

## **Reading Borough Local Development Framework**

### **Supplementary Planning Document**

#### **Planning Obligations under Section 106 of the Town and Country Planning Act 1990**

**Transport**  
**Open Space, Sport and Recreation**  
**Education**  
**Other Contributions**

**FINAL REVISED SPD, NOVEMBER 2013**

***Director of Environment and Neighbourhood Services***  
**Reading Borough Council.**

**2013**

**Core Strategy 2008 adopted policies:**

CS1, CS3, CS9, CS13, CS16, CS20, CS22, CS23, CS29, CS30, CS32, CS34, CS36, CS38

**Reading Central Area Action Plan 2009 adopted policies:**

RC1, RC2, RC3, RC4, RC9, RC14

**Sites and Detailed Policies Document 2012 adopted policies:**

DM2, DM3, DM6, DM16, DM18, SA1, SA2, SA4

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## 1.0 Introduction

- 1.1 This Supplementary Planning Document (SPD) updates the Council's S106 Supplementary Planning Guidance adopted in 2004. Its purpose is to reflect up-to-date policy requirements and relevant costs.
- 1.2 In line with the Town and Country Planning Regulations (2012)<sup>1</sup> a SPD must contain a reasoned justification of the policies contained it and any policies must not conflict with the adopted development plan<sup>2</sup>.
- 1.3 This SPD will form an interim update pending a more thorough review alongside the introduction of Community Infrastructure Levy (CIL) within the Borough, at which point there will be a need to provide clarity as to those matters, which will be sought through S106, and that infrastructure which the Council will provide through CIL.
- 1.4 In line with requirements of the National Planning Policy Framework (NPPF, para 173) the scale of planning obligations sought should not threaten the ability of a site to be delivered viably. As background evidence for introducing CIL the Council commissioned an economic viability assessment. This has considered the range of development costs in developing sites, including those associated with site related S106 planning obligations. The draft proposed CIL rates take account of the ongoing need to fund site related infrastructure through S106. The adopted policy framework at the local level recognises the issue of viability and provides an element of flexibility in applying requirements for planning obligations.
- 1.5 This guidance is intended to provide users of the planning service in Reading with an appropriate framework for determining what planning obligations will be sought in considering planning applications for development. It is not the role of S106 Planning obligations to deal with existing issues, but to mitigate and/ or compensate for the impact of development.
- 1.5 Planning obligations will be determined on a site by site basis, and in accordance with meeting the relevant legal tests for S106 obligations as set out in Regulation 122(2) of the CIL Regulations (2010, as amended) and within the NPPF. There is the ability for developers to present their specific case in terms of viability considerations.
- 1.7 This SPD should also be read in conjunction with the recently adopted Affordable Housing SPD (July, 2013) and the Employment, Skills and Training SPD (April, 2013).
- 1.8 This document provides advice on making contributions to the following primary infrastructure:

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<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012, S.I.2012 no.767

<sup>2</sup> Core Strategy (2008), Reading Central Area Action Plan (2009), Sites and Detailed Policies Document (2012)

- Transport;
- Open space, sport and recreation;
- Education.

- 1.9 However, there are a number of other areas relevant to planning that will be negotiated separately on individual planning applications. This will be in accordance with adopted policy DM3: Infrastructure, of the Sites and Detailed Policies Document (SDPD, October 2012), which is detailed in Section 8 below, and meeting the relevant legal tests..
- 1.10 In accordance with SDPD policy DM3 development proposals will be expected to mitigate all relevant impacts, but where for example for reasons of viability it will not be possible then the Council will take into account the priorities as set out in the policy when seeking to agree an appropriate range of measures.
- 1.11 The guidance will normally apply to all developments comprising a net addition of 1 dwelling or more and to all commercial floorspace comprising a net addition of more than 100m<sup>2</sup> (Gross Internal Floorspace) The guidance may also apply to changes of use where there is an increase in intensity of use. In all cases planning obligations will be sought where the relevant legal tests (set out in para 2.1 below) are met.
- 1.12 The rate of any contribution defined under the provisions of the SPD will be increased annually (As at April 1<sup>st</sup>) by an amount equivalent to the increase in the All Items Index of Retail Prices issued by the Office for National Statistics. This will be from the adoption of this SPD.
- 1.13 Table 1 below provides a summary of the type of contributions which will be sought.

Table 1: Summary of S106 Requirements Being Sought

Type of Contribution Sought	Requirements (per unit - dwelling/100m <sup>2</sup> /bed)
Affordable Housing	Refer to Affordable Housing SPD adopted July 2013
Transport - Reading Urban Area Package (RUAP) for housing (Refer to Table 3)	£2,400 - £3,500 per dwelling depending on size/trip generation
Transport - RUAP for commercial B use classes (Refer to Table 3)	£1,200 per 100m <sup>2</sup> (B8) £3,174 per 100m <sup>2</sup> (B2) £5,030 per 100m <sup>2</sup> (B1)
Transport - RUAP for retail uses (Refer to Table 3)	£14,496 (weighted) - £56,316 (weighted) per 100m <sup>2</sup>
Transport - RUAP for leisure (Refer to Table 3)	£11,604 (weighted) per 100m <sup>2</sup>
Transport - RUAP for hotel (Refer to Table 3)	£2,727 (weighted) per bed
Open Space, Sport and Recreation	£2,100 for dwelling up to and including 75m <sup>2</sup> £2,800 for dwelling over 75m <sup>2</sup> From £788 per room (covering student accommodation, hotels and guest houses, Houses in Multiple Occupation; town centre service apartments
Education	£2,795 - £11,334 (for primary, secondary and post 16 education) per dwelling depending on the size and type of dwelling
Economic Development	Refer to Employment, Skills and Training SPD, April 2013
Other	To be negotiated separately as appropriate on major schemes

