

Wandsworth Local Plan

Supplementary Planning Document

Planning Obligations



Adopted March 2015



Planning Obligations SPD

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1 Introduction

Background

1.1 New development plays an important role in any prosperous locality. Whether it is the provision of new homes, employment or recreational facilities, development is essential to provide for our current and future needs. However, development comes with its pressures on the environment and community, the impact on our roads, schools and general amenity. Conversely, development can improve our environment, whether it is the use of renewable energy, improved landscaping or more functional use of our urban environment.

1.2 This Supplementary Planning Document (SPD) identifies how the Council will use its powers as the Local Planning Authority to ensure new development contributes to a safer, healthier and more prosperous Wandsworth and will be a material consideration in the assessment of planning applications.

1.3 In general, the Council will seek to achieve this goal by ensuring development:

- Incorporates high quality design
- Mitigates any adverse impact it may cause
- Contributes to needs of the local community

1.4 In order to fund the infrastructure necessary to support development across the borough, the Council has adopted the Community Infrastructure Levy (CIL) in accordance with the CIL Regulations (see www.wandsworth.gov.uk/CIL). The CIL Regulations limit the use of S106 Agreements and details regarding this are contained in Section 2.

Policy framework

1.5 The National Planning Policy Framework (NPPF) advises that "Any additional development plan documents should only be used where clearly justified. SPDs should only be used where they can help applicants make successful planning applications or aid infrastructure delivery and should not be used to add unnecessarily to the financial burdens on development". This SPD does not set out any additional policy requirements; rather it adds further definition to the adopted Core Strategy, along with the Development Management Policies Document (DMPD) and Site Specific Allocations Document (SSAD).

1.6 The adopted Core Strategy for Wandsworth contains 15 'policies for places' (PL), 7 'policies for issues' (IS) and 1 policy for 'sustainable development' (SD). 'Policies for places' seek to retain the distinct characteristic of settlements and communities across Wandsworth, ensuring that growth and prosperity is planned for in a manner consistent with the locality. 'Policies for issues' articulate the Council's approach to achieving these goals, whether this is design standards, delivery of affordable housing or environmental protection.

1.7 The adopted Core Strategy, DMPD and the SSAD contain the detailed local policy guidance on which planning decisions will be based, however the guidance provided in this document will also be a material consideration in the assessment of planning applications. The Council has and continues to develop additional policy and guidance to provide further clarity on how it seeks to implement the priorities of the Council and local communities.

1.8 From a development management perspective, the following documents which make up the development plan for the borough should be given regard:

- Second Proposed Submission Core Strategy 2014
- Second Proposed Submission Development Management Policies Document (DMPD) 2014
- Second Proposed Submission Site Specific Allocations Documents (SSAD) 2014
- The London Plan 2011 and the Further Alterations to the London Plan 2014

1.9 Policies contained in the DMPD provide a more distinct and measurable interpretation of the broader and strategic 'policies for issues' contained in the Core Strategy. For example, Core Strategy Policy IS3 (Good quality design and townscape) is a fairly broad objective. However, using all or some of the related DMPD policies a developer is able to clearly ascertain the expectation of the authority. For example, DMPD Policy DMO2 (Playing fields and pitches, sport, play and informal recreation) provides a clearer indication of what is considered to be adequate recreational space provision.

1.10 Similarly, allocations in the SSAD provide site specific interpretations of the 'policies for places' contained in the Core Strategy, including housing density or the status of infrastructure provision on-site.

Purpose of this document

1.11 The main purpose of this document is to set out circumstances where planning obligations requiring financial contributions will be used following the adoption of the Council's CIL charging schedule.

1.12 This document provides further guidance on Core Strategy Policy IS7 (Planning obligations). Core Strategy Policy IS7 pre-dates the introduction of the NPPF and is due to be amended as part of the Local Plan review. Until Policy IS7 is revised, planning obligations will be sought in accordance with the Planning Obligations SPD, the NPPF, CIL regulations and the Council's CIL Charging Schedule.

1.13 Planning obligations will include contributions towards infrastructure and transport schemes, in particular public transport, walking and cycling improvements, educational, community and health facilities and services, open space and play facilities, addressing barriers to employment by developing learning and skills and childcare provision, emergency services and ecological and environmental enhancements where appropriate.

2 Ensuring development contributes to the environment, community and infrastructure capacity

Mechanisms available

2.1 There are three main mechanisms available to the Council to ensure that development addresses any adverse impacts as well as contributes to the environment. This may range from an improved on-site design issue (contributing to sustainable drainage or renewable energy) through to the provision of a strategic transport improvement (such as an improved rail station). It is expected that all proposals will contribute via all, or some, of the following:

Granting of planning permission

2.2 Where a development proposal does not meet the standards required of local planning policy, securing planning permission may prove difficult. Such standards are articulated in the DMPD, in particular those policies related to Core Strategy Policies IS2 (Sustainable design, low carbon development and renewable energy) and IS3 (Good quality design and townscape).

2.3 Developers are encouraged to engage in pre-application discussions with the Council to determine what aspects of a proposal may need to be improved to secure planning permission. For major applications the Greater London Authority and Transport for London should also be contacted for pre-application advice. Further information on this process is available on the Council's website. ⁽¹⁾

2.4 The Council may in many circumstances grant planning permission subject to conditions. In most cases the conditions are to ensure that the proposal will be implemented in a manner consistent with the approved planning application. However, planning conditions are also used as a mechanism for provision of essential on-site design requirements. They mostly relate to the development and site proposed but can also be used to secure off-site provision in some circumstances.

Planning obligations

2.5 Planning obligations enter the developer in to a legal commitment to undertake specific works, provision of land/facilities, or providing a financial contribution towards the provision of a service or piece of infrastructure. They are set out in Section 106 (S106) of the Town and Country Planning Act 1990 and are intended to secure the necessary site specific requirements to make an individual proposal 'acceptable'. In general, this ensures certain aspects proposed in the development are adhered to, and remain in force beyond the completion of the development.

1 http://www.wandsworth.gov.uk/info/485/planning_permission/1368/applying_for_planning_permission/2

2.6 Planning obligations can range from the on-site drainage solutions through to provision of a road to connect a site to the local highway network. It is also the mechanism by which affordable housing is secured.

2.7 Apart from direct requirements to mitigate an adverse impact, and affordable housing provision, S106 is usually reserved for larger applications. This could be a piece of infrastructure clearly required to enable delivery of a site, or where a large application necessitates improved services (e.g. a large housing application and a contribution towards the provision of a new school).

2.8 However, the application of S106 has not always been consistent, even within a local authority. Many developers have expressed that they are not able to determine the level of contributions they are required to make until the final stages of an application. Furthermore smaller proposals are rarely subject to S106, and when considered collectively, may have a greater detrimental impact on infrastructure requirements than a single large application. The introduction of the Community Infrastructure Levy (CIL) is intended to redress this deficiency.

2.9 The CIL places a charge on all new development and the use of S106 has been scaled back to site specific elements and affordable housing. The 'five tests' outlined in previous Government guidance have been condensed to three, and legally restricted for use on the following basis:

2.10 "A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is ⁽²⁾

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development."

2.11 Furthermore, as a Local Highway Authority, the Council can also use Section 278 of the Highways Act 1980 to secure works to the local highway network where necessary to serve the proposed development. Transport for London (TfL), which is the highway authority for the 'TfL Route Network' may also require such an obligation.

Community Infrastructure Levy

2.12 As part of the changes introduced under the Planning Act 2008, a new mechanism called the Community Infrastructure Levy was introduced to provide greater consistency in the charging of planning obligations.

2.13 The main concept behind CIL is to provide a standard charge (or set of charges) that can be levied on all new development. The levy is charged on the basis of '£ per square metre' for new floorspace. It can be spent on (or contribute towards) new or improved infrastructure deemed necessary to deliver the Local Plan. A separate CIL is also charged by

the Mayor of London and was chargeable from April 1st 2012. The introduction of CIL also ensures that developers and landowners are able to determine more with more certainty and transparency, at an early stage, the level of contributions they are required to make towards infrastructure provision.

2.14 The Council's CIL became effective on 1st November 2012. Further information on the Wandsworth CIL can be found on the Council's website ⁽³⁾.

2.15 In general, the CIL charge means that all new development will contribute on a consistent basis, regardless of the site specific characteristics of the proposal. In Wandsworth this is quite important, as development will mostly be from smaller sites which cumulatively lead to an 'area-wide' need to improve infrastructure.

2.16 The list of projects to be funded by CIL is set out in the Regulation 123 list and the Council will allocate funds to projects to be supported through CIL as part of its capital programme. The list can be updated as necessary.

Scope of contributions

- By working with developers, the Council hopes that most design/mitigation requirements are delivered as part of the initial development proposal.
- In cases where the initial proposal does not meet the Council's objectives, planning conditions will be used to ensure that the final proposal meets such requirements.
- Where necessary, S106 and S278 agreements will be used to set out details related to proposals or conditions.
- Where a proposal is required to deliver affordable housing, as per Core Strategy Policy IS5, this will be secured through S106.
- In such circumstances where a proposal directly necessitates the provision of infrastructure to mitigate/enable development that is not planned for delivery through CIL or any other funding programme, the Council may seek a contribution through S106.
- S106 will not be used to secure infrastructure already identified for investment through the 'Regulation 123' list.
- The Council will be mindful of the total contributions made through CIL and S106 requirements, taking into account development viability as stated in paragraphs 173 and 174 of the NPPF.

3 <http://www.wandsworth.gov.uk/cil>

3 Levels of contributions to be expected from development

General principles

3.1 The Council seeks to encourage development rather than restrain it. The Council is committed to sustainable development and ensuring that a high standard of development is maintained in the borough.

3.2 CIL payments, as outlined in Wandsworth's CIL Charging Schedule, will complement mainstream public funding for the provision of infrastructure required to support development (e.g. new facility at an existing hospital to cater for the increase in resident numbers across the borough).

3.3 In addition to any CIL payments, the Council will seek (within the scope of the revised use of S106) that the developer will mitigate any impact on the environment or local services that arise directly as a result of the development. Affordable housing will also continue to be provided through S106. Upon negotiation of S106 agreements regard will be had to prioritising obligations of affordable housing and other public transport improvements as set out in London Plan Policy 8.2.

3.4 In summary, most proposals will be required to contribute through;

- S106 for affordable housing (where meeting the threshold)
- S106 for standard site/design mitigation
- CIL for wider infrastructure provision
- Additional 'development specific' implications

Additional development specific implications

3.5 Traditionally, apart from affordable housing provision, the use of S106 in Wandsworth has been relatively low. ⁽⁴⁾ Most developments have been small-scale, and the resulting incremental impact on infrastructure capacity has not always been suitable for S106.

