, the representations can be found on the B&NES website [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil). A summary of the main issues raised by the representations is at Appendix 1 of this report.

#### 4.0 **Modifications to the Planning Obligations Supplementary Planning Document**

A schedule of modifications to the consultation draft SPD is set out at Appendix 2. The page numbers and paragraph numbers within the schedule are referenced from the consultation version Draft Supplementary Planning Document and do not reflect the final version for adoption.

#### 5.0 **Statement of Compliance with the Neighbourhood Planning Protocol**

5.1 This consultation report forms the Statement of Compliance to the Neighbourhood Planning Protocol. Details of consultation undertaken, a summary of key issues raised and the Council's response are included in the Report in line with the Neighbourhood Planning Protocol.

## Appendix 1: - Summary of key issues and Council's responses

Issue	Council's Response
<p><b>General</b> Supports document - particularly in clarifying the role of S106 and CIL</p> <p>Concern regards viability of developments and the overall level of planning obligations required.</p>	<p>Support Noted</p> <p>The Council has been careful to ensure that the combined total impact of such requests alongside CIL does not threaten the viability of the sites and scale of development identified in the development plan. The viability was tested through the CIL process.</p>
<p><b>Affordable Housing</b> Question whether blanket policy approach to affordable housing percentages - meets the statutory tests for use of planning obligations</p> <p>Concern re policy on affordable housing requirements for small sites of 5-9 dwellings or 0.25ha – whichever is the lower. The proposed mechanism for commuted sum payments is flawed. Suggests Bassetlaw District Council commuted sum formula.</p> <p>Affordable rent should only be used when a lower number of social rent homes are to be provided, for example on complex or unviable sites. Supports limiting rent payments to the Local Housing Allowance, including service charge but excluding utilities.</p> <p>Suggest proposals for shared ownership should reflect the cost of accessing the lower quartile private rented market in the "locality" not "District". This will ensure that access will be equitable.</p>	<p>The affordable housing requirements are set out in the Core Strategy which was approved through the examination process. SPDs cannot change existing policy.</p> <p>PPG revisions have removed the ability of the Council to secure affordable housing fully in accordance with Policy CP9 on small sites. The Council will now seek to secure a financial contribution on sites delivering between 5 and 10 homes if applicable: A stakeholder workshop has been arranged to discuss the proposed commuted sum formula.</p> <p>The SPD states that in high value areas affordable housing costs can be excessive. For all affordable rented tenures, the total housing cost (including service charges) for the tenant should not exceed the appropriate Local Housing Allowance (LHA) set by the National Valuations Office</p> <p>Noted. Text amended to "the total housing cost of accessing the lower quartile private rented market locally taking into consideration the overarching 25% income test for affordability.</p>

Concern regarding affordable housing mix reflecting market housing mix, and viability of affordable housing development standards, lifetime homes and wheelchair homes.

The SPD reflects Core Strategy policy CP9 which states that the mix of housing should contribute to providing choice in tenure and housing type, having regard to the existing mix of dwellings in the locality and the character and accessibility of the location.

The Council has been careful to ensure that the combined total impact of such requests does not threaten the viability of the sites and scale of development identified in the development plan. Notwithstanding this, the Core Strategy Policy CP9 accepts that viability is a consideration.

Policy CP6 of the Core Strategy requires high quality and inclusive design in all developments and refers to the Building for Life 12 design assessment tool

Concern re proposed maximum service charge.

Noted. Text amendments made in response "*(This does not include RP management charges for Social Rented Units) . On developments with significant communal space, lifts or other exceptional services requiring high, on-going charges, Developers and RPs are encouraged to consider capitalising the service charge element to ensure annual service charges can be capped at the above rates.*"

Challenge the statement that Extra Care (C3) is not specifically considered as an affordable tenure. This type of accommodation can be provided as affordable accommodation.

Noted. Text amended for clarification to: "*Extra Care housing (use class C3) is NOT specifically considered as an affordable housing tenure, although Extracare Housing can be brought forward as social rent, ART or as low cost home ownership. Developments for Extracare Housing will be subject to Core Strategy Policy CP9.*"

**Transport Infrastructure Works**

Support the Council's approach to Transport Infrastructure Works.

Support noted.

