

Community Infrastructure Levy and Planning Obligations Supplementary Planning Document

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1 Executive Summary

- 1.1 Sheffield City Council ('the Council') has adopted a new approach to planning obligations and developer contributions, in response to changes in national and local planning policy.
- 1.2 From 15 July 2015 the Council began charging a Community Infrastructure Levy (CIL)¹ on qualifying new development. CIL is now the main mechanism to seek pooled developer contributions to help meet the city's strategic infrastructure needs; for example education and open space provision. Legal agreements will, however, continue made under Section 106 (S.106) of the Town and Country Planning Act to help deliver affordable housing (where applicable and subject to viability) and to meet other site specific mitigation/ needs. In addition to these, Section 278 Highways Agreements may also be a requirement to make a development acceptable in planning and highways terms. This SPD explains what contributions may still be required from developers in addition to CIL.
- 1.3 Table 1 below outlines what the CIL, S.106 Planning Obligations and S.278 Highways Agreements will typically include, and full details are provided in Sections 3-5 of this document. Each development proposal will need to be assessed upon its own merits, and a proposal could be subject to any of these.

Table 1: Summary of Infrastructure types delivered through CIL and Section 106

CIL Contributions	S.106 Planning Obligations	S.278 Highways Agreements
	Affordable housing	
Education provision	School or any other community/health infrastructure provision required to make major residential development sustainable.	
Community facilities		
Health facilities		
Waste and recycling facilities		
Open space/ public realm projects of city-wide/ area-wide catchment	On-site Open Space for residential development of over 4 hectares to be provided	
Area-wide flood risk management	Off-site flood risk management measures	

¹ See www.sheffield.gov.uk/cil for more details

CIL Contributions	S.106 Planning Obligations	S.278 Highways Agreements
Area-wide air quality management	Measures that mitigate directly against any Significant Detrimental Impacts the development will have on air quality	
Strategic highways, pedestrian & cycle routes and transport projects		Required works to existing highways to service or facilitate proposed development for example junction improvements
	Relocation off site of any habitat or item of infrastructure (including a community facility).	
	Mitigation off site for any harm or loss of habitat, open space, or other environmental or community asset or item of infrastructure	
	Meeting any planning requirement that is subject to a third party agreement	

1.4 This Supplementary Planning Document (SPD) supplements the Council's Local Plan, and provides guidance supplementing the policies of the Core Strategy (2009) and the 'saved'² policies of the Unitary Development Plan (1998). It will be used as a material consideration in the planning process to advise applicants and assess planning applications.

1.5 This SPD replaces previous planning policy guidance that is no longer appropriate following the adoption of the CIL. Specifically:

- Education Provision Interim Planning Guidance (2014)
- Affordable Housing Interim Planning Guidance (2014)
- Open Space Provision in New Housing Development Supplementary Planning Guidance (2014 Update)
- Appendix 2 of the City Centre Living Supplementary Planning Guidance (2014 Update)
- Sheffield City Centre Breathing Spaces Strategy (2011)

² A saved policy from the UDP is a policy that has been retained for use until a new Sheffield Local Plan is adopted. These saved policies are applied alongside newer policies from the Core Strategy (2009) to guide decisions about planning applications. In the event of any conflict between a UDP and adopted Core Strategy policy, the Core Strategy will take precedence. Full details of can be seen at <http://www.sheffield.gov.uk/home/planning-development/approved-planning-guidance>

2 Introduction and Purpose of Guidance

Background

- 2.1 New development draws on the capacity of existing infrastructure and also creates a need for additional provision. For this reason it is appropriate for new development to contribute towards the future provision or improvement of infrastructure to meet the additional demand generated. The Council is planning for growth in housing and jobs, so effective mechanisms are needed to determine the level of these contributions and how they should be spent. Greater levels of infrastructure will therefore be required to support the growth expected in the City.
- 2.2 'Infrastructure' includes physical, social and environmental facilities and networks needed to serve development, consistent with the definition set out in national legislation³. It includes transport, telecommunications, energy, water supply, sewerage and drainage, schools, hospitals, health centres, and open space (see Section 3 below for details).
- 2.3 Two principal mechanisms for the provision of infrastructure are provided for in national legislation. These are:
- The **Community Infrastructure Levy** (CIL) see box below, which the Council, as local planning authority, is now empowered to set as a charge on new development where the viability of the development permits it. CIL is intended to be used for general infrastructure contributions.
 - **Planning Obligations**, which are for site specific mitigation and delivered mainly through legal agreements under Section 106 (S.106) of the Town and Country Planning Act 1990. The Government's intention is that the CIL and S.106 are used to complement each other as methods of securing infrastructure and community benefits.

³ The Planning Act 2008³ (section 216(2), as amended by CIL Regulation 63, to exclude affordable housing)

What is the Community Infrastructure Levy (CIL)?

The CIL is a tariff system and is a charge set as an amount payable per square metre on the gross internal floorspace of the net additional liable development. In this way, money is raised from developments to help the Council pay for essential infrastructure. The majority of the money received can be spent on any new infrastructure needed as a result of new development in any location

The introduction of the CIL is a Government response to continuing concerns about the use of S.106 obligations, in terms of lack of transparency, ineffectiveness to provide major infrastructure, and the disproportionate effect on major developments.

The Council has adopted a *Charging Schedule* which sets the rates which are payable for different types of development.

More details on the CIL and Charging Schedule can be found at <https://www.sheffield.gov.uk/cil>

Purpose of this document

- 2.4 This Supplementary Planning Document (SPD) replaces, and makes some revisions, to current supplementary planning guidance on:
- Education Provision Interim Planning Guidance (2014)
 - Affordable Housing Interim Planning Guidance (2014)
 - Open Space Provision in New Housing Development Supplementary Planning Guidance (2014 Update)
 - Appendix 2 of the City Centre Living Supplementary Planning Guidance (2014 Update)
 - Sheffield City Centre Breathing Spaces Strategy (2011)
- 2.5 The Council adopted a CIL Charging Schedule on 15 July 2015. CIL is now the primary method by which the Council seeks developer contributions to help meet the city's infrastructure needs. However, site specific S.106 planning obligations may also be required. The relationship between planning conditions, planning obligations and CIL are explained within this document.
- 2.6 This SPD supplements the Council's Local Plan, it is guidance supplementing the policies of the Core Strategy⁴ adopted in 2009 and the saved policies of the Unitary Development Plan. It will be used as

⁴Sheffield City Council Core Strategy <http://www.sheffield.gov.uk/home/planning-development/sheffield-plan>

a material consideration in the planning process to advise applicants and assess planning applications.

2.7 The objective of this SPD is to:

- Assist the Council in meeting the objectives of sustainable development, by contributing towards delivering the aims/objectives of the adopted Sheffield Local Plan.
- Provide clarity to landowners, developers, planners, stakeholders and local residents regarding the basis on which planning obligations and developer contributions will be sought.

2.8 This SPD considers the range of matters identified in draft Policy A1 (Pre-submission City Policies, Sites and Proposals Map 2013⁵) that potentially might be covered by CIL. See Technical Appendix 1(a) for details of draft Policy A1. Typically these include:

- Transport & highway infrastructure
- Education provision
- Community & health facilities
- Recreation provision, including public open space, play and sports provision
- Flood and water management
- Air quality
- Public art
- Waste management

2.9 It also explains how developer contributions which are not provided for through the CIL (so not identified as a CIL priority in the 'Regulation 123 List' – see section 4 of this document) might be:

- Sought to address the cumulative impacts of development
- Pooled into a capital pot(s)
- Used to address the impacts on local infrastructure.

⁵Sheffield City Council Pre-submission City Policies, Sites and Proposals Map 2013
<http://www.sheffield.gov.uk/home/planning-development/draft-city-policies-sites-document.html>

3 Legislative Framework and Policy Guidance

Planning Acts and CIL Regulations

- 3.1 The Planning Act 2008⁶ provides the framework for the Council to charge a CIL on qualifying new development, to contribute towards infrastructure that is needed to enable the development strategy for the wider area to take place where viable. The ability to charge a Levy came into effect via the Community Infrastructure Levy Regulations (2010⁷). The CIL Regulations amend the Section 106 regime of developer contributions set out in the Town and Country Planning Act (1990).
- 3.2 The CIL Regulations specifically list affordable housing for exclusion from the meaning of “infrastructure” so developer contributions for affordable housing will be negotiated separately from the CIL, where appropriate. The cost of affordable housing contributions was taken into account when setting the CIL rates to ensure that affordable housing requirements are met and do not undermine scheme viability.
- 3.3 The CIL Regulations prevent double counting of planning obligations with CIL contributions for infrastructure, details are provided under Section 4 of this document

National Policy Context

- 3.4 The National Planning Policy Framework⁸ (NPPF) was published in March 2012, and replaced most previous national planning guidance and policy.
- 3.5 The following provisions of the NPPF are particularly relevant to this SPD:
 - The purpose of the planning system is to deliver sustainable development and a general presumption in its favour will apply. This includes (amongst other things) coordinating development and infrastructure requirements, as well as promoting strong, vibrant and healthy communities, enhancing our natural environment and using our natural resources prudently (paras. 6 to 10).
 - Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (para. 203); and must comply with the three statutory tests.
 - Where planning obligations are being considered, Local Planning Authorities should take account of changes in market conditions

⁶ The Planning Act 2008. HMSO 2008. <http://www.legislation.gov.uk/ukpga/2008/29/contents>

⁷ The Community Infrastructure Levy Regulations 2010
<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>.

⁸ NPPF <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

over time, and these should be flexible to avoid developments being stalled (para. 205).

- Affordable housing should ideally be delivered on site, unless off-site provision or a financial contribution of equivalent value can be robustly justified; as contributing to the objective of creating mixed and balanced communities (para. 50).

3.6 The NPPF (paragraph 204) and the CIL Regulations (Regulation 122) set out the statutory tests which obligations should meet. The three tests are:

- i. The obligation is necessary to make the development acceptable in planning terms.
- ii. The obligation is directly related to the development.
- iii. The obligation is fairly and reasonably related in scale and kind to the development.

3.7 If an obligation does not meet all of the three tests it cannot in law be taken into account in granting planning permission.

3.8 To support the delivery of the NPPF, the Government has published National Planning Practice Guidance⁹ (NPPG). This includes guidance on both the Community Infrastructure Levy and Planning Obligations.

3.9 The NPPG has been taken into account in the drafting of this document.

Local Policy Context

3.10 The main element of the Sheffield Local Plan that relates to infrastructure is the Core Strategy (2009).

3.11 The Core Strategy has a number of strategic objectives and spatial policies that require the provision of infrastructure to deliver them; these relate to:

- economic transformation,
- serving the city region,
- transforming housing markets,
- promoting successful neighbourhoods,
- health and well-being,
- better connectivity,
- better use of the transport network,
- supporting sustainable transport

⁹ NPPG <http://planningguidance.planningportal.gov.uk/>

- reducing the city's impact on climate change
 - enhancing the natural environment
- 3.12 Details of the strategic objectives are provided in Technical Appendix 1(b), and the spatial policies are covered in Section 5 and reproduced in Technical Appendix 1(c).
- 3.13 In some circumstances, 'saved' policies from the Sheffield Unitary Development Plan (1998) may also be applicable such as UDP Policy H16 Open Space in New Housing Developments (see Technical Appendix 1(c)).
- 3.14 Affordable housing is an important issue to be addressed through the Local Plan, and one of the biggest factors affecting the economic viability of a development site. S.106 Obligations will continue to be used to deliver affordable housing through the Local Plan. Core Strategy Policy CS40 sets out the policy approach to the provision of affordable housing and refers to the need for delivery through an SPD; which is now this document (see Technical Appendix 1(c)).
- 3.15 Section 5 provides full details of city-wide and strategic policies from the Core Strategy, and their infrastructure requirements. This includes information on education and open space, amongst a range of other types of infrastructure as set out in section 2.
- 3.16 Under emerging local policy, draft Policy A1 of the City Policies and Sites document (Pre-submission version 2013) provides a mechanism to address the infrastructure requirements of the Sheffield Local Plan; and prioritise projects for funding through the CIL and other developer contributions by setting out the policy framework for planning obligations. This emerging policy currently holds little weight as a local plan policy because it has not been adopted. However, the methodology used to set CIL priorities in Policy A1 has been endorsed by Cabinet, as part of the CIL implementation process as it formed part of the evidence at the public examination on the draft CIL Charging Schedule; so is more relevant than most draft local plan policies. The policy will be incorporated into a new Local Plan.

