

# Thanet District Council

## PLANNING OBLIGATIONS AND DEVELOPER CONTRIBUTIONS

### Statement of Consultation (Regulation 17 Statement)

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# Planning Obligations and Developer Contributions

## Statement of Consultation

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# 1 Introduction

1.1 The Planning and Compulsory Purchase Act introduced the Local Development Framework (LDF) format of planning policy. The Thanet District LDF, together with the Regional Spatial Strategy (South East Plan) will become the statutory Development Plan for the District. The Planning Obligations and Developers Contributions Supplementary Planning Document (SPD) will form part of the LDF.

1.2 The purpose of the Planning Obligations and Developers Contributions SPD is to provide developers and residents with essential information about community and other facilities that will be required to meet the needs of all new development as set out in planning policy. The aim is to provide greater certainty for residents and developers before a planning application is submitted or a site is purchased so that the cost implications of complying with planning policy are fully taken into account.

1.3 One of the requirements of the Planning and Compulsory Purchase Act is for each local authority to produce a Statement of Community Involvement (SCI) which sets out how and when the community will be involved in the development of planning policy documents. Thanet's Statement of Community Involvement was adopted in February 2007. The Planning Obligations and Developers Contributions SPD has met the requirements of the SCI during the formal stages of the planning policy process:

**Regulation 17 (under 2004 Regulations)** – questionnaires, newspaper adverts, documents and comments form available online or hard copies

## **Consultation with Members and formal Council procedures**

1.4 Initially a 'Local Development Steering Group' was established and was an informal group comprising five Members and a representative from the Local Strategic Partnership. This group evolved to form a formal group known as the 'Local Development Framework Working Party', comprising five cross-party Members.

1.5 The Working Party have been kept up to date with the general progress of the SPD, and each stage of the planning process has been discussed at the working party and agreed, prior to reporting to Cabinet or Council.

1.6 The Planning Obligations and Developers Contributions SPD has been reported to the following Council meeting:

<b>Item Reported</b>	<b>Council Meeting</b>	<b>Purpose of Report</b>
Draft Planning Obligations and Developers Contributions SPD	Cabinet – 17 September 2009	Agreement for Public Consultation

## Regulation 17 Statement

### 2 Consultation

2.1 Extensive public consultation was carried out during the preparation of the Thanet Local Plan on Policies CF2, H14, TR3, SR4, SR5, D2 and H6, on community facilities, affordable housing, transport infrastructure, sports facilities, play space, open space, and a new primary school at Westwood respectively. The Inspector at the Public Inquiry into the Thanet Local Plan endorsed these policies.

### Consultation Pursuant To Regulation 17 (Town and Country Planning (Local Development) (England) Regulations 2004)

3.1 Internal consultations between departments of the Council and consultations with Kent County Council, Sport England and the Primary Care Trust (PCT) on the production of a draft SPD on Planning Obligations were carried out.

3.2 These consultations involved discussions on affordable housing, leisure and recreation facilities, health, policing, education, libraries and youth facilities, adult education, adult social services, together with economic development and transport infrastructure issues. Those consulted, a summary of the main issues raised in consultations and how issues identified have been addressed in the SPD are set out in the table below:

Consultation	Main Issues Raised	Issues addressed in SPD
<p><i>Meeting 02 December 2005</i></p> <ul style="list-style-type: none"> <li>• Kent Highway Services Manager</li> <li>• TDC Housing Manager</li> <li>• TDC Parks Manager</li> </ul>	<ul style="list-style-type: none"> <li>• Transport contributions</li> <li>• Quality of open space improvements</li> </ul>	<ul style="list-style-type: none"> <li>• Transport infrastructure covered by SPD including necessary improvements</li> <li>• Play space and sports facilities and open space covered by SPD including provision and upgrade</li> </ul>
<p><i>Meeting 11 November 2006</i></p> <ul style="list-style-type: none"> <li>• Kent County Council Officers</li> </ul>	<ul style="list-style-type: none"> <li>• Threshold of 20 units considered to be too high for education</li> <li>• Contributions required for libraries, youth and community, adult care, adult education – thresholds required</li> </ul>	<ul style="list-style-type: none"> <li>• Threshold of 10 dwellings covered in SPD including provision or upgrade of education, libraries, youth and community, adult care, adult education facilities</li> </ul>
<p><i>Email 01 August 2007</i></p> <ul style="list-style-type: none"> <li>• TDC Head of</li> </ul>	<ul style="list-style-type: none"> <li>• Need for greater clarity on how Council deals with Affordable Housing Issues through</li> </ul>	<ul style="list-style-type: none"> <li>• Affordable housing covered in SPD, including</li> </ul>