**Green Infrastructure, Open Space and Sports Facilities**

Supports the Green Infrastructure section of the SPD including the recognition that GI will be integral to development proposals.

Support noted.

Concerned about the potential lack of mitigation of existing green infrastructure including waterways.

The SPD refers to the Council's Green Infrastructure Strategy. The Core Strategy states that proposals should respect and enhance green infrastructure within the site and demonstrate strong links to the wider network.

Concern regarding potential overlap between Regulation 123 list

CIL will fund specific green space requirements identified in the Green Space



<p>and Section 106 in relation to provision of public open space.</p> <p>Challenge the requirement to cover the management cost of provision for a 20 year period.</p> <p>Request that sports facilities are considered strategically and linked to developments, ie funded by s106</p>	<p>strategy. Major development sites including urban extensions will be expected to provide open space provision to mitigate the impact of development.</p> <p>Circular 2005/05 states at B18. Where contributions are secured through planning obligations towards the provision of facilities which are predominantly for the benefit of the users of the associated development, it may be appropriate for the developer to make provision for subsequent maintenance (i.e. physical upkeep). Such provision may be required in perpetuity.</p> <p>Only site specific provision to mitigate the impact of the new development can be sought through the s.106. General sports, recreational, and play infrastructure are identified as types of infrastructure to be funded by CIL.</p>
<p><b>Tree Replacement</b> Support tree replacement policy.</p> <p>Challenge the request for a contribution to tree replacement, on public land. This requirement should be applied on a discretionary basis.</p>	<p>Support noted.</p> <p>The SPD states that Developers will be expected to demonstrate why on-site replacement is not possible or appropriate before off-site replacement is accepted. The system is a simple transparent approach which all parties can understand.</p>
<p><b>Targeted Recruitment and Training &amp; Mitigation,</b> The emerging SPD should allow for circumstances where training schemes are in place to avoid a developer paying twice.</p> <p>Planning obligations should ensure the mitigation of impacts associated with a proposed development, not the impact of the loss of a use.</p>	<p>The SPD states that if a developer provides a TR&amp;T programme that delivers the NET outcomes in the volume required then the Council would not seek a TR&amp;T contribution. The Council would need to ensure a satisfactory agreement is in place.</p> <p>Noted. This contribution is removed from the requirement.</p>
<p><b>Fire Hydrants</b> This is an issue for Building Regulations and not for an SPD.</p>	<p>The Fire and Rescue National Framework sets out the Government's expectations of fire authorities for reducing and managing community risk through proactive prevention and protection.</p>
<p><b>Education</b> The provision of land for a new school, in addition to costs of building the school and the costs of CIL does not comply with</p>	<p>Noted. The SPD original text referred to where a new school is required by one development. Additional text is added to clarify where a new school is</p>

<p>the planning obligations tests. The SPD must state that B&amp;NES will fund the capital cost and land for any surplus need not generated by the proposed developments.</p>	<p>required by a number of developments (up to 5 developments).</p>
<p><b>Other Site Specific Measures</b>  Request reference to site level flood risk infrastructure as well as drainage</p> <p>Benefits of heritage issues in respect of viability of development should be taken into account, and opportunities for funding recognised.</p>	<p>Noted. The list of other site specific measures has been amended to take account of this.</p> <p>Comments noted. The list of other site specific measures has been amended to include improvements to and the mitigation of adverse impacts on the historic environment</p>
<p><b>Community Facilities</b>  Request that the SPD be amended to allow planning obligations to continue to deliver community and cultural facilities infrastructure such as theatres.</p>	<p>In all cases, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in 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. Social and cultural facilities are identified on the Council's Draft Infrastructure List (Regulation 123 list), as types of infrastructure that the Council may apply CIL revenues to.</p>