## 2.0 Relevant Policy and Legal Framework

- 2.1 In seeking planning obligations three legal tests have to be applied. These were introduced as part of the Community Infrastructure Levy Regulations 2010 (as amended)<sup>3</sup>. These tests replaced those set out in Circular 5/05 and are identified in the National Planning Policy Framework (NPPF, 2012) paragraph 204. This states that "*Planning obligations should only be sought where they meet the following tests:*
- *Necessary to make the development acceptable in planning terms;*
  - *Directly related to the development;*
  - *Fairly and reasonably related in scale and kind to the development"*.
- 2.2 Paragraph 176 of the NPPF recognises that "where safeguards are necessary to make a particular development acceptable in planning terms... the development should not be approved if the measures required cannot be secured through appropriate conditions or [obligations through] agreements." The NPPF also sets out in paragraph 173 that it is important that the scale of obligations does not threaten the ability of a site to be developed viably.
- 2.3 At the local level the Council has a number of relevant policies. Reading Borough Council's Core Strategy (2008) includes Policy CS9: Infrastructure, Services, Resources and Amenities, which requires development proposals to be sustainable through the provision or re-provision of any infrastructure, services, resources or other assets affected by the development. Adopted Policy DM3: Infrastructure, Sites and Detailed Policies Document<sup>4</sup> sets out the specific infrastructure types, for which planning obligations will be sought. The Policy includes a prioritisation to be applied, for example for reasons of viability, when seeking to agree an appropriate range of measures for which planning obligations will be secured.
- 2.4 A number of policies within the Core Strategy include specific thresholds and quantified requirements for the provision of infrastructure. There are also policies, which include general requirements to enhance facilities, and to make new provision where appropriate, for example with regard to community infrastructure (CS32), biodiversity (CS36) and access to open space (CS30). There are also policies which require specific mitigation measures including CS20: Implementation of the Reading Transport Strategy; CS22: Transport Assessments; CS34: Pollution and Water Resources; and CS38: Trees, Hedges and Woodland.
- 2.5 The Reading Central Area Action Plan (RCAAP, 2009) and the SDPD include a number of site specific allocations which include reference to specific infrastructure which will need to be considered in bringing the site forward for redevelopment as well as specific policies such as DM16: Provision of Open Space.
- 2.6 These policies seek to ensure that development proposals make an appropriate contribution towards necessary and relevant physical and social infrastructure in order to ensure that development is both sustainable and contributes to the proper planning of an area.

## 3.0 Procedures

- 3.1 At present the handling of S106 planning obligations is undertaken in accordance with the Council's adopted S106 Procedure (September 2011). This Procedure

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<sup>3</sup> Regulation 122 (2)

<sup>4</sup> SDPD, 2012

covers the entire S106 process, from request for contributions from developers through to the monitoring and collection of monies and the final allocation of receipts to specific projects.

- 3.2 In summary, the Council will assess each application individually, to determine whether an obligation is needed, and what matters it should address, and will justify the reasons for seeking an obligation/s.
- 3.3 Any requirement for a S106 will be raised with a developer as early in the process as possible. Details of the agreement will be recorded on the Council's S106 database. As the timetable for determining planning applications is 8 weeks for minor applications and 13 weeks for major applications it is advisable for heads of terms for Section 106 agreements to be agreed and documented prior to the submission of any planning application. The Council encourages pre-application discussions, one reason is to ensure that the process of agreeing, drawing up and signing agreements is well advanced and can be completed within the planning application determination period. Applications may be refused where agreements are not ready to be signed within the determination period.
- 3.4 The Council will use its reasonable endeavours to process Section 106 negotiations and agreements as quickly as reasonable. However, it is a complicated legal process and ample time needs to be available to complete the process. Developers will need to brief their own legal advisors early in the pre-application process.
- 3.5 Where an agreement is needed, developers will need to provide the following information:
  - (i) Proposed heads of terms of the legal agreement;
  - (ii) Copies of the "title deeds";
  - (iii) In the event that there are any charges, mortgages or other securities secured on the land, the names and addresses of the charges/mortgagees/holders of the security (since it will be necessary for any such to be joined as parties to the agreement and/or consent to its terms or execute a 'Consent to Dealing' as appropriate);
  - (iv) An undertaking to pay the Council's appropriate legal costs in connection with the preparation of the legal agreement/unilateral undertaking;
  - (v) In the event that the applicants are represented by solicitors, the relevant contact address and name of solicitor/person dealing with the matter.
- 3.6 Details should be included as part of the application to ensure that it is clear what is being offered by the development so that interested persons are aware of the full picture. It is unlikely that applications can be determined with a



favourable recommendation where such information is not provided before or at the same time as the application is submitted and registered.

- 3.7 Payment of contributions will generally either be sought upon commencement of development, or on occupation, depending on the type of obligation, unless it is agreed that an alternative stage in development is appropriate and acceptable. For larger scale proposals, the Council will (where appropriate) consider payment of contributions "phased" (dependent on material circumstances) according to (a) commencement, (b) different stages in implementation, (c) occupation and (d) phased completions on site, to be agreed by negotiation. Payments will (where appropriate) be index linked to the Retail Prices Index from the date of the agreement.

#### 4.0 Monitoring and Expenditure

- 4.1 All S106 agreements are recorded on the Council's S106 database and there is a specific Officer within the Planning Section responsible for S106 monitoring. The Officer is responsible for regularly monitoring the implementation of development and on-going monitoring is undertaken throughout the year. However, the principal method used to identify Section 106 payments, that are overdue, is the Council's commitments monitoring which provides a snap shot of development progress every year. The results of the monitoring are checked against the Section 106 database, which has a comprehensive record of signed agreements and unpaid contributions, and the records for payments received.
- 4.2 All S106 payments received are recorded on the database immediately so any reports of developments reaching the trigger points for payment of contributions can be checked to see if any action is necessary.
- 4.3 Where a development has been commenced the Officer checks the obligations to determine whether they have been met in accordance with the trigger and terms of the agreements and chases these up in writing accordingly.
- 4.4 The Council publishes annual information on its website on S106 as part of its annual statement and accounts. This sets out the details and description of the scheme, S106 agreement number, amount brought forward into the accounting year, receipts within the accounting year, expenditure total, for what, and the amount to be carried forward into the next financial year.

