

# **Salford City Council**

**Supplementary Planning Document  
Planning Obligations**

**Consultation Statement – January 2019**

# **1 Introduction**

- 1.1 This document has been prepared to comply with the requirements of Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 12(a) requires that before a local planning authority adopt a supplementary planning document (SPD), it must prepare a consultation statement setting out i) the persons consulted when preparing the SPD, ii) a summary of the main issues raised by those persons, and iii) how those issues have been addressed in the SPD. Regulation 12(b) requires that this consultation statement be made available alongside the draft SPD, during the period for representations on the document.

## **2 Statement of community involvement**

2.1 The city council's statement of community involvement (SCI) was formally adopted on 20 January 2010. The SCI aims to increase public involvement in planning processes. It sets out who will be involved, by what method and at what point in the process of document production or in the determination of planning applications. It gives more certainty to those wishing to get involved in the planning process.

2.2 The SCI sets the council's policy for community engagement in the production of formal planning documents. Below is a summary of the SCI guidance in respect of consultation at the different stages of SPD production:

### **Stage 1 – pre-production**

This stage is based around the gathering of evidence and asking people to identify issues and make suggestions in order to inform the preparation of the SPD.

### **Stage 2 – production**

A draft document is produced following the evidence gathering pre-production stage. Whilst the regulations simply require that draft SPDs are subject to a consultation period of at least 4 weeks, the SCI commits the city council to always consulting on the draft SPD for 6 weeks in order to maximise potential involvement. The city council will carefully consider any representations received during the consultation period and will update the SPD where it is considered necessary and appropriate.

### **Stage 3 – adoption**

The SPD will then be adopted. A summary of representations received and how they have been taken into account will be published at this stage.

### **3 Background to the review of the Planning Obligations SPD**

- 3.1 Salford City Council is undertaking a review of its approach to securing planning obligations from development, within the framework established via the relevant saved policies of the Salford Unitary Development Plan.
- 3.2 The city council secures planning obligations from new development within Salford via section 106 of the Town and Country Planning Act 1990. Planning obligations are sought in order to mitigate the impact of new development, and to make development acceptable in planning terms. Planning obligations can be secured to support the delivery of a wide range of infrastructure, such as the provision of affordable housing, the improvement of open space, the delivery of transport improvements, or the expansion of schools to create additional places.
- 3.3 A review of the Planning Obligations Supplementary Planning Document (SPD) is being undertaken for three main reasons:
- To reflect changing national policy and legislation
  - To respond to the latest information on development viability in Salford
  - To provide additional guidance on the implementation of local policies on planning obligations in light of experience in applying the existing SPD
- 3.4 A key principle guiding the review is the need to ensure that the city council's approach to planning obligations has clear regard to development viability. The cumulative impact of all financial requirements when taken together with other policy requirements should not compromise development viability across the city.
- 3.5 The SPD will specifically supplement the following policies of the UDP:
- DEV5 – Planning conditions and obligations
  - ST5 – Transport networks
  - DES3 – Design of public space
  - H1 – Provision of new housing development
  - H4 – Affordable housing
  - H8 – Open space provision associated with new housing development
  - EHC3 – Provision and improvement of health and community facilities
  - A8 – Impact of development on the highway network
  - CH3 – Works within conservation areas
  - CH7 – Manchester, Bolton and Bury Canal
  - R2 – Provision of recreation land and facilities

3.6 Whilst the SPD will not form part of the development plan, it will be an important material consideration in the determination of planning applications.

## 4 Scoping consultation

- 4.1 Between March and April 2018, the city council sought the views of stakeholders and consultees on its intention to undertake a review of its approach to securing planning obligations. The city council issued a scoping consultation letter which set out the intention to undertake a review of the existing Planning Obligations SPD.
- 4.2 The city council consulted 503 consultees registered on its planning consultee database, including all statutory consultation bodies together with other consultees who the city council considered may have an interest in the production of this document. This included housebuilders, developers and landowners, together with property and planning agents, and residents and community groups who had previously expressed an interest or submitted representations on related planning policy documents. A list of all those consulted is set out at Annex A, and a copy of the scoping consultation letter which was sent to consultees is set out at Annex B. Details of the consultation were also published on the city council's website<sup>1</sup> and an electronic version of the letter was available to download.
- 4.3 Comments were invited from Friday 9 March 2018 upon the issue of the scoping consultation letter, to the end of the consultation period on Friday 6 April 2018.
- 4.4 The following organisations and individuals submitted representations on the scoping consultation:
- Canal and River Trust
  - Culcheth and Glazebury Parish Council
  - Environment Agency
  - Greater Manchester Ecology Unit
  - HOW Planning
  - Natural England
  - Network Rail
  - Peel Holding (Land and Property) Ltd
  - Sport England
  - Transport for Greater Manchester
- 4.5 The following organisations responded to confirm that they had no comments to make on the scoping consultation:
- Education and Skills Funding Agency
  - Historic England

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<sup>1</sup> <https://www.salford.gov.uk/planning-building-and-regeneration/planning-policies/local-planning-policy/other-local-planning-policies/planning-obligations-supplementary-planning-document/review-of-planning-obligations-spd/>

- 4.6 A schedule of all representations received together with the city council's response and how this has informed the draft SPD are set out at Annex C.
- 4.7 A summary of the main issues raised by representations submitted to the scoping consultation is set out below.

### **Summary of representations submitted**

- 4.8 A number of the respondents commented in relation to what the priorities should be for planning obligations. In particular, it was suggested that the following should be identified: the mosslands; flood defences; watercourses; the Manchester Bolton and Bury Canal; allotments; health; semi-natural green spaces; biodiversity; rail stations; and transport assessments. One respondent commented that sports pitch requirements should be made separate to wider requirements for open space.
- 4.9 Comments were received with regards to the need for flexibility, particularly the need to take into account the implications of planning obligations on financial viability. Related to this, it was commented that polices should not be overly prescriptive, whilst flexibility was specifically sought by one respondent with regards to affordable housing requirements, particularly around tenure, size and peppercotting.
- 4.10 Two respondents made comments with regards to how certain obligations are calculated under the current adopted Planning Obligations SPD. These related to how open space contributions are calculated for outline planning applications where the precise mix of dwellings is unknown, and also the principle of using a per bedspace figure for calculating open space contributions.
- 4.11 Two representations offered support for making the planning obligations process more transparent, particularly around viability assessments. However the issue of commercial sensitivity was raised in relation to how this should be implemented.
- 4.12 One representation was received which identified that SEA of the revised SPD would only be required in exceptional circumstances.

## ANNEX A – List of stakeholders consulted during the review of the planning obligations SPD<sup>2</sup>

Consultee	Consulted At Scoping Stage
Abstract Securities	X
Acremoss Designs	X
Action Against Astley Road Development	X
Aecom	X
Aew	X
Age Uk	X
Ainscough Stratgeic Land	X
Allied London	X
Ambulance Service North West Nhs Trust	X
Amec (National Grid)	X
Amion	X
Ar Planning	X
Arcon Housing Association	X
Arcus Consultancy Services Lts	X
Argent Group	X
Armitage Residents Assoc.	X
Arqiva	X
Artisan	X
Arup	X
Ask Developments	X
Atelier Mb Architects	X
Atkins Global	X
Barbara Keeley Mp Office	X
Bardsley Construction	X
Barnes Construction	X
Barratt Homes Manchester	X
Barton Wilmore	X
Bdp	X
Bdw Trading Ltd	X
Beaumont Morgan Developments Ltd	X
Beech Farm Residents Association	X
Bellway Homes North West	X
Benmore Group	X
Bfls	X
Bloc	X
Blue Mantle	X
Blue Sky Planning Ltd	X
Bnp Paribas	X
Bolton Metropolitan Borough Council	X
Bovis Homes	X
Breem Centre	X
Bridgewater Canal Company Ltd	X
British Gas	X
British Telecom	X
Broadway Malyan Planning	X
Brookfinch Developments	X
Brookhouse Community Association	X
Brookhouse Group	X

<sup>2</sup> A total of 503 individual stakeholders were consulted. It should however be noted that this number includes multiple stakeholders within the same organisation. To avoid duplication, this table therefore lists each organisation / individual only once.

