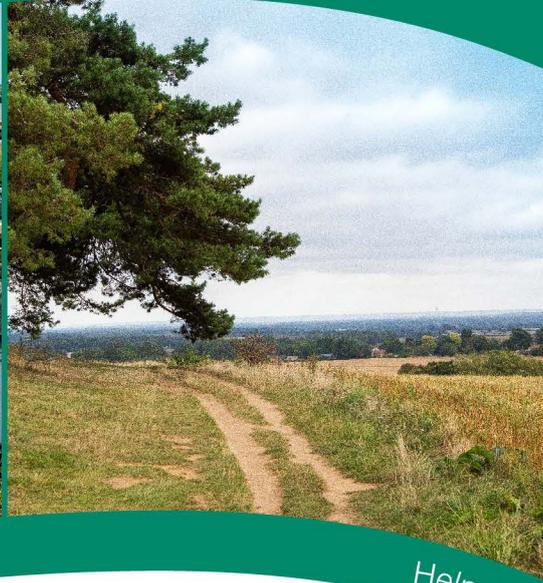




**Vale
of White Horse**
District Council



Help us Shape the Future

Developer Contributions Supplementary Planning Document Consultation Statement

DELIVERING INFRASTRUCTURE TO SUPPORT DEVELOPMENT

Your Vale - Your Future

October 2021

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1. Introduction

- 1.1 Funding for the infrastructure necessary to support new development across the District can be sought in a variety of ways. The Council currently utilises the following main mechanisms for securing infrastructure contributions from developers:
- Community Infrastructure Levy (CIL)
 - Section 106 planning obligations (S106)
- 1.2 Following the adoption of Part 1 of the Local Plan 2031 in December 2016, the Council adopted its current CIL Charging Schedule and Developer Contributions SPD in September 2017, with the commencement of CIL in November 2017. The Council subsequently adopted Part 2 of the Local Plan 2031 in October 2019, which included new site allocations and additional infrastructure requirements. There have also been changes to the Community Infrastructure Levy Regulations¹, including:
- the removal of pooling restrictions for S106 obligations (i.e. the now cancelled requirement that no more than five S106 obligations can fund a single infrastructure project);
 - removing the need for a Regulation 123 list (i.e. a list of infrastructure projects to be funded by CIL as opposed to S106); and
 - introducing a new requirement to produce an annual Infrastructure Funding Statement.
- 1.3 Furthermore, it was evident that the current CIL rates were not generating sufficient funds to help deliver the necessary infrastructure to support planned development. In particular, funding for education was falling short and it is now proposed, in the main, to secure education through S106.
- 1.4 In light of all the above, the Council considered it was necessary to conduct a review of both the CIL Charging Schedule and Developer Contributions SPD. These reviews have been carried out in accordance with the CIL Regulations 2010 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 respectively. Draft versions of each revised document, together with associated viability evidence, were approved by Cabinet for public consultation on 18 Dec 2020.
- 1.5 Regulation 12 of the Local Planning Regulations states that, before a local planning authority can adopt an SPD, it must prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This Consultation Statement addresses these requirements.

¹ The Community Infrastructure Levy Regulations 2010, as amended by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

2. Summary of the Consultation Process

- 2.1 Public consultation on the draft Developer Contributions SPD was conducted from 11 January to 8 February 2021, simultaneously with consultation on a revised draft CIL Charging Schedule and associated evidence documents.
- 2.2 The Council made all consultation documentation available on its website and in hard copy at its offices². A notification email or letter was sent to around 2,200 consultees on the Council's planning consultation database, which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments. The Council also used its social media platforms to advertise the consultation and circulated a poster via email for each of the town and parish councils to display, where appropriate.
- 2.3 Overall, there were 27 respondents to the consultation, making a total of 84 separate comments on the draft document. Of these respondents, 5 were local community groups/organisations, 5 were town or parish councils, 10 were statutory consultees, 4 were district councillors and 3 were individuals. A full list of respondents can be found at Appendix 1.

3. Main Issues Raised During Public Consultation

- 3.1 A detailed schedule of all comments received during the public consultation period, including summaries, the Council's responses and any amendments to the SPD in light of comments raised is attached at Appendix 2.
- 3.2 Below is a summary of the main issues raised by respondents, together with the Council's response.

Role of councillors and town/parish councils in negotiating S106 agreements

- 3.3 A number of respondents raised concerns about lack of clarity in the SPD over the role of town/parish councils and district councillors in negotiating Section 106 agreements, both under the separate development typologies discussed in Section 4 and also in Appendix 2 to the SPD (Approach to Negotiating Planning Obligations).

Council's response:

- 3.4 We have amended the draft SPD to include a new paragraph at the beginning of Section 4, which explains that it is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.

² Due to Covid restrictions the Council offices were closed to the public. Respondents were asked to contact the Council if they wished to view hard copies, so appropriate options could be discussed.

- 3.5 Appendix 2 in the adopted 2017 Developer Contributions SPD has proved useful in discussions between officers and developers over specific planning applications. However, it is not considered appropriate to include more detailed information on Section 106 protocol within the supplementary planning document. Consequently, rather than making additions to Appendix 2 to reflect the concerns raised by respondents, it would be preferable to produce a separate internal Section 106 protocol document. This protocol document would provide clarity for district councillors and town/parish councils on their roles and responsibilities in Section 106 negotiations and could also include detailed information on the procedure for the signing of S106 agreements. An advantage of having a standalone document is that there is scope for procedural information to be quickly updated, as and when necessary.

Local play areas and grass playing pitches

- 3.6 Two parish councils suggested that the SPD required amendment to reflect the current 'Fields in Trust' guidance relating to the hierarchy of play areas to be provided in association with new housing development.
- 3.7 East Hendred Parish Council sought confirmation that, in instances where a series of small sites are being developed but a play area threshold is not reached on one site, developer contributions would still be required. The parish council also requested that Appendix 3 of the SPD (Distance Standards) be amended to state that the District's population should be within 700m walking distance of a multi-use games area (MUGA) and 1200m walking distance from grass playing pitches (football, rugby and cricket).
- 3.8 Sport England suggested that there should be reference in the SPD to the requirement of a maintenance sum for grass playing pitches of at least 10 years.

Council's response:

- 3.9 The SPD needs to reflect Development Policy 33 and Appendix K of LPP2, which set out the council's standards for play provision. On reflection, we consider that inclusion of Table 3 (Children's Play and Youth Provision) is confusing for developers, as it is based on non-statutory 'Fields in Trust' guidance rather than adopted Plan policy. We have, therefore, removed Table 3 from the SPD and replaced it with text to explain that play area requirements will be dependent on existing provision in the area and the demands from other development and may be in the form of financial contributions rather than on-site provision.
- 3.10 Additional text now clarifies that town/parish councils can use their proportion of CIL receipts towards the enhancement of existing play areas in situations where either: there are a number of small sites being developed where,

individually, each site would not reach the dwelling threshold required to trigger developer contributions towards play areas; or where there is no suitable local site to locate play facilities. Furthermore, it now explains that, where a site cannot accommodate its on-site play requirement due to exceptional site constraints, S106 contributions may be sought towards off-site mitigation.

- 3.11 The distance standards in Appendix 3 reflect those in adopted Local Plan policy (as set out in Appendix K to Part 2 of the Vale Local Plan) and cannot, therefore, be revised in the SPD. However, we have amended the accessibility standard for MUGAs to be consistent with Appendix K.
- 3.12 We have amended Section 5 to confirm that developers will be required to pay a maintenance sum for a period of at least 10 years for grass playing pitches.

Carbon reduction measures

- 3.13 Three respondents expressed concern that there was no reference to carbon reduction measures to address the global climate emergency in the draft document.

Council's response:

- 3.14 Core Policy 37 (Design and Local Distinctiveness) of LPP1 requires proposed new development to address sustainability and climate change intrinsically through location and design, by taking into account landform, layout, building orientation, massing and landscaping to minimise energy consumption and mitigate water run-off and flood risks. Planning conditions can achieve improved provision of carbon reduction measures (such as EV charging points) and CIL is the appropriate mechanism for securing developer contributions towards off-site and wider carbon reduction initiatives that are not directly related to a specific development, including renewable energy and energy storage infrastructure. We have reflected all the above in a new paragraph 4.60 in the SPD.

Healthcare infrastructure needs

- 3.15 One GP practice felt that the council's consideration of housing growth had failed to take account of increasing medical infrastructure needs.
- 3.16 Oxfordshire NHS Clinical Commissioning Group (CCG) also said it would like to see developer contributions towards healthcare facilities explicitly set out as monetary calculations, as an appendix to the SPD.

