

Developer Contributions SPD Consultation Statement

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Introduction

Introduction

1.1 This Statement has been prepared in accordance with Regulation 12 of the Town and Country Planning (Local development) (England) Regulations 2012 in relation to the Developer Contributions Supplementary Planning Document (SPD). Accordingly it details:

1.2 (i) the persons the local planning authority consulted when preparing the supplementary planning document;

1.3 (ii) a summary of the main issues raised by those persons; and

1.4 (iii) how those issues have been addressed in the supplementary planning document

1.5 The Planning and Compulsory Purchase Act 2004 sets out the requirements for preparing SPDs as part of the planning process. SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan. The purpose of the Developer Contributions SPD is to set out the Council's approach to seeking Section 106 planning obligations. The adopted Local Plan sets the planning framework with the Developer Contributions SPD providing a further level of detail to guide development proposals.

1.6 Policy SS 12 in the adopted Staffordshire Moorlands Local Plan identifies the need for a Developer Contributions SPD to provide guidance for affordable housing, open space, education, health and other forms of infrastructure required to address the impact of development and how contributions will be calculated. The SPD will provide the Council with a stronger basis to seek developer contributions and will provide officers, councillors and developers with clear guidance. The SPD will be a material consideration in the determination of planning applications alongside the Local plan and other planning policies.

Consultation process and consultees

1.7 Consultation on the SPD has been undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Staffordshire Moorlands Statement of Community Involvement. This consisted of two consultation stages:

- Issues and Options
- Draft SPD.

Issues and Options

Issues and Options

2.1 Published in February 2022 the Issues and Options document followed stakeholder engagement which was carried out with key service areas across the Council and the County Council to gain a more detailed understanding of current processes, key issues and potential opportunities that could be addressed through the SPD.

2.2 The Issues and Options document identified key planning obligations that could be sought to mitigate against the impacts of development and set out a number of options for consideration and inclusion within the SPD, including the recommended approach to be taken where relevant. Where appropriate, a preferred option was also given based on stakeholder engagement/senior officer discussions and desktop research to inform the draft SPD document.

2.3 Consultation was undertaken between 24th February and 7th April 2022 in line with the Council's Statement of Community Interest (SCI) in order to give those with an interest in this specialist area an opportunity to respond to the issues and options identified. Notifications of the consultation were sent by email or letter to relevant contacts on the Council's planning policy consultee database. This included all relevant statutory consultees, local stakeholder organisations, residents and businesses. See Appendix 1 for further details. Further publicity in the form of a press release and news on the Council's website was also published to raise awareness of the consultation.

2.4 Twenty-seven responses were received to the issues and options consultation which included statutory consultees, developers and members of the public. Some comments were submitted by email or letter and other respondents utilised the questionnaire which was designed for the consultation. A summary of the responses received and how these were taken into account in the draft SPD can be seen in Appendix 2.

Strategic Environmental Assessment (SEA)

2.5 A Strategic Environmental Assessment (SEA) was undertaken following the Issues and Options stage. The Council consulted with Natural England, the Environment Agency and Historic England who all agreed with the Council's conclusions that:

An SEA will not be necessary to support the SPD as it is unlikely to lead to any significant environmental effects beyond those already assessed through the environmental assessments (SEA/SA and HRA) of the Staffordshire Moorlands Local Plan.

Draft Supplementary Planning Document

Draft Supplementary Planning Document

3.1 The draft Developer Contributions SPD was subject to a four week consultation from May 11th to June 9th 2023. Individuals and organisations were invited to comment on the SPD and its supporting documents (see Appendix 3).

3.2 The consultation was publicised in a number of ways in accordance with the Council's Statement of Community Involvement:

- Letters and emails with details of the consultation were sent to individuals and organisations who had previously expressed an interest in being involved with the preparation of planning policy documents and those organisations the Council has a duty to consult.
- The availability to view and download the document from the Council's website.
- Hard copies were made available for inspection at the Council's principal offices and the District libraries.
- The consultation was promoted via the Council's website, Facebook page and Twitter account.
- There was a press release with details of the consultation.

3.3 Consultees were able to view the document and make comments online or via email. There is free internet access at Council offices and local libraries. Where consultees did not wish to respond to the consultation online a paper response form was available which could be completed and returned by email or post. The response form did not ask specific questions but asked for comments had on the document.

3.4 The Strategic Environmental Assessment (SEA) was also included as part of the consultation as a supporting document. A summary of responses to the Issues and Options consultation and how these had been taken into account by the Council was also provided.