## 5.0 Transport

### Introduction

- 5.1 New developments have direct and indirect impacts for the transport systems in Reading and should contribute towards the mitigation of the negative impacts and the realisation of an improved and integrated transport system.

### Policy Background

- 5.2 The key focus of the National Planning Policy Framework is that strategies are developed which provide for viable infrastructure necessary to support sustainable development. It also identifies that all developments that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment.
- 5.3 The Council's third Local Transport Plan (LTP3), was adopted in April 2011 and contains two documents. The longer term strategy document sets the context up to 2026, whilst a 3 year rolling improvement plan details the current priority schemes. This builds upon LTP2, which focussed on developing long term transport measures and initiatives which promoted an integrated and balanced transport environment. Spending plans and annual progress plans are included in an annual report to the Council's Traffic Management Sub-Committee in March of each year<sup>5</sup>.
- 5.4 The Adopted Core Strategy (2008) highlights that the scale of development envisaged during the Plan period will have significant impacts on the transport system and that this will require major investment in all modes of transport. The Core transport infrastructure projects form an integral part of the spatial strategy and future development depends on the implementation of a range of projects, schemes and programmes. Policy CS20: Implementation of the Reading Transport Strategy requires that developments contribute to the provision of a balanced transport network. Other policies require provision of and commitment to measures to promote and improve sustainable transport facilities.
- 5.5 There are specific site allocations within the RCAAP and SDPD which require specific transport measures and/or appropriate contributions towards specific core transport projects.

### Justification

- 5.6 Person trip movements resulting from larger new developments have significant impacts on transport infrastructure in terms of transport movements and the need for people to gain access via a range of transport modes. Such developments should make provision for necessary improvements arising directly from their use. Reduced car parking provision, that enables higher density

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<sup>5</sup> The latest report is at the following link:

<http://www.reading.gov.uk/GetAsset.aspx?id=fAAyADQAOAA1ADMAfAB8AFQAcgB1AGUafAB8ADAAfAA1>

development, means that it is essential that developments make appropriate provision for upgrading systems of non-car transport provision to enable residents and employees in such developments appropriate levels of accessibility. This is particularly the case in Central Reading.

- 5.7 In addition, new development has impacts on wider transport systems, which are already very congested. In the future, efficient and sustainable movement in and around the Borough and elsewhere will necessarily depend on the development of more integrated, usually non-car, transport systems. Person trip movement generation by new development adds significantly towards the need to improve and develop transport systems, in an already congested area, and should therefore contribute towards the improvement and development of the overall transport system.
- 5.8 It is not always sufficient therefore for a development to only contribute to transport improvements in the immediate vicinity of the site i.e. origin of trips. As new developments have direct and indirect impacts for the transport systems in Reading they should contribute towards mitigation of the negative impacts and the realisation of an integrated transport system. The Council will therefore seek developer contributions for improvements to infrastructure along transport corridors and at popular destinations, such as rail and bus stations, town and local centres etc.

### Calculation of Contributions

- 5.9 The Council adopted the Local Transport Plan 3: Strategy 2011-2026 in April 2011<sup>6</sup> and the spending plans required within this Local Transport Plan are calculated at £15.4 million for the spending period April 2012- March 2014 equating to a total of £7.7 million a year<sup>7</sup>.
- 5.10 New development will have a significant impact on the number of trips and should pay a proportion of the anticipated spending, to implement the programme of works which cannot be met through other funding and grants. In the main this will come from housing and employment developments although retail and other commercial developments will also contribute at a level commensurate with the level of person trip movements generated by such development. Contributions will relate to the net increase in trip movements generated.
- 5.11 Survey work derived from a number of sources<sup>8</sup> provides estimates of person trips generated by different uses. Using these estimates, development impacts on the transport system can be apportioned, and a calculation made of a contribution per trip towards the annual expenditure figure. Average daily person trip rates are as set out in Table 2 below.

**Table 2: Average Number of Person Trips for Different Development Types**

Development Type	Average Daily No. of Person Trips
Residential - Large Private Housing (4+ bedrooms)	11.60

<sup>6</sup> [http://www.reading.gov.uk/documents/transport\\_streets/UTMC/24361/LTP3-Strategy-Plan.pdf](http://www.reading.gov.uk/documents/transport_streets/UTMC/24361/LTP3-Strategy-Plan.pdf)

<sup>7</sup> The latest report is at the following link:

<http://www.reading.gov.uk/GetAsset.aspx?id=fAAyADQAOAA1ADMAfAB8AFQAcgB1AGUafAB8ADAafAA1>

<sup>8</sup> A combination of NTS data and Trip Rate Information Computer System (TRICS) version 6.11.2 Multimodal Trips Survey data.

Residential - Average Private Housing (3 bedrooms) over 75m <sup>2</sup>	9.43
Small private dwelling (1+2 bedroom) up to 75m <sup>2</sup>	9.0
Small rented (affordable) dwelling (1+2 bedroom) up to 75m <sup>2</sup>	8.03
B1 Office Employment per 100m <sup>2</sup>	16.67
B2 General Industry per 100m <sup>2</sup>	10.52
B8 Warehouse (Distribution) per 100m <sup>2</sup>	3.91
Leisure per 100m <sup>2</sup>	71.23
Retail (non-food) per 100m <sup>2</sup>	60.60
Retail (food) per 100m <sup>2</sup>	252
Hotels (with conference and open facilities open to non-residents) per room	11.58

Source: Analysis of TRICS 2013 (a) V6 6.11.2 Multimodal Survey data

- 5.12 Proposed new development will contribute a proportion of the total cost of delivering the annual LTP programme. Based on a calculation of average per annum trip rates from new development, against a proportion of the £7.7million, would require £302 per daily unit trip for proposed new development<sup>9</sup>. By multiplying the person trip rates from Table 2 by £302, results in the following rounded contribution level for various forms of development, set out in Table 3 below.

