

Bridgend County Borough
Local Development Plan
2018-2033

Draft Planning Obligations and Infrastructure
Supplementary Planning Guidance
September 2026

Cyngor Bwrdeistref Sirol



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Active Travel Route, Green Infrastructure, Street Furniture and Foodstore, Porthcawl

1.0 Introduction

- 1.1 The Replacement Local Development Plan (RLDP), adopted in March 2024, seeks to enable the continued development of a safe, healthy and inclusive network of communities that connect more widely with the regions to enable sustainable economic growth. In order to achieve this Vision, the RLDP seeks to direct the majority of inward investment, sustainable development and regeneration activities to the most appropriate places. While new development can bring many benefits, it can also have impacts, which create the need for new infrastructure provision or enhancements to existing infrastructure provision. New development can therefore necessitate provision of new benefits (in kind or by payment of financial contributions), including highway improvements, outdoor recreation areas, school places, and affordable housing.
- 1.2 Planning obligations provide a means to mitigate the above impacts on communities and infrastructure and contribute to making new developments acceptable in planning terms. They are secured by means of a legally binding contract (currently known as a “s106 Agreement”, entered into by the landowner and/or developer of a site with the Council in its capacity as the Local Planning Authority (LPA)). A s106 Agreement binds the title to the land comprising the site and so successor landowners to the original parties to s106 agreements are also bound to comply with the s106 covenants. In legal terms, the agreement ‘runs with the land’.
- 1.3 Planning obligations provide a means for the planning system to secure investment in and deliver infrastructure to support the strategic growth planned for within the adopted RLDP. This is necessary to help to remedy and/or mitigate any planning impacts identified during the consideration of a planning application, ensure the quality of development and enhance its contribution to a particular area.
- 1.4 This Supplementary Planning Guidance (SPG) supports and expands upon the

policies (but does not create new policy), in the RLDP relevant to planning obligations and infrastructure. It also consolidates references to the suite of SPGs that contain thematic planning guidance on different forms of planning obligation (i.e. Affordable Housing, Education and Recreation) to support RLDP implementation.

- 1.5 Planning obligations can only be secured to mitigate the impact of development and cannot be secured to deliver wider or generic community benefits unrelated to the development. A non-technical supplemental guide has been produced alongside this SPG to explain how planning contributions can and cannot be used.
- 1.6 This SPG will be a material consideration in the determination of all valid planning applications including applications for renewal of planning permissions.
- 1.7 Anyone intending to apply for planning permission within Bridgend County Borough is urged to consider this SPG and to contact the LPA in advance of submitting an application, to discuss the matters raised in this document on a site-specific basis.
- 1.8 This SPG provides specific guidance on:
 - Where, what, when and how planning obligations will be sought to mitigate the impact of development and enable creation of sustainable communities;
 - How a consistent approach will be followed to determine the requirements for planning obligations while recognising each application will be considered on its own merits;
 - The use of planning conditions (in the first instance) and/or planning obligations; and
 - How legal agreements will be drafted, negotiated, published, completed and monitored.



SEARCH AREA



LEGEND

- Bridgend Co. Sustainable Growth Regeneration Area - SP1
- Settlement Boundary
- Strategic Development Sites
- Long Term Regeneration Site
- Residential - COM1
- Highway Network - Strategic Road
- Highway Network - M4 Motorway
- Highway Network - Core Road
- Development West of Railway Line, Pencoed - PLA8(1)
- New Transport Interchange, Porthcawl - PLA8(2)
- New Transport Interchange, Maesteg - PLA8(7)
- Bus Improvements - PLA8(1)
- New Railway Station with Park & Ride Facility, Brackla - PLA8(4)
- Improvements to Penprysg Road Bridge, Pencoed - PLA8(11)
- Expand Existing Park & Ride Facility, Pencoed - PLA8(5)
- Expand / Relocate Existing Railway Station including Strategic Park & Ride Facilities,
- Improvements at Ewenny and Broadlands Roundabout, A48, Bridgend - PLA8(8)
- Capacity Enhancement between Waterton and Laleston A48/A473, Bridgend - PLA8(9)
- Improvements to A4063 between Sarn and Maesteg - PLA8(10)
- Special Area of Conservation (SAC) - SP17(1)
- Sites of Special Scientific Interests (SSSI) - SP17(2)
- Kenfig & Merthyr Mawr National Nature Reserve - SP17(3)
- Glamorgan Heritage Coast - SP17(4)
- Sites of Importance in Nature Conservation (SINC) - DNP5(2)
- Local Search Area

Scale: 1:28,000



- Regional, Town & District and Local Development Sites - ENT6
- Strategic Development Sites - ENT7
- Existing Development Sites - ENT9
- Gypsy Traveller Sites - SP7
- Pedestrian and Cycle Footbridge

2.0 Legislative and Policy Context

- 2.1 **Section 106 (s106) of the Town and Country Planning Act (TCPA) 1990**, as amended by s12 of the Planning and Compensation Act (1991), and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), provides the legislative framework for planning obligations. S106 agreements may either take the form of legal agreements (bi/multi-lateral contracts) between a planning authority and a landowner/developer, or unilateral undertakings offered by a landowner/developer, that set out and ensure certain obligations related to a development are complied with by binding the land and binding the covenantor(s). S106 agreements and unilateral undertaking are registerable as a local land charge. In the future it is anticipated that these legal agreements and unilateral undertakings will be secured under s165 of the Planning (Wales) Act 2026, subject to enactment of new subordinate legislation bringing into force in Wales of the relevant provisions of this Act which gained Royal Assent on 27 April 2026, so that s106 agreements may be known in the future as 's165 agreements'.
- 2.2 The CIL regime was introduced under the Planning Act 2008 and the **CIL Regulations** came into force in 2010. This established the legal framework for local planning authorities in England and Wales to choose to develop and charge a CIL on development in their area to fund infrastructure. The Regulations also set out the legal tests on the use of s106 planning obligations. Legislative competence for CIL was deferred to Welsh Government in May 2018; the Regulations applicable in Wales are the CIL Regulations 2010, as most recently amended in 2018 (amendments made subsequent to the CIL Regulations by the UK Government after May 2018 only have effect in England). There is no CIL Charging Schedule in place within Bridgend County Borough. Given the uncertainty regarding the future of the CIL Regulations in Wales (since powers were devolved to Welsh Government), there is also no current intention to pursue adoption of a CIL Charging Schedule for Bridgend County Borough. Instead, the suite of adopted RLDP policies have sought to maximise the use of planning contributions across a range of themed policy

areas, including affordable housing, education, highways and outdoor recreation. Planning obligations are and will continue to be secured through legal agreements and/or unilateral undertakings to this end.