3.5 A total of 80 comments were submitted in relation to the SPD. This included responses from 14 organisations, 1 member of the public and a late representation from NHS Property Services. The main issues raised and changes include:

- Additional clarification relating to indexation for health care contributions.
- Additional eligibility criteria for First Homes which would require a local connection for the first three months of sale.
- Additional clarification in relation to Vacant Building Credit to include a definition and worked example.
- Reference to the need to update the 2017 Playing Pitch Strategy.
- Clarification regarding contributions towards the Strategic Road Network where mitigation is required.
- Clarification regarding new developments and existing Flood Alleviation Schemes and other schemes where there are waste water capacity issues.
- Additional reference to include opportunities to benefit the historic environment.
- Minor miscellaneous amendments requested for clarification purposes.

3.6 No further comments were submitted regarding the SEA Screening report from either Natural England, Historic England or the Environment Agency or any other organisation. As such it is considered that a SEA is not required for the SPD.

3.7 The consultation comments and the Councils response which includes a number of modifications to the SPD are included in Appendix 4.

3.8 Once adopted the SPD, the final Consultation Statement and an 'adoption statement' will be published. Interested parties will be notified. Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision within 3 months of the date of adoption.

3.9 The SPD will become a material consideration in the determination of relevant planning applications.

Appendix 1 - Issues and Options Stage Consultees

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List of Consultees

Organisations

Organisation	Organisation
Alstonefield Parish Council	Keepmoat
Alton Parish Council	Ken Wainman Associates Ltd
Alton Towers Resort Operations Ltd	Kidsgrove Town Council
Amec Foster Wheeler	Kingsley Parish Council
Aspire Housing Association	Knights 1759
Avison Young Ltd	Leek And District Civic Society
Aviva Investors	Leek Chamber Of Trade And Commerce
Bagnall Parish Council	Leek Cricket Club
Barnfield Hughes Limited	Leek Sports Council
Barton Consortium	Leek Town Council
Barton Willmore	Leekfrith Parish Council
Bellway Homes Ltd	Leigh Parish Council
Biddulph & District Probus Club	Longnor Parish Council
Biddulph CAB	Longsdon Parish Council
Biddulph East Community Association	M J Barrett Developments
Biddulph High School	Mancunian Mercantile Investments Limited
Biddulph Methodist Church	Marine Management Organisation
Biddulph Police	Mayfield Parish Council
Biddulph Retired Persons Association	Michael Green Planning Services
Biddulph Sports Council	Mono Consultants
Biddulph Town Council	Moorland and City Railways Ltd
Biddulph Volunteer Bureau	Mosaic Town Planning
Bloor Homes	Mounsey Surveyors
Blore With Swinscoe Parish Meeting	National Federation of Gypsy Liason Groups
Bosley Parish Council	National Grid
Bovale Limited	National Grid Gas - Distribution Network

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Organisation	Organisation
Bovis Homes Limited	National Trust
Bowcock And Pursaill	Natural England
Bradnop Parish Council	Network Rail, Town Planning Team LNVW
British Horse Society	Newbold Astbury-cum-Moreton Parish Council
British Telecommunications PLC	Newcastle under Lyme Borough Council
Brown Edge Parish Council	NFU
Building Research Establishment	NHS England
Butterton Parish Council	nineteen47
Buxton and Leek College	North Staffordshire Divisional Police
Cadent	North Staffordshire railway company (1978) Limited
Caldon & Uttoxeter Canals Trust	North Staffs and Stoke on Trent CCG
Canal and River Trust	NPower
Cannock Chase District Council	Oakamoor Parish Council
Capita Finance Leek	Odd Rode Parish Council
Casey Group	Office of Rail and Road
Caverswall Parish Council	Okeover Parish Meeting
Cheadle Sports Council	Onecote Parish Council
Cheadle Town Council	Peak District Local Nature Partnership
Cheadle Unite	Peak District National Park Authority
Checkley Parish Council	Peak District Rural Housing Association
Cheddleton Parish Council	Peaks and Plains Housing Trust
Cheshire East Council	Pegasus Group
Churnet Valley Railway	Persimmon Homes North West
City Of Stoke On Trent Council	Plants Haulage
Civil Aviation Authority	Plus Dane Housing Group
Clowes Coaches	Quarnford Parish Council
Community Health Partnerships	Road Haulage Association
Congleton Town Council	Rob Duncan Planning Consultancy Ltd.
Consall Parish Council	Robin Hood Coaches