**Table 3: Transport Contribution per Development Type (per unit)**

Development Type	Per Unit of Measurement	Contribution	Weighted Contribution
Residential - Large Private Housing (4+ bed)	dwelling	£3,500	
Residential - Average Private Housing (3 bed)	dwelling	£2,850	
Small private dwelling (1+2 bed)	dwelling	£2,700	
Small rented (affordable) dwelling (1+2 bedroom)	dwelling	£2,400	
B1 Office	100m <sup>2</sup>	£5,030	
B2	100m <sup>2</sup>	£3,174	
B8	100m <sup>2</sup>	£1,200	
Leisure	100m <sup>2</sup>	£21,490	£11,604
Retail (non-food)	100m <sup>2</sup>	£18,120	£14,496
Retail (food)	100m <sup>2</sup>	£76,104	£56,316
Hotel	bed	£3,497	£2,727

*Note: The Weighted Contribution relates to the percentage of the daily person trips undertaken during the peak hours 08:00 - 09:00 and 17:00 - 18:00. The weighted contributions generally comprise reductions in relation to total trip rates reflecting the fact that a high percentage of trips to certain uses take place outside peak hours when there is the greatest pressure on transport systems.*

<sup>9</sup> a) A Per annum trip rate of 12,045 trips is calculated based on an average quantum of development derived from an average of 10 years; b) £7.7 million pa is the intended LTP programme of deliverable schemes; c) Based on historic patterns of transport funding an estimated total of 47% of the total £7.7 million is set against the number of trips generated by new development (£3,634,000); d) £302 therefore = 3,634,000/12045 (trips)

## Types of Measures

### a) *Site Specific Localised Impacts*

- 5.13 Developments will be required to provide on-site access and estate roads and to provide or contribute towards off-site improvements, such as junction improvements made necessary by the level of movement anticipated from that development or providing links to the local pedestrian/cycle system. Such developments will also be expected to provide footways, cycleways, lighting, bus stops, contributions to public transport services, electric vehicle charging point infrastructure etc., within the development and to provide infrastructure such as footpaths, cycleways and public transport infrastructure and services to ensure a minimum level of accessibility by different modes from their sites to local services and facilities.
- 5.14 Developers of employment and other traffic generating schemes will also be expected to enter into agreements to prepare and to operate in accordance with agreed travel plans that aim to reduce travel and car use and promote more sustainable non car modes of transport for access to any development.

### b) *Wider Transport impacts*

- 5.15 In addition, developments will be expected to contribute to wider and strategic transport improvements, particularly in relation to roads, public transport, including mass rapid transport and park and ride, and facilities for cycling and pedestrians. Such improvements are set out in the Council's Local Transport Plan and Annual Progress Reports on the Plan<sup>10</sup>. These contain costed programmes of works. It is clear that new development should contribute towards transport projects and schemes serving the wider area. A large proportion of the projects under the Local Transport Plan will only go ahead, thus facilitating the levels of development anticipated, if funding is forthcoming from all new development.
- 5.16 The level of movement associated with new development and consequently the amount of contribution that should be sought can vary according to location. Residential properties in town centres, particularly where car-parking provision is low, are highly accessible locations for walking and cycling. Residents of developments in such locations can access a wide range of services and facilities, including employment, with minimal amounts of travel. However, in order to ensure a high level of access both within and around the town centre, transport facilities continue to need to be improved. Residents of town centres may work outside the Centre or need to have access to facilities outside the Centre, in which case they add to the need to provide wider transport improvements and such developments should make an appropriate contribution. Such residents will also benefit from programmed and planned improvements to transport systems serving the Central area in the future.

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<sup>10</sup> Refer to the latest report at the following link. This is presented annually:  
<http://www.reading.gov.uk/GetAsset.aspx?id=fAAyADQAOAA1ADMAfAB8AFQAcgB1AGUAFAB8ADAAfAA1>

- 5.17 Similarly, employment located in town centres is highly accessible and this is undoubtedly the most sustainable location for such development. Town centre accessibility does, however, need to be improved both for journeys within the town centre and journeys to and from the town centre. For Reading, further high levels of investment are likely to be required for improving town centre accessibility in terms of capacity, quality, convenience, etc. Projects and schemes providing better facilities for walking and cycling, improving bus links, major improvement works at Reading Railway Station and the track in and out of the station, enhanced park and ride facilities and a Mass Rapid Transit System (forming part of a Strategic Thames Valley Network), will greatly improve overall accessibility.

## 6.0 Open Space, Sport and Recreation

### Introduction

- 6.1 Parks and open spaces provide an essential contribution to the quality of life and health of everyone. As well as contributing to the townscape, they provide wildlife corridors and help promote and sustain biodiversity. A good quality public environment can have a significant impact on the economic life of a town or city as an essential part of any regeneration.
- 6.2 The Borough Council is required to co-ordinate the provision of recreational and leisure facilities to meet the needs of all those residents within its region. The land-use planning system makes an important contribution to this function.
- 6.3 There is a long tradition in Reading of obtaining contributions from development schemes towards quantitative and qualitative improvements in open space, recreation, community facilities and environmental improvements in the Borough.
- 6.4 Reading Borough Council's definition of open space follows central government guidelines:
1. Parks and gardens - including urban parks, country parks and formal gardens;
  2. Natural and semi-natural urban green spaces - including woodlands, urban forestry, scrub, grasslands (e.g. downlands, commons and meadows) wetlands, open and running water, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits);
  3. Green corridors - including river and canal banks, cycleways, and rights of way;
  4. Outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) - including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas;
  5. Amenity green space (most commonly, but not exclusively in housing areas) - including informal recreation spaces, green spaces in and around housing, domestic gardens and village greens;
  6. Provision for children and teenagers - including play areas, skateboard parks, BMX tracks, outdoor basketball hoops, and other more informal areas (e.g. 'hanging out' areas, teenage shelters);
  7. Allotments, community gardens, and city (urban) farms;
  8. Cemeteries and churchyards;

Items 1-4, and to some extent items 7 and 8, are strategic spaces that serve the Borough as a whole - or large areas of the Borough. Items 5 and 6 are more dispersed local provision, serving local communities.