Bruntwood Estates	X
Bullock Construction	X
Bury MBC	X
Business Consultative Forum	X
CA Planning	X
Campaign For Real Ale	X
Canal And River Trust	X
Canmoor	X
Canning O'neill	X
Capital And Centric	X
Carillion Igloo Limited	X
Carrington Parish Council	X
Carter Jones	X
Casserly Property Management	X
CBI - North West Office	X
CBRE	X
Centre For Local Economic Strategies	X
Cheetham And Mortimer	X
Chesters Coaches	X
Chris Thomas Ltd	X
Christopher Dee	X
Church Of England Diocese Of Manchester	X
City Airport Manchester	X
City Centre Cruises	X
City Heart	X
City Of Trees	X
City West Housing	X
Civil Aviation Authority	X
Claremont Community Association	X
Clifton Hamlet	X
Colliers International	X
Cooperative Group Property Division	X
Copthorne Hotel	X
Council for British Archaeology	X
Country Land And Business Association North	X
Countryside Properties Plc	X
CPRE Lancashire Branch	X
Culcheth and Glazebury Parish Council	X
Cushman and Wakefield	X
Cussons Technology	X
Dalton Warner Davies	X
Dandara	X
David Wilson Homes	X
Davies Harrison	X
Davis Langdon LLP	X
De Pol Associates	X
De Traffords Resident Assoc.	X
Deloitte LLP	X
Department for Transport	X
Deputy Director of Public Health	X
Derwent Holdings	X
Development Securities	X
Director Of Public Health	X
DMS Architecture Ltd	X
Dorribo T/A Regional Map Distributers	X
Dpp One Ltd	X
DTZ	X
Dundedin Property	X

Eccles and Salford Mosque	X
Eddisons	X
Education and Skills Funding Agency	X
Edward and Co	X
Edward Symmons	X
EE Telecommunications	X
EFM Ltd	X
Ekosgen	X
Elan Homes	X
Electricity North West	X
Ellesmere Park Residents Association	X
Emery Planning	X
English Cities Fund (Muse Developments)	X
Environment Agency	X
Euan Kellie Property Solutions	X
Eversheds LLP	X
Fairhurst	X
Faithful and Gould	X
Federation of Jewish Services	X
FICM Ltd	X
Fields in Trust	X
First Plan	X
Forestry Commission NW	X
Framptons	X
Freight Transport Association Northern Region	X
Friends, Families and Travellers and Traveller Law Reform Project	X
Gamma Telecommunications	X
Gerald Eve	X
GL Hearn	X
Glenbrook Property	X
Gm Fire And Rescue Services HQ	X
Gm Pedestrians Association	X
Greater Manchester Archaeological Advisory Service	X
Greater Manchester Chamber of Commerce	X
Greater Manchester Combined Authority	X
Greater Manchester Ecology Unit	X
Greater Manchester Minerals and Waste Planning Unit	X
Greater Manchester Police	X
Greater Manchester Police Force HQ	X
Greater Manchester Waste Disposal Authority	X
Greenoaks Ltd	X
Groundwork Manchester Salford Trafford	X
GVA	X
Hamilton Davies Trust	X
Harland Machine Systems Ltd	X
Harrow Estates Plc	X
Harworth Estates	X
Health And Safety Executive NW	X
Heaton Planning Ltd	X
Highway Authority	X
Highways England	X
Hill Street Residents Association	X
Himor Group	X
Historic England	X
Historic England (English Heritage)	X
HMP & YOI Forest Bank	X
Hollins Strategic Land	X
Home Builders Federation	X

Homes And Communities Agency	X
Hourigan Connolly	X
How Planning	X
Igloo	X
Ignite Homes Ltd	X
Iliad Group	X
Indigo Planning	X
Inpartnership	X
Institute Of Directors North West	X
Irlam Medical Centre	X
Isis Waterside Regeneration	X
J. Fletcher (Engineers) Ltd	X
JASP Planning Consutancy Ltd	X
Jewish Representative Council Of Manchester	X
JMP Consulting	X
Jones Lang Lasalle	X
JWPC Ltd	X
Keepmoat	X
Keppie Massie	X
Kier Limited	X
Kingsland Wines and Spirits	X
Kirkwells	X
Knight Frank	X
Lambert Smith Hampton	X
Lancashire Wildlife Trust	X
Lancashire Gardens Trust	X
Lancs Circuit Of Jehovah's Witnesses	X
Langtree Group	X
Lichfields	X
Lidl Uk Properties	X
Local Enterprise Partnership	X
Local Nature Partnership	X
Lovell Partnerships Ltd	X
LPC Living	X
Lvmh Uk Ltd	X
Mace Group	X
Maghull Developments	X
Magnesium Elecktron Uk	X
Makro (Booker Group Plc)	X
Manchester Airport Group	X
Manchester City Council	X
Manchester Civic Society	X
Manchester Doors & Cubicals	X
Manchester Enterprise Partnership	X
Manchester Friends of the Earth	X
Maple Grove Developments	X
Marine Management Organisation	X
Mawdsley Brooks and Co	X
Mcaleer and Rushe Group	X
Mcr Property	X
Miller Construction	X
Miller Homes	X
Miller Homes North West	X
Mister Blister Ltd	X
Morgan Sindall	X
Morris Homes (North) Ltd	X
Morris Homes Ltd	X
Mosaic Town Planning	X

N M Rothschild and Sons Ltd	X
Nathaniel Lichfield and Partners	X
National Federation of Gypsy Liasion Groups	X
National Grid	X
Natural England	X
Neptune Developments	X
Network Rail (Infrastructure) Ltd	X
Nexus Planning Ltd	X
NFU	X
NHS England (NHS Commissioning Board)	X
NHS Property Services Ltd	X
Nikal	X
Nimans Ltd	X
Njl Consulting	X
Northbank Management Company	X
Novotel Hotel	X
Npower Renewables	X
Off The Rails Ltd	X
Office for Graham Stringer MP	X
Office for Rebecca Long Bailey MP	X
Office for the Police and Crime Commissioner for Greater Manchester	X
Office Of Barbara Keeley MP	X
Office Of Rail And Road	X
Oldham MBC	X
Omi Architects	X
Orbit Developments Emerson	X
Partington Town Council	X
Paul Butler Associates	X
PBN	X
Peacock And Smith	X
Peel Holdings	X
Peel Investments Ltd	X
Peel Ports Ltd	X
Pegasus Planning Group Ltd	X
Pendleton College	X
People First Manchester	X
Persimmon Homes NW	X
Peterloo Estates	X
Plan Info (Part Of DPDS Group)	X
Planning Potential	X
Planware Ltd	X
Pochins Ltd	X
Pozzoni	X
Praxis	X
Prds	X
Property Alliance Group	X
Public Health Service Salford	X
Ramblers Association	X
Rapar	X
Rapleys Llp	X
Realty Estates	X
Red Property Serrvices	X
Red Rose Forest	X
Redrow Homes	X
Regeneris	X
Renaker Build	X
Renewable Uk	X

