Planning Services

Planning Contributions
Supplementary Planning Document

Guildford Development Framework
March 2011

Factual update July 2017

The strategy document updates and replaces the Thames Basin Heaths Special Protection Area Avoidance Strategy 2009-2016.

The strategy contains new Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) tariffs for the 2016/17 year as follows:

<table>
<thead>
<tr>
<th>Potential bedrooms*</th>
<th>SANG tariff (2016/17)**</th>
<th>SAMM tariff</th>
<th>Total tariff</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>£3,471.29</td>
<td>£411.01</td>
<td>£3,882.30</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>£4,874.58</td>
<td>£577.16</td>
<td>£5,451.74</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>£6,228.63</td>
<td>£737.48</td>
<td>£6,966.11</td>
</tr>
<tr>
<td>4 bedrooms</td>
<td>£7,361.11</td>
<td>£871.56</td>
<td>£8,232.67</td>
</tr>
<tr>
<td>5 or more bedrooms</td>
<td>£8,444.35</td>
<td>£999.82</td>
<td>£9,444.17</td>
</tr>
</tbody>
</table>

These tariffs replace the tariffs in the Guildford Planning Contributions Supplementary Planning Document (SPD) 2011 and the 2016/17 annual update to this SPD.

In line with the strategy, the SANG tariffs will be increased annually by the Retail Price Index measure of inflation, but the SAMM tariffs will not be increased annually.
Summary

This Supplementary Planning Document (SPD) has been prepared to support and amplify the saved policies set out in the Guildford Borough Local Plan (2003). It was formally adopted as part of the Local Development Framework by the Executive on 3 March 2011. The SPD in particular, expands upon Local Plan Policy G6 concerning Planning Benefits. Policy G6 is being reviewed through the Local Development Framework (LDF), as part of the Core Strategy Development Plan Document (DPD).

The SPD seeks to identify the main areas where infrastructure provision will be sought as part of a proposed new development. Infrastructure includes social, physical infrastructure, community, and green infrastructure, and can be delivered through the use of both planning conditions and planning obligations.

This document supersedes the Council’s Infrastructure Supplementary Planning Document (September 2006) and Open Space Supplementary Planning Guidance (2002) to take account of changes to national and regional planning policy and to include the Council’s priorities such as the delivery of affordable housing.

This Supplementary Planning Document has been prepared in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended 2008 and 2009). The draft SPD was subject to Habitat Regulation Assessment, Equalities Impact Assessment and Strategic Environmental Assessment screening.

<table>
<thead>
<tr>
<th>Contact us:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning Policy</strong></td>
<td></td>
</tr>
<tr>
<td>Guildford Borough Council</td>
<td></td>
</tr>
<tr>
<td>Millmead House</td>
<td></td>
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<td>Millmead</td>
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</tbody>
</table>
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INTRODUCTION

1.1 The saved policies of the adopted Guildford Borough Local Plan aim to achieve well-planned, sustainable development that is supported by the necessary social and environmental infrastructure. This Supplementary Planning Document (SPD) expands upon Local Plan Policy G6, concerning Planning Benefits and reflects current national guidance.

1.2 The purpose of this SPD is to:

- explain how the Council will seek to ensure speed, transparency and consistency in the implementation of Local Plan policies through negotiated planning obligations;
- indicate the infrastructure that is likely to be required to make development acceptable where it would otherwise be unacceptable in planning terms;
- provide guidance on the thresholds and contributions that may be required from developments; and
- clearly identify the contributions that may be required by Guildford Borough Council and Surrey County Council.

1.3 The saved Local Plan policies remain in effect through the Local Development Scheme until they are replaced by policies in the Local Development Framework, or replaced by national planning policy.

1.4 This SPD provides developers with an indication of their likely infrastructure costs from the outset. However, the SPD does not cover every possible circumstance that may need to be taken into account in a planning obligation. Instead, it focuses on the use of planning obligations to address the likely impact of proposed development in most cases. It gives guidance on the thresholds and contributions required for the most common infrastructure needs and provisions. Other measures may be negotiated in particular circumstances.

1.5 This Supplementary Planning Document has been prepared in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended 2008 and 2009). In accordance with the Council’s Statement of Community Involvement (February 2007) a formal six week public consultation was held between Monday 25 October and 5pm Friday 3 December 2010. The draft SPD was available to view and comment on the Council’s website. Letters (636) and emails (1,096) were sent to those interested parties whose contact details we hold. Copies of the draft SPD were available to view in the Council’s main Reception and Planning Reception at Millmead, and also in the Borough’s libraries.

1.6 Twenty one representations were received. These were considered and, where relevant, the draft SPD amended accordingly.

Strategic Environmental Assessment

1.7 In accordance with the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (SEA Directive), as transposed into law by The Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations), local authorities are obliged to undertake a Strategic Environmental Assessment (SEA) on any plan or programme prepared for town and country planning or

2 Local Plan policies H1, H10, S1, GT4, RE7, HE11 and U1 are no longer in effect. The remainder of the Local Plan policies are saved and remain in place.
land use which sets the framework for future development consent of certain projects (which includes development sites over 0.5ha).

1.8 Under Article 3(3) and 3(4) of the SEA Directive, SEA is required for plans and programmes which “determine the use of small areas at a local level” or which only propose “minor modifications to plans” to plans and programmes, and which would otherwise require SEA, only where they are determined to be likely to have significant environmental effects. In screening to consider the likely extent of the SPD effect on the environment, the screening opinion concluded that a full Strategic Environmental Assessment was not required.

Habitat Regulation Assessment

1.9 The Council is required to consider the impact of the SPD on protected Natura 2000 sites. Within Guildford Borough, this includes Special Protection Areas (SPA) and Special Areas of Conservation (SAC). Screening was carried out in accordance with legislation and guidance, and concluded that the SPD is not directly connected with or necessary to the management of the site, and is not likely to have a significant effect on a European Site (in combination with other plans or projects).

Equalities Impact Assessment

1.10 All public authorities are required by the Equalities Act 2010 to specifically consider the likely impact of their policy, procedure or practice on certain groups in the society. These groups (sometimes referred to as equality stands) are defined by the 2010 Act as age, disability, gender (sex), race, sexual orientation, religion or belief, gender reassignment, marriage and civil partnership, pregnancy and maternity. It is the Council’s responsibility to ensure that our policies, procedures and service delivery do not discriminate, including indirectly, on any sector of society. In order to anticipate likely differential impact on these groups, screening of the potential differential impact was carried out. The screening opinion concluded that a full Equalities Impact Assessment was not required.
Section 1 – Legislation and Policy

National policy framework

1.1 A planning obligation is a legal agreement made under Section 106 of the *Town and Country Planning Act 1990*\(^3\) (substituted by Section 12[1] of the Planning and Compensation Act 1991 and amended by Community Infrastructure Levy Regulations 2010, reg. 122 and 123), associated with planning permissions for development. It normally applies to an aspect of a development that cannot be controlled by imposing a planning condition or by other statutory controls. It can serve various purposes:

- **prescribe** the nature of a development, such as affordable housing.
- **compensate** for loss or damage created by a development, such as loss of trees.
- **mitigate** a development's impact, such as the provision of new open space or improvements to existing open space, by
  - requiring land to be used in a specific way; and
  - requiring a sum(s), including maintenance sums to be paid to the local planning authority on a specified date or dates.

1.2 Planning Policy Statement 1\(^4\) delivering sustainable communities, sets out the Government’s overarching policy on the delivery of sustainable development through the planning system.

The Community Infrastructure Levy

1.3 The **Planning Act 2008**\(^5\) contains provisions (Part 11) enabling regulations to be made to establish a Community Infrastructure Levy (CIL) in England and Wales. The Community Infrastructure Levy (CIL) scales back the existing system of Section 106 (S106) planning obligations, to limit their use to site mitigation and provision of affordable housing, and to introduce a tariff-based system whereby developers will contribute to the cost of necessary infrastructure.

1.4 The Levy will be based on simple formulae that relates the size of the charge to the size and character of the development paying it. The proceeds of CIL will be spent on local and sub-regional infrastructure to support the development of the area.

1.5 The **Community Infrastructure Levy Regulations** (6 April 2010) set out the legislative framework for establishing a Community Infrastructure Levy (infrastructure tariff) in the Borough. **Part 11** of the Regulations sets out the three legal tests that the Council must satisfy when requiring a developer contribution from a planning application or part of a development, that is capable of being charged CIL\(^6\) whether there is a CIL in operation locally or not:

A planning obligation may legally only constitute a reason for granting planning permission for the development if the obligation is;

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

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\(^6\) most new or extended buildings over 100 sqm, excluding buildings into which people do not normally go, or go only intermittently, and excluding social housing
Circular 05/2005

1.6 Circular 05/2005\(^7\) set out the framework for councils seeking planning obligations, including five policy tests (paragraph B5):

<table>
<thead>
<tr>
<th>A planning obligation must be:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) relevant to planning;</td>
</tr>
<tr>
<td>(ii) necessary to make the proposed development acceptable in planning terms;</td>
</tr>
<tr>
<td>(iii) directly related to the proposed development;</td>
</tr>
<tr>
<td>(iv) fairly and reasonably related in scale and kind to the proposed development; and</td>
</tr>
<tr>
<td>(v) reasonable in all other respects</td>
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</tbody>
</table>

1.7 Planning obligations include both unilateral undertakings (offered by a developer/landowner) and planning agreements negotiated between the Council and developers/landowners, often where both parties make an undertaking. They may only be accepted where they would make development acceptable that would otherwise be unacceptable in planning terms.

1.8 Planning obligations can be used to prescribe the nature of the development (e.g. by requiring that a given proportion of housing is affordable); to secure a contribution from a developer to compensate for loss or impacts created by a development (e.g. loss of street trees); or to mitigate a development's impact (e.g. through increased provision for transport). Obligations can also be secured through unilateral undertakings offered by developers. Contributions may either be in kind or financial and are enforceable by the Council.

1.9 Developers may reasonably be expected to pay for, or contribute to, the cost of all or part of additional infrastructure necessitated only by their development. Planning obligations may not be used solely to resolve existing deficiencies in infrastructure provision. Where a development is unacceptable, it is not legitimate to permit it just because a developer offers benefits or inducements that do not make the development any more acceptable in planning terms.

1.10 Prior to the introduction of a Community Infrastructure Levy in the Borough, the Council will continue to utilise standard charges and formulae as a means of providing predictability and transparency as part of our framework for negotiating and securing planning obligations. We recognise that planning obligations should not be applied in blanket form regardless of actual impacts. The Council will therefore only seek contributions where a development creates additional need or exacerbates an existing deficiency, where it complies with the three legal tests. The Council will not seek contributions solely to resolve an existing deficit.

Note: Circular 05/2005 is to be replaced with new government policy for planning obligations that will comply with the CIL Regulations.

Local Policy - Guildford Borough Local Plan (2003)

1.11 Saved Policy G6 Planning Benefits sets out the Council's policy for achieving the provision of/or contribution towards infrastructure on or off development sites:

‘Where necessary to the grant of planning permission and in order to meet a need arising from a proposed development the Borough Council will seek from developers the provision of suitable planning benefits.'

1.12 This policy is applied alongside the three legal tests in considering infrastructure contributions sought or offered. Examples of planning benefits are provided in the text supporting Local Plan Policy G6. These include contributions towards new highway infrastructure, open space or recreational facilities, public transport, ensuring mixed-use development and affordable housing. The purpose of this SPD guidance is to support and amplify Policy G6 which will assist in delivering a range of Local Plan Policies (See Annex 1).

Sustainable Community Strategy

1.13 The Guildford Borough Sustainable Community Strategy (SCS) (2009 – 2026) was adopted in October 2009. This sets out the community’s aspirations and establishes how partners intend to enhance the long-term economic, social and environmental wellbeing of the Borough. The strategy includes 16 key objectives which will be delivered through the SCS Delivery Plan (April 2010) and the Local Development Framework (LDF), and which planning contributions may assist in delivering, specifically those detailed below:

<table>
<thead>
<tr>
<th>Objective 1</th>
<th>Low levels of crime will have been maintained and fear of crime will be lower;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective 3</td>
<td>More people will be able to access employment, services and facilities by public transport, walking or cycling;</td>
</tr>
<tr>
<td>Objective 6</td>
<td>the Guildford Development Framework will have:</td>
</tr>
<tr>
<td>1.</td>
<td>protected the countryside from inappropriate development, whilst delivering the affordable housing required in rural communities;</td>
</tr>
<tr>
<td>2.</td>
<td>preserved the quality of life in urban areas by avoiding over-intensive development and protecting the historic environment;</td>
</tr>
<tr>
<td>3.</td>
<td>provided additional green and open spaces and conserved the biodiversity of the Borough.</td>
</tr>
<tr>
<td>Objective 7</td>
<td>working age adults will be better qualified;</td>
</tr>
<tr>
<td>Objective 14</td>
<td>more affordable housing will be available;</td>
</tr>
<tr>
<td>Objective 16</td>
<td>more people will travel by public transport, cycling and walking.</td>
</tr>
</tbody>
</table>

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Additional Considerations

1.14 **Community Action Plan**: a document prepared by a community group or Parish Council, which reflects their priorities and establishes a detailed list of actions through which they may be achieved. These plans are prepared independently of the Council and it is up to community groups to decide the issues to be addressed in their plan, through consultation with local people. Whilst Community Action Plans are non-statutory documents, they provide an important source of information on the key issues in local areas, as perceived by local residents and businesses. Development Control officers may refer to the appropriate Community Action Plan when negotiating developer contributions.

1.15 **Community ideas database**: a database maintained by the Council that contains local needs or wishes that have been identified by Councillors, Parish Councils, residents’ associations and other interested groups. The Community ideas database may inform Section 106 negotiations. Further information is contained in Annex 2.
Section 2 - Guidance

The need for infrastructure contributions

2.1 The retention of existing essential infrastructure and the provision of additional infrastructure to support new development is a key objective of the development process. This is reflected in the Guildford Borough Local Plan and the emerging Local Development Framework (LDF). Government policy statements recognise that where existing infrastructure is inadequate to address the impact of new development, it is reasonable to expect developers to contribute towards the financing of new or improved infrastructure directly related to those needs.

2.2 Where possible, thresholds have been identified, although contributions towards each of the infrastructure areas will only be sought where a genuine need, arising from the proposed development, is generated.