Council's response:

- 3.17 The relevant CCG and GP practices are consulted on all major development proposals involving sites over 50 dwellings. In the SPD, each infrastructure type for which S106 contributions are sought is given a unique reference number (DEV1, DEV2 etc). Under DEV9 (Health Care), the SPD explains that

new or increased capacity of health facilities will be sought through S106 from developments on allocated sites that are exempt from CIL. Also, that development contributions for healthcare will be sought through S106 from all extra care, nursing and care home developments. We take account of feedback from health care providers to inform the S106 contributions sought in relation to new development.

- 3.18 We do not propose that specific monetary calculations for developer contributions towards healthcare provision are included in the SPD, as this type of information can become quickly out of date. Instead, text has been added to confirm that the council will continue to liaise with the relevant CCG to obtain their latest financial information for calculating contributions towards health facilities from specific developments.

Affordable extra care and specialist housing

- 3.19 Oxfordshire County Council suggested that the SPD should make explicit reference to securing S106 contributions towards affordable extra care and specialist housing.

Council's response:

- 3.20 We agree that text should be added to explain that affordable housing provision may include affordable extra care and specialist housing for vulnerable groups (such as the elderly with care needs and people with physical and learning disabilities or complex autism). We have done this and also explained that the council will work with Oxfordshire County Council and developers to secure and deliver this provision, in accordance with local needs.

Affordable housing monetary calculations

- 3.21 Several respondents suggested that it would be helpful and more transparent to include information within the SPD (possibly as an Appendix) which sets out how developer contributions towards affordable housing (including off-site provision) are calculated.

Council's response:

- 3.22 We agree that such information would be helpful for developers. However, we propose that this is included in the forthcoming Affordable Housing SPD, to be produced jointly by Vale of White Horse and South Oxfordshire District Councils. Until that SPD is in place, the council will continue to engage with developers regarding affordable housing contributions on an individual site basis.

Development viability

- 3.23 Oxfordshire County Council asked whether there was more recent guidance from RICS on assessing development viability.

Council's response:

- 3.24 We have updated Section 6 of the SPD to reflect the latest guidance in Assessing Viability in Planning Under the National Planning Policy Framework 2019 for England (RICS, 1st Edition, March 2021), particularly the paragraph on 'site value', which required replacing with the latest definition of 'land value' and an explanation of the 'Existing Use Value Plus' approach to defining land value for any assessment of development viability.

Other infrastructure provision

- 3.25 A number of respondents put forward suggestions for other infrastructure items that they would like to see referenced in the SPD. These included: retention and maintenance of hedgerows/mature trees; mobile air quality stations; Household Waste Recycling Centres; and contributions towards police/security infrastructure.

Council's response:

- 3.26 We have included references to additional infrastructure items, where appropriate, throughout the document.

4. Modifications to the Draft SPD

- 4.1 A revised version of the SPD has been prepared, which includes all the proposed amendments to address the relevant comments raised, together with some further amendments made by the Council post-consultation. These are summarised below:
- i. Clarification under DEV1 (Affordable Housing) on how affordable housing should be distributed across a development site and inclusion of the dwelling threshold that will trigger affordable housing contributions. Also, reference to footnote 23b of LPP2 (which confirms that the affordable housing policy CP24 will apply to sites of ten dwellings or more, in line with the NPPF).
 - ii. Removal of reference to the council seeking affordable housing contributions from sites of 6-9 dwellings in the Area of Outstanding Natural Beauty (AONB), as there is currently no adopted Vale Local Plan policy which allows the Council to apply this lower threshold in designated rural areas.
 - iii. Reference to Core Policy 25 (Rural Exception Sites) of the Vale Local Plan 2031 Part 1 under DEV1 (Affordable Housing)
 - iv. Additional text under DEV1 (Affordable Housing) to highlight Government's new First Homes scheme, including the requirement for at least 25% of all Section 106 Affordable Homes to be First Homes (i.e. sold at a minimum discount of 30% of market value, with the discount secured in perpetuity);
 - v. Confirmation in paragraph 4.11 that, where there is a fractional requirement for affordable housing (e.g. 4.5 dwellings), the fractional

portion (i.e. the 0.5 in this example) will be secured as an off-site contribution.

- vi. Amendments to DEV6 (Play Areas) and supporting text to ensure it accurately reflects adopted Plan policy in Appendix K of the Vale Local Plan 2031 Part 2.
- vii. Rewording of DEV11 (Cemeteries) to clarify that, where the Local Plan or a neighbourhood plan identifies a need for an allocated site to provide or contribute towards cemetery space, this will be secured through S106.
- viii. Rewording of paragraphs 4.63 and 4.64 to ensure consistency with the adopted policy wording on biodiversity net gain, as set out in Core Policies 45 and 46 of the Vale Local Plan 2031 Part 1. Also, reference to the forthcoming Environment Act, which is likely to supersede CP46 and set a national mandatory minimum of 10% biodiversity net gain.
- ix. Amendments to DEV12 (Public Realm, including Public Art) and its supporting text to place greater emphasis on seeking developer contributions towards improvements to the wider public realm, as opposed to the SPD's current focus which is primarily on the provision of public art.
- x. Amendments to Section 5 to provide greater clarity on the potential options for the future management and maintenance of various types of infrastructure (i.e. open spaces and buildings).
- xi. A new Section 6 covering how the CIL Regulations and S106 agreements relate to self and custom-build homes.
- xii. Clarification in paragraph 7.10 that the Council will include a clause in most S106 agreements stating that £500 will be charged for each site inspection that the council is required to undertake in order to check dwelling occupancy in instances where the developer has failed to notify us of a trigger threshold being reached.
- xiii. New text (at paragraph 7.12) to explain why, in some circumstances, the Council may seek appropriate security from a developer, in the form of a 'bond', to cover any unforeseen circumstances resulting in the under/non-payment of deferred financial contributions.
- xiv. Further minor amendments following a grammar/Plain English sense check, for readability and accuracy.

5. Further information

- 5.1 Further information on the Developer Contributions SPD review can be found on the Council's [website](#)

Appendix 1

List of Respondents to the Draft SPD Public Consultation (from 11 January to 8 February 2021)

1	Barwell, Giles
2	Crawford, Andy Cllr
3	East Hendred Parish Council
4	Hallett, Debby Cllr
5	Historic England
6	Natural England
7	NHS Oxfordshire CCG
8	North Hinksey Parish Council
9	Oxford and District Action on Child Poverty
10	Oxfordshire County Council
11	Roberts, Judy Cllr
12	Scharf, Daniel
13	Scottish and Southern Electricity Networks
14	Shrivenham Parish Council
15	Soha Housing
16	South Oxfordshire District Council
17	Sport England
18	Thames Valley Police
19	Thames Water
20	Thompson, Max Cllr
21	Vale Liberal Democrat Group
22	Vale of White Horse DC Housing Team
23	Wantage Town Council
24	Watchfield Parish Council
25	Wilts and Berks Canal Trust
26	Wise, Michael Dr
27	Woodlands Medical Centre PPG

Appendix 2 – Schedule of Consultation Responses

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
1	Crawford, Andrew Cllr	Section 4	Section 4 makes regular but intermittent reference for the need to liaise with parish councils and local councillors prior to drawing up S106 agreements. This is welcomed but it is unclear why some categories of infrastructure are considered areas for liaising (e.g Outdoor Sport and Recreation, Social and Community Facilities, Play Areas) whilst others do not require there to be liaison (e.g Open Space, Cemeteries or Public Realm).	Yes, reference is made in relation to some infrastructure types and not others. This has been done where parishes usually play a particular role in provision (e.g. play areas, sports provision). However, for clarity, an appropriate paragraph could be provided at the beginning of Section 4 to cover involvement of parishes, local community groups and ward councillors in relation to local knowledge of infrastructure and costs.	Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.'
2	Crawford, Andrew Cllr	6.1	Can we specifically make reference to discussion with Ward Councillors?	Reference can be added to 'local councillors' in para 6.1.	Amend para 6.1 to read: '...We encourage developers to discuss proposals with the local community, local councillors and the relevant town or parish council...'
3	Crawford, Andrew Cllr	Appendix 2	<p>(4) Can we include Ward councillors? Also, this para just relates to social and community facilities.</p> <p>9) It is not clear how concerns of Senior Officers or Cabinet Members in areas affected by the implications of the proposed S106 obligations are taken into account.</p> <p>(11) Helpful to explain what is required under the Council's Constitution. Power to authorise planning obligations should include Senior Officers and Cabinet Members. Could include details on administration and approval procedure, where S106s require renegotiation.</p>	<p>It is recommended that a new paragraph is provided at the beginning of Section 4, which covers consultation with town/parish councils and local councillors.</p> <p>Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.</p>	<p>Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.'</p> <p>Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2.'</p>