3.6 With the reduced scope of S106, and the introduction of CIL, this trend is expected to continue. Nonetheless, there may be cases where the development proposed results in a specific need for infrastructure (or access to a service) that is not currently available, and has not been identified for investment through CIL or wider investment programmes. For example, a major junction improvement may be required to 'unlock' a site, or a large housing development may take place in a location where there is no capacity for (or planned provision of) additional school places. In such circumstances, the Council would normally expect these aspects to be addressed as part of the proposal at the time planning permission was sought. In which case their delivery will often be secured by a S106 agreement.

4 Affordable Housing Economic Viability assessment , BNP Paribas August 2009
http://www.wandsworth.gov.uk/info/1022/planning_service_and_performance/726/affordable_housing_economic_viability_assessment_aheva/1.

3.7 The CIL regulations allow authorities to offer CIL exceptional circumstances relief subject to specific circumstances. To qualify for CIL relief the financial cost of complying with the S106 agreement must be greater than the CIL charge cost and meeting the cost of CIL and the S106 would have to be proven to make the development economically unviable. The Council has decided not to introduce a CIL Exceptional Relief Policy at the current time, but that the impact of the introduction of CIL and the potential benefits or otherwise of introducing such a policy will be kept under review. The Council's statement on exceptional circumstances relief can be found on the Council's website.

3.8 There may be cases where infrastructure provision necessary to make a development acceptable cannot be delivered on-site, in which case the Council will expect off-site contributions, whether as alternative provision or a commuted sum.

3.9 The CIL charge in the Nine Elms Opportunity Area has been set at a level based on the Development Infrastructure Funding Study (DIFS) tariff which was previously used as the basis of the S106 contribution negotiations in this area. The CIL charge now replaces the DIFS tariff.

3.10 In the case where the infrastructure provision applies to a distinct collection of sites, the Council may expect a partial contribution towards a piece of infrastructure from more than one development. This, as outlined in Section 123 of the CIL regulations, will only apply to a specific piece of infrastructure related to a site or collection of sites, and where delivery of the infrastructure is secured from no more than five separate S106 agreements. These contributions are separate to those made for wider infrastructure requirements which would be delivered through CIL and may come in the form of a specific land requirement. The list of development infrastructure that the CIL charge will contribute to will be contained in the 'Regulation 123 list' which will be available on the Council's website and kept under review.

3.11 The following sections summarise the Council's general position on the use of S106 for specific sectors of infrastructure/services.

4 Section 106 – standard

Broad principles

4.1 S106 agreements (and S278 in terms of the local highway) will be used to provide a legal basis to ensure that certain design and mitigation requirements are delivered. In particular, such agreements will be used where:

- Delivery requires the involvement of a third party,
- Further details need to be supplied,
- The proposal requires specific restrictions on use, or continuous provision of a service for a set period.

4.2 S106 requirements will be site specific, and therefore not all level of works required can be standardised. In all cases, approaching the Council for a pre-application assessment will provide greater clarity (although should not be considered as a formal determination). However, using the guidance set out in this document, the Local Plan Documents including the designations in the SSAD, and further information highlighted in the table below, developers should be able to make a broad approximation of the likely works required and associated costs.

Related factors for consideration

Table 1 Policy Requirements and S106 Obligation examples

Section 106 Obligations	DMPD Policy
Land for general amenity, access roads and general service provision	Sustainable Development Principles – DMS1 Housing - DMH3, DMH6 and DMH7 Industry, Employment and Waste– DMI2 Open space, recreation and the Natural environment – DMO1, DMO2, DMO3, DMO4, DMO6 Community facilities - DMC1
Other Guidance: See the Council’s Supplementary Planning Guidance at http://www.wandsworth.gov.uk/downloads/200074/planning	
Local highway improvements / parking	Transport - DMT1 , DMT2, DMT3

Section 106 Obligations	DMPD Policy
<p><u>Other Guidance:</u> Appendix B of this document highlights the design standards used by Wandsworth Council for on-site transport considerations. (developers should also consider whether the proposal requires wider transport improvements outlined in section 6)</p>	
<p>Provision of building standards</p>	<p>Sustainable Development Principles – DMS3, DMS6, Housing – DMH4</p>
<p><u>Other Guidance:</u> See the Council’s Supplementary Planning Guidance at http://www.wandsworth.gov.uk/downloads/200074/planning</p>	
<p>Sustainability</p>	<p>Sustainable Development Principles - DMS3 Sustainable Drainage Systems - DMS6</p>
<p><u>Other Guidance:</u> Developers should give regard to section 11 and the Council's Sustainability Check List (including the accompanying Appendix 1: 'Energy Assessments: Guidelines for Developers') on the Council’s website. Contributions may be required where on-site targets cannot be met to fund other CO2 reduction measures in the locality. S106 agreements may also be used to establish or expand decentralised energy networks. The Council will produce an Air Quality Supplementary Planning Document focusing on emission reduction strategies. Measures to reduce carbon impacts will also be taken forward as part of Travel Plans where appropriate (see section 6).</p>	
<p>Public realm and public art, including the Historic Environment</p>	<p>Sustainable Development Principles - DMS1, DMS2, DMS4 Town Centre Policies - DMTS1 Managing the Historic Environment - DMS2</p>
<p><u>Other Guidance:</u> Developments within defined town centres and other larger developments within the Vauxhall, Nine Elms, Battersea (VNEB) opportunity area will be expected to provide public art and street furniture within the scheme design. In certain circumstances a commuted sum towards provision of public art in the locality maybe required. The Council is taking this work forward as part of its emerging Cultural Strategy, in the interim developers should consult the relevant Town Centre Management Plans at http://www.wandsworth.gov.uk/info/200097/town_centre_management</p>	

Section 106 Obligations	DMPD Policy
<p>Wandsworth Council is committed to working with the Metropolitan police to ensure development proposals are designed to contribute to crime reduction. The Council has a strong record of ensuring CCTV provision is made in new developments. Where advice from the police necessitates, the Council will seek CCTV provision to be integral to the proposal, with the operation of such systems to transfer to the Council on completion of development. Where appropriate a commuted sum towards provision locally maybe required.</p>	
<p>Archaeology</p>	<p>Sustainable Development Principles - DMS2 (Archaeological Priority Areas are highlighted on proposals map)</p>
<p><u>Other Guidance:</u> Where a proposal is identified as having an impact on archaeological remains it will need to be recorded and its findings published appropriately and placed on the Greater London Historic Environment Record (GLHER). In some instances, where the Council deems archaeological assets to be of sufficient value, those assets will need to be preserved in situ. In other instances, archaeological assets may need to be excavated. Developers are expected to meet any cost associated with these activities or other relevant recommendations from the Greater London Archaeological Advisory Service (GLAAS) required by the Council. More information can be found at http://www.wandsworth.gov.uk/info/672/local_land_charges_search/366/land_charges/6</p>	
<p>Construction Management Plan and Delivery and Servicing Plan.</p>	<p>Sustainable Development Principles - DMS1</p>
<p><u>Other Guidance:</u> Where appropriate Construction Management Plans and Delivery and Servicing plans will be required to mitigate the impacts of development on the surrounding area.</p>	

S106 and CIL administration and monitoring costs

4.3 Under the CIL Regulations the Council is allowed to retain 5% of the CIL revenues for the purpose of monitoring and administering CIL in accordance with the CIL Regulations. An additional charge on Planning Obligation revenues will also apply for the purpose of monitoring and administration the implementation of planning obligations as set out in Table 2. These costs will be sought on completion of the legal agreement.

4.4 In addition to the above, the Council will seek a highways inspection fee of 5% of the cost of a proposed highway works.

Table 2 S106 Monitoring and Administration Charges

Amount of S.106 Liability	Payment Amount
Total value of the financial contributions amounts to less than £5,000	£250
Total value of the financial contributions amounts equal to or more than £5,000 but less than £10,000	£500
Total value of the financial contributions amounts equal to or more than £10,000 but less than £250,000	5%
Total value of the financial contributions amounts equal to or more than £250,000 but less than £500,000	4% (minimum £12,500)
Total value of the financial contributions amounts equal to or more than £500,000 but less than £4,000,000	2% (minimum £20,000)
Total value of the financial contributions amounts equal to or more than £4,000,000	To be negotiated (minimum £80,000)
Each non-monetary obligation	£500

Collection of financial contributions

4.5 The Council will seek all monetary S106 contributions to be paid on completion of the legal agreement unless the developer can demonstrate this is not possible due to viability/cash flow. In circumstances where evidence has been provided the Council may consider payment up to 60 days before commencement of the scheme and the applicant will need to notify the Council of intended commencement. On large payments of £250K or more the Council may negotiate phased payments. Regard will be had to the impact of phasing of CIL payments and viability when S106 payments are sought. A securitisation method in the form of a bond, charge on property or parent company guarantee will be required for large schemes of contributions of £5 million or more.

4.6 The Council is committed to the highest possible standards of openness, probity and accountability as set out in the Council's anti-fraud and anti-corruption strategy in order to ensure the proper use of public funds.

5 Affordable Housing

Broad principles

5.1 This section sets out how the Council will seek to negotiate the provision of the maximum reasonable level of affordable housing. Including details of the following:

- Undertaking viability appraisals;
- Determining the value of affordable housing units for modelling purposes;
- Calculating commuted sums;
- Undertaking reviews of viability appraisals following implementation of a planning permission.

5.2 For avoidance of doubt, the Council's preferred method of delivery is through on-site provision. However, in the event the Council agree that on-site provision is not viable or suitable and/or the affordable housing would be better secured off site on an alternative site, then the Council will consider the affordable housing to be delivered off site through identification of an alternative site.

5.3 Only where it is demonstrated to the Council's satisfaction that an alternative site cannot be identified will the payment of a commuted sum to support the delivery and supply of affordable housing be considered

5.4 Affordable housing is to be provided in accordance with the Council's Core Strategy Policy IS5; the Development Management Policies Document (DMPD) Policies DMH3 and DMH8 and the relevant sections of the Site Specific Allocations Document. Further, Core Strategy Policy IS5d identifies that the Council will seek the maximum reasonable amount of affordable housing on individual private residential sites and mixed use schemes of ten or more units (gross), having regard to affordable housing targets, the need to encourage and enable rather than restrain residential development and the individual circumstances of the site.

5.5 Whilst the priority for affordable housing provision is on-site delivery, in exceptional circumstances affordable housing may be provided off-site, or secured through the payment of a commuted sum. Alternative site provision will be prioritised over the commuted sum approach to delivery.

5.6 In accordance with London Plan paragraph 3.74 exceptional circumstances include those where it would be possible to achieve the following:

- Secure a higher level of provision (or an improved size or tenure mix) on an alternative site,
- Sites where there are existing concentrations of particular types of housing (usually social rented) and there are demonstrable benefits to be gained by providing new units in a different location, such as tenure diversification and to create more mixed balanced communities,

- Better address priority needs, especially for affordable family housing,
- Better sustain strategically important clusters of economic activities, especially within the Central Activities Zone (CAZ).