2.3 New development does not always create the need for significant investments in infrastructure, particularly the smaller developments typical within the Borough. Both planning obligations and conditions are intended to make acceptable development that would otherwise be unacceptable in planning terms. Where needs do arise, the necessary infrastructure can often be secured on site by means of planning conditions. Other new development creates the need for infrastructure that needs to be secured by planning obligation because it is not on the application site, or needs to be secured by payment of financial contribution(s).

2.4 Landowners and developers in the latter situation may agree to provide the required infrastructure or to make fair and proportionate contributions towards the costs that will be incurred by the infrastructure providers. In this way, the provision of new or additional infrastructure that is necessary to serve new development can be secured so that planning permission may be granted for new development proposals in accordance with the Development Plan.

Planning conditions

2.5 Whilst this document predominantly focuses on the use of planning obligations to secure infrastructure needed to make developments acceptable in planning terms, necessary infrastructure may also be secured by granting planning permissions subject to conditions.9

A planning or other application may be granted subject to conditions only where they satisfy all the following six tests10
i. necessary;
ii. relevant to planning;
iii. relevant to the development to be permitted;
iv. enforceable;
v. precise; and
vi. reasonable in all other respects.

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9 Imposed under Sections 70, 72, 73 and 73a of the 1990 Act, as interpreted in the light of court decisions.
10 Circular 11/95: Use of conditions in planning permission
2.6 Conditions normally run with the land, although, unlike planning obligations, they are not registered as land charges, and so are not always as apparent to successors in title (future owners of the land).

2.7 Each condition will have a stated reason for imposition on the decision notice, and they will generally be listed in the order in which they need to be complied with or discharged.

2.8 Where the necessary infrastructure is to be provided on the development site or on other land controlled by the developer/landowner, a condition may be most suitable. Such a condition will normally prohibit occupation of development until this infrastructure has been provided (referred to as a Grampian condition). Where infrastructure needs to be secured on land which is not controlled by the developer/landowner, land ownership is to be transferred, or where financial payments are required toward infrastructure provision, a planning obligation will be required.

2.9 A condition may not require that land is formally given over to ownership or control of other parties, such as the County Council as highway authority, or the Borough Council. Such requirements must be secured by a planning obligation.

2.10 Where it would be possible to secure required infrastructure by either a condition or a planning obligation, the Government advises that the Council/planning inspector should impose a condition.

2.11 A condition may not be used to require the landowner/developer to enter into a planning obligation or other legal agreement (such as S278 highways agreement), and should not duplicate matters regulated under other legislation.

Use of planning obligations

2.12 It is not always possible to secure necessary infrastructure through planning conditions, particularly where the infrastructure or improvement is to be provided off site, or is to be made by a monetary or other payment. In such cases the Borough Council may be able to grant planning permission for the proposed development provided that an appropriate planning obligation is given.

2.13 A Section 106 legal agreement is a binding legal deed, registered as a land charge, and is therefore enforceable against subsequent owners by the Local Planning Authority.

Contributions and thresholds

2.14 It is important that developers are made aware at an early stage in the development process what infrastructure facilities may be sought and how they are to be provided. Sections 3 and 4 of this document establish the thresholds and contributions that would normally apply to developments where the impact of development is reasonably predictable. It is important to note that this document does not provide a definitive list of potential planning obligations. This SPD does not stand alone and reference should be made to the other documents referred to in the text, in particular to the adopted Guildford Borough Local Plan (January 2003) and to other Supplementary Planning and Guidance Documents.

2.15 In seeking contributions towards mitigating the impact of development on infrastructure, the Council will apply thresholds based on the net number of dwellings or increase in floorspace to mitigate the additional impact on infrastructure in the Borough. However, thresholds for sustainable design and construction requirements and affordable housing contributions are based on the gross number of dwellings on the development site.

11 ODPM circular 05/2005 “Planning Obligations”
2.16 For outline schemes, where the number of units or floorspace is not specified, the contributions will be based on the number of dwellings in the indicative layout. Although the provisions of the 106 agreement may deal with increases in contributions following uplift in units. In some cases, the impacts and how contributions may mitigate them are less predictable and can only be established through site-specific investigation and negotiation.

2.17 The Council encourages mixed-use developments in appropriate locations and would apply the appropriate contributions in proportion to the number of dwellings and amount of non-residential floorspace proposed. The Council will inform developers at the earliest opportunity of the need for joint supporting infrastructure and the likelihood of a contribution being required, demonstrating both the direct relationship between the development and the infrastructure, and the fair and reasonable scale of the contribution being sought.

**Pooled contributions**

2.18 The Council (and the County Council) may seek pooled contributions where the combined impact of a number of developments will create need for improved/additional infrastructure. The cost of infrastructure will then be split in proportion to the needs arising from the proposed developments, to ensure that any spare capacity in existing infrastructure provision should not be credited to earlier developers and that the infrastructure is provided in a fair, equitable and timely way. The infrastructure would be progressed after funding to start an appropriate scheme had been secured.

**Planning obligations process**

2.19 The Council encourages applicants and their agents to discuss proposals with the planning officers before the submission of a formal planning application. Planning Services offer detailed **pre application advice** for a set charge (dependant upon the type and scale of development). However, this does not guarantee that a planning application will be approved. Discussion before applying for planning permission may highlight the likely impact of the development, and suggest ways to mitigate it. Alternatively, infrastructure requirements will be identified when applications are submitted (see Figure 1 on page 41).

**Viability**

2.20 Developments will be expected to satisfy the relevant infrastructure requirements identified in this SPD, specifically affordable housing provision which, as one of the Council’s key delivery targets, is a priority after development mitigation measures. Applicants who consider their proposal to be unviable with all the required infrastructure contributions must be able to support their case with financial evidence (a development appraisal), that must be submitted with the planning application. The development appraisal will be open to public scrutiny and will be audited by external experts. This evidence will be assessed on whether the figures prove that the scheme would be unviable if it were to meet all planning obligation requirements. The Council will expect the developer to fund the costs incurred through the employment of its external experts.

Applicants may wish to use a residual land value methodology such as the **Homes and Communities Agency Economic Appraisal Tool (v2)**

2.21 The Council expects developers to have considered the financial implications of the planning obligation policies in this SPD when buying land for development or taking an option to buy the land. The Council is aware that developers will try to maximise the land value for the landowners. However, the planning system is clear that legitimate planning obligations should be taken off the residual land value. An exceptional case that the Council may take into consideration would be the costs of restoring a contaminated site.
If a development appraisal demonstrates that it is not viable for a development to meet all the requirements of this SPD but the development is needed to meet the aims of the Development Plan, the Council and other public sector agencies may negotiate planning obligations on a site by site basis and/or provide greater flexibility on when payment would be required (e.g. the Council may agree for the developer to pay the agreed sums in instalments or upon completion of the development). This is to encourage the delivery of housing that is a priority for the Borough.

Priorities

The Council has decided on an approach that identifies the impacts of the development and sets these against its priorities for planning obligations, based on its knowledge of the locality and community. Whilst the Council does not seek to apply a blanket approach, it is necessary to have a consistent and transparent approach so that applicants can be aware early on in the development process what the Council’s expectations might be. At all times the Council will ensure that the benefit sought is reasonable in scale and kind to the specific development proposal.

In terms of priorities, the Council must first seek to mitigate the direct impacts of the development (e.g. highways restoration adjacent to development), secondly comply with the policy requirements set out in the Local Plan (e.g. affordable housing). Thirdly, the Council will seek contributions that are relevant on a site-specific basis (e.g. public realm improvements and CCTV).

Unilateral undertaking

A unilateral undertaking is a planning obligation executed by the owner/applicant only. This compares to bilateral agreements where both parties agree to certain actions, and that the Council also sign. A unilateral planning obligation may be offered on a take it or leave it basis, usually in connection with a planning appeal.

Planning obligations are legal documents that must be drafted to meet the specific requirements arising from each individual planning application. It is recommended that applicant’s solicitors contact the Council’s legal and planning case officers to discuss the requirements relevant to their application.

Maintenance contributions

Where a development results in a need for new infrastructure or where a new facility and the ownership is passed to the Council (e.g. open space, children’s play areas, public art, footpaths), the Council will generally require a maintenance contribution as a one off payment (commuted sum) to cover the physical upkeep of the facility. This will usually be equivalent to 10 years’ maintenance cost. The maintenance contribution will be calculated by the relevant service manager in the Council based on the type and size of infrastructure provided.

Monitoring

It is important that the negotiation of obligations and expenditure of any contributions received from developers are carefully monitored in a transparent and accountable way. Appropriate officers, including the Council’s Section 106 Officer, will:

- Monitor compliance with each provision contained in the legal agreement and other planning conditions;
- Ensure compliance with obligations
2.28 A monitoring charge will be payable to Guildford Borough Council. Where payments of several Section 106 obligations are scheduled to commence at different times more than one monitoring fee will be payable. For example, SPA contributions are required prior to commencement of development whereas open space and environmental improvements contributions may be required 6 months after the development has commenced. Therefore, in this instance two monitoring fee would be payable to the Council.

2.29 In addition, where the Council’s Legal and Democratic officers are instructed to prepare and or advise on the suitability of a submitted obligation the Council’s legal costs will also be payable.

**Note:** Developers’ financial contributions will be adjusted for inflation in accordance with the latest published retail prices index published annually in April by the Office for National Statistics.

In instances where payments are more than 7 days late interest may be charged at 4 percent above base rate.
FIGURE 1 – Negotiating Planning Obligations protocol

First contact from developer

Application allocated to officer and registered

Notify Councillors, Parish Councils and other interested consultees of application

Simultaneous negotiations on Application and Obligation (s106) during the processing of a Planning Application. If pre-application advice given then Section 106 negotiations undertaken then.

Case Officer
Checks: Checklist, SPD and community ideas database, informs applicant of requirements and seeks advice from relevant service units

Case Officer informs applicant of likely need for obligation

Case officer informs local councillors using data from the groundwork/framework box of draft requirements for inclusion in S106

Case officer negotiates with applicant following advice from service units

Case officer seeks approval of planning application with details of the obligation outlined in the delegated or committee report

Groundwork and Framework set by Councillors
- Local Plan Policy
- Identification of Priorities
- Supplementary Planning Documents

Consideration of Planning Application by officers and / or committee.

Feedback

Legal Services
Complete legal agreement and register with local land charges

Case officer / S106 officer
Complete all records for public inspection: Planning and S106 Registers

Case Officer / S106 Officer
Monitor implementation of application and legal agreement

S106 Officer
Advise relevant service when S106 monies have been received so that S106 can be implemented
Section 3 - Types of Infrastructure

Affordable Housing

3.1 This section sets out additional guidance on the delivery of affordable housing to assist developers, amplifying Policy H11 of the Local Plan (2003).

3.2 The need for more affordable housing is a key issue for the Council. Reflecting this priority is the Key Delivery Target for delivery of 400 new affordable homes between 2008 and 2012, equating to 100 per annum. It is also one of the main issues highlighted by the West Surrey Strategic Housing Market Assessment 2009 (SHMA), incorporating the Guildford Housing Needs Study 2009.

3.3 Annex B of Planning Policy Statement 3 Housing and the Government Affordable Housing Policy Statement Delivering Affordable Housing defines Affordable Housing as:

‘Housing provided to specified eligible households whose needs are not met by the market. Affordable housing includes social rented, affordable rented and intermediate housing. It should meet the needs of eligible households (including availability at low cost for them to afford having regard to local incomes and local house prices), and should include provision for the home to be retained for future eligible households or (if these restrictions are lifted) for any subsidy to be recycled for alternative affordable housing provision’.

3.4 As well as homes delivered by Registered Providers, affordable housing may include homes provided by private sector bodies or provided without grant funding, if they meet the identified priority needs, fulfil the affordability criteria and can be held in perpetuity (or if not, where the subsidy can be recycled). As statute allows for affordable housing assisted by a public subsidy from the Homes and Community Agency (HCA) to be sold on the open market (through Right to Buy or Acquire, through staircasing of shared-ownership properties), the Council’s S106 planning obligations will include a suitably-worded clause for all public subsidy to be recycled locally to assist in providing alternative affordable housing.

3.5 Policy H11 of the Guildford Local Plan sets the thresholds for which affordable housing will be required from developers of:

- 15 or more dwellings, or sites of 0.5ha or more irrespective the of the number of dwellings, or
- 10 or more dwellings, or residential sites of 0.4ha or more irrespective of the number of dwellings in small designated rural settlements.

3.6 Since the adoption of the Local Plan, studies have shown that the need for affordable homes in the Borough has increased at a faster rate than overall housing demand. This is principally due to house prices in the area increasing at a faster rate than local wages, and due to the increasing annual backlog of need for affordable homes.

3.7 The West Surrey Strategic Housing Market Assessment 2009 (SHMA), incorporating the Guildford Housing Needs and Market Assessment 2009, identifies a total net annual

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14 “Delivering Affordable Housing” Communities and Local Government, November 2006
15 independent housing organisations registered with the Homes & Communities Agency under the Housing Act 1996
affordable housing need of 1,194 per annum. Need has therefore been demonstrated to be acute. Together with evidence of economic viability and potential risk to delivery, this justifies a reduced threshold and increased proportion in the Core Strategy.

3.8 The SHMA concludes that about 60 percent of households in housing need can only afford social rented housing. Of the remaining 40 percent, most households can afford intermediate rented accommodation or shared ownership with low percentages of equity purchase and residual rent on the outstanding equity. Intermediate shared ownership housing is often the most suitable housing choice for key workers in housing need in the Borough. The SHMA identifies the significant gap between affordable housing supply and needs in the Borough and identifies the types of affordable housing that are required:

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social rented</td>
<td>59%</td>
</tr>
<tr>
<td>Intermediate Rent</td>
<td>34%</td>
</tr>
<tr>
<td>Discount for sale</td>
<td>7%</td>
</tr>
</tbody>
</table>

3.9 This equates to approximately 60 percent social rented and 40 percent intermediate. The Council may accept an alternative mix between social rented and intermediate housing as considered suitable at the time for the site and the location, and taking into account suitable available products.

3.10 The Councils annual monitoring data (2004-2009) highlights our reliance on small and medium sites to deliver new residential units, with only half of all new homes being provided on sites of 15 more units. Just over half of all new market homes are therefore currently required to provide an affordable housing contribution. This is based on the Local Plan threshold for most of the Borough of 15 or more homes (gross) and the few schemes every year of 10 or more homes (gross) in small villages.