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
4	Watchfield Parish Council	DEV6	Use of, and contributions to, off-site play and facilities. Multiple developers should not be allowed to count the same land and/or facilities as sufficient off-site provision. This is especially pertinent where several large developments are happening concurrently and, therefore, the impact of the proposed housing and population increase from one development does not necessarily figure in the calculations for the provision or space for another development.	Children's play and youth provision will be dependent on existing provision in the area and demands from other development.	Supporting text (at the end of 4.37) needs to explain that children's play and youth provision will be dependent on existing provision in the area and the demands from other development and, in some cases, may be in the form of financial contributions rather than on-site provision.
5	Watchfield Parish Council	DEV6	In 4.37 there appears no difference between the LAP/LEAP/NEAP/MUGA provision from 81 to 500 house developments. The scale of provision should be more of a sliding scale with NEAP provision for 201-500 houses or all provisions for 201+ houses.	The SPD needs to reflect Development Policy 33 and Appendix K of LPP2, which set out the Council's standards for play provision. On reflection, we consider that inclusion of Table 3 (Children's Play and Youth Provision) is confusing for developers, as it is based on non-statutory 'Fields in Trust' guidance rather than adopted Plan policy. It is, therefore, proposed that we remove Table 3 from the SPD and replace it with text to explain that play area requirements will be dependent on existing provision in the area and the demands from other development and may be in the form of financial contributions rather than on-site provision.	Delete Table 3 and replace with new text at the end of para 4.37 to explain that children's play and youth provision will be dependent on existing provision in the area and the demands from other development and, in some cases, may be in the form of financial contributions rather than on-site provision.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
6	Watchfield Parish Council	DEV8	Where improvements to existing community facilities are required (e.g. an extension to accommodate usage by new residents), S106 contributions should ensure these are <i>fully</i> funded by the development rather than pro rata for the increase in the population of the village/town.	S106 contributions are required to be directly related to the development. Facilities like community centres will serve a much wider population than that generated by an average development. Contributions therefore need to be based on the population from the development.	None required.
7	Watchfield Parish Council	DEV9	Health contributions should also be sought through S106 for residences built specifically for the older market.	DEV9 (Health Care) states that development contributions for healthcare will be sought through S106 from all extra care, nursing and care home developments.	None required.
8	Watchfield Parish Council	DEV13	Rather than contributions towards largely irrelevant CEPs, S106 should be sought to guarantee truly local employment land and opportunities to reduce the need for commuting and lessen climate impact. Major developments should be required to prove the use of local labour for development and maintenance phases.	The Vale Local Plan 2031 includes employment land allocations, which support local job opportunities and reduce the need to travel to and from work.	None required.
9	Watchfield Parish Council	DEV14	S106 should also be used to ensure the retention and maintenance of existing hedgerows and mature trees. Money for retention or enhancement of mature boundaries and trees will have a far greater net biodiversity gain than planting immature specimens with only 5 years protection.	<p>Planning conditions will secure the retention of hedgerows and trees, where necessary. The biodiversity provided by existing vegetation is the base point and Core Policy 46 (Conservation and Improvement of Biodiversity) requires no net loss of biodiversity as a result of development.</p> <p>Hedgerows and trees form an integral part of open spaces and as such, their maintenance should be secured as a whole (see Section 5 of the SPD for further details on Management and Maintenance of Open Spaces).</p>	None required.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
10	Watchfield Parish Council	DEV16	S106 contributions should also fund mobile air quality stations to give impartial, relevant, on-site data prior to development rather than a reliance of distant permanent facilities.	The Council will require that air quality assessments use relevant data. This is to be provided by the developer. Where ongoing monitoring is required as part of development, S106 contributions could be secured for this and the Council's Air Quality officer would specify the nature of that provision.	None required.
11	Watchfield Parish Council	DEV17	There needs to be funding for a more thorough and professional audit of the existing drainage of the wider development area. Grampian-style waste and water agreements should no longer be allowed but up-front improvements to infrastructure required to alleviate the inevitable overload of existing systems. Just specifying a prior occupation clause is too easy to negotiate away.	All development is considered by the Council's technical experts in relation to drainage and flooding issues. The timing of associated infrastructure provision is subject to their advice - in most instances, infrastructure needs to be provided before occupation and planning conditions secure the necessary provision for drainage. Occasionally, S106 agreements are needed where land is not within the application site.	None required.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
12	Watchfield Parish Council	Section 6	Pre-application discussions regarding developments and S106 contributions are too often cited by developers as tacit approval for the development by the parish/town council. All S106 negotiations/discussions must be an entirely separate issue and not used to provide any evidence of support.	The NPPF encourages developers to enter into pre-application discussions. Such discussions are helpful to explore technical matters. Developers are also advised of policy requirements, including infrastructure, where known. It is recognised that pre application discussions are only a preliminary assessment of proposals, as wider consultation has not been undertaken. In particular, a complete assessment of infrastructure requirements needs to take place at the application stage.	None required.
13	Crawford, Andrew Cllr	Section 6	There is still a perception that developer/District Council negotiations of S106 are too subjective and held behind closed doors with no parish participation. Parishes do not necessarily receive an open explanation for the final figures and why some projects or areas are not funded. It appears that there is a large degree of disparity between officers as to what is advised, negotiated or followed through. Greater clarity would be beneficial to all.	It is recommended that a new paragraph is provided at the beginning of Section 4, which covers consultation with town/parish councils and local councillors. Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.	Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.' Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2.'
14	Barwell, Giles	Page 21	No reference to carbon reduction or the climate emergency in the document. Various environmental impact areas are listed (on pages 21-25) and important, but VOWH should also be requiring the implementation of carbon reduction measures from developers. If included in the list, it would help to encourage the development of solutions such as PV on	Proposed new development will need to address climate change mitigation intrinsically through location and design (as per Core Policy 37 of LPP1) and planning conditions can achieve improved provision of carbon reduction measures such as EV charging points. S106 contributions must be directly related to a specific development and	Add new sub-section on Climate Change Mitigation and include a new paragraph to read: 'Core Policy 37 (Design and Local Distinctiveness) of the LPP1 requires proposed new development to address sustainability and climate change intrinsically through location and design,

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
			roof spaces, EV charge points, heat pumps, district heating etc.	carbon reduction measures can only be determined on a site by site basis. However, CIL is an appropriate mechanism to fund off-site and wider carbon reduction initiatives that are not directly related to the development.	by taking into account landform, layout, building orientation, massing and landscaping to minimise energy consumption and mitigate water run-off and flood risks. Planning conditions can achieve improved provision of carbon reduction measures (such as EV charging points) and CIL is the appropriate mechanism for securing developer contributions towards off-site and wider carbon reduction initiatives that are not directly related to a specific development, including renewable energy and energy storage infrastructure.'
15	Scottish and Southern Electric		No comments to make.	Noted.	None required.
16	North Hinksey Parish Council	All, including Part 4 and para 4.46	<p>North Hinksey Parish Council fully supports the draft SPD, particularly the inclusion of local consultations detailed in various sub-sections of Part 4 of the document. We are keen to see that these policies are adhered to.</p> <p>Under section 4.46 (Cemeteries), either the word 'mainly' or 'mostly' needs to be inserted before '...managed by parish & town councils.'</p>	<p>Support noted.</p> <p>For clarity, paragraph 4.46 could be amended to say 'The majority of cemeteries...'</p>	Second sentence of para 4.46 to read: 'The majority of c emeteries are managed by parish and town councils...'
17	Sport England	Page 28, Section 5, para 5.10	Suggest that a maintenance sum for at least 10 or more years is required. The sum should be based on the agronomist report. Also, the infrastructure to support playing pitches is required e.g. pavilions, where appropriate or at least toilets, and car parking.	<p>It is agreed that infrastructure to support playing pitches is required. S106 contributions are sought for sports pavilions and other supporting infrastructure in accordance with Appendix K of the LPP2 and Appendix 3 of the SPD.</p> <p>There is a need to add 'sport and recreation facilities' to the types of</p>	<p>Add sports and recreation facilities to the types of infrastructure listed under para 5.1.</p> <p>Amend paragraph 5.10 to read: 'Where new pitches are to be provided on site, the Council will require a detailed specification, including drainage works and where appropriate services, to be submitted at full or reserved matters stages. A programme of works and funding for an</p>