- 2.3 Regulation 123 of the CIL Regulations restricts the pooling of planning contributions irrespective of whether an Authority has implemented the CIL Regulations or not. Regulation 123 provides that a s106 obligation cannot constitute a reason for granting planning permission if five or more separate planning obligations have already been secured (since 6th April 2010) for the funding or provision of a specific single identifiable infrastructure project. This means that the value of the infrastructure contribution for a specific development proposal will need to reflect the actual cost of that project relevant to the need generated by the development. The LPA maintains records of all legal agreements and unilateral undertakings entered into by landowners and/or developers. If a development is not capable of delivering appropriate infrastructure because of the pooling restriction, this may make a development proposal unacceptable in planning terms.
- 2.4 **Future Wales: The National Plan** is the national development framework and sets out the direction for development in Wales to 2040. Future Wales provides a strategy for addressing key national priorities through the planning system. The aim is *“to ensure investments in infrastructure and development – whether large or small in scale – contribute to our broader ambitions of greater well-being and the creation of better places”* (p.10).
- 2.5 **Planning Policy Wales (PPW) (Edition 12)** sets out national land use policies. PPW identifies a range of key planning principles and emphasises, *“the planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure”* (p.17 PPW). PPW is supplemented by a suite of topic based Technical Advice Notes (TANs), including those related to key infrastructure issues such as Affordable Housing (TAN2), Sport, Recreation and Open Space (TAN16) and Transport (TAN18).

2.6 PPW is also supplemented by a series of Welsh Government Circulars, including **Circular 13/97 Planning Obligations** which provides local planning authorities with guidance on using legal agreements to secure developer contributions for infrastructure and affordable housing. The Circular specifies planning obligations should only be sought where they meet certain tests being *‘necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development’* and *‘reasonable in all other respects’*.

2.7 Regulation 122 of the CIL Regulations 2010 put three of the tests within Circular 13/97 on a statutory footing, such that a planning obligation may only legally constitute a reason for granting planning permission if it is:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.

While the other two tests in Circular 13/97 are not statutory under Regulation 122, they remain relevant material planning considerations.



Newbridge Fields, Bridgend

3.0 Background

Adopted Policy Context

- 3.1 The RLDP (“Plan”) was adopted on 13th March 2024 and covers the period 2018-2033. The Plan is centred on a vision that seeks continued development of a safe, healthy and inclusive network of communities that connect more widely with the South East and South West Wales Regions to catalyse sustainable economic growth.
- 3.2 The RLDP allocates five mixed-use, Strategic Development Sites, which are central to delivering the Plan’s vision. Each site is allocated to deliver up to 2,000 homes, at a scale appropriate and necessary to create sustainable communities, which will incorporate a mix of complementary uses and provide new supporting infrastructure and/or upgrade existing infrastructure. The five Strategic Sites must be developed in accordance with site specific RLDP policies and the associated masterplan development principles set out under RLDP Policies PLA1-5, inclusive. These RLDP policies will form the primary basis for determining appropriate planning obligations for these Strategic Sites together with the wider suite of policies contained in the adopted RLDP (which are also applicable to other non- strategic sites in the County Borough).
- 3.3 The Infrastructure Delivery Plan (IDP) also forms a key part of the evidence base for the adopted RLDP; it itemises the infrastructure necessary to support the delivery of all site allocations (including non-strategic allocations), as identified at Plan making stage. The IDP incorporates a single schedule to inform the planning obligations necessary for each site to be brought forward sustainably and in accordance with the suite of adopted RLDP policies.
- 3.4 The following broad categories of infrastructure are included in the IDP, which detail the type of planning obligations necessary on different allocated sites:
- Transport (walking and cycling routes, highways improvements, public transport provision);

- Education (nursery, primary, secondary and post-16 education provision);
- Environmental Management (green infrastructure, biodiversity management); and
- Recreation (children's play, outdoor sport provision and community food growing space).

3.5 The set of infrastructure considerations/needs identified in the IDP is in addition to other planning requirements, such as the provision of affordable housing provision, and wider RLDP policy requirements. These requirements have been crystallised as a whole and set out at Appendix 5 (Implementation and Delivery) to the RLDP, which details the key issues, constraints, phasing and mitigation measures which are required to deliver the development of each of the allocations provided for in the adopted RLDP.

The Use of Planning Obligations

3.6 All new development across Bridgend County Borough will be required to mitigate site related impacts and contribute to broader infrastructure needs where necessary and appropriate, through the use of a combination of planning conditions (attached to permissions) and planning obligations (secured by legal agreements). Where a condition could be used to secure the same outcome as a legal agreement, it will be used in preference to a planning obligation in accordance with the tests set out in Circular 13/97 and the Conditions Circular (WGC 016/2014). Conditions are typically used to restrict development, control timing for implementation of works and/or require on-site actions to make development acceptable. They can include pre-commencement and post-commencement conditions but, importantly cannot require payment of financial contributions. In contrast, planning obligations are typically used to secure financial contributions, affordable housing, requirements for future management and/or transfer of public open space and off-site works, and bind the development land. Where appropriate, planning conditions will be used in the first instance in preference to planning obligations, although larger and more complex sites will often require a combination of both.

- 3.7 Planning obligations, based on category, will be used to secure significant local infrastructure “in kind” or financial contributions towards such infrastructure required as result of the development. This includes but is not limited to outdoor recreation provision (together with adoption or management arrangements), affordable housing, highways improvements (including off-site mitigation), active travel provision, habitat protection, and education provision (providing new schools or adding capacity to existing schools).
- 3.8 Planning obligations will usually be secured at outline application stage (where applicable), to provide a clear framework for developments to be brought forward through subsequent reserved matters applications. Planning obligations comprising financial contributions and secured at outline stage will typically be formula based so that the exact quantum of the financial contribution can be calculated at reserved matters stage, based on variables such as number of dwellings and/or floor space. Otherwise, planning obligations will be secured at full application stage, where necessary and appropriate. In either case (outline or full application), planning obligations will be secured under s106 of the Town and Country Planning Act 1990 (as amended), or, subject to coming into force, s165 of the Planning (Wales) Act.
- 3.9 Planning obligations can be sought to:
- restrict the development or use of the land in a specified way (e.g. restricting affordable homes from being used as open market dwellings).
 - require specified operations or activities to be carried out in, on, under or over the land (i.e. construction of a children’s play area).
 - require the land to be used in a specified way (i.e. designating part of a new site to construct a new primary school).
 - require a sum or sums to be paid to the LPA (e.g. financial contributions towards the provision of off-site highways improvements).