Rural Exception Sites

3.11 The findings of the SHMA (2008) indicate that the Council will not be able to deliver sufficient homes to meet identified needs, using provision achieved through Policy H11 of the Local Plan. The Council will explore opportunities to deliver affordable housing from other potential sources. Additionally, rural housing needs surveys are undertaken from time to time in rural parishes, often by Parish Councils, and provide further detailed evidence of local affordable housing needs.

3.12 Policy H12 of the Guildford Borough Local Plan (2003) allows for the development of affordable housing schemes inside or outside of existing settlements as an exception to other Local Plan policies, subject to stringent criteria. These include that the scheme would meet local housing needs and that the affordable housing is secured in perpetuity.

**Note:** Whilst rural settlements in most villages are exempt from the right to buy or acquire, rural exception schemes in the settlements of Send and East Horsley are not exempt, but may also be possible if a scheme can be delivered which does not require HCA grant.

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16 Defined in Statutory Instrument No.625 (1997), which prevents a tenant of a house situated in that area from exercising his right to enfranchise (acquire the freehold)
Economic viability

3.13 The Council commissioned Adams Integra to complete an Affordable Housing Viability Study (April 2008)\(^{18}\) and Property Prices Update Report (Feb 2009)\(^{19}\). The study used a residual valuation approach to assess the impact on development viability of a variety of affordable housing site size thresholds and proportions on a selection of size and types (flats and houses) of residential and mixed-use new build schemes at a variety of theoretical value points across the Borough.

3.14 Rather than divide the Borough into settlement or other geographical areas relating to values, the study uses the results of property value research to inform a range of “Value Points” which represent the breadth of the typical local new build market. The Value Points group areas of similar values together. This allows the results of this study to be used independently of location and, more usefully, by approximate development value. The results of the new build property value research led to the formation of 5 value Points within which most areas of Guildford Borough fall:

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Value Point 1</th>
<th>Value Point 2</th>
<th>Value Point 3</th>
<th>Value Point 4</th>
<th>Value Point 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-Bed Flat</td>
<td>£153,000</td>
<td>£191,250</td>
<td>£229,500</td>
<td>£267,750</td>
<td>£306,000</td>
</tr>
<tr>
<td>2-Bed Flat</td>
<td>£198,000</td>
<td>£247,500</td>
<td>£297,000</td>
<td>£346,500</td>
<td>£396,000</td>
</tr>
<tr>
<td>2-Bed House</td>
<td>£228,000</td>
<td>£285,000</td>
<td>£342,000</td>
<td>£399,000</td>
<td>£456,000</td>
</tr>
<tr>
<td>3-Bed House</td>
<td>£258,000</td>
<td>£322,500</td>
<td>£387,000</td>
<td>£451,500</td>
<td>£516,000</td>
</tr>
<tr>
<td>4-Bed House</td>
<td>£303,000</td>
<td>£378,750</td>
<td>£454,500</td>
<td>£530,250</td>
<td>£606,000</td>
</tr>
</tbody>
</table>

3.15 The study found generally very high property values and this very positive development viability consistently throughout the majority of the Borough and a range of sites. These high land and property values are generally (with the exception of the lowest Value Point, VP1) able to support an increased requirement of 40 percent affordable housing. The study is based on various assumptions, including modest grant level. It found that removing the assumed level of grant does not materially affect the recommendations or conclusions of the study.

3.16 Some local variation in values were found, with the highest value levels found broadly in a triangle from certain parts of Guildford Town Centre, eastwards out to Merrow, and within the eastern rural areas. Values are generally lower to the south of Guildford town, north towards Woking, and west towards the boundary with North Hampshire. Exceptions to this are the villages in the western and southern areas of the Borough where values are greater. Only in the far west of the Borough are values notably lower than the majority of the Borough, although they are still typically strong South East values. A flexible approach will be required in considering schemes at the lowest Value Points in the Borough, or those having abnormal site costs, such as sites being developed on contaminated land.

\(^{19}\) http://www.guildford.gov.uk/index.aspx?articleid=3959
3.17 The study notes that there will always be developments where abnormal site costs, particular planning obligations or existing/alternative use value issues (or a combination of these), mean that affordable housing provision requirements cannot be met on a particular site. Where developers advise that their scheme is unviable with provision of the required proportion of affordable housing, an open book approach to development appraisal of scheme viability will be considered (refer to viability section on page 11). This development appraisal would include all other planning obligation requirements, and the optimum balance between these would be considered.

3.18 The 2009 update report confirmed that typical new build values across the majority of the borough were still within the range of Value Points 2 to 3, although typically lower down that range than the findings of the 2008 study.

Note: Developers will be expected to pay the Council’s costs to employ an independent consultant to consider the applicant’s development appraisal.

Qualifying developments
3.19 Obligations to assist in meeting the Borough’s affordable housing target will generally be expected from residential developments within the C3 Use Class over the given site size threshold. Each development will be considered on a case-by-case basis, and may be subject to negotiation depending upon the specifics of the site and development. The table below provides an overview of the types of development that will be required to provide affordable housing whilst Annex 3 provides further detail and guidance.

<table>
<thead>
<tr>
<th>Affordable housing required</th>
<th>Exempt from affordable housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed use (residential/commercial)</td>
<td>Permanent pitches for Gypsies and Travellers and plots for Travelling Showpeople</td>
</tr>
<tr>
<td>Elderly people’s specialist sheltered/wardened accommodation</td>
<td>Purpose-built student campus halls</td>
</tr>
<tr>
<td>Extra care housing (in most cases)</td>
<td></td>
</tr>
<tr>
<td>Mobile home parks</td>
<td></td>
</tr>
</tbody>
</table>

Thresholds and Contributions

Affordable Housing Responsible Authority: Guildford Borough Council

<table>
<thead>
<tr>
<th>Geography</th>
<th>Threshold</th>
<th>Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Developments (including mixed use)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urban areas</td>
<td>15 or more (gross) units or site area of 0.5ha (gross) or more</td>
<td>35% on site*</td>
</tr>
<tr>
<td>Rural settlements with a population of 3000 or fewer (excluding Send and East Horsley)</td>
<td>10 or more (gross) units or 0.4ha (gross) site area or more</td>
<td>35% on site*.</td>
</tr>
<tr>
<td>*negotiable for sites with lower land values</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Developments that seek to avoid the above affordable housing requirements by failing to make efficient use of land, or by artificially subdividing land into smaller sites will not be permitted.

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20 Town and Country Planning (Use Classes) Order 1997 (as amended)
Sustainable design and construction

3.20 Sustainable development is central to land use planning. The overall aim of the Guildford Local Plan (2003) and Local Development Framework (GDF) is to promote development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

3.21 Climate change presents a number of challenges for the Council. In order to face up to these challenges and deliver national policy through the local planning system as well as the Council’s aspirations for sustainable communities and buildings, the Council has produced a Sustainable Design and Construction Supplementary Planning Document which sets minimum standards for new build residential and non-residential developments.

3.22 The Sustainable Design and Construction SPD requires residential developments to achieve at least level 3 of the Code for Sustainable Homes level and provide on site low and zero carbon technologies. Non residential developments are required to achieve at least a BREEAM very good standard and provide low and zero carbon technologies.

3.23 Please note we recognise that developers or householders may wish to use alternative sustainable design and construction assessment methods, or for large scale developments BREEAM for Communities. If a developer wishes to use an alternative to the Code for Sustainable Homes or BREEAM this will need to be agreed in writing by the Council.

Thresholds and contributions

<table>
<thead>
<tr>
<th>Sustainable design and construction</th>
<th>Responsible authority: Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geography</td>
<td>Threshold</td>
</tr>
<tr>
<td>Residential dwellings</td>
<td>Borough wide</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Non residential</td>
<td>Borough wide</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For further information refer to the Sustainable Design and Construction SPD
Sustainable travel

3.24 Transport infrastructure issues are predominantly the responsibility of Surrey County Council and the Highways Agency (where development would impact upon the strategic road network (A3 and M25)), or bus services operated by the County Council. However, land use and transportation planning are directly linked to the Local Plan and emerging Local Development Framework and have an important role to play in realising national policy objectives. Planning policies can help reduce the growth in the length and number of motorised journeys, encourage alternative means of travel and hence reduce reliance on the use of the car.

3.25 Whilst Surrey County Council is responsible for the majority of highways issues and public transport infrastructure (including bus routing) the Council will proactively seek contributions to deliver the policies set out in the Local Plan. The Council in liaison with the County Council may seek the following planning obligations:

- Park and Ride infrastructure
- Travel Plans
- Providing allocated parking provision for Car Club vehicles
- Providing future occupants of a development with 12 months membership to onsite Car Club
- New / upgraded bus shelters- including the installation of real time information systems
- Securing cycle parking provision (generally on site by condition)
- New / extended / improved cycle paths and footpaths
- Improved signage
- Electric car charging points

3.26 The transport aspects of individual development proposals will be assessed taking into account the needs of all users and the constraints of particular locations. For example, in Guildford Town Centre where there is a high level of public transport accessibility, it will be more appropriate for developers to provide improvements to public transport (including Park and Ride), walking and cycling.

Policy Context

3.27 Planning Policy Guidance 13 Transport provides the national policy guidance on seeking transport related benefits from developments. The guidance identifies that planning obligations may be used to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures. Planning obligations where appropriate in relation to transport should be based around securing improved accessibility to sites by all modes, with the emphasis on achieving the greatest degree of access by public transport, walking and cycling. This is mirrored in the Council’s approach, set out in the Joint Cycling Strategy (2004) and Walking Strategy (2004) (updated documents expected late 2010) and by Surrey County Council in the Local Transport Plan (LTP2) (2006-2011)21 (SCC is currently producing and updated Local Transport Plan (LTP3)). Other relevant documents

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include the Surrey Design Guide\textsuperscript{22} (at the time of writing this document is being updated), Borough Lighting Strategy\textsuperscript{23}, Safer Guildford Community Strategy Document\textsuperscript{24} and DfT Circular 02/2007\textsuperscript{25}.

3.28 As PPG13, and PPS4 state that there should be no minimum parking requirements for development (other than for disabled provision), it is not appropriate to seek commuted payments based purely around the lack of parking on the site. In such circumstances, Policies G1(2) and G12 of the Local Plan, state that the Council will seek from developers appropriate contributions towards public transport, pedestrian and cycling related facilities and Park and Ride schemes to fulfil the travel requirements of the development.

### Thresholds

<table>
<thead>
<tr>
<th>Sustainable travel</th>
<th>Responsible authority: Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sustainable travel</strong></td>
<td><strong>Responsible authority:</strong> Guildford Borough Council</td>
</tr>
<tr>
<td><strong>Car clubs</strong></td>
<td>Area</td>
</tr>
<tr>
<td>Residential</td>
<td>Guildford Town Centre\textsuperscript{26}</td>
</tr>
<tr>
<td></td>
<td>Guildford Urban Area</td>
</tr>
<tr>
<td>Mixed use</td>
<td>Guildford Town Centre\textsuperscript{27}</td>
</tr>
</tbody>
</table>

| **Cycle Parking and Storage** |  |
| Residential (dwelling houses) | Borough wide | 1 or more (net) residential units | One secured and covered cycle space per unit |

| Other residential | Refer to the Vehicle Parking Standards Supplementary Planning Document |

| **Bus Shelters and Park and Ride** |  |
| A threshold for negotiating contributions has not been set. Where a specific need is identified, contributions arising from the development will be considered on a site by site basis. |

\textsuperscript{22} http://www.surreycc.gov.uk/
\textsuperscript{23} http://www.guildford.gov.uk/index.aspx?articleid=888
\textsuperscript{24} http://www.saferguildford.org.uk/documents/Community_Strategy_Document_web.pdf
\textsuperscript{25} http://www.dft.gov.uk/pgr/regional/strategy/policy/circular207planningandstrategic
\textsuperscript{26} Refer to Annex 6 for the Town Centre Map.
\textsuperscript{27} Ibid

Pictures left to right: Eagle Road Street Car vehicle; Town Centre cycle parking
Amenity, open space, sports facilities and play space

3.29 Planning Policy Guidance 17 (2002) Planning for open space, sport and recreation states that “open spaces, sport and recreation all underpin people’s quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering broader Government objectives, such as promoting sustainable development, social inclusion and community cohesion, and, health and well being”.

3.30 The importance of open space provision at the local level is emphasised by the objectives set for open sport recreation in the Local Plan,:

- To encourage the provision of “accessible” recreation facilities in locations which relate well in a social and physical sense, to existing communities.
- To encourage, where appropriate, the more efficient use of existing and new facilities.
- To overcome identified deficiencies in open space and other recreational facilities.
- To ensure that new residential development makes adequate provision for open space and other recreational facilities.

3.31 Open space is sought from new residential development as additional dwellings add to the local population and therefore add to the demand for open space. New residential developments are, therefore, expected to provide open space of a suitable size, nature and specification, on site, or by a financial contribution for smaller housing developments.

3.32 Local Plan polices R2 and R3 set thresholds for open space contributions from residential developments. These Local Plan policies require developers to provide 1.6 ha formal playing field space; 0.8 ha children’s play space per 1000 population, and, an additional 0.4 ha of amenity space. The total amount of open space to be provided will therefore be 2.8ha per 1000 population.

3.33 The PPG17 Audit (2006) provides information of actual open space provision (surplus and deficits) within the Borough by ward (see Annex 4). In areas where a surplus is identified there will be no requirements or a reduced requirement for open space provision. Whilst the table gives the impression that Christchurch ward has a significant surplus of open space, this is because Stoke Park is located within the ward (a large public open space). The Council acknowledge that Stoke Park serves not only Christchurch but other neighbouring urban wards.

3.34 Developments of at least 25 homes should, where possible, provide the open space on site. Such open spaces are can be adopted by the Council where they are intended for public use or maintained by private companies. In instances where land is privately maintained, we will seek to ensure the land remains accessible to the public. For smaller housing developments, a financial contribution to improve/enhance existing open space will usually be more suitable.

The types of open space that are sought in the Borough are detailed below:

3.35 Amenity space is intended to provide attractive areas of open space of an appropriate size and location for informal recreation. Discussions with the Council should be carried out at an early stage to identify the type and extent of provision. Reference should also be made to the Surrey Design Guide and the need to incorporate landscape and archaeological features where this is appropriate.
3.36 **Playing fields** are usually only suitable for larger development schemes. In some cases playing fields may be more appropriately provided in conjunction with or located close to existing or proposed playing fields. Such off-site locations should be within reasonable distance of the residential development providing it. Qualitative improvements to playing fields can be provided from pooled financial contributions from smaller developments.