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
				<p>infrastructure mentioned under para 5.1.</p> <p>Agree that reference to the requirement of a maintenance sum for grass pitches of at least 10 years should be added.</p>	<p>agronomist (who will check the specification, inspect site works, and inspect and agree practical completion and provide advice on future maintenance requirements) will be secured by S106 agreement. The developer will be required to remedy defects arising within the first year of use, based on the agronomist's report and will also be required to pay a maintenance sum to cover a period of at least 10 years.</p>
18	Historic England	N/A	No comment	Noted.	None required.
19	Scharf, Daniel	General	<p>Document prepared before the Council's declaration of a climate and ecological emergency and the commitment to reduce carbon emissions to net zero by 2030. Also, no evidence relating to possible changes to the use of land and buildings arising from the Pandemic. The Council needs to explore the infrastructure needs of a net zero or negative carbon economy and one that fits with Post-Covid behaviours. Without this evidence, the SPD will be funding pre-lockdown lifestyles, which would frustrate and not assist the transition to a net zero and biodiverse environment. Such research is likely to show the emerging importance of local food systems, awareness of protecting soils and water, local energy/heat distribution systems, more local working, more active travel and a huge shift from new building to retrofitting.</p>	<p>Agree that changing lifestyles will need to be carefully monitored and may well have a positive impact on efforts to reduce carbon emissions to net zero. Evidence will be collected to inform the next Local Plan.</p>	None required.
20	Oxford & District Action on	Affordable housing	The cost of buying a house in Oxfordshire is prohibitive for families on average incomes and impossible for those on low	Noted. This comment relates to Affordable Housing Local Plan Policy/	None required.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
	Child Poverty		incomes. The costs of private rents are correspondingly high. One of the few ways for such families to obtain secure accommodation at rents they can afford is for properties to be made available at Social Rents. We therefore urge the council to build into your policy a requirement that houses made available as part of affordable housing provision should be let at Social Rents, as distinct from Affordable Rents.	SPD rather than Developer Contributions.	
21	Natural England	General	We welcome the opportunity to give our views but have no comment to make.	Noted.	None required.
22	Woodlands Medical Centre PPG (on behalf of Didcot Health Centre & The Oak Tree Medical Centre)	General	<p>Council's consideration of housing growth has failed to consider medical infrastructure needs. The Oxfordshire Clinical Commissioning Group must be consulted and their views sought on plans to allocate land for housing.</p> <p>At Great Western Park, insufficient land was allocated for primary care facilities and the allocated site is too small and unfit for purpose. The minimum size for an efficient medical centre is now at least 1,100 sq m. Sufficient space for car parking and adjoining pharmacies must also be included.</p> <p>Funding of primary care provision is inadequate at present and new policy needs to ensure developers make a contribution towards new local medical infrastructure. Rapid housing growth (including plans for Didcot Garden Town) make the need for more local facilities</p>	<p>The CCG and GP practices are consulted on major development on sites over 50 dwellings.</p> <p>DEV9 (Health Care) states that new or increased capacity of health facilities will be sought through S106 from development on allocated sites exempt from CIL and that development contributions for healthcare will be sought through S106 from all extra care, nursing and care home developments.</p> <p>Feedback from health care providers informs the S106 contributions sought in relation to new development.</p>	None required.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
			<p>urgent, particularly as local medical centres are already operating at capacity.</p> <p>All new development should make increased financial contributions towards primary care provision or be subject to an additional medical infrastructure levy.</p>		
23	Wilts and Berks Canal Trust	General	Sets out the objectives of the Wilts and Berks Canal Trust. Policy DP32 (Wilts and Berks Canal) safeguards a continuous route corridor for restoration of the Wilts & Berks Canal. WBCT generally supports the SPD and would be willing to work with the council and landowners in relation to restoration of the canal.	Support noted.	None required.
24	Wilts and Berks Canal Trust	DEV4	WBCT supports the inclusion of Policy DP32 in DEV4 as this will help towards delivery of the restoration of the Wilts & Berks Canal.	Support noted.	None required.
25	Wilts and Berks Canal Trust	DEV14	Would be helpful to delivery of restoration of the Wilts and Berks Canal as green infrastructure for DEV14 to include reference to Local Plan Part 2 - Policy DP32 (Wilts and Berks Canal).	Agree, Reference to Policy DP32 in DEV14 and under 'Biodiversity and Green Infrastructure' in Appendix 1 would be helpful.	Add DP32 in DEV14 and under 'Biodiversity and Green Infrastructure' in Appendix 1
26	Wilts and Berks Canal Trust	Appendices 1 and 4	Supports the inclusion of Policy DP32 (Wilts & Berks Canal) under 'Indoor and Outdoor Sports and Recreation' in Appendix 4, as this is helpful to delivery of the canal's restoration. Policy DP32 should also be included against 'Biodiversity and Green Infrastructure' in Appendix 1, as this would be helpful to delivery of the canal's restoration as green infrastructure.	Agree. Reference to Policy DP32 under 'Biodiversity and Green Infrastructure' in Appendix 1 would be helpful.	Add DP32 under 'Biodiversity and Green Infrastructure' in Appendix 1.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
27	Soha Housing	Affordable housing	<p>Support lowering the affordable housing threshold from 11 to 10 homes in accordance with the NPPF and a threshold of 5 is about right for rural areas where affordable housing is in short supply.</p> <p>As a Registered Provider we sometimes redevelop our existing land assets or acquire land on the open market to deliver wholly affordable schemes. Often on such schemes we seek to deliver rented homes in preference to shared ownership as we perceive their social value to be greater. Could the SPD be amended so that, in circumstances where it is viable/desirable to do so, a greater proportion of rented homes can be delivered?</p> <p>Policy CP24 states that either Social or Affordable Rent can be delivered, but the SPD makes no mention of Social Rent. We feel that Social Rents are far more affordable for low income households in such a high value area. Ideally, we would like the SPD to state that all rented homes delivered via planning gain are Social Rent (as in West Berks and Oxford City). As a fallback position we would support this SPD being brought in line with that of</p>	<p>In accordance with the NPPF, affordable housing is sought on development with 10 or more net dwellings (within the AONB, an off-site contribution is sought on development with 6 or more (net) dwellings and on-site when 10 or more dwellings).</p> <p>Issues in respect of tenure can be considered for the next Local Plan and the forthcoming Joint Affordable Housing SPD.</p>	None required.

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
			South Oxfordshire so that 35% of all new affordable homes are Social Rent.		
28	Wise, Michael Dr	Page 8, para 3.3.	Paragraph needs to be enforced. Neighbourhood Plans are ignored and the Council does not advise developers that they should conform to them. I have heard developers refer to made Neighbourhood Plans as 'advisory', or 'a wish list' instead of realising that they are part of the Local Plan. Planning Officers also need to enforce their own Local Plan policies.	Comments noted. Made Neighbourhood Plans form part of the statutory development plan for the District and sit alongside the Vale Local Plan 2031 (Parts 1 and 2). All decisions on planning applications are made in line with the policies within the Local Plan, any made neighbourhood plan covering the application site and any other material considerations.	None required.
29	Wise, Michael Dr	Section 4	All of Section 4 is to be welcomed, it is extremely desirable and should be enforced without exception. The pity is that many developments currently in process have avoided these obligations in whole or in part, particularly with respect to affordable housing and play space. Unfortunately, all of the major sites in Faringdon are under development or with planning permission. There will be no opportunity to remediate the shortfalls in play space.	Support noted.	None required.
30	Wise, Michael Dr	Appendices	The Appendices are to be welcomed. They set out clearly the infrastructure needs that developers should be fulfilling, particularly Appendices 3 and 4. These appendices need to be kept up to date in consultation with town and parish councils. The requirements for play space and allotments should be rigorously enforced in planning applications.	Support noted. Any future revisions to the SPD once adopted, will be subject to further public consultation (which will include consultation with all town and parish councils in the Vale District).	None required.

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31	Hallett, Debby Cllr	4.16 / DEV2 Education	Are all education expenses were now covered by S106? Does the Council's CIL Spending Strategy include education currently?	Paragraph 4.16 is correct - in addition to S106 contributions, it is possible for CIL receipts to also be used to fund education facilities.	None required.
32	Hallett, Debby Cllr	General	Include a promise 9a rule to consult with local members of the District Council as well as local town and parish councils. It has been a problem for years that S106 negotiations go on with only a limited view of what is needed.	<p>It is recommended that a new paragraph is provided at the beginning of Section 4, which covers consultation with town/parish councils and local councillors.</p> <p>Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.</p>	<p>Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.'</p> <p>Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2.'</p>
33	Hallett, Debby Cllr	4.35 / DEV6 Play Areas	Please specify 'local district councillors'. This intention should apply to all the DEV references and this promise should be at an appropriate level in the document to apply to every DEV typology.	It is suggested that a new paragraph is provided at the beginning of Section 4 regarding consultation with town and parish councils and local councillors. The reference to 'local councillors' will encompass parish and district councillors.	As above.
34	Hallett, Debby Cllr	4.36 / DEV6 Play Areas	Specify that local district councillors are to be included in consultation and liaison.	It is suggested that a new paragraph is provided at the beginning of Section 4 regarding consultation with town and parish councils and local councillors. The reference to 'local councillors' will encompass parish and district councillors.	As above.