Rg+P Ltd	X
Riverside Island Tenants Assoc	X
Rixton With Glazebrook Parish Council	X
Rochdale MBC	X
Roger Hannah And Co	X
RSPB	X
Rybram Ltd	X
Safety Systems UK Ltd	X
Salford City College	X
Salford City Partnership	X
Salford Community Leisure	X
Salford Deaf Gathering	X
Salford Disability Forum	X
Salford Disabled Motorists Association.	X
Salford Equality Network	X
Salford Forum Of Older People	X
Salford Link Project	X
Salford NHS Clinical Commissioning Group	X
Salford Youth Service	X
Salix Homes	X
Sanderson Weatherall	X
Sanderson Weatherall (Royal Mail)	X
Savills	X
Scarborough Group	X
Seddon Group Ltd	X
Seddons	X
Sedgwick Associates	X
Seybourne	X
Shed Km	X
Shelter (London)	X
SISI Development	X
Skills Funding Agency	X
SLR Consulting Ltd	X
Sport England	X
SSA Planning Ltd	X
St Modwen Developments	X
Stama Development Ltd	X
Steven Abbott Associates LLP	X
Stewart Ross Associates	X
Stockport Council	X
Storeys Edward Symonds	X
Story Homes Ltd	X
Stratus Environmental Ltd	X
Swinton Judo Club	X
Swinton Open Space Community Association	X
Symphony Housing Group	X
Tameside MBC	X
Taylor Wimpey Strategic Land	X
Taylor Wimpey UK Ltd	X
Terrace Hill	X
Tesco	X
Tetlow King Planning	X
The Coal Authority	X
The Emerson Group	X
The Emerson Group (Jones Homes NW Ltd)	X
The Gardens Trust	X
The Lawn Tennis Association	X
The Manchester Ship Canal Company	X

The Planning Bureau	X
The Planning Bureau Ltd	X
The Seedley And Langworthy Trust	X
The SPAB	X
The Stables	X
The Theatres Trust	X
The Twentieth Century Society	X
The Wildlife Trust	X
The Woodland Trust	X
Thomas Eggar LLP	X
Thorn Court Residents Association	X
Three Telecommunications	X
Together Housing	X
Trafford MBC	X
Transport For Greater Manchester	X
TSG	X
Turley	X
Turner and Townsend	X
Tushingam Moore	X
Tyler Parkes Partnership	X
UK Coal Head Office	X
UK Land And Property	X
United Utilities Plc	X
United Utilities Property Services	X
Urban Splash	X
URS Global	X
Vanguard Self Storage	X
Ventures	X
Villafont Ltd	X
Vincent and Gorbing	X
Vision Developments	X
Vita Ventures	X
Vodafone and O2	X
Wainhomes	X
Walton And Co	X
Warburton Parish Council	X
Ward Headway	X
Warrington Borough Council	X
Wates Living Space	X
West Properties Uk Ltd	X
Westhoughton Town Council	X
Westleigh Developments Ltd	X
White Young Green	X
WHR Property Consultants	X
Wigan Council	X
Worsley Civic Trust & Amenity Society	X
Wrightington Parish Council	X
WSP	X
X1	X
Your Housing Group	X
Mr And Mrs Stringer	
Beryl Patten	
Derek Butterworth	
Peter Ball	
Gary James	
Mr Nazar	
Mrs P Walker	
Christopher Gray	

Hamish Robertshaw	
R D Boyd	

## ANNEX B – Letter to consultees on scoping stage



### Planning

Salford City Council, Civic Centre  
Chorley Road, Swinton, M27 5BY



**Phone** 0161 793 3782



**email** [plans.consultation@salford.gov.uk](mailto:plans.consultation@salford.gov.uk)



**Web** [www.salford.gov.uk](http://www.salford.gov.uk)

9 March 2018

### Planning Obligations Supplementary Planning Document

Dear Sir / Madam,

We are writing to you as you have previously commented on, or expressed interest in, one of Salford's planning policy documents.

Planning obligations are sought in order to mitigate the impact of new development, and to make development acceptable in planning terms. For example, in recent years in Salford, planning obligations have been used to secure the provision of new affordable housing, open space improvements, new public realm, and expanded primary schools.

The Planning Obligations Supplementary Planning Document (SPD) sets out the detailed policies for using planning obligations in Salford. The current version of the SPD was adopted in June 2015, and can be viewed on our website at: <https://www.salford.gov.uk/planobligationspd>. The city council is now looking to update it to ensure that it reflects the latest evidence and priorities.

One of the key considerations for the SPD is that the approach to planning obligations must take into account the impact of any policies on the financial viability of development. Government policy is clear that the cumulative impact of all requirements should not have an unacceptable impact on development viability. There have been significant changes to development economics and some of the housing markets within Salford since the current SPD was adopted, and so the review will need to assess factors such as land values, house prices and the cost of building new homes. There has also been increasing public interest in the processes around planning obligations, particularly the viability appraisal process through which developers may seek lower contributions than would normally be required by the SPD policies.

We would welcome any comments which will assist us in informing the review of the SPD, particularly in terms of the following:

- 1) Which aspects of the current SPD should be retained or amended?
- 2) Are there any problems with the implementation of the current SPD?
- 3) Are the current priorities in the SPD appropriate; that is, affordable housing, open space, primary school places, transport, and public realm?
- 4) How can the transparency of the financial viability appraisal process for individual planning applications be maximised in order to maintain public confidence in the system?

- 5) What are the potential implications of the [government's current consultations](#) on: the draft revised national planning policy framework; draft planning practice guidance for viability; and supporting housing delivery through developer contributions?

All comments should be received by the city council no later than 4.30pm on Friday 6 April 2018.

Comments may be submitted by any of the following means:

- By email to [plans.consultation@salford.gov.uk](mailto:plans.consultation@salford.gov.uk)
- By post to:

Planning Obligations SPD consultation  
Spatial Planning  
Salford Civic Centre  
Chorley Road  
Swinton  
M27 5BY

The city council's preferred communication method is via email and therefore if you have received this letter by post, we would be grateful if you could provide an email address for all future correspondence to assist us in minimising our costs.

Subject to the nature of comments received, we intend to prepare an updated SPD which would be subject to formal consultation later this year.

If you have any queries regarding the proposed review of the Planning Obligations SPD please contact the spatial planning team on 0161 793 3782 or via [plans.consultation@salford.gov.uk](mailto:plans.consultation@salford.gov.uk)

#### Data protection

Please note that all comments will be held by Salford City Council and will be available to view publicly. Comments cannot be treated as confidential. Your personal information, such as your postal and e-mail address will not be published, but your name and organisation (if relevant) will.

In responding to this consultation your contact details will automatically be added to the city council's planning policy consultation database. If you do not want to be contacted about future stages of the Planning Obligations SPD, or other planning policy documents, then please let us know.

Yours faithfully,



Chris Findley  
Assistant Director Planning and Housing

## ANNEX C – Schedule of representations submitted at the scoping consultation stage

Ref	Organisation (and Agent where applicable)	Representation	Council response and implications for draft SPD
001	Canal and River Trust	<p><u>Which aspects of the current SPD should be retained/amended?</u>            The Trust is committed to maximising the potential of the Manchester, Bolton &amp; Bury Canal (MBB) and its towpath as a leisure and recreation resource, a heritage and wildlife corridor and a sustainable transport route. The Trust also remains committed to supporting the restoration of the canal to full navigation, alongside other partners and stakeholders including the Manchester, Bolton &amp; Bury Canal Society. In our role as statutory consultee on planning applications, the Trust seeks to secure improvements to the canal infrastructure through planning obligations where such contributions would meet the tests set out at paragraph 204 of the National Planning Policy Framework, i.e. necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.</p> <p>With this in mind the Trust would wish to see the following aspects/mechanisms retained in the updated Planning Obligations SPD.</p> <p><u>Policy OB5 – Transport Contribution</u>            The towpath of the Manchester, Bolton &amp; Bury Canal provides a sustainable transport route for walking and cycling, connecting residential areas to employment, shops and local facilities both with Salford and in the neighbouring communities of Bolton. Where development in the vicinity of the canal will result in the increased use of the towpath by pedestrians and cyclists, it will be reasonable to secure a developer contribution towards further improvements to the surface of the towpath and/or access improvements.</p> <p>The Trust therefore supports Policy OB5 of the SPD and the supporting text which enables contributions to be sought towards the improvement of transport infrastructure, having regard to site-specific circumstances. The existing policy allows such contributions to be directed towards a range of</p>	<p>One of the saved UDP policies that the draft SPD specifically supplements is Policy CH7 (Manchester, Bolton and Bury Canal).</p> <p>Support welcomed.</p>