3.37 In exceptional circumstances where the Council is satisfied that either on site or off site provision through financial contributions can not be provided, contributions could be sought to provide new indoor sports facilities, such as five-aside pitches, or qualitative improvements to existing indoor facilities.

3.38 Developers will be expected to provide a grass/artificial surface area of suitable size, gradient and condition to satisfy the regulations of the particular sports governing body. The size must allow adequate surrounding area for the safe play of the sport and the safety of the public and property adjacent to the playing surface. It is important that consultation takes place with the Council to ensure appropriate provision to the required standard is provided, for example, fencing, changing rooms, car parking provision and floodlighting of a sports centre may be required.

3.39 **Children’s play space** includes equipped and enclosed children’s play areas and open grassed areas suitable for ball games and other forms of casual play. It excludes formal pitches and other sports provision, amenity space or landscaping provided on the site. of this document sets Facilities for children should wherever possible be provided within easy walking distance of related housing areas, readily accessible to the dwellings it serves without the need to cross barriers such as major roads, and should be sited to avoid or minimise disturbance to the existing or potential nearby residents (refer to Annex 5 for distance thresholds). In housing sites of 15 dwellings or more it will normally be possible to provide a children’s play space on-site, particularly for the needs of very young children.

3.40 Casual playing space is included within the requirement for children’s playing space. It is defined as open space of a useful size and safe location providing opportunities for informal play activities. Grassed or hard surfaced open space within a housing area with adequate separation from roads would conform to the definition. To be a reasonable area for use by older children a casual playing space should be a minimum of 0.05 ha, but preferably at least 0.1 ha. Facilities suitable for teenage groups such as basketball hoops, goal posts and shelters, for informal social and recreational purposes should also be considered.

3.41 **Fields in Trust** defines three types of equipped children’s play areas for a range of age groups appropriate to their needs. Design standards for three categories of provision (Local Play Area, Local Equipped Area for Plan, and Neighbourhood Equipped Area for Play) are detailed in new housing development and redevelopment which are listed in Annex 5.

**Provision on smaller sites**

3.42 On smaller sites of between 5 and 25 dwellings, developers will be required to provide on-site open space in accordance with Local Plan Policy R2. However, we acknowledge that this may lead to the provision of small areas that are difficult to use efficiently and to maintain that the Council may decide are unsuitable for formal adoption. In instances where a developer is unable to meet the open space requirements set out in Local Plan Policy RE2, the Council will accept a commuted payment to improve open space in the area of the development in lieu of physical provision. In future it may be possible for third parties to take on responsibility for the maintenance of such open spaces.

3.43 Each commuted sum will be a single total payment made to the Council. As funds accumulate the Council will arrange for the provision of facilities that are related closely as
possible to the location of contribution developments. However, new sports pitches and other sports facilities may be provided on a broader borough wide basis to take account of the wider catchments of such facilities and their frequency of use. Facilities such as junior and teenage play areas, skate parks and paddling pools should be provided on the basis of need in the local area and on the basis of public consultation. Commuted payments may be used for general purposes such as the maintenance or running costs of existing facilities and to improve existing open space.

3.44 The contribution will be proportionate to the scale of the development and based on a standard estimate cost for making required provision off the development site. This cost includes the anticipated cost of laying out a facility of the required size, including levelling and draining, equipment costs associated with each type of open space. The scale of contributions were developed using the Council’s experience in providing facilities in the Borough and are detailed in Annex 6.

3.45 The commuted sum payable is calculated according to the number and size of dwellings proposed. Where the number of bedroom/units is not known, such as in the case of an outline application, any consent granted will be subject to a suitable condition so that the requirement can be calculated when a detailed planning application is submitted.

Reduced Requirements

3.46 Local Plan Policy R2 states that where the types of dwellings proposed do not generate a need for formal plays pace, such as sheltered accommodation for the elderly, the provision required will be for informal open space only.

Maintenance

3.47 The Council will normally be prepared to adopt and maintain properly laid out open space of a suitable size where it is accessible to the public, subject to payment by the developer of a commuted sum to cover the cost of future maintenance. The commuted sum for the maintenance is payable on the transfer of the land and is based on current contract prices for maintaining the open space, multiplied to establish a 10 year maintenance figure which allows for index linked increases in contract prices.

Existing provision

3.48 Local Plan Policies R2 and R3 are based upon the 1997 Open Space audit. The audit was updated and broadened to include rural wards in the 2006 PPG17 Audit.

3.49 The Open Space Audit (2006) completes steps one and two of a PPG 17 Audit by identifying local needs and, existing provision by concluding that:

- there is an overall deficit in amenity open space, playing field and parks and children’s playgrounds compared with the Fields in Trust standards (breakdown by ward),
- new developments rarely provide public open spaces on site, and
- useful and economically viable open space is unlikely to be provided on sites of 25 units or 0.4 ha as indicated in Policy R2.

Emerging Policy

3.50 Planning Policy Guidance 17 encourages local authorities to set local standards for open space, sport and recreation provision:

“Setting robust local standards based on assessments of need and audits of existing facilities will form the basis for redressing quantitative and qualitative deficiencies through the planning process. Standards should be included in development plans”

(Paragraph 8; PPG 17)

3.51 The Open Space Audit (2006) identifies the deficits in open space, sport and recreation facilities in the Borough based upon National Playing Fields Association (NPFA) standards (now known as Fields in Trust standards) and states that a different standard should be investigated.

3.52 The Audit will be completed in accordance with the final guidance\textsuperscript{29} to set local open space standards related to accessibility rather than the NPFA national standard. New standards will be included the Core Strategy policy that will replace Policies R2 and R3.

Thresholds and Obligations

3.53 Prior to the adoption of the Local Development Framework Core Strategy the following conditions or contributions will be required from developments exceeding the appropriate threshold to assist the Council in meeting the Borough’s identified open space needs.

<table>
<thead>
<tr>
<th>Open Space Responsible Authority: Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Threshold</strong></td>
</tr>
<tr>
<td>Residential (larger developments)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Note:</strong> No requirement or a reduced requirement may be made under this policy where the provision of an open space locally is, and will remain after the development, adequate by these standards (refer to local plan policy R2).</td>
</tr>
<tr>
<td><strong>Note:</strong> Where the types of dwellings proposed do not generate a need for formal plays pace, such as sheltered accommodation for the elderly, the provision required will be for informal open space only.</td>
</tr>
<tr>
<td>Residential (smaller developments)</td>
</tr>
<tr>
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<td></td>
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<tr>
<td></td>
</tr>
<tr>
<td>Or</td>
</tr>
<tr>
<td>A contribution towards recreational provision in the area at an appropriate scale to the size of the development, unless the provision of open space in the ward is, and will remain after the development, adequate based on the above standards (refer to local plan policy R3).</td>
</tr>
<tr>
<td>(See Annex 6 for further information).</td>
</tr>
<tr>
<td>Commercial</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

\textsuperscript{29} A draft PPS “Planning for a Natural and Healthy Environment” to replace PPG17 was subject of consultation in Spring 2010. The Government is currently consolidating all PPS and PPG documents into a National Policy Statement which will be published by CLG in due course.
Landscape and Biodiversity

3.55 Biodiversity (biological diversity) is simply the variety of life systems. This includes the different plants, animals and micro-organisms, the genes they contain, the habitats they live in and together the ecosystems they form. Development and other economic activity need to take account of natural resources. In other words, development must be environmentally sustainable. Biodiversity contributes to the quality of life of the residents both intrinsically, by providing a beautiful and attractive natural environment in which to live, by helping to ameliorate the impacts of pollution and by promoting physical and mental well-being. Historically, natural resources have contributed to the economic development of our Borough by providing an environment which attracts business and people to the area.

3.56 Economic and population growth in the Borough is putting increasing pressure on its natural heritage with the result that its biodiversity is declining and will continue to do so unless action is taken.

3.57 The Council has a duty to consider the management and enhancement of the landscape and biodiversity. Development should mitigate any adverse effects and compensate for the loss or permanent damage to biodiversity.

3.58 Planning Policy Statement 9 provides the national policy guidance and states that; "development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate”.

3.59 Local Plan Policy G1(12) provides the local planning approach to the landscape and existing natural features with more specific policies on nature conservation found within Local Plan Policies NE1 - NE6.

3.60 One of the main aims of the Local Plan is the protection and enhancement of our natural environment. The following objectives apply:

- To maintain and enhance biodiversity within the Borough.
- To identify sites of nature conservation value and to balance the needs for development with their protection.
- To protect important plant and animal species

The impacts of a development upon protected species should be taken into consideration. For example, if bats are likely to be present, it is likely that a bat survey would be required through a planning condition.

3.61 ‘The Surrey Biodiversity Action Plan’ produced by the Surrey Biodiversity Partnership aims to “safeguard and enhance the biodiversity found in the urban areas of Surrey and in doing so, to improve the quality of people’s lives through contact with, appreciation of and involvement in nature conservation”.

http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps9
http://www.surreybiodiversitypartnership.org/xwiki/bin/view/Habitats/
Where conditions or other controls would not be appropriate or sufficient for the agreed purposes, the Council may seek planning obligations to:

- restrict development so as not to damage or harm existing features
- secure the works necessary to enhance existing features
- secure the works necessary to create new features

3.62 Applicants may be required to enter into a planning obligation with the Council to safeguard all or a combination of the factors set out below on the development site:

- provision of appropriate landscaping
- wildlife/habitat conservation, protection, enhancement and mitigation
- subsequent management and maintenance.

**Thresholds and contributions**

3.63 Prior to the formal adoption of the Core Strategy the following conditions (or contributions) will be required from developments exceeding the appropriate threshold to assist the Council in meeting the Borough’s identified green infrastructure/biodiversity needs.

<table>
<thead>
<tr>
<th><strong>Green Infrastructure</strong></th>
<th><strong>Responsible authority:</strong> Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>A threshold for negotiating contributions has not been set but, in the context of Policy G6, where a specific need is identified contributions will be required. As a guide such contributions will normally be applicable to those proposals of 10 or more dwellings or comprising more than 1,000 m² of new or replacement (not converted) non-residential floor space. Where justified, a contribution from individual developments comprising one residential unit could be required.</td>
<td></td>
</tr>
</tbody>
</table>

**Emerging Policy**

The Council is currently gathering evidence on the Borough’s Green Infrastructure that will assess the physical environment within and between settlements. Green Infrastructure is a network of multi-functional open spaces, including formal parks, gardens, woodlands, green corridors, waterways, street trees and open countryside. The Green Infrastructure evidence will inform the Local Development Framework.
3.64 The Thames Basin Heaths (TBH) Special Protection Area (SPA) was designated as an SPA on the 9 March 2005. The SPA comprises an area of lowland heath and woodland and is a habitat protected under European Law transposed into UK law.

3.65 In September 2006 the Council adopted an Interim SPA Avoidance Strategy that was agreed with Natural England and enabled residential development to take place across most of the affected areas of the Borough, whilst at the same time offering protection to the Thames Basin Heaths SPA. Simultaneously, work was undertaken at the strategic level to find an acceptable approach which could be applied consistently across the whole SPA affected region.

3.66 The Council published the SPA Avoidance Strategy 2009-2014 in April 2010 which replaces the earlier strategy. The strategy enables the Council to consider planning applications for residential developments that fall within 5km of a SPA which would otherwise have been prevented by the provisions of European legislation relating to the protection of the SPA. Please note: large scale developments between 5km and 7km of an SPA boundary will be assessed on an individual basis.

3.67 The Council's duty to consider the impact of development on the SPA applies also to non-residential development applications which will need to be considered on their individual merits. This Strategy is, however, directed specifically towards the problems posed by residential proposals and the measures that can be taken to enable them to proceed without harm to the integrity of the SPA and will not, therefore, assist in the case of applications for non-residential development.

3.68 The main impact on the SPA that the strategy seeks to tackle is that resulting from recreational pressure associated with residential development (e.g. cat predation, dog walking). On this basis the strategy applies to all net new development which provide permanent accommodation.

3.69 The document utilises a tariff based approach to enable developers to calculate the financial contribution that they will be expected to provide. For the purposes of the suitable alternative natural green space SANG contribution, this is based on the size of new dwellings in terms of the number of bedrooms proposed, as a fair reflection of the number of additional residents likely to arise, and is derived from the costs of works identified on the SANG sites.

3.70 A planning obligation enabling developers to contribute towards the cost of avoidance measures will be drawn up and agreed in accordance with this Supplementary Planning Document and the latest SPA Avoidance Strategy prior to the decision notice for the relevant planning application being issued. The monies agreed under the planning obligation must be paid to the Council on the commencement of development. This will allow the Council time to implement works before the development is occupied.

33 The SPA affects part or all of the following local authority areas; Waverley, Guildford, Surrey Heath, Woking, Bracknell Forest, Hart, Wokingham, Elmbridge, Runnymede, Royal Borough of Windsor and Maidenhead, Rushmoor.

### Thresholds and contributions

<table>
<thead>
<tr>
<th>Special Protection Areas</th>
<th>Responsible authority: Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Threshold</strong></td>
<td>Dwelling Size</td>
</tr>
<tr>
<td>Residential</td>
<td>All net new developments located between 400m and 5km from a SPA boundary. Large scale developments between 5km and 7km of an SPA boundary will be assessed on an individual basis.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note.** The above SANG tariff excludes the minimum legal costs (£450) and monitoring fee (£450) per obligation, but includes the SPA access management contribution. Please refer to the Thames Basin Heaths Special Protection Area Avoidance Strategy (2009-2014) for further information.

**Note:** The Tariff will be updated on an annual basis on 1 April in line with the Retail Price Index. This tariff is valid until 31 March 2012.

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### Public Realm

3.71 Public realm are those parts of a village, town or city (whether publicly or privately owned) that are available, free of charge, for everyone to use or see. This includes streets, squares, parks, gardens, and a wide variety of incidental open spaces. The section of this SPD on amenity, open space, sports facilities and play space identifies the types of planning obligations that will be required from developers to meet identified need for open space, sport and recreation that contribute to the Borough’s public realm.

3.72 There is a tendency to undervalue civic spaces which provide the backdrop to our daily lives. For a development to be successful, the detailing of a scheme and its public realm areas needs to be of a consistently high standard. Good quality public realm is more than just aesthetically pleasing, it also:

- plays a large role in determining the character / feel of the place;
- supports urban regeneration, by improving the attractiveness of a place,
- reduces opportunities and motivation for crime and other anti-social behaviour, and fear of crime, by upgrading areas and redesigning or improving spaces;
- generates social and community cohesion;
- aids movement in and between spaces;
- enhances biodiversity and nature, improving air quality and contributing to shade;
- ensures distinctiveness; and
- improves the quality of life for all.