5.7 Once exceptional circumstances can be demonstrated to the Council's satisfaction, which may include particular circumstances being agreed by the Council in relation to specific site, location or development circumstances, the priority should be for the applicant to provide an alternative site or sites that would enable affordable housing provision more appropriate to identified needs to be met and where the project is deliverable prior to the on-site market development being completed. Commuted sums will only be taken where it has been demonstrated that there are no alternative suitable sites available to provide the affordable housing foregone on the site. The Council expectation is that alternative sites will be identified and that commuted sums will be taken in exceptional circumstances.

5.8 Financially assessing and determining the maximum reasonable level of affordable housing can be complex and the variables that are input into financial modelling have become less predictable. For instance the funding of affordable housing now relies less on grant and more on assumed affordable rent levels (used to support purchase and investment) and housing market values have become more volatile.

5.9 The current financial modelling toolkits used are limited in their ability to fully capture the complexity and various and variable inputs that are used to arrive at an affordable housing offer to the Council. For instance, where a negative residual value is identified, offers of affordable housing are often made on the basis of future growth and/or adjustments in assumed internal rates of return which are not as easily represented in standard financial appraisals which tend to provide a "snap shot of viability" at the time they are undertaken. Therefore, it can be difficult for the Council to be satisfied that the maximum reasonable level of affordable housing is being offered particularly where a financial appraisal indicates a negative/minimal positive residual value position and no further information is provided to justify the level of affordable housing offered in terms of assumed growth or return/investment assumptions. Growth is a particularly important factor in negotiating affordable housing contributions on complex developments that will be delivered over a number of years and in areas of regeneration where growth assumptions are perhaps less predictable and investment in affordable housing by funding bodies such as the Greater London Authority may require some form of return.

Undertaking viability appraisals

5.10 The Council must be fully satisfied that it is achieving the maximum reasonable level of affordable housing as sought in Core Strategy Policy IS5. The targets set for the delivery of affordable housing are ones that the Council is committed to delivering and any appraisal will work on the basis that the inputs, as far as possible, have taken account of these requirements.

5.11 Whilst applicants may submit financial appraisals utilising existing models including the “Three Dragons model” developed and updated by the GLA, the Council will identify the approach to be taken and the inputs required to thoroughly interrogate the financial appraisal submitted. The current approach used by the Council is to utilise Argus Developer. Applicants are encouraged to utilise this approach and to have early discussions with council officers in terms of key inputs that might be required or need to be considered in undertaking the appraisals. If the Council changes or adapts its approach to financial appraisals this will be set out in the Authority Monitoring Report. Viability appraisals will also be required to use scheme-specific values and adjustments to profit levels/internal rates of return and a range of growth assumptions will be tested in viability scenarios. These will then be used to consider whether an offer from an applicant is providing the maximum reasonable level of affordable housing over the life of the development.

5.12 The initial appraisal must show the residual value of a scheme incorporating policy compliant on-site affordable housing provision. The Council has detailed the three scenarios it would wish to have tested in all appraisals in Committee Paper No. 14-318 Item 4 Affordable Housing Update paragraph 64. The paper is available on the Council's website. These scenarios will be reviewed by the Council in its Authority Monitoring Report. Additional scenarios may be requested where the agreed outputs, for instance, show a negative residual value and/or a more “non compliant” mix given the individual development/site/neighbourhood characteristics and circumstances.

5.13 The Council reserves the right to request further information from the developer to support a thorough and robust independent financial assessment of their appraisals.

5.14 Applicants will pay for viability assessments, the cost of independent assessment, valuation costs and cost consultant costs when required. All viability appraisals will be independently assessed with the findings and recommendations being provided to members of the Planning Applications Committee for their consideration subject to commercial confidentiality considerations where relevant.

5.15 When the initial appraisal has been provided the aim will be for the Council and/or its assessors and the applicant to agree the inputs being used in that appraisal. Where there is disagreement in relation to certain inputs and no agreement can be reached, the Council may elect to report this to the Planning Committee. Alternative options may be put to Committee in terms of affordable housing that might be required (given the inputs used by the Council) or the Committee may be asked to consider the use of a review mechanism which would allow actual (financial) inputs to be considered in addition to these circumstances set out in paragraphs 5.22 to 5.47.

5.16 The assessment must take into account:

- The Existing Use Value of the land plus any premium agreed. Include a realistic justified EUV premium (the uplift on the EUV) where applicable. This will reflect the level of demand for the buildings that will form the basis of the EUV and other factors, such as whether the buildings are occupied or vacant and the type of occupier. Whilst the

Council's preferred approach is to base the value of land on EUV plus a premium, in certain circumstances it is accepted that it may be appropriate to use a land value based on an agreed Alternative Use Value (AUV).

- No allowance will be made where a developer has paid in excess of the established EUV plus identified premium or agreed AUV.
- Where different tenure mixes are being proposed these will be taken account of in the viability assessment as appropriate. Where, for instance, structured forms of private rent housing are being offered that will assist in meeting local housing needs a different market value may be considered relative to the prevailing price being paid for such housing.
- The applicant should provide a summary of the appraisal for the Council's website.

Viability Assessment Criteria (list of requirements/assumptions) to be used in the Viability Toolkit at the point of the Initial Application

5.17 The following aspects, amongst others, will be analysed as part of the independent viability assessment.

- Scenario testing: (1) An assessment of a policy compliant scheme and (2) an assessment of a scheme with a lesser amount of affordable housing if a policy compliant scheme is unviable;
- Existing Use Value plus premium (Benchmark land value);
- Residual land value data;
- Demolition and construction costs;
- Market values achieved;
- Market intelligence that identifies evidenced changes that will affect the overall balance of market and affordable housing delivered including; growth forecasts, house prices, market rent levels, affordable rent levels;
- Section 106/CIL costs;
- Comparable evidence of rates of return per plot of comparable schemes; and
- Internal Rates of Return determined by the market position.

5.18 The Council may appoint a cost consultant to review build costs. Where appoints take place these costs will be paid for by the applicant.

Determining the value of affordable housing units for modelling purposes

5.19 The applicant will be required to discuss with the Council's Housing Department Development Manager the levels of registered provider payment to be assumed for financial modelling purposes (including Affordable Rent levels, grant levels, any Council contribution that may be available, assumptions in relation to Affordable Rent re-let income and Recycled Capital Grant Fund (RCGF)).

5.20 As part of identifying realistic affordable housing values applicants may be required to seek indicative offers from the Council's preferred Registered Providers. The approach taken will be to obtain up to three indicative offers from the Council's list of preferred Registered Providers using agreed affordable housing scenarios (see paragraph 5.12). Any indicative offers made will be reviewed by the Council's Development Manager. If registered providers are not able to provide indicative offers then the Council's Development Manager will agree appropriate inputs.

5.21 To provide as much certainty as possible for applicants, affordable housing financial assumptions including Affordable Rent Levels, income thresholds and grant assumptions will be reviewed at least annually as part of the Annual Affordable Housing update report. The aim of the review will be to ensure that the provision of the maximum reasonable level of affordable housing remains viable and that there is sufficient scope in housing policies to maximise the level of affordable and sub market housing available to assist local residents with a housing need.

Off-site provision - donor sites

5.22 The Council's first preference will be to seek on-site provision of affordable housing. However, if the Council considers that this is not achievable or it can be demonstrated to the Council's satisfaction that off-site provision would secure a higher level or type of affordable housing, the Council will require a developer to identify and secure a site (a donor site) to provide the affordable housing not being delivered on site. Any site identified as an alternative site will need to be agreed with the Council taking account of its proximity to the main site, its locality and/or opportunities arising in terms of additionality that can be achieved (e.g. more affordable housing units delivered than required, better size and tenure mix).

5.23 Any off-site provision should result in financial neutrality, i.e. the delivery of the affordable housing on the donor site should be no more or less financially advantageous to a developer than providing affordable housing on-site. The Council would generally expect that such an approach would lead to a level of additionality in relation to the provision of affordable housing. This could be either in terms of the number or type of affordable housing provided (e.g. larger affordable rent units).

5.24 In this regard, the Council when assessing the suitability of a donor site in lieu of on-site affordable housing provision will assess the amount of affordable housing that could have been delivered on-site, the uplift in value of the site if there was to be less or no affordable housing on-site and how this additional value can be utilised to provide the maximum reasonable level of affordable housing having regard to overall financial viability.

5.25 This off-site approach to the delivery of affordable housing will be prioritised over the commuted sum approach. The applicant will be required to demonstrate to the Council's satisfaction that alternative sites are not available to deliver the affordable housing required. Where the Council is not satisfied that the applicant has demonstrated that there is no

alternative site available, the Council reserves the right to undertake its own search for sites and to bring forward sites for consideration by the applicant. The cost of such searches will be paid for by the applicant.

Calculating commuted sums as part of the planning application process

5.26 DMPD Policy DMH8b identifies that in exceptional circumstances, a financial contribution may be required for affordable housing purposes where such sums will assist the Council in meeting the need for affordable housing arising in the Borough. Where such off-site arrangements are agreed there can be no financial advantage to the developer in not delivering the affordable housing on-site.

5.27 Commuted sums in lieu of on-site affordable housing provision received by the Council will be used for affordable housing purposes with use being informed by and consistent with the Council housing plans and policies.

5.28 Where 'in lieu' financial contributions are to be considered the level of contribution required will be based upon achieving the maximum reasonable level of affordable housing having regard to the Council's affordable housing targets and requirements and overall development viability. The starting point for negotiations will be how, in taking an off-site payment, the Council will be assisted in meeting its affordable housing targets and requirements set out in Core Strategy Policy IS5 and Development Management Policies Document Policy DMH3 if these cannot be met on-site. Such negotiations will be informed by a financial viability appraisal to determine the difference between the residual land value generated by the additional market housing and how any additional value will assist the Council in the provision of affordable housing. This methodology will achieve financial neutrality, as required by DMPD Policy DMH8.

5.29 On schemes of between 10 and 19 units (gross) it may be the Council's preference, due to exceptional circumstances (including management reasons, scheme design, site limitations, Registered Provider interest in purchasing and the considerations of London Plan paragraph 3.74) to agree off site provision or if this is not possible a commuted sum in lieu of affordable housing on-site. This will be considered on a site by site basis.

5.30 The calculation must take into account the Existing Use Value (EUV) of the land plus any premium agreed or an agreed Alternative Use Value (AUV). The Council's preferred approach will be to use EUV plus a premium. The premium will be agreed taking account of site and area specific factors, market values and conditions. Where an agreed AUV approach is used it will take account of all relevant policy requirements. No allowance will be made where a developer has paid in excess of the existing use value of the land plus any premium agreed.