## Appendix 2

**Bath and North East Somerset Council draft Planning Obligations SPD  
Schedule of Proposed Changes**

Proposed Change Ref	Page no Draft SPD	Original draft SPD Reference	Proposed Change	Reason for change
PC001	Cover page	Note text	Delete.	The prices incorporated will be updated according to the index at publication.
PC002	Contents	3	<del>Site Specific Targeted Recruitment and Training &amp; Mitigation in Construction</del>	Mitigation contribution is deleted.
PC003	Executive Summary	7 <sup>th</sup> bullet	Amend to <del>Site Specific Targeted Recruitment and Training &amp; Mitigation in Construction</del>	Mitigation contribution is deleted
PC004	1	1.1.1	Amend 7th bullet to "The SPD replaces the previous version, which was adopted July 2009, <u>and also Appendix C of the Bath Western Riverside SPD (March 2008).</u>	Mitigation contribution is deleted.
PC005	2	1.3.1	Amend 7th bullet to "The SPD replaces the previous version, which was adopted July 2009, <u>and also Appendix C of the Bath Western Riverside SPD (March 2008).</u>	Mitigation contribution is deleted
PC006	3	2.12 and 2.13	Delete paras 2.1.2 and 2.1.3 2.1.2 From April 2015, the date on which a CIL Charging Schedule is adopted, it will be not be possible for B&NES Council to seek planning obligations for strategic infrastructure using the existing Section 106 mechanism. For this reason the tariff based approach set out in the Council's previous Planning Obligations SPD adopted July 2009 will no longer fit for purpose. 2.1.3 In addition, the CIL Regulations require that Section 106 contributions cannot be pooled from more than five developments to provide new infrastructure, with the exception of Crossrail.	Para 2.1.2- 2.1.5 cover this point.
PC007	4	2.1.7	<del>As discussed earlier, this SPD provides the detail to Policy CP13 of the Council's adopted Core Strategy. As such, given that the Core Strategy has been found to be sound by the Examination Inspector, and therefore in conformity with the NPPF, it is clear that this SPD is also in conformity with the NPPF.</del>	Not necessary. Repeats statement in Introduction
PC008	9	3.1.3	Add at end of paragraph <u>up to 2029</u>	For added clarity.

PC009	12	Table	Amend Bath North and East BA11 7 to BA1 7	Correction
PC010	13	Table 3.1.A	Amend first column Discounted Market / Shared Equity	For clarification
PC011	12	New Section after Table indicating affordable housing percentages	<p>New Text</p> <p><b>The Planning Policy Guidance Amendments (November 2014)</b></p> <p>3.1.9A PPG revisions have removed the ability of the Council to secure affordable housing fully in accordance with CP9 on small sites.  <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/">http://planningguidance.planningportal.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/</a></p> <p>PPG Paragraph 12 states that;  There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development□.</p> <ul style="list-style-type: none"> <li>contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm</li> <li>in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985□, which includes National Parks and Areas of Outstanding Natural Beauty</li> <li>affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home</li> </ul> <p><b>The thresholds for the Core Strategy CP9 taking into account the PPG amendments are:</b></p> <p><b>Large Sites</b>  Affordable housing will be required as on-site provision in development of 11 units</p>	<p>Revised policy guidance from the Government has clarified the applicability of affordable housing for smaller residential development sites.</p> <p>The planning practice guidance note updated on the 28/11/2014 confirms that:-</p> <p>contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm</p> <p>In designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less.. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty</p>

			or a combined gross floorspace is in excess of 1000sqm.  <b>Small Sites</b> Residential developments on small sites delivering between 6 dwellings and the large scale threshold, and a combined gross floorspace of more than 1,000 The target level of affordable housing for these small sites will be 20% for AH area 1 and 15% for AH area 2 half that of large sites, in order to encourage delivery.	
PC012	13	Table 3.1.A Row: Affordable Rent Tenure	Amend to AFFORDABLE RENT TENURE <del>CAN ONLY BE USED WHERE HOMES ARE BEING DELIVERED WITH</del> (ART) is a specific tenure that can only be used where homes are being delivered with <del>homes</del> Homes and <del>communities agency</del> Communities Agency (heaHCA) funding or as part of an <del>rp's</del> RP contract with the heaHCA	Amended for clarity
PC013	13	Table 3.1.A Row: Shared Ownership	Change HARP to Housing Association RP	Amended for clarity
PC014	14	3.1.13	Amend to: Extra Care housing (use class C3) is NOT specifically considered as an affordable housing tenure, <u>although Extracare Housing can be brought forward as social rent, ART or as low cost home ownership. Developments for Extracare Housing will be and is subject to Core Strategy Policy CP9.</u>	Further information for clarification.
PC015	15	3.1.19 last sentence	Amend to: the total housing cost of accessing the lower quartile private rented market <del>in the District</del> <u>locally</u> taking into consideration the overarching 25% income test for affordability.	For added clarity
PC016	15	3.1.20	Second Sentence Amend Discounted Market homes /or <u>shared equity</u>	For added clarity
PC017	16	3.1.21	Add clarification at end of paragraph.  <u>(This does not include RP management charges for Social Rented Units) . On developments with significant communal space, lifts or other exceptional services requiring high, on-going charges, Developers and RPs are encouraged to consider capitalising the service charge element to ensure annual service charges can be capped at the above rates.</u>	To take into account concerns from Registered Providers that some sites have required service charges at high levels
PC018	16	3.1.24	<u>In accordance with the aims of CP10, t</u> The range of affordable housing units will reflect the pattern of open market homes proposed. The Council will expect to see proportions of open market and affordable homes provided for all unit types proposed on the development.	For added clarity
PC019	16	3.1.24	Additional sentence at end of paragraph	For added clarity to reflect Core