Monitoring and Review

- 3.17 The Council is in the process of drafting a new Sheffield Local Plan which, once adopted, will eventually replace the Core Strategy and saved policies in the UDP¹⁰. This SPD will be updated in the light of new requirements for infrastructure provision set out in the new plan.

¹⁰ Details of the Local Plan and the timetable can be seen at:
<http://www.sheffield.gov.uk/home/planning-development/emerging-sheffield-plan-draft>

4 Details on CIL & Planning Obligations

Mitigation of impacts from development

- 4.1 Mitigation for development can generally be achieved in three ways:
- Through conditions imposed on planning applications. These usually ensure that a development proposal will be implemented in a manner consistent with the approved planning application;
 - Through planning obligations, where conditions are not effective or appropriate to deliver site specific mitigation. These require the landowner to enter into a legal commitment to undertake specific works, the provision of land/ facilities, providing a financial contribution, or requiring the agreement of third parties. These are intended to secure the necessary site specific requirements to make an individual application acceptable, and they ensure that these are adhered to and remain in force beyond the completion of the development. Planning obligations must comply with the three tests outlined in paragraph 3.6, and cannot duplicate what is within the Regulation 123 List (see paragraphs 4.8 to 4.12 below for details).
 - Through the payment of a development levy in accordance with an adopted CIL Charging Schedule. A Regulation 123 List will set out the strategic infrastructure priorities of the City, which the Council will be committed to funding (at least in part) by CIL receipts. The fundamental difference between CIL and S.106 is that the funds generated by CIL are not directly linked to a specific development or the provision of specific infrastructure.
- 4.2 In addition to addressing the impacts of development, planning obligations can also be used to secure compliance with planning policy, such as the provision of affordable housing (excluded from CIL by Regulations).
- 4.3 At this stage, it is also worth noting that the most practical way of complying with planning conditions requiring site specific highway works to facilitate development, such as junction improvement works necessary to accommodate traffic generated, will be for the developer to enter into a Section 278 Agreement with the Council as Local highway Authority, under the Highways Act 1980. This would be where there is no identifiable project in the Regulation 123 List and where it is necessary to accommodate the impact of the proposed development.
- 4.4 Each development proposal will need to be assessed on its own merits; it is possible that a proposal could be subject to any of the three types of mitigation mentioned above; alongside any required S.278 Agreements which are a consequence of the conditions imposed on consent.

Pre-Application Advice

- 4.5 Developers are encouraged to enter into an early dialogue with the Council for pre-application advice to identify any required obligations before a planning application is made. Details of the pre-application enquiry process including the fees can be found at <http://www.sheffield.gov.uk/home/planning-development/pre-application-enquiry>

CIL Charging Rates

- 4.6 The CIL relates to strategic priorities in the Sheffield Local Plan and the rate is based on what is affordable or viable. It has not been set at such a level that it risks the delivery of the Local Plan's aims/objectives, or which significantly threatens the levels of development in the City.
- 4.7 The CIL Charging Schedule (adopted 2015) was the subject of an independent examination by a Planning Inspector in January 2015. It was approved by Cabinet in April 2015 and Full Council in June 2015. The CIL Schedule and Cabinet report can be found at <http://www.sheffield.gov.uk/home/planning-development/local-planning-guidance/community-infrastructure-levy>

What will CIL fund?

- 4.8 The Council is required to publish the infrastructure projects (or types) upon which it intends to spend CIL revenues in a 'Regulation 123 List'; once it adopts a CIL Charging Schedule. S.106 planning obligation contributions cannot be sought towards any infrastructure project (or type) contained in the List.
- 4.9 Furthermore, for any S106 obligations secured since 6 April 2010, Regulation 123 does not allow more than five contributions to be 'pooled' for the same infrastructure project (though this restriction does not apply to affordable housing and other infrastructure provision that is not capable of being funded by CIL).
- 4.10 The latest version of the Regulation 123 List can be found at <http://www.sheffield.gov.uk/home/planning-development/local-planning-guidance/community-infrastructure-levy>.
- 4.11 The Regulation 123 List includes current infrastructure projects. However, as new requirements arise the List will need to be amended to include these. It is likely that the Regulation 123 List will be amended regularly, following a formal process that would include public consultation and subsequent Cabinet approval. S.106 Planning Obligations will only be sought for new requirements where they meet the three statutory tests (see paragraph 3.6 above) and do not appear in the Regulation 123 List.

- 4.12 The Regulation 123 List is informed by the Infrastructure Delivery Plan (IDP), which sets out the infrastructure needs of the City to support economic and housing growth. It covers infrastructure being funded by other infrastructure providers, such as the utility companies and central Government departments. Phase 1 of the draft IDP formed part of the independent examination process for the CIL Charging Schedule and can be found at <http://www.sheffield.gov.uk/home/planning-development/local-planning-guidance/community-infrastructure-levy>. This includes an Infrastructure Needs Assessment (INA) with a methodology for informing the identification and determination of CIL investment priorities, and specific delivery plans of priority infrastructure; including schedules setting out the likely expenditure of expected future CIL receipts. Phase 2 of the IDP will set out investment priorities beyond CIL and mechanisms for delivery.
- 4.13 A portion of CIL funds will be spent in in the area where the development is taking place following agreement with the local community on local infrastructure priorities. This 'neighbourhood portion' will typically be 15% of CIL receipts received as a result of development in that area, and 25% in areas covered by an adopted Neighbourhood Plan or Neighbourhood Development Order. Where there is a parish council in an area, the neighbourhood portion must be handed over to the parish to spend on their local priorities. Where there is no parish, the Council will hold the CIL money on behalf of the local community, and the Council will work with the local communities to determine how this is spent.

CIL and Planning Obligations

- 4.14 Affordable Housing will be dealt with via S.106 and requires the provision of units on-site or contributions towards off-site provision.
- 4.15 Table 2 below outlines potential infrastructure requirements and how they will be funded through the use of CIL and S.106 Agreements.
- 4.16 Note that, although CIL is expected to replace certain S.106 contributions, there are still affordable housing and site specific contributions that may be appropriate. The CIL charges include an assumption, as set out in the CIL Viability Study that S.106 contributions will continue to be made.

Table 2: Infrastructure types delivered through CIL and Section 106

Type of Infrastructure	Core Strategy Policy and/ or UDP Policy	Potential CIL funded infrastructure	S.106 infrastructure/on-site mitigation
Highway/ Strategic Transport Link improvements	CS54 CS55 CS59 CS60 CS61 UDP BE9 UDP BE10	Improvements to and/ or new pedestrian and cycling routes, new roads	
Public transport	CS53 CS56 CS57 CS60	Improvements to priority bus routes, provision of park and ride, interchanges, car clubs, controlled parking zones	
Education	CS43	School and educational places/facilities where they are insufficient	School infrastructure provision required to make major residential development (500 dwellings for primary and 1,000 dwellings for secondary and 6 th form provision) sustainable.
Community facilities	UDP CF1 UDP CF3 UDP CF4	Improvement or provision of community facilities (with particular potential through the Neighbourhood Portion)	On-site replacement or commuted sum to compensate for loss of community facility as a result of development. New provision required to make major residential development (1,000 dwellings) sustainable.
Health	CS44	New health facilities	New provision required to make major residential development (1,000 dwellings) sustainable.
Air quality	CS66	Strategic projects to improve air quality identified for instance, through the Air Quality Action Plan or the Low Emission Zone Strategy implementation	Monitoring and mitigation against direct impacts on air quality from the development to the local area
Flood risk management	CS67 UDP GE20	Strategic flood mitigation infrastructure	Off-site flood management measures.

Type of Infrastructure	Core Strategy Policy and/ or UDP Policy	Potential CIL funded infrastructure	S.106 infrastructure/on-site mitigation
Open Space/ Public Realm	CS45 CS46 CS47 CS48 UDP BE4 UDP IB13 UDP H16	Provision of new or improved open space/ public realm	On-site open space for residential development of over 4 hectare to be provided or replacement of open space lost through development
Waste and Recycling facilities	CS70 UDP MW5	Provision of community composting schemes, recycling points and improvement of Household Waste Recycling Centres	
Misc. off-site relocation			Relocation off site of any habitat or item of infrastructure (including a community facility).
Misc. off-site mitigation requirements			Mitigation off site for any harm or loss of habitat, open space, or other environmental or community asset or item of infrastructure
Misc. Third Party Agreements			Meeting any planning requirement that is subject to a third party agreement

Development Viability Issues

- 4.17 Where a development is liable for CIL the charge has to be paid unless certain exemptions or relief apply. Part 6 of the CIL Regulations 2010¹¹ (as amended) provides details of these exemptions that may apply, including those for minor development, charities, social housing, self-build and exceptional circumstances.
- 4.18 If the impact of CIL and any particular obligations are considered to render a proposed development unviable, the onus will be on the developer to clearly demonstrate this.
- 4.19 For S.106 and S.278 obligations, if it is agreed by the Council that a proposal cannot reasonably afford to meet all of the normal CIL and planning obligation requirements, the latter may be negotiated with the developer, subject to the proposal being acceptable in all other respects. Commercially sensitive information and detailed figures will be treated in due confidence wherever possible. However, applicants

¹¹ *The Community Infrastructure Levy Regulations 2010.* - <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>.

should be aware that the Council may be compelled to disclose information submitted in viability appraisals in the interests of transparency. In any event the key issues and broad conclusions coming out of the appraisal will be a matter of public record.

- 4.20 For **affordable housing**, there is a specific process to be followed if a developer considers that it would make the development economically unviable. Applicants will be asked to provide a financial appraisal which includes a full breakdown of development costs. This will be independently appraised by the District Valuation Office, at the developers' expense. The outcomes of the assessment could result in a reduced Affordable Housing contribution or, in some circumstances, a zero contribution, subject to a reappraisal if the development is delayed. Full details of this process can be found at <http://www.sheffield.gov.uk/home/planning-development/local-planning-guidance/affordable-housing.html>
- 4.21 If, after negotiation and agreement on S.106 contributions a developer considers a scheme is still not sufficiently viable to pay the CIL charge, the only process available to seek relief on viability grounds will be to apply for **Exceptional Circumstances Relief (ECR)** – see CIL Regulation 55. The Government and the Council expect ECR to be appropriate only on rare occasions. This is because the CIL rates have been set in accordance with standard assumptions, and with a cautious approach to these assumptions, that include an element of non-CIL obligations and a large buffer, to ensure viability. These assumptions and this approach were agreed as appropriate and reasonable by an independent Government Planning Inspector.
- 4.22 Any application for ECR by an applicant must address the assumptions used in the CIL Viability Study (produced by independent consultants and agreed by the independent Inspector) and identify why their development differs specifically from the standard assumptions used in the Viability Study (see <http://www.sheffield.gov.uk/home/planning-development/local-planning-guidance/community-infrastructure-levy>). Tables 4.37.1 and 4.40.1 in Section 4 of the Viability Study in particular set out the assumptions used.
- 4.23 CIL Regulations state that ECR can only be granted if a S.106 agreement is in place. The Council will make the final decision on whether to grant ECR.

Timing of CIL and Obligations

- 4.24 The Council is offering an Instalments Policy for larger CIL payments (in line with CIL Regulations), to allow for payments to be made on a phased basis for larger schemes rather than 100% of the charge being paid within 60 days of commencement of the development. This is made available to assist with cash flow and viability.

- 4.25 The timing of planning obligations will be a matter to be agreed between the Council and the developer. Payment is usually required on commencement of development, to allow sufficient time for the planning need to be met and for the obligation to be easily enforceable. Highway improvements directly associated with the development are normally required to have been carried out before occupation, although in some instances, these may be required before any development can take place. Financial contributions for other off-site works and longer term projects will normally be required on commencement of development but in some cases on-site occupation may also be acceptable. For larger, phased developments, phased payments may also be possible.

5 Infrastructure Requirements from City-wide and Strategic Policies

- 5.1 Sections 2-3 above outline the Local Plan’s strategic objectives and spatial policies that relate to infrastructure requirements. This section sets out how the objectives and policies relate to the broad themes covered in the NPPF. In order to allow easy cross-reference the themes are ordered in the same way as the Framework (see Table 3 below). Requirements covered by this Section of the SPD are highlighted in the Table.
- 5.2 The Council has produced a Statement of Conformity covering the Local Plan and the NPPF, and the policies in the Local Plan are consistent with the NPPF. Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans, with the greater the weight given to policies that align closely with the Framework.