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<p>Housing and Community Service</p>	<p>planning system</p> <ul style="list-style-type: none"> <li>• Increased certainty needed for developers as to what is required on each site</li> <li>• Consistency should be achieved across the District</li> <li>• Presumption should be for on-site provision and no grant funding</li> <li>• Commuted sum formula should be clear</li> <li>• Tenure mix of 70/30 social rent/intermediate required</li> <li>• Thresholds should be assessed</li> <li>• Affordable housing should be of similar type to rest of development</li> <li>• Contributions to fund administration and housing needs research</li> <li>• Affordable housing should be pepper potted through developments</li> <li>• Housing Corporation standards should be used for affordable housing</li> <li>• Relationship between Affordable Housing and other contributions should be assessed</li> <li>• RSL should be preferred partners of the Council</li> </ul>	<p>definition, presumption of on-site requirement with no grant funding, tenure mix and housing type in line with development, pepper-potting of affordable housing and RSL partners included</p>
<p><i>Meeting 20 December 2007</i></p> <ul style="list-style-type: none"> <li>• KCC Development Planning Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Highways and Transport tariff proposed for Kent district in November 2007</li> </ul>	<ul style="list-style-type: none"> <li>• No tariff adopted for Kent district</li> <li>• Necessary transport improvements covered in SPD including provision or contributions</li> </ul>
<p><i>Meeting 22 January 2008</i></p> <ul style="list-style-type: none"> <li>• TDC Head of Street Scene</li> </ul>	<ul style="list-style-type: none"> <li>• Contributions not being sought for refuse collection</li> <li>• Kent Waste Partnerships (KWP) looking at basis for contributions but no conclusion as yet</li> <li>• Recommendation for hot food takeaway contribution of £1200</li> </ul>	<ul style="list-style-type: none"> <li>• No policy or evidence base for contributions for refuse collection</li> <li>• Existing hot food takeaway policy covers cleaning contribution</li> </ul>
<p><i>Email 06 February 2008</i></p> <ul style="list-style-type: none"> <li>• Primary Care Trust Officer</li> </ul>	<ul style="list-style-type: none"> <li>• PCT were working on policy for all Local Planning Authorities ongoing, based on HUDU model</li> </ul>	<ul style="list-style-type: none"> <li>• No evidence base provided</li> </ul>
<p><i>Meeting 07 May 2008</i></p> <ul style="list-style-type: none"> <li>• Kent County Council Officers</li> </ul>	<ul style="list-style-type: none"> <li>• Further information to be provided by KCC on education, libraries, social services, youth and community facilities</li> <li>• Police told by KCC to provide a more comprehensive basis for contributions in Kent – no response received</li> </ul>	<ul style="list-style-type: none"> <li>• Necessary provision or upgrade of education, libraries, youth and community, adult care, adult education facilities covered in SPD</li> </ul>
<p><i>Meeting 20 May 2008</i></p> <ul style="list-style-type: none"> <li>• Kent County Council Officers</li> </ul>	<ul style="list-style-type: none"> <li>• Recommended to wait for introduction of CIL rather than SPD preparation</li> <li>• Suggested looking at Dover's SPD, tariff approach, and single house threshold</li> <li>• Suggested a DPD would be more defensible than SPD</li> <li>• Confirmed KCC guide still relevant to community infrastructure but needed some updating, and KCC were working on district level information</li> </ul>	<ul style="list-style-type: none"> <li>• Threshold of 10 dwellings covered in SPD including provision or upgrade of education, libraries, youth and community, adult care, adult education facilities</li> </ul>