Organisation	Organisation
Co-Operative Bank	RSPB
Co-operative Group Limited (COOP)	Rushton Parish Council
Cotton Parish Council	Sammons Architectural Ltd
Council For British Archaeology	Scentarea Ltd
CPRE Staffordshire	School Business Manager
Crown Office Estate	School Organisation Team, Staffordshire County Council
Croxden Parish Council	Seabridge Developments
CT Planning	Severn Trent Water
D And G Coaches	Sheen Parish Council
Davera Properties	Skipton
Dean Lewis Estates Ltd	Snugg Homes
Defence Infrastructure Organisation	South Staffordshire Council
Define	Sport England
Deloitte LLP	St Modwen Developments Limited
Denstone Parish Council	Stafford Borough Council
Department for Transport	Staffordshire and Stoke CCG
Derbyshire County Council	Staffordshire Chambers of Commerce
Derbyshire Dales District Council	Staffordshire County Council
Derbyshire Gypsy Liaison Group	Staffordshire County Council (Highways)
Dilhorne Parish Council	Staffordshire Fire & Rescue Service
Draycott Parish Council	Staffordshire Police
East Staffordshire Borough Council	Staffordshire Police Estates
EE	Staffordshire Rural Development Ltd
Emery Planning	Staffordshire Wildlife Trust
Endon with Stanley Parish Council	Stanton Parish Council
Energy Networks Association	Stoddards Ltd
Entec UK Ltd	Stoke-on-Trent and Staffordshire LEP
Environment Agency	Support Staffordshire (Staffordshire Moorlands)
EON Energy	Tetlow King Planning

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Organisation	Organisation
Farley Parish Council	The British Horse Society
Fawfieldhead Parish Council	The Coal Authority
First PMT	The Forestry Commission
Forsbrook Parish Council	The Gypsy Council
Foxfield Railway	The Planning Inspectorate
Friends Families & Travellers	The Showmen's Guild Of Great Britain Midlands Branch
Fulford Parish Council	The Theatres Trust
Gladman	The Traveller Movement
Greenhaulage Ltd.	The Winter Partnership
Grindon Parish Council	THREE
Hawksmoor Property Services Limited.	Tittesworth Parish Council
Heathylee Parish Council	Trent Rivers Trust
Heaton Parish Council	Turley
Heine Planning	United Utilities Water Limited
Highways England	Virgin Media
Hilderstone Parish Council	Vodafone and O2
Historic England	Warslow & Elkstones Parish Council
Hollinsclough Parish Council	Waterhouses Parish Council
Home Builders Federation	Werrington Parish Council
Homes England	West Midlands HARP Planning Consortium
Horton Parish Council	Western Power Distribution
Ilam Parish Council	Wetton Parish Council
Inland Waterways Association	Willardwillard Ltd
Ipstones Parish Council	Wincle Parish Council
J C Bamford Excavators Ltd	Wints Coaches
J Haydon And Sons	Woodland Trust
JMW Planning Limited	Wootton Parish Council
KDR Developments	Wrekin Housing Trust

Appendix 2 - Issues and Options Stage Responses

Appendix 2 - Issues and Options Stage Responses

Summary of responses

General approach to developer contributions.

Question 1a – Approach to Trigger Points

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	I support the approach to trigger points as a transparent and consistent means of considering contributions.	Support noted
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(summary) It is unclear what approach the Council is looking to take in regard to trigger points. Examples are given in Appendix 2 of the Issues and Options Paper which have a fee per trigger point. However, there is no clear guidance as to if the Council is looking to implement this or to what this sum would be, with the paper stating 'the exact amount to charge per obligation trigger is an area of work that is still undergoing further research an engagement with stakeholders'. The monitoring of trigger points and developer contributions should fall within the general duties of the LPA as discussed in more detail under the Monitoring section of this report.	<p>Comments noted. Details regarding trigger points and monitoring fees are set out in the draft SPD. The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where:</p> <ul style="list-style-type: none"> the sum to be paid fairly and reasonably relates in scale and kind to the development; and the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.