Ref	Organisation (and Agent where applicable)	Representation	Council response and implications for draft SPD
		<p>projects (para 8.8) including the improvement of existing pedestrian and cycle routes. This mechanism should be retained.</p> <p><u>Policy OB6 – Public Realm</u> Policy CH7 of the adopted Unitary Development Plan (as saved) states that: <i>“In circumstances where the restoration or improvement of the canal or towpath is necessary to enable development to proceed satisfactorily, or where the development would benefit directly from the restoration or improvement, contributions will be sought with a view to securing such restoration or improvement.”</i></p> <p>The Trust has previously commented that it is unfortunate that a similar standalone policy does not appear in the current draft Salford Local Plan. This said draft Local Plan policy D12 – Waterside Development and policy R1(8) – Recreation Spatial Strategy, which seeks to secure the restoration and protection the line of the MBB, do provide potential policy support. Given this it clearly remains an objective of the Council to support the restoration and protection of the MBB, especially as a monitoring indicator of the Plan includes increasing the restored length of the MBB (para 12:15 of the draft Local Plan). The review of the Planning Obligations SPD would provide an opportunity to address this matter further and set out a mechanism for securing contributions for the long term restoration or improvement of the MBB.</p> <p>In this regard the Trust support the thrust of Policy OB6 and would wish to see a similar policy retained, along with an updated version of the criteria at paragraph 9.4 of the current Planning Obligations SPD. That being: <i>“Manchester, Bolton and Bury Canal – the city council supports the restoration of the Manchester, Bolton and Bury Canal. It will be appropriate for development along the line of the canal to contribute towards its restoration or improvement.”</i></p> <p>We suggest that the wording should however be reviewed and amended</p>	<p>The reasoned justification to Policy OB10 (Public realm contributions) continues to make reference to the Manchester, Bolton and Bury Canal. The text has been amended to explain that “the city council supports the restoration of the Manchester, Bolton and Bury Canal, and it will be appropriate for development along the line of the canal to contribute towards its use as a green transport and recreation corridor, or the restoration of the canal”.</p>

Ref	Organisation (and Agent where applicable)	Representation	Council response and implications for draft SPD
		<p>due to concerns in relation to meeting the planning obligations tests in terms of being able to demonstrate that such a contribution would be directly related to the development and necessary to make the development acceptable. There is also the matter of pooling restriction as well. It could be broadened and redrafted along the lines of:</p> <p><i>“Manchester, Bolton and Bury Canal – the City Council supports the former line of the canal being safeguarded as a green corridor and for development along the line of the canal contributing towards the provision of a recreation route and its uses as a sustainable transport route, pending its long term restoration or improvement.”</i></p> <p>This would enable contributions to be sought towards public realm/sustainable travel/green infrastructure improvements, along the former line of the canal.</p> <p>The Trust would be happy to discuss an appropriate mechanism with the Council for significant new development to contribute towards the restoration of the canal, for example at Middlewood Lock.</p>	
002	Culcheth and Glazebury Parish Council	<p>As we are a Parish bordering Salford our main interests are keeping the gap between settlements and protecting the moss lands and water courses.</p> <p>Our other concern is for developments which adversely affect the free flow of traffic on our region's roads and motorways. Traffic problems already exist so planning obligations could be used, for example, to improve junctions and provide safe crossings for residents. Also parking standards in new development should be such that overflow parking on important transport routes is avoided.</p>	<p>Other policy documents support the protection of the mosslands and watercourses.</p> <p>The reasoned justification to Policy OB9 (Transport contributions) provides examples of how transport contributions may be spent, which include pedestrian crossings and parking management measures. The issue of parking standards will be considered through the Local Plan.</p>
003	Environment Agency	We would recommend that within the current listed priorities in the SPD	Flood defence infrastructure has been

Ref	Organisation (and Agent where applicable)	Representation	Council response and implications for draft SPD
		<p>(affordable housing, open space, primary school places, transport, and public realm) that flood defence infrastructure and Green Infrastructure are also included as priorities.</p> <p>We would also encourage an approach for partnership working on wider flood management initiatives across the Borough of Salford between developers, local community, the Council and ourselves.</p>	<p>added to the list of examples of other site-specific planning obligations in section 10. A reference to green infrastructure has been added to the examples of how public realm contributions could be spent, in the reasoned justification to Policy OB10 (Public realm contributions). The approach to open space in Policy OB6 will also have substantial green infrastructure benefits.</p>
004	Greater Manchester Ecological Unit (GMEU)	<p>Section 6 - Open Space only includes four typologies of open space. We believe this is too restrictive and that other forms of open space should be included as potential receptors of planning obligation funding including semi-natural greenspace and allotments.</p> <p>Section 10 – Other Site Specific obligations. Whilst we realise that section 10.2 is only giving examples we recommend that riverside development be include as an example that may be required to provide financial provision towards either flood defence and/or improvements to the ecological potential of the waterbody as defined under the Water Framework Directive.</p> <p>Our only experience with the current SPD related to the Charlestown Development where we recommended that the public open space contribution be spent on the riverside path. Whilst we did not follow this through, we were informed that the open space contribution was likely to be waived because of the affordable housing contribution. This was disappointing given that Salford CC is the lead authority on implementing</p>	<p>The reasoned justification to Policy OB6 (Open space contributions) provides examples of the types of open space on which contributions might be spent, including natural greenspace and allotments.</p> <p>Flood defence infrastructure has been added to the list of examples of other site-specific planning obligations in section 10. Ecological mitigation or compensatory measures are also listed, which could include measures relating to the ecological potential of a waterbody.</p> <p>The approach to planning obligations needs to take into account the implications on development viability. This may mean that some types of contribution need to be prioritised over others on an individual site.</p>

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		the Natural Course project which seeks to enhance the Irwell Corridor in Greater Manchester.	
005	HOW Planning	<p>OUTLINE PLANNING APPLICATIONS</p> <p>Policy OB2 (Open Space Contribution) of the 2015 SPD sets out the financial contribution requirement towards the provision or improvement of off-site open space which is required for new housing developments that would result in a net increase of 11 or more dwellings and which includes no on-site provision of open space. The financial contributions are set out as follows:</p> <ul style="list-style-type: none"> <li>• "House: £1,439 per bed space (at 2015/16 financial year prices)</li> <li>• Apartment (and other forms of accommodation which are not encompassed within the definition of a house): £1,039 per bed space (at 2015/16 financial year prices)"</li> </ul> <p>The policy further states that a bed space is defined as the number of bedrooms within a dwelling, plus one. Furthermore the reasoned justification states:</p> <p>"The policy identifies that a bed space is defined as the number of bedrooms within a dwelling, plus one. For example, a two bedroom dwelling has three bed spaces, and a four bedroom dwelling has five bed spaces. Bed spaces represent the number of people that could reasonably be expected to occupy a dwelling, and therefore its likely impact on the need for open space. Studio apartments are considered to have two bed spaces, given that they will normally be designed to enable occupation by up to two persons."</p> <p>What the current SPD does not take account of is calculating financial contributions for off-site open space provision for outline planning applications. In normal circumstances house types and sizes and therefore, bed spaces, are not usually known at the outline stage and therefore the open space contributions cannot be calculated accurately in</p>	Text has been added to section 3 (Approach to securing planning obligations), which explains the approach that will be taken for outline planning applications. This says that: "The preferred approach will be to include the relevant cost formulae in the s106 agreement, so that there is a clear commitment to providing appropriate contributions to priorities such as open space and education. Those contributions can then be calculated at the reserved matters stage once the number, type and/or size of dwellings is known, without having to amend the agreement."