## Policy Background

- 6.5 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. One of the 12 core planning principles identified in the NPPF includes taking account of and supporting local strategies to improve health, social and cultural wellbeing, and delivering sufficient community and cultural facilities and services to meet local needs. The NPPF also includes "Promoting Healthy Communities" as one of the themes identified for delivering sustainable development and states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- 6.6 Reading's Sustainable Community Strategy aims to make healthy and attractive spaces available to all residents.
- 6.7 The Council's Open Spaces Strategy (2007) sets out aims and objectives to secure a more integrated, easily accessible and robust approach to the provision and distribution of open space. It points to a need for substantial qualitative improvements to many open space areas to meet the need of both the existing population and those occupying new developments. The Strategy states, with regard to S106, that "when negotiating new S106 agreements, new standards based on the local provision standards will be sought as the minimum provision as part of new developments."
- 6.8 There are a range of local strategies providing a vision and programme for:
- Improving the network of public open spaces (The Thames Park Plan, 2004);
  - Measures to protect and/ or mitigate the loss of important habitat (The Biodiversity Action Plan, 2006);
  - Increasing activity in allotment gardening (Reading's Allotments Plan, 2005);
  - Improving play opportunities for children, young people and families across the town (Reading's Play Strategy, 2010).
  - Protecting and increasing the number of trees across the Borough (The Council's Tree Strategy, 2010)
- 6.9 There are a range of site specific management plans whose overall objectives include improvement, enhancement and protection of important green spaces in Reading.
- 6.10 Policies in the Core Strategy, RCAAP and SDPD provide the context for developer provision of leisure, recreation and open space facilities in the Borough. In particular Core Strategy Policy CS29: Provision of Open Space requires all new development to make provision for the open space needs of the development through appropriate on- or off-site provision. Where a site has 50 units or more, or where a deficiency has been identified, the new open space is to be provided on site. Policy DM16 of the SDPD explains the type of open space or



improvements to open space that will be required. Appendix 2 sets out the general principles of open space provision (Section 17 of RBC's original Open Spaces Strategy).

### Justification

- 6.11 Over a long period the Council has recognised the deficiencies in certain types of open space in particular locations as well as issues over the quality of open space provision within the Borough. The Council's Open Spaces Strategy (2007) and the Background Paper (2006) identify that, overall, the Borough is generally well served for open space, but that the total open space is less than national guidelines recommend and the distribution is uneven across the Borough. The key areas of deficiency are as follows:
- In central Reading, public open space is by and large where residents are not. However, as it is impractical to create new open space the Council will seek contributions to improving open space on the edge of the town centre and in public realm improvements;
  - In north Reading, large areas are lacking children's play facilities;
  - Areas immediately to the west, north-west, south and east of the town centre are amongst the most poorly supplied in the Borough in terms of recreational open space; the problem is exacerbated by very dense housing;
  - In the south there is no higher-tier park which would offer a greater variety of facilities;
  - Severance lines reduce further residents' access to open space.
- 6.12 New development, irrespective of its size, inevitably places increased pressure on all types of existing open space infrastructure. Each additional resident moving into a new development, who uses publicly provided leisure facilities, requires a marginal increase in the capacity of existing facilities as well as adding to the demand for additional facilities. It is important, therefore, that developments contribute to a managed programme of targeted open space growth and enhancement/ improvement of existing areas, in order to support sustainable growth in the Borough. Contributions from developments will be used to assist in implementing the adopted Strategies (referred to above), helping to mitigate the impact of new development in accordance with development plan policies.
- 6.13 All residents in urban areas need access to parks, open spaces, sports pitches, places to walk, place to run, places to relax in or play. Such provision is seen as increasingly important for public health. In the current era of high density developments that reduce external amenity areas and open space, the need for proper open space provision, and safe easy access to such spaces, is even more imperative. Consequently it is essential that new developments make provision for open space to meet the needs of the residents/occupiers of the development especially in the absence of any on-site recreational facilities. With a growing population resulting from new development, the amount and quality of open space in the Borough should increase over the Plan period.

## Calculation of Contributions

- 6.14 The Council has an informal comprehensive costed list of required investment per park, the value of which is many millions of pounds. The list includes both new infrastructure and improvements to increase the capacity of existing facilities through bringing them up to modern standards. This investment list is updated regularly, and is used as a basis for identifying specific projects relevant to proposed developments. This includes specific detailed projects as set out within adopted strategies and plans such as the Thames Parks Plan.
- 6.15 There are two main types of developer contributions to open space provision namely, on-site and off-site. The following provides details of such obligations and the basis of calculation for any financial contributions sought.
- a) On-site provision*
- 6.16 In line with Core Strategy Policy CS29: Provision of Open Space where a site has 50 units or more, or where a deficiency has been identified, new open space is to be provided on-site. This would involve a non-financial obligation as part of a S106 agreement and would require direct provision on-site by the developer.
- 6.17 There will be a presumption that the Council will not adopt additional areas of public open space except in exceptional circumstances. Developers will therefore need to make provision for the continuing future maintenance of these open spaces, and the Council will need to be satisfied that such arrangements have been made for their long-term maintenance, which is usually through some form of private management arrangement.
- 6.18 In those instances when the Borough Council is prepared to adopt and maintain properly laid out public open space and play areas within urban residential areas, this will be subject to a payment by the developer of a commuted sum. This payment should cover costs of maintenance in perpetuity (usually 50 years).
- 6.19 On payment of the commuted sum, and when all liabilities for construction, equipment and maintenance have been met to the Borough Council's satisfaction, the open space will be transferred to the Council.
- 6.20 The commuted sum figure is calculated using current contract prices and maintenance costs for maintaining open space. This is currently calculated from existing work schedules, etc. This figure is multiplied to establish a fifty-year maintenance figure, which allows for inflation of contract prices, and deflation for diminishing present values over time.
- 6.21 Planning permission for developments will be subject to a legal agreement that will include all the above details. Commuted sums within these agreements will be index linked from the date the agreement was signed.