			<u>Where larger open market homes are proposed, the Council will consider local needs evidence to specifically determine if a 5 or more bedroom dwelling is required. If a specific need is not identified affordable housing provision will focus on 1,2,3 and 4 bed units as appropriate..</u>	Strategy Policy CP9 which aims for a mix of housing
PC020	16	3.1.25 First bullet	Amend to all 2 bed dwellings houses will be provided as 2 bedroom 4 person family houses	For added clarity
PC021	17	3.1.25	Amend to • On wholly or primarily flatted developments, <u>there will be the delivery of both 2 bed homes will be required to be for 4 people.person and 2 bed 3 person homes.</u> Add bullet at end <u>4 bed homes will be for 6 people.</u>	Further flexibility to reflect Core Strategy Policy CP9 which aims for a mix of housing.
PC022	17	3.1.25	Add <u>Appropriate communal space or private gardens will be provided to meet the play needs of families living in flatted developments.</u>	To accord with Policy CP6 of the Core Strategy which requires high quality and inclusive design in all developments and refers to the Building for Life 12 design assessment tool
PC023	17	3.1.27	Add at end of first sentence..” <u>..where need is evidenced</u> ”	
PC024	17	3.1.28	Amend to <del>Evidence from the 2013 Strategic Housing Market assessment continues to support an affordable housing</del> <u>Evidence from the SHMA 2013 suggests an affordable housing mix of 95% rented and 5% shared ownership homes. In order to promote diverse and sustainable communities, the Council will generally expect an affordable housing requirement for 75% homes for social rent and 25% intermediate housing</u>	For added justification.
PC025	19	3.1.40	Add at end of paragraph after “use” <u>unless superseded by national policy exemptions.</u>	For added clarification.
PC026	19	3.1.41	Amend last sentence to ..”For the avoidance of doubt this requirement does not apply to accommodation at residential institutions, with a C2 planning use class, for people in need of care such as care homes or nursing homes <del>where such accommodation is confirmed in writing by the Council as being non self-contained accommodation..</del> ”	Deleted text not necessary
PC027	20	Table 3.1.B	Amend second row to 2 bed 3 person flat Minimum internal sizes amended Column added <u>“Minimum built in storage”</u> Footnote added <u>(based on revised National Housing Standard (2)September 2014)</u>	To reflect the Core Strategy which seeks a variety of housing types and size