Table 3: NPPF Themes and requirements of the Local Plan

NPPF Theme	Local Plan Requirement
a) A Strong and Competitive Economy	All infrastructure projects will make a contribution towards a strong and competitive economy, for example, new employment opportunities complemented with new housing and local amenities will make the city increasingly attractive for investment/job creation and as a place to live and work. However, at this stage there are no direct infrastructure requirements in adopted policy that relate specifically to employment and training provision
b) Ensuring the vitality of the City Centre (and District Centres)	As above, all infrastructure projects will make a contribution towards this.
c) Promoting Sustainable Transport	1. Highways/Strategic transport network improvements and Public transport
d) Supporting High Quality Communications Infrastructure	There are currently no infrastructure requirements
e) Delivering Homes, and Creating & Promoting Healthy Communities	2. Affordable housing 3. Education provision 4. Community facilities 5. Health facilities 6. Open space
f) Requiring Good Design	7. Public art
g) Protecting the Green Belt and Supporting a Prosperous Rural Economy	There are currently no infrastructure requirements
h) Meeting the Challenge of Climate Change and Flooding	8. Renewable energy and carbon reduction 9. Flood risk management

i) Conserving and Enhancing the Natural Environment	10 Air quality
j) Conserving and Enhancing the Historic Environment	There are currently no infrastructure requirements
k) Facilitating the Sustainable Use of Minerals	There are currently no infrastructure requirements
l) Waste Management	11 Waste management (inc. Recycling facilities)

5.3 Local Plan requirements 1-11 (as outlined in Table 3) are addressed in detail in the following paragraphs, with information on the Policy context, how such infrastructure will be provided i.e. through the use of CIL funds or S.106 Planning Obligations; followed by the relevant guidelines that will be applied.

5.4 Several Core Strategy (2009) and saved UDP (1998) policies are referenced in this section of the document, these can be seen in Technical Appendix 1(c).

5.5 In certain circumstances, Local Plan policies can allow relocation or mitigation of harm to a habitat, open space, or other environmental or community asset or piece of infrastructure. If this requires work outside of the application site or on land in different ownership, a S106 agreement will be required to secure this. This would apply whenever the agreement of a third party is required, for example noise mitigation work on other land.

1. Highways/Strategic transport network improvements and Public transport

- 5.6 Any type of new development (new housing, employment, retail, etc.) will have an impact on transport infrastructure for all modes, for example through additional trip generation or alterations to the highway. These impacts can occur both at a local and a city-wide scale. It is therefore reasonable to seek provision of/or contributions towards transport improvements where new development would generate significant number of additional trips or create significant congestion.
- 5.7 Investment in transport infrastructure represents one of the greatest challenges to Sheffield. Overall traffic levels in Sheffield have increased over the last decade, leading to increased congestion and a range of associated problems such as increased air pollution, noise impacts and visual intrusion. It is critical to the successful and sustainable growth of the city that major transport improvements are delivered.
- 5.8 Funding for transport infrastructure will normally be provided through CIL and other mainstream funding programmes. This will typically include improvements to priority bus routes, the provision of park and ride, interchange facilities, car clubs, controlled parking zones, improvements or new pedestrian and cycling routes as part of a strategic network, and the creation of new roads (where appropriate under Core Strategy policy CS59). The requirements for these are set out in Core Strategy policies CS53-61.
- 5.9 There will, however, be instances where development may cause a significant site-specific impact which should be directly addressed by that specific development, such as by improvements or alterations to the highway. When developers apply for planning permission, the Council may ask them to produce a Transport Assessment (TA) or Transport Statement (TS), to provide a technical assessment of all the accessibility issues and transport implications that may arise due to the development. The Council may seek a financial contribution or works from the developer to provide any necessary mitigation measures. These will generally be secured through the use of 'Grampian-style' conditions on planning permissions, with subsequent S.278 Legal Agreements providing the 'arrangements' by which the developer can fund the Council as highway authority to carry out the necessary works to the public highway. S.106 Planning Obligations will not be used.
- 5.10 A S.278 Legal Agreement is where the developer is required to carry out or fund works to the existing highway, which are necessary to accommodate a proposed development, so that it is acceptable from a planning and highways point of view. The works must be directly related to the new development. Examples could include:

- Junction amendments and improvements,
- new vehicle/pedestrian/cycle accesses and facilities
- traffic calming
- pedestrian crossings
- road safety works

2. Affordable Housing

- 5.11 As mentioned previously, developer contributions for affordable housing will be negotiated separately from the CIL, where appropriate and either provided on-site or delivered off-site through S.106. This part of the SPD provides the background for the need for Affordable Housing and sets out the guidelines in detail.
- 5.12 The Local Plan Core Strategy contains a policy (CS40) on Affordable Housing requiring developers of new housing to contribute towards the provision of affordable housing where practicable and financially viable. This SPD provides detailed guidance for implementation of the Core Strategy policy.
- 5.13 Affordable Housing Interim Planning Guidance (IPG) was published in 2009 to support the Core Strategy. It set a city-wide requirement for 30-40% of new homes in market housing developments to be affordable homes. A further update to the IPG, with variable expected developer contributions set out by Affordable Housing Market Area, was then issued in 2014, to reflect the planned adoption of the CIL Charging Schedule being in 2015. This SPD draws on the principles of the 2014 IPG and updates the guidance as required.
- 5.14 The aim of this part of the SPD is to provide a consistent, clear approach to the delivery of affordable housing across the whole city. It provides more guidance on:
- What is meant by the term ‘affordable housing’
 - The need for affordable housing in Sheffield
 - How many affordable dwellings will be required on sites of different sizes
 - Ways of providing affordable housing
 - Design of affordable housing
 - Who should occupy the dwellings
 - How to ensure continued affordability

Definition of ‘Affordable Housing’

- 5.15 The Government’s national planning policy¹² defines Affordable Housing as:

‘Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.’

¹² National Planning Policy Framework (2012) Annex 2: Glossary

- 5.16 Homes that do not meet the above definition of affordable housing, such as 'low cost market housing', may not be considered as affordable housing for planning purposes. In deciding whether housing is affordable, the City Council will use the above definition or any definition that may replace this as provided by national planning policy.

The Need for Affordable Housing in Sheffield

- 5.17 Where there is an identified need for affordable housing, Government planning guidance allows local planning authorities to negotiate affordable housing as a proportion of new housing developments. The Strategic Housing Market Assessment (2013) identified a need for 725 additional affordable housing units in Sheffield per year. This figure is in addition to units projected to be delivered by Registered Providers through the Government's Affordable Homes Programme (funded by the Homes and Communities Agency).
- 5.18 The Strategic Housing Market Assessment contains evidence regarding the need for affordable housing, and is available on the Council's website at <http://www.sheffield.gov.uk/home/housing/strategic-housing-market-assessment.html>.
- 5.19 The following guidelines apply for Affordable Housing provision.

GAH1 Types of Site Where Affordable Housing will be Sought

A contribution to Affordable Housing will be required on new Housing Developments which exceed the following size threshold:

Sites with capacity for 15 or more dwellings (or 60 or more student bed spaces¹³ in purpose built student housing schemes).

This guideline applies to all developments that satisfy the size threshold and require planning permission, except those only requiring approval of reserved matters.

This guideline also applies to developments below the minimum size thresholds, which would exceed the threshold when combined with an Adjoining Development Site(s).

¹³ 60 student bed spaces would typically equate to 15 cluster flats with an average of 4 bed spaces per flat.

Definitions

'Affordable Housing' – as defined in the National Planning Policy Framework or any definition that may replace such as provided by national planning policy.

'Housing Developments' – includes all types of housing, including independent¹⁴ homes for older people, and purpose built student accommodation. It does not include institutional housing which would be wholly or partly affordable, such as care homes. It covers both new build and conversions.

'Adjoining Development Site(s)' – where one or more adjacent development sites in the same ownership, and being developed concurrently, would provide 15 or more dwellings.

This guidance will be put into practice by:

- Requesting the developer or owner of the land (including the City Council) to produce a scheme for meeting identified needs.
- Negotiating with housing developers for all schemes that meet the site size threshold set out in the guideline, including where this is by a combination of dwellings and student bed spaces.

¹⁴ 'Independent'- means a self-contained unit of accommodation. Self-containment is where all the rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a single door which only that household can use. It may include homes where an element of care is provided.

GAH2 Required Level of Affordable Housing Provision

The developer will be required to provide a specified percentage of the gross internal floor area of the development for transfer to a Registered Provider at the Transfer Price (or equivalent provision as agreed with the City Council). The required levels for each Affordable Housing Market Area are as follows¹⁵:

Affordable Housing Market Area	Required contribution (%)
City Centre	0
Manor / Arbourthorne / Gleadless	
East	
North East	
City Centre West	10
North West	
South East	
Stocksbridge & Deepcar	
Chapelton / Ecclesfield	
Rural Upper Don Valley	30
South	
South West	

The required level of provision will only be relaxed where an independent appraisal can show that the development would not otherwise be economically viable.

The developer contribution will be used to provide units of affordable housing in accordance with Guideline 4.

In Affordable Housing Market Areas with an expected contribution of 10% or 30%, in the current housing market, planning permission may be granted for some developments with a lower or zero affordable housing contribution due to viability. However, if the scheme is deferred until the market improves, its viability will be re-appraised to determine whether a higher affordable housing contribution, up to the required amount for that Affordable Housing Market Area, would be viable.

¹⁵ The required developer contributions for each Affordable Housing Market Area have been determined following analysis of the Strategic Housing Market Assessment (2013), the Strategic Housing Land Availability Assessment (2012/13), the Affordable Housing Viability Study (2009), and the Community Infrastructure Levy (CIL) Viability Study (2013).

[See Appendix 2 (b) for an example of how the formula will be used to calculate the required developer contribution, Appendix 2 (e) for details on viability reappraisal, Appendix 2 (f) for a map of the Affordable Housing Market Areas, and Appendix 2 (g) for a table relating affordable housing contributions to CIL charges]

Definitions

'Transfer Price' – the price per square metre at which properties will be sold by the developer to a Registered Provider. The Transfer Price is based on the provision of homes for Affordable Rent, and is currently set at £850/sqm.

This guidance will be put into practice by:

- Requiring the developer to provide an Affordable Housing Statement including details of estimated market value of units and size of residential units.
- Negotiating an appropriate level of Affordable Housing on a development in accordance with the methodology set out in Appendix 2 (c) where the expected level cannot be met.
- Including the expected level for on-site provision of Affordable Housing in planning briefs.
- Advising purchasers of Council land where there is a requirement for affordable housing.
- Requesting the developer or owner of the land (including the City Council) to produce a scheme for meeting identified needs.
- Negotiating with developers to secure house types which would meet local needs for Affordable Housing.
- Negotiating with developers regarding the arrangements (where appropriate) for disposing of dwellings or land to a Registered Provider and the sale price of dwellings.
- Drawing up a S.106 agreement whereby the developer provides the required contribution towards Affordable Housing.
- In the case of outline consent, attaching appropriate conditions to the planning consent. This might be a requirement to submit an Affordable Housing scheme when reserved matters applications are submitted. A model planning condition is included in Appendix 2 (a).
- Attaching appropriate conditions to the planning consent, regarding the phasing of Affordable Housing development in relation to development of on-site market housing.
- Requiring developers to provide a full breakdown of development costs where

they are seeking to provide Affordable Housing below the expected level. This will be appraised by an independent body approved by the Council.

- Drawing up a S.106 agreement to secure a viability reappraisal for any scheme which cannot viably deliver the required Affordable Housing provision when a planning application is determined.

GAH3 On-Site Provision and Use of Commuted Payments

Wherever possible and appropriate, Affordable Housing should be provided on-site. A Commuted Payment in lieu of on-site provision will only be acceptable where the City Council consider that:

- a) the Affordable Housing need would be more effectively met by bringing existing vacant housing back into active use; or**
- b) management of the Affordable Housing on-site cannot be secured effectively or economically; or**
- c) providing the Affordable Housing elsewhere in the local area is more likely to widen housing choice and encourage better household mix; or**
- d) it is not physically possible to provide Affordable Housing of the size or type that is needed in that area; or**
- e) the homes being built are of a type and specification that is not needed for Affordable Housing in that area; or**
- f) significantly more Affordable Housing of a high quality could be provided in the local area through off-site provision; or**
- g) there are other exceptional circumstances that would make off-site provision a more appropriate option.**

Where a Commuted Payment is made, it will be used to finance new Affordable Housing by new building or the purchase, refurbishment or conversion of existing private housing. This should be within the local area unless this is not possible, in which case a wider area will be agreed.