5.31 In circumstances where the delivery of affordable housing is not possible on site and it is agreed a commuted sum is to be paid in lieu, the commuted sum will be subject to indexation using the BCIS all in tender price index for the relevant quarter calculated from

the comparison of the indicator values using the final indicator values at the date of planning permission or when the commuted sum is agreed, and the latest estimate of the relevant quarter indicator values for the date of which the commuted sum is due for payment.

Updated viability appraisals

5.32 Where there is a delay in starting on-site and an application for renewal of permission is submitted the Council would require an updated viability appraisal to be undertaken when the original application did not provide a policy compliant scheme in terms of the level and tenure mix of affordable housing. The Council also reserves the right to specify that such reviews are required for phased developments which are not policy compliant or where an end of development review as set out in paragraphs 5.57 to 5.59 has not been agreed.

5.33 The Council will only seek an updated viability appraisal for schemes proposing 50 or more residential units (gross) which do not meet the target levels of affordable housing as stated in Core Strategy Policy IS5.

5.34 The data compiled from the viability appraisals will support the Council's evidence base to inform future affordable housing policy review and negotiations.

5.35 Further details of when an updated viability appraisal will be required are set out below.

Delay in starting on site - applications for extensions of time or renewal of permission applications

5.36 The Council will require an updated viability appraisal in circumstances where an application is submitted to extend the time limit for the implementation of an existing permission, for a renewal of permission and where a reserved matters application is submitted more than 3 years after the original consent.

5.37 The Council will appoint an independent assessor paid for by the applicant to assess the viability of the scheme to determine whether the site would generate a greater or lesser quantum of affordable housing and/or more policy compliant affordable housing than the original permission. The applicant will pay all fees for independent valuations and cost consultants.

5.38 Where the viability assessment concludes that the original offer of affordable housing remains the maximum reasonable level and type of affordable housing that can be achieved, the quantum of affordable housing (and affordable housing tenure mix) to be delivered will remain as determined by the original permission, unless the Council agrees otherwise.

5.39 Where the viability assessment concludes that the scheme can sustain a different quantum of affordable housing and/or more policy compliant affordable housing, depending on the details of the application and the nature of the scheme, the Council will expect to negotiate one or more of the following options:

- The proportion of affordable housing to be provided on-site.
- The tenure mix for the affordable housing element (where the scheme design permits).
- The affordability requirements for intermediate housing units, where proposed.
- The provision of units off-site or if it is demonstrated to the Council's satisfaction that a site is cannot be secured the payment of a commuted sum.
- The level of the commuted sum in lieu of any additional on-site provision with any commuted sum being ring-fenced for affordable housing purposes.

5.40 If the off-site contribution is to be provided through purchase by the applicant of a donor site, which is preferable to a commuted sum, then the approach set out in paragraphs 5.22 to 5.25 will be applied. If an off-site contribution is taken as a commuted sum, this will be calculated using the approach set out in 5.26 to 5.31.

Phased developments where a reserved matters application is submitted over three years after the original consent

5.41 The circumstances where phased development is proposed are likely to be varied and therefore determining rigid requirements would not be appropriate. However, the Council reserves the right to require an updated viability appraisal where a scheme is not policy compliant and/or where, for instance, an end of development review is not required. Such reviews will only be considered if the reserved matters of an associated outline application is submitted 3 years after the original consent.

5.42 It is recognised that the general approach to such reviews must be relatively simple to provide certainty and recognise developer risk. The Council will appoint an independent assessor paid for by the applicant to assess the economic viability of the scheme to determine whether the site would generate a different quantum of affordable housing and/or more policy compliant affordable housing than the original permission. Where the economics of a scheme has demonstrably worsened and agreed level and type of affordable housing can no longer be delivered, the Council will enter into negotiations on this initially looking at tenure changes and then possible other changes to the scheme.

5.43 The main elements of the approach in terms of the updated appraisal are as follows:

- When the planning application is consented all values, costs and all other appraisal inputs, including the benchmark land value will be agreed taking account of future developer risk. This will be known as the 'Baseline Residual Land Value'.
- When the reserved matters application is submitted an independent valuation will be commissioned to determine the values, costs and other appraisal inputs it would be reasonable to assume for that phase of development. The output figure will be known as the 'Revised Residual Land Value'.

- If the difference between the Baseline Residual Land Value and the revised figure demonstrates scope for an increased provision of affordable housing the Council will negotiate the affordable housing contribution on the basis set out in 5.42 below.
- Taking appropriate independent financial advice and where appropriate the Council will consider the uplift that it takes from a phased development. This further obligation will be no more than 60% of the uplift.

5.44 The applicant will pay all fees for independent valuations and cost consultancy advice.

5.45 In relation to use of the Council deferred obligation, the Council would expect to negotiate one or more of the following options:

- An amendment of the tenure mix for the affordable housing element (where the scheme design permits);
- An amendment of the affordability requirements for intermediate housing units, where proposed;
- A preference for off-site provision over a commuted sum;
- The level of the commuted sum in lieu of any additional on-site provision with any commuted sum being ring-fenced for affordable housing purposes.

5.46 For the avoidance of doubt it is assumed the first phase of development will not be subject to a review unless an extension of time application has been sought.

5.47 No review will be required by the Council where a scheme provides, either affordable housing on-site or through a combination of on-site provision and/or commuted sums for off-site provision, where there is a end of development review and contribution mechanism agreed or it is a policy compliant scheme in terms of both:

- The minimum proportion of affordable homes which should be viable on individual sites as set out in Core Strategy Policy IS5, the Area Spatial Strategy for Nine Elms or any replacement policy.
- The affordable housing tenure mix as set out in Core Strategy Policy IS5 or any replacement policy.

Development reviews

5.48 The developer can request a review at the mid development stage and/or the Council can require a review at the end of development stage.

5.49 The Council is committed to ensuring that the development pipeline and overall housing targets are delivered and that overall affordable housing targets are met. In this respect it is recognised that at any time the applicant/developer can submit an application requesting a review of affordable housing and other contributions on consented schemes which might affect the overall viability of development.

5.50 When such applications are made the Council would expect a viability assessment to be provided and this would be independently appraised. If it is found that the affordable housing contribution cannot be delivered the approach set out in paragraphs 5.52 to 5.59 below would be taken with the aim to firstly sustain the overall level of affordable housing agreed or provide housing (e.g. in the form of private rent housing) which assists in meeting local housing needs.

5.51 The purpose of the assessment is to determine the level of affordable housing which can be or could have been sustained on the scheme compared to the results of the previous agreed viability assessments taking account of sales values achieved and other relevant costs.

Mid development review

5.52 This can be triggered by the developer after the completion of at least 50% of the private units where a case has been made that further development may be affected by significant changes in viability (e.g. falls in market values against original assumptions). Notwithstanding this trigger, developer's can apply to the Council for an affordable housing review via a consent process under S106BA of the Town and Country Planning Act 1990. The Council will appoint an independent assessor paid for by the applicant to fully review the economic viability of the scheme based on the approach set out below.

5.53 If this review concludes that the level of affordable housing previously agreed cannot be delivered then the Council will negotiate a revision of the affordable housing offered on the following basis:

- Review of affordable rent and/or intermediate housing income threshold limits;
- Review of tenure split between affordable rent housing and intermediate housing to determine whether a rebalancing of tenures would improve viability; and/or
- With the agreement of the Council any other option which would maintain the overall quantum of affordable housing either by floor area or number of habitable rooms. This could include an evaluation of whether the terms of the cascade mechanism included in the S106 Agreement had been met.

5.54 The Council will detail in S106 agreements how the cascade arrangement described in the bullet points above.

5.55 Should it not be possible to achieve a viable development following the above and the overall level of affordable housing needs to be reduced, a new, full planning application would be required to effect a change in the number of affordable units to be provided. In considering any reduction in the number of affordable units the Council would seek, subject to financial viability, any such affordable units to be replaced by structured Private Rented Sector units which contribute to meeting the Borough’s housing needs.

5.56 Where a mid development review identifies that the affordable housing agreed cannot be delivered this will be used to update the baseline assumptions that will be used as part of the end of development review.

End of development review

5.57 This will be triggered after the completion of sales of at least 90% of the private units where a scheme has 20 or more residential units and the scheme provides less than 20% affordable housing in Nine Elms or 40% in the rest of the Borough in accordance with Core Strategy Policy IS5 with any imposition of a review taking account of exceptional circumstances. The Council will appoint an independent assessor paid for by the applicant to review the assessment of the economic viability of the scheme based on the approach set out below.’

5.58 If this review concludes that additional affordable housing could have been sustained on the scheme compared to the results of the previous viability assessments, the Council will then require an additional contribution to affordable housing in the form of a commuted sum in lieu of the additional affordable housing that could have been delivered on-site to be paid.

5.59 Taking appropriate independent financial advice the Council will cap the total share of uplift that it takes as part of the end of development review. This deferred obligation will be limited up to 60% of the uplift to reflect developer risk.

Formulae for commuted sums and cap

Formula for the Commuted Sum Review Mechanism at 90% completion of sales

$$A = (((B + C) - (D \times E)) \times 0.6) - F$$

Where:

A = Payment.

B = Aggregated actual sales values achieved for the sold Private Residential Units.

C = Estimated aggregated sales values for remaining 10% of unsold Private Residential Units.

D = Estimated aggregated sales values for 100% of the private residential units agreed at the initial financial viability stage in the original application.

E = Inflation index value using the BCIS general build cost index (see note 2 below).

F = Any additional affordable housing contribution(s) paid at Reserved Matters application stage.

Notes:

1. The Council will receive up to 60% and the Owner 40% plus of any development surplus. This represents the indicative 0.6 multiplier in the formula. In agreeing the level of the multiplier the Council will take account of specific development circumstances and risks.
2. Inflation index using the BCIS general build cost index for the relevant quarter calculated from the comparison of the indicator values using the final indicator values at the date of planning permission and the latest estimate of the relevant quarter indicator values for the date of the reviewed viability appraisal at 90% completion.

Formula for the Cap on the Commuted Sum at 90% Completion Review

$$G = ((I - J) \times L) - M$$

Where:

G = Cap.

I = 50% of total residential floorspace (sqms).

J = Total affordable housing floorspace (sqms).

L = Average price (£ per sqm) of affordable housing (calculated by splitting proportionally into rent and intermediate in £ per sqm).

M = Any additional affordable housing contribution(s) paid at reserved matters application stage.

Formula for the Commuted Sum Arising from Increases to the Amount of Residential Floorspace during the lifetime of the development

5.60 If during the lifetime of the scheme there is an increase in residential floorspace, the preference will be for any additional affordable housing floorspace to be provided on site. However, if the Council agree that is not deliverable, a payment in lieu will be agreed on the following basis:

$$N = O \times P \times Q$$

Where:

N = Commuted sum in lieu of additional affordable housing on site floorspace.

O = Additional residential floorspace.