PC028	23	3.1.50	Amend title <del>Lifetime Homes</del> <u>Accessible Housing</u> Amend paragraph to All ground floor flats, bungalows, house-type flats served by a private staircase, flats served by lifts and age restricted affordable units should meet the Lifetime Homes standard as defined by Habinteg ( <a href="http://www.lifetimehomes.org.uk">http://www.lifetimehomes.org.uk</a> ) Requirement to meet LTH will be superseded by the National Housing Standard accessibility level 2 when this is introduced into Part M of the Building Regulations.	Updated information.
PC029				
PC030	21	3.1.51	Amend to "Compliance with Lifetime Homes requirements ( <u>or NHS level 2</u> ) "  Format "minimum HCA" to italic <i>minimum HCA</i> "	For clarification To refer to HCA standards
PC031	21	3.1.51	Add sentence at end of paragraph after "...storage space."  <u>Delivery of an appropriately designed Lifetime Home layout, may result in the dwelling footprint exceeding the minimum internal standards.</u>	For further information
PC032	21	3.1.52	Delete title " <del>Wheelchair Homes</del> " Add " <u>The Habinteg standard will be superseded by the National Housing Standard accessibility level 3 when this is introduced into Part M of the Building Regulations.</u> "	
PC033	21	3.1.53	Amend title to <u>Ideally developers will demonstrate that scheme layout, design and specification will achieve SDB Secured by Design: New Homes 2014 requirements (<a href="http://www.securedbydesign.com">http://www.securedbydesign.com</a>). As a minimum, developers will be expected to deliver the affordable homes to meet the requirements of Section 2: Security of dwelling.</u>	For clarity
PC034	22	3.1.56-58	Delete paragraphs	Superseded
PC035	23	3.1.64 title	Amend sub-title to <u>HomesWest - B&amp;NES Housing Partnership</u>	Title updated
PC036	23	3.1.64	Add sentence at end of paragraph. <u>An up to date list of preferred RP partners can be provided on request from the Housing Enabling and Development Team.</u>	For further information.
PC037	24	3.1.65	Amend second sentence to  <u>However, the chosen provider will first be invited to apply for a place on the</u>	For added clarity

			HomesWest –B&NES partnership or must demonstrate that they can adhere to the Council's minimum housing management standards relating to; housing income management; estate management; tenancy management; housing or specialist support, void property management and lettings; resident involvement; and maintenance.	
PC038	26	3.1.76	Amend title to Mortgagee <del>in possession</del> <u>Protection</u>	For added clarity
PC039	26	3.1.76	Amend second sentence to "An appropriately worded Mortgagee <del>in possession</del> <u>Protection</u> clause will be allowed on all affordable housing schemes to ensure it will achieve the criteria required by banks and other lenders and is agreed by the Council."	For added clarity
PC040	27	3.1.80	Add a fourth bullet point: <ul style="list-style-type: none"> <li>It is recognised that delivering of affordable housing units arising from <u>CP9 on small sites can be problematic and the use of commuted sums may be a pragmatic solution to ensuring policy compliance.</u></li> </ul>	For further justification.
PC041	28	3.1.86	Delete paragraph	This issue is covered under small sites.
PC042	36	3.3.2	Insert "bus service". "Examples of this include the provision of a new <u>bus service</u> , bus stop or bus lane to serve a development."	To further exemplify need to address lack of public transport accessibility serving new development.
PC043	46	3.7 Title	<b><u>Site Specific Targeted Recruitment and Training &amp; Mitigation in Construction</u></b>	Section has been modified to focus on recruitment and training and not address mitigation.
PC044	46	3.7.1	--there are issues with <del>over 4% of 16 – 24 year olds Not in Education, Employment &amp; Training (NEET),</del> over 6,000 residents claiming out of work benefits and both average work place and resident wages below local, regional and national averages. There is also a <del>reported</del> <u>evidence which demonstrates a shortage of skilled construction workers both locally and nationally, which is putting</u> pressure on the local labour market and could if not adequately addressed affect future development <u>viability and delivery</u>	For added clarity.
PC045	46	3.7.2	Targeted, Recruitment & Training opportunities <del>in through</del> construction is essential to enable the labour market to remain buoyant and deliver a suitably trained work force to meet the sectors <u>growing</u> labour demand	Textual changes. For added justification.
PC046	46	3.7.3	Delete Paragraph	For clarity.



			<p>Replace with <b><u>National</u></b></p> <p><u>NPPF states the LPA should .... “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”(Para 17) Further to this .... “Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing”. (Para 20)</u></p>	
PC047	46	3.7.4	<p>Delete paragraph Replace with <b><u>Local</u></b></p> <p><u>3.7.4 B&amp;NES Core Strategy POLICY SD1: “Presumption in favour of sustainable development” also states that ... “When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework....It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.’</u></p>	For clarity.
PC048	46	Footnote	Delete footnote	Not referenced
PC049	47	3.7.5	<p>Delete sentence. Replace with:</p> <p><u>3.7.5 Core Strategy Objective 6 includes <i>promoting and delivering employment, training and regeneration opportunities that can contribute to a reduction in the health and social inequalities across the District,</i></u></p> <p><u>and Core Strategy Objective 6e states that:</u></p> <p><u>‘Delivery of economic development will also be facilitated by the B&amp;NES Economic Strategy, the Regeneration Delivery Plans and the Development Management process. Working alongside local communities and partners will be essential to deliver the ambitions of the Economic Strategy and developers may be asked to support the objectives of the Strategy through a Targeted Recruitment, Training and Supply-chain Protocol.’</u></p>	This is to be covered in new paragraph