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35	Hallett, Debby Cllr	4.40 / DEV8	Strongly urge you to decide how you type the word onsite. Is it on-site, onsite or on site?	Document to be checked for consistency.	Represent as 'on-site' throughout document.
36	Hallett, Debby Cllr	4.42 / DEV8	Specify which councillors are to be included - district councillors.	It is recommended that a new paragraph is provided at the beginning of Section 4 regarding consultation with town and parish councils and local councillors. The reference to 'local councillors' will encompass parish and district councillors.	Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.' Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2. '
37	Hallett, Debby Cllr	4.43 / DEV9	Here and throughout the document, specify local district councillors.	It is suggested that a new paragraph is provided at the beginning of Section 4 regarding consultation with town and parish councils and local councillors. The reference to 'local councillors' will encompass parish and district councillors.	As Above
38	Hallett, Debby Cllr	4.46 / DEV11	Not all cemeteries are managed by towns and parishes. Botley cemetery is managed by Oxford City Council.	Para 4.46 should be amended to say that the majority of cemeteries are owned by town and parish councils.	Second sentence of para 4.46 to read: 'The majority of c Cemeteries are managed by parish and town councils...'

ID	Respondent	Section, Para or DEV reference	Summary	Officer Response	Amendments
39	Hallett, Debby Cllr	DEV14	How will we measure the net gain in biodiversity for a development? Is it reasonable to have a policy of net 10% gain? Why 10%?	DEV14 states that all development should aim to deliver at least 10% net gain in biodiversity. This is in line with the forthcoming changes to the Environment Bill (yet enacted). The NPPF only requires a net gain per se, as does CP45. Applicants are already required to submit a biodiversity assessment with planning applications to demonstrate net gain and the Council's ecologist reviews this information to ensure compliance with regulations and policy.	Provide new text to explain the current Vale Local Plan policy requirements in relation to biodiversity net gain.
40	Hallett, Debby Cllr	4.63-4.66 / DEV16 Air Quality	Mitigation measures should partly be concerned with how many more vehicles new developments will be adding to the A34 in Botley or the A415 in Marcham and require mitigation via s106. What sort of programmes exist for such mitigation? Air quality in dwellings and gardens nearby are unhealthily polluted. New developments should neither contribute to air pollution nor subject their future residents to pollution levels known to increase mortality.	Transport strategy including traffic generation and promotion of alternative modes of transport are considered through policy and at the planning application stage. The County Council prepares Local Transport Plans to present and address transport strategy and advise on planning applications. Where sites are unacceptably affected by air quality, the Council's technical experts will advise whether mitigation can assist. The SPD cannot alter overarching policy considerations. However, existing policy references regarding the consideration of air quality should be added to the SPD under DEV16.	Add reference to Local Plan Part 1 Core Policies 33 and 34 under DEV16.

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41	Hallett, Debby Cllr	Protocol	When a S106 agreement is re-negotiated, local district councillors must be re-consulted and the Chair of Planning Committee (at least) must approve the new terms. This ensures member involvement and meaningful contribution.	<p>It is recommended that a new paragraph is provided at the beginning of Section 4, which covers consultation with town/parish councils and local councillors.</p> <p>Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.</p>	<p>Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.'</p> <p>Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2.'</p>
42	Hallett, Debby Cllr	Protocol	Policy must not include descriptions of internal processes. Policy must be consulted on and changes only infrequently. Internal procedures are modified in the process of ordinary problem solving, sometimes frequently. Consequently, details of internal procedures do not belong in a policy document and should be removed from this SPD, leaving only policy.	<p>Agree. Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.</p>	<p>Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2.'</p>

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43	Hallett, Debby Cllr	4.63-4.66 / DEV16 Air Quality	VOWH is still approving applications for hundreds of homes that put thousands of cars on the already-over-capacity A34 and A420 and A338. What mitigation could we deliver via s106 obligations to over-crowded roads, and air quality that fails to meet health standards? For example, all the big developments near Abingdon bring in more cars, which contribute to the lethal levels of air pollution in the Botley AQMA alongside the A34.	Transport strategy including traffic generation and promotion of alternative modes of transport are considered through policy and at the planning application stage. The County Council prepares Local Transport Plans to present and address transport strategy and advises on planning applications. Where sites are unacceptably affected by air quality, the Council's technical experts will advise whether mitigation can assist. The SPD cannot address principle policy considerations. However, existing policy references regarding the consideration of air quality should be added to the SPD under DEV16.	Add reference to Local Plan Part 1 Core Policies 33 and 34 under DEV16.
44	Thompson, Max Cllr	4.58	Net gain in green infrastructure should include EV provision as mandatory on all major developments.	Paragraph 4.66 explains the council's approach to the provision of electric vehicle charging points in new development and in council-owned car parks.	None required.
45	Thompson, Max Cllr	4.59	Para 4.59 should list the reasons or tests that determine whether net gain in biodiversity is not possible through on-site provision. It should also say contributions 'will be' sought rather than 'may be'.	DEV14 states that all development should aim to deliver at least 10% net gain in biodiversity. This is in line with the forthcoming changes to the Environment Bill (yet enacted). The NPPF only requires a net gain per se, as does CP45. Applicants are required to submit a biodiversity assessment with planning applications to demonstrate net gain, and the Council's Ecologist reviews this information to ensure compliance with regulations and policy. Where possible net gain is sought on-site.	Provide new text to explain the current Vale Local Plan policy requirements in relation to biodiversity net gain.

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46	Thompson, Max Cllr	4.31 & 4.32 / DEV5	Open space - more guidance about the location (not on outskirts or clustered). Also not 'we will expect' - 'we will require a minimum provision of 15%, otherwise the development will be considered unsustainable'.	Agree that para 4.31 should say 'we will require', which is consistent with adopted Local Plan policy DP33. However, the design and configuration of open space will be a matter for the Joint Design Guide, which will also consider issues such as the location and quality of open space.	Second sentence of para 4.31 to read: 'In accordance with Development Policy DP33, we will require expect a minimum provision of 15% of the residential area to be laid out as public open space...'
47	Thompson, Max Cllr	4.62	Waste and recycling - applicants must provide drawings and specify exactly where bins will be stored, prior to approval.	Yes, planning application drawings should include details of bin storage (location and dimensions).	None required.
48	Thompson, Max Cllr	4.77	VOWH's strong preference for electric over gas heating should be referenced.	The Developer Contributions SPD cannot alter overarching regulations or policy requirements. These matters can be addressed through the new Local Plan.	None required.
49	Thompson, Max Cllr	4.35	Where it says liaise with local councillors (and throughout the document) it must be made clear that engagement with ward councillors on S106 is a prerequisite - failure to do so may result in committee deferring decisions on the application. This cannot be ad hoc. There must be a process here.	It is recommended that a new paragraph is provided at the beginning of Section 4, which covers consultation with town/parish councils and local councillors. Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.	Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.' Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2. '

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50	Thompson, Max Cllr	General	'Sustainable' should be clarified throughout the document, including how it relates to the corporate plan and our commitment to net zero by 2045.	The definition of 'sustainable' is provided in national policy guidance and within the Glossary of the Vale Local Plan 2031. It is agreed that the Council's commitment to achieving net zero by 2045 needs to be reflected in planning policy, but this needs to be within the Joint Local Plan for South and Vale, as opposed to this Developer Contributions SPD.	None required.
51	Vale Liberal Democrat Goup	General	Reference to consultation with local Vale members is an important improvement to the SPD that will help to solve several problems. Too often money is going to obscure places when the obvious ones are left out. Currently, by the time the obligations contract gets to planning committee it is too late. We would like to see places in the timeline for s106 negotiations to include local district councillors, as well as parish and town councils and relevant local organisations. It would be useful to include, at a high level if possible (rather than in each specific section) something about local district members being included in the conversations throughout the course of negotiations. Then it will be for internal procedures to spell out exactly how that will be done, and by whom etc.	Support noted. It is recommended that a new paragraph is provided at the beginning of Section 4, which covers consultation with town/parish councils and local councillors. Appendix 2 of the adopted 2017 Developer Contributions SPD has proved useful in discussions with developers. However, given that the SPD is a policy document and should not cover detailed Council procedures, it would be more appropriate for a separate protocol to be prepared on S106 negotiations for internal use by Members and Officers, if necessary.	Add a new paragraph after 4.2 in Section 4 as follows: 'It is good practice to involve town and parish councils, local community and access groups and District ward councillors at an early stage in discussions over infrastructure provision, prior to drawing up Section 106 agreements. This is particularly true in instances where they may have detailed knowledge of local infrastructure needs and costs.' Amend paragraph 6.2 to read: '...Further information on the Council's approach to negotiating planning obligations assessing the need for infrastructure, and authorising the final agreement is set out in Appendix 2. '
52	Vale Liberal Democrat Goup	Carbon Mitigation	S106 obligations are intended to mitigate the harm brought to the community by the development. We would like to see something specific about how s106 obligations can be used to mitigate carbon released in the construction phase and also over the lifetime of the property.	Proposed new development will need to address climate change mitigation intrinsically through location and design (as per Core Policy 37 of LPP1) and planning conditions can achieve improved provision of carbon reduction measures such as EV charging points.	Add new sub-section on Climate Change Mitigation and include a new paragraph to read: 'Core Policy 37 (Design and Local Distinctiveness) of the LPP1 requires proposed new development to address