P = 15% Nine Elms Opportunity Area or 33% rest of Borough (being the minimum percentage of affordable floorspace the Council would expect in a residential scheme) or the level of affordable housing contribution agreed in the original planning consent, whichever is the greater.

Q = £ 2,500 per sqm (To be annually reviewed).

Approach to reviews

5.61 All values will be presented and calculated on a square metre basis unless otherwise agreed.

5.62 It is recognised that the general approach to such reviews must be relatively simple to provide certainty and recognise developer risk. The main elements of the approach in terms of reappraisal are as follows:

Mid development review:

- The approach as stated in paragraphs 5.7 to 5.14 'undertaking viability appraisals' will apply. A full viability appraisal will be required and independently assessed.

End of development review:

- When the initial planning application is approved and financial appraisal terms agreed a residential sales value per square foot will be established. A baseline figure will then be established that accounts for developer risk.
- On completion of 90% of market units an independent valuation will be commissioned which will identify the actual square foot market value achieved and the estimated sales values of the remaining unsold private units. This will be known as the revised figure.
- If the difference between the baseline figure and the revised figure demonstrates that additional affordable housing could have been provided the Council will take a deferred obligation of the uplift.
- The applicant will pay all fees for independent valuations.

6 Transport

Broad principles

6.1 Funding for transport infrastructure required as a result of incremental growth, in particular public transport improvements, will normally be provided through the Council as part of the standard CIL Charge and other mainstream funding programmes.

6.2 Where a development is required to make specific contributions towards improvements, amendments or additions to public transport services, not identified or expected to be met by CIL, these contributions will be secured by a legal agreement.

6.3 Alterations or improvements to the local highway network, necessary to promote a safe, efficient or sustainable relationship between development and the public highway, may be secured through planning and/or highway legal agreements.

6.4 Development may be expected to contribute to improvements in the quality of the public realm, particularly larger developments, those in town centres and those in areas of moderate or low public transport accessibility, in order to promote access and use by sustainable transport modes.

6.5 Where development is expected to result in severe adverse traffic impacts on the wider highway network, measures will be secured to reduce, minimise or eliminate the impacts.

6.6 Where development exceeds the thresholds for a travel plan set out the Local Plan a travel plan will be secured with the objective of reducing adverse transport impacts and will include measures required to successfully implement the plan.

6.7 The tables set out in Appendix 1 of the DMPD set out the threshold levels to determine when a Transport Assessment and a Travel Plan are required. Further details of the Council's policy regarding transport impacts of development are set out in Development Management Policies Document Policy DMT1.

6.8 Notwithstanding the thresholds, strategic level travel plans are required for larger-scale developments that are referred to the Mayor. Further guidance is available from Transport for London ⁽⁵⁾.

Related factors for consideration

6.9 Policies IS1 and IS6 of the Core Strategy and Policies DMS1, DMT1 and DMT2 of the DMPD and the narrative surrounding them provides the main policy background relating to achieving a sustainable relationship between development and transport. The SSAD provides

5 <http://www.tfl.gov.uk/assets/downloads/businessandpartners/transport-assessment-best-practice-guidance.pdf>

details of specific site requirements, and where a specific transport issue will need to be addressed. Wandsworth's Local Implementation Plan highlights transport investment proposals and priorities for Wandsworth ⁽⁶⁾.

Transport Assessments and Travel Plans

6.10 Transport Assessments will identify the potential adverse transport impacts of development. Travel Plans will set out, as far as is practicable, how development proposes to mitigate its adverse transport impacts and promote sustainable travel, and may include measures relating to encouraging sustainable transport behaviour and infrastructure provision. Travel Plans will include resources for supporting and maintaining the travel plan. Travel plans may include provision for financial penalties to fund the promotion or provision of sustainable transport until travel plan objectives are met.

Infrastructure required to enable site delivery

6.11 Highway amendments and improvements that may be necessary, specific to development, include, but are not limited to, the provision, removal or relocation of street furniture, dropped kerbs, crossovers, pedestrian crossings, bus stops and trees.

Network impacts

6.12 There will be occasions where transport demand created by development may not be satisfactorily mitigated by the measures in a travel plan or site specific highways improvements. While the Council will endeavour to improve the wider transport network through CIL and other mainstream funding, there will be occasions where a particular site requires public transport services, or highway or traffic management mitigation to the wider network, that has not been identified for investment. This may include increased highway capacity within the network and/or traffic management measures, including the potential introduction or extension of parking controls, subject to consultation.

6.13 It is essential that travel plan, infrastructure and traffic management measures are provided in a timescale commensurate with the proposed phasing of the development and the Council will seek to approve trigger points through the appropriate legal agreements.

6.14 The Council expects major site specific transport service or infrastructure improvements to be rare outside of the Vauxhall Nine Elms Battersea Opportunity Area and that, for most development, on-site works, improvements to immediate highway, travel plans and CIL funding will be sufficient to mitigate adverse transport impacts. However larger developments or those that generate over the 'standard Travel Plan' thresholds above may be required to directly contribute to wider transport improvements where required to enable the delivery of the site.

6 http://www.wandsworth.gov.uk/info/200107/transportation_planning/621/transport_policy/2

Standards for contributions towards mitigating measures

6.15 The expectation is for infrastructure to be phased and delivered as part of the development proposal. Contributions towards mitigating measures required in relation to the developments will be determined on the basis of the cost of works required. In exceptional circumstances, necessary on the basis of economic viability of a development proposal, the Council will consider a reduction in S106 contributions towards such measures on the basis of the level of funding contributed through CIL or funding that can be secured through other means.

7 Arts and Culture

Broad principles

7.1 The Council's Arts and Culture Development Plan encourages the broad support and provision of arts, culture, creative industries, and cultural practitioners across the Borough. This promotes the Borough as home to a thriving artistic and cultural community, and sets out a number of objectives. These include:

- Improving Places – Sustain and develop the cultural infrastructure of the borough.
- Engaging People – Ensure all residents feel able to access a range of quality creative activities
- Ensuring Sustainability – Achieving resilience in the local and national arts sector

Related factors for consideration

Arts and the Public Realm

7.2 Arts and the Public realm help ensure all new developments contribute to neighbourhoods in the borough being welcoming, appealing and accessible place to live, work and visit. Key outcomes link to community cohesion, design and distinctiveness, and mitigating the impact of development on existing residents access to services.

7.3 Wandsworth defines Arts and the Public Realm as being projects and interventions, with artistic rigour and integrity, and which add to the vibrancy and character of an area. Where possible, artists should be involved at an early stage in the design process. Outcomes should be accessible to the public and where applicable, integrated within new or local public realm, through features such as lighting, paving or other creative interventions. These include temporary live and creative community projects, such as performance.

7.4 Provision of a portfolio of arts meanwhile activity, such as through construction hoardings, is encouraged, as part of and in conjunction with, longer term outcomes. This provides bespoke visual interest, softens the impact of a development site on the local area and presents opportunities to involve artists in engaging with the community, including young people.

7.5 Arts and Public Realm provide the opportunity to engage with and involve local residents and other groups in the design of public space. Proposed works should also be discussed with the Council's Arts and Planning teams at an early stage and submitted for the Council's approval. A Cultural Guidance document is available which details the Council's expectations around cultural investment, and provides case studies.

7.6 A transparent process of commissioning public art work, involving professional curator/art organisations and/or stakeholder community engagement is expected.

Arts and Cultural Infrastructure

7.7 The Council is committed to offering a range of creative industry training, creation and presentation space (studios, rehearsal, production, venue) to suit different budgets and needs. This is a factor for consideration in land for employment use within the Borough.

7.8 Creative Industries are London's fastest growing business sector. Evidence suggests that creative industries thrive in attractive, diverse areas with wide ranging opportunities to engage in creative activity. Encouraging the creative economy not only helps Wandsworth achieve Public Realm and Cultural policy goals but also contributes to economic development targets relating to employment, skills development and business incubation. To grow the creative economy the Council is seeking to increase the range of artists' studios, rehearsal space, and production spaces in the borough. These facilities will provide artists with opportunities to develop skills, initiate new businesses and access new markets.

7.9 Where local need can be evidenced, the Council can consider revenue needs of cultural facilities – whether Council, community or charitably owned and managed.

Thresholds

7.10 All developments of more than 100 dwellings or non-residential developments of more than 10,000 sqm are required to enhance the range of arts and cultural opportunities in the area, by producing and realising a robust Cultural Action Plan. Where appropriate, it is expected that arts in the public realm are integrated.

Commuted sum approach

7.11 The applicant will provide an assessment as part of the Cultural Action Plan on how they propose to meet the Arts and Cultural Development Plan or any additional supporting documents or updates to this.

7.12 Where an applicant is unable to provide adequate opportunities as required by the Council as set out within the plan, a commuted sum will be required to enable the Council to meet the requirements in the local area. If a developer chooses to make a commuted sum rather than address the requirement to develop a Cultural Action Plan, it is proposed that the amount of the commuted sum should be excluded from the affordable housing viability assessments.

7.13 In accordance with the Arts Council England this contribution would be as follows:

Arts and the Public Realm:

- £400 per dwelling;
- £20,000 per 10,000 sqm of non residential floor space.

Arts and Cultural Infrastructure:

- £1000 per dwelling (this figure would include the £400 Arts and the Public Realm contribution);
- £40,000 per 10,000 sqm of non residential floor space.

8 Open Space

Broad principles

8.1 The Open Space Study 2007 has not identified any open space surplus to requirements, however some areas have greater quantitative and qualitative provision. All open space is protected under Core Strategy Policy PL4 and DMPD Policy DMO1.

8.2 Open space in this section refers to the provision of green infrastructure, public open space, outdoor/indoor sports, playing fields, recreational land or for biodiversity purposes and play space.

8.3 Land required as part of the general amenity of sites, such as footpaths, spacing between buildings, is covered in the guidance for on-site requirements in section 4.

8.4 Funding for open spaces required as a result of incremental growth, such as public gardens, will be provided through the Council as part of the standard CIL charge. Where the development would cause a localised requirement for additional open space, e.g. by an increase in population, it is expected that such land is provided as part of the site design or in the vicinity of the site, particularly in areas already deficient in open space.

8.5 The priority will be to deliver open space on-site. Development which directly causes a reduction in open space will only be permitted in exceptional circumstances to be agreed by the Council. Where demonstrable, applicants will be required to provide replacement provision of equivalent or improved quantity and quality that suits current and future needs in an appropriate location or where necessary a commuted sum for open space provision.

8.6 Play space will be required in accordance with the Mayor’s Supplementary Planning Guidance: Shaping Neighbourhoods: Play and Informal Recreation SPG.