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		<p>line with the SPD.</p> <p>It is recommended that the Council review the way financial contributions for off-site open space provision is calculated for outline planning applications to make this more user-friendly.</p> <p><b>VIABILITY TESTING</b> A number of policies in the 2015 SPD refer to viability testing which is essential and fully supported by HOW Planning. These include policy OB1 (Affordable Housing) which sets out the affordable housing requirements which should be provided in housing developments of 25 or more dwellings or on all residential sites over 1 hectare which comprise 11 or more dwellings.</p> <p>The policy refers to financial viability and states:</p> <p>"In instances where an applicant demonstrates to the city council's satisfaction that full or partial delivery of the affordable housing requirement is not possible on viability grounds, the city council will negotiate alternative provision having regard to local need. In circumstances where obligations are reduced or waived, clawback mechanisms will be put in place should viability improve subsequently."</p> <p>The policy does not directly specify that if a reduced affordable housing contribution is proposed, a viability assessment is required to be submitted however, it is inferred through its requests for viability to be demonstrated.</p> <p>Furthermore, policy OB6 (Public Realm Contribution) sets out when contributions towards the provision or improvement of public realm are required. The reasoned justification makes reference to viability evidence being submitted.</p> <p>Finally, paragraph 11.15, which relates to 'costs to be met by the</p>	<p>Support welcomed.</p> <p>The city council is committed to transparency in the planning application process, as this is considered important for retaining public confidence in the system. Consequently, and in accordance with the national Planning Practice Guidance, Policy OB2 (Reduced planning obligations) of the draft SPD states that: "Where a viability appraisal is submitted by an applicant in order to justify a reduced contribution, it will be published prior to the determination of the planning application unless there are exceptional circumstances."</p>

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		<p>developer' states that:</p> <p>"A developer may submit financial viability evidence in order to demonstrate that the cumulative impact of all policy requirements would compromise development viability, and that the contribution should be reduced or waived accordingly..."</p> <p>Firstly, HOW supports the flexibility to allow viability assessment to be submitted if it is not financially viable for full contributions sought by the SPD to be provided. This flexibility needs to be retained and bolstered in the revised SPD. It is understood that regard will be had in the forthcoming SPD to the draft NPPF, which has been published alongside proposed guidance on viability in planning. This includes a requirement that all viability assessments (where needed) should be made publically available. Whilst we understand the requirement for transparency, if full information is to be published in the public domain, this could give others a commercial advantage in the development / site acquisition process. As such, this approach should be carefully considered. Should the Council adopt a more transparent approach, then it is suggested that viability assessments only be available for Planning Committee Members and redacted versions to the public to avoid any unnecessary disadvantage.</p>	
006	Natural England	<p>We welcome this opportunity to give our views on Salford City Council's updated Planning Obligations Supplementary Planning (SPD). As part of your review, we would like to bring to your attention Natural England's previous comments on Salford City Council's Planning Obligations SPD, which the following was stated:</p> <p>"We welcome the inclusion of 'Open Space' in the Draft Planning Obligations SPD but we are of the opinion that this could be strengthened by linking in with any green infrastructure (GI)/open space strategies so that planning obligations can help achieve GI objectives for the area. We would also like to see more of a focus on delivering enhancements to biodiversity by linking in with biodiversity action plans.</p> <p>We also welcome the inclusion on active transport infrastructure like cycle and foot paths and we would like to see this linked in with any appropriate transport plans that may highlight gaps and requirements in active</p>	<p>A reference to green infrastructure has been added to the examples of how public realm contributions could be spent, in the reasoned justification to Policy OB10 (Public realm contributions). The approach to open space in Policy OB6 will also have substantial green infrastructure benefits. A new paragraph has been added to the chapter 3 (Approach to securing planning obligations) which explains that regard will be had to existing plans and strategies when spending financial contributions, with</p>

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		<p>transport infrastructure.” (NE Response 25.02.2015, Ref: 142398). The updated Planning Obligations SPD should ensure the above recommendation is taken forward as part of a revised version of the document. We do not wish to provide specific comments on the application of the SPD, but advise you to consider the following issues as part of the update:</p> <p><b>Green Infrastructure</b> This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area. The National Planning Policy Framework states that local planning authorities should plan ‘positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure’. The Planning Practice Guidance on Green Infrastructure provides more detail on this. Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities. There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:</p> <ul style="list-style-type: none"> <li>• green roof systems and roof gardens;</li> <li>• green walls to provide insulation or shading and cooling;</li> <li>• new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity).</li> </ul> <p>You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans. Further information on GI is include within The Town and Country</p>	<p>green infrastructure and greenspace strategies, biodiversity action plans and transport delivery plans included as examples.</p> <p>The structure and content of the SPD is determined in part by the saved UDP policies that it supplements. This is why the focus is on open space rather than green infrastructure more generally, but the SPD makes connections to green infrastructure where appropriate such as in the reasoned justifications to policies OB6 (Open space contributions) and OB10 (Public realm contributions) as explained above.</p> <p>The SPD will be updated again once the Local Plan has been adopted, and this may provide an opportunity for more detail to be set out in relation to green infrastructure and biodiversity.</p>

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		<p>Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".</p> <p><b>Biodiversity enhancement</b> This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p><b>Landscape enhancement</b> The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts. For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.</p> <p><b>Other design considerations</b> The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and</p>	<p>Section 10 of the SPD provides examples of other types of site-specific planning obligations that may be sought, one of which is: "Ecological mitigation or compensatory measures, where development would result in a negative impact on biodiversity and habitats".</p> <p>The city council has produced a separate SPD on 'Trees and development'.</p> <p>The city council has produced a separate SPD on design.</p>

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		<p>biodiversity (para 125).</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	<p>The city council does not consider that the SPD requires a strategic environmental assessment or a habitat regulations assessment.</p>
007	Network Rail	<p>The SPD states, “8.8 Contributions may be directed towards a range of projects, including for example:</p> <ul style="list-style-type: none"> <li>• Rail station improvements;”</li> </ul> <p>Consideration should be given in Transport Assessments to the potential for increased footfall at Railway Stations as a result of proposals for residential development / employment areas within the council area. Location of the proposal, accessibility and density of the development, trip generation data should be considered in relation to the station. Where proposals are likely to increase footfall and the need for car parking at Railway Stations, the council should include developer contributions (either via CIL, S106) to provide funding for enhancements as part of planning decisions.</p>	<p>The city council’s validation checklist provides guidance on the requirements for transport assessments.</p> <p>Where the transport assessment identifies a possible impact on a railway station then the potential need for mitigation will have to be considered, but this must be balanced against the potential need for other planning obligations.</p>
008	Peel Holdings (Land and Property) Ltd	<p><b>Question 1: which aspects of the current SPD should be retained or amended?</b></p> <p><i>The need for flexibility in approach</i> As a general comment, Peel supports the continued use of a dedicated SPD relating to planning obligations. This provides a consistent basis for determining some aspects of the infrastructure requirements of development and a sufficient degree of certainty as to the potential costs associated with these. Notwithstanding this, it is important that the Council’s approach to the agreement of planning obligations is flexible</p>	<p>The city council will always take into account any material considerations that suggest an alternative approach to the policies in the SPD may be more appropriate.</p>

