

Wiltshire Community Infrastructure Levy

Planning Obligations Supplementary Planning Document

Statement of Consultation

April 2015

[TRANSLATIONS]

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## 1. Introduction

- 1.1. The Planning Obligations Supplementary Planning Document (SPD) will support policies within the adopted Wiltshire Core Strategy (January 2015), particularly Core Policy 3 Infrastructure Requirements. It will identify the types of planning obligations that may be sought by the council from development that generates a need for new infrastructure. While it is not part of the statutory development plan, the Planning Obligations SPD will be a material consideration in determining planning applications.
- 1.2. Between 23 March and 22 April 2015, the council consulted on a draft Planning Obligations SPD, alongside a revised draft Regulation 123 List, an instalment policy for the payment of CIL and its approach to other CIL policies.
- 1.3. The SPD should be read in conjunction with the Wiltshire Community Infrastructure Levy (CIL) Charging Schedule and the Wiltshire Regulation 123 List. The Wiltshire CIL Charging Schedule sets out the amount of CIL that will be charged on new development. In March 2015, the council received the Examiner's report into the Wiltshire CIL Charging Schedule. The Examiner approved it subject to minor modifications for the purposes of clarification and transparency. The council intends to adopt the charging schedule, alongside this SPD, in May 2015.
- 1.4. Planning obligations cannot be used to deliver projects that will be provided for through CIL. The Wiltshire Regulation 123 List sets out the infrastructure types or projects that the council may fund, in whole or in part, through CIL and so cannot be the subject of an obligation.
- 1.5. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for preparing a supplementary planning document. Regulation 12 requires the council to prepare a statement setting out who was consulted, a summary of the main issues they raised and how those issues have been addressed in the supplementary planning document.
- 1.6. The council produced this document, a 'Consultation Statement', to set out: the consultation methodology, the representations received to the draft Planning Obligations SPD consultation, and a summary of key issues and how the council has considered the representations, as required by Regulation 12.
- 1.7. The SPD has been prepared in consultation with the council's key services such as Development Control, New Housing, Sustainable Transport, Environment Services, Environmental Health, Libraries and Heritage, Drainage, Countryside Management and Children and Education.

## **Structure of this document**

- 1.8. Chapter 2 lists the various ways by which the council consulted upon the draft Planning Obligations SPD.
- 1.9. Chapter 3 provides a breakdown of the number of representations received.
- 1.10. Chapter 4 summarises the key issues arising from the representations with officer comments and proposed changes.
- 1.11. Chapter 5 lists the proposed changes as a result of the representations on the draft Planning Obligations SPD. It also sets out the next steps in the preparations of the SPD and a timetable.
- 1.12. Appendix A provides a list of respondents to the consultation on the draft Planning Obligations SPD.
- 1.13. Appendix B collates the various consultation adverts and notices.

## 2. Consultation methodology

2.1. The council consulted on the draft Planning Obligations SPD in the following ways

- Town and parish newsletter (published week commencing 13 April 2015)
- Local newspapers (i.e. Wiltshire Times, Wiltshire Gazette and Herald and Salisbury Journal) (published week commencing 16/03/2015)
- Direct email/ letter notifications to: all town and parish councils; neighbouring authorities; national/local developers, landowners and property agents; infrastructure providers; local businesses and Chambers of Commerce; charities and voluntary organisations; and local interest groups
- Hard copies of all consultation documents available from the main council offices (at Chippenham, Devizes, Trowbridge and Salisbury) and libraries
- Information published on the council's website and electronic copies of all consultation documents available from the council's website and online consultation portal
- Comments accepted by post, email and online through the council's consultation portal

2.2. The following consultation material was provided:

- Wiltshire Draft Planning Obligations Supplementary Planning Document (March 2015)
- Wiltshire Draft Regulation 123 List (March 2015)
- Wiltshire Community Infrastructure Levy (CIL) Policies Consultation Document (March 2015)
- Representation Form (PDF and WORD versions)

### 3. Representations

- 3.1. In all, the council received representations on the draft SPD from 33 different individuals or organisations.
- 3.2. *Figure 3.1* below illustrates the breakdown of respondent by type. It shows that the largest groups of respondents were landowners and developers and advisory and local interest organisations. Other representations were received from infrastructure providers, town and parish councils, neighbouring authorities and individuals.

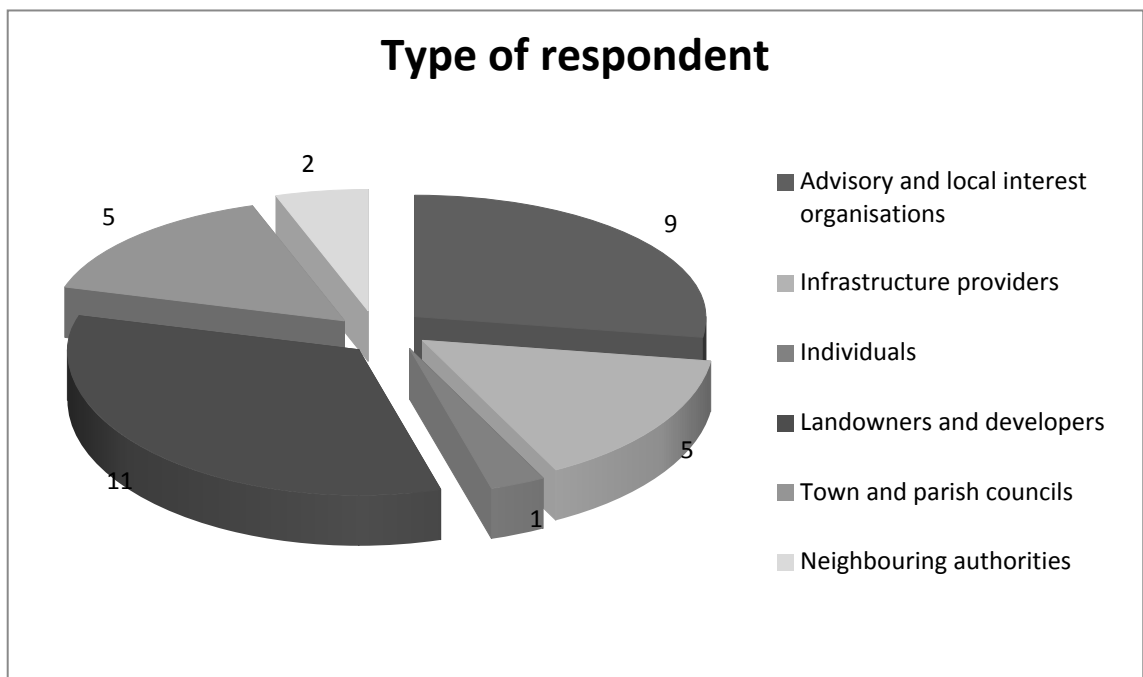


Figure 3.1 – Number of representations by type of respondent

- 3.3. *Figure 3.2* below illustrates the methods by which representations were received.

