

<b>Executive Forward Plan Reference</b>	<b>E 3126</b>
---	---------------

Single Member Cabinet Decision

Planning Obligations Supplementary Planning Document (SPD) amendment and related Community Infrastructure Levy Regulation 123 List amendment relating to new development green space requirements

<b>Decision maker/s</b>	Cllr Bob Goodman, Cabinet Member for Development and Neighbourhoods
<b>The Issue</b>	<p>Amendments are required to the Planning Obligations Supplementary Planning Document (SPD) and related changes are required to the Regulation 123 List (R123 list) to clarify in particular that where recreational open space (“green space”) provision is not practical on site for new developments, planning obligations (Section 106 agreements) for off-site green space provision or enhancement which are necessary for new development to be acceptable in planning terms will be required.</p> <p>In addition, there are minor amendments to the section on adoption of green space by the Council and minor factual updates to the Tree Replacement section of the SPD are also included to reflect updated cost information on tree replacement where applicable.</p>
<b>Decision Date</b>	On or after 2 <sup>nd</sup> March 2019
<b>The decision</b>	<p>The Cabinet Member agrees the Planning Obligations SPD draft amendments for consultation with stakeholders for a six week period from 14 March 2019 to 25th April 2019 relating to S106 green space obligations, and updated costs for tree replacement</p> <p>The Cabinet Member agrees the Regulation 123 draft amendments for consultation with stakeholders from 14 March 2019 to 25th April 2019 relating to off-site green space requirements</p>
<b>Rationale for decision</b>	The rationale for making the changes to the Planning Obligations SPD and the R123 is to provide consistency for determining planning applications, and to ensure that development which is permitted is acceptable in planning terms.
<b>Financial and budget implications</b>	<p>The preparation of the Amendments to the Planning Obligations SPD and R123 list for consultation and consideration will be undertaken by the Planning Policy Team and the costs covered within the existing salary budget and the Council’s LDF budget (now reduced).</p> <p>The amendments will have an impact on the Council’s income. It is anticipated that the level of Section 106 income will increase. In cases where off site contributions are secured in place of on-site provision, this would result in additional S106 contributions. In addition, conversions of in use buildings to new residential apartments that do not currently contribute via CIL (as CIL is based on net additional</p>

	Gross Internal Area), could be liable for green space planning obligations.
<b>Issues considered (these are covered in more detail in the report)</b>	Sustainability; Corporate; Other Legal Considerations
<b>Consultation undertaken</b>	In preparing the Single Member Decision Report: Other B&NES Services; Section 151 Finance Officer; Monitoring Officer  The proposed amendments to the Planning Obligations SPD and Reg 123 List will be subject to public consultation.
<b>How consultation was carried out</b>	Meetings and circulation of drafts with officers and other services. Meeting with Cabinet member to explain proposals. Draft circulated to the section 151 officer and the monitoring officer by email for comments and approval.
<b>Other options considered</b>	A full Review of the Planning Obligations SPD was considered instead of focusing on the proposed amendments relating to implementation. However on the basis that the draft Joint Spatial Plan is currently being examined, and the preparation of the Local Plan is in progress, a full review of the SPD will be needed in due course to take into account the delivery of infrastructure, particularly in connection with the Strategic Development Locations and non-strategic allocations. It was decided therefore to undertake these focused amendments relating to the implementation of existing adopted policy
<b>Declaration of interest by Cabinet Member(s) for decision, including any dispensation granted:</b>	None.
<b>Any conflict of interest declared by anyone who is consulted by a Member taking the decision:</b>	None.

<b>Signatures of Decision Makers</b>	
<b>Date of Signature</b>	

**Subject to Call-in until 5 Working days have elapsed following publication of the decision**