*b) Off-Site Provision*

- 6.22 In most circumstances (especially for small developments where it is not practical for open space or recreation facilities to be provided on-site, where it would be too small to be of any practical use), it is likely to be more appropriate to seek off-site contributions. These will be put towards capacity improvements and the enhancement of existing open spaces in the locality of the development.
- 6.23 Additionally, contributions will be sought towards the capital expenditure required to increase the capacity of the areas of open space that serve all of the population of the Borough. These will be used for sports and play provision, other recreational enhancements, allotments provision, improving nature conservation, implementing the Biodiversity Action Plan and improving rights of way where they relate to parks and other open spaces. Priorities as to which improvements are required as a result of increasing population pressures are continually being assessed.
- 6.24 The calculation of contributions for off-site open space is as follows:

**Table 4: Contributions Towards Open Space Provision**

Development Type	Contribution
C3 residential - Dwelling up to and including 75 m <sup>2</sup>	£2100 per dwelling
C3 residential - Dwelling over 75 m <sup>2</sup>	£2800 per dwelling
Hotels and guest houses <sup>a</sup>	£788 per room
Town centre serviced apartments <sup>b</sup>	£966 per room
Student accommodation <sup>c</sup>	£788 per room
Houses in Multiple Occupation ( over 6 person - large HMOs - Sui Generis) <sup>d</sup>	See below
Offices (B1a) <sup>e</sup>	See below

<sup>a</sup> This assumes that there is 75% occupancy and that of those 50% will use parks and open spaces (against small dwelling rate of £2,100).

<sup>b</sup> This assumes that there is 92% occupancy and of those 50% will use parks and open spaces (against small dwelling rate of £2,100).

<sup>c</sup> This is based on applying 50% of the small dwelling rate of £2,100, because single people or couples, rather than families are accommodated in student accommodation. However, since students are in residence for 75% of the year, the contribution is discounted to reflect this.

<sup>d</sup> This would be based on the additional occupants over and above that which could have been accommodated in the original (C3) dwelling house. For example if there are 10 bedrooms, there would be a minimum of 10 people. Given that a large dwelling could accommodate 6 people it would be reasonable to request a contribution towards the 4 additional occupants of £2,800 (based on large dwelling rate).

<sup>e</sup> For major office schemes (1000sqm and above) a contribution will be sought towards enhancements to public open space/ other public realm. This will be considered on a site-by-site basis related to the specific impacts of a scheme in relation to relevant infrastructure.

## Types of Measures

- 6.25 Contributions will be sought to pay for specific works or improvements set out in approved Council strategies and programmes which are approved through Policy Committee on an annual basis.
- 6.26 In terms of on-site open space provision this should be well located to the rest of the development in which it is to be provided and be of a usable size and shape, and must be capable of use for a range of activities across a range of ages. Such provision will include related facilities, such as seating, cycle parking, play equipment and equipment suitable for teenage groups, e.g. shelters, basketball hoops and goal posts, both for informal social and recreational purposes. The design of open space and recreation facilities must aim to secure a safe environment. Advice on the dimensions, design and provision of open space and recreation facilities should be sought from the Council's Parks Section.
- 6.27 Off-site local facilities will include amenity greenspace (most commonly, but not exclusively in housing areas), formal and informal parks, gardens and other recreation spaces, village greens, provision for children and teenagers, allotments, sports facilities, rights of way, and other more informal areas.
- 6.28 Examples of improvements include (but are not limited to) the following: new furniture (seats, benches, picnic tables, bins); planting (trees, shrubs, herbaceous plants and bulbs); boundary and entrance improvements; new toddler, junior and teen play equipment; sports facilities; improvements to drainage and surfacing of sports pitches; signage and interpretation information; new paths and the upgrade of existing ones; habitat improvements; and investment in supporting infrastructure, like parking, toilets, changing rooms and associated facilities.

## 7.0 Education

### Introduction

- 7.1 Local authorities have a statutory duty to make sufficient, suitable school places available for pupils living within their areas. Local authorities may meet increased demand for places in several ways: using surplus places at existing schools and transporting children to these if necessary; expanding existing schools through improving the suitability and condition, converting existing spare accommodation, or constructing a new extension; or facilitate the development or opening of new schools<sup>11</sup>. There is significant evidence now that the quality of the built environment in schools and other settings has a direct, positive impact on the quality of learning.
- 7.2 The need for school places has increased in recent years due to a range of factors including in-migration and significant increases in the birth rate in the Borough. Using Census information, between 2001 and 2011, the population of the Borough rose by just over 12,500<sup>12</sup>, an 8% increase. The 0-5 year old population has grown 34% between the census years of 2001 and 2011, which has led to a growth in demand for primary places of around 20% - 2520 places in total.
- 7.3 In 2009-12 RBC provided 770 permanent new places in primary schools through expansions and improvements to existing schools. Since September 2011 RBC has planned for a total of 595 additional places in primary schools up to and including September 2013. From September 2014 onwards permanent solutions are required and RBC has forecast the need to provide 2520 additional primary places with immediate effect. By September 2017 all existing secondary school capacity will be full.

### Policy background

- 7.4 In terms of delivering sustainable development the NPPF (2012) identifies, under the theme of promoting healthy communities that the *“Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities”*. In achieving this it states the local planning authorities should give weight to the need to create, expand or alter schools.
- 7.5 Adopted Policy DM3 of the SDPD states that proposals for development will make appropriate provision for infrastructure, which includes education infrastructure including cross boundary facilities.

### Justification

- 7.6 Reading’s primary school places are under huge pressure and will begin to have an impact on secondary provision in 2016/17. The Council forecast the need to provide 2520 additional primary school places from September 2014. The total level of funding required is in the region of £64 million and although there is

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<sup>11</sup> As the provider of new schools is now normally another body to the Local Authority

<sup>12</sup> Based on 155,698 2011 population and 143,096 2001 population, ONS

funding available through the Department for Education's Targeted Basic Need Programme this is funding at a level far below that which is required to provide new school places. Local Authorities need to finance the gap. Additional development brings with it pressures on the existing educational school places and therefore developments, based on their specific pupil product, should contribute to creating additional spaces and additional capacity at existing schools.