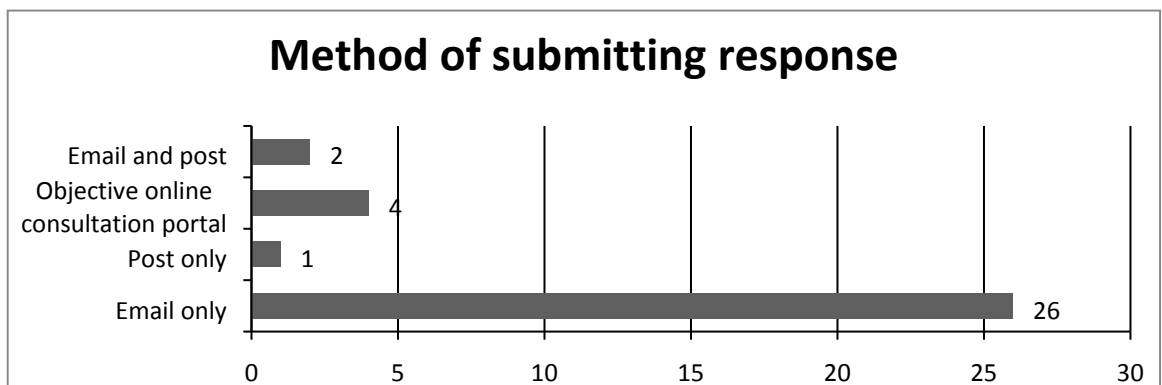


Figure 3.2 - Number of representations received by method



#### 4. Summary of the main issues raised by the representations

4.1. The main issues raised by the representations are summarised in *Table 4.1*, with officer commentary and proposed changes, and ordered by the following topics consistent with the format of the draft SPD:

- Legislative and policy framework
- Affordable housing
- Education
- Open space and green infrastructure
- Transport/ highways
- Other planning obligations
- Negotiating planning obligations in Wiltshire
- Procedure and management
- Other issues

4.2. The number in the column titled ‘#’ can be used to link the issues to individual respondents listed in *Appendix A*.

4.3. All individual representations are available to view in full, either through the council’s online consultation portal at <http://consult.wiltshire.gov.uk/portal>.

**Table 4.1 – Summary of main issues raised by the consultation**

Topic	#	Issues	Officer comments/ proposed change
<b>Legislative and policy framework</b>	26	Can the council confirm that the pooling limit does not apply to planning conditions?	Paragraph 2.2 clarifies that planning conditions cannot be used to request financial contributions as such the pooling limit will not apply.  <b>No change.</b>
<b>Affordable</b>	24	Support approach to affordable housing.	Noted.

<b>housing</b>			<b>No change.</b>
	27	Affordable housing can present Wiltshire Fire and Rescue Service with a higher risk – should this be identified in paragraph 4.4 and related to Core Policy 46 (Meeting the needs of Wiltshire’s vulnerable and older people).	This is considered to be an unnecessary level of detail.  <b>No change.</b>
<b>Education</b>	3	Objection to the requirement to contribute towards early year’s educational provision through new development. The Council is not statutorily obliged to provide <b>places</b> for such services; and many such facilities are run by the private sector.	The statutory position in relation to the provision of early years educational provision is clearly established. The draft SPD reflects relevant legal requirements and the Council’s policies in relation to such matters.  It is accepted that early years educational facilities are generally provided via the private sector. However, the Council nonetheless has a duty to respond to the law in respect of such matters and hence provision will still be sought in line with internal policies. The position taken in the draft SPD is considered to provide a reasonable and appropriate level of advice on such matters and doesn’t warrant further amendment. In addition, development proposals will be considered on their merits and hence a decision as to how early years learning educational requirements are addressed can be addressed through pre-application engagement.  <b>No change.</b>
	4	In assessing the needs of primary and secondary schools, the Council must consider the fact that parental choice drives demand for places. Therefore, it would be unreasonable to require educational contributions to provide additional school places when capacity exists within a wider	The Council accept that parental choice in terms of educational provision is a factor that needs to be taken into account through the planning process. However,

		catchment area.	<p>although such choice can lead to pressure on certain schools, in certain catchments, the Council's education team nonetheless have a legal duty to ensure that all local authority schools, in all catchments are catered for in terms of places. Therefore, the pressure that new development can exert on existing facilities will continue to require attention through the planning process.</p> <p><b>No change.</b></p>
	5	The proposed 30% discount given to education provision arising from affordable housing is considered to insufficient and should be raised to reflect the restrictive nature of such development.	<p>The 30% discount applied to education provision associated with affordable housing reflects long-standing Council practice. At this stage, there would appear to be no evidence to warrant a change in approach but, as with all policies, the position will be monitored to assess performance.</p> <p><b>No change.</b></p>
	10	Reference to the use of both CIL and planning obligations to secure education infrastructure in paragraph 5.4 creates uncertainty over what developers will be asked to pay and undermines the clarity and transparency of the approach taken by the council in the CIL Examination.	<p>Disagree. Paragraph 5.4 is simply saying that the site-specific impact of development will be dealt with through s106. This has been the council's position throughout the CIL process.</p> <p>In the SPD, the council is simply seeking to establish that:</p> <ul style="list-style-type: none"> <li>• If there's a justification for doing so, we can seek planning obligations to pay for infrastructure required to make a development proposal acceptable in planning terms; and</li> </ul>

		<ul style="list-style-type: none"> <li>In circumstances where the need for such infrastructure comes from more than one development, but is nonetheless required, we can pool obligations from up to five developments to pay for such infrastructure.</li> </ul> <p><b>No change.</b></p>
	<p>19 Concerned that there is no reference in the draft SPD to the need for CIL towards infrastructure in neighbouring authorities. Note that the IDP includes proposed extensions to secondary schools in Gillingham and Shaftesbury (Dorset) to serve development in Mere and Tisbury respectively.</p> <p>Request explanatory text in SPD in Chapter 5 to make developers aware of this requirement.</p>	<p>While the Regulation 123 List already includes ‘cross boundary infrastructure’ as being eligible for CIL funding, the Planning Obligations SPD could be amended to reference education facilities in neighbouring authorities.</p> <p><b>CHANGE:</b></p> <p>Amend paragraph 5.2 as follows:</p> <p>Wiltshire’s school population is predicted to increase over the period to 2026 both in the primary and secondary sectors. This is as a result of population growth, economic factors and housing development. There will be a need for a significant increase in school places and in some areas new schools in both sectors. There may also be the need to increase the provision of special school places across the wider catchment area.</p> <p><b><u>New development in Wiltshire may also place demands on infrastructure in neighbouring authorities. For example, pupils in Mere and Tisbury attend secondary schools in Gillingham and Shaftesbury</u></b></p>