- 3.10 Where financial contributions are secured to enable specific strategic scale infrastructure projects, these project(s) will typically be defined in the s106 agreement. Otherwise, financial contributions will typically be secured to deliver infrastructure improvements within the vicinity of the site, with specific projects then being endorsed by the Infrastructure Management Board (IMB, see para. 5.17). The Council may seek to pool contributions (restricted to no more than five or more separate planning obligations for a specific single infrastructure project), to address the wider impacts arising from several developments, such as the provision of large-scale highway improvements, new schools, or the provision of community facilities.
- 3.11 Developing a site incrementally or subdividing a site in an attempt to avoid the threshold for planning obligations will be closely monitored. In such instances, the infrastructure needs generated by a site as a whole (before any subdivision), will be used as the basis to assess planning obligation requirements, including calculation of any financial contributions. Under such circumstances, each subdivision of a site will be required to provide a proportionate contribution towards the relevant obligation(s).



4.0 Thematic Planning Policy Requirements

- 4.1 The RLDP's Sustainable Housing Strategy makes provision for 8,628 homes to meet the housing requirement of 7,575 homes. In order to mitigate likely adverse impacts, reasonable infrastructure provision "in kind" or financial contributions to such infrastructure must be provided by developers where necessary. The strategic planning framework for infrastructure provision is set out within RLDP Strategic Policy 10 (SP10), which aims to ensure that new development is supported by the necessary infrastructure and supports sustainable growth throughout the County Borough. SP10 is supported by a range of thematic planning policies and SPG in the context of securing planning obligations.
- 4.2 Development can result in cumulative adverse impacts and so a range of planning obligations are typically required to mitigate those impacts collectively. This SPG reinforces the adopted RLDP's approach of assessing the need for planning obligations holistically by considering and assessing the range of applicable planning policies and thematic SPGs. This holistic approach is fundamental as individual planning obligations should not be considered in isolation when assessing not only the impact of development on communities but also the viability of development proposals (further details on development viability are provided in Chapter 6).
- 4.3 Examples of typical thematic planning obligations are summarised below.

Affordable Housing

- 4.4 For planning purposes, there are two main types of Affordable Housing that will be secured as planning obligations, defined by Technical Advice Note (TAN) 2 as:
- Social Rented Housing - provided by local authorities and Registered Social Landlords (RSLs, as defined in Part 1 of the Housing Act 1996) under the Welsh Government (WG) Rent Standard.

- Intermediate Housing - where prices or rents are above those of social rent but below market housing prices or rents.

4.5 In the first instance, the LPA will seek the provision of on-site Affordable Housing subject to adopted RLDP Policy COM3. Where this is not possible and appropriately justified by the applicant (to the LPA's satisfaction), a financial contribution will be sought in lieu of on-site delivery of Affordable Housing. Further guidance is provided in SPG 13 – Affordable Housing.

Education

4.6 Where a development is likely to place pressure on the existing capacity of schools in a catchment, a financial contribution will be sought towards the provision of additional school places or facilities as outlined in SPG 16 - Educational Facilities and Residential Developments. Strategic Sites also require the retention of land to construct new primary schools as set out in adopted RLDP Policies PLA1-5 (and transfer to the Council, where necessary).

Outdoor Recreation Facilities

4.7 All new housing developments will be expected to include an appropriate level of outdoor recreation facilities as set out in adopted RLDP Policy COM10. Examples of outdoor recreation facilities include but are not limited to the provision of playing pitches, equipped play areas, other outdoor provision and community food growing space. Applicants will be expected to provide detailed designs for the outdoor recreation facilities upfront for scrutiny and approval as part of the planning application submission. The Council will seek to adopt such outdoor recreation facilities in the first instance and an additional financial contribution will be sought to cover maintenance costs for a 25-year period under such circumstances. Where proposals are put forward to transfer outdoor recreation facilities to private management companies, full details of the proposed management company, maintenance and management arrangements must be provided to the LPA for approval. The specific transfer arrangements and terms for the management of outdoor recreation facilities will

be secured by condition or planning obligation as appropriate.

- 4.8 Outdoor recreation facilities should be delivered on-site in the first instance. Applicants should work iteratively with the LPA to incorporate appropriate recreation facilities within residential schemes from the outset. The exact nature of provision will vary depending on the proposal, although should be proportionate to the size, scale and nature of the site. Table 2 within SPG 05 - Outdoor Recreation Facilities and New Housing Development provides examples of the types of provision the LPA would typically consider acceptable to meet the requirements of Policy COM10. Financial contributions (equivalent to the proportionate costs required for on-site delivery), will also be sought towards outdoor recreation facilities when it not possible to deliver outdoor recreation facilities on-site. However, contributions in lieu of on-site provision must be appropriately justified by the applicant to the LPA's satisfaction and it should not be assumed that financial contributions will be acceptable in the first instance. Further guidance is provided in SPG 05 - Outdoor Recreation Facilities and New Housing Development.
- 4.9 In certain instances (such as in the pursuit of sustainably high residential densities), it may be considered appropriate to locate an element of the outdoor recreation facility requirement within school grounds where new schools are to be delivered on-site. This approach, where implemented effectively, can support Community Focused Schools, by ensuring space and facilities are available outside school hours for extra-curricular, play and recreation, adult and community learning. Delivering flexible school-based recreation assets can maximise community benefits, make more efficient use of land through co-location of services and offer an integrated approach to support the community. The community use of school facilities is ultimately a matter for the individual school governing bodies to determine outside of the land use planning system. However, schools will be designed with broader community use in mind, in line with Community Focused Schools principles, particularly when part of the wider

outdoor recreation facility contribution is to be delivered within school grounds. Arrangements will then be discussed with the respective school governing body outside of the planning process to enable such recreation asset to be publicly accessible.