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			(Thinking of both the Council's targets and Government's, for carbon neutral in a few years time.) So developers who 'do the right thing' would not have a s106 for mitigating harm to the environment. Those developers who still use methods of construction and design that are not carbon zero should be charged for mitigation or offset. Maybe there should be a fund to finance the expensive retro-fit of houses not built to zero-carbon standards?	The SPD cannot require enhanced requirements as these need to be introduced through regulations or Local Plan policy.	sustainability and climate change intrinsically through location and design, by taking into account landform, layout, building orientation, massing and landscaping to minimise energy consumption and mitigate water run-off and flood risks. Planning conditions can achieve improved provision of carbon reduction measures (such as EV charging points) and CIL is the appropriate mechanism for securing developer contributions towards off-site and wider carbon reduction initiatives that are not directly related to a specific development, including renewable energy and energy storage infrastructure.'
53	Oxfordshire County Council	Page 1	Support the rationale for reviewing the adopted Developer Contributions SPD.	Support noted.	None required.
54	Oxfordshire County Council	Page 4 Executive Summary	Incorrect to say S106 will be the primary mechanism for securing developer contributions only in respect of sites that do not make a contribution through CIL. S106 agreements and CIL may be needed.	Agree that an amendment is required - suggest it should read as follows: <i>'However, for some sites (such as strategic sites allocated in the Local Plan) that, which do not make a contribution through CIL), S106 will be the primary mechanism for securing developer contributions...'</i>	Amend Executive summary as follows: <i>'However, for some sites (such as strategic sites allocated in the Local Plan) that, which do not make a contribution through CIL), S106 will be the primary mechanism for securing developer contributions...'</i>
55	Oxfordshire County Council	Page 4 Executive Summary	We support the specific reference to use of S278 of the Highways Act, in addition to CIL and S106.	Support noted.	None required.

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56	Oxfordshire County Council	Page 5, para 1.4	The start of the sentence could be better phrased as follows: 'Developer contributions seek both financial and non-financial, are secured from development to mitigate...'	Agree, amend first sentence of para 1.4 for clarity.	First sentence of para 1.4 to read: 'Developer contributions seek , both financial and non-financial, are secured from development to mitigate...'
57	Oxfordshire County Council	Page 6, para 1.9	Delete 'of' before 'use'.	Agreed.	Para 1.9 to read: '...restriction on the use of land...'
58	Oxfordshire County Council	Page 10, DEV1 & new para	Provision should be explicitly made for contributions to affordable extra care and specialist housing. Amend Policy DEV1 as follows: 'Affordable housing will be sought in accordance with Core Policy 24 and secured through a S106 obligation. Contributions towards affordable extra care and specialist housing will be sought via S106, in accordance with Core Policy 26. ' Then add a new paragraph after 4.8 as explanatory text. (suggested wording provided).	The Council agrees that text could be usefully be added at the end of paragraph 4.5 to explain that affordable housing may include extra care or specialist housing. However, making explicit reference to these typologies in the DEV1 Blue Box would limit the Council's ability to respond flexibly to local affordable housing needs and, in any case, current affordable housing contributions are not ringfenced to General Needs and can be used to fund extra care/ specialist housing provision, where local need exists.	Add the following text to the end of para 4.5: '... Affordable housing provision may include affordable extra care and specialist housing for vulnerable groups (such as the elderly with care needs and people with physical and learning disabilities or complex autism). The Council will work with Oxfordshire County Council and developers to secure and deliver this provision, in accordance with local needs. '
59	Oxfordshire County Council	Page 11, para 4.12	Occasionally it will be necessary to fund temporary buildings on school sites. This should be mentioned by adding the following text at the end of the paragraph: 'Developers may also be required to fund temporary accommodation to provide for pupils generated from development prior to the opening of any new permanent school classrooms, if the timing of development is such as to make this necessary.'	Agree, suggested wording is helpful.	The following wording to be added to the end of para 4.12: "Developers may also be required to fund temporary accommodation to provide for pupils generated from development prior to the opening of any new permanent school classrooms, if the timing of development is such as to make this necessary.'

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60	Oxfordshire County Council	Page 11, para 4.14	For accuracy the paragraph needs amending as follows: <i>'Where land is required for educational facilities, detailed discussions and sufficient evidence, including appropriate surveys, will be necessary required in order to ensure it is suitable for educational use and to agree the actual boundaries of the site allocated, including the location of surveys, accesses and services. Land will need to be provided fully serviced and remediated and suitable for educational use and there may be additional payments to cover any abnormal costs associated with the build. Further land may be required where it is necessary to provide for future expansion of the school additional facilities co-located with the school. Triggers on the transfer of land and payment of contributions will be secured in the S106 agreement.'</i>	Agree, amend para 4.14 for clarity.	Para 4.14 to be amended to read: 'Where land is required for educational facilities, detailed discussions and sufficient evidence, including appropriate surveys, will be necessary required in order to ensure it is suitable for educational use and to agree the actual boundaries of the site allocated, including the location of surveys, accesses and services. Land will need to be provided fully serviced and remediated and suitable for educational use and there may be additional payments to cover any abnormal costs associated with the build. Further land may be required where it is necessary to provide for future expansion of the school additional facilities co-located with the school. Triggers on the transfer of land and payment of contributions will be secured in the S106 agreement.'
61	Oxfordshire County Council	Page 12, DEV3	It should be made clear that a S278 agreement may be required by adding the words in blue: <i>'Direct mitigation of individual site transport impacts (including roads, cycleways, footpaths, public rights of way, public transport and the monitoring of travel plans) will be secured through S106. Infrastructure may need to be delivered through the developer entering into a S278 agreement with the County Council.'</i> Local Plan policy DP17 should also be referred to in the text.	Agree, add 'need to' after 'Infrastructure may' under DEV3. Also add reference to DP17 (Transport Assessments & Travel Plans) in the list of relevant policies - and under Transport in Appendix 1 too.	In blue box DEV3, amend the second sentence to read: 'Infrastructure may need to be delivered...' Also add DP17 to the list of relevant Local Plan policies at the end of DEV3 and under 'Transport' in Appendix 1.

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62	Oxfordshire County Council	Page 13, para 4.20	<p>The second sentence should be amended, so that there is no implication of needing to wait for the master planning stage before identifying transport mitigation proposals: '<i>...It will be important to identify these in the master planning stage at the earliest opportunity in liaison with the County Council to ensure that the transport proposals adequately meet the needs arising from the development.</i>'</p> <p>There may also be a need to discuss proposals with Highways England, so third sentence should be amended as follows: '<i>Discussions with Network Rail, Highways England and bus operators in the area may also be necessary.</i>'</p>	Agree. The suggested amendments are helpful.	<p>Amend second sentence of para 4.20 to read: 'It will be important to identify these in the master planning stage at the earliest opportunity, in liaison with the County Council...'</p> <p>Amend third sentence of para 4.20 to read: 'Discussions with Network Rail, Highways England and bus operators in the area...'</p>
63	Oxfordshire County Council	Page 13, para 4.21	<p>Para 4.21 should be corrected to refer to cycle crossings as well as pedestrian crossings, and the infrastructure needed for public transport:</p> <p><i>'...Traffic Regulation Orders; traffic lights; pedestrian and cycle crossings; signage; public transport infrastructure on or adjacent to the site; lighting and street furniture.'</i></p>	Agree. The suggested amendments are helpful.	Amend para 4.21 to read: ' <i>...Traffic Regulation Orders; traffic lights; pedestrian and cycle crossings; signage; public transport infrastructure on or adjacent to the site...</i> '