3.73 We have a rich architectural and historic heritage that includes listed buildings and conservation areas, protected parks and scheduled ancient monuments. The Local Plan and Sustainable Community Strategy identify protecting and enhancing the quality of our natural and built environment as a strategic priority. The Council has published design guides to ensure that this strategic priority is delivered.

3.74 It is important that the national emphasis upon making more efficient use of existing built up areas is not at the expense of good quality outdoor spaces. High quality design through well-designed, well-managed public spaces and a considered regard to the protection and enhancement of our heritage make a place.
3.75 In addition to these wide-ranging benefits, there is the argument that new developments attract larger numbers of users to the local area adding to existing, or creating additional, environmental problems. The Council’s preferred approach is for developers to provide schemes with high quality public realm. In certain circumstances the Council may negotiate contributions towards off site public realm improvements but only in circumstances where we are satisfied that the obligation would comply with the three legal tests defined in the Community Infrastructure Levy regulations (refer to pages 6-7 for more information).

3.76 The Council has adopted a number of strategies which contribute towards improving public realm in the borough, for example 'Greening the Approaches' and the Public Art Strategy. However, it is important to note that these documents are likely to be superseded as the Council updates its public realm focus and objectives.

3.77 The Council has produced a Townscape Assessment and Landscape Character Assessments. Other benefits that can be related to the development may also be sought from developers to address certain site-specific heritage requirements, such as a need for archaeological investigation (desk based assessment or field evaluation) or works to restore a listed building or historic landscape.

Additional reference documents
- Planning Policy Statement 5 - Planning for the Historic Environment
- Surrey Design Guide,
- Streets for All Guidance (English Heritage)
- The Manual for Streets (Department for Transport).

Thresholds and contributions
3.78 The Council does not consider it appropriate to set a standard charge to secure contributions towards public realm enhancement. The emerging Green Infrastructure Strategy being produced by Planning Services will contain a list of costed schemes which developers may be expected to provide contributions towards.

3.79 The Council will only seek contributions towards public realm enhancement when it is satisfied that such contributions will satisfy the three legal tests defined in the CIL Regulations (refer to pages 5 and 6 for more information). We will consider whether contributions towards public realm enhancement are required on a site by site basis:

<table>
<thead>
<tr>
<th>Public Realm/Lighting</th>
<th>Threshold</th>
<th>Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>10 or more (net) residential units</td>
<td>By negotiation on a site by site basis.</td>
</tr>
<tr>
<td>Non residential</td>
<td>1,000m² (net) additional floorspace</td>
<td>By negotiation on a site by site basis.</td>
</tr>
</tbody>
</table>

41 http://www.english-heritage.org.uk/publications/streets-for-all-south-east/
Public Art

‘Permanent or temporary physical works of art visible to the general public, whether part of the building or free-standing, it can include sculpture, lighting effects, street furniture, paving, railings and signs’.

Surrey Design Guide (2002)\(^\text{43}\)

3.80 **Planning Policy Statement 1**\(^\text{44}\) highlights the importance of good design to the sustainability of communities and notes that high quality design will result in places that function well and add to the overall character of the area (paragraph 33).

3.81 Public art integrated into developments will assist in delivering Local Plan Policy G5 (4) which states that buildings and spaces at pedestrian level provide visual interest and a sense of identity. The supporting text to the policy states that the use of art can be used to give a building identity and character. In addition, Local Plan Policy G6 states that the Borough Council supports the principle of arts for all.

3.82 The Council has adopted a Public Art Strategy (2008)\(^\text{45}\) which seeks opportunities for innovative and dynamic public art that has residents and artists at its core, whilst celebrating and enhancing its rich heritage of architecture, landscape and public art. The Public Art Strategy defines public art as involving artists and craftspeople in the design of artworks in the public realm, which is any open space or public building that is free to access.

3.83 There are a number of ways that artists can work in the public realm including:

- artist in residence schemes to develop permanent artworks
- artists working as members of design teams to create landscape or building schemes

3.84 The Council will expect developers of major schemes\(^\text{46}\) to incorporate public art into their development as opposed to providing a financial contribution to the Council for off site works. This ensures that public art is embedded within the fabric of the built environment, benefiting the local community and the developer through creating distinctive buildings and spaces that have potential to increase land value. In this instance public art must be available for the public to view.

3.85 A planning obligation will normally be required to ensure that on site art is provided as part of the development. This obligation will specify a time scale by which the art work is to be provided. This will vary depending on the size and type of project, but would normally be no

\(^{43}\) http://www.surreycc.gov.uk/sccwebsite/sccwspublications.nsf/591f7dda55aad72a80256c670041a50d/0b35c6f2d448a6ac802576770042acfc/$FILE/Surrey%20Design.pdf
\(^{45}\) http://www.guildford.gov.uk/GuildfordWeb/Leisure/Arts/PublicArt.htm
\(^{46}\) “major development” defined as –
(a) in respect of the provision of dwelling houses, a development where the number of dwellings to be provided is 10 or more; or the site area is 0.5 hectares or more;
(b) in respect of non-residential development, a development where the new floor space to be provided is 1,000 square metres or more, or the site area is 1 hectare or more.
later than one year after completion of the development. The Council encourages developers of major schemes to enter preliminary discussions prior to the submission of an application to discuss all aspects of the applications, including public art provision. We may consult the Council’s Arts Officer or representatives of the Public Art Advisory Group to discuss the proposed art provision on the site. Once the level of funding for the art provision has been agreed, we will continue discussions to progress the project in liaison with the Environmental Projects and Conservation teams.

3.86 A planning condition could be attached to the planning permission requiring that full details of the artwork be submitted for the prior approval of the Local Planning Authority. This is to overcome the need for a separate planning application should the artwork be of such a scale or nature as to require planning permission in its own right.

Thresholds and contributions

3.87 The following contributions will be sought from developments exceeding the appropriate threshold to assist the Council in delivering the Boroughs Public Art Strategy.

<table>
<thead>
<tr>
<th>Public Realm/Art</th>
<th>Responsible authority: Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geography</td>
<td>Threshold</td>
</tr>
<tr>
<td>Residential</td>
<td>Borough Wide</td>
</tr>
<tr>
<td>Commercial</td>
<td>Borough wide</td>
</tr>
</tbody>
</table>

Examples of public art in the Borough

Stained Glass on Swan Lane by Catrin Jones

3.88 Stained glass screens on Swan Lane, just off of Guildford High Street, were designed for the retailer Boots as part of a Section 106 agreement.

3.89 The stained glass was designed to conceal the lift shaft and create an attractive addition to Swan Lane. The floral designs are based on native British plants and represent pharmaceutics and perfumery, the central elements in the trade of Boots the Chemist. To create a sense of depth and movement, the design is screen printed on two separate sheets of glass fixed a short distance apart. Fibre optic lighting creates a soft, coloured blush and enlivens the windows after dark.
3.90 The Council secured on-site public art provision through the use of a Section 106 agreement at the Queen Elizabeth park development. Wooden sculptures were installed within the developments public open spaces.

Sculptures at the University of Surrey

3.91 Public art provision within the University Plaza at the University of Surrey.

Useful Link

Public Art Online
Public Art information site which provides guidance and examples of public art practice from around the UK and internationally.

http://www.publicartonline.org.uk/
Safety and security (CCTV)

3.92 Responsible authorities (that include local authorities) are required by law\textsuperscript{47} to consider crime and disorder (including antisocial behaviour and other behaviour adversely affecting the local environment); and the misuse of drugs, alcohol and other substances in the exercise of all their duties, activities and decision-making. This means that in all Council policies, strategies and service delivery there is a need to consider the likely impact on crime and disorder.

3.93 Installation and operation of Closed Circuit Television (CCTV), particularly when linked directly to a police station assists in reducing the fear of crime, as well as helping in providing evidence. Well maintained street lighting and lighting of subways (refer to section 3.6) is also important in reducing fear of crime.

3.94 Policy G1 (5) of the Local Plan sets the planning policy basis for crime prevention in the Borough and states that The design and layout of buildings and surrounding spaces provides for public safety and deters vandalism and crime.

3.95 The Guildford Sustainable Community Strategy (SCS) states that: low levels of crime will have been maintained and fear of crime will be lower (Objective 1). The Safer Guildford Partnership has identified six priorities for the Borough including:

- **Making neighbourhoods safer, cleaner and greener** by reducing anti-social behaviour, criminal damage and litter.
- **Making the town centre safer** by reducing drunkenness and anti-social behaviour.
- **Reducing the serious crimes** that concern people most, such as violent crime and car crime.

3.96 Surrey Police provides a centralised, monitored CCTV system and advises the Council’s planning officers and Engineers on CCTV requirements in the Town Centre. In some circumstances, the provision of CCTV camera(s) will be sought on the site of the new development or in the immediate vicinity of the scheme or a contribution will be required. CCTV improves the overall safety of the area by providing supervision and surveillance for different users in the locality.

3.97 Crime impacts upon all development use classes; however, the crime impact is usually the greatest in association with retail and evening leisure uses. The Council may, therefore, seek contributions from the types of development detailed below that are located within the Guildford Town Centre Boundary (Annex 7), or in areas with an identified need for additional CCTV.

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Use Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail</td>
<td>A1</td>
</tr>
<tr>
<td>Drinking Establishments</td>
<td>A4</td>
</tr>
<tr>
<td>Hot food takeaway</td>
<td>A5</td>
</tr>
<tr>
<td>Cinemas</td>
<td>D2</td>
</tr>
<tr>
<td>Amusement Arcades</td>
<td>Sui Generis</td>
</tr>
<tr>
<td>Nightclubs</td>
<td></td>
</tr>
</tbody>
</table>

\textsuperscript{47} Section 17 of the Crime and Disorder Act 1998, as amended by the Police and Justice Act 2006
3.98 The Council may seek the provision of a CCTV camera(s) on site where there is an identified need. If circumstances are such that the Council does not feel that a camera is appropriate in situ, such as in areas where CCTV coverage already exists or on developments too small to provide a camera, a negotiable contribution may be sought that will be pooled towards CCTV provision in the vicinity.

Thresholds and contributions

3.99 The following contributions will be sought from developments exceeding the stated thresholds to assist the Council in reducing crime and anti social behaviour in Guildford Town Centre.

<table>
<thead>
<tr>
<th>Safety and security</th>
<th>Responsible authority: Guildford Borough Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Type</td>
<td>Area Collected</td>
</tr>
<tr>
<td>Leisure and entertainment: drinking establishments, hot food takeaway, cinemas, amusement arcades and nightclubs</td>
<td>Guildford Town Centre (see Annex 7) or Where there is an identified need.</td>
</tr>
</tbody>
</table>
Flood mitigation

3.100 New developments can be at risk of flooding or can increase the risk of flooding to others, placing life and property at risk. Development, that reduces the amount of land available for flood water storage and by impeding flood flows, can increase the risk of flooding at the development or in off-site and sometimes remote locations.

3.101 In times of heavy or prolonged rainfall, new development can increase the rate and volume at which run-off reaches water courses, leading to an increased risk of flooding and damage to water courses. The Council works with the Environment Agency and developers to enable surface water run off to be controlled as near to source as possible by the encouragement of Sustainable Drainage Systems (SuDS).

3.102 Policies G1(6) and G1(7) of the Local Plan provides the Council’s approach to development within the floodplain and land drainage and states that areas of floodplain identified on the Proposals Map are safeguarded from development that would increase the risk to people or property from flooding. The Council will consult the Environment Agency on all developments affecting floodplains of all main rivers such as the River Wey, River Blackwater and the River Tillingbourne and on occasions it may be considered appropriate to seek the views of the Borough Council’s Engineers.

3.103 National planning guidance on flooding is contained within Planning Policy Statement (PPS) 25 (2010). PPS 25 requires that the Council consults the Environment Agency on all applications for development in flood risk areas (except minor development) and for any development on land exceeding 1 hectare outside flood risk areas.

3.104 PPS 25 requires the Council to produce a Strategic Flood Risk Assessment (SFRA). The Council published a SFRA in January 2009 to inform the planning process of current and future flood risk within the borough. The SFRA considers flood risk from all sources of flooding, and, is used as the evidence base for the application of the risk based Sequential Test to support planning decisions and allocations. The SFRA is a live document and will be updated accordingly.

Flood Risk Reduction Measures

3.105 The Council has produced a Flood Risk Reduction Measures document (updated November 2010) to support the approach taken in the SFRA to development in Guildford Urban Area. This work has been in partnership with the Environment Agency. To employ the approach, any proposed development within the floodplain in Guildford Urban Area must comply with the Flood Risk Reduction Measures document.

3.106 The Flood Risk Reduction Measures document provides details of flood risk reduction measures to be used in Flood Zone 3 in Guildford Urban Area, to ensure all opportunities are taken through new development to reduce the consequences of flooding. As set out in PPS25, development in Flood Zone 3 must pass the Sequential and Exception Tests, where required, before appropriate risk reduction measures can be considered.

3.107 In accordance with PPS 25, in instances where a material consideration outweighs the risk of flooding and points towards a proposed development being acceptable, any necessary

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49 ibid
flood defences or flood alleviation works required as specified in the Flood Risk Reduction Measures document should form part of that development. Such infrastructure would be secured through a Section 106 legal agreement to ensure that the developer carries out the necessary works and that future maintenance commitments are met.

3.108 The requirement for the developer to pay for construction and make arrangements for expected future maintenance costs of flood risk reduction works applies even where a proposed development does not require additional works, but, such works are considered necessary to prevent consequential additional flood risk to other areas and properties. The Council will take advice from the Environment Agency and any other relevant operating authority and will negotiate an appropriate contribution from the developer. If agreement cannot be reached on the provision of that contribution, the application may be refused in accordance with the precautionary principle.

3.109 In addition, PPS25: Development and Flood Risk states at paragraph 14 that a sequential approach should be used by local planning authorities in areas to be at risk from forms of flooding other than from river and sea. Annex C lists the forms of flooding and now includes flooding from sewers.

3.110 It is vital that sewerage/waste water treatment infrastructure is in place ahead of development if sewer flooding issues are to be avoided. It is also important not to underestimate the time required to deliver necessary infrastructure.