Highways

- 4.10 In accordance with adopted RLDP Policy SP5, development will be required to accord with the Sustainable Transport Hierarchy for planning as set out in PPW. This hierarchy prioritises walking, cycling and public transport ahead of private motor vehicles. RLDP Policy SP5 is supported by Policy PLA12, which states development must maximise 'Active Travel' such as walking and cycling access by prioritising provision of appropriate infrastructure within the site and/or making financial contributions towards the delivery of off-site provision. Planning contributions will be sought to promote walking, cycling and public transport provision to encourage a modal shift towards sustainable transport methods. This could be through individual contributions or as part of a package of mitigation measures.
- 4.11 As also specified by RLDP Policy SP5, planning obligations will also be required from all developments where it is necessary to improve existing or construct new highways infrastructure to mitigate the impact of the development. This may be due to additional traffic impact associated with a development, the need to provide safe access to a new development and/or the cumulative impacts arising from several developments in the locality.
- 4.12 Forms of highways mitigation can include large scale strategic highways infrastructure projects (as identified in the RLDP 'Implementation and Delivery' at Appendix 5, and adopted RLDP Policies PLA1-5), but also other site-specific mitigation measures necessary to reduce dependency on the private car, improve public transport infrastructure and locally mitigate the highway safety and capacity impact.

4.13 Developments that generate significant levels of movement or are likely to have significant effects on existing patterns of movement will need to be accompanied comprehensive Transport Assessment (TA) or Transport Statement (TS) as necessary. These assessments are required where appropriate to provide the information necessary to assess the suitability of an application in terms of travel demand and impact. Further guidance on the production of these assessments is provided in Appendix A.

Other Obligations and Collective Impact

4.14 While the thematic planning obligations summarised above under paragraphs 4.4-4.13, are most common, they should not be considered an exhaustive list. Other planning obligations may also be sought where necessary, in accordance with the CIL Regulations 122 test and adopted RLDP Policy SP10, to mitigate the impact of development. These other planning obligations may include biodiversity enhancements, public realm improvements, community facilities and/or measures for the protection, enhancement and management of the natural, historic, and built environment.

4.15 Table 1 below provides a thematic overview of adopted RLDP Policies and SPGs relating to different planning obligations. Table 1 provides an initial reference point to assess which planning obligations may be required but, for the avoidance of doubt, the list in Table 1 is not exhaustive. Other planning obligations may be required on a site-by-site basis to mitigate the impact of proposed development, in accordance with the adopted policy framework.

100% affordable housing developments will not be exempt from providing necessary planning obligations to mitigate the impact of development.

4.16 The cumulative impact of planning obligations on development viability was considered in depth during the preparation of the RLDP. All adopted RLDP allocations were subject to rigorous viability and deliverability testing in collaboration with specific site promoters. This process concluded that the costs of the various development requirements set out in adopted RLDP

policies were realistic and deliverable on each allocation at the point when the RLDP was adopted (March 2024). However, it is acknowledged that the 'viability' of a particular development is not fixed and variables can change in future years as sites are brought forward for development. Further details on development viability are provided in Chapter 6 of this SPG.

Elected Member Engagement

- 4.17 Elected members act as a crucial link between local communities and the planning process. Ward members are consulted specifically about applications within their wards, including those that may trigger requirements for planning obligations, and can share community feedback, local knowledge and any concerns with case officers. Ward Members not only have the opportunity to comment as part of the consultation process but also to engage with the case officer through the Development Management process to highlight any potential impact(s) the proposal may have on local infrastructure. These discussions can help inform any mitigation measures necessary to render the proposal acceptable in planning terms, while recognising any planning obligation or financial contribution secured through the planning system must only be used to mitigate the impact of the proposed development.

Table 1: Thematic Planning Obligations Reference Table

Type of Obligation	Policies / SPG	Development Threshold/Requirement	Contribution
Affordable Housing	• SP10, SP6 (Strategic Policies) • COM3 (On-Site) • COM4 (Off-Site) • PLA1-5 (Strategic Sites) • SPG 13: Affordable Housing	Residential developments with capacity for 10 or more dwellings (i.e. residential units)	Windfall Sites: Porthcawl: 30% Bridgend/Pencoed: 15% Valleys Gateway: 10% Other Areas: 0% Allocated Sites: SP2(1) Porthcawl Waterfront: 30% SP2(2) Land South of Bridgend: 20% SP2(3) Land West of Bridgend: 20% SP2(4) Land East of Pencoed: 20% COM1(1) Craig Y Parcau, Bridgend: 20% SP2(5) Land East of Pyle: 15% COM1(2) Land South East of Pont Rhyd-y-cyff: 15% COM1(3) Land South of Pont Rhyd-y-cyff: 15% COM1(4) Land South West of Pont Rhyd-y-cyff: 15% COM1(5) Ewenny Road, Maesteg 15%

Type of Obligation	Policies / SPG	Development Threshold/Requirement	Contribution																																					
Education	• SP9, SP10 (Strategic Policies) • PLA1-5 (Strategic Sites) • SPG 16: Education Facilities and Residential Development	After offsetting a development's projected pupil yield against surplus school place capacity within the catchment, a contribution will be required for: • All proposed developments with a net gain of 5 or more residential units. • In the case of flats or apartments, 15 or more residential units. (Bedsits, 1-bed dwellings, sheltered or elderly accommodation,	The pupil generation formulae and costs applicable to all eligible developments are as follows (*ALN – Additional Learning Needs): <table><tr><th rowspan="2">Age Group</th><th colspan="2">Number of Pupils Generated</th></tr><tr><th>Apartments</th><th>Houses</th></tr><tr><td>Nursery (under 4)</td><td>0.02</td><td>0.05</td></tr><tr><td>Primary (4-11)</td><td>0.10</td><td>0.33</td></tr><tr><td>Secondary (11-16)</td><td>0.06</td><td>0.21</td></tr><tr><td>Post 16</td><td>0.18 x secondary</td><td>0.18 x secondary</td></tr><tr><td>ALN** – Primary</td><td>1.5% of primary</td><td>1.5% of primary</td></tr><tr><td>ALN** - Secondary</td><td>1.5% of secondary</td><td>1.5% of secondary</td></tr></table> <table><tr><th>Year Group</th><th>Cost per Pupil Place</th></tr><tr><td>Nursery</td><td>£25,009</td></tr><tr><td>Primary</td><td>£25,009</td></tr><tr><td>Secondary</td><td>£36,318</td></tr><tr><td>Post 16</td><td>£36,318</td></tr><tr><td>ALN* – Primary</td><td>£75,027</td></tr><tr><td>ALN* – Secondary</td><td>£108,954</td></tr></table>	Age Group	Number of Pupils Generated		Apartments	Houses	Nursery (under 4)	0.02	0.05	Primary (4-11)	0.10	0.33	Secondary (11-16)	0.06	0.21	Post 16	0.18 x secondary	0.18 x secondary	ALN** – Primary	1.5% of primary	1.5% of primary	ALN** - Secondary	1.5% of secondary	1.5% of secondary	Year Group	Cost per Pupil Place	Nursery	£25,009	Primary	£25,009	Secondary	£36,318	Post 16	£36,318	ALN* – Primary	£75,027	ALN* – Secondary	£108,954
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Type of Obligation	Policies / SPG	Development Threshold/Requirement	Contribution
		houses in multiple occupation, hotels, hostels, and student accommodation are exempt).	Strategic Allocated Sites are also required to provide land for construction of new / extension of existing primary school as follows: SP2(1) Porthcawl Waterfront: 1.8ha to accommodate a minimum one form entry Welsh medium primary school, and 4 classroom block expansion of the existing Newton Primary School as per Policy PLA1. SP2(2) Land South of Bridgend: 1.8ha to accommodate a minimum one form entry primary school plus co-located nursery as per Policy PLA2. SP2(3) Land West of Bridgend: 2.3ha to accommodate a 1.5 form entry primary school with co-located nursery as per Policy PLA3. SP2(4) Land East of Pencoed: 2.3ha to accommodate a 1.5 form entry primary school with co-located nursery as per Policy PLA4. SP2(5) Land East of Pyle (Cornelly): 5.7ha to accommodate 2 two form entry primary schools with co-located nursery facilities as per Policy PLA5.
Recreation	SP9, SP10 (Strategic Policies)	Provision of a satisfactory standard of	As set out in Policy COM10: 1.2 hectares per 1,000 population for Playing Pitches