The amount of the Commuted Payment will be calculated based on the expected developer contributions in Guideline 2¹⁶.

¹⁶For student housing schemes, calculation of the commuted sum will be based on the current market price for a 2-bedroom flat in that part of the city and the transfer value. See Appendix 2 (d) for an example of how this could be calculated.

Definitions

'Commuted Payment' – a payment by the developer which is made as an alternative to building affordable dwellings on the site. The money can only be used to provide affordable housing off-site within a defined area.

This guidance will be put into practice by:

- Calculating the Commuted Payment using the process outlined in Appendix 2 (b).
- Drawing up a S.106 agreement whereby the developer makes a financial contribution towards Affordable Housing provision in the city. This is an agreement entered into between a landowner and the City Council, which allows the Council greater control over the type of development that takes place.
- Using the money to assist Registered Providers to provide Affordable Housing in the city by means of new build, purchase, refurbishment or conversion, according to strategic priorities.

GAH4 Type and Tenure of Affordable Housing to be Provided

Where it is are to be provided on-site, the Affordable Housing will be for Affordable Rent unless the Council has identified a strategic need for an alternative tenure in that location. The exact size, type and tenure will be a matter for negotiation taking into account strategic priorities and the need for particular types of Affordable Housing in the local area.

Definition

'Affordable Rent' – no more than 80% of local market rent (including service charges where applicable).

This guidance will be put into practice by:

- Negotiating an appropriate housing mix with the developer to ensure development of house types which would meet local needs for Affordable Housing. This could include specialist provision such as accommodation for older people.

GAH5 Design of Affordable Housing

Affordable Housing should not be able to be differentiated by design, quality, specification, location within the site, timing of the development or by significant difference in access to services and amenities.

This guidance will be put into practice by:

- Promoting consultation between the developer and Registered Provider regarding the required specification of the dwellings.
- Ensuring that Affordable Housing units are integrated into the scheme.
- Ensuring that the specification of Affordable Housing units is equivalent to that of the market units unless otherwise agreed by the Council and the purchasing Registered Provider.

GAH6 Occupation of Affordable Housing

Occupation of affordable rented or social rented units should be according to the City Council's Allocations Policy.

Occupation of intermediate housing should be by households whose total income prevents them from affording housing on the open market.

Definition

'City Council's Allocations Policy' – the Council's statutory allocations scheme made in accordance with the provisions of section 166A of the Housing Act 1996 (or any successor policy).

This guidance will be put into practice by:

- Nominating households from the Council's Housing Register (as referred to in the City Council's Allocations Policy) to any rented units.
- Where appropriate, negotiating the development of intermediate housing where houses can be purchased or rented by households whose total income prevents them from affording housing on the open market.

GAH7 Ensuring Continued Affordability

Affordable Housing should:

- a) remain affordable in perpetuity or, if units are sold, the proceeds should be re-invested to provide alternative affordable housing in the city; and**
- b) not be subject to management or parking costs which would render the unit unaffordable.**

This guidance will be put into practice by:

- Drawing up a S.106 agreement to ensure that the proceeds from the sale of Affordable Housing are recycled to provide alternative new affordable homes.
- Ensuring that any service charges are affordable in the long term.

3. Education

- 5.20 The creation of new homes will in most cases, result in an increase in the number of school age pupils in the area, and therefore create a need for additional school places. The Council regularly monitor new housing development and future school capacity and this has shown that across the City there are primary and secondary schools that are either at full capacity or already overcrowded. Where this is the case, it is desirable to develop new housing along with the provision of extra places within schools where possible. Core Strategy policy CS43 Schools requires contributions towards education provision where there is insufficient local capacity for demand arising from new housing developments.
- 5.21 Previously, the Council sought a S.106. Planning Obligation in parts of the city where there were capacity issues arising from new housing development. Since the implementation of the CIL, contributions towards providing additional school accommodation, either through an extension or the commissioning of a new school will now normally be funded through CIL. The Regulation 123 List will specify which education projects across the city will be CIL funded in whole or part.
- 5.22 However, there may be circumstances where a S.106 Planning Obligation is required, for example where a major residential development is proposed, and subsequently the capacity of a local school will have to be increased, either through an extension or the commissioning of a new school, within the local area; but where there is no project specified for that area within the Regulation 123 List.
- 5.23 Where a S.106 Planning Obligation is required, the NPPF in paragraph 204 requires contributions to be related in scale to the development. Guideline GE2 indicates specific factors which will be considered in determining the scale of contributions towards educational provision. These factors will allow costs to be worked out in relation to the direct impact on education facilities of each application.
- 5.24 The guidelines below applies to new school provision in these circumstances;

GE1 Provision of New School Infrastructure

School Infrastructure Provision, within the Local Area will be required where it is necessary to make Major Residential Developments sustainable.

Definitions

‘School Infrastructure Provision’ – covers primary, secondary and sixth form school classrooms and associated facilities.

‘Major Residential Developments’ -

Type of Development:

All types and sectors of housing, with the exception of houses and flats with only one bedroom, purpose built student accommodation and dwellings formally designated as retirement properties, which are unlikely to yield school age children.

Primary Provision:

Development of 500+ dwellings is sufficient to require a whole class room; therefore a physical extension to an existing school within the Local Area is required.

Development of 1000+ dwellings is sufficient to trigger a new individual primary school within the Local Area or physical extension; to meet the needs of the development.

Secondary and Sixth Form Provision:

Development of 1000+ dwellings is sufficient to require a whole class room; therefore a physical extension to an existing school within the Local Area is required.

Development of 5000+ dwellings is sufficient to trigger a new individual secondary, possibly including sixth form, within the Local Area; or multiple physical extensions; to meet the needs of the development.

‘Local Area’ – within the **School Organisation Planning Area** of the development site. These are locally-defined groupings of between two and five families of schools. A family of schools is generally a secondary school and the primary schools that have linked feeder status in the admissions process. See Appendix 3 for map.

This guidance will be put into practice by:

- Assessing the impact of new development previously not accounted for against current education provision in an area.
- Seeking on-site provision or a financial contribution for an off-site provision in the Local Area via the use of a S.106 Planning Obligation to address the shortfall in education capacity.

GE2 Level of Contribution

The level of contribution from a developer towards School Infrastructure Provision will be calculated from:

- (a) the number of school-age children expected to come from the development;**
- (b) the cost of providing the additional capacity required to accommodate these children.**

Definitions

'School Infrastructure Provision' – covers primary, secondary and sixth form school classrooms and associated facilities.

This guidance will be put into practice by:

- Assessing the impact of new development previously not accounted for against current education provision in an area.
- Seeking on-site provision or a financial contribution for an off-site provision in the Local Area via the use of a S.106 Planning Obligation to address the shortfall in education capacity.

How the Costs are Calculated

- 5.25 The main factors to be considered in determining the number of school-age children expected to come from a development will be the number and size of family houses.
- 5.26 The cost of providing the additional capacity required will be based on an estimate of the cost of works needed. This is based on a national cost-per-place formula, developed by the Department for Education and adjusted to take account of local variations in construction costs.
- 5.27 Figure 1 below gives a worked example of how contributions would be estimated. It assumes that there is insufficient spare capacity at existing schools.
- 5.28 Developers will only be required to make contributions towards education facilities for the age groups and standards of accommodation that the Council has a statutory duty to provide.
- 5.29 Delivery will be through entering into legal agreements with developers to meet these costs.

- 5.30 The likely future requirement for school places uses the latest assessments of future housing development as set out in the Strategic Housing Land Availability Assessment (SHLAA) and includes consideration of proposed local plan site allocations. This data is cross referenced with the Council's forecasts of demand for school places, which are derived from population data and take into account of actual pupil numbers in each area, patterns of movement and parental preference for each school.
- 5.31 These figures are based on the latest [Government's estimates](#)¹⁷ of the average cost of building additional capacity including a local weighting for Sheffield of 0.99 (based on national variations in construction costs). These figures are then combined with pupil yield figures per dwelling, as set out in the worked example below.
- 5.32 Other Local Authorities across Yorkshire and Humber have shared their approach and most use the same figures (some have applied an uplift for inflation). Each Local Authority uses a yield derived from their own analysis of the number of additional pupils resulting from development. In Sheffield we review the yield of pupils from housing regularly.

¹⁷ ¹⁷ *School design guidance: Cost issues*, on the National Archive, 2010.
<http://webarchive.nationalarchives.gov.uk/20100204113740/http://www.teachernet.gov.uk/management/resources/financeandbuilding/schoolbuildings/schooldesign/costinformation/>

Figure 1

This example assumes that a new School Infrastructure Provision is required and that there is no spare capacity at existing schools.

The number of pupils expected to yield from a housing development is normally calculated as a ratio of pupils per year per 100 houses. Sheffield uses the ratio of 3 pupils per age group per 100 houses. This is based on the total number of pupils per age group at Sheffield schools and the estimated number of dwellings in the City with two or more bedrooms.

From this can be derived a pupil yield per house using the multiplier of:

- 7 year groups at primary level*
- 5 year groups at secondary level and*
- 2 year groups at sixth form.*

The yield per house using Sheffield's average of 0.03 pupils per age group is:

0.21 pupils at Primary level

0.15 pupils at Secondary level

0.04 pupils at Sixth Form level (based on 70% staying on rate and applicable to sixth form schools only)

The yield per house will be applied to all types and sectors of housing with the exception of houses and flats with only one bedroom which are unlikely to yield school-age pupils.

The costs to be levied per pupil are the building costs per school place used by Central Government (see the weblink in paragraph 5.31 above). The latest figures are:

<i>Primary</i>	<i>£12,257</i>
<i>Secondary</i>	<i>£18,469</i>
<i>Sixth Form</i>	<i>£20,030</i>

The local weighting for Sheffield is 0.99.

The implications of the above are that, at current prices indicated by the Government, the level of contribution which may be sought per new family dwelling for a new school would be:

*£12,257 x 0.99 x 0.21 = **£2,548** per dwelling to provide a primary school*
*£18,469 x 0.99 x 0.15 = **£2,743** per dwelling to provide a secondary school*
*£20,030 x 0.99 x 0.04 = **£793** per dwelling to provide a sixth form (where applicable).*

These figures are rounded to the nearest £. They may be updated as costs change. If land has to be purchased to accommodate a new school, this cost would have to be divided equally between housing developments to give an additional charge per dwelling.

4. Community Facilities

- 5.33 New residential development may result in the need for improved and/or new community facilities. UDP policy CF1 outlines the need for community facilities, and policies CF3 and CF4 in particular set out the requirements for childcare and nursery provision in developments with public access and employment/ training. UDP policy IB12 also encourages the creation of community facilities in industry and business areas.
- 5.34 The provision of community facilities will normally be funded by the CIL. The Regulation 123 List will identify strategic projects and there may be the potential for localised needs to be met through the Neighbourhood Portion.
- 5.35 However, there may be circumstances where a S.106 Planning Obligation is required, for example where a major residential development is proposed, and community facilities are required to make the development sustainable; but where there is no project specified within the Regulation 123 List.
- 5.36 Development resulting in the loss of community facilities will only be permitted where it conforms with UDP policy CF2. Replacement facilities will be required unless there is no longer a need for the facility in the area, see guideline GCF1 below for details.
- 5.37 The following guidelines apply to Community Facilities provision:

GCF1 Loss Of Community Facilities as a Result Of New Development

Any development that would result in a loss of Community Facilities will need to provide replacement facilities in line with UDP policy CF2, unless they are no longer required.

If on-site replacement is not possible, a commuted sum will be required to enable the facility to be provided elsewhere in the local area.

Definitions

'Community Facilities' – includes local shops, meeting places, sports venues, cultural buildings, public houses, places of worship and other local services which enhance the sustainability of communities and residential environments such as; community centres, youth clubs, libraries, information and advice centres, lecture theatres, drop in centres, crèches and nurseries, training centres and toilets.

This guidance will be put into practice by:

- Assessing whether the Community Facility is surplus to requirements;
- Seeking replacement on-site provision or a financial contribution for an off-site replacement via the use of a S.106 Planning Obligation.

GCF2 Provision of New Community Facilities

Provision of Community Facilities will be required to make Major Residential Developments sustainable.

Definitions

'Community Facilities' – includes local shops, meeting places, sports venues, cultural buildings, public houses, places of worship and other local services to enhance the sustainability of communities and residential environments such as; community centres, youth clubs, libraries, information and advice centres, lecture theatres, drop in centres, crèches and nurseries, training centres and toilets.