Thresholds

Table 3 Thresholds for Open Space Provision

	General provision	Replacement of Protected Open Space
Residential	>100 units	All development resulting in reduction of protected open space as defined in the Council’s Local Plan
All other development	For all other developments greater than 10,000 sq ms it is expected that contribution will be made through public realm improvements subject to the nature of the development.	
Policies	DMO3	DMO4

		The Core Strategy Proposals Map highlights the location of such areas
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8.7 Developments of over 100 residential units are required to provide public open space within areas of open space deficiency or in areas of deficiency in access to nature. If capacity does exist, or is planned for a delivery through another funding programme, such as the provision of the Linear Park in Nine Elms, this will be excluded from the following calculation:

Table 4 Calculation of Open Space Provision

Estimated amount of residents (Estimated amount of residents is calculated using the Wandsworth population yield calculator.)	X	Open space	at	2 sq ms
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8.8 If in exceptional circumstances agreed by the Council, the amount of open space proposed by the applicant does not meet the requirement, then the quality of that proposed will be assessed to determine whether it is considered acceptable and usable for the enjoyment of residents. If the space is not considered appropriate then alternative off-site provision will be sought. A commuted sum may be acceptable in exceptional circumstances however on-site provision will be prioritised.

Related factors for consideration

8.9 DMPD Policies DMO3 and DMO4 provide further definition on the implementation of Core Strategy Policy IS3.

8.10 The SSAD provides details of specific site requirements.

8.11 Areas of public open space deficiency and areas of deficiency in access to nature can be found in the Council’s Open Space Study ⁽⁷⁾.

8.12 The Accessible Natural Green Space Standards and the London Landscape Framework should be considered when delivering areas of open space.

Standards for off-site contributions

8.13 Provision of open space is expected to be provided on-site as part of the development proposal. In exceptional circumstances open space may be provided off-site, or through payment of a commuted sum. Once exceptional circumstances can be demonstrated, which may include other circumstances identified by the Council the priority should be off-site

7 http://www.wandsworth.gov.uk/info/1022/planning_service_and_performance/734/open_space_study/1

provision which would enable open space provision in areas of identified need. Off-site delivery will be prioritised over the commuted sum approach to delivery and all commuted sums will be used for open space provision in exceptional circumstances.

9 Historic Environment

Broad principles

9.1 Wandsworth has a wide range of heritage assets, and the Council has a duty to conserve and enhance the significance, character and appearance of the borough's historic environment. DMPD Policy DMS2 details the Council's policy requirements in relation to managing the historic environment, including archaeological assessment requirements.

Related factors for consideration

9.2 Where appropriate, the range of matters that could be included as part of a S106 agreement in relation to heritage assets include:

- repair, restoration or maintenance of a heritage asset(s) and their setting;
- increased public access and improved signage to and from heritage assets;
- interpretation panels/ historical information and public open days;
- production and implementation of a Conservation Management Plans;
- measures for preservation or investigation and recovery of archaeological remains and sites;
- display of archaeological sites;
- dissemination of historic environment information for public/ school education and research; and
- sustainability improvements (such as loft insulation or other measures outlined in 11.5) for historic buildings.

10 Public Facilities - Education, Community and Health

Broad principles

10.1 Funding to support the development of the borough in relation to public facilities will generally be provided through the Council as part of the standard CIL charge.

10.2 The Department for Education will provide only formula funding where there is a demographic increase in actual numbers and this will not cover the full cost of assembling land and building a school.

10.3 The NHS receives revenue funding from the Government. Allocations are annual and based on Office of National Statistics trend-based population forecasts. New housing developments have an immediate financial impact and there is a time lag of anything up to ten years before the new population is picked up through the NHS allocations revenue funding.

10.4 In the case of some larger developments, accessibility to such services is required to be demonstrated as part of the planning proposal.

10.5 Provision on-site will be secured where a proposal directly increases the need for local access to such facilities, and where no spare capacity exists in the near vicinity - nor is reasonably expected to be provided in the near future. On-site provision will not forgo the need for developments to contribute to CIL.

Thresholds

10.6 Local public facilities could be needed to cater for developments or collections of neighbouring developments (where delivery is secured from no more than five separate S106 agreements) to address an uplift in residents. This is to ensure that mitigation can be addressed locally where development will have a significant stand alone impact on facilities.

10.7 The Council's population yield calculator should be used to estimate the number of residents expected to result from proposed residential development. For non-self contained accommodation (e.g. halls of residence, nursing homes), an assumption of one person per bedroom should be used.

10.8 Subject to an assessment of the existing capacity of public facilities, a requirement for on-site provision may be triggered on the following basis below;

- 200 primary school age children = provision of 1 additional primary school.
- 400 secondary school age children = provision of 1 additional secondary school.
- Above 1,000 residents = provision of 200 sq ms of floor space for generic community use.
- Above 1,000 residents = provision of 200 sq ms of floor space for health service provision.

- Above 1,000 residents = provision of emergency services facilities in discussion with providers.

10.9 Provision will be assessed on a pro rata basis e.g. a development generating 1,500 residents could be required to provide 300 sq ms of community space and 300 sq ms of health service provision.

Related factors for consideration

10.10 DMPD Policy DMC2 provides further definition on the implementation of Core Strategy Policy IS6.

10.11 The SSAD provides details of specific site requirements.

10.12 Community service provision will require the basic provision of the building, with a S106 agreement to ensure the building is retained for such uses.

10.13 The focus of future land and facility requirements for primary healthcare will be to ensure there is adequate provision in the borough to meet the objectives of the 'Wandsworth Commissioning Strategy Plan'. Current healthcare affordability analysis indicates a shift of activity from hospitals to 'Primary Community Care Hubs'. This may require a radical overhaul to consolidate services across the borough. The number of GPs and associated primary care staff in the future will need to reflect the planned shifts in activity from hospitals to a more local setting. In consequence the above figures are to act as a general guide.

Standards for off-site contributions

10.14 The provision of public facilities is requested by the Council on the basis that they need to be located locally to the residential uplift caused by a development. As such, off-site delivery will not normally be acceptable. Given the size of the development thresholds proposed, it is likely that the proposal will contain a mix of development types, and the S106 requirement will be the retention of the use of a building for such purposes. However, in some high density, high rise developments, this will not be possible. Therefore the Council will accept off-site provision in exceptional circumstances.

11 Employment, Skills and Enterprise

Broad principles

11.1 Development increases opportunities for local employment, particularly for those facing barriers to employment, helping to create and maintain sustainable communities in Wandsworth. Maximising local labour also reduces the need to travel which can help to ensure development is more sustainable.

11.2 The Council therefore requires that opportunities for the employment, training and support of local labour are provided throughout the construction phase of a development and for the end use of (non-residential) development. Opportunities will include training, work experience, apprenticeships and direct employment of local residents. Local labour is defined as Wandsworth borough residents unless otherwise agreed by the Council.

11.3 Local supply of goods and services to development supports the maintenance of a sustainable local economy which in turn provides further employment opportunity for local labour as local contractors and suppliers are more likely to employ local labour. Where local sub-contractors/suppliers are appointed they spend more in the local economy supporting a wider range of business activity in the borough.

11.4 Large-scale development provides commercial opportunities for existing Wandsworth based businesses in a local supply chain. This includes opportunities to supply goods and services during the construction phase.

11.5 The Council will work with developers and employers to ensure that employment, training and business opportunities are tailored to the development proposed.

11.6 In order to maintain a diverse and sustainable local economy it is important for a range of commercial property to be available to support the small and medium-sized enterprises (SME) sector and accordingly the Council will work with developers to encourage the provision of flexible and affordable office floorspace in office development and small and affordable shop units in major retail developments. Legal agreements may be used to manage the rents of these units to appropriate levels and to control their size, location and the nature of the occupant.

Thresholds

11.7 Development proposals consisting of more than 1,000 sq ms of retail or office floorspace, or where 100 housing units will be created, are required to ensure that provision is made for employment opportunities for residents of Wandsworth. This will be assumed on the following basis:

Table 5 Provision of Employment Opportunities

	Jobs During Construction	Jobs in Final Development
Housing	20 jobs per 100 units	n/a
Town Centre Uses	5 jobs per 1,000sqm	Gross Floor area created ÷ average employee density x average % of jobs in Wandsworth taken by Wandsworth residents

- Average employee density is currently calculated at 1 employee per 15 sq ms of built floor space
- Current amount of Wandsworth residents working in the borough is estimated to be 29%

11.8 Developments of this scale will also be asked to make local firms aware of contract and other business opportunities, and to support arrangements to enable businesses to access these opportunities.

Employment and skills (construction)

11.9 For all large-scale development the Council will seek to ensure that employment and training/skills development opportunities are provided to local people during the construction phase of the development.

11.10 The Economic Development Office (EDO) of the Council provides programmes and services, directly and through partners, to support access to employment and training/skills development for local labour including brokerage, training, apprenticeships and work experience placements. Apprenticeships and work experience placements enable residents to develop skills for existing and future employment opportunities from an early age.

11.11 Developments that meet the threshold criteria set out in the table 5 above will be expected to comply with Planning Obligations relating to:

- **Notification of Vacancies:** the developer will arrange for the notification of job vacancies to be made to the EDO (or the Council's nominated agency/agencies) to be advertised exclusively to local residents via the EDO brokerage mechanism for a minimum period ⁽⁸⁾. The developer will also ensure that its contractors and sub-contractors within the supply chain comply with this obligation.
- **Local Labour:** The period of exclusivity is designed to maximise the supply of job ready local labour into the vacancies arising. The Council will expect the developer to agree to the provision determined by the thresholds set out in table 5 for construction and ancillary ⁽⁹⁾ jobs to be taken by local people (including Apprenticeships).
- **Apprenticeships:** The developer will be expected to agree a specified proportion of the total number of construction and ancillary jobs as Apprenticeships. The expected

8 The minimum period for exclusivity shall be not less than 10 working days unless otherwise agreed by the Council.

9 Ancillary jobs are defined as jobs created by the development but not construction.

level will be 1 Apprentice per £3 million development cost. A support fee of £1,500 per apprentice placement will also be payable to cover the recruitment process. The developer or its supply chain will be expected to employ Apprentices at least the minimum wage and support training/college release arrangements until attainment of their qualification at a minimum of NVQ Level 2. Candidates for Apprenticeship places will be nominated by the EDO (or other agency as agreed by the Council).

11.12 In order to achieve the maximisation of local labour as proposed via the above obligations, the developer and main contractor will be required to provide construction phasing information and labour forecasting data to the Council to enable appropriate, job ready local candidates to be matched to job opportunities as they arise.

11.13 The developer will enter into a Local Employment Agreement with the Council based on the obligations above which will establish greater detail for the supply of local labour within the development programme. The developer will also identify a named contact responsible for implementation of the provisions within the Local Employment Agreement.

Off-site contributions - construction

11.14 Where a developer is unable to provide such local employment opportunities as required, a 100% commuted sum would be required to enable adequate alternative employment/training opportunities to be provided by the Council. This commuted sum figure would be excluded from the economic viability assessment.