Type of Obligation	Policies / SPG	Development Threshold/Requirement	Contribution
	• COM10 (On-Site and Off-Site) • SPG 05: Outdoor Recreation Facilities	outdoor recreation space is required on all new housing developments.	1.6 hectares per 1,000 population for Other Outdoor Sports (non-pitch) 0.25 hectares per 1,000 population for Equipped/Designated Play Areas 0.3 hectares per 1,000 population for Other Outdoor Provision 0.2 hectares per 1,000 population for Allotment provision See also Table 2 within SPG 05 for different forms of recreation provision that would typically be considered acceptable to meet the requirements of Policy COM10. The exact form of provision will be considered on a site-by-site basis. Off-site provision requires justification to achieve policy compliance.
Highways	• SP5, SP10 (Strategic Policies) • PLA11 (Parking) • PLA12 (Active Travel) • PLA1-5 (Strategic Sites) • SPG 17: Parking Standards	Measures applicable to all development as necessary to mitigate the likely detrimental impact on travel movements across the existing highway network and engender a modal shift.	Strategic Sites: Specific on-site and off-site highway improvement and active travel measures for the five strategic sites are detailed in Policies PLA1-5 and RLDP Appendix 5: Implementation and Delivery. Mitigation measures for other allocated sites primarily as per RLDP Appendix 5: Implementation and Delivery. Mitigation measures for windfall sites to be assessed on a case-by-case basis.



Archbishop McGrath Catholic High School, Brackla, Bridgend

5.0 General Guidance

Heads of Terms for Planning Obligations

- 5.1 Once a valid planning application has been received by the Council (as LPA), it will be reviewed against the RLDP, relevant SPGs and other material considerations. This will inform a recommendation for the list of required planning obligations comprising the head of terms (“HoTs”). The HoTs list will outline to the applicant which planning obligations are required to make the development acceptable in planning terms. Once agreed, the final draft HoTs list will be included in the case officer’s planning application report prior to determination of the relevant planning application (either by Officers under the Council’s scheme of delegation or by Development Control Committee). The HoTs list will specify the set of planning obligations that the landowner/developer of the site will be required to comply with, either by providing or funding relevant infrastructure. Once there is a delegated decision or resolution to grant planning permission (as applicable), the final HoTs list will provide the basis of instructions to the Council’s Legal Services Team to draft the legal agreement. It will act as a frame of reference for the Council’s lawyer and the applicant’s legal team when finalising the wording of the legal agreement which will secure the list of planning obligations.

Drafting and Sealing Process

- 5.2 If the planning application has been determined in favour of grant, the Council’s Legal Services Team will draft the legal agreement and the draft will be sent to the applicant’s legal team for comment. Once in “*agreed form*” (draft), the agreement will also be published on the Council’s Planning Register (for public view), prior to it being circulated for signature (Counterparts are not acceptable), by all relevant parties. This will provide the opportunity for any interested parties to comment on the *agreed form* draft (subject to appropriate redactions in case of particular commercial sensitivities, as may be agreed between the parties prior to publication). Subject to any material comments being considered and addressed if necessary, and once signed by all parties,

the legal agreement will then be completed (sealed and dated), and the decision notice issued.

- 5.3 Applicants are advised not to instruct their solicitors to prepare draft legal agreements in advance as any such draft would need to be reviewed in any event by the Council's Legal Team. Such drafts may or may not be acceptable, and this could protract the process.
- 5.4 The Council posts copies of all completed legal agreements on the Council's online Planning Register (by application reference number), for members of the public to view.

Phasing and Trigger Points

- 5.5 A legal agreement will contain clearly defined trigger points for implementation or payment of each planning obligation requiring provision of infrastructure, facilities or payment of financial contributions. Such "triggers" are necessary to ensure that the delivery of infrastructure is phased appropriately during the course of development, to mitigate that development's impact and provide certainty to both landowners/developers and the LPA as to when payments are due to be paid to the Council.
- 5.6 Triggers will be specified for different planning obligations at key stages in the implementation of the planning permission. Examples include '*upon commencement of development*' or '*prior to the occupation of the [XXth] residential unit*'. Triggers points are decided having considered by when the relevant planning obligations need to be complied, in the context of site viability, phasing, and delivery matters. Each trigger will need to be considered on the merits of each development proposal, due to site-specific issues or development constraints. It is acknowledged that an iterative series of discussions may be required between the LPA and landowner/developer before an appropriate set of triggers can be agreed, particularly for strategic scale sites. In all cases, each trigger point needs to be precise to ensure effective delivery of all planning obligations.

5.7 Financial contributions will typically be “*Index Linked*” from the date the legal agreement is signed until the date each contribution is paid to the Council. The most appropriate form of indexation measure will be considered for each planning obligation but the Consumer Prices Index (including housing costs) (CPIH) will normally be used; this is widely considered to be the most complete and accurate measure of UK inflation. This process is illustrated in the worked example below:

- A financial contribution of £50,000 is due to be paid by the developer to the Council prior to the occupation of the 50th dwelling on the development site.
- The CPIH figure published prior to completion of the legal agreement was 130.0.
- The CPIH figure published immediately before the date the payment was due was 138.9.
- The contribution payable will be increased by the percentage rise in the index over this time period ($£50,000 \times (138.9/130.0)$), which means the total payable by the developer to the Council will increase to £53,423.