			<b>respectively.</b> The Department of Education will provide only formula funding where there is a demographic increase in actual numbers. This will not cover the full cost of assembling land and building a school.
	29	Add ' <b>where practical</b> ' to summary of NPPF requirements in Paragraph 5.8, Table 5.1.	Agreed.  <b>CHANGE:</b>  Amend text in Table 5.1 as follows:  Locate key facilities, such as primary schools, within walking distance of most properties, <b>where practical</b> , and provide a sufficient choice of school places.
	30	What is meant by 'pending developments' in paragraph 5.13?	'Pending developments' refers to planning applications that are awaiting a decision. However, the council will clarify in the text.  <b>CHANGE:</b>  Amend paragraph 5.13 as follows:  It will then be assessed whether the likely number of pupils can be accommodated within the existing capacity of the relevant catchment area school, taking into account other known granted or <b>pending developments planning applications</b> in their catchment area.
	31	Unreasonable to expect all new developments to be located within walking distance of a secondary school because they have much larger catchment areas than primary schools	The SPD is proposed to be amended as follows.  <b>CHANGE:</b>

			<p>Amend paragraph 5.15 as follows:</p> <p>Development proposals for around 400 to 500 houses may require a significant expansion of existing primary and secondary schools (combined or individually). Proposals for more than around 700 houses may require new nursery and primary schools, <del>as well as a significant expansion of existing secondary schools</del>, to serve children generated by the development. In both instances, this will depend upon the extent of any surplus capacity within reasonable (defined) walking distance of the development. <b><u>Proposals of this size may also require significant expansion of existing secondary schools, taking into account any surplus capacity within the catchment area.</u></b></p>
	32	<p>Further clarity needed over the trigger for the potential need to deliver a new secondary school – unclear what constitutes a ‘major urban extension’. More appropriate to refer to the minimum pupil product that would necessitate consideration of a new secondary school and to confirm that the council would subsequently assess each scheme on its merits having regard to viability</p>	<p>Agreed about the need for more clarity. The council will amend the text accordingly.</p> <p><b>CHANGE:</b></p> <p>Amend paragraph 5.16 as follows:  A new secondary school is only likely to be required to serve a major urban expansion scheme. <b><u>The council will consider the establishment of a new secondary school where long term demand is likely to lead to a school with 900 11-16 school places.</u></b> Special schools have a relatively wide catchment area and large development proposals may require the expansion of special</p>

			school provision serving a wider area.
	35	Request guidance and clarity from the council on how it proposes to secure funding for school improvement works in the event that it meets the pooling limit restriction. Concern that the council's approach to funding education will lead to uncertainty and potentially 'double-charging'.	The council will fund infrastructure projects where the need cannot be attributed to five or fewer developments through CIL and other funding sources.  <b>No change.</b>
	36	Question source of information used to produce figures for calculation of likely number of pupils arising from a development. Overestimates pupil product figure based on using census figures.	The calculation for the likely number of pupils arising from a development is taken from the adopted Revised Policy for School Infrastructure & Capital Cost Multipliers for Section 106 Agreements (18 March 2014) and is based on information in the council's School Organisation Plan  <b>No change.</b>
<b>Open space and green infrastructure</b>	2	Include reference to Core Policy 53 Wiltshire's Canals in Table 6.1	Agreed.  <b>CHANGE:</b>  Add the following row to Table 6.1, Chapter 6 Open space and green infrastructure.  <b><u>Core Policy 53 Wiltshire's canals</u></b>  <b><u>Supports in principle the restoration and reconstruction of the Wilts &amp; Berks and Thames and Severn canals as navigable waterways. Safeguards their alignments from new development. Permits proposals that develop the recreational and nature conservation potential.</u></b>

	6	<p>With regard to open space, it is suggested that the SPD should be amended to reflect the fact that such facilities are often transferred to private or other management companies to manage in perpetuity on behalf of the Council or Parish / Town Council. Would provide clarity about responsibility for enforcing the requirement that public open space is secured and maintained in perpetuity for the benefit of the public.</p>	<p>With regard to open space provision, the Council acknowledge that the long-term management and maintenance of such facilities can and often is dealt with through contracts with the private sector. However, it could also be through a third party, for example a charitable trust. An amendment to the draft SPD will be introduced to fully reflect the mechanisms for managing/ maintaining open space.</p> <p><b>CHANGE:</b></p> <p>Amend paragraph 6.9 of the Planning Obligations SPD to read:</p> <p>“Onsite provision of open space and landscaping schemes may be offered to the council or its nominee (usually a town or parish council) by a developer <del>for adoption as council owned and maintained provision</del> <b><u>to be managed in perpetuity by a management company on behalf of the council or town/ parish council.</u></b>”</p>
	8	<p>Unclear which mechanism (i.e. s106 and/ or CIL) the council will use to mitigate the impact of new development on the canal network, e.g. increased use of the waterways and towpaths. Canals could be classed as strategic because of their length, multi-functionality and cross-boundary nature. CIL may then be seen as the appropriate mechanism. However, individual developments may have a localised impact on the canal network. Mitigation through s106 agreements may be the more appropriate mechanism in this case. Due to the cross boundary nature of the canal network, would the pooling limit on planning obligations apply to those entered into by other local planning authorities? The Canal &amp; River Trust requests a meeting with the council to discuss their concerns.</p>	<p>The council would deal with the site-specific impact of development upon the canal network through planning obligations. Therefore, the Canal &amp; River Trust may wish (in responding to planning applications) to identify specific infrastructure projects where the need can be attributed to the particular development. The council is unable to pool more than five planning obligations towards the same infrastructure type or project. This pooling limit applies to each council and includes all planning</p>



			<p>obligations entered into since 6 April 2010.</p> <p>The council would be happy to meet with the Canal &amp; River Trust to discuss their specific issues.</p> <p><b>No change.</b></p>
	11	The SPD should be expanded to provide clear guidance for developers on how other elements of habitat mitigation strategies that do not fall under 'hard infrastructure' and clearly cannot be funded through CIL receipts, i.e. ranger provision and information leaflets for residents and visitors, will be funded through planning obligations.	<p>Agreed.</p> <p><b>See Proposed Change C9.</b></p>
	13	Referencing paragraph 6.3, Melksham Without Parish Council object to improvements to existing public open space and green infrastructure being funded through CIL, unless directly related to the proposed development, when new provision will be sought through planning obligations. There are examples of recent planning applications within the parish, where s106 was used to fund improvements to public open space.	<p>Planning obligations can only be sought where they meet the three statutory tests under CIL Regulation 122 of the CIL Regulations 2010 (as amended).</p> <p>In addition, the pooling limit on planning obligations that came into force on 6 April 2015 (and backdated to included all planning obligations entered into since 6 April 2010) means that no more than five planning obligations can be entered into by the council for the same infrastructure type or project.</p> <p>However, the council will amend paragraph 6.3 to make this clear and to reflect the wording in the Regulation 123 List.</p> <p><b>CHANGE:</b></p> <p>Amend paragraph 6.3 as follows:</p> <p><b>The provision of new and</b></p>