### Calculation of contribution

- 7.7 Consistent with meeting its duties and responsibilities, Reading Borough Council will seek a contribution from developers towards the costs of providing or improving schools in the area of the particular development arising out of the impacts of that development. A contribution will be sought per dwelling based on the pupil yield of dwellings when the development would have an impact on local school(s). The contribution will vary according to the number of bedrooms of the dwelling and whether the dwelling is a house or a flat or apartment. One-bedroom dwellings will not be required to contribute towards educational facilities as the yield is considered to be too low.
- 7.8 Where the schools in the area of the development would require new places in order to meet the projected additional demand due to that development, the full contribution will be sought. In some cases, a commuted contribution will be sought towards the costs of refurbishment to improve the condition and suitability of accommodation in schools and of developing other facilities to meet the demands of the increasing school roll.
- 7.9 It is Reading Borough Council policy for primary schools to admit "Rising Fives", so the primary school pupil yield is that for children aged 4 - 10. The secondary school pupil yield is that for children aged 11 - 18.
- 7.10 The current programme for additional school places in Reading (mainly through the expansion of existing schools) indicates an average build cost per place (excluding any land cost) of in the region of £24,000. Allowing for assumed levels of government funding per additional place and some locally sourced funding (including capital borrowing), the provision of each additional space will require an average of £7,763 from other sources. New residential development will be expected to provide that level of funding to enable additional educational spaces to be provided, to ensure adequate education provision to meet the pupil product of new development.
- 7.11 The formula used to calculate a contribution is:
- Pupil product x average cost per place**
- The Pupil product is identified in tables 5 and 6 below.
  - The average cost per place of £7,763<sup>13</sup>

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<sup>13</sup> This is based on an estimate of the gap remaining to fund the average cost per place in Reading, less an allowance for current government funding along with an allowance for local funding derived from borrowing and other sources.

**Table 5: The Pupil Product Ratio for Houses in Reading**

Dwelling Size	Rising Fives (4)	Primary (5-10)	Primary including Rising Fives (4-10)	Secondary (11-16)	Post 16 (17-18)
2- bed	0.10	0.56	0.66	0.15	0.01
3-bed	0.13	0.74	0.87	0.51	0.08

*(Note these are based on figures derived from the Study of the Pupil Product of New Housing in Berkshire, 2001. In calculating contributions, the Council will apply the figures for the 3 bedroom house for all houses of 3 bedrooms and over).*

- 7.12 The study shows the average pupil yield for a particular type of dwelling. For example, 100 new 2-bed dwellings will generate 10 four-year old children, 56 primary school children, 15 secondary school children and 1 post 16 student. Also, 100 new 2-bed dwellings will create pressure on primary schools from the 56 actual children and the 10 four-year old children who will move onto primary schools in one year. Similarly, 100 new 2-bed dwellings will create pressure on secondary schools from the 15 actual children and the 56 children in primary schools who will move onto secondary schools in the next 5 years.
- 7.13 The *Study of the Pupil Product of New Housing in Berkshire, 2001* did not include flats and apartments as it was assumed that there would not be a significant difference between the pupil yields of flats and apartments and houses. There is no distinction made between a flat and an apartment. A flat/apartment is a dwelling that is not a house and part of which is above or below another dwelling. A subsequent analysis of actual pupil yield of 2 bedroom flats/apartments was carried out. The figures for 3 bedroom flats was calculated by scaling each 2 bedroom flat pupil yield by the corresponding ratio of pupil yields for 3-bedroom houses compared with 2-bedroom houses. A similar calculation was carried out to find the yield for 4 and over-bedroom flats.

**Table 6: The Pupil Product Ratio for Flats/Apartments in Reading**

Dwelling Size	Rising Fives (4)	Primary (5-10)	Primary including Rising Fives (4-10)	Secondary (11-16)	Post 16 (17-18)
2 - bed flat	0.12	0.17	0.29	0.05	0.02
3 - bed and over flat	0.18	0.22	0.40	0.17	0.16

*(Note these are based on figures derived from an analysis of the actual yield of flats/apartments, December 2002. In calculating contributions, the Council will apply the figures for the 3-bedroom flat for all flats of 3 bedrooms and over)*

- 7.14 Worked examples of education contributions are attached at Appendix 1.

### Types of Measures

- 7.15 Education contributions will be used towards creating additional school places by funding the expansion of existing schools, refurbishment of existing schools to increase their capacity or through facilitating the provision of new schools.



## 8.0 Other Contributions

- 8.1 In accordance with adopted policies CS9 (Core Strategy, 2008) and DM3 (SDPD, 2012) proposals for development need to make appropriate provision for relevant infrastructure, resources and amenities. This SPD provides detail in sections 5-7 above for those primary areas of infrastructure to which the Council will seek S106 obligations. In relation to some sites, the Council will also be seeking contributions towards other items of infrastructure, as relevant to a specific site. The other types of infrastructure are as set out in policy DM3: Infrastructure and referred to as follows:
- 8.2 ***Economic Development*** services and infrastructure, including employment, skills and training development initiatives and childcare provision – Employment, skills and training measures are dealt with through the Employment, Skills and Training SPD, adopted April 2013. Adopted Core Strategy Policy CS13: Impact of Employment Development recognises that new employment may have a wide range of impacts, and as well as securing planning obligations for employment, skills, and training there are other measures which may be necessary to maximise the potential of the existing population to fill the jobs being created. Access to childcare facilities is a barrier to many wishing to take up employment. Contributions will be sought towards, or for the provision of, affordable childcare facilities, where this is in accordance with meeting the relevant CIL Regulation 122 (2) tests (as set out in paragraph 2.1 above). This would be considered on a site by site basis and with regard to those schemes for major employment generating developments (1000m<sup>2</sup> or more). The size of a workplace nursery should be proportional to the employment generated.
- 8.3 ***Energy infrastructure***, including decentralised energy projects – In accordance with SDPD Policy DM2: Decentralised Energy, any development of more than 20 dwellings and/or non-residential development of over 1000m<sup>2</sup> shall consider the inclusion of a Combined Heat and Power plant or biomass-fuelled heating system, or other form of decentralised energy provision. In the longer term obligations may contribute towards carbon-saving projects, which could be on, off or near site solutions.<sup>14</sup>
- 8.4 ***Health*** provision, ***Police Service*** infrastructure, and ***Community facilities*** – For large residential schemes, which add to local pressures on health, Police and other community infrastructure, obligations will be sought to contribute towards local community based provision, where there is a shortfall in other available funding sources. Adopted Core Strategy Policy CS32: Impacts on Community Facilities, requires mitigation to be provided in line with the scale of additional impacts. Community facilities can include youth and community centres, meeting places and libraries.