5.8 In addition, late payment interest (at 4% per cent above the Bank of England Base Rate), will be payable on any financial contributions which are overdue, payable from the date on which the amount was due until the date it is paid to the Council. This will be calculated separately to indexation, will begin accruing from the first day the payment is late and continue to accrue until the payment is made. This principle will apply to all developments, including RSL led developments. This process is illustrated in the worked example below:

- A financial contribution of £50,000 is due to be paid by the developer to the Council prior to the occupation of the 50th dwelling on the development site.
- The 50th dwelling was occupied six months ago and the payment is now overdue by 183 days.
- The Bank of England Base Rate at the time is 4%. The total interest payable will therefore be 8%.
- The late payment interest would be calculated as follows: $((£50,000 \times 8\%) / 365 \text{ days}) \times 183 \text{ days late} = £2,005.48$.

Legal Costs and Monitoring Fee

- 5.9 The applicant will be responsible for the Council's reasonable legal costs (no VAT), incurred in relation to the process of preparing and taking the legal agreement (or reviewing a unilateral undertaking provided by an applicant), to completion.
- 5.10 A separate monitoring fee will also be payable to the LPA upon completion of the legal agreement to cover the Council's reasonable costs of monitoring compliance with the legal agreement. This fee will be calculated based on the number and complexity of planning obligations to be monitored.

Monitoring and Enforcement

- 5.11 Planning legal agreements are registered as a 'Local Land Charge' against the land so that third parties, including future purchasers of the land, are made aware of the planning obligations which bind the land.
- 5.12 Compliance with the planning obligation(s) in any planning legal agreement is the responsibility of the landowner(s). The landowner(s) should be mindful of the legal trigger(s) and proactively liaise with the LPA in good time before any trigger point is reached. Early initial liaison will enable the LPA to issue timely invoices to the landowner(s) for any financial contributions that fall due for payment, and to ensure that any other obligations are complied with on time.
- 5.13 The LPA actively monitors developments subject to planning legal agreements, to ensure that planning obligations are being met in accordance with the relevant triggers. Any breaches of legal agreements may result in enforcement action, debt recovery proceedings, and/or a legal injunction.
- 5.14 In the first instance, the LPA will attempt to secure compliance with planning obligations via informal negotiation with the landowner(s)/developers and/or other signatories to the legal agreement which may include lenders. Invoices

will be issued for any overdue financial contributions plus indexation and late

payment interest (if applicable), which will continue to accrue until the obligation is paid in full. If informal negotiation fails, any unpaid invoices will be passed to the Council's Legal and Finance Teams for debt recovery. The Council may then pursue legal action and, where appropriate, seek to obtain a Court injunction.

- 5.15 Any person wishing to enquire about the status of compliance with a legal agreement planning agreement and outstanding planning obligations should contact the Planning Department via email planning@bridgend.gov.uk or post: Civic Offices, Angel Street, Bridgend CF31 4WB. Confirmation that planning obligations have been discharged can be provided subject to payment of a standard fee as set out in the Council's latest *Fees and Charges* document.



Active Travel Route from Ynysawdre to Coleg Cymunedol Y Dderwen

Variation or Removal of Conditions

- 5.16 A deed of variation to an existing s106 agreement may be needed if the LPA approves an application (currently under s73 of the Town and Country Planning Act 1990), to materially alter or remove conditions attached to an existing planning permission (provided that the scope and/or description of the original development remains fundamentally unchanged). This is to ensure that any new s73 permission granted for the same site is bound by the planning obligations in the existing s106 agreement, except as varied (if necessary), to align the existing s106 agreement with the new set of conditions in a s73 permission.

IMB and Infrastructure Management Plan (IMP)

- 5.17 The adopted RLDP is expected to generate planning contributions with a combined value of over £116m, and deliver 1,700 new affordable homes over the Plan period (up to 2033). It is vital that these contributions, together with any existing financial contributions already paid to the Council, are spent efficiently to effectively mitigate the impact of development and successfully implement the RLDP's strategy.
- 5.18 An IMB has been established to this end. The IMB's role is to expedite the spending of planning contributions to ensure delivery of infrastructure across the County Borough and mitigation of any negative effects arising from development. The IMB's remit is to:
- Expedite spending of existing financial contributions towards highways, education, recreation, affordable housing and other infrastructure to mitigate the impact of development on communities;
 - Forward plan future infrastructure projects in anticipation of the significant planning contributions expected to be secured over the RLDP plan period (up to 2033) and future iterations thereof;
 - Explore opportunities for combining planning financial contributions with other funding streams, to maximise the impact and cumulative value of such contributions to ensure efficient infrastructure delivery; and

- Prepare and maintain an IMP to consolidate key infrastructure projects across different service areas, specify delivery timescales and identify funding sources to enable their delivery. The IMP is a key strategic document to ensure corporate prioritisation of infrastructure projects across the County Borough.

5.19 The enhanced strategic direction provided by the IMB ensures that any existing and anticipated planning contributions (whether financial or “in kind”), are used most effectively to deliver infrastructure across the County Borough, to successfully mitigate the impacts of development.



Active Travel Sign

6.0 Development Viability

6.1 Planning obligations required for any particular development proposal are set in accordance with adopted RLDP policies. These policies are based on a comprehensive suite of independently assessed evidence, notably the Plan-Wide Viability Assessment and site-specific viability testing. Deviation from the policy requirements set out in the RLDP should not therefore be necessary and will only be acceptable in exceptional circumstances.

6.2 For site allocations that were supported by site-specific viability appraisals at the Plan-making stage, applicants proposing to raise viability issues must clearly demonstrate which variables have changed (if any), that may warrant any deviation from policy compliance. Appropriate supporting evidence must be provided to substantiate any such submission, and this evidence must be comprehensive. For example, it would not be acceptable to point solely to a change in one variable (such as build costs), without clearly evidencing and explaining how other variables (such as house prices), may have also changed. A comprehensive, revised and up to date viability appraisal must therefore be provided to the Council for review (at the applicant's cost), with all inputs and assumptions being robustly evidenced. Applicants must:

1. Complete an evidence-based viability appraisal, using the Development Viability Model (DVM) issued by the LPA or an alternative model, (subject to prior agreement with the LPA);
2. Submit the completed viability appraisal with supporting evidence to the LPA for review; and
3. Where deemed necessary by the LPA, cover the costs for an independent viability assessor to review the completed viability appraisal.