			<p><b>!</b>Improvements to existing public open space and green infrastructure will generally be funded through CIL, <b><u>except where the requirement can be attributed to five or fewer developments unless directly related to the proposed development</u></b>, when <b><u>new provision they will may</u></b> be sought through planning obligations, <b><u>subject to meeting the three statutory tests in Regulation 122 of the CIL Regulations 2010 (as amended)</u></b>.</p>
	14	Support for reference to NPPF requirement encouraging access to <b>high quality</b> open spaces but queries whether this was always achieved.	<p>Support noted. The council seeks open space provision in line with adopted open space standards.</p> <p><b>No change.</b></p>
	15	Request details on the Open Space Study when available.	<p>The Open Space Study is part of the evidence base supporting the Partial Review of the Wiltshire Core Strategy, which is out for consultation until 26 May 2015, and available on the council's website and consultation portal.</p> <p><b>No change.</b></p>
	33	Overlap between paragraphs 6.4 and 6.5 relating to habitat mitigation strategies	<p>The strategic HRA mitigation measures identified by the Wiltshire Core Strategy HRA do not include habitat creation / enhancement, but rather deal with recreational impacts and phosphate levels. Para.6.4 could be amended as follows for clarity.</p> <p><b>CHANGE:</b></p> <p>Amend paragraph 6.4 as follows:</p>

			<p>Mitigation of ecological impacts will generally continue to be managed through planning conditions and obligations as these matters are typically site specific. However, in exceptional circumstances <b>where</b> off-site compensation, such as habitat creation or enhancement, <b>is may be</b> required to offset the effects of development <b>where onsite mitigation is not possible. For example</b>, a financial contribution may be required <del>through a planning obligation</del> to fund capital works and ongoing management by the council or relevant third parties. <b><u>This would exclude funding of strategic HRA mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and / or paragraph 6.70 of the Wiltshire Core Strategy.</u></b></p>
	37	AONB Management Plan policies PT5 and PT6 should be referenced.	<p>Disagree.</p> <p>The AONB Management Plan policies guide the actions of the AONB rather than set out what the council might expect from developers in terms of planning obligations. Policy PT5 states that the AONB will work with local planning authorities to identify infrastructure projects and priorities. The council welcomes this cooperation and will continue to consult the AONB on local planning policy documents.</p> <p>Policy PT6 states that the AONB will encourage local planning authorities to spend CIL on AONB management plan</p>

			<p>projects. The council considers that any such projects would be likely to fall under the infrastructure types set out in the draft Regulation 123 List and, therefore, eligible to be considered for CIL funding. The council will seek site-specific mitigation of the impact of development through planning obligations. This would apply to development taking place within the AONB area, as in any other area of Wiltshire.</p> <p><b>No change.</b></p>
	38	No reference to landscapes or landscape management in connection with green infrastructure. Designated areas, such as the AONBs and special landscape areas form part of green infrastructure and should be explicitly included	<p>Disagree. In Table 6.1, the Planning Obligations SPD refers to Core Policy 51 Landscape from the adopted Wiltshire Core Strategy. Also, Core Policy 52 Green Infrastructure addresses the natural and historic landscape. Core Policy 57 addresses landscape issues by requiring development to adhere to a high standard of design relating to the natural environment. Paragraph 6.9 discusses the provision of onsite open space and landscaping schemes.</p> <p><b>No change.</b></p>
<b>Transport/ highways</b>	16	Unclear how transport requirements are identified in towns other than principle settlements, which have their own transport strategies.	<p>The council's highways team conduct transport assessments of the market towns and identify improvement schemes in the Local Transport Plan.</p> <p><b>No change.</b></p>
	22	Highways England requests that the council provide an update on how any current or remaining s106 contributions towards SRN improvements in the area will, or are intended to be spent.	<p>The council's s106 and CIL monitoring officer can provide information on how current and remaining s106 contributions</p>

			towards SRN improvements will be spent.  <b>No change.</b>
	23	Highways England welcome clarification as to how the council will manage situations where contributions towards the SRN could come from various sources, including CIL and/ or s106, given the Regulations against 'double charging' and the pooling limit on planning obligations.	The council will mitigate the site-specific impact of development on the SRN through planning obligations, where the need can be attributed to five or fewer developments. CIL, in conjunction with other funding sources, could help contribute towards addressing the cumulative impact of development on the SRN.  <b>No change.</b>
<b>Other planning obligations</b>	1	Add paragraph requiring developers to (1) demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off site to serve the development, and (2) fund studies to ascertain capacity of water infrastructure, where necessary	This is a matter that would be addressed through the planning application process.  <b>No change.</b>
	9	Lack of reference to the use of planning obligations to mitigate the impact of development upon the historic environment.	Agreed.  <b>CHANGE:</b>  Add an additional bullet point in paragraphs 3.2 and 10.2 as follows:  <ul style="list-style-type: none"> <li>• <b><u>Site-specific measures to protect and enhance the historic environment</u></b></li> </ul>
	25	Wiltshire Fire and Rescue Service intend to use a planning condition to secure provision of fire hydrants, as per paragraph 3.2 and 10.2 of the draft SPD.	Noted.  <b>No change.</b>
	28	Request specific reference to fire and rescue service infrastructure in Chapter 9 Community and Health Facilities, referencing Core Policy 3	The council does not anticipate there will be a need to fund fire and rescue service

		and the inclusion of emergency services as essential infrastructure.	<p>infrastructure through planning obligations. It is expected that fire hydrants will be secured through planning conditions.</p> <p><b>No change.</b></p>
<b>Negotiating planning obligations in Wiltshire</b>	7	Objection is raised to paragraph 11.10 of the draft SPD on the basis that national policy (NPPF, paragraph 186, 187) requires planning authorities to plan proactively to foster the delivery of sustainable development. As such, there is an imperative to take as long as is necessary to reach solutions in relation to the determination of planning applications.	<p>The Council fully acknowledge and embrace the statements in the Framework in relation to positive planning. The statements in paragraph 11.10 merely reflect the fact that decisions in respect of planning applications have to be made in accordance with prescribed timescales. This is why the Council encourages early and effective engagement through the pre-application process.</p> <p><b>No change.</b></p>
	12	Developers should be encouraged to consult with town and parish councils on any identified planning obligations at the pre-application stage to provide them with the opportunity to make their views known on local priorities. Town and parish councils have not always been notified, let alone involved, in these decisions. They are often not consulted until later in the planning applications process, after Heads of Terms are drawn up at the pre-application stage without reference to local representatives.	<p>The SPD already references pre-application consultation with local communities. However, this could be made clearer.</p> <p><b>CHANGE:</b></p> <p>Amend paragraph 11.6 as follows:</p> <p>The council would expect that developers will have undertaken pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues, <b>including the relative priority of any identified planning obligations at the local level</b>, and should inform the</p>