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<sup>14</sup> The Government recently consulted on Allowable Solutions - off-site projects or measures that reduce carbon emissions - which house builders may support to achieve the zero carbon homes standard, as it recognises that it will not always be cost-effective, affordable or technically feasible for house builders to reduce all carbon emissions through on-site measures.

- 8.5 ***Leisure and cultural*** infrastructure including public art, library and archive services - For major schemes, developers will be encouraged to adopt the percent for art recommendation whereby approximately 1%<sup>15</sup> of total construction costs is given over to public art either as part of the proposals or in the locality of the application site
- 8.6 ***Reading Central Area infrastructure and amenities***, including public realm and street care enhancements and ***Environmental enhancements outside of the Central Area***, such as within local centres, including off-street tree and other tree planting - Contributions will be sought from proposed developments located in areas where environmental improvements/ enhancements are programmed, or which lie in the vicinity of a local centre where works are proposed, where the resulting development will benefit from such works. This could include community safety measures such as CCTV. Obligations may also be sought towards improvements to and the mitigation of adverse impacts on the historic environment.
- 8.7 ***Measures to tackle poor air quality or for on-going air quality monitoring*** - Adopted SDPD policy DM19: Air Quality, sets out that development should have regard to the need to improve air quality and reduce the effects of poor air quality. Where it is identified that a scheme will increase emissions within the Air Quality Management Area measures will be required to mitigate such increases. These could include: Travel Plans; through design, e.g improved air flow around development, or alternative plant; reducing the number of car parking spaces; allocated parking for car clubs/ low emission vehicles; provision of electric charging bays or low emission fuelling points; provision of cycling facilities / residents cycles; improvements to local public transport. As set out in the accompanying text to Policy DM19 in some circumstances it may be appropriate for a developer to fund mitigating measures elsewhere. This would be to offset any increase in local pollutant emissions resulting from the proposed development. This may involve a specific scheme or a contribution to the costs of the monitoring network.
- 8.8 All such contributions will be considered on a case by case basis and will need to meet the relevant legal tests for obligations as set out in paragraph 2.1 above and in light of viability considerations.

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<sup>15</sup> The 1% for art was an original target identified in the Reading Local Plan and is within the existing 2004 S106 SPG. It originated from the promotion of a per cent for art by the Arts Council and the recommendation that this should be done through planning by the incorporation of policies and targets.

## **Appendix 1: Worked Examples of Education Contributions for New Build**

The formula used to calculate a contribution is:

**Pupil product x average cost per place**

- The Pupil Product is as set out in Tables 5 and 6.
- The average cost per place £7,763 (based on the 'gap' between cost per place Government funding and Council borrowing).

Contributions sought for development of new houses:

Dwelling Size	Total
2-bed house	£6,366
3-bed and over house	£11,334

Contributions sought for development of new flats/apartments:

Dwelling Size	Total
2-bed flat	£2,795
3-bed and over flat	£5,667

## APPENDIX 2: General Principles of Open Space Provision

In general, open spaces planning obligations will require the following main elements:

- In areas deficient in recreational open space, the provision of appropriate (defined below) new public open space, with a commuted sum to ensure funding for future maintenance to a high standard
- In areas with an adequate quantity of public open space, a financial contribution to improving existing open space to cater for additional use

New public open space must be:

- A minimum of 0.2 ha where the provision of a new neighbourhood park is required; in the case of very large developments, the provision of a new local park (minimum area of 1.0-2.0 ha) should be required
- Integrated, not overly fragmented, open space (in terms of both area and topography)
- Linked to adjacent local communities (not buried within the new development)
- Accessible to the general public and to people of all capabilities
- Not severed by roads
- At least in part, informal landscaping for both aesthetic and recreational purposes
- Appropriate, in that it satisfies the most urgent local need, whether formal play provision for children; youth facilities; sports grounds; green links; or informal landscaping

The rationale for these requirements is as follows:

- An integrated space is important for creating a sense of place and local 'ownership'.
- Tall buildings or vehicular access within the space tend effectively to separate the spaces and reduce the recreational value of the park.
- In smaller fragmented spaces, buildings may dominate the space.
- In smaller fragmented spaces, activity in the space may adversely affect adjacent properties.
- Open space scattered amongst buildings will appear less accessible to the general public (who will think it is a private open space 'belonging' to the development and not to the community).
- Open space scattered between buildings is more difficult to manage, less attractive and more subject to being shaded.
- Small scattered spaces do not adequately accommodate sizeable parks-scale trees without impacting upon neighbouring properties. Large trees contribute to pollution abatement and rain water absorption, as well as to sense of place.
- A long linear space or wide corridor is likely to create the same difficulties as fragmentation.
- Vehicular access cutting across open spaces used by children is hazardous as well as aesthetically weak. Pedestrian routes, however, may be integrated into public open space.

- Densely populated residential areas, inadequately provided for in terms of appropriately landscaped public open space, are less desirable places in which to live.
- The appropriate provision standards, size, proximity, and level and mix of use, are set out in Table 17.1.
- A variety of landscape types within the area will increase community value, whether informal play, formal plantings, formal play, etc. These best benefit from being within an integrated area.
- Isolated pockets of open space accessed solely by very steep slopes are unlikely to serve a recreational need and should not be included with the calculation of recreational open space provided.