In all cases, unsubstantiated submissions or unsupported commentary on viability inputs will not be acceptable. Further details on the DVM are provided in para 6.6.

- 6.3 For windfall sites, applicants must demonstrate robustly any site-specific constraints, abnormal costs and/or other viability challenges that could necessitate a departure from adopted RLDP policy requirements. The LPA will work collaboratively with landowners/developers/applicants in such instances to evaluate site-specific evidence. Should the LPA agree that robustly evidenced, site-specific issues adversely affect a site's viability at full policy compliance, this will be a material consideration in determining the application. The LPA reserves the right to reject any development viability claims without comprehensive supporting evidence being provided or ask for further evidence and/or information.
- 6.4 The costs of meeting all development requirements set out in adopted RLDP policies were subject to independent verification and considered realistic and deliverable on each site at the point of RLDP adoption (March 2024). However, it is acknowledged that development viability is not fixed, and variables can and will change in future years as sites are brought forward for development. This includes cumulative changes to planning obligation costs, as noted in more recently adopted SPGs. Applicants will therefore need to consider the latest suite of adopted SPGs, to ascertain the planning obligations required to mitigate the impact of development and ensure that this information is factored into discussions with landowners (where the developer is not also the landowner). Developers should not seek to '*overpay*' for sites based on an expectation of negotiating planning policy requirements downwards in recompense. If a development is not capable of delivering essential infrastructure to appropriately mitigate its impact, this may render the proposal unacceptable in planning terms. Such matters will be considered on a site-by-site basis and any deviation from full policy compliance will need to be fully evidenced and justified to the satisfaction of the LPA.
- 6.5 In all cases, it is recognised that some information necessary to demonstrate viability may be commercially sensitive. However, this is not a sufficient reason to avoid providing the appropriate evidence to the LPA and this information will be used solely to consider the viability of a development proposal.

- 6.6 A common viability appraisal model is in use across the South East Wales Region known as the Burrows-Hutchinson Ltd DVM. The DVM has been created as a comprehensive, user-friendly model to assess the financial viability of development proposals. The LPA is able to make the DVM available to applicants to appraise the financial viability of a proposed development. The primary inputs required to undertake a financial viability appraisal through the DVM are provided in Appendix B to this SPG.
- 6.7 The DVM and user guide can be released to any applicant subject to the LPA receiving payment of a standard fee (set out in the Council's latest Fees and Charges Schedule). The fee is intended to cover the LPA's administrative costs of locking and distributing the model, verifying the completed appraisal and providing a high-level review to the applicant. However, payment of a fee will **not** guarantee a lower proportion of affordable housing will be deemed acceptable or directly result in the granting of planning permission. The fee will only enable the LPA to consider whether:
- a) the DVM has been completed correctly and appropriately;
 - b) the evidence supplied to support the costs and values submitted is sufficient and proportionate;
 - c) the suggested timescales for the development are realistic; and
 - d) the appraisal accords with policy requirements of the RLDP and with other guidance and/or policy statements that are pertinent to the assessment of viability in a planning context.
- 6.8 The preliminary fee does not allow for any further time that an applicant might wish to spend debating the findings of the LPA's initial high-level review with the LPA. It also does not allow for any officer time necessary to re-appraise subsequent submissions of the model and supporting evidence, which will be re-chargeable. Alternative viability models can be used subject to prior

agreement with the LPA. In the event of any unresolvable disputes, the LPA may need to draw upon expertise from a third party viability assessor to act as an independent arbitrator. The costs associated with this must be met by the developer/applicant. For larger sites (of several hundred units), mixed-use developments or sites of a strategic scale, it may be more appropriate for an applicant to commission an independent viability assessor from the outset, following discussion with the LPA.



Maesteg Welfare Park

Appendix A – Guidance on the Production of Transport Assessments

1.0 Purpose of Transport Assessments (TAs) and Transport Statements (TSs)

- 1.1 TAs are thorough assessments of the transport implications of development. They provide the information necessary to assess the suitability of a planning application in terms of travel demand and impact, including a detailed analysis of the proposal's likely impact on the wider network. The precise scope and content of each TA will depend upon the scale, travel intensity and characteristics of the proposal. However, the TA should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by walking, cycling and public transport to reduce the need for parking associated with the proposal, and to mitigate transport impacts.
- 1.2 TSs are a 'lighter-touch' evaluation of proposed developments with more limited anticipated transport impacts. A TS should outline the transport aspects of the application, assessing the existing and proposed conditions, in a manner that is proportionate to the potential impact of the development. Unlike a TA, a TS would not normally need to include detailed analysis of the proposal's impact on the wider highway network, although specific junction capacity analysis, close to the development, may be required.

2.0 Requirement for TAs and TS

- 2.1 TAs should be provided for development proposals (including extensions or changes of use) likely to generate significant levels of movement or likely to have significant effects on existing patterns of movement. Table 1 sets out thresholds at which TAs will be required in accordance with the suggested thresholds set out in Technical Advice Note (TAN) 18: Transport. Proposals that do not trigger the thresholds in Table 1 should normally be supported by a TS rather than a TA unless advised otherwise by the Local Planning Authority (LPA).

Table 1: Thresholds for Undertaking a TA

Use	Threshold
Food Retail	> 1,000m2 gross floor area
Non-Food Retail	> 1,000m2 gross floor area
Cinemas and Conference Facilities	> 1,000m2 gross floor area
Leisure Facilities	> 1,000m2 gross floor area
Business	> 2,500m2 gross floor area
Industry	> 5,000m2 gross floor area
Distribution and Warehousing	> 10,000m2 gross floor area
Hospitals	> 2,500m2 gross floor area
Higher and Further Education	> 2,500m2 gross floor area
Schools	All new schools
Stadia	> 1,500 seats
Housing	> 100 dwellings
Hotels	> 1,000m2 gross floor area

2.2 Where several small developments are proposed in close proximity to one another it may be more appropriate to undertake one overarching assessment, which could be undertaken as part of a more holistic master-planning exercise.

3.0 Details for Inclusion in a TA or TS

3.1 The need for, scale, scope and level of detail required of a TA or TS should be established as early in the development management process as possible through discussions with the LPA. This is fundamental for the outcomes of the assessment to positively influence the overall nature and/or detailed design of the development where appropriate.