			detail of their planning application.
	34	Change 'would expect that developers will have undertaken' in paragraph 11.16 to 'will encourage developers to undertake'. The use of 'expect' suggests that it is a requirement. The council's Statement of Community Involvement (March 2015) advises at paragraph 5.20 that the council will 'encourage' pre-application consultation.	<p>The text in paragraph 11.16 is proposed to be amended accordingly.</p> <p><b>CHANGE:</b></p> <p>The following text to be added to paragraph 11.6:</p> <p>The council would <del>expect that</del> <b>encourage</b> developers <del>will have to</del> undertake pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues and should inform the detail of their planning application.</p>
<b>Procedure and management</b>	17	Support for approach to post-decision monitoring and publication of section 106 agreements but unclear where these can be found.	<p>Support noted. Reports on the council's use of CIL and planning obligations will be published on the council's website.</p> <p><b>No change.</b></p>
	18	Support approach to phasing of infrastructure and timing of payments, i.e. in line with needs of the development. Historically, this has not happened. For instance, over 700 homes are occupied in the East of Melksham development but the new school is unfinished, the NEAP has not commenced and no formal sports provision has been installed.	<p>Support noted.</p> <p><b>No change.</b></p>
	21	SPD (Chapter 12, paragraph 12.1) refers to the managing of planning obligations. Unclear whether this refers only to planning obligations or to other types of planning contributions, including CIL. Charging authorities are required to report at least annually on CIL and the council should make it clear how it intends to comply with their requirement. Ideally, all developer contributions should be grouped together and treated in the	<p>As it states, paragraph 12.1, Chapter 12 of the Planning Obligations SPD deals with the monitoring of planning obligations. However, the council is also required by Regulation 62 of the CIL Regulations 2010 (as amended) to</p>

		<p>same open and transparent way.</p>	<p>produce an annual monitoring report on CIL receipts. What this report should include is specified in the CIL Regulations and will be published on an annual basis as part of the CIL implementation process.</p> <p><b>No change.</b></p>
<p><b>Other issues</b></p>	<p>20</p>	<p>Suggest that the Planning Obligations SPD be retitled 'Planning Contributions SPD' because it makes reference to other types of developer contributions, e.g. planning conditions, section 278 agreements and CIL.</p>	<p>The primary focus of the SPD is planning obligations. However, it is necessary to demonstrate how they operate alongside other forms of developer contributions. This necessitates some explanation of these other forms of developer contributions.</p> <p><b>No change.</b></p>



## 5. Proposed changes and next steps

5.1. *Table 5.1* contains a list of proposed changes as a result of consultation feedback.

### Proposed changes

Table 5.1 - Proposed actions as a result of consultation feedback

#	Proposed changes
C1	<p>Amend paragraph 5.2 as follows:</p> <p>Wiltshire's school population is predicted to increase over the period to 2026 both in the primary and secondary sectors. This is as a result of population growth, economic factors and housing development. There will be a need for a significant increase in school places and in some areas new schools in both sectors. There may also be the need to increase the provision of special school places across the wider catchment area. <b><u>New development in Wiltshire may also place demands on infrastructure in neighbouring authorities. For example, pupils in Mere and Tisbury attend secondary schools in Gillingham and Shaftesbury respectively.</u></b> The Department of Education will provide only formula funding where there is a demographic increase in actual numbers. This will not cover the full cost of assembling land and building a school.</p>
C2	<p>Amend text in Table 5.1 as follows:</p> <p>Locate key facilities, such as primary schools, within walking distance of most properties, <b><u>where practical,</u></b> and provide a sufficient choice of school places.</p>
C3	<p>Amend paragraph 5.13 as follows:</p> <p>It will then be assessed whether the likely number of pupils can be accommodated within the existing capacity of the relevant catchment area school, taking into account other known granted or <b><u>pending developments planning applications</u></b> in their catchment area.</p>
C4	<p>Amend paragraph 5.15 as follows:</p> <p>Development proposals for around 400 to 500 houses may require a significant expansion of existing primary and secondary schools (combined or individually). Proposals for more than around 700 houses may require new nursery and primary schools, <del>as well as a significant expansion of existing secondary schools,</del> to serve children generated by the development. In both instances, this will depend upon the extent of any surplus capacity within reasonable (defined) walking distance of the development. <b><u>Proposals of this size may also require significant expansion of existing secondary schools, taking into account any surplus capacity within the catchment area.</u></b></p>
C5	<p>Amend paragraph 5.16 as follows:</p> <p>A new secondary school is only likely to be required to serve a major urban expansion scheme. <b><u>The council will consider the establishment of a new secondary school where long term demand is likely to lead to a school with 900 11-16 school places.</u></b> Special schools have a relatively wide catchment area and large development proposals may require the expansion of special school provision serving a wider area.</p>
C6	<p>Add the following row to Table 6.1, Chapter 6 Open space and green infrastructure.</p> <p><b><u>Core Policy 53 Wiltshire's canals</u></b></p>

	<u>Supports in principle the restoration and reconstruction of the Wilts &amp; Berks and Thames and Severn canals as navigable waterways. Safeguards their alignments from new development. Permits proposals that develop the recreational and nature conservation potential.</u>
C7	Amend paragraph 6.9 of the Planning Obligations SPD to read:  Onsite provision of open space and landscaping schemes may be offered to the council or its nominee (usually a town or parish council) by a developer <del>as council owned and maintained provision</del> <u>to be managed in perpetuity by a management company on behalf of the council or town/ parish council.</u>
C8	Amend paragraph 6.3 as follows:  <u>The provision of new and improvements to existing public open space and green infrastructure will generally be funded through CIL, except where the requirement can be attributed to five or fewer developments unless directly related to the proposed development, when new provision they will may be sought through planning obligations, subject to meeting the three statutory tests in Regulation 122 of the CIL Regulations 2010 (as amended).</u>
C9	Amend paragraph 6.4 as follows:  Mitigation of ecological impacts will generally continue to be managed through planning conditions and obligations as these matters are typically site specific. However, in exceptional circumstances <del>where</del> off-site compensation, such as habitat creation or enhancement, <del>is</del> <u>may be</u> required to offset the effects of development <u>where onsite mitigation is not possible. For example</u> , a financial contribution may be required <del>through a planning obligation</del> to fund capital works and ongoing management by the council or relevant third parties. <u>This would exclude funding of strategic HRA mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and / or paragraph 6.70 of the Wiltshire Core Strategy.</u>
C10	Add an additional bullet point in paragraphs 3.2 and 10.2 as follows:  <ul style="list-style-type: none"> <li><u>Site-specific measures to protect and enhance the historic environment</u></li> </ul>
C11	Amend paragraph 11.6 as follows:  The council would expect that developers will have undertaken pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues, <u>including the relative priority of any identified planning obligations at the local level</u> , and should inform the detail of their planning application.
C12	The following text to be added to paragraph 11.6:  The council would <del>expect that encourage</del> developers <del>will have to</del> undertaken pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues and should inform the detail of their planning application.