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64	Oxfordshire County Council	Page 22, DEV15	<p>We support the particular reference to Household Waste & Recycling Centres. Additional supporting text could be usefully included. Oxfordshire County Council is responsible for providing Household Waste Recycling Centres (HWRCs) for residents to deposit household materials that are not usually collected at the kerbside. HWRCs aim to maximise waste reduction, reuse and recycling, and support the circular economy. The County Council may require developers to mitigate the impact of their development on HWRC facilities by contributing towards the cost of improving or providing a new HWRC site that will serve the development.</p> <p>The assessment of contributions will be undertaken on a case by case basis and will take into account several factors (comments include a list).</p>	<p>Support noted.</p> <p>Agreed that further text regarding Household Waste Recycling Centres would be helpful.</p>	<p>Add a new paragraph 4.63 as follows:</p> <p>'... Oxfordshire County Council is responsible for providing Household Waste Recycling Centres (HWRCs) for residents to deposit household materials that are not usually collected at the kerbside. HWRCs aim to maximise waste reduction, reuse and recycling and support the circular economy. The County Council may require developers to mitigate the impact of their development on HWRC facilities by contributing towards the cost of improving or providing a new HWRC site that will serve the development.'</p>
65	Oxfordshire County Council	Page 24, para 4.71	<p>Typo - '...the County Council (as lead local flood defence authority)...'</p>	<p>Agree. Amend para 4.71 as suggested.</p>	<p>Third sentence of para 4.71 to read: 'Developers should, therefore, liaise with the County Council (as lead local flood defence authority)...'</p>

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66	Oxfordshire County Council	Pages 29 & 30, paras 6.4 and 6.5	The paragraphs refer to RICS guidance and in the case of para 6.5 include a quote from the RICS guidance note dating from 2012. It may be that there is more up to date guidance and the paragraphs should be revised. Government guidance was updated in May 2019 - Paragraph 013 Reference ID: 10-013-20190509.	Paragraph 6.5 requires amendment to reflect the latest RICS guidance on defining land values for development viability assessments, as set out in <i>'Assessing Viability in Planning under the National Planning Policy Framework 2019 for England, RICS, 1st Edition, March 2021'</i> .	Delete existing para 6.5 and replace with: 'Definition of Land Value To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner. The premium for the landowner should reflect the minimum return at which it is considered a reasonable landowner would be willing to sell their land. The premium should provide a reasonable incentive, in comparison with other options available, for the landowner to sell land for development while allowing a sufficient contribution to fully comply with Development Plan policy requirements. Landowners and site purchasers should consider policy requirements when agreeing land transactions. This approach is often called 'existing use value plus' (EUV+).' Add footnote 7, linked to para 6.4 (March 2021 RICS guidance).
67	Oxfordshire County Council	Page 31	A new section should be added at the end of Section 6 'Negotiation and Administration of Planning Obligations'. This new section should be entitled 'Bonds' and refer to how bonds may be needed in some circumstances.	Agree. New text to explain why bonds may be needed in certain circumstances would be helpful. Also recommend that a definition of bonds is included in the Glossary.	Add new para 6.12 to read: 'Section 106 agreements often require the payment of deferred financial contributions, which are triggered after the implementation of the corresponding development. As these financial contributions have been identified as necessary to allow the development proceed, it is reasonable for the Council to take steps to secure their delivery in the

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					<p>event of unforeseen circumstances resulting in the under/non-payment of the obligations. Consequently, the Council may require appropriate security, in the form of a bond, to be provided by the developer and this requirement will initially be identified in the advice from the Council following the submission of a planning application.'</p> <p>Also add to Glossary:</p> <p>'Bond: A surety document provided by an approved third party (e.g. a major bank or insurance company) that can be called on if the developer defaults.'</p>
68	East Hendred Parish Council	DEV4-7 Indoor and Outdoor Sports & Recreation	<p>East Hendred PC considers that the section related to Sports Facilities, Play Areas and MUGAs should be reviewed to reflect updated guidance in Tables 1-4 of the Fields in Trust's '<i>Guidance for Outdoor Sport & Play - Beyond the Six Acre Standard</i>' (2015).</p> <p>It should also adopt the Fields in Trust Policy Framework, outlined on page 4 of this document, which places greater awareness on the need to promote health & well-being within the community, especially given the adverse impact of Covid on local residents.</p>	<p>The SPD needs to reflect Development Policy 33 and Appendix K of LPP2, which set out the Council's standards for play provision. On reflection, we consider that inclusion of Table 3 (Children's Play and Youth Provision) is confusing for developers, as it is based on non-statutory 'Fields in Trust' guidance rather than adopted Plan policy. It is, therefore, proposed that we remove Table 3 from the SPD and replace it with text to explain that play area requirements will be dependent on existing provision in the area and the demands from other development and may be in the form of financial contributions rather than on-site provision.</p>	<p>Delete Table 3 and replace with new text at the end of para 4.37 to explain that children's play and youth provision will be dependent on existing provision in the area and the demands from other development and, in some cases, may be in the form of financial contributions rather than on-site provision.</p>

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				Officers will refer to the 'Fields in Trust' policy framework during preparation of the Joint Local Plan for South and Vale.	

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69	East Hendred Parish Council	Page 16, Table 3	<p>Where, as at East Hendred, a series of sites are developed of less than 25 dwellings, no play facilities are provided at all under Table 3 of the draft SPD. Even on sites of up to 80 dwellings, only a LAP is provided. In Table 3, a MUGA (for which there is strong demand in East Hendred) would require a development of 500+ dwellings for a site of 20m x 40m for a mixed-use facility. We, therefore, seek a review of Table 3, to reflect the benchmark guidelines in Table 2 of the Fields in Trust guidance (2015). If these guidelines had been applied, a number of LAPs, a LEAP and contributions towards a MUGA could have been sought for the Parish.</p>	<p>It is agreed that there can be situations where a series of small sites are being developed, but a play area threshold is not reached on one site. All major development sites will generate S106 contributions towards on-site play provision. However, we agree that additional text could usefully be added to explain how town/parish councils can use CIL receipts towards the enhancement of existing play areas in certain circumstances, including where a series of small sites are being developed which, individually, do not meet the threshold required to trigger developer contributions towards play provision.</p> <p>See above response regarding Table 3 of the draft SPD.</p>	<p>Amend paragraph 4.35 as follows:</p> <p>‘...Town/parish councils can use their proportion of CIL receipts towards the enhancement of existing play areas in situations where either: there are a number of small sites being developed where, individually, each site would not reach the dwelling threshold required to trigger developer contributions towards play areas; or where there is no suitable local site to locate play facilities. Where a site cannot accommodate its on-site play requirement, due to exceptional site constraints, S106 contributions may be sought towards off-site mitigation.’</p>

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70	East Hendred Parish Council	Appendix 3 - Distance Standards	<p>We seek a review of the distance standards in Appendix 3. This requires a football, cricket and rugby pitch and MUGA of 0.3 hectares (3,000 sq m) per 1000 population, but only within 15 mins drive-time in rural areas. In urban areas it is 10 mins walk time. How are school children in rural areas expected to be able to take a 15 min drive to reach such facilities?</p> <p>Larger Villages such as East Hendred with a population of 1,000 residents should meet the Guidelines for 6.55 hectares (16 acres) of formal & informal open space per 1,000 population, as set out in Table 1 & 3 of the Fields in Trust guidance. For example, East Hendred should have a MUGA of 0.3 hectare (3,000 sq.m) within 700 metres of all residents in the village, instead of within a 15-minute drive-time, as proposed in the Draft SPD.</p>	<p>The distance standards in Appendix 3 reflect those in adopted Plan policy (as set out in Appendix K of Vale Local Plan Part 2) and cannot therefore be revised in the SPD.</p> <p>However, the accessibility standard for MUGAs in Appendix 3 of the SPD does require amendment to accurately reflect Appendix K.</p>	<p>Amend Appendix 3 to state that the distance standard for MUGAs is:</p> <p>‘The whole population within a 1000m walking catchment.’</p>
71	Oxfordshire NHS CCG	Page 18, DEV9	<p>The CCG would like to see the incorporation of an amount of developer contributions expressed as a specific figure of £360 per person, in addition to there being general statements made that 'new or increased capacity of health facilities will be sought through S106 from development on allocated sites exempt from CIL'. Cherwell District Council Developer Contributions SPD 2018 (Appendix 15) has a good example.</p>	<p>Whilst it is acknowledged that Cherwell District Council's SPD includes calculations of contributions towards health and wellbeing at Appendix 15, it is not proposed that specific monetary calculations for developer contributions towards healthcare provision be included in the SPD, as this type of information can become quickly out of date. Instead, text will be added to confirm that the Council will continue to liaise with the Clinical Commissioning Group to obtain their latest financial information for calculating contributions</p>	<p>Amend para 4.43 to read:</p> <p>‘...in respect of new facilities funded through S106 and will obtain the latest financial information from the CCG for calculating contributions towards health facilities from specific developments.’</p>

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				towards health facilities from specific developments.	
72	Shrivenham Parish Council	All	Shrivenham Parish Council supports the proposals within the draft SPD and welcomes the proposed liaison with parish councils on the provision of community facilities. We do, however, require clarification within the document that the town/parish portion of any CIL contribution will not be affected by the proposals in the SPD, nor by the ability to pool CIL contributions for larger projects.	Support noted. The town/parish portion of any CIL receipts is not affected by any aspects of the Developer Contributions SPD, nor by amendments to the CIL Regulations in 2019, which removed pooling restrictions for S106 obligations (i.e. the requirement that no more than five S106 obligations could previously fund a single infrastructure project).	None required.
73	Roberts, Judy Cllr	Page 8, para 3.3	This section does not include the County Council documents with policies on transport and education infrastructure or the Oxfordshire Minerals and Waste Plan. Nor are Didcot Garden Town and the Dalton Garden Village mentioned and they have policies in place. I think the use of blue boxes later in the document could be replicated in the section on S106/CIL/S278 agreements, to make it clearer how they are linked.	This SPD relates specifically to the policies in the Vale Local Plan Parts 1 & 2 and other district level plans and strategies. There are currently no separate statutory planning documents covering Didcot Garden Town and Dalton Garden Village. Table 1 on page 7 demonstrates the links between CIL, S106, S106, S278 Agreements and planning conditions.	None required.