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		<p>and able to respond to the context of each development proposal. For example, there may be opportunities to address the infrastructure requirements of developments in an alternative manner to that set out in the SPD to achieve more beneficial outcomes for the city and communities. A specific example is raised below in respect of public open space requirements. However, this principle applies to the other categories of planning obligation. All policies within the SPD should be clear that alternative approaches can be agreed with the Local Authority on a case-by-case basis.</p> <p><i>Calculating residential population</i>  For the purposes of calculating the resident population of housing developments, Policy OB2 of the current SPD uses a 'per bed space' approach. The number of bed spaces in a development is calculated as the number of bedrooms + 1. For example, a four bed house is assumed to contain five bed spaces and to therefore accommodate five persons. The assumed residential population of each dwelling, based on the above approach, is used to calculate the amount of public open space to be provided on site or off site via a financial contribution. The level of provision required is derived from a 'per person' standard. We consider that the 'per bed space' approach does not provide a realistic estimation of open space needs of development as it significantly overestimates the realistic residential population of individual housing developments. Based on the 2011 census, the average household size in Salford was 2.19 persons. [DC4405EW - Tenure by household size by number of bedrooms (ONS 2011)] The average number of people residing in different property sizes was reported as follows:</p> <ul style="list-style-type: none"> <li>• 1-bed = 1.25 persons</li> <li>• 2-bed = 1.82 persons</li> <li>• 3-bed = 2.51 persons</li> <li>• 4-bed = 3.18 persons</li> <li>• 5-bed = 3.64 persons</li> </ul> <p>To more accurately reflect the realistic population of a given residential development, the above figures should be used. As such, a 'per property'</p>	<p>The SPD supplements saved UDP policy H8, which specifically states that financial contributions will be based on a standard cost per bed space. The SPD needs to be consistent with the development plan, and hence it is appropriate for it to use a per bed space approach. The overall value of the contribution set out in the SPD is not considered to overestimate the total impact of new development on open space needs, and indeed does not take into account parks.</p>

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		<p>calculation, based on the above averages and having regard to the housing mix proposed, rather than a 'per bed space' contribution, should be used in the future for the purposes of calculating open space contributions.</p> <p>The approach set out in the current SPD places a significant burden on residential developments in requiring the provision of open space on site or via commuted sums which is disproportionate to the demand for such infrastructure arising from development. This arises from over estimating the residential population of individual developments based on the approach currently taken. This in turn presents a breach of Regulation 122(2) (c) of the Community Infrastructure Levy Regulations 2010 which confirms that planning obligations must be 'fairly and reasonably related in scale and kind to the development.' The current approach does not satisfy this test.</p> <p><i>Type of affordable housing</i></p> <p>Policy OB1 of the current SPD sets out the expected tenure mix of affordable housing provided as part of residential developments. This is partly informed by the latest Strategic Housing Market Assessment. Whilst it is acknowledged that the mix of affordable housing needs to respond effectively to local needs, it important that a flexible approach is also taken to reflect that local needs can change over time. It is therefore recommended that the revised SPD avoids an overly prescriptive approach with regards to this matter. It may set out an indicative mix but be clear that this can be determined on a case-by-case basis according to local needs and with advice and input from the preferred Registered Provider of Social Housing for the scheme. This ensures the policy is able to adapt to changing circumstances where needed to ensure the most appropriate mix of affordable housing is provided.</p>	<p>The city council considers it important to set out the preferred tenure mix, as this will be important for developers in understanding the potential financial implications. The policy provides some flexibility for alternative tenure mixes, stating that: "A different affordable housing tenure mix may be acceptable where there is clear evidence this would help to better meet specifically identified local needs and address site-specific circumstances." It then sets out the issues that will inform such decisions, and explains that any alternative tenure mix will be informed by discussions with registered providers where they are to manage the affordable housing.</p>

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		<p><i>Provision of Public Open Space - typologies</i></p> <p>The current SPD sets out a highly prescriptive approach with respect to the typologies of open space which residential developments should seek to provide; this being youth and adult facilities, sports pitches, equipped children's play space and amenity space.</p> <p>Some residential sites will offer the opportunity to provide a bespoke open space solution as part of a development proposal. For example, there may instances where there is an opportunity to deliver an enhancement to existing open space adjacent or near to a residential development site or where a site of significant size can deliver a bespoke on-site open space solution providing accessible open space (e.g. one of the Council's defined park typologies). This may not sit neatly into any of the categories of open space covered in Policy OB2 of the current SPD but may provide at least the same or greater benefit in terms of access to open spaces and recreational opportunities.</p> <p>The SPD should recognise and allow for bespoke solutions to be agreed with the Local Authority as an alternative to the provision (on site or via off site commuted sums) of the typologies set out in Policy OB2. This approach was successfully used in respect of the development of land off High Clove Lane in Boothstown (outline planning permission reference 15/67036/OUT). In this case a bespoke package of public open space proposals was agreed which will deliver significant local public open space benefits whilst meeting the needs of the development. The proposals put forward respond to opportunities presented by the site's location adjacent to existing recreational assets (namely the Bridgewater Canal and the Bridgewater Nature Park). A tailored approach was also used in respect of the development of land at Burgess Farm, Hilton Lane (outline planning permission reference 10/58745/OUTEIA) where a new nature park, accessible to the wider community, was provided as part of the development.</p> <p>Other bespoke opportunities to deliver public open space benefits which go beyond meeting the standardised need of the development itself may exist in respect of future development sites. The SPD's approach to the provision of public open space should recognise this and should be</p>	<p>Policy OB6 (Open space contributions) provides considerable flexibility around the provision of open space. The policy supplements saved UDP policies H8 (Open space provision associated with new housing development) and R2 (Provision of recreation land and facilities), and so the starting point needs to be the open space standards set out in saved UDP Policy R2. However, the reasoned justification to Policy OB6 is clear that contributions may be spent on a range of open space facilities, with examples given that include natural greenspace as well as the facilities specifically mentioned in saved UDP Policy R2.</p> <p>A new paragraph has been added to section 3 (Approach to securing planning obligations) of the SPD, which explains that the city council will seek to maximise the wider benefits from planning obligations by having regard to other plans and strategies. An example of this would be the Salford Greenspace Strategy, which will be appropriate for influencing discussions about open space provision. This will help to ensure that the opportunities referred to in the representation are properly considered.</p>

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		<p>supportive of this approach where such opportunities exist. This is particularly relevant in the context of proposals for the development of a number of large, phased sites through the emerging Salford Local Plan which will provide their own significant open space proposals as part of the masterplanning process.</p> <p><i>Approach to education contributions</i> The current SPD sets out the requirement for financial contributions towards the provision of education (primary school) places as part of residential developments. At present, this assumes that a development will need to fund 100% of new primary school places for which a demand arises as a result of the development. No account is therefore taken of existing primary school capacity. Regulation 122(2) (a) of the Community Infrastructure Levy Regulations 2010 states that a planning obligation should only be sought where it is necessary to make the development acceptable in planning terms. In instances where there is capacity within primary schools which can be reasonably expected to serve the residential population within a new development, this capacity should be taken into account in establishing the extent to which the development needs to fund the provision of new primary school places. Any revised SPD should include this provision to ensure the approach satisfies the Community Infrastructure Levy Regulations.</p> <p><b>Question 2: are there problems with the implementation of the current SPD?</b></p> <p><i>Affordable housing mix</i> Policy OB1 sets out the presumption that the affordable housing mix to be provided as part of a residential development should reflect the mix of the wider development. Whilst this may be helpful starting point, Peel considers that this can be problematic in instances where there is a need for certain types and sizes of properties, which may not reflect the mix of housing proposed as part of the wider development, and where</p>	<p>School place projections indicate that any existing primary school capacity will be taken up without any additional houses being provided beyond existing commitments. Hence it is appropriate for additional houses to make a proportionate contribution to the provision of new school places for which they will generate the demand. If this situation changes, and there is evidence that the education contributions are no longer necessary or should be reduced, then this will prompt a further review of the SPD.</p> <p>Policy OB3 (Affordable housing) is considered to provide appropriate flexibility in this regard, enabling all relevant evidence to be taken into account in determining the appropriate mix of affordable housing. It states that: "A different mix of types and</p>