'Major Residential Developments' – developments providing 1,000 or more dwellings.

This guidance will be put into practice by:

- Assessing the impact of new development previously not accounted for against current community facility provision in an area.
- Seeking on-site provision and if not possible a financial contribution for an off-site provision in the local area via the use of a S.106 Planning Obligation

5. Health Facilities

- 5.38 The Council recognises that new residential development resulting in increasing local population will place an increasingly cumulative pressure on local health facilities in an area. Core Strategy policy CS44 requires the creation of primary health centres in local communities with the 'highest level of needs or with changing or growing needs'. This particularly relates to the City Centre and areas of large new housing developments.
- 5.39 Contributions towards providing additional health facilities will normally be funded through the CIL. The Regulation 123 List will specify which health projects across the city will be CIL funded. The Neighbourhood Portion may also be an option to fund such facilities if the local community consider it a priority.
- 5.40 However, there may be circumstances where a S.106 Planning Obligation is required, for example where a major residential development is proposed, and health facilities are required to make the development sustainable; but where there is no project specified within the Regulation 123 List.
- 5.41 The following guideline applies to Health Facilities provision:

GHF1 Provision of New Health Facilities

Provision of Health Facilities infrastructure will be required to make Major Residential Developments sustainable.

Definitions

'Health Facilities' – medical and health centres

'Major Residential Developments' – developments providing 1,000 or more dwellings.

This guidance will be put into practice by:

- Assessing the impact of new development previously not accounted for against current health facility provision in an area.
- Seeking on-site provision and if not possible a financial contribution for an off-site provision in the local area via the use of a S.106 Planning Obligation to address the shortfall in health facilities.

6. Open Space

- 5.42 Sustaining and enhancing open space and public realm, and linking them to a strategic network of pedestrian and cycle routes, is an important element of creating and maintaining healthy, successful and sustainable neighbourhoods. Good quality open spaces also play an important role in the economic future of the City by attracting investment, with associated job creation.
- 5.43 An increase in population within an area can put extra pressure on existing open space, which may result in a need for new open space or upgrading of existing spaces. In addition, development proposals which would result in the loss of open space are not likely to be acceptable where they reduce provision below the minimum standard, or where they involve land that is of particular value, for example for heritage or ecological reasons.
- 5.44 Open Space provision for residential development is covered by UDP policy H16 *Open Space in New Housing Developments*. This policy requires developers to ensure that there would be sufficient provision of informal open space, children's play and outdoor sports facilities to meet the needs of residents.
- 5.45 Open space provision as a result of incremental growth is now likely to be delivered through CIL. The Regulation 123 List will specify which projects across the city will be CIL funded, should the Council determine they are a priority.
- 5.46 However, for larger sites in areas where open space provision is below the minimum guideline, and development would cause a localised requirement for additional open space, it is necessary to mitigate the pressure on local open space by creating new open space. This will need to be delivered on the site, unless it would be more appropriate to provide or enhance recreation space off-site but in the local area of the site. This requirement will not apply if the open space to be created is already identified on the Regulation 123 List.
- 5.47 Development on existing open space will only be permitted where it conforms with Core Strategy policy CS47 *Safeguarding Open Space*, unless there are exceptional circumstances. Where necessary, in line with the policy, applicants will be required to provide replacement open space of equivalent or improved quantity and quality, or where necessary a commuted sum for open space provision. As above, this will not apply if the open space to be created is already identified on the Regulation 123 List.
- 5.48 The following guidelines apply for open space provision.
- 5.49 Guideline GOS1 below brings the relevant parts of UDP Policy H16 into this SPD.

- 5.50 Since the adoption of the Unitary Development Plan, changes in legislation and national planning policy have taken place through the Planning Act 2008, the CIL Regulations 2010 and the National Planning Policy Framework, which have changed the way that pooled Section 106 developer contributions are collected. The UDP policy H16 required on-site provision on sites of over 1 hectare, or a contribution if this was considered not to be appropriate. Because CIL is now the expected method for pooling contributions, it is only appropriate to seek S.106 from developments if they are large enough to generate their own on-site need, in order to meet the requirements of the three tests. Normally this would only be on sites of 4 hectares and above. For this reason, the CIL and Planning Obligations Supplementary Planning Document needs to set out why on-site open space will only be required on sites of 4 hectares and above, rather than 1 hectare.
- 5.51 This is not the creation of a new policy, but is the explanation of how the UDP policy approach has been altered by new national planning policy and legislation.

GOS1 New Open Space in Housing Developments

For residential developments over four hectares, a Relevant Proportion of the site should be laid out as open space, except where:

- (a) provision of recreation space in the Local Area would continue to exceed the Minimum Guideline after the development had taken place; or**
- (b) it would be more appropriate to provide or enhance recreation space off-site within the local area; where there is no identifiable project in the Regulation 123 List for the relevant part of the City.**

Any new open space that is provided as part of a housing development should be:

- **Suitable to the type of development;**
- **large enough to cater effectively for the intended recreational use;**
- **appropriately sited; and**
- **practical to maintain.**

Where part (b) applies, a commuted sum will be required, which should be of an equivalent value to the cost of physically creating a new space that should otherwise have been provided on-site.

Definitions

‘A Relevant Proportion’ – at least 10% of the site.

‘Minimum Guideline’ – 4ha per 1000 people, consisting of¹⁸:

- 2.7ha per 1000 people of informal open space within 400m of the site
- 1.3ha per 1000 people outdoor sports provision and children’s play space within 1200m of the site

‘Local Area’ – typically within 400m for informal open space and children’s play facilities. 1200m for youth/adult outdoor sports facilities, unless there is a robust justification as to why these distances should be extended.

‘Suitable’ – having regard to the type of accommodation being provided. For instance this could include children’s play facilities for family housing, but not for homes for older people.

This guidance will be put into practice by:

- Determining the amount of open space provision, in hectares per 1000 people, within the catchment of the site (as defined above).
- Ensuring that a relevant proportion of the site is laid out as open space by way of a condition on the planning permission.
- Seeking a financial contribution via the use of a S.106 Planning Obligation if on-site provision is required but cannot be delivered.

¹⁸ See Core Strategy policy CS47 for detailed definitions of types of open space.

GOS2 Management and Maintenance of New Open Spaces

The Council will not normally be able to adopt new open spaces or Ancillary Facilities. Therefore, the developer will be responsible for ensuring the management and maintenance of any new open spaces and Ancillary Facilities created as a result of Guideline GOS1. The Council may decide to manage and maintain new open spaces, if funded by the developer.

Proposals for new open space and Ancillary Facilities required by Guideline GOS1 should be accompanied by a Management and Maintenance Plan (agreed with the City Council) setting out:

- (a) how the space and Ancillary Facilities will be managed and maintained in perpetuity; and**
- (b) the Quality to which new open spaces and Ancillary Facilities will be managed and maintained.**

Definitions

‘Ancillary Facilities’ – for instance changing rooms or floodlighting.

‘Management and Maintenance Plan’ – a plan which sets out how the open space will be looked after to an agreed standard, including details of what management and maintenance will need to be done, when it will be done, and who will do it.

‘Quality’ – as a minimum, sites will need to be clean, safe, welcoming and accessible. This should be in line with the ‘Sheffield Standard’ as defined in the Green and Open Space Strategy (2010-2030).

See: <http://www.sheffield.gov.uk/home/parks-sport-recreation/open-space-strategy>.

This guidance will be put into practice by:

- Working with developers to secure a sustainable Management and Maintenance Plan for new open spaces.
- Using a S.106 agreement to ensure the Management and Maintenance Plan is adhered to.

7. Public Art

- 5.52 Public art can bring distinctiveness and material and craft quality to developments, enable local people to participate in the process of change and foster a sense of ownership. It is therefore an important part of achieving design quality.
- 5.53 The provision of Public Art is covered by UDP policy BE12. This policy encourages the provision of public art as an integral part of the design of major developments or, in appropriate circumstances related to the wider public realm, a building or place of community significance.
- 5.54 Funding for Public Art will not normally be delivered through CIL and the policy is delivered by a Condition requiring on-site work by the developer.
- 5.55 Where public art is conditioned there may be certain circumstances where that Condition may be fulfilled, in negotiation with the developer, through a S.106 Planning Obligation.

GPA1 Public Art

Where Public Art is conditioned as part of a development this condition may be fulfilled by a financial contribution where there is no appropriate opportunity for public art within the development or the developer wishes/agrees to contribute to an off-site public art project that will enhance the development.

Definitions

'Public Art' – Permanent or temporary works in a location that is visible and/or used by the public, which are high quality and durable, undertaken by artists, craftspeople or creative professionals.

This guidance will be put into practice by:

- Seeking a financial contribution via the use of a S.106 Planning Obligation in lieu of an on-site work of Public Art.

8. Renewable Energy and Carbon Reduction

5.56 Core Strategy Policy CS65 (b) requires significant¹⁹ developments to generate renewable or low carbon energy or incorporate design measures sufficient to reduce the development's overall predicted carbon dioxide emissions by 20% (including any energy already generated to meet part (a) of the policy). The policy also sets out that if it is not possible to achieve this requirement, a contribution to an off-site carbon reduction scheme may be acceptable instead. However, part (b) of the policy is not currently being implemented because, since adoption of the Core Strategy, Building Regulations requirements for carbon reduction have increased to such a point that achieving a further 20% reduction would render most schemes unviable. Therefore the part of the policy referring to a contribution to an off-site scheme in lieu of achieving this requirement is not currently relevant. Should this approach change in the future, this SPD will be updated to reflect the mechanism for taking a contribution to an off-site carbon reduction scheme.

¹⁹ New-build and conversions of 5 or more dwellings (including apartments), or more than 500sqm gross internal floorspace.

9. Flood Risk Management

- 5.57 Flood risk management is one of the most important ways of adapting to the predicted more intensive rainfall and increased number of storm events giving rise to flooding as a result of climate change²⁰. Core Strategy policy CS67 sets out ways of ensuring that the potential impacts of flooding are taken account of and planned for in new development.
- 5.58 Contributions towards providing strategic flood management measures will normally be funded in whole or part by the CIL; for example flood alleviation, protection and defence projects, which would improve the standard of flood protection to houses and commercial properties along river and watercourse corridors. The Regulation 123 List will specify which flood projects across the city will be CIL funded, should the Council wish to prioritise these.
- 5.59 Core Strategy policy CS67 and Written Ministerial Statement²¹ set out, where a development will require **on-site** flood risk management infrastructure. Such infrastructure will be required through Planning Conditions and might include, Sustainable Drainage Systems, to reduce the extent and impact of flooding.
- 5.60 S.106 Planning Obligation will be used where a development requires **off-site** flood risk management infrastructure. Core Strategy policy CS67 states that this will be in areas with a high probability of flooding and where it would be necessary to mitigate direct impacts of a development.
- 5.61 The following guideline applies to off-site flood risk management measures:

GFRM1 Off -Site Flood Management Measures:

Developments in a High Probability Flood Zone will need to provide adequate off-site flood protection measures, to mitigate against the direct impact of a development, to reduce the extent and impact of flooding.

²⁰ Impact of Climate in the UK, 2013 <https://www.gov.uk/government/collections/impacts-of-climate-change-in-the-uk> and various UK Climate Projection Reports: <http://ukclimateprojections.metoffice.gov.uk/22530>

²¹ Written Ministerial Statement Sustainable drainage systems - HCWS161, 18th December 2014, <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2014-12-18/HCWS161/>

Definition:

'High Probability Flood Zone' – Land having a 1 in 100 or greater annual probability of river flooding;

This guidance will be put into practice by:

- Assessing the impact of new development on flood risk through a site specific flood risk assessment.
- The Council will seek a S.106 Planning Obligation to mitigate the development's impact on flood risk by securing off-site flood protection works.