**Thresholds and contributions**

<table>
<thead>
<tr>
<th>Flood Mitigation</th>
<th>Responsible authority: Guildford Borough Council (with input from the Environment Agency)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A threshold for negotiating contributions has not been set. Where a specific need is identified, contributions arising from the development will be considered on a site by site basis.</td>
<td></td>
</tr>
</tbody>
</table>

3.111 **Water supply and sewerage infrastructure**

Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure. Drainage on the site must maintain separation of foul and surface flows.

Further information for Developers on water/sewerage infrastructure can be found on Thames Water's website

By post at: Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY;

By telephone on: 0845 850 2777;

Or by email: developer.services@thameswater.co.uk
Employment skills and training

3.112 The Sustainable Community Strategy identifies improving the qualifications of working age adults as an objective for the Borough. Whilst Guildford Borough is relatively prosperous when compared to the UK as a whole, there are residents who are socially excluded. This is reflected by data produced by the Office of National Statistics (July 2008 –June 2009):

- 4,100 residents of working age are currently \(^{50}\) economically inactive and wanting a job.
- A significant proportion of the Borough’s population are qualified to NVQ Level 4 or above (44.4 percent compared to the Regional Average of 31.5 percent), whilst 7.2 percent (6,200 residents) of the Borough’s working age population have no qualifications.

3.113 In light of the importance of removing barriers to employment and improving skill levels, the Council may seek planning obligations from major employment generating schemes to provide or contribute towards the skills and training initiatives and apprenticeships in the Borough.

<table>
<thead>
<tr>
<th>Obligations could include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Provision of capital facilities / floorspace for training providers</td>
</tr>
<tr>
<td>- Participation in existing or the establishment of employment and training schemes</td>
</tr>
<tr>
<td>- Provide financial contributions to training and employment projects and involvement in partnerships.</td>
</tr>
</tbody>
</table>

Thresholds and contribution

Skills and training

Responsible authority: Guildford Borough Council

The Council may negotiate planning obligations from major employment generating developments to provide or contribute towards the provision of skills and training initiatives.

3.12 Waste and recycling

3.114 The Council has produced guidance on the storage and collection of household waste \(^{51}\) and recycling that developers should consider from the outset when designing residential schemes, particularly major schemes and flatted developments. It may be appropriate to secure waste and recycling storage on site by condition.

Thresholds and contributions

Waste and recycling

Responsible authority: Guildford Borough Council

The Council may negotiate planning obligations from developments for the provision of waste and recycling infrastructure.

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\(^{50}\) Economic Activity Data (July 2008 –June 2009) sourced from NOMIS

\(^{51}\) http://www.guildford.gov.uk/CHttpHandler.ashx?id=5974&p=0
Section 4 – Developer contributions sought towards Surrey County Council infrastructure

4.1 Surrey County Council and the Highways Agency are responsible for identifying specific types of infrastructure needed to support development in the Borough. The Council seeks to avoid as far as possible development that creates additional need or exacerbates an existing deficit in the following types of infrastructure: highways (including pedestrian infrastructure); public transport; education and libraries. Such infrastructure is crucial to delivering the objectives of National Policy and the Local Plan, notably the need to deliver sustainable development.

4.2 In determining the level of infrastructure, facilities, and services required as a result of a new development, Surrey County Council will assess the extent to which the existing arrangements can satisfactorily accommodate the additional or different demands likely to arise from the new development in operational and sustainability terms. Where this is inadequate, the developers will be expected to provide or fund a package of solutions to address and mitigate the adverse impacts.

Highways

4.3 Whilst developers will not be expected to contribute to existing network deficiencies within the road network, mitigation may be required where significant impacts to the road network would result from development and where this requirement is justified and supported by the Highway Authority and Highways Agency for their respective roads with appropriate substantiating evidence. The need for such mitigation will be considered on its merits in line with other planning gain requirements. The Highways Agency will assess the traffic implications where proposed development may impact on the Trunk Road network in accordance with the principles set out in Department for Transport Circular 02/2007 and the Highway Authority will assess transport implications in accordance with Guidance on Transport Assessment (March 2007).

4.4 Surrey County Council is also responsible for the majority of Guildford Borough’s footpaths and cycle routes. Developers may, therefore, be required to provide both on site, and contribute towards off site pedestrian and cycle infrastructure (refer to Section 3.3). The Guildford Local Plan Proposals Maps identifies existing, proposed and desired cycle routes which will assist the Borough in facilitating modal shifts and meeting sustainable development objectives.

Public Transport

4.5 The majority of buses that operate within the Borough are provided on a commercial basis by private operators, and decisions on the extent and frequency of services are mainly a matter for the commercial judgment of the operator concerned. However, a development may impose an additional impact on a service which might need development support or investment, and ongoing developer funding would be required in these circumstances.

4.6 Quality Bus Partnerships (QBPs) are increasingly important in enhancing accessibility in Surrey, by encouraging bus operators to introduce more accessible buses and increasing the frequency of services to make journeys easier. Working in partnership with the public and private sector, the County Council’s aim is to increase bus use and passenger
satisfaction. Developers may, therefore, be required to contribute towards improving public transport infrastructure in the Borough.

**Education**

4.7 Where new development creates additional need or exacerbates an existing deficit in education provision, the developer may be required to contribute towards improving provision within the Borough. For example, contributions may be pooled towards expanding school capacity.

Note: Surrey County Council’s draft Education Organisation Plan 2010-2019 forecasts future shortages of both primary and secondary places in specific areas of the Borough.

Primary shortages are referred to in the draft Education Organisation Plan 2010-2019 as follows:
- In 5 years time the Guildford urban area is expected to have a shortfall of primary places;
- Pressure is increasing in the Send and Ripley area: caused by new housing development and changes in school choices;
- Normandy and Pirbright is forecast to have minor shortfalls.
- increased provision in the East Guildford area to meet the needs generated by the development of the DEFRA site is likely to affect the demand for places in adjacent areas, and is expected to reduce the pressure for places in surrounding areas.

With regard to secondary school provision the following points on forecast needs for the Borough should be mentioned:

- Although there is currently a surplus of secondary school places in the Guildford urban area, demand is projected to increase in later years and a shortfall is projected towards the end of the Education Organisation Plan period;
- There are currently shortages of secondary places in both the Effingham and Ash areas which are projected to increase. The housing development proposed for Aldershot, is likely to increase pressure on secondary places in the Ash area.

**Libraries**

4.8 Where new development creates additional need or exacerbates an existing deficit in library provision, the developer may be required to contribute towards improving provision within the Borough.

**Thresholds and contributions**

<table>
<thead>
<tr>
<th>Developer Contributions Sought towards Surrey County Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Responsible authority:</strong> Surrey County Council</td>
</tr>
</tbody>
</table>

A threshold for negotiating contributions has not been set. Where a specific need is identified, contributions arising from the development will be considered on a site by site basis.
Section F - Glossary

**Affordable Housing:** Homes, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing.

**Area Action Plan:** A planning document for areas of change or conservation e.g. Slyfield Area Action Plan. These Action Plans have the status of Development Plan Documents. For example, the Council is developing Town Centre and Slyfield Area Action Plans.

**Community Infrastructure Levy:** The Community Infrastructure Levy (CIL) scales back the existing system of Section 106 (S106) planning obligations, to limit their use to site mitigation and provision of affordable housing, and to introduce a tariff-based system whereby developers will contribute to the cost of necessary infrastructure.

**Core Strategy:** Sets out the long-term spatial vision for the Council, the spatial objectives and strategic policies to deliver the vision.

**Development Plan (Statutory Development Plan):** Section 54A of the Town and Country Planning Act 1990 requires that planning applications and appeals be determined in accordance with the Development Plan unless material considerations indicate otherwise. In Guildford the Development Plan comprises the Guildford Borough Local Plan (2003). In the future the Guildford (Local) Development Framework will be the Development Plan for the Borough. In Surrey there are also Minerals and Waste Plans which will be replaced in the future by the Surrey Minerals and Waste Development Framework.

**Development Plan Document (DPD):** These are spatial planning documents that are subject to independent examination, and together with the relevant Regional Spatial Strategy, will form the development plan for a local authority. They can include a core strategy, site-specific allocations of land, area action plans and generic development control policies. For example, the Core Strategy, Town Centre and Slyfield Area Action Plans will all be DPD’s.

**Department for Communities and Local Government (DCLG):** The central government department responsible for planning and other matters. The DCLG succeeds the Office of the Deputy Prime Minister (ODPM).

**Environment Agency:** An Executive Non-departmental Public Body responsible to the Secretary of State for Environment, Food and Rural Affairs whose principal aims are to protect and improve the environment, and to promote sustainable development.

**Gross Development Value (GDV):** The amount the developer ultimately receives on completion or sale of the scheme whether through open market sales alone or a combination of those and the receipt from a Registered Providers for completed affordable housing units - before all costs are subtracted.

**Highway Authority:** Surrey County Council are the Highways Authority in Surrey and are responsible for the management and maintenance of the road network within the County (excluding highways that form part of the strategic Road Network which are managed and maintained by the Highways Agency).

**Infrastructure:** Service provision, physical infrastructure and amenity.

**Intermediate housing** is provided at prices and rents above those of social rented but below market price or rents, which meet the affordable housing definition criteria.
Intermediate affordable housing can help to address the needs of key workers and first-time buyers, and can reduce pressure on social-rented homes by freeing them up. The first few homes for intermediate rent in the borough have recently been completed. Intermediate Rents need to be significantly below market rents (West Surrey SHMA 2008), in Guildford Borough, they should be let at no more than 80 percent of market rents (including service charges).

**Residual Land Value:** The amount left for land purchase once all development, finance and land costs have been deducted from the **Gross Development Value**, normally expressed in monetary terms (£). This acknowledges the sum subtracted for affordable housing and other infrastructure payments/requirements where applicable. It is relevant to calculate land value in this way as land value is a direct result of what **scheme type** specifically can be created on a site, the issues that have to be dealt with to create it and costs associated with those.

**Local Area for Play (LAP):** a small area of unsupervised open space specifically designated for young children for play activities close to where they live

**Local Equipped Area for Play (LEAP):** an unsupervised play area equipped for children of early school age

**Local Development Framework (LDF):** The portfolio of local development documents. It consists of Development Plan Documents, Supplementary Planning Documents, A Statement of Community Involvement, the Local Development Scheme and the Annual Monitoring Reports. Together these documents provide the framework for delivering the spatial planning strategy for a local authority area. In Surrey the portfolio of documents, which deliver the spatial strategy for minerals and waste in the County is known as the Minerals and Waste Development Framework (MWDF).

**Local Strategic Partnership:** Guildford Local Strategic Partnership (LSP) is a partnership bringing together the public, business, voluntary, community and faith sectors to promote the social, economic and environmental wellbeing of Guildford Borough. One of the principal roles of the LSP is to develop and deliver a sustainable community strategy. This is a long-term strategy to improve the quality of life of people living and working in the Borough

**Mixed use:** Provision of a mix of complementary uses, such as say residential, community and leisure uses, on a site or within a particular area.

**Natural England** Government advisors on nature conservation in England, previously known as English Nature

**NEAP (Neighbourhood Area for Play):** An unsupervised site serving a substantial residential area, equipped mainly for older children but with opportunities for play for younger children.

**Neighbourhood Area for Play (NEAP):** an unsupervised site serving a substantial residential area, equipped mainly for older children but with opportunities for play for younger children.

**Planning condition:** Requirements attached to a planning permission to limit or direct the manner in which a development is carried out.

**Planning contributions:** Planning contributions are agreements between local authorities and developers about infrastructure that is necessary to make the development acceptable in planning terms.
Planning gain / benefit: The benefits or safeguards, often for community benefit, secured by way of a planning obligation as part of a planning approval and usually provided at the developer’s expense. For example, affordable housing, community facilities or mitigation measures.

Planning obligation: Legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. For example, the provision of highways. Sometimes called “Section 106” agreements.

Planning Policy Guidance (PPG): National planning policy guidance set out in a series of topic specific guidance documents. Many are currently under review or have already been replaced by a Planning Policy Statement (PPS).

Planning Policy Statement (PPS): Up to date national planning policy guidance, set out in a topic specific guidance document, produced following the 2004 changes to the planning system.

Registered providers: Registered Providers (RPs) are independent housing organisations registered with the Homes and Communities Agency under the Housing Act 1996. Most are housing associations, but there are also trusts, co-operatives and companies.

Registered Providers: Independent housing organisations registered with the Homes & Communities Agency under the Housing Act 1996.

Saved Policies: Policies within unitary development plans, local plans and structure plans that are saved for a time period during replacement production of Local Development Documents.

Section 106 (Legal) agreement: A legal agreement under section 106 of the 1990 Town and Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra and necessary works related to a development are undertaken.

Section 278 (Legal) agreement: A legal agreement made with Surrey County Council regarding highway improvements at a development.

Social rented: Housing that is owned and managed by local authorities or Registered Providers (usually Registered Social Landlords), for which guideline target rents are determined through the national rent regime (generally about 60 percent below market rents). It may also include rented housing owned or managed by other persons provided under equivalent rental arrangements, as agreed with the local authority or Housing Corporation.

Special Protection Area (SPA): In March 2005, the government designated areas of heathland within the Thames Valley as the Thames Basin Heaths Special Protection Area (TBH SPA) under the EC Birds Directive. The TBH SPA has been identified as an internationally important habitat for three rare species of bird - the Dartford warbler, woodlark and nightjar. Within Guildford Borough, there are a number of areas included within the Thames Basin Heaths Special Protection Area. Natural England believes that recreational use of the heaths arising from housing developments up to 5km away from a SPA will create disturbance to rare bird populations. As a result, all housing development within 5km of a SPA is now subject to stringent tests and impact assessments.
**Statement of Community Involvement (SCI):** Sets out the standards, that authorities will achieve with regard to involving local communities in the preparation of local development documents and development control decisions.

**Strategic Environmental Assessment (SEA):** A strategic environmental assessment is required by European and UK law, and is a way of systematically identifying and evaluating the impacts that a plan is likely to have on the environment. The aim is to provide information – in the form of an Environmental Report – that can be used to enable decision makers to take account of the environment and minimise the risk of the plan causing significant environmental damage. Government guidance advises that where a plan requires both strategic environmental assessment and sustainability appraisal, that the former process should be integrated into the latter one.

**Sui generis:** Certain types of development do not fall within any use class and are considered sui generis. Such uses include: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos

**Supplementary Planning Guidance (SPG):** Supplements the principles set out in national guidance and amplifies the Structure Plan and Local Plan policies. It constitutes a material consideration in determining and evaluating new planning applications.