## Next steps

- 5.2. This Consultation Statement presents a summary of the feedback from the consultation on the Wiltshire Draft Planning Obligations Supplementary Planning Document (SPD).

5.3. The next step in the preparation of the SPD will be to prepare a final document, taking into account the proposed changes and any others following internal review, which will then be presented to the council's Cabinet for recommendation to adopt by a meeting of Full Council. Once adopted, the SPD will become a material consideration in the determining of planning applications and support the implementation of CIL in Wiltshire.

#### **Timetable**

5.4. The next stages in the preparation of the Planning Obligations SPD are set out in *Table 5.2* below.

<b>Stage</b>	<b>Date</b>
<b>Cabinet</b> (recommendation to Council for adoption)	11 May 2015
<b>Council</b> (adoption)	12 May 2015
<b>Implementation</b>	18 May 2015

## **Appendix A List of respondents**

## Draft Planning Obligations Supplementary Planning Document

### Consultation Statement Appendix A – List of Respondents

#### Index

The number in the column titled 'issue(s) #' can be used to link each respondent to the issues raised in Table 4.1. Where there is N/A, either the respondent had no comments or their comments related to the draft Regulation 123 List and CIL Policies Consultation Document and were included in the separate consultation report for those documents.

Comment ID(s)	Respondent	Issue(s) #
1	<b>GPSS</b> Consultee ID: 390747  c/o Ms Emma Pattison Fisher German Agent ID: 846301	N/A
2	Mr John Moran <b>Health and Safety Executive</b> Consultee ID: 899838	N/A
3	Mr Lance Allan <b>Trowbridge Town Council</b> Consultee ID: 391073	N/A
4	Mr Charles Routh <b>Natural England</b> Consultee ID: 382216	N/A
5	<b>Thames Water</b> Consultee ID: 401427  c/o David Wilson Savills Agent ID: 785231	1
6	Ms Patricia Trevett <b>Bemerton Community Ltd</b> Consultee ID: 902570	N/A
7	Ms Kath Hatton <b>Wilts &amp; Berks Canal Trust</b> Consultee ID: 550537	2
8	Mr Philip Bamford <b>Gladman Developments</b> Consultee ID: 785866	3; 4; 5; 6; 7
9	Mrs Jane Hennell <b>Canal &amp; River Trust</b> Consultee ID: 376324	8
10	<b>Mrs Lynne Fish</b> Consultee ID: 549368	N/A

11	Mr Rohan Torkildsen <b>English Heritage</b> Consultee ID: 403792	9
12	<b>Home Builders Federation</b> Consultee ID: 710752  c/o Mr Nick Matthews Savills Agent ID: 389644	10
13	Mr Neville Nelder <b>Cotswolds Canal Trust</b> Consultee ID: 463097	2
14	Ms Kate Neal <b>Hallam Land Management and Bloor Homes</b> Consultee ID: 902742	10
15	Ms Helen Patton <b>New Forest National Park Authority</b> Consultee ID: 382305	11
16	Ms Amanda McCann <b>Westbury Town Council</b> Consultee ID: 840677	12
17	Mrs Teresa Strange <b>Melksham Without Parish Council</b> Consultee ID: 857749	6; 12; 13; 14; 15; 16; 17; 18
18	Ms Judi Scholey <b>Asda Stores Ltd</b> Consultee ID: 903164  c/o Ms Nicola Gooch Thomas Eggar LLP Agent ID: 903167	N/A
19	Mr Chris Southwood <b>Persimmon Homes South Coast</b> Consultee ID: 902868	N/A
20	Mrs Gill Smith <b>Dorset County Council</b> Consultee ID: 634998	19
21	Mr Reg Williams <b>Salisbury City Council</b> Consultee ID: 820831	20; 21
22	Dr Gill Anlezark <b>Cycling Opportunities Group for Salisbury</b> Consultee ID: 466447	N/A
23	Ms Rachel Sandy <b>Highways England</b> Consultee ID: 903251	22; 23

24	<p><b>SW HARP Planning Consortium</b>  Consultee ID: 710073</p> <p>c/o Mr Sean Lewis  Tetlow King Planning  Agent ID: 903267</p>	24
25	<p>Mr Ron Hatchett  <b>Bloor Homes Southern</b>  Consultee ID: 395552</p> <p>c/o Mr Martin Miller  Terence O'Rourke  Agent ID: 817881</p>	N/A
26	<p>Mr Gerry Keay  <b>Waddeton Park Ltd</b>  Consultee ID: 836038</p>	N/A
27	<p>Ms Emma Slyvester  <b>Bradford on Avon Town Council</b>  Consultee ID: 903313</p>	12
28	<p>Mrs Victoria Ashton  <b>Sport England</b>  Consultee ID: 903317</p>	N/A
29	<p>Mr Peter Newman  <b>Wiltshire Fire and Rescue Service</b>  Consultee ID: 817684</p>	25; 26; 27; 28
30	<p>Mr Derek Woodward  <b>Hannick Homes and Persimmon Homes</b>  Consultee ID: 707260</p> <p>c/o Mr Denis Barry  GL Hearn  Agent ID: 707258</p>	29; 30; 31; 32; 33; 34; 36
31	<p>Ms Ruth Shaw  <b>Bourne Leisure Ltd</b>  Consultee ID: 397796</p> <p>c/o Mr Arwel Evans  Nathaniel Litchfield &amp; Partners  Agent ID: 899663</p>	N/A
32	<p><b>Redrow Homes Ltd</b>  Consultee ID: 903369</p> <p>c/o Miss Jenny Mitter  Nathaniel Litchfield &amp; Partners  Agent ID: 903370</p>	35
33	<p>Mr Richard Burden  <b>Cranborne Chase and West Wiltshire Downs AONB</b>  Consultee ID: 556113</p>	37; 38

## **Appendix B Consultation materials**



**Draft Planning Obligations Supplementary Planning Document**  
**Consultation Statement Appendix C – Consultation material**

**Index**

- 1) Newspaper advert (published week commencing 16 March 2015)
- 2) Consultation letter/ email
- 3) Town and parish council newsletter (published week commencing 13 April 2015)

1) Newspaper advert (published week commencing 16 March 2015)

**Wiltshire Council Local Development Framework  
Notice of consultation on draft Planning  
Obligations Supplementary Planning Document,  
draft Community Infrastructure Levy (CIL)  
Regulation 123 List and CIL policies  
consultation document**

**Town and Country Planning (Local Planning)  
(England) Regulations 2012 (Regulations 11 to 16)  
Community Infrastructure Levy (CIL)  
Regulations 2010 (as amended)**

Wiltshire Council is consulting on a draft Planning Obligations Supplementary Planning Document (SPD), a draft Community Infrastructure Levy (CIL) Regulation 123 List and CIL policies consultation document. Together, when finalised, they will support the introduction of the Wiltshire CIL Draft Charging Schedule and set out how the council will seek infrastructure contributions from development.