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		<p>Registered Providers therefore have a preference for these products. Indeed in some situations it may be that Registered Providers are unable to deliver a mix that reflects the size of units on site. For example, this may apply where a market housing scheme proposes to deliver predominantly larger family housing whereas the need for similar sized affordable accommodation, relative to the need for smaller affordable homes, may be very limited. In this regard, it should also be noted that due to recent changes in legislation, the demand for larger properties from Registered Providers and their ability to take on and manage larger properties has now decreased.</p> <p>Furthermore, given the very low levels of affordable housing secured within higher density apartment schemes and schemes within Central Salford, coupled with the likelihood of many schemes within higher value areas of West Salford (where affordable housing is more viable) being focused on 3 and 4+ bed family housing units, the prospect of a genuinely balanced mix of affordable housing being delivered by the portfolio of housing sites across Salford is low. The policy should therefore allow for the type of affordable units to be determined on a case-by-case basis having regard primarily to local evidence of need.</p> <p>Secondly, whilst the aspiration to pepper-pot affordable housing provision is supported, there are practical issues with restricting clustering to ten units each. For example, where a scheme delivers say 12 affordable units, this requires two separate clusters to be provided (e.g. 6 and 6). In our experience this level of pepper-potting is impractical for Registered Providers from a management and maintenance point of view. Conversely, where a scheme delivers a large number of affordable units, providing these in maximum clusters of ten may result in a large number of clusters across the site which is also impractical. In such instances, larger clusters should be supported which, given the overall size of the affordable housing aspect, will still result in an appropriate level of pepper potting without undermining the overall approach to achieving a mixed and inclusive development. The appropriate level of clustering should therefore be determined on a case-by-case basis.</p>	<p>sizes may be appropriate on an individual site where there is clear evidence that this would help to better meet specifically identified local needs and address site-specific circumstances. The identification of any such need will be informed by discussions with the city council, and registered providers where they are to manage the affordable housing, and having regard to criteria A-G of this policy". Criteria A-G specifically refer to choice based lettings data, and the characteristics of the households likely to be allocated to the affordable dwellings.</p> <p>The city council considers that pepper-potting is an important principle. However, Policy OB3 (Affordable housing) explains that clusters larger than ten units may be appropriate where a high proportion of units are affordable and an identified Registered Provider considers that larger clusters are required to ensure the efficient and effective management of the affordable housing.</p>

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		<p><b>Question 3: are the current priorities in the SPD appropriate; that is, affordable housing, open space, primary school places, transport, and public realm?</b></p> <p>See comments under Question 1 above.</p> <p><b>Question 4: how can the transparency of the financial viability appraisal process for individual planning applications be maximised in order to maintain public confidence in the system?</b></p> <p>The Government has put forward suggested amendments to the Planning Practice Guidance (PPG) in relation to this matter. These amendments are currently subject to consultation until 10th May. Peel is preparing representations to the consultation.</p> <p>Peel is not opposed to the principle of making some information about a scheme's viability publically available where an appraisal is submitted to support a proposal for reduced planning obligations. However there will be instances where full viability appraisals contain commercially sensitive information and where it would be prejudicial to an applicant's interests to make this sensitive information publically available. As such it would be appropriate to require a summary viability appraisal setting out the key findings and conclusions of this to be made publically available in respect of any individual planning applications where a reduction in the planning obligations against the policy requirement is proposed. The SPD could make provision for this.</p> <p><b>Question 5: what are the potential implications of the government's current consultations on: the draft revised national planning policy framework; draft planning practice guidance for viability; and supporting housing delivery through developer contributions?</b></p> <p>The SPD will need to be in full accordance with the revised NPPF, PPG and other relevant Government policy and guidance upon its publication.</p>	<p>The city council is committed to transparency in the planning application process, as this is considered important for retaining public confidence in the system. Consequently, and in accordance with the national Planning Practice Guidance, Policy OB2 (Reduced planning obligations) of the draft SPD states that: "Where a viability appraisal is submitted by an applicant in order to justify a reduced contribution, it will be published prior to the determination of the planning application unless there are exceptional circumstances."</p> <p>The SPD has been updated to reflect the latest national policy and</p>

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		<p>In this regard, Peel would wish to raise the following points.</p> <p><i>Definition of affordable housing</i>  Firstly there will be a need to ensure the definitions of affordable housing within the SPD are updated to reflect those in the revised NPPF – those being affordable housing for rent; starter homes; discounted market sales housing. Any policies relating to the provision of affordable housing and the typologies of affordable housing should reflect the range of types of affordable housing set out in emerging national planning policy. Any future assessment of affordable housing need should also consider these different typologies of affordable housing.</p> <p><i>Pooling restrictions</i>  Paragraph 102 of ‘Supporting housing delivery through developer contributions’ (Ministry of Housing, Communities and Local Government March 2018) sets out the proposal that current pooling restrictions in relation to Section 106 contributions will be lifted in Local Authority areas where the average new build house price is within the lowest 10% of those in England. It is not clear how this will be determined at this stage. Whilst house prices are increasing in Salford at a faster rate than the national average, Salford may be a 10% Authority for the purposes of this provision. This does not materially affect the content of the SPD itself. However it may affect the content and scope of Section 106 Agreements insofar as they may or may not be required to be drafted so as to identify a specific beneficiary of the financial contribution to ensure the obligation does not fall foul of any pooling restriction.</p> <p><i>Provision of viability appraisals</i>  Lastly, the Draft PPG seeks to ensure that viability is frontloaded in the development plan process and considered as part of the formulation of Local Plans. Notwithstanding this, the Draft PPG supports the approach of permitting developers to submit viability evidence if policy compliant planning contributions cannot be viably provided.</p>	<p>guidance.</p> <p>The affordable housing sought through Policies OB3 (Affordable housing) and OB4 (Build to rent) reflects both NPPF definitions and evidence of need in Salford. This is consistent with paragraph 64 of the NPPF.</p> <p>In the Ministry of Housing, Communities and Local Government document “Government response to supporting housing delivery through developer contributions: A summary of consultation responses and the Government’s view on the way forward” (October 2018), the Government stated its intention to lift the pooling restrictions. The draft SPD has been written on that basis.</p> <p>Policy OB2 (Reduced planning obligations) sets out the requirements for agreeing reduced planning obligations, which includes the submission of a viability appraisal.</p>
009	Sport England	<b>1. Which aspects of the current SPD should be retained or</b>	The city council considers that the