**Supplementary Planning Document (SPD):** Provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the development plan and are not subject to independent examination.

**Sustainable Community Strategy (SCS):** The Sustainable Community Strategy is a long-term strategy to promote the social, economic and environmental wellbeing of the Borough and improve the quality of life of its resident. The Strategy is produced by the Guildford Local Strategic Partnership.
Annex 1

Saved Local Plan Policies of relevance to this SPD

| G1  | General Standards of Development, including:  
|     | G1(2) Transport Provision, Access, Highway Layout and Capacity;  
|     | G1(6) Flood Protection;  
|     | G1(7) Land Drainage and Public Utility Infrastructure;  
|     | G1(9) Energy Conservation;  
|     | G1(11) Development on or close to Contaminated Land;  
|     | G1(12) Safeguarding and Enhancement of The Landscape and Existing Natural Features; and  
|     | G1(13) Mixed Use. |
| G6  | Planning Benefits |
| G11 | The Corridor of the River Wey and the Guildford and Godalming Navigations |
| G12 | Location of Development |
| G13 | Green Travel Plans |
| H11 | Affordable Housing |
| M1  | Parking Provision |
| M6  | Provision for Cyclists and Pedestrians |
| NE1 | Potential Species Protection Areas and Candidate Special Areas of Conservation |
| NE2 | Sites of Special Scientific Interest |
| NE3 | Local and Non-Statutory Sites |
| NE4 | Species Protection |
| NE5 | Development Affecting Trees, Hedges and Woodlands |
| NE6 | Undesignated Features of Nature Conservation Interest |
| R1  | Loss of Land and Facilities for Sport and Recreation |
| R2  | Recreational Open Space Provision in Relation to Large New Residential Developments |
| R3  | Recreational Open Space Provision in Relation to New Small Residential Developments |
| R4  | Recreational Open Space Provision in Relation to New Commercial Developments |
| R5  | Protection of Open Space |
| R6  | Intensification of Recreational Use |
| CF1 | Provision of New Community Facilities |
| CF2 | Loss of Community Facilities |
| CF3 | Pre-School Education |
| CF4 | Expansion of Schools |

Please note that the above policies are being reviewed through the Local Development Framework (LDF).
Annex 2

Community Ideas Database

The Community Ideas Database suggests ways in which future planning obligation monies could be spent and has been created to ensure that a robust system is in place to provide information for Councillors, Officers, the community and developers alike. It was created following consultation with Councillors, Parish Councils, Residents Associations and others and contains aspirations for specific items that the community would like. It is continually being refreshed as new ideas are submitted and the database is referred to by planning officers as they become aware that a planning obligation may be appropriate. It is, therefore, important that developers take into account this list. Please note that this list is not exhaustive.

Section 106 agreements are closely controlled by law regarding the way in which the agreement refers to, and is relevant to, a specific planning application, and so it is not possible to show if or when suggestions may be implemented, as future applications cannot be foreseen. Section 106 agreements can provide the means to reconcile the aims and interests of developers with the need to safeguard the local environment for the community or to meet costs imposed as a direct result of the development. The Community Ideas Database has been set up to capture community ideas for small environmental works in the local area. These might then be funded by future Section 106 Agreements negotiated as part of a planning application for development, where this would accord with the tests set out in Circular 05/05.

The ideas may then inform our negotiations with developers when considering Section 106 Agreements. This is not a ‘to do’ list, as there is no guarantee that appropriate funding from relevant planning applications will be negotiated. As the database list is continually being updated, it is not possible to incorporate a copy within this SPD. If you would like more information, a copy of the section relevant to you, or have any additional suggestions for the Community Ideas Database, please contact our Section 106 Officer.
Annex 3

Qualifying Developments for affordable housing: additional information

Appropriate contributions to contribute toward meeting the Council’s affordable housing target will generally be expected from residential developments within the C3 Use Class over the site size threshold, although in line with government policy, each development will be considered on a case-by-case basis, and may be subject to negotiation depending upon the specific nature of the site and development. The list below is a general guide to assist developers and landowners in understanding what is likely to be expected.

All C3 developments (over the specified site size threshold), including new build, subdivisions of houses into flats, conversions from other uses, and mixed-use developments including new homes will be required to contribute. This includes retirement homes (whether warden attended or not) and sheltered elderly persons’ accommodation, where individual units are generally self-contained specially designed accommodation for elderly people.

Planning applications for mixed-use (residential/commercial) developments will require an affordable housing contribution from the residential element. In circumstances where a subsequent development proposal on a mixed use site seeks a change of use from a non-residential use to residential (C3) use, this will attract a requirement for an affordable housing contribution.

In considering proposals for ‘market’ elderly people’s sheltered/warden accommodation the Council’s Housing Service will confirm whether or not there is a need for affordable sheltered accommodation. If there is, the required amount of affordable housing will be sought as sheltered accommodation on-site (unless Registered Social Landlord management issues make this impossible). If there is no identified need for affordable sheltered housing, the developer will be required to provide an element of general needs or other forms of affordable supported housing on-site, through re-design of the development, or exceptionally on a different, but nearby site, or as a financial payment.

Developments providing Extra Care Housing are either Use Class C2 or C3, depending upon the level of care provided to each individual, rather than the specifics of the building design/layout. Extra care housing is flexible housing, moving away from provision of separate accommodation for elderly people requiring a high level of care and those requiring a very low level. The level of care provided will vary between occupants and possibly for each occupant, over time.

Extra Care Housing will be required to make an affordable housing contribution unless Commission of Social Care Inspection (CSCI) registered domiciliary care is provided to the majority of the residents, in which case the use would be C2. In most cases, a payment in lieu will be the most appropriate form of affordable housing provision. Pre-application submissions for developments of extra care housing will be required to be accompanied by details of the anticipated support needs of the anticipated residents, the provision of on-site care and other management arrangements, so that an assessment may be made. However, it is noted that levels of care provision will vary over time within the same building, depending upon the occupants and their state of health.

Although Mobile Home Parks may add to the Council’s stock of low cost market housing, these are not considered to be affordable housing, and so should, in principle contribute to

52 Town and Country Planning (Use Classes) Order 1997 (as amended)
53 ODPM Circular 05/2005 “Planning Obligations”
affordable housing provision. Where economically viable, a financial contribution may be considered most suitable.

**Residential developments not required to contribute**

Accommodation for Gypsies and Travellers and Travelling Showpeople on permanent pitches/plots owned and managed by local authorities or Registered Social Landlords (RSLs) is considered to be publicly-provided affordable housing in itself, and would therefore not require a contribution. Gypsies and Travellers and Travelling Showpeople pitches/plots are a “sui generis” use (no class specified), and therefore no affordable housing contribution would be required from such private developments.

Purpose-built student halls/flats are typically non-self contained, with each bedroom usually having an en-suite shower-room, and sharing a kitchen/living room between several study bedrooms (typically about 6-10 study rooms). Such developments are a sui generis use, and will not therefore be required to contribute to affordable housing provision. Should the non-self contained student accommodation subsequently be adapted to provide self-contained flats (which would require a planning application), an affordable housing contribution would be required at that time. Where student accommodation would be provided in self-contained flats, with no locks on bedroom doors, and no requirement for separate TV licences, (and usually with shared kitchen / living room and possibly bathroom) it will be treated as normal (C3) housing, and would be required to contribute to affordable housing provision.
### Annex 4- PPG17 Audit (2005) surplus and deficit by ward

<table>
<thead>
<tr>
<th></th>
<th>Existing Open Space (ha)</th>
<th>Population 2005</th>
<th>Open Space per 1000 pop 2005 (ha)</th>
<th>NPFA Requirement 2005 (ha)</th>
<th>Surplus / Deficit 2005 (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>URBAN</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ash South and Tongham</td>
<td>7.82</td>
<td>8005</td>
<td>0.98</td>
<td>19.21</td>
<td>-11.39</td>
</tr>
<tr>
<td>Ash Vale</td>
<td>7.84</td>
<td>5807</td>
<td>1.35</td>
<td>13.94</td>
<td>-6.10</td>
</tr>
<tr>
<td>Ash Wharf</td>
<td>8.22</td>
<td>6073</td>
<td>1.35</td>
<td>14.58</td>
<td>-6.36</td>
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<tr>
<td><strong>Ash urban area sub total</strong></td>
<td>23.88</td>
<td>19885</td>
<td>1.20</td>
<td>47.72</td>
<td>-23.8</td>
</tr>
<tr>
<td>Christchurch</td>
<td>21.5</td>
<td>4668</td>
<td>4.61</td>
<td>11.20</td>
<td>10.30</td>
</tr>
<tr>
<td>Friary and St. Nicholas</td>
<td>6.8</td>
<td>7907</td>
<td>0.86</td>
<td>18.98</td>
<td>-12.18</td>
</tr>
<tr>
<td>Holy Trinity</td>
<td>10.42</td>
<td>7068</td>
<td>1.47</td>
<td>16.96</td>
<td>-6.54</td>
</tr>
<tr>
<td>Burpham</td>
<td>8.8</td>
<td>5221</td>
<td>1.69</td>
<td>12.53</td>
<td>-3.73</td>
</tr>
<tr>
<td>Merrow</td>
<td>5.55</td>
<td>7706</td>
<td>0.72</td>
<td>18.49</td>
<td>-12.94</td>
</tr>
<tr>
<td>Onslow</td>
<td>4.87</td>
<td>8184</td>
<td>0.60</td>
<td>19.64</td>
<td>-14.76</td>
</tr>
<tr>
<td>Stoke</td>
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<td>5858</td>
<td>0.17</td>
<td>14.06</td>
<td>-13.08</td>
</tr>
<tr>
<td>Stoughton</td>
<td>1.76</td>
<td>8027</td>
<td>0.22</td>
<td>19.26</td>
<td>-17.50</td>
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<tr>
<td>Westborough</td>
<td>6.32</td>
<td>9080</td>
<td>0.70</td>
<td>21.79</td>
<td>-15.47</td>
</tr>
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<td><strong>Guildford Urban Area</strong></td>
<td><strong>67.01</strong></td>
<td><strong>63719</strong></td>
<td><strong>1.05</strong></td>
<td><strong>152.9</strong></td>
<td><strong>-85.9</strong></td>
</tr>
<tr>
<td><strong>RURAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clandon and Horsley</td>
<td>14.27</td>
<td>8409</td>
<td>1.69</td>
<td>20.18</td>
<td>-5.91</td>
</tr>
<tr>
<td>Effingham</td>
<td>13.2</td>
<td>2556</td>
<td>5.16</td>
<td>6.13</td>
<td>7.07</td>
</tr>
<tr>
<td>Lovelace</td>
<td>23.57</td>
<td>2629</td>
<td>8.96</td>
<td>6.31</td>
<td>17.26</td>
</tr>
<tr>
<td>Normandy</td>
<td>11.82</td>
<td>2987</td>
<td>3.95</td>
<td>7.17</td>
<td>4.65</td>
</tr>
<tr>
<td>Pirbright</td>
<td>4.59</td>
<td>4214</td>
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<td>10.11</td>
<td>-5.52</td>
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<tr>
<td>Send</td>
<td>3.25</td>
<td>4138</td>
<td>0.78</td>
<td>9.93</td>
<td>-6.68</td>
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<tr>
<td>Shalford</td>
<td>14.63</td>
<td>5161</td>
<td>2.83</td>
<td>12.39</td>
<td>2.24</td>
</tr>
<tr>
<td>The Pilgrims</td>
<td>759</td>
<td>2508</td>
<td>3.02</td>
<td>6.02</td>
<td>1.57</td>
</tr>
<tr>
<td>Area</td>
<td>Value 1</td>
<td>Value 2</td>
<td>Value 3</td>
<td>Value 4</td>
<td>Value 5</td>
</tr>
<tr>
<td>--------------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>Tillingbourne</td>
<td>13.65</td>
<td>5216</td>
<td>2.61</td>
<td>12.52</td>
<td>1.13</td>
</tr>
<tr>
<td>Worplesdon</td>
<td>17.45</td>
<td>8279</td>
<td>2.10</td>
<td>19.87</td>
<td>-2.42</td>
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<tr>
<td>Rural Area Total</td>
<td>124.02</td>
<td>46097</td>
<td>2.69</td>
<td>110.63</td>
<td>13.4</td>
</tr>
<tr>
<td>Borough Total</td>
<td>214.92</td>
<td>129701</td>
<td>1.66</td>
<td>311.28</td>
<td>-96.37</td>
</tr>
</tbody>
</table>
Annex 5

Design standards for children’s play spaces

<table>
<thead>
<tr>
<th>Facility</th>
<th>Maximum walking distance from home in minutes</th>
<th>Maximum walking distance from home in metres</th>
<th>Activity zone Size (minimum)</th>
<th>Total including buffer (minimum)</th>
<th>Nearest house (property boundary) (minimum distance)</th>
<th>Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Area for Play (LAP)</td>
<td>1</td>
<td>100 sq m</td>
<td>400 sq m</td>
<td>5m from activity zone</td>
<td></td>
<td>The main characteristics of a LAP are:</td>
</tr>
<tr>
<td>a small area of unsupervised open space specifically designated for young children for play activities close to where they live</td>
<td>1</td>
<td>100 sq m</td>
<td>400 sq m</td>
<td>5m from activity zone</td>
<td></td>
<td>1 It caters for children up to 6 years in age.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2 It is within walking time of 1 minute from home.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3 It is positioned beside a pedestrian pathway on a route that is well used.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4 It occupies a reasonably flat site that is well drained with grass or a hard surface.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5 It has an activity zone a minimum or 100m² in area.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6 It contains features that enable children to identify the space as their own domain, for example, a footprint trail, a mushroom style seat or a model of an animal or insect.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7 A buffer zone, of 5 metres minimum depth, is provided between the activity zone and the forward-most part of the nearest dwelling that faces the LAP. Gable end or other exposed walls should be protected from use for ball games by, for example, providing a strip of dense planting or 1 metre minimum depth.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8 The buffer zone includes planting to enable children to experience natural scent, colour and texture Some individual seats are provided for parents or carers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9 It has a 600mm high guard-rail or similar low level fence around the perimeter (either within or adjacent to areas of planting).</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10 It has a barrier to limit the speed of a child entering or leaving the facility.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11 It has a sign to indicate that the area is solely for use by children, that adults are not allowed unless accompanied by</td>
</tr>
<tr>
<td>Local Equipped Area for Play (LEAP): an unsupervised play area equipped for children of early school age</td>
<td>5</td>
<td>400</td>
<td>400 sq m</td>
<td>3,600 sq m</td>
<td>20 m from activity zone</td>
<td>The main characteristics of a LEAP are:</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12 It is overlooked from nearby houses. 13 The area of the activity zone contributes to meeting the children’s playing space part of the Six Acre Standard.</td>
</tr>
<tr>
<td>1</td>
<td>It caters for children of 4-8 years in age. 2</td>
<td>It is within a walking distance of 5 minutes from home. 3</td>
<td>It is positioned beside a pedestrian pathway on a route that is well used. 4</td>
<td>It occupies a site that is well drained with grass or a hard surface and features an appropriate impact-absorbing surface beneath and around the play equipment. 5</td>
<td>It has an activity zone a minimum of 400 m² in area. 6</td>
<td>It contains at least 5 types of play equipment, of which at least two are individual pieces rather than part of a combination. Each item is designed to stimulate one of the following: (i) Balancing, e.g. beams, stepping logs, clutter bridges, or graphic line elements. (ii) Rocking, e.g. see-saw or spring animals. (iii) Climbing or agility, e.g. frames, nets, overhead bars, or angled climbers. (iv) Sliding, e.g. traditional slides, straight or angled ‘fire-fighter’s’ poles. (v) Social play, e.g. sheltered areas or child seating. Additional items might focus upon rotating, swinging, jumping, crawling, viewing (e.g. ground graphics), counting or touching (e.g. sand and water). 7</td>
</tr>
</tbody>
</table>
opportunities for bullying).