The draft Planning Obligations SPD explains how the council will use section 106 planning obligations. It details how they will operate alongside other mechanisms for securing developer contributions, such as CIL, section 278 (highways) agreements and planning conditions.

The draft Regulation 123 List sets out the infrastructure types or projects that the council may fund through CIL. The council is also consulting on a draft instalments policy for CIL payments and its position on other CIL policies including provisions for exemptions.

**Availability of documents**

The draft Planning Obligations SPD, draft Regulation 123 List, CIL policies consultation document and information on how to make comments will be published on **23 March 2015**. The documents can be found on the Wiltshire Council website at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy).

Hard copies of these documents will also be made available from **23 March 2015** during normal office hours at: Council libraries; and the main Council offices in Chippenham (Monkton Park), Devizes (3-5 Snuff Street), Salisbury (27-29 Milford Street) and Trowbridge (County Hall).

**How to comment**

In accordance with the council's Statement of Community Involvement (SCI), comments are invited on these documents over a four week period **until 5pm, 22 April 2015**. Comments can be made:

- Online via the council's consultation portal: <http://consult.wiltshire.gov.uk/portal>
- By email using the form available at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy) and returned to [cil@wiltshire.gov.uk](mailto:cil@wiltshire.gov.uk)
- By post in writing to: Spatial Planning, Economic Development & Planning, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

If responding by post, comment forms are available from libraries and main Council offices.

**Next steps**

All comments received during the consultation period will then be taken into account in finalising these documents. The final versions of the documents will be considered, alongside the Wiltshire Council Community Infrastructure Levy Charging Schedule, by the council's Cabinet for recommendation to Full Council for adoption in May 2015.

Any queries should be made to Spatial Planning, Economic Development and Planning, Wiltshire Council on (01225) 713223 or [CIL@wiltshire.gov.uk](mailto:CIL@wiltshire.gov.uk)

Alistair Cunningham  
Director  
Economic Development and Planning  
Wiltshire Council

**Wiltshire Council**  
Where everybody matters

## 2) Consultation letter/ email (sent out 18 March-20 March 2015)

Dear Sir/ Madam,

### **Re: Draft Planning Obligations Supplementary Planning Document, draft Community Infrastructure (CIL) Regulation 123 List and CIL policies consultation document**

I'm writing to inform you that Wiltshire Council is consulting on a draft Planning Obligations Supplementary Planning Document (SPD), a draft Community Infrastructure Levy (CIL) Regulation 123 List and a CIL policies consultation document. Together, when finalised, they will support the introduction of the Wiltshire CIL Draft Charging Schedule and set out how the council will seek infrastructure contributions from development.

The draft Planning Obligations SPD explains how the council will use section 106 planning obligations. It details how they will operate alongside other mechanisms for securing developer contributions, such as CIL, section 278 (highways) agreements and planning conditions.

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#### **Availability of documents**

The draft Planning Obligations SPD, draft Regulation 123 List, CIL policies consultation document and information on how to make comments will be published on **23 March 2015**. The documents can be found on the Wiltshire Council website at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy).

Hard copies of these documents will also be made available from **23 March 2015** during normal office hours at: Council libraries; and the main Council offices in Chippenham (Monkton Park), Devizes (3-5 Snuff Street), Salisbury (27-29 Milford Street) and Trowbridge (County Hall).

#### **How to comment**

In accordance with the council's Statement of Community Involvement (SCI), comments are invited on these documents over a four week and two day period **until 5pm, 22 April 2015**. Comments can be made:

- Online via the council's consultation portal: <http://consult.wiltshire.gov.uk/portal>
- By email using the form available at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy) and returned to [cil@wiltshire.gov.uk](mailto:cil@wiltshire.gov.uk)
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**Next steps**

All comments received during the consultation period will then be taken into account in finalising these documents. The final versions of the documents will be considered, alongside the Wiltshire Council Community Infrastructure Levy Charging Schedule, by the council's Cabinet for recommendation to Full Council for adoption in May 2015.

Any queries should be made to Spatial Planning, Economic Development and Planning, Wiltshire Council on (01225) 713223 or [CIL@wiltshire.gov.uk](mailto:CIL@wiltshire.gov.uk).

Yours faithfully,



Alistair Cunningham

Associate Director, Economic Development & Planning

Wiltshire Council

### 3) Town and parish newsletter (published week commencing 13 April 2015)

## Wiltshire Council Local Development Framework

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Wiltshire Council is consulting on a draft Planning Obligations Supplementary Planning Document (SPD), a draft Community Infrastructure Levy (CIL) Regulation 123 List and CIL policies consultation document. Together, when finalised, they will support the introduction of the Wiltshire CIL Draft Charging Schedule and set out how the council will seek infrastructure contributions from development.

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The draft Regulation 123 List sets out the infrastructure types or projects that the council may fund through CIL. The council is also consulting on a draft instalments policy for CIL payments and its position on other CIL policies including provisions for exemptions.

The draft Planning Obligations SPD, draft Regulation 123 List, CIL policies consultation document and information on how to make comments can be found on the Wiltshire Council website at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy).

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In accordance with the council's Statement of Community Involvement (SCI), comments are invited on these documents until 5pm, 22 April 2015. Comments can be made:

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All comments received during the consultation period will then be taken into account in finalising these documents. The final versions of the documents will be considered, alongside the Wiltshire Council Community Infrastructure Levy Charging Schedule, by the council's Cabinet for recommendation to Full Council for adoption in May 2015.

Any queries should be made to Spatial Planning, Economic Development and Planning, Wiltshire Council on (01225) 713223 or [CIL@wiltshire.gov.uk](mailto:CIL@wiltshire.gov.uk)

## **Appendix C Adoption Statement**

**Planning Obligations Supplementary Planning Document (SPD)**  
**Town and Country Planning (Local Planning) (England) Regulations 2012**  
**(Regulations 11 to 16)**  
**Community Infrastructure Levy (CIL) Regulations 2010 (as amended)**

**Adoption Statement**

**Adoption**

The Planning Obligations Supplementary Planning Document (SPD) was adopted at a meeting of Wiltshire Council in accordance with the Council's Statement of Community Involvement.