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Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Mr Sam Pierce	Persimmon Homes (North West)	General comment	Persimmon Homes supports the proposal for appropriate trigger points for the payment of s106 contributions, which will allow for dialogue between the Council, developers and infrastructure providers to ensure that contributions are secured at the appropriate time and when and where it is needed to mitigate the impact of development. It is further recommended that the SPD make suitable acknowledgement within the SPD for the phased payment of s106 contributions in accordance with agreed milestones tied to development progression. This is of particular importance on larger schemes where significant upfront infrastructure costs are envisioned and where making provision for payment of s106 contributions in instalments would significantly improve scheme viability.	Comments noted. The draft SPD sets out how triggers points will be agreed, which includes negotiation between the developer, the Council and any other infrastructure providers or consultees involved in the S106 agreement.
Mrs Sarah Haydon	Chief Officer Biddulph Town Council	General comment	Biddulph Town Council has a Neighbourhood Plan and Neighbourhood Development Order, which we hope will be adopted in Summer 2022. Within the Neighbourhood Plan document, the town has highlighted a number of priorities, which should be considered in relation to developer contributions. We therefore feel that those areas with adopted (or emerging- Reg 16) Plans should form part of the discussion about priorities, trigger points, etc. In relation to trigger points, we welcome early and ongoing discussion with developers, to ensure that funding is appropriately targeted and spent.	Comments noted. The draft SPD refers to the emerging Biddulph Neighbourhood Plan.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A

Table 5.1

Question 1b – Approach to Indexation

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Emery Planning of behalf of client	Bloor Homes	General comment	(summary) It is noted that the Issues and Options Paper notes that CMPI is more accurate as it reflects the cost of construction materials and therefore directly relates to development costs. Our client (Bloor Homes) reserves their position on this matter until further details of this are put forward by the Council. However, there are no objections to this in principle.	Comments noted. The draft SPD sets out that the preferred index that will be used is the Retail Prices Index published by ONS.
Phil Murphy	Staffordshire and Stoke CCG	General comment	The CCGs approach would be to request that any sums are index linked to the BCIS All-in Tender Price Indices	Comments noted. The draft SPD sets states that the preferred index that will be used is the Retail Prices Index published by ONS but for certain types of infrastructure there may be more bespoke information about costings that is particularly relevant to a specific project, which could assist in informing and evidencing changes to costings.
Mrs Sarah Haydon	Biddulph Town Council	No comment	(None)	N/A
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.2

Question 1c – Approach to Prioritisation of contributions

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Mr Sam Pierce	Persimmon Homes (North West)	Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan	PPG is clear that policy requirements should be informed by evidence of infrastructure and affordable housing need, and a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and section 106 (10-001-20190509). Persimmon Homes supports the SPD making provision for prioritisation of contributions where scheme viability is challenging. Of those proposed options set out by the Council, the Company's preference is Option 2 and the publication of a priority list of contributions formed by the IDP. It is considered preferential to Option 1 in that it provides an element of certainty of the scale of s106 contributions to be sought if viability is challenging and will likely assist in viability/developer contribution negotiations being dealt with more efficiently rather than the Council's using their discretion on a site by site basis. Persimmon Homes reserves the right to make further representations concerning the scale of planning obligations and would encourage the publication of appropriate evidence base documents to review implications on scheme viability.	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.
Phil Murphy	Staffordshire and Stoke CCG	Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan	Prioritising contributions would appear to be the optimal solution to allow developers to account for such requirements at the front-end of the process, which can then be refined/negotiated at the pre-application stage. Provided the LPA retain the flexibility to adjust these priorities based upon emerging evidence and can account for variation of need across the locality this would seem a rational approach. The CCGs would however request that the 'Essential Infrastructure' quoted in the categories are set at the same level i.e. all fall within the	The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Rajvir Bahey	Sport England	Other option - please specify below	<p>Priority 1a category with the individual stakeholders evidencing need on a case by case basis appropriately and decision-makers applying planning judgement accordingly.</p> <p>In relation to the prioritisation of developer contributions it is noted and welcomed that playing pitches and open space, recreation and sports are listed as an infrastructure type. However, the requirements for the aforementioned infrastructure should be informed by an up to date evidence base which should be regularly reviewed on an annual basis. The Council's Playing Pitch Strategy (PPS) was produced in 2017 and it is not known if a review has taken place to ascertain if the document is still up to date (Sport England's Stage E process guidance link) i.e. are the priorities and recommendations the same? Sport England recommends that the annual review should be taken within 3 years of the PPS being adopted and annually thereafter to identify if there any new prioritisations which should be reflected within the IDP. If the Council has not undertaken the review of its PPS, engaging with the sporting national governing bodies who form formed part of the stakeholder group, the document could be considered out of date. It is therefore vital clarity is provided as to whether such a review has taken place or whether the Council are going to produce a new PPS. Should a prioritisation approach be taken forward it is vital that requests are based on up to date evidence and costings, with monitoring as to the delivery of any identified deliverable schemes. This is vital particularly where there are viability issues to ensure contributions are not allocated to schemes which are not deliverable as opposed to going towards other infrastructure provisions (lower down the prioritisation order) which would support the development and its residents.</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p> <p>The Council intends to update the PPS and incorporate the evidence into the Infrastructure Development Plan (IDP).</p>