9 It has a barrier to limit the speed of a child entering or leaving the facility.

10 A buffer zone, not less than 10 metres in depth, is provided between the edge of the activity zone and the boundary of the nearest property containing a dwelling. Normally, a minimum of 20 meters should be provided between the activity zone and the habitable room façade of the dwelling. Where these minimum distances apply, careful consideration needs to be given to:

(i) The design of the means of enclosure, planting scheme and/or other physical features on the boundary of the residential property, and

(ii) The siting of play equipment within the activity zone (to preclude opportunities for overlooking nearby gardens and a consequential loss of privacy for residents).

11 The buffer zone includes planting to enable children to experience natural scent, colour and texture.

12 Some individual seats are provided for parents or carers.

13 It has a notice to indicate:

(i) That the area is solely for use by children.

(ii) That adults are not allowed unless accompanied by children.

(iii) That dogs should be excluded.

(iv) The name and telephone number of the operator of the facility to report any incident or damage to the play equipment.

(v) The location of the nearest public telephone.

14 It has a litter bin.

15 The area of the activity zone contributes to meeting the children’s playing space part of the Six Acre Standard.
Neighbourhood Area for Play (NEAP) an unsupervised site serving a substantial residential area, equipped mainly for older children but with opportunities for play for younger children

<table>
<thead>
<tr>
<th>Neighbourhood Area for Play (NEAP)</th>
<th>15</th>
<th>1,000</th>
<th>1,000sq m</th>
<th>8,4000 sq m</th>
<th>30m from activity zone</th>
</tr>
</thead>
</table>

The main characteristics of a NEAP are:

1. It caters predominantly for older children.
2. It is within a walking time of 15 minutes from home.
3. It is positioned beside a pedestrian pathway on a route that is well used.
4. It occupies a site that is well drained with both grass and hard surfaced areas and it feature an appropriate impact-absorbing surface beneath and around the play equipment.
5. It has an activity zone a minimum of 1000m2 in area that is divided into two parts; one containing a range of play equipment and the other provided with a hard surface of at least 465m2 (the minimum area needed to play five-a-side football).
6. It contains at least 8 types of play equipment comprising:
   - (i) At least 1 item to stimulate rocking, touch, social or developmental play among younger children.
   - (ii) At least 2 items to facilitate, sliding, swinging or moderate climbing.
   - (iii) At least 5 items, of which at least 3 are individual pieces rather than in combination, to encourage either more adventurous climbing, single point swinging, balancing, rotating, or gliding (e.g. aerial runway).
7. There is adequate space around the equipment to enable children to express their general exuberance and play games of ‘tag’ and ‘chase’.
8. It has fencing, if the site is not already adequately enclosed, of at least 1 metre in height around the perimeter of the activity zone with two, outward-opening and self-closing, pedestrian gates on opposite sides of the space (to deter entry by dogs and to restrict opportunities for bullying).
9. It has a barrier to limit the speed of a child entering or leaving the facility.
10. A buffer zone, of 30 metres minimum depth is provided between the activity zone and the boundary of the nearest property containing a dwelling. A greater distance may be needed where purpose-built skateboarding facilities are provided.
11. The buffer zone includes planting to enable children to experience...
a part of the ‘natural’ environment.

12 Some individual seats are provided for parents or carers in the vicinity of the play equipment and other seating is provided within the hard surfaced games area.

13 It has a notice to indicate:
   (i) That the area is solely for use by children.
   (ii) That adults are not allowed in the equipped space unless accompanied by children.
   (iii) That dogs should be excluded.
   (iv) The name and telephone number of the operator of the facility to report any incident or damage to the play equipment.
   (v) The location of the nearest public telephone.

14 It has litter bins at each access point and in proximity of each group of seats.

15 It has convenient and secure parking facilities for bicycles.

16 The area of the activity zone contributes to meeting the children’s playing space part of the Six Acre Standard.
Annex 6

Off site contributions for open space provision

On small sites of between 5 and 25 dwellings or less than 0.4ha (saved Local Plan Policy R3) developers will be expected to provide the amenity space element within the development site and other elements of the open space standards will be provided wherever this is feasible and appropriate. When a developer is unable to meet the recreational open space requirement, the Council will accept a commuted payment in lieu of physical provision to cover both capital and revenue costs.

This contribution is identified in the following table, which has been developed using the experience of our Leisure Service in the provision of facilities in the Borough. Please note that these contributions will from now on be increased annually to reflect inflation (on 1 April in line with the Retail Price Index).

2010 figures (applicable until 31 March 2012)

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th>Play Space</th>
<th>Sports Grounds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom</td>
<td>£511</td>
<td>£627</td>
<td>£1,138</td>
</tr>
<tr>
<td>2 Bedroom</td>
<td>£854</td>
<td>£1,048</td>
<td>£1,902</td>
</tr>
<tr>
<td>3 Bedroom</td>
<td>£1,023</td>
<td>£1,259</td>
<td>£2,282</td>
</tr>
<tr>
<td>4+ Bedroom</td>
<td>£1,365</td>
<td>£1,677</td>
<td>£3,048</td>
</tr>
</tbody>
</table>

Note: The figures above will be revised in April 2012 and will be available on our website: http://www.guildford.gov.uk/index.aspx?articleid=5284
Annex 7 – Guildford Town Centre Boundary (as defined by Local Plan Policy M1)
Annex 8 – Summary of thresholds

Local Plan Policy G6 sets out the Council’s policy basis for securing provision of infrastructure to support new development. The table below summarises current thresholds, the point at which a particular development will trigger the need to comply with one or more policy requirements and the contribution sought. These are then typically secured through a planning obligation.

The following thresholds are provided as guidance. Infrastructure needs stem from the increased pressure placed on the existing physical and social infrastructure of an area, both by large-scale schemes and the cumulative impact of smaller developments. You are advised to consider planning benefit requirements with the Council’s planning officers during pre-application discussions.

<table>
<thead>
<tr>
<th>Benefit</th>
<th>From Uses</th>
<th>Area Collected</th>
<th>Threshold(s)</th>
<th>Obligation / Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 106 Monitoring</td>
<td>All agreements</td>
<td>Borough Wide</td>
<td>n/a</td>
<td>£450 as a minimum (refer to Section 2)</td>
</tr>
<tr>
<td>Legal Fees</td>
<td>All agreements</td>
<td>Borough Wide</td>
<td>n/a</td>
<td>Variable dependant upon complexity of agreement(s)</td>
</tr>
<tr>
<td>Affordable Housing</td>
<td>Residential</td>
<td>Urban areas</td>
<td>15 or more (gross) units and / or site area of 0.5ha or more</td>
<td>35% on site on site (negotiable in areas / for sites with lower land values)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rural Settlements (excluding Send and East Horsley)</td>
<td>10 or more (gross) units and / or site area of 0.4ha or more</td>
<td>35% on site on site (negotiable in areas / for sites with lower land values)</td>
</tr>
<tr>
<td>Sustainable Design and Construction</td>
<td>Residential</td>
<td>Borough Wide</td>
<td>1 or more gross units</td>
<td>Code for Sustainable Homes Level 3 as a minimum</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>a 10% reduction in carbon emissions through the use of on site low and zero carbon technologies</td>
</tr>
<tr>
<td></td>
<td>Non residential</td>
<td>Borough Wide</td>
<td>1,000sqm or more (gross) floorspace</td>
<td>BREEAM very good assessment rating as a minimum</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>a 10% reduction in carbon emissions through the use of on site low and zero carbon technologies</td>
</tr>
</tbody>
</table>

For further information refer to the Sustainable Design and Construction SPD
<table>
<thead>
<tr>
<th><strong>Car Clubs</strong></th>
<th><strong>Residential</strong></th>
<th><strong>Guildford Town Centre</strong></th>
<th><strong>25 or more (gross) units</strong></th>
<th><strong>On site parking provision</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mixed use</strong></td>
<td><strong>Guildford Town Centre</strong></td>
<td></td>
<td><strong>75 or more (gross) units</strong></td>
<td><strong>On site parking provision</strong></td>
</tr>
<tr>
<td><strong>Cycle Parking</strong></td>
<td><strong>Residential</strong></td>
<td><strong>Borough Wide</strong></td>
<td><strong>1 or more (net) residential units</strong></td>
<td><strong>Once cycle space per unit</strong></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td><strong>Refer to the Vehicle Planning Document</strong></td>
<td><strong>Parking Standards Supplementary</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Bus Shelters and Park and Ride</strong></td>
<td><strong>A threshold for negotiating contributions has not been set. Where a specific need is identified, contributions arising from the development will be considered on a site by site basis.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Open Space</strong></td>
<td><strong>Residential (larger developments)</strong></td>
<td><strong>Borough Wide</strong></td>
<td><strong>25 or more (net) units, or more than 0.4ha</strong></td>
<td><strong>1.6ha of formal playing field space per 1,000 people</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>0.8ha of children’s play space per 1,000 people;</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>0.4ha of amenity space per 1,000 people</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Residential (smaller developments)</strong></td>
<td><strong>Borough Wide</strong></td>
<td><strong>Between 5 and 25 (net) units</strong></td>
<td><strong>1.6ha of formal playing field space per 1,000 people</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>0.8ha of children’s play space per 1,000 people;</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>0.4ha of amenity space per 1,000 people</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Or</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Off site contribution (see Annex 5)</strong></td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td><strong>No requirement or a reduced requirement may be made under this policy where the provision of an open space locally is, and will remain after the development, adequate by these standards (refer to local plan policy R2).</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td><strong>Where the types of dwellings proposed do not generate a need for formal plays pace, such as sheltered accommodation for the elderly, the provision required will be for informal open space only.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Commercial developments</strong></td>
<td><strong>Borough Wide</strong></td>
<td><strong>Developments exceeding 2500 m²</strong></td>
<td><strong>Negotiable – considered on a site by site basis</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Biodiversity</strong></td>
<td><strong>Residential</strong></td>
<td><strong>Borough Wide</strong></td>
<td><strong>normally applicable to proposals of 10 or more (net) dwellings</strong></td>
<td><strong>By negotiation</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Commercial</strong></td>
<td><strong>Borough Wide</strong></td>
<td><strong>normally applicable to proposals comprising more</strong></td>
<td><strong>By negotiation</strong></td>
</tr>
<tr>
<td>Special Protection Areas</td>
<td>Residential</td>
<td>1 bed dwelling</td>
<td>All developments located between 400m and 5km from an SPA Boundary.</td>
<td>£3,540.73 per dwelling</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------</td>
<td>----------------</td>
<td>------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 bed dwelling</td>
<td></td>
<td>£4,165.73 per dwelling</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 bed dwelling</td>
<td>Large scale developments between 5km and 7km of an SPA boundary will be assessed on an individual basis.</td>
<td>£4,811.73 per dwelling</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 bed dwelling</td>
<td></td>
<td>£5,441.73 per dwelling</td>
</tr>
</tbody>
</table>

**Note.** The above SANG contribution Tariff excludes the minimum legal costs (£450) and monitoring fee (£450) per obligation. Please refer to the Thames Basin Heaths Special Protection Area Avoidance Strategy (2009-2014) for further information.

**Note:** The above tariff will be updated on an annual basis on 1 April in line with the Retail Price Index.

<table>
<thead>
<tr>
<th>Public Realm</th>
<th>Residential</th>
<th>Borough Wide</th>
<th>10 or more (net) residential units</th>
<th>By negotiation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Commercial</td>
<td>Borough wide</td>
<td>1,000m² (net) additional floorspace</td>
<td>By negotiation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Art</th>
<th>Residential</th>
<th>Borough wide</th>
<th>10 or more (net) residential units</th>
<th>On site provision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Commercial</td>
<td>Borough Wide</td>
<td>1,000m² (net) additional floorspace</td>
<td>On site provision</td>
</tr>
</tbody>
</table>

| CCTV        | Retail Drinking Establishments | Guildford Town Centre or where there is an identified need. | 50 sqm (net) increase in floorspace | Negotiable: On site provision or contribution |
|            | Hot food takeaway               |                                                           |                                  |
|            | Cinemas                        |                                                           |                                  |
|            | Amusement Arcades              |                                                           |                                  |
|            | Nightclubs                     |                                                           |                                  |

<table>
<thead>
<tr>
<th>Flood Mitigation</th>
<th>Residential</th>
<th>Borough Wide</th>
<th>Case by case basis</th>
<th>By negotiation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Commercial</td>
<td>Borough Wide</td>
<td>Case by case basis</td>
<td>By negotiation</td>
</tr>
</tbody>
</table>

| Skills and Employment | Non residential developments | Borough Wide | Developments creating significant employment opportunities (during construction and / or occupation) | By negotiation |

<p>| Highways |</p>
<table>
<thead>
<tr>
<th><strong>Education</strong></th>
<th>A threshold for negotiating contributions has not been set. Where a specific need is identified, contributions arising from the development will be considered on a site by site basis.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Transport</strong></td>
<td></td>
</tr>
</tbody>
</table>