PC050	47	New Para after para 3.7.6	These commitments are reflected in the Councils Planning Obligations SPD where Targeted Recruitment Opportunities in the construction phase of a development on-site are sought. A number of schemes across B&NES have already delivered planning obligations and with target outcomes for TR&T in construction, providing opportunities on site during the construction phase, example templates have been developed for both the heads of terms and on-site targets.	For clarity
PC051	47	3.7.7	The Council will require developers to agree to contribute towards a Targeted Recruitment and Training (TR&T) target and contribution which will be applied on site during the construction of the specific scheme, where the proposed development (new build and change of use) requires planning permission, and is above the following thresholds: <ul style="list-style-type: none"> <li>• Residential : 10 units of housing and above</li> <li>• Non Residential /Commercial Premises over 1000 sq m</li> </ul>	For clarity
PC052	47	3.7.9	Delete paragraph	For clarity
PC053	47	Title	<b>Amend to</b> <del>Targeted Recruitment &amp; Training Targets &amp; contributions</del>	For clarity
PC054	47	3.7.10	Add text at end of paragraph after (NET) These are adaptable to the scale, duration and nature of the development and are proportionate to the impact of the development.	For clarity
PC055	48	3.7.11	Amend to: There are three distinct TR&T in construction outcomes defined for NETs as follows	For clarity
PC056	48	3.7.12	The contribution is intended to support NETs entering into TR&T in construction activity providing training, travel and equipment costs. These figures have been estimated identified by B&NES together in consultation with the B&NES Learning Partnership. The breakdown of maximum anticipated costs are as follows:	For clarity
PC057	48	3.7.12 New fifth bullet	• Details of the site specific costs will be identified as part of the s106 heads of terms.	For clarity
PC058	48	3.7.13	Delete paragraph	Para 3.7.12 sets out the contribution therefore it is not necessary to provide examples.
PC059	49	Table 3.7A/B	Delete Table 3.7A and Table 3.7B	See above.
PC060	49	3.7.14	Delete title – from Mitigation for loss of employment space and paragraph	Mitigation for the loss of employment space is removed

				from the requirement.
PC061	50	3.7.15	Delete paragraph	See above.
PC062	50	3.7.16	Delete paragraph including Example and (a)	See above
PC063	50	3.7.17	Amend last line .. enable the TR&T in construction outcomes <del>can</del> to be met.	For clarity
PC064	50	3.7.18	Amend first sentence to: It is a requirement of the developer to provide a method statement <u>following a template and guidance</u> produced in partnership with the B&NES Learning Partnership that will outline the delivery of the TR&T <u>target</u> outcomes	For clarity
PC065	50	3.7.19	Amend reference ... Targeted Recruitment and Training <u>in Construction &amp; Mitigation</u>	For clarity
PC066	53	3.9.5	----the full cost of building new whole schools. <u>In certain instances the combined effects of up to 5 development proposals create a requirement for a new school to serve developments, developers will expected to contribute to the land and the full cost of building new whole school as proportionate to each development. The space and accommodation----</u>	For clarity
PC067	57	3.10.1	<ul style="list-style-type: none"> <li>- Sustainability</li> <li>- Waste and Recycling</li> <li>- Public Realm including funding of Legible Signage Drainage <u>and flood risk mitigation measures</u></li> <li>- Ecological measures where a development has an adverse impact on local habitats and ecology, or the provision of alternative habitats to compensate for any loss</li> <li>- <u>Improvements to and the mitigation of adverse impacts on the historic environment.</u></li> </ul>	Responding to comments received from the Environment Agency and English Heritage.
PC068	Appendix 1		Delete.	Reference to Appendix 4 deleted in text.