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	<ul style="list-style-type: none"> <li>Advised that a capacity model would be used to assess need for expanded or additional provision of community infrastructure</li> </ul>	
<p><i>Email 21 May 2008</i></p> <ul style="list-style-type: none"> <li>TDC Housing Manager</li> </ul>	<ul style="list-style-type: none"> <li>Presumption should be on-site provision of affordable housing</li> <li>Presumption against grant funding supported by PPS3</li> </ul>	<ul style="list-style-type: none"> <li>Affordable housing covered in SPD, including presumption of on-site requirement with no grant funding</li> </ul>
<p><i>Meeting 19 June 2008</i></p> <ul style="list-style-type: none"> <li>TDC Economic Development Officer</li> </ul>	<ul style="list-style-type: none"> <li>Looking for developers to engage with workforce and employment/training agencies rather than financial contributions</li> <li>Secure 'local engagement'; for construction and employment</li> </ul>	<ul style="list-style-type: none"> <li>No evidence base for % of employees to be from local area, or evidence for threshold of development required to make contribution</li> </ul>
<p><i>Email 27 January 2009</i></p> <ul style="list-style-type: none"> <li>TDC Coast Project Manager</li> </ul>	<ul style="list-style-type: none"> <li>Tariff introduction proposed to raise funds from new development for staff costs and local projects – to raise awareness and reduce impact on increased public pressure on areas covered by Habitat Regulations designations</li> </ul>	<ul style="list-style-type: none"> <li>No evidence base for need, cost, threshold, projects or timescales, no policy support for coastal improvement project contributions</li> </ul>
<p><i>Kent Planning Policy Forum presentation 17 April 2009</i></p> <ul style="list-style-type: none"> <li>Kent County Council Officers</li> </ul>	<ul style="list-style-type: none"> <li>KCC have produced a policy document to inform district DPDs etc regarding infrastructure provision</li> </ul>	<ul style="list-style-type: none"> <li>Threshold of 10 dwellings covered in SPD including provision or upgrade of education, libraries, youth and community, adult care, adult education facilities</li> </ul>
<p><i>Meeting 29 April 2009</i></p> <ul style="list-style-type: none"> <li>TDC Sports Development Officer and Sport England Officer</li> </ul>	<ul style="list-style-type: none"> <li>Sports Facilities Improvement Plan in progress, will form part of evidence base for LDF and SPD – robust information therefore required</li> <li>Potential for linking contributions to district-wide need (e.g swimming pool)</li> </ul>	<ul style="list-style-type: none"> <li>Sports Facilities Improvement Plan forms evidence base for assessing recreation need of new development</li> <li>Lack of evidence base for district-wide facilities e.g. cost, timescale and threshold</li> </ul>
<p><i>Meeting 19 May 2009</i></p> <ul style="list-style-type: none"> <li>TDC Sports Development Officer</li> </ul>	<ul style="list-style-type: none"> <li>Confirmed Sports Facilities Improvement Plan contained information sufficient for LDF evidence base</li> <li>Map (including quality score) of leisure and facilities discussed</li> <li>Confirmed PPG17 relevant for LDF and SPD</li> </ul>	<ul style="list-style-type: none"> <li>Sports Facilities Improvement Plan and PPG17 audit forms evidence base for assessing recreation need of new development</li> </ul>
<p><i>Email 02 July 2009</i></p> <ul style="list-style-type: none"> <li>TDC Project Manager</li> </ul>	<ul style="list-style-type: none"> <li>Cost of play areas provided, based on cost of recent play and multi use sports court provision</li> </ul>	<ul style="list-style-type: none"> <li>Average cost of play area calculation included in SPD for play space</li> </ul>
<p><i>Email 09 July 2009</i></p> <ul style="list-style-type: none"> <li>Kent County Council Officer</li> </ul>	<ul style="list-style-type: none"> <li>KCC updated developer guide information is available</li> </ul>	<ul style="list-style-type: none"> <li>Necessary provision or upgrade of education, libraries, youth and community, adult care, adult education facilities covered in SPD</li> </ul>
<p><i>Email 09 July 2009</i></p> <ul style="list-style-type: none"> <li>Kent County Council Officer</li> </ul>	<ul style="list-style-type: none"> <li>KCC confirms surplus adult education capacity</li> <li>KCC confirms significant deficit in youth</li> </ul>	<ul style="list-style-type: none"> <li>Necessary provision or upgrade of education, libraries, youth and</li> </ul>

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	space – new youth centre planned for Margate, youth bus provision in interim	community, adult care, adult education facilities covered in SPD
<p><i>Meeting 14 July 2009</i></p> <ul style="list-style-type: none"> <li>• TDC Economic Development Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Information provided on Working Neighbourhood Fund to create a Thanet Skills and Employment Plan – commitment to local employment</li> </ul>	<ul style="list-style-type: none"> <li>• No evidence base for % of employees to be from local area, or evidence for threshold of development required to make contribution</li> </ul>