11.15 To incentivise developers the total amount of the commuted sum would be reduced to a third if a developer is able to provide such local employment opportunities as required. This would reduce the Council’s costs in setting up and managing schemes of helping people to get into work locally. As a further incentive, in these circumstances, given the benefits to the community and the Council, it is proposed that account of the commuted sum figure would be included in the economic viability assessment.

11.16 This would be calculated using the following formula:

Table 6 Calculation of Commuted Sum for Alternative Employment Opportunity (Construction)

Cost of Construction Training Placement £2,615 X Gross Internal Area of Development (sqm)/ 1,000 (sqm) = Required Financial Contribution
--

(a third of this figure if the developer is able to provide employment opportunities as required by the Council)

Employment and skills (end use)

11.17 For major development schemes that have a significant impact in creating new long term employment opportunities the Council will require the developer to collaborate with the EDO in seeking agreement with end users to participate in EDO agreed initiatives to access to employment for local labour.

11.18 The mechanism by which the developer and the Council will work together to maximise access to end use employment opportunity for local labour without prejudice to the disposal process will be specified in the Local Employment Agreement. The Council will expect the developer to agree to the provision determined by the thresholds set out in table 5 for jobs to be taken by local people (including Apprenticeships) in the final development.

Off-site contributions - end use

11.19 Where a developer is unable to collaborate with the Council in maximising access to end use employment opportunity for local labour as required, a 100% commuted sum would be required to enable adequate alternative employment opportunity to be provided by the Council. This commuted sum figure would be excluded from the economic viability assessment.

11.20 The total amount of the commuted sum would be reduced to a third if a developer is able to collaborate with the Council in maximising access to end use employment opportunity for local labour as required. This would reduce the Council's costs in setting up and managing any associated training schemes. As a further incentive, in these circumstances, given the benefits to the community and the Council, it is proposed that account of the commuted sum figure would be included in the economic viability assessment.

11.21 This would be calculated using the following formula:

Table 7 Calculation of Commuted Sum for Alternative Employment Opportunity (End Use)

Employee yield of the development
X
Employees resident in Wandsworth (29%)

X
Employees in Wandsworth requiring training and support (25%)
X
Cost of training and support per person (£2615)
=
Required financial contribution
(a third of this figure if the developer is able to collaborate with the Council in maximising access to end use employment opportunity for local labour as required by the Council)

Use of local suppliers

11.22 The Council will seek opportunities to ensure that local businesses benefit from the construction and end use of developments. Developers will be expected to work with the Council to promote and advertise tender opportunities and to achieve the procurement of construction contracts and goods and services from companies and organisations based in the borough.

11.23 Where the value of a scheme exceeds £5 million a Local Procurement Plan will be included within the Local Employment Agreement. The Local Procurement Plan will be based on a target of 20% of the value of qualifying supplies and services ⁽¹⁰⁾ to be provided from companies and organisations based in the borough.

11.24 As part of the local supply chain obligation the Council will expect developers to brief sub-contractors on the requirements of the Local Procurement Plan and ensure that cooperation is agreed as a prerequisite to accepting sub-contract tenders and include a written statement in contracts with sub-contractors encouraging them to work with local businesses.

11.25 The Local Procurement Plan will also establish the requirements for monitoring information to be provided with reference to contracting activity and the outcomes with regard to local businesses.

11.26 The developer will be expected to collaborate with the Council to ensure that the local supply chain benefits from the end use of the development wherever possible.

¹⁰ Qualifying services might be defined as those goods and services that might practicably be available and procured from companies and organisations in the borough. Qualifying supplies and services will be identified and agreed between the developer and the Council as part of the Local Procurement Plan.

11.27 In exceptional circumstances, where a developer is not able to provide such opportunities as part of the development proposal, the Council may accept a commuted sum payment to enable adequate alternative services or opportunities to be provided in the locality. In this circumstance, the Council would seek a sum to reflect what percentage of local supply may be viable and achievable in the local economy. The sum will be based against benchmarks for similar scale projects and the standard costs for the delivery of such opportunities elsewhere in the borough. In determining the figure regard will be had to the 20% value target.

Principal agency

11.28 Under its statutory powers/duties Wandsworth Council develops and delivers services, directly and working with other partners, to support and enhance the social and economic well being of the borough and its residents. The developer therefore recognises the Council is the primary agency working for the recruitment of local people in the borough and working to maintain and develop a diverse and sustainable local economy which provides a range of employment opportunity for local people and agrees to act in accordance with this recognition. Wandsworth Council's Economic Development Office ⁽¹¹⁾ is responsible for promoting employment and business opportunities and will broker employment and enterprise relationships with developers and sub-contractors and local labour and local supply chain initiatives. Where possible and appropriate, the EDO will seek to attract other sources of public funding to support local labour and local supply chain initiatives. The developer will cooperate in providing information to any bid preparation process.

Related factors for consideration

11.29 The Local Employment Agreement will need to contain details of employment and enterprise opportunities which will include details of the phasing of opportunities and how the owner/developer will work with contractors, tenants and the Council to deliver the benefits.

11.30 The Council recognises that employment and enterprise opportunities will vary according to the nature and location of developments in question. This may mean that some opportunities are given greater weight than others within the agreed Local Employment Agreement. The Agreement will have due regard for economic viability but the onus is on the developer to provide justification as to why it may not be possible to deliver against the benchmarks set out above.

11.31 Where developments provide suitable opportunities, the Council may wish to seek opportunities for borough businesses to start or develop a business on an affordable rent basis for a given period of time. This may be used to offset other parts of the Local Employment Agreement if deemed appropriate at the discretion of the Council.

11 http://www.wandsworth.gov.uk/info/200013/business_support_and_advice

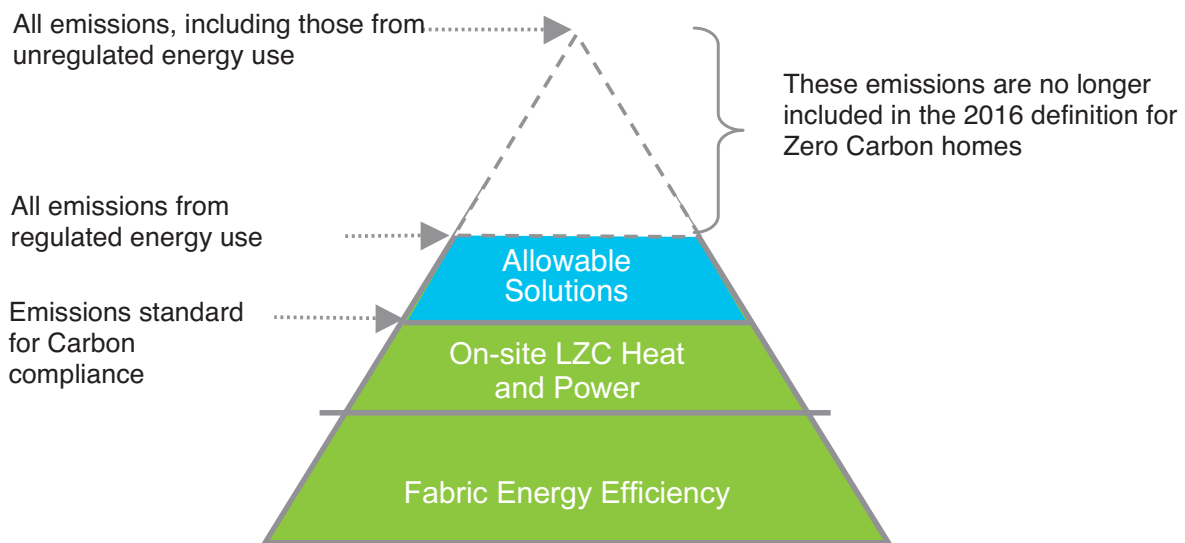
12 Sustainability

Sustainable design and construction

12.1 There are a number of different policies and regulations which influence the standards of sustainability in new developments and this is an area of policy that is constantly evolving.

12.2 The Building Regulations Part L (which relate closely to the mandatory energy aspect within the Code for Sustainable Homes) set out national standards for CO2 emissions in new buildings. These regulations are periodically tightened with an aim towards reaching 'zero carbon' standards in 2016. The preference is for CO2 emissions to be minimised as far as possible on-site. As standards become more stringent, the CO2 reduction targets will become more difficult to achieve through building design and on-site low carbon/renewable energy alone ('carbon compliance'). Beyond the on-site carbon compliance standards, the Government is developing an approach to 'allowable solutions' which will allow developers to support off-site carbon reduction measures, such as district heating schemes, and retrofitting insulation in existing buildings, where it is not technically feasible or commercially viable to abate all carbon emissions through on-site means.

Figure 1 The Zero Carbon Policy 'Triangle', showing the post-Budget 2011 extent of Allowable Solutions and its relationship with Carbon Compliance. (taken from Zero Carbon Hub - 'Allowable Solutions for Tomorrows New Homes 2011')



12.3 As the exact timing and content of these improved performance requirements are not certain, the approach to allowable solutions will need to be revised according to future requirements.

12.4 Alongside the policies and requirements of the London Plan, the sustainability standards the Council expects from development in Wandsworth are set out in Core Strategy Policy IS2, Development Management Policies Document (DMPD) Policy DMS3, and the Council's Sustainability Checklist. These provide detail on the appropriate standards for different types of development including BREEAM and the Code for Sustainable Homes as well as standards relating to energy efficiency, decentralised energy networks and renewable energy. For major developments the Council will require developers to pay for independent assessment of their sustainability information and reports to ensure compliance with the Council's policies. Meeting the requirements for sustainable design and construction is often achieved in the detailed design or construction phases. Normally, requirements for sustainable design will be dealt with using conditions, but in some circumstances, a S106 agreement may be required to secure the highest environmental standards of development.

12.5 The following features may be specified through further details required to be submitted as part of a S106 Agreement if they cannot be implemented through the approved design or satisfactorily secured through conditions:

- energy efficient design measures;
- renewable energy facilities;
- waste and recycling storage facilities;
- water retention and recycling facilities;
- heating or cooling systems;
- caps on internal water consumption levels; and
- the proportion of materials used from sustainable sources.

12.6 Some proposals may generate a requirement for inclusion of a management plan in the S106 agreement, depending on the scale, nature and location of the scheme.

12.7 A S106 Agreement may be used by the Council to require the developer to carry out and submit a post-construction review to ensure that the development has met the criteria which were approved earlier as part of the pre-construction estimate assessment where relevant. The Council may not permit occupation of the development until a satisfactory post-construction review has been provided and any issues identified in that review have been satisfactorily addressed

12.8 The preference is for developments to meet targets set out in the adopted Local Plan or London Plan on-site. Where required targets cannot be met, developers may be required to contribute to a CO2 offset fund which will go towards the funding of off-site CO2 reduction measures in the locality. In future this contribution will be used to fund "allowable solutions" (as set out in 11.2).