10. Air quality

- 5.62 New developments have the potential to impact on the air quality of an area. The impacts may be harmful especially where these developments are located in areas where air pollution exceeds national objectives / European Union (EU) limit values or where there are high traffic levels. This includes for example, the corridors of arterial routes into the city and roads where the traffic flow is greater than 17,000 Annual Average Daily Traffic (AADT).
- 5.63 Core Strategy policy CS66 requires action to protect air quality in all areas of the city. The policy also establishes that further action is needed to improve air quality across the urban area, in particular where levels of pollution exceed national targets. These targets are summarised in the government's Air Quality Strategy as national air quality objectives and are made up of both national air quality objectives and EU limit values. The policy is designed to support the City's Air Quality Management Area and its associated Air Quality Action Plan. Amongst other things, the action plan sets out the vision to achieve national air quality objectives and associated EU limit values.
- 5.64 Large scale strategic projects to improve air quality may be funded by CIL. Projects would be identified through for instance, the Air Quality Action Plan or implementation of the Low Emission Zone Strategy. These projects would be identified through the Regulation 123 List.
- 5.65 Where a development will have a detrimental impact upon the air quality of the local area, mitigation will usually be provided directly on site and is secured via a planning condition. However, there may be exceptional circumstances where on-site mitigation cannot be achieved and there are also no identifiable air quality mitigation projects in the Regulation 123 list for that part of the City. In these instances a S.106 Planning Obligation will be required in order to provide mitigation in the immediate vicinity of the site for the direct impacts the development will have on air quality. In this manner, a S.106 Planning Obligation will therefore only be required in circumstances where it meets the three statutory tests discussed in earlier (paragraph 3.6).
- 5.66 The following guideline will apply to air quality.

GAQ1 Protecting Air Quality Across The City

A S.106 Planning Obligation will be required to provide measures that mitigate against the direct impacts the development will have on air quality where:

- (a) the development would have a Significant Detrimental Impact on air quality and there is insufficient capacity for mitigation measures to be delivered on the site (via a planning condition); and**
- (b) there is no identifiable project in the Regulation 123 List for the relevant part of the City.**

Definitions

‘Significant Detrimental Impact’ – development that is predicted to exceed EU limit values and national objectives on air quality without sufficient mitigation measures.

This guidance will be put into practice by:

- Assessing the impact of new development via an Air Quality Impact Assessment.
- Seeking a S.106 Planning Obligation to mitigate the developments impact on local air quality where there is insufficient capacity for on-site mitigation and no identifiable project in the Regulation 123 List for the relevant part of the City

11. Waste Management

- 5.67 New development may result in the strategic need for improved and/ or new waste management facilities. Core strategy policy CS68 sets out the waste development objectives for the city, including a reference to the Council's own Waste Strategy, and policy CS70 outlines measures to increase recycling and composting, such as the provision of community composting schemes, recycling points and improvement of Household Waste Recycling Centres.
- 5.68 As it is a strategic issue, waste management infrastructure provision will normally be funded in whole or part by the CIL. The Regulation 123 List will specify which projects across the city will be CIL funded, should the Council decide to prioritise these.

Technical Appendices

Appendix 1 – Planning Policies

APPENDIX 1 (a)

Draft Policy A1 (Pre-submission City Policies, Sites and Proposals Map 2013²²)

Policy A1

Infrastructure Requirements, Community Infrastructure Levy and other Developer Contributions

The priority for funding of infrastructure through the Community Infrastructure Levy (CIL) and other developer contributions will be to increase the effective capacity of infrastructure to enable or support development in the city.

Receipts from the CIL will be used only to invest in infrastructure that:

- a. is essential for delivery of outcomes proposed in the Sheffield Local Plan; or
- b. has been identified to meet locally determined requirements in the neighbourhood where the development takes place;

and that:

- c. could not be financed from mainstream programmes, site-specific developer contributions or other sources; and
- d. could be delivered within a reasonable timescale.

Infrastructure will be given priority for funding through the CIL that:

- e. releases potential for regeneration;
- f. supports meeting of the city's housing and employment land targets;
- g. maximises the benefits from scarce resources;
- h. enhances quality of life and equal opportunities;
- i. reduces carbon emissions;
- j. increases the resilience of the area to long-term change.

Specific priorities are:

- k. measures and facilities to increase the capacity and quality of the transport network and public transport, particularly on Key Routes; and
- l. provision for schools where there is evidence of insufficient local space for demand arising from new development; and
- m. new or improved green infrastructure and public spaces in areas where there is a shortage; and
- n. additional specific measures that would be critical to delivering the city's economic and spatial strategy.

²² Sheffield City Council Pre-submission City Policies, Sites and Proposals Map 2013
<http://www.sheffield.gov.uk/home/planning-development/draft-city-policies-sites-document.html>

Definitions

'Infrastructure' – includes physical, social and environmental facilities and networks needed to serve development such as transport, telecommunications, energy, water supply, sewerage and drainage, schools, hospitals, health centres and open space, consistent with the definition set out in the Planning Act 2008.

'Other sources' – these are likely to vary over time but current examples are the Regional Growth Fund, Tax Increment Financing, and the New Homes Bonus.

'Transport Network' – includes roads, rail, tram, cycling and pedestrian routes and facilities. For Key Routes, see Core Strategy policy CS52 and the Proposals Map.

'Green Infrastructure' – A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality-of-life benefits for local communities. It may include playing fields, play areas and informal open space such as parks, natural or semi-natural open spaces, landscaped areas, etc. (see also definition of informal open space in Core Strategy policy CS47).

APPENDIX 1 (b)

Core Strategy (2009): strategic objectives

The list below contains the Strategic Objectives (represented by an 'S' number) in the Core Strategy that relate to infrastructure requirements where CIL in particular will be a key mechanism in delivery:

Economic Transformation:

- S1.1 – adequate infrastructure is one of the conditions required to achieve a sustainable high-growth economy in the City Region. CIL will be instrumental in helping to deliver adequate infrastructure through the generation of funding.
- S1.3 – green infrastructure is an identified priority in line with the Core Strategy objective. The provision of green infrastructure will help to create, improve and conserve environments to attract business investment.

City Region will be better served:

- S2.2 – improvements in transport infrastructure through CIL, particularly in achieving the capacity of the network, will significantly improve connections.

Housing markets will be transformed:

- S3.1 – CIL will help to deliver new housing through infrastructure provision.

Successful Neighbourhoods will be promoted:

- S4.3 – the provision of infrastructure at district and neighbourhood levels will be promoted, particularly through the Neighbourhood Portion

Opportunities for all will be provided:

- S5.1 – social infrastructure provision through CIL can enhance equal opportunities.

Health and well-being will be promoted:

- S6.1 – the CIL can be focused on enhancing quality of life and reducing carbon emissions that can also help to improve air quality.
- S6.3 – new green infrastructure improvements through CIL to meet the needs of new development will help to safeguard areas where peaceful enjoyment of urban neighbourhoods is already present.

CIL could be used to fund health facilities such as hospitals, GP surgeries and walk-in centres.

Better connections will be achieved:

- S7.1 – transport network capacity improvements as a key infrastructure priority will help to improve accessibility to work and services.
- S7.2 – network capacity improvements will help to improve access in general by sustainable transport means.

More efficient use of the transport network and infrastructure will be delivered:

- S8.1 – the more efficient use of existing infrastructure can be targeted through CIL funding.
- S8.2 – similarly, increasing the capacity of the existing transport network will help to ensure it is used as efficiently as possible.

Supporting sustainable transport:

- S10.1 – many of the priorities for transport investments will improve public transport and promote energy-efficient transport modes. CIL can fund network improvements, which will include public transport facilities. Efficient use of resources will encourage energy efficiency in transport and focussing on reducing carbon emissions will prioritise low-polluting modes of transport.
- S10.2 – the provision of better walking and cycling facilities through CIL funds could reduce carbon emissions and increasing the network capacity by reducing the number of motor vehicles otherwise using the network.

Reducing impact on climate change and using resources sustainably:

- S11.2 – CIL can fund renewable energy projects.
 - S11.3 – CIL could assist fund strategic flood management projects
- S12.4 – CIL could assist waste reduction, recycling and re-use to make the best use of resources.

The natural environment will be improved:

- S13.1 – improved green infrastructure to meet the needs of new development will mitigate the impact on existing green infrastructure and help to safeguard and enhance natural features.

- S13.4 – CIL is clearly crucial to the delivery of new and improved open space where it will be needed as a result of new development.

APPENDIX 1 (c)

Core Strategy (2009) and UDP (1998) Policies

Core Strategy (2009)

Policy CS 40

Affordable Housing

In all parts of the city, developers of all new housing developments will be required to contribute towards the provision of affordable housing where this is practicable and financially viable.

Policy CS 43

Schools

Provision of sufficient modernised education facilities will include:

- a. the redevelopment and refurbishment of all secondary schools and significant investment to upgrade some primary schools;
- b. new education provision for ages 14-19 in the north-west and Mosborough/Woodhouse;
- c. two new Special Education Needs schools in the North-East Urban Area;
- d. expansion of schools, to be funded by developers where there is insufficient local space for demand arising from new housing developments.

Policy CS 44

Health Centres

Primary Health Centres will be developed in local communities with the highest level of needs or with changing or growing needs.

Additional health facilities will be provided, subject to funding and need materialising:

- a. in the City Centre, to meet city-wide needs, particularly of vulnerable people, as well as of workers, residents and other users of the centre;
- b. in areas of large new housing development, including Stocksbridge/Deepcar, Darnall and the City Centre, to be funded by developers where there is insufficient local space for demand arising from new developments.

Policy CS 45

Quality and Accessibility of Open Space

Safeguarding and improvement of open space will take priority over creation of new areas. Priority for improvement of open space and related sports and recreational facilities will be given to:

- a. district parks and open spaces, including the City Centre Sheaf Valley and Parkwood Springs; and
- b. areas that are more than 1200 metres from a district park or open space that both delivers a range of formal and informal recreational opportunities and is managed to nationally recognised quality standards such as Green Flag.

Policy CS 46

Quantity of Open Space

As opportunities arise, new open space will be created:

- a. where a quantitative shortage of open space per head of population is identified in the local area;
- b. where it is required for extending the City's Green Network.

Policy CS 47

Safeguarding of Open Space

Development of open space will not be permitted where:

- a. it would result in a quantitative shortage of either informal or formal open space in the local area; or
- b. it would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c. people in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or
- d. it would cause or increase a break in the city's Green Network.

Development that would still result in the loss of open space will only be permitted where:

- e. as soon as practicable, equivalent or better replacement open space would be provided in the local area; or
- f. the site is identified as surplus for its current open space function and:
 - i. a proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space in the same local area; or
 - ii. it could not fulfil other unsatisfied open space needs; or

- g. the development would be ancillary to the open space and have a minimal impact on the use or character of the open space.

Open space or sports and recreational facilities of importance beyond the city will be safeguarded and development or redevelopment will be permitted only where it would improve the quality of facilities provided in the city.

Policy CS 53

Management of Demand for Travel

Increasing demand for travel in all parts of the city will be managed to meet the different needs of particular areas through:

- a. promoting good quality public transport and routes for walking and cycling to broaden the choice of modes of travel;
- b. making best use of existing road capacity through the use of variable-message signing and Intelligent Transport Systems;
- c. implementing Travel Plans for new developments to maximise the use of sustainable forms of travel and mitigate the negative impacts of transport, particularly congestion and vehicle emissions;
- d. active promotion of more efficient and sustainable use of vehicles through car clubs, car sharing to increase vehicle occupancy and incentives for using alternatively fuelled vehicles. These will be associated with new residential and commercial developments and particularly in the City Centre;
- e. managing public car parking to reduce long-stay commuter parking in favour of short-stay and providing long-stay park-and-ride facilities near the edge of the main urban area;
- f. creating Controlled Parking Zones to manage traffic levels in constrained locations and encourage the use of more sustainable modes of travel, with priority to:
 - i. the City Centre;
 - ii. the Peripheral Residential Parking Zone around the City Centre, incorporating Broomhill, Sharrow, Broomhall and Crookesmoor;
 - iii. the eastern end of the Lower Don Valley, including Atlas and Carbrook;
- g. applying maximum parking standards for all new developments to manage the provision of private parking spaces.

Policy CS 54

Pedestrian Routes

The pedestrian environment will be improved, with priority being given to routes providing access to:

- a. the City Centre, via the main radial routes
- b. other major employment areas:

- i. University of Sheffield/Museums/Hallamshire and Children's Hospitals/Collegiate Campus
 - ii. the Northern General Hospital
 - iii. the new Sheffield College site on Penistone Road
 - iv. Sheffield College site on Granville Road
 - v. the Lower Don Valley between Attercliffe and Meadowhall
- c. railway stations and other key transport nodes
 - d. District Centres and areas within them

Walking routes will also be developed along the corridors of the Strategic Green Network.