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		<p><b>amended?</b></p> <p>Sport England would like to see the outdoor sport and playing pitch element of open space separated out from the generic open space policy OB2. This is to recognise the distinct role and function outdoor sport and playing pitches have in the community. The supply and demand for outdoor sport is very different to other open typologies as shown in the Council's current Playing Pitch Strategy (PPS). The demand for pitches and courts will be dependent on the type, size and accessibility of a pitch, the age of the players and format of the game being played. Different pitch types and sizes have different catchment areas. For instance adult rugby union often has a Borough wide catchment whereas the catchment for junior football is invariably at a neighbourhood level.</p> <p>The PPS is currently being refreshed with scenarios being included to assess the likely demand for each pitch sport type and size arising from housing growth. Sport England is assisting with this work and will help the Council devise a developer contributions process based on the information contained within the PPS. Sport England have been assisting other neighbouring Local Authorities develop similar processes. Please contact the undersigned for more details.</p> <p>Sport England agree that contributions should be directed towards specific projects, and for pitches that decision should be informed by an up to date PPS.</p> <p><b>2. Are there any problems with the implementation of the current SPD?</b></p> <p>The use of standards to inform future demand for pitches and obtain developer contributions is not appropriate. Standards invariably result in single site pitches located in the middle of or adjacent to housing estates that are unsustainable and do not contribute effectively to the supply of pitches. These areas become informal kick about areas at best, and are often picked up as disused or lapsed sites in subsequent PPS and identified as informal open space in Open Space Audits. These sites are often in the wrong location and/or of the wrong pitch type to meet identified need in that area.</p>	<p>approach in the adopted SPD should be continued, as this provides an appropriate level of flexibility to respond to the open space issues relevant to each development.</p> <p>Separating outdoor sport and playing pitch elements into a new policy would reduce this flexibility. The city council has been successful at securing investment in sports pitches through the current approach, and does not consider that there is evidence that an alternative approach would deliver greater open space benefits overall.</p> <p>The city council agrees that isolated single pitches are typically not appropriate. The combination of the Planning Obligations SPD and the Salford Greenspace Strategy SPD has been successful in directing investment in sports pitches to sites containing several pitches, enabling better management. A new version of the Greenspace Strategy SPD is about to be adopted.</p>

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		<p>It is noted the standards for all open space typologies contained in the current SPD are based on the NPFA's Six Acre. This is not appropriate because the NPFA is a national benchmark and not a standard as such. If standards for other open space typologies are to be retained then it should be based on local data and local circumstances.</p> <p>As mentioned in point 1 Sport England is working with the Council to look at current unmet demand and estimate future demand for each pitch type arising from housing growth. A process can be developed using Sport England's strategic planning tools as an alternative method to using standards.</p> <p>I have attached an Advice Note which sets out Sport England's stance on standards and planning obligations for your information.</p> <p><b>3. Are the current priorities in the SPD appropriate; that is, affordable housing, open space, primary school places, transport, and public realm?</b></p> <p>Sport England agree with the priorities but like to see health included. Health will overlap with some of the other priorities such as open space used to promote physical activity and mental health but working with organisations such as Public Health England there could be specific projects related to that development that a developer contribution could help deliver. The draft NPPF also includes health as an example of a contribution at paragraph 34 and Section 8 relates to Promoting Healthy and Safe Communities.</p> <p><b>4. How can the transparency of the financial viability appraisal process for individual planning applications be maximised in order to maintain public confidence in the system?</b></p> <p>No comment</p> <p><b>5. What are the potential implications of the government's current consultations on the draft revised national planning policy framework; draft planning practice guidance for viability; and supporting housing delivery through developer contributions?</b></p>	<p>The contributions to affordable housing, open space, transport and public realm can all have significant health benefits, and regard to health will be had in their implementation.</p> <p>One of the development plan policies that the SPD specifically supplements is saved UDP Policy EHC3 (Provision and improvement of health and community facilities). This highlights that there may be a need for contributions to health facilities, but it is not considered that a separate SPD policy is necessary as such contributions are unlikely to be required for most developments.</p>

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010	Transport for Greater Manchester	<p>TfGM considers it is important that Salford City Council retain the "Transport" and "Public Realm" priorities within their approach to securing planning obligations. Congestion on the transport networks across Greater Manchester remains an issue and has recently been highlighted by the Mayor's Congestion Conversation and subsequent Congestion Deal.</p> <p>It remains important that all new development maximises its potential to encourage sustainable travel in order to prevent increasing levels of congestion acting as a barrier to the city's future growth. One method of helping to achieve this is through securing planning obligations towards necessary improvements to sustainable transport infrastructure or services, improvements to public realm can also serve to promote sustainable transport choices by encouraging walking and cycling and facilitating access to public transport.</p> <p>TfGM in partnership with the ten GM local authorities, are in the process of developing a GM wide Local Walking and Cycling Infrastructure Plan (LCWIP) which will build on Salford CC's recent Key Cycling Network Review and Infrastructure Recommendations. The LCW1P should allow future investment decisions in walking and cycling infrastructure to be informed by a coherent vision of how walking and cycling as modes of transport can contribute to the overall transport mix across GM. It will identify the walking and cycling networks and prioritise areas where improvements are required. In the future, planning obligations could be used to ensure where possible that all new development is linked to these networks and in some instances developer contributions could be used to help deliver identified improvements where the development will place additional demand on the network.</p> <p>Section 8.8 of the existing SPD lists examples of the range of transport infrastructure or services that contributions could be directed towards. It could also include equestrian provision in the form of Pegasus Crossings.</p>	<p>The transport and public realm sections have been retained.</p> <p>A new paragraph has been added to the chapter 3 (Approach to securing planning obligations) which explains that regard will be had to existing plans and strategies when spending financial contributions, with transport delivery plans included as an example. The Local Walking and Cycling Infrastructure Plan will also be relevant in this regard.</p> <p>Reference to equestrian routes and Pegasus crossings has been added to the list.</p>

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		<p>The main issue with securing planning obligations for transport from development is that the transport impacts of a development and any necessary mitigation measures, are identified in the Transport Assessment accompanying the planning application. Unfortunately most Transport Assessments focus on the likely vehicle traffic that the development will generate and then assess the impact on the nearest junctions often leading them to conclude that the development will have no significant impact on the immediate highway network. However there is a wider, accumulative impact from development in the form of increased congestion over the wider highway network. If the Transport Assessment doesn't identify the need for mitigation, it is difficult to convince a developer that a planning obligation is necessary to make the development acceptable in planning terms and directly related to the development. It is important that a revised SPD continues to recognise the need for all new development to maximise its potential to encourage sustainable travel.</p> <p>Annex E of the existing document refers to developer guidance on provision of highway improvement works and associated fees and the following two paragraphs appear on page 62. TfGM would recommend that the closing paragraph (below in bold) is added to this section of the revised document.</p> <p>Traffic Signal Schemes — 5278 Agreements and Commuted Sums Following the creation of the Greater Manchester Combined Authority (GMCA) on 1 April 2011 the ownership of all traffic signal assets in Greater Manchester transferred to GMCA. The maintenance and operational running costs are the responsibility of GMCA and this is funded by a central levy. The Greater Manchester Combined Authority Order statutorily delegates to the GMCA several key functions related to the installation, upgrading, maintenance and management of traffic signals on local highway authority roads. The Local Authority Protocols prescribe that Transport for Greater Manchester (TfGM) will undertake this work.</p> <p>Under the agreed Traffic Signals Protocols between the GMCA, TfGM,</p>	<p>The emphasis in the reasoned justification to Policy OB9 (Transport contributions) continues to be on sustainable travel.</p>

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		<p>the TfGM Committee, and the Association of Greater Manchester Authorities (ALMA) Local Highway Authorities, the GMCA has the power to enter into agreements under 5278 of the Highways Act 1980 to obtain third party funding for the installation, maintenance and operating costs of signal controlled junctions and crossings.</p> <p>For works which will impact upon an existing traffic signal junction / crossing or where a new installation is proposed, developers will need to enter into a S278 Agreement with GMCA. Early discussion with Transport for Greater Manchester is therefore advised where there is an impact on existing traffic signal installations or traffic signal installations are planned as mitigation.</p> <p>The amount of the commuted sum, (quoted on page 63) for the 15 year maintenance and running costs of the traffic signal installation, has not changed however this is subject to review.</p> <p>Government is currently consulting on "Supporting housing delivery through developer contributions" which includes proposals to lift the pooling restriction of Section 106 Agreements (currently limited to 5). Should this apply to Salford CC, this could significantly aid the funding of the infrastructure needed to support development on strategic sites.</p>	<p>The draft SPD has been written on the assumption that the pooling restrictions will be lifted.</p>