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74	Roberts, Judy Cllr	Page 10/ DEV 1	The other types of affordable (sheltered, extra care) need to be added. West Oxfordshire have custom and self-build added. Can we add 'encourage' because of the increased statutory information required?	Agree that it would be helpful to add text at the end of paragraph 4.5 to explain that affordable housing may include extra care and specialist housing.	Add the following text to the end of para 4.5: '...Affordable housing provision may include affordable extra care and specialist housing for vulnerable groups (such as the elderly with care needs and people with physical and learning disabilities or complex autism). The Council will work with Oxfordshire County Council and developers to secure and deliver this provision, in accordance with local needs.'
75	Roberts, Judy Cllr	Page 12/ DEV 3	Can we specify the core policy contents, especially the public transport and active travel (CP33 and CP35). NPPF also requires cycle paths to link into cycle routes up to 5 km from site access.	Policies CP33 and CP35 are high level policies promoting public transport, cycling and walking, rather than offering specific detail on S106 requirements. Add 'and cycle' after 'pedestrian' in paragraph 4.21.	Amend para 4.21 to read: '...Traffic Regulation Orders; traffic lights; pedestrian and cycle crossings; signage; public transport infrastructure on or adjacent to the site...'
76	Roberts, Judy Cllr	Page 23/ DEV16	Need to add the active travel policies CP33 and CP35, as they both have a positive impact on air quality.	Agree. Adding reference to policies CP33 and CP35 in DEV16 would be helpful.	Add CP33 and CP35 to the list of relevant Local Plan policies in DEV16
77	Roberts, Judy Cllr	All	There is very little information on the detail of how the calculations are made. Mendip have a secondary document, a Developers Guide to 106 and CIL contributions but Burnley put the calculations within their SPD. This information could be an appendix but by whatever system is preferred, having this information in the public domain would be more transparent and probably provide a more uniform officer response when these negotiations take place.	Agree that it would be useful to have further information/guidance on affordable housing calculations, including part/fractional and off-site provision. However, it is proposed that this is included in the forthcoming Joint Affordable Housing SPD, to be produced by the two councils. In the main, on-site provision is required and CIL will fund off-site provision.	New paragraph 4.9 to read as follows: 'The Council will provide further guidance on the calculation of contributions towards affordable housing provision, within a forthcoming Joint Affordable Housing SPD.'

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78	Wantage Town Council	DEV10 Fire & Rescue	In some cases S106 and CIL may apply to a development and currently the wording of DEV10 could preclude one method from being discarded. Suggest that it is reworded as <i>'Improvements to the fire and rescue services can be funded through S106 and/or CIL.'</i>	Agree. Suggested amendment to DEV10 would be helpful.	Amend DEV10 to read: 'Improvements to the fire and rescue services can be funded through S106 and /or CIL.'
79	Wantage Town Council	Appendix 3	<p>Needs to be a definition in Glossary of 'Drive Time' as it varies throughout the day dependent on roads taken.</p> <p>In order to measure/monitor the metrics (shown as Standards in the Appendix), it would be advantageous to provide current implementation of these standards and show the short-fall in order to identify priority for implementation.</p> <p>For instance, indoor bowls 0.08 rinks per 1,000 population, but 15 minute driving time for whole population. Does this equate to only within Vale of White Horse District or utilise surrounding districts/city areas?</p>	<p>Drive times, as set out in Appendix 3, are based on the findings of the Vale of White Horse Leisure and Sports Facilities Study 2013-2031 (prepared for the Council by Nortoft Partnerships). The study itself used Sport England's 'Active Places Power' tool to produce maps which indicated the approximate travel times by car to a range of facilities, taking account of facilities in adjoining authorities. Maps were produced for facility types other than sports halls, swimming pools and artificial grass pitches (as accessibility of these was better assessed using Sport England's Facilities Planning Model). Sport England research identified that the maximum travel time to most built facilities was about 20 minutes, usually either on foot or by car. This criterion was therefore used in the consultant's report as the basis for determining whether facilities were sufficiently accessible.</p> <p>Future reviews of sports and leisure needs will need to consider current provision and shortfalls.</p>	None required.

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80	Thames Water	Para 4.76	Thames Water supports the inclusion of text on waste water and utilities. However, para 4.76 requires amendment to reflect Thames Water's position.	Agree with Thames Water's proposed amendments to para 4.76.	Amend 4.76 to read ' ...To ensure timely housing delivery, developers will be expected to engage with the water authority to agree a housing and infrastructure delivery plan to ensure that development does not outpace the delivery of off-site infrastructure. to contribute towards the payment of interest, to enable Thames Water to take loans and bring forward the provision of waste water treatment infrastructure ahead of schedule. Any such agreements should be made directly between the developer and Thames Water.'
81	Thames Water	Para 4.77	Thames Water supports the need for developers to engage in pre-application discussions on utilities. Para 4.77 could be strengthened, which requires developers to liaise with Thames Water at an early stage of development through their pre-planning service.	Agree with Thames Water's proposed amendments to para 4.77.	Amend 4.77 to read: Developers need to consider the net increase in water and waste water demand to serve their developments and also any impact the development may have off-site or further down the network, if no/low water pressure and internal/external sewage flooding of property is to be avoided. Thames -Water encourages developers to use their free pre-planning service https://www.thameswater.co.uk/preplanning. This service can tell developers at an early stage if there will be capacity in Thames Water and/or waste water networks to serve their development, or what they will do if there is not. The developer can then submit this communication as evidence to support a planning application and Thames Water can prepare to serve the new development at the point of need, helping avoid delays to housing delivery programmes.'
82	South Oxfordshire District Council	All	South Oxfordshire District Council supports the revised SPD, which sets out clear guidance on when S106 agreements will be sought to fund infrastructure.	Support noted.	None required.

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83	Vale of White Horse DC Housing Team	Page 10, para 4.7	Suggest para 4.7 is rewritten as follows: 'The affordable housing provided should be distributed evenly across the site, and depending on the size and tenure of dwellings this should be in clusters of: i) around 4 dwellings in the case of schemes of 30 dwellings and less and ii) up to eight dwellings for blocks of flats and schemes over 30 dwellings, except for strategic sites where up to 14 dwelling houses may be acceptable. Affordable dwellings located adjacent to each other, but located in a separate perimeter block, will be considered to comprise the same cluster.'	Agree, suggested wording is helpful.	Para 4.7 to read: 'The affordable housing provided should be distributed evenly across the site and, depending on the size and tenure of dwellings this should be in clusters of: i) around 4 dwellings in the case of schemes of 30 dwellings and less; and ii) up to eight dwellings for blocks of flats and schemes over 30 dwellings, except for strategic sites where up to 14 dwellings may be acceptable. Affordable dwellings located adjacent to each other, but located in a separate perimeter block, will be considered to comprise the same cluster.'
84	Thames Valley Police	Page 18, DEV10	Thames Valley Police wish to be included as an acknowledged potential recipient of S106/CIL monies in the same way as our Blue Light Partners, the Fire Service. Growth in households and population places an additional demand on police resources. Without developer contributions, TVP has to deal with this additional demand from its existing (limited) resources, which impacts new and existing communities. Paras 8, 26 32 and 92 of the NPPF support this request and Para 20 specifically states that policies should deliver development that makes sufficient provision for security infrastructure.	Agree. Add reference to the Police in DEV10 and para 4.44.	Expand para 4.44 to read: '...Growth in households and population also places an additional demand on police resources. The NPPF confirms that sustainable development includes securing a safe environment through the delivery of social infrastructure needed by communities, with paragraph 20 making explicit reference to the need for policies to deliver development that makes sufficient provision for security infrastructure.' Also add 'Police' to the title and text of DEV10.

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