Policy CS 55

Cycling Routes

Improvement and development of the cycle network will be given priority on strategic links, mainly to key employment locations, particularly on routes:

- a. providing access to the City Centre from the University, Bramall Lane, Charlotte Road and Granville Street
- b. making up the City Centre ring route northern section (Upper Hanover Way – Exchange Street – Pond Street)
- c. providing access within the City Centre
- d. through the Upper and Lower Don Valley, with a network of links to neighbouring residential areas;
- e. between the Northern General Hospital and City Centre (via Riverside);
- f. through the Blackburn Valley, extending through Smithy Wood and Hesley Wood to Chapelton and the TransPennine Trail.

Policy CS 56

Priority Routes for Bus and Bus Rapid Transit

Bus priority measures on Key Routes will be developed to reduce the impact of congestion on buses and improve speed, reliability, frequency and accessibility in the main urban area and on links to economic regeneration areas. Measures will include traffic management schemes (including bus lanes), park-and-ride sites, new transport interchanges, traffic signal technology, improved information and waiting areas for users, and bus/light rail rapid transit, where appropriate.

The following Key Routes will be improved through bus priority measures over the period to 2011:

- a. A6109 City Centre – M1 J34 North
- b. A6178 City Centre – M1 J34 South
- c. A6178/B6200 City Centre – Woodhouse

- d. A6135 City Centre – Mosborough/Halfway
- e. B6388 Heeley – Gleadless
- f. A625 Ecclesall Road
- g. A61 Penistone Road

Site-specific public transport priority measures will be developed on a number of other Key Routes, to include:

- h. A61 Sheffield Inner Relief Road
- i. C105 Woodseats Road
- j. B6079 Infirmary Road/Langsett Road

Routes will be identified for Bus/Tram Rapid Transit between Sheffield and Rotherham.

Policy CS 57

Park-and-Ride and Car Parking in the City Centre

Short-stay parking provision within the City Centre will be increased to 9,500 spaces and long-stay parking will be reduced to enable this to be achieved. In support, pricing policies will be implemented to favour short-stay over long-stay parking.

Additional long-stay parking to serve the City Centre will be provided through park-and-ride facilities outside the centre and the strategic priority corridors or locations include:

- a. Penistone Road
- b. Ecclesall Road
- c. Abbeydale Road
- d. Meadowhead/Chesterfield Road
- e. Sheffield Parkway
- f. Lower Don Valley

In addition, new locations will be developed where demand exists and as and when opportunities arise, particularly where they would serve links with improved facilities and infrastructure for best possible public transport.

Policy CS 59

New Roads

There will be no significant increase in the physical capacity of the city's highway network. New through-roads will only be built, and existing roads improved, in a limited number of circumstances, to:

- a. improve the movement of public transport, cyclists or pedestrians; or
- b. enable regeneration; or

- c. reduce serious traffic impacts on the local environment where there is no sustainable alternative option.

The following road schemes are proposed:

- i. Improvements to M1 Junctions 34 North and South
- ii. M1 Junction 34 relief road (Halfpenny Link)
- iii. Improvements to Sheffield Parkway (A630) and Catcliffe Junction
- iv. Claywheels Lane improvements associated with proposed new road and crossing of River Don
- v. A61 Penistone Rd/Herries Rd improvements
- vi. A6102 Herries Rd/Barnsley Rd (Fir Vale)
- vii. A621 Bramall Lane widening.

Policy CS 60

Transport in the City Centre

The transport network into and within the City Centre will be managed to enable the development of its core city functions. Increased demand for trips will be managed by measures including:

- a. public transport improvements including:
 - i. a series of midi-interchanges to meet the needs of bus users at priority locations including:
 - Moorfoot
 - The New Retail Quarter (Charter Square)
 - Howard Street/Sheffield Station
 - ii. bus-based park-and-ride links on the main radial routes at the edge of the main urban area to serve the City Centre
 - iii. City Centre shuttle bus service providing connections between major destinations in the City Centre
 - iv. improved penetration of the City Centre by public transport;
- b. including the area inside the new Northern Inner Relief Road within the City Centre Controlled Parking Zone;
- c. development of car club hubs at the following locations:
 - i. Arundel Street
 - ii. Charles Street
 - iii. Fitzwilliam Street
 - iv. St James Street
 - v. Victoria Street
 - vi. Brown Street

- vii. Millsands
- viii. Moorfoot;
- d. providing for 9,500 public short-stay parking spaces but restricting long-stay public and private car parking and providing long-stay park-and-ride facilities on the edge of the urban area;
- e. helping all users of the City Centre to understand and find their way round the City Centre, including extending the Connect Sheffield project in conjunction with development in the New Retail Quarter and The Moor.

Policy CS 61

Pedestrian Environment in the City Centre

A Pedestrian Priority Zone, in which a high-quality environment will allow priority for the safe, convenient and comfortable movement of pedestrians within and through the area, will be established in the following areas of the City Centre:

- a. Heart of the City
- b. Fargate
- c. The Moor/NRQ
- d. the Cultural Industries Quarter
- e. Castlegate/Victoria Quays
- f. Devonshire Street
- g. the University of Sheffield (Portobello/Portobello Street)
- h. routes to St Vincent's
- i. West Bar
- j. Sheaf Square/Howard Street
- k. Kelham/Neepsend.

Policy CS 65

Renewable Energy and Carbon Reduction

Renewable energy capacity in the city will exceed 12MW by 2010 and 60MW by 2021.

The Smithywood and Hesley Wood areas are potential locations for larger-scale wind generation though not to the exclusion of other sustainable locations.

Where appropriate, developments will be encouraged to connect to the City Centre District Heating Scheme. Shared energy schemes within large developments or between neighbouring developments, new or existing, will also be encouraged.

All significant developments will be required, unless this can be shown not to be feasible and viable, to:

- a. provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy; and

- b. Generate further renewable or low carbon energy or incorporate design measures sufficient to reduce the development's overall predicted carbon dioxide emissions by 20%. This would include the decentralised and renewable or low carbon energy required to satisfy (a).

The renewable or low carbon energy technologies must be operational before any new or converted buildings are occupied.

If it can be demonstrated that the required reduction in carbon emissions cannot be met through decentralised renewable or low carbon energy and/or design and specification measures, a contribution towards an off-site carbon reduction scheme may be acceptable.

Policy CS 66

Air Quality

Action to protect air quality will be taken in all areas of the city. Further action to improve air quality will be taken across the built-up area, and particularly where residents in road corridors with high levels of traffic are directly exposed to levels of pollution above national targets.

Policy CS 67

Flood Risk Management

The extent and impact of flooding will be reduced by:

- a. requiring that all developments significantly limit surface water run-off;
- b. requiring the use of Sustainable Drainage Systems or sustainable drainage techniques on all sites where feasible and practicable;
- c. promoting sustainable drainage management, particularly in rural areas;
- d. not culverting and not building over watercourses wherever practicable;
- e. encouraging the removal of existing culverting;
- f. not increasing and, where possible, reducing the building footprint in areas of developed functional floodplain;
- g. not locating or subdividing properties that would be used for more vulnerable uses in areas of developed functional floodplain;
- h. developing only water-compatible uses in the functional floodplain;
- i. designating areas of the city with high probability of flooding for open space uses where there is no overriding case for development;
- j. developing areas with high probability of flooding only for water-compatible uses unless an overriding case can be made and adequate mitigation measures are proposed;
- k. ensuring any highly vulnerable uses are not located in areas at risk of flooding;
- l. ensuring safe access to and from an area with a low probability of flooding.

Where an overriding case remains for developing in a zone with high probability of flooding, development will be permitted only if:

- m. more vulnerable uses, including housing, would be above ground floor level; and
- n. the lower floor levels of any other development with vulnerable equipment would remain dry in the event of flooding; and
- o. the building would be resilient to flood damage; and
- p. adequate on and off-site flood protection measures would be provided.

Housing in areas with a high probability of flooding will not be permitted before 2016/17.

Policy CS 68

Waste Development Objectives

The City's waste will be managed more sustainably by:

- a. encouraging less consumption of raw materials through the reduction and re-use of waste products; and
- b. making the best use of existing landfill capacity and only using the city's Landfill Allowance Trading Scheme allocations when disposing of organic municipal waste; and
- c. restricting consent for additional landfill to those cases where local provision can be justified; and
- d. meeting the national staged targets for recovering value from municipal waste by utilising the existing energy-from-waste plant and developing services and facilities to meet agreed performance targets for recycling or composting household waste; and
- e. permitting a range of additional treatment facilities, mainly in industrial areas, sufficient to meet the regional apportionment for commercial and industrial waste together with requirements for other waste streams where the city is best placed to meet local and wider needs; and
- f. avoiding the unnecessary use of greenfield land when identifying suitable sites/areas and permitting other waste development.

Policy CS 70
Provision for Recycling and Composting

Increased recycling and composting will be enabled by:

- a. supporting the development of a network of small-scale community composting schemes and new technologies for treating mixed organic waste and using green waste composting facilities at Tinsley and on local farms; and
- b. retaining and improving the current network of five major Household Waste Recycling Centres and, in the longer term, building a new facility to serve the south-west area of the city; and
- c. expanding the number of local recycling points, particularly in existing shopping centres, transport interchanges and at education and health facilities.

UDP (1998)

Definitions

'Informal open space' - includes informal recreation space (see Table 1, page 229) and other incidental landscaped areas.

'Appropriate children's play facilities' - cater for each of the following age groups: under 5 year olds, 5-8 year olds, 9-12 year olds, 15 sq. m. of play space is required for each family home. For developments of 25 or more family homes, it means including some play equipment, laid out to British Standards with access for people with disabilities.

'A proportion of the site' - at least 10% of the site.

'Recreation space' and **'minimum guideline'** - see Policy LR7, page 228 and Table 1, page 229.

'Catchment area' - 400 metres for children's play space and informal recreation space, 1200 metres for youth/adult outdoor sports areas.

'Appropriate contribution' - either by direct provision or by a financial contribution, the scale of which shall be agreed through negotiations with the developer and the City Council. It should ➤

H16 OPEN SPACE IN NEW HOUSING DEVELOPMENTS

For new housing developments, developers will be required to ensure that there would be sufficient open space to meet the local needs of people living there.

The developer will be required to ensure that provision is made for:

- (a) well designed informal open space; and
- (b) appropriate children's play facilities which are visible from nearby houses but not so close that they would cause disturbance; and
- (c) outdoor sport.

For sites over one hectare, a proportion of the site should be laid out as open space, except where:

- (d) provision of recreation space in the catchment area of the site would continue to exceed the minimum guideline after the development had taken place; and
- (e) the developer makes an appropriate contribution, if needed, to the improvement of existing recreation space in the catchment area of the site;

or

- (f) it would be more appropriate to provide or enhance recreation space off-site but in the catchment area of the site.

For sites less than one hectare which involve the construction of five or more houses, the developer will be expected to make an appropriate contribution to the provision or enhancement of recreation space in the catchment area of the site if:

- (g) provision of recreation space within the catchment area is below the minimum guideline; or
- (h) recreation space within the catchment area is in need of significant enhancement.

Reasons for the Policy

Open space in Housing Areas helps to meet the immediate recreational needs of people living there. It is particularly valuable for those least able to travel on their own, such as children and people who are disabled and infirm.

Well designed informal open space improves the setting and appearance

CF1 PROVISION OF COMMUNITY FACILITIES

The provision of community facilities which are readily available to all Sheffield people will be promoted, particularly where they would:

- (a) be for disadvantaged people; or
 - (b) be located where there is a shortage;
- and would:
- (c) be easily accessible by public transport; and
 - (d) be located within the community they are intended to serve; and
 - (e) comply with Policy BE7.

CF2 KEEPING COMMUNITY FACILITIES

Development which would result in the loss of community facilities will be permitted if:

- (a) the loss is unavoidable and equivalent facilities would be provided in the same area; or
- (b) the facilities are no longer required; or
- (c) where a change of use of a building is involved, equivalent accommodation would be readily available elsewhere.

CF3 CHILDCARE FACILITIES IN BUILDINGS USED BY THE PUBLIC

In all developments which the public are encouraged to visit, the provision of appropriate childcare facilities for children of all ages will be encouraged.

CF4 CHILDREN'S NURSERIES

The provision of, or support for, accessible nursery facilities, on or off site, will be encouraged in major developments where people work or receive education or training.