Decentralised energy networks

12.9 Developments are expected to connect to a decentralised energy network where one is available nearby and use the heat, unless developers can demonstrate it is not technically feasible or financially viable. Developments near to a planned or potential future network should make provision for a connection to the network should one be established. Developers should refer to Core Strategy Policy IS2, DMPD Policy DMS3, the Council's Sustainability Checklist and the London Heat Map, to determine whether connection to a decentralised energy network, a combined heat and power plant or a contribution towards a decentralised energy network will be expected.

12.10 Where appropriate S106 agreements will be used to secure:

- the installation of CHP/CCHP and the generation and use of energy;
- details that ensure the plant and its operation is energy efficient with regards to operating hours, compatibility with the need (amount and timing) for heat, and requirements for a heat store;

- details that ensure the design of the heating system is compatible with any nearby existing or planned decentralised energy networks (e.g. in accordance with the London Development Agency Document 'Consumer Connection to a Large CHP District Heating System' or any subsequent replacement GLA guidance such as the forthcoming District Energy Manual for London);
- the export of heat, cooling and/or electricity;
- development's use of heat, cooling and or electricity from a decentralised energy network;
- provision of sufficient space for future plant, heat exchanges, connection points to either generate, export and take heat, cooling and/or electricity;
- details of how the development (or each phase of a development) will connect to a planned decentralised energy network and how energy demands will be met prior to any connection with a decentralised energy network;
- a financial contribution towards a future local decentralised energy network.

Flood risk

12.11 Provision of flood risk mitigation measures such as Sustainable Drainage Systems (SUDS) are expected to be provided on-site and secured through conditions or S106 agreement. Developers should refer to DMPD Policy DMS6 for further guidance on SUDS implementation.

12.12 The Environment Agency has identified flood alleviation schemes in need of funding and contributions through CIL or planning obligations in the form of a commuted sum are identified as a potential funding source. Also, as part of the Council's requirements as contained within the Flood and Water Management Act 2010 it is anticipated that the Council will be identifying surface water flood alleviation schemes which may also require contributions. Subject to negotiation and where appropriate, a planning obligation in the form of a commuted sum will be secured for off site flood risk mitigation work where a flood alleviation project directly mitigates flood risk on-site. Any such contributions will be subject to the limitations set out in Sections 122 and 123 of the CIL Regulations.

12.13 It is anticipated that the Council will have responsibilities under the Flood and Water Management Act 2010 to establish a SUDS Approval Body to approve and where appropriate adopt and maintain SUDS. When these responsibilities are enacted the Council, where applicable, will require a commuted sum to contribute to the long term maintenance of SUDS. This will ensure functional drainage of the SUDS scheme over the life time of the development. The commuted sum would exclude fees set by the Council towards administering an application and inspection which will be required separately.

Biodiversity/habitats

12.14 Planning obligations may be used to require developers to carry out works to secure or reinstate existing habitat features, enhance existing features, create new features or to undertake habitat creation schemes. In those very exceptional cases where a developer cannot protect an ecological habitat adjacent to or within the boundaries of the site and in

other respects the development is acceptable they will be required to provide an alternative compensatory measure of equal or greater value in the locality. These measures could be land off-site on which the Council or other responsible agency can carry out works and recover the reasonable costs from the developer, or assistance in enlarging or enhancing existing nature conservation assets and habitats in the locality and make provision for maintenance of the site.

12.15 A commuted sum may be requested where additional monitoring or survey work is considered necessary to confirm that relevant environmental measures have been implemented successfully as part of a scheme. Some developments may result in increased activity and affect the value of areas of nature conservation adjacent to or within the site. In certain circumstances legal agreements may be appropriate to restrict types and hours of activities and development rights. They may also be used to control access so as not to damage or harm existing features and to make provision for the long-term maintenance of directly affected sites

Air Quality

12.16 Poor air quality can have damaging impacts on people's quality of life and health. The entire Borough of Wandsworth was declared an Air Quality Management Area in 2001 due to concentrations of pollutants exceeding national air quality standards. As a result the Council has produced an Air Quality Action Plan to achieve air quality improvements in the borough by reducing polluting emissions through measures such as reducing the need to travel by car, setting out criteria for sustainable design and construction and promoting sustainable construction in the demolition and construction process. In addition to these measures the Council will produce an air quality supplementary planning document to provide additional guidance for developers on reducing emissions. This approach is in accordance with the Mayor's Air Quality Strategy.

12.17 A commuted sum will be sought and will be used towards site specific monitoring and control of air quality emissions. The air quality monitoring costs would relate to the purchase, service and maintenance of specialist monitoring equipment which would be used to ensure the construction and operational phases of the development do not negatively impact on the local area. Funding will also be used to implement measures contained in the Council's Air Quality Action Plan to improve air quality on-site. These measures would be in the immediate vicinity of the specific development. For example funding to pay for a construction control officer who would ensure that air quality issues caused by the site development were adequately addressed as well as business and community engagement to identify pollution issues in the area and attempt to provide solutions which improve local air quality benefiting the development's residents. Another example would be the installation of on-street Electric Vehicle Charging Points at the development site where the Council would install EVCP's on Council maintained roads.

Appendix A

Core Strategy

- SD1 – Presumption in favour of sustainable development
- PL1 – Attractive and distinctive neighbourhoods and regeneration initiatives
- PL2 – Flood risk
- PL3 – Transport
- PL4 – Open space and the natural environment
- PL5 – Provision of new homes
- PL6 – Meeting the needs of the local economy
- PL7 – Land for industry and waste
- PL8 – Town and local centres
- PL9 – River Thames and riverside
- PL10 – The Wandle Valley
- PL11 – Nine Elms and the adjoining area in north-east Battersea
- PL12 – Central Wandsworth and the Wandle Delta
- PL13 – Clapham Junction and the adjoining area
- PL14 – East Putney and Upper Richmond Road
- PL15 – Roehampton
- IS1 – Sustainable development
- IS2 – Sustainable design, low carbon development and renewable energy
- IS3 – Good quality design and townscape
- IS4 – Protecting and enhancing environmental quality
- IS5 – Achieving a mix of housing including affordable housing
- IS6 – Community services and the provision of infrastructure
- IS7 – Planning obligations

Development Management Policies Document (DMPD)

- DMS1 – General development principles - Sustainable urban design and the quality of the environment
- DMS2 – Managing the historic environment
- DMS3 – Sustainable design and low carbon energy
- DMS4 – Tall buildings
- DMS5 – Flood risk management
- DMS6 – Sustainable Drainage Systems
- DMS7 – Consultation with the Environment Agency
- DMS8 – Advertisements
- DMS9 – Telecommunications
- DMH1 – Protection of residential land and buildings
- DMH2 – Conversions
- DMH3 – Unit mix in new housing
- DMH4 – Residential development including conversions
- DMH5 – Alterations and extensions
- DMH6 – Residential space standards

- DMH7 – Residential gardens and amenity space standards
- DMH8 – Implementation of affordable housing
- DMH9 – Hostels, staff and shared accommodation (including student housing), specialist and supported housing
- DMTS1 – Town Centre Development Uses
- DMTS2 – Out-of-centre development
- DMTS3 – Core shopping frontages
- DMTS4 – Secondary shopping frontages
- DMTS5 – Other frontages
- DMTS6 – Important local parades
- DMTS7 – Loss of shops outside protected shopping frontages and parades
- DMTS8 – Shopfronts and signs
- DMTS9 – Northcote Road area of special shopping character
- DMTS10 – Markets
- DMTS11 – Arts, culture and entertainment uses/facilities
- DMTS12 – Hotel development
- DMTS13 – Offices
- DMI1 – Strategic Industrial Locations (SILs) and Locally Significant Industrial Areas (LSIAs)
- DMI2 – Mixed Use Former Industrial Employment Areas (MUFIEAs)
- DMI3 – Thames Policy Area
- DMI4 – Provision of flexible employment floorspace
- DMI5 – Allocated sites for waste management facilities
- DMI6 – Development of waste management facilities on unallocated sites
- DMI7 – Development criteria for waste sites
- DMO1 – Protection and enhancement of open spaces
- DMO2 – Playing fields and pitches, sport, play and informal recreation
- DMO3 – Open spaces in new development
- DMO4 – Nature conservation
- DMO5 – Trees
- DMO6 – Riverside development
- DMO7 – Development in the river and on the foreshore
- DMO8 – Focal points of activity
- DMC1 – Protection of existing community facilities
- DMC2 – Provision of new and improved community facilities
- DMC3 – Provision of health and emergency service facilities
- DMT1 – Transport impacts of development
- DMT2 – Parking and servicing
- DMT3 – Riverside walking and cycling routes
- DMT4 – Land for transport functions
- DMT5 – Taxi and private hire

Appendix B

Table 8

Wandsworth Council - Design Guidance for New Developments		
Residential Developments		
Carriageways	5.5m wide	
Footways	2.0m wide	
Safety strip	0.5m wide	if no footway
Shared surfaces	6.0m wide	to serve a maximum of 20 dwellings
Kerb radii at junction	6.0m wide	absolute minimum 4.0m under special circumstances
Visibility		
Onto Residential roads	absolute minimum	60m 2.4m from stop line
	normal	70m 4.6m from stop line
Onto Principal roads	absolute minimum	60m 4.6m from stop line
	normal	70m 9.0m from stop line
Industrial Developments		
Carriageways	7.3m wide	
Footways	2.0m wide	minimum
Safety Strip	0.5m wide	if no footway
Kerb radii at junction	9.0m	absolute minimum
Visibility		
Onto Residential roads	70m 4.6m from stop line	
Onto Principal roads	70m 9.0m from stop line	
Mixed developments – As for Industrial		
Hammer Heads / Turning Area		
5.5m wide head with 9.0m kerb radius with 5.5m straight section. Turning head to be extended by further 4.8m to allow for cars to park without blocking the turning area.		
Parking		
Criteria: 1) Adjacent to access to building – absolute max 40m, 2) Overlooked by residents or offices		
Bays		
Side by Side	4.8m x 2.4m	aisles 6.0m
Head to head	6.0m x 2.0m	aisles 3.0m

Domestic	5.0m minimum depth from garage to public highway boundary	
Underground ramps	First 5.0m	Gradient 1 in 20
	Ramp	Gradient 1 in 10 - maximum 1 in 7
	Last 5.0m	Gradient 1 in 20
	Headroom	2.25m
Refuse Location		
Maximum distance for	communal bin	9.0m from vehicle
	single dwelling	25.0m maximum
Turning circle – between	walls	19.0m
	kerbs	18.0m
Emergency Vehicle Access		
<u>Headroom</u>		
Public Highway	Vehicular	5.1m
	Private	4.2m (for access)
Pedestrian	Footways	2.4m and 0.45m from carriageway
<u>Horizontal clearance</u>		
Clearance between edge of a fixed structure and front face of the footway kerb to be less than 600 millimetres.		