**Modifications**

In accordance with sections 11 and 14 of The Town and Country Planning (Local Planning) (England) Regulations 2012 this adoption statement sets out pursuant to Section 23(1) of the Planning and Compulsory Purchase Act 2004 the modifications to the Planning Obligations SPD that have been made since the draft SPD was subject to consultation, as follows:

#	Proposed changes
<b>C1</b>	Amend paragraph 5.2 as follows:  Wiltshire's school population is predicted to increase over the period to 2026 both in the primary and secondary sectors. This is as a result of population growth, economic factors and housing development. There will be a need for a significant increase in school places and in some areas new schools in both sectors. There may also be the need to increase the provision of special school places across the wider catchment area. <u>New development in Wiltshire may also place demands on infrastructure in neighbouring authorities. For example, pupils in Mere and Tisbury attend secondary schools in Gillingham and Shaftesbury respectively.</u> The Department of Education will provide only formula funding where there is a demographic increase in actual numbers. This will not cover the full cost of assembling land and building a school.
<b>C2</b>	Amend text in Table 5.1 as follows:  Locate key facilities, such as primary schools, within walking distance of most properties, <u>where practical</u> , and provide a sufficient choice of school places.
<b>C3</b>	Amend paragraph 5.13 as follows:  It will then be assessed whether the likely number of pupils can be accommodated within the existing capacity of the relevant catchment area school, taking into account other known granted or <u>pending developments planning applications</u> in their catchment area.
<b>C4</b>	Amend paragraph 5.15 as follows:  Development proposals for around 400 to 500 houses may require a significant expansion of existing primary and secondary schools (combined or individually). Proposals for more than around 700 houses may require new nursery and primary schools, <u>as well as a significant expansion of existing secondary schools</u> , to serve children generated by the development. In both instances, this will depend upon the extent of any surplus capacity within reasonable (defined) walking distance of the development. <u>Proposals of this size may also require</u>

	<u>significant expansion of existing secondary schools, taking into account any surplus capacity within the catchment area.</u>
C5	Amend paragraph 5.16 as follows:  A new secondary school is only likely to be required to serve a major urban expansion scheme. <u>The council will consider the establishment of a new secondary school where long term demand is likely to lead to a school with 900 11-16 school places.</u> Special schools have a relatively wide catchment area and large development proposals may require the expansion of special school provision serving a wider area.
C6	Add the following row to Table 6.1, Chapter 6 Open space and green infrastructure.  <u>Core Policy 53 Wiltshire's canals</u>  <u>Supports in principle the restoration and reconstruction of the Wilts &amp; Berks and Thames and Severn canals as navigable waterways. Safeguards their alignments from new development. Permits proposals that develop the recreational and nature conservation potential.</u>
C7	Amend paragraph 6.9 of the Planning Obligations SPD to read:  Onsite provision of open space and landscaping schemes may be offered to the council or its nominee (usually a town or parish council) by a developer <del>as council-owned and maintained provision</del> <u>to be managed in perpetuity by a management company on behalf of the council or town/ parish council.</u>
C8	Amend paragraph 6.3 as follows:  <u>The provision of new and improvements to existing public open space and green infrastructure will generally be funded through CIL, except where the requirement can be attributed to five or fewer developments unless directly related to the proposed development, when new provision they will may be sought through planning obligations, subject to meeting the three statutory tests in Regulation 122 of the CIL Regulations 2010 (as amended).</u>
C9	Amend paragraph 6.4 as follows:  Mitigation of ecological impacts will generally continue to be managed through planning conditions and obligations as these matters are typically site specific. However, in exceptional circumstances <del>where</del> off-site compensation, such as habitat creation or enhancement, <del>is may</del> <u>be</u> required to offset the effects of development <u>where onsite mitigation is not possible. For example</u> , a financial contribution may be required <del>through a planning obligation</del> to fund capital works and ongoing management by the council or relevant third parties. <u>This would exclude funding of strategic HRA mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and / or paragraph 6.70 of the Wiltshire Core Strategy.</u>
C10	Add an additional bullet point in paragraphs 3.2 and 10.2 as follows:  <ul style="list-style-type: none"> <li>• <u>Site-specific measures to protect and enhance the historic environment</u></li> </ul>
C11	Amend paragraph 11.6 as follows:  The council would expect that developers will have undertaken pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues, <u>including the relative priority of any identified planning obligations at the local level</u> , and should inform the detail of their planning application.



<b>C12</b>	<p>The following text to be added to paragraph 11.6:</p> <p>The council would <del>expect that</del> <b>encourage</b> developers <del>will have to</del> undertaken pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues and should inform the detail of their planning application.</p>
<b>IR1</b>	<p>Amend the title page as follows:</p> <p><del>Draft</del> Planning Obligations Supplementary Planning Document</p> <p><del>March</del> <u>May</u> 2015</p>
<b>IR2</b>	Remove the page containing information about the consultation
<b>IR3</b>	<p>Amend paragraph 2.6 to reflect that the Highways Agency is now called Highways England:</p> <p>Regulation 123 of the CIL Regulations 2010 (as amended) prevents section 278 agreements being used to fund items on the Regulation 123 List. The exception is where the section 278 agreement relates to roads that are the responsibility of <del>the</del> Highways <b>Agency England</b>. There are no pooling restrictions on section 278 agreements. Pooling is discussed in more detail in paragraph 2.13.</p>
<b>IR4</b>	<p>Amend the final sentence of paragraph 6.9 to clarify the function of the source for open space/ green infrastructure calculations:</p> <p>These are calculated using rates from the current Spons external works and <b>landscape</b> price book.</p>
<b>IR5</b>	<p>Add a paragraph following paragraph 6.9 to explain how offsite contributions for open space/ green infrastructure are calculated:</p> <p><u>Off-site provision of open space will be sought through planning obligations where it is not possible for the provision to be made on-site and the off-site open space is directly related to the proposed development. The off-site contribution will be calculated in line with the adopted Wiltshire Open Space standards and based on rates from the current Spons external works and landscape price book.</u></p>
<b>IR6</b>	Correct Appendix 1 to show that site-specific community and cultural facilities infrastructure will be delivered through s106 and not CIL

## Legal challenge

Any person with sufficient interest in the decision to adopt the Planning Obligations SPD may apply to the High Court for permission to apply for judicial review of that decision. Any such application must be made promptly and in any event not later than 3 months after the date on which the Planning Obligations SPD was adopted.