**IB12 TRAINING CENTRES AND COMMUNITY FACILITIES IN
INDUSTRY AND BUSINESS AREAS**

Training centres and appropriate community facilities (D1) will be encouraged in Industry and Business Areas, especially where they would:

- (a) meet the needs of young people, women, unemployed people, people with disabilities, elderly or early retired people, or ethnic minorities; and
- (b) be easily accessible by public transport and be safe to walk to and from; and
- (c) comply with Policy IB9

Appendix 2 – Affordable Housing

APPENDIX 2 (a)

Model Planning Condition for Outline Applications

No development shall commence until a scheme for the delivery of affordable housing equivalent to no less than [XX]% of the gross internal area to be provided as part of the development, or an alternative percentage figure agreed with the Local Planning Authority following an independent viability assessment has been submitted to and approved by the Local Planning Authority. The affordable housing shall be provided for sale to a Registered Provider at a transfer price stipulated by the Council as part of the approved scheme.

The scheme shall include details of:

- a) The number, type, tenure and location of the affordable housing;
- b) The timing for the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) The arrangements to ensure that such provision is affordable for both first and future occupiers of the affordable housing or if not possible for the subsidy to be recycled for alternative affordable housing provision;

The affordable housing shall be provided in accordance with the approved scheme.

APPENDIX 2 (b)

Formula for Calculating Provision of Affordable Housing

$$\text{Developer contribution} = (A - B) \times (C \times D)$$

Where:

A = Market value of the development per square metre²³
(Estimated Gross Development Value/Gross Internal Area)

B = Transfer Price (£850 per square metre)

C = Percentage expected level of affordable housing (see Guideline G2)

D = Gross Internal Area of units

Worked Example

Development site of 100 three-bedroom houses. Each house has a Gross Internal Area of 80 sqm, and a market value of £180,000.

The market value per square metre is therefore $(£180,000 \times 100) / (100 \times 80)$ or £2,250.

Market value = £2,250 per sqm

Transfer price = £850 per sqm

Percentage expected level of affordable housing = 30%

Total size of units in square metres = 100 units x 80 sqm = 8000 sqm

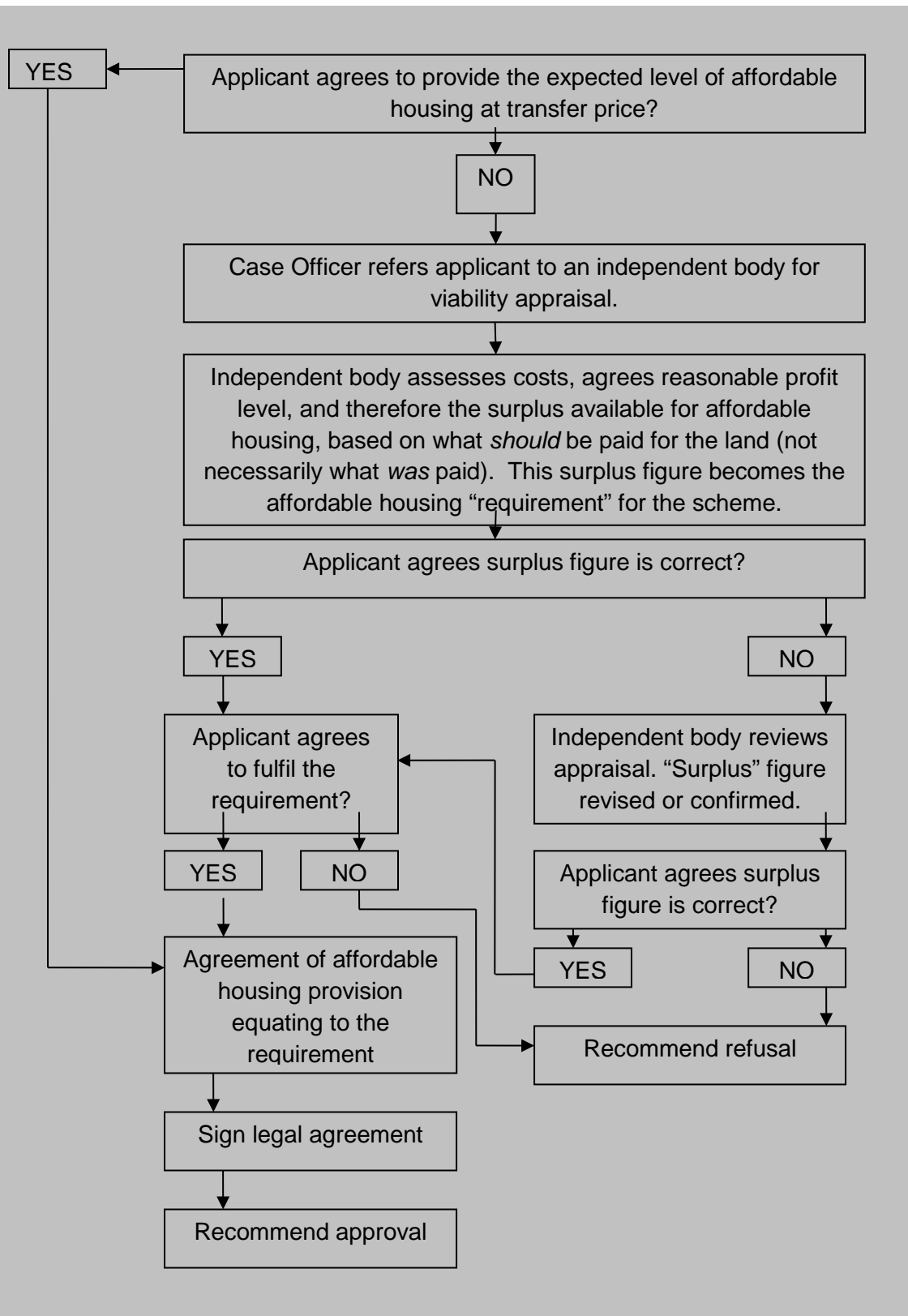
Developer contribution = $(2250 - 850) \times (0.30 \times 8000) = £3,360,000$

²³ To be established by an independent valuation where agreement cannot be reached between the local planning authority and the developer.

APPENDIX 2 (c)

Assessing an Appropriate Level of Affordable Housing on a Development

- It is assumed that the impact of providing the expected level of affordable housing should primarily be on land value. The expectation is that developers will pay an appropriate price for land taking into account the requirement to contribute towards affordable housing.
- Where the applicant cannot meet the expected level of affordable housing, agreement will need to be reached on an appropriate level. Developers will be required to provide a full breakdown of development costs and anticipated values, to be appraised by an independent body approved by the Council (currently the Valuation Office) at the developer's expense.
- The process for appraisal of an appropriate level of affordable housing will be as follows:



Appendix 2 (d)

Example of How Commuted Sum may be calculated on Student Housing Schemes

Student housing scheme providing 100 student cluster flats (400 student bed spaces, based on 4 bed spaces equating to the floor area of a 2 bedroom flat)

Affordable housing requirement is equivalent to the expected percentage (Guideline G2) of the units being provided at the transfer price. However, because the student flats do not usually have a 'market price' (as they are usually rented out) the developer contribution is calculated using the average market price of a 2 bedroom flat in that part of the city.

Therefore:

Average market value of a 60 sqm 2 bedroom flat in that part of the city = £130,000

Transfer Price = £850/sqm

Therefore, difference between market price and affordable price is £2,167 p/sqm - £850/sqm = £1,317/sqm

The **developer contribution** would therefore be (expected percentage e.g. 30% x 6,000sqm) x £1,317 = **£2,370,600**

OR

If affordable homes were to be provided **on-site** this would equate to 120 student bed spaces (in 30 cluster flats) or 30 affordable homes.

Appendix 2 (e)

Viability Reappraisal

The mechanism for viability re-appraisal is as follows:

Index Linking

At the initial planning application stage, where the applicant cannot meet the full expected developer contribution for the relevant Affordable Housing Market Area (see Guideline GAH2), a viability assessment should be undertaken through the District Valuation Office as set out in Appendix 2 (c). This will identify what level of contribution is viable at the outset, if any.

The Council would then agree with the developer a point at which a re-appraisal is triggered. This would be secured through a S.106 agreement. For phased schemes the re-appraisal would be linked to each phase. For other schemes triggers could be set as follows:

- The S.106 agreement states that 50% of the development must be completed within 3 years otherwise a re-calculation is done which is valid for a further 2 years; or
- For apartment schemes the shell must be completed or eaves height reached within the 3 years otherwise a re-calculation is done which is valid for a further 2 years.

The scheme would then be re-appraised using the following relevant indices:

- Building Cost Information Service database
- Land Registry House Price Index

The S.106 agreement would include a clause which states that if upon re-assessment it is found that the Affordable Housing contribution has increased, but it is too late to provide a unit on site or the new figure does not equate to a full unit, in which case the equivalent monetary figure is provided.

If the applicant would prefer not to use the Index Linking approach, then an alternative option would be a Full Re-appraisal, using the same trigger points as above.

Appendix 2 (f) Map of Sheffield Affordable Housing Market Areas (2014)

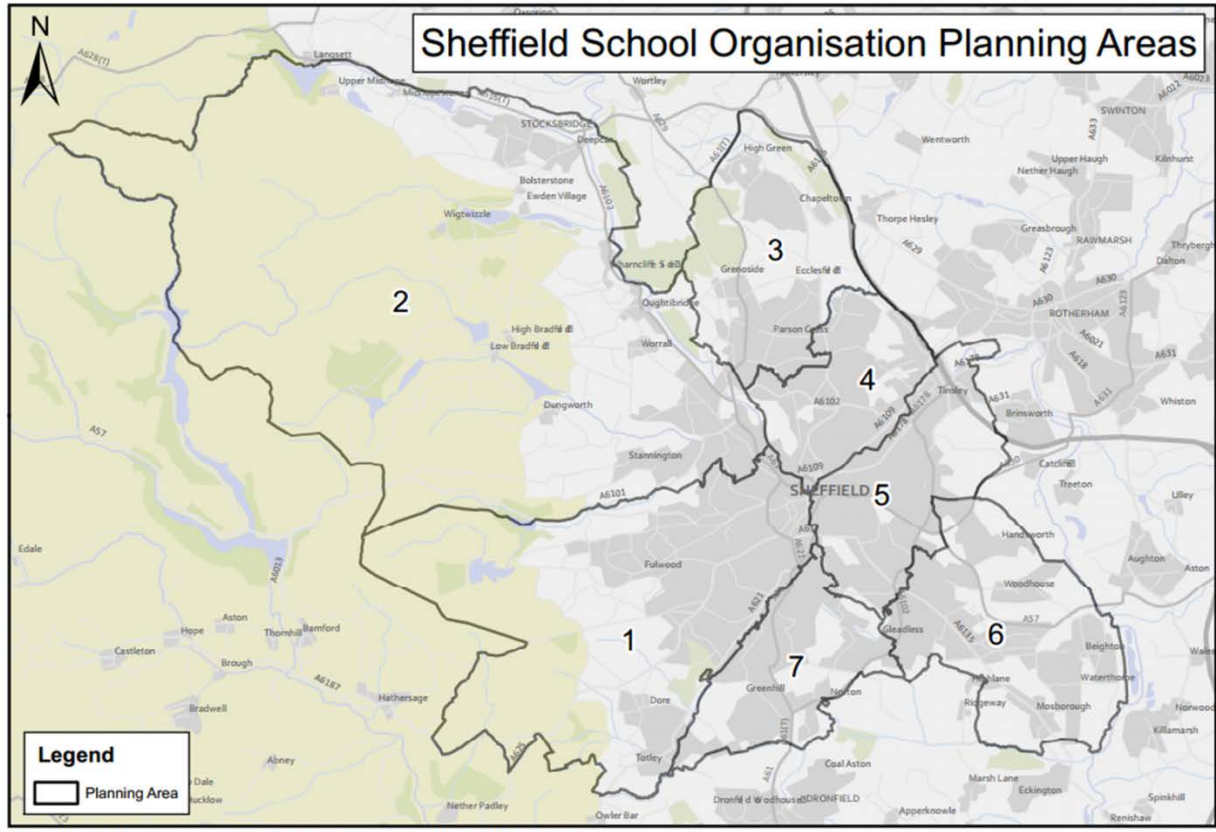


Appendix 2 (g)
Affordable Housing Required Contribution and Community Infrastructure Levy Charge Comparison

Affordable Housing Market Area	Affordable Housing Required Contribution (%)	CIL Charge (£/sqm)
City Centre	0	50
Manor / Arbourthorne / Gleadless East		30
North East		0
City Centre West	10	30
North West		
South East		
Stocksbridge & Deepcar		
Chapelton / Ecclesfield		
Rural Upper Don Valley	30	50
South West		80

Appendix 3 – School Organisation Planning Area

Map of Sheffield School Organisation Planning Areas:



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