3.2 It is important to consider the cumulative impacts arising from other committed development (i.e. development that already benefits from planning consent or allocated sites where there is a reasonable degree of certainty that development will proceed in the short term). This may require the developer to carry out an assessment of the impact of those adopted RLDP allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from (as of yet) unimplemented planning approval.

3.3 Key issues to consider when preparing a TA or TS include:

- A description of the location, type and scale of the development and its context in relation to any development plan or other strategies.
- An explanation of the scope of the assessment, including the geographical extent and duration of the study, which should be agreed in advance with the LPA.
- An explanation of how the proposed location meets sustainability principles.
- Analysis of existing access to the site for pedestrians, cyclists, existing public transport services and other vehicles.
- An analysis of existing transport data from a range of reliable sources (which may include information provided by the LPA or other primary and secondary data collection) e.g. TRICS database.
- Appropriately evidenced assumptions about additional person / freight movements likely to result from the proposed development and information on the likely modal split of journeys to and from the site.
- An analysis of the potential effects of the additional person / freight movements resulting from the development on the existing transport networks serving the site and existing movement patterns.
- A Transport Implementation Strategy (TIS, see Section 4.0).

3.4 The associated report detailing the TA or TS that accompanies a planning application should be clear and understandable. Appendices should be used for technical evidence to support the statements made in the main text. The level of analysis and detail included within the report should be proportional to the scale, complexity and potential impact of the development proposals and this should be agreed in the scoping stage.

4.0 TIS Overview

4.1 The TA/TS process should include the production of a TIS for the development to be submitted alongside or as part of the TA/TS. This should:

- Set objectives and targets relating to managing travel demand for the development which should be based on RLDP policies and other strategies relevant in that location e.g. the Regional Transport Plan. Objectives could include: the creation or improvement of safe cycling and walking routes, restricting car access, providing adequate cycle storage, the creation of improvement of reliable and convenient public transport services, and/or a framework for future travel planning activity.
- Set out the infrastructure, demand management measures and financial contributions necessary to achieve these objectives and targets.
- Detail the measures proposed to improve access by walking, cycling and public transport to reduce the number and impacts of motorised journeys associated with the proposal and will usually be accompanied by a Travel Plan (see Section 5.0).
- Ensure these measures are integrated with design elements of the new development.
- Set out robust access arrangements that are sensitive to the differing needs of its users. For example, the access arrangements should cater for varying levels of personal mobility and recognise the different times that access is required to the site.

- Include financial information relevant to the implementation of the strategy.
- Set a framework for monitoring the objectives and targets, including the future modal split of transport to development sites. (Note: monitoring by the developer and future occupiers will be important to allow the LPA to check whether TIS objectives are being met by the development).
- Propose suitable conditions or obligations to secure implementation.

5.0 Travel Plans

- 5.1 Where TAs or TSs identify that a proposed development could have a detrimental impact upon travel movements on the existing highway network, applicants will be required to produce a Travel Plan. This will be in addition to the TIS.
- 5.2 Travel Plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable travel (such as promoting walking, cycling and public transport use).
- 5.3 The Travel Plan will need to identify what measures are proposed and will be implemented by the developer to overcome any detrimental impact. It should identify clear, measurable and site-specific targets for reducing reliance on travel by private motor vehicle and increasing the proportion of journeys made by walking, wheeling, cycling and public transport. Targets should be informed by the existing and predicated modal split, the accessibility and location of the development, the nature of the proposed use and the sustainable transport opportunities available to the site.
- 5.4 The Travel Plan should also identify the measures necessary to achieve these targets together with appropriate arrangements for implementation, monitoring

and review. Where monitoring demonstrates that agreed targets are not being achieved, the travel plan should identify appropriate remedial measures.

- 5.5 Travel Plans should, where possible, be considered in parallel to development proposals and readily integrated into the design and occupation of the new site rather than retrofitted after occupation.
- 5.6 Travel Plans should also seek to maximise modal shift towards sustainable modes of travel in accordance with the Sustainable Transport Hierarchy, the Active Travel (Wales) Act 2013, Planning Policy Wales and Policy SP5 of the adopted RLDP.

Appendix B – Data Inputs Required for Financial Viability Appraisals

- 1) List of open market dwelling types, specifying for each one:
 - a) Number of bedrooms
 - b) Number of habitable rooms
 - c) Gross/net internal floor areas
 - d) Estimated open market value (freehold selling price) with supporting evidence
 - e) Total number of each dwelling type within the proposed development
- 2) List of affordable dwelling types, specifying for each one:
 - a) Number of bedrooms
 - b) Number of habitable rooms
 - c) Gross/net internal floor areas
 - d) Estimated open market value (unrestricted freehold selling price) for intermediate dwellings
 - e) Transfer values for social rented dwellings
 - f) Total number of each dwelling type within the proposed development
- 3) Site layout plan for the development (outline, or detailed if available) with net developable areas and dwelling numbers for each element/phase of the proposed development.
- 4) Estimated construction and sales programmes for the development.
- 5) Details of current land ownership or details of the contractual terms and stage of transaction reached for its acquisition by the developer. This must include the land price paid (or, if estimated and not yet paid, the basis for that estimate) and allowance made for acquisition fees and Land Transaction Tax.
- 6) Planning costs and anticipated period before commencement of development (in months) after land acquisition has been completed.
- 7) Housing construction costs (plot costs), as a total sum or £/m², noting any additional allowance made for achieving compliance with forthcoming building regulations.

Evidence must be provided to justify what these costs are based on.

8) Physical infrastructure costs, broken down between:

- a) Off-site drainage, highway and/or other works, with detailed analysis/justification
- b) Normal on-site costs for providing road access and services to individual plots (including “externals” such as detached garaging and landscaping, which may be assessed on a fixed average sum per dwelling, or as a percentage of plot costs)
- c) Abnormal site costs (if any) with detailed analysis/justification

9) Allowance made for professional fees in connection with:

- a) Planning and building regulations approvals
- b) Housing construction costs
- c) Physical infrastructure works

10) Estimated sum (or percentage allowance) for contingencies

11) S106 contributions necessary to achieve full RLDP policy compliance and anticipated timing of payments

12) Sale and marketing costs for open market dwellings

13) Finance costs, including interest rate(s) applied, and the basis for their calculation

14) Details of any proposed non-residential uses, including gross external and net internal floor areas, together with estimated costs and revenues associated with those parts of the development. This will include, where available, estimated freehold and rental values for each element/unit, the investment yield(s) on which estimated freehold values have been based/calculated, and details of any pre-lets or forward sale arrangements.

Cyngor Bwrdeistref Sirol