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Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Kezia Taylerson	Historic England	Other option - please specify below	When considering the prioritisation of contributions from paragraph 2.7 onwards, when would a situation occur where contributions for desirable infrastructure, such as public realm, are sought? Is it not likely that monies would always be spent on infrastructure from the higher priority levels?	Comments noted. The draft SPD allows for a further consideration of contributions within the prioritisation process based on their value, particularly where viability is an issue. It also gives further consideration to assessing contributions according to their value to maximise the overall contribution.
James Chadwick	Spatial Planning Policy Officer Staffordshire County Council	Other option - please specify below	We support the principle of having a pre-determined structure in place to guide decision making on S106 contributions where viability is an issue, but the District Council believes there is still merit in bringing development forward. The County Council is an infrastructure provider in its own right and receives S106 contributions directly from new development. The SPD provides an overview of possible Options for consideration, but the detail is limited. As such we'd welcome the opportunity to explore with you the three options presented in the SPD outside of this consultation. In relation to Option 2 at this stage we would comment that under Priority 1a the contribution type listed as 'Highway Infrastructure' be changed to 'Transport Infrastructure'. Whilst the term Highway here does refer to all infrastructure works within the highway it could be misinterpreted by the reader as favouring works relating to motorised vehicle traffic. The use of Transport Infrastructure provides a more nuanced approach and broader context to include, for example, infrastructure works for cyclists and/or pedestrians. With regard proposed Option 3 there is an apparent inconsistency in Table 2. Critical Infrastructure is defined as 'Infrastructure which must happen to enable growth'. Whereas Desirable Infrastructure is defined as 'Infrastructure required for sustainable growth'. It is assumed that Critical Infrastructure should also be defined as enabling sustainable growth.	Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies. The draft SPD refers to 'Transport Infrastructure' rather than 'Highway Infrastructure'.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	Other option - please specify below	<p>(Summary) There appears to be some overlap between the proposed options, with all of them relying upon the Infrastructure Delivery Plan being updated regularly. By choosing proposed option 2 or 3, the Council would be limiting how the developer contributions are spent, as what is 'critical' for one development, may not even be desirable for another. Whilst it is the aim that the IDP will be frequently updated, The Developer Contributions SPD will not have regular updates and what is 'critical' when first drafted may not be needed in years to come. Our client (Bloor Homes) would like to be consulted again once the Council can provide further information on the preferred method and how this will be monitored. We believe that the best option for the prioritisation of contributions is for each case to be considered under its own merits. Also more detail is required on the sub-option and how this would interact with the main option. Our client (Bloor Homes) reserves their position on this matter.</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p>
Mr Richard Goodall		Other option - please specify below	<p>With Section 2:11 of your document, type of development will influence which contributions are most important, for example a large residential development could identify education and affordable housing as priorities. This statement of Section 2:11 certainly suits the large building firms who can distribute funding whether it is called s106 or not for local projects as a just every day occurrence, but the bottom line is how much profit can they make from their development. The medium and small building firms can not match what the 'big boys' consider as loose change for funding contributions. Some of the large building firms believe funding local projects gives them the opportunity to do what they want with their building development, point in question being St. Modwen at Blythe Bridge. Yes their funding money has created better facilities at Forsbrook Village Hall,</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p>

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Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Sub-option (add on to any of the Options above) - based on the value of contribution and effectiveness	(None)	Noted.
Mrs Sarah Haydon	Biddulph Town Council	Sub-option (add on to any of the Options above) - based on the value of contribution and effectiveness; Option 2 - sub priority groups based on critical and desirable infrastructure identified in the Infrastructure Development Plan	<p>but NO affordable housing at their development at Blythe Vale. Is that a trade off Staffordshire Moorlands District Council and the elected councillor for Blythe Bridge and Forsbrook really wanted? Developer contributions need clarity and identification in fulfilling a 'local' necessity for those developments which they are attached to.</p> <p>Table 1 should include the following additions: Priority 1a should include sewage/ waste water treatments Priority 2a should include Protection of Biodiversity sites Sustainable travel should include cycle paths and footpaths It is essential that the LPA engages with the Town Council and references the Neighbourhood Plan in any considerations.</p>	<p>Comments noted. The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p>

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.3

Question 1d – Approach to Viability

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Mr David Pyner	Highways England	Agree	From review of the Issues and Options Paper, National Highways support the proposed approach which applicants should take in conducting viability assessments for developer contributions. It is the responsibility of applicants to understand the scope of their site's likely traffic impacts on the highway network, as well as the existing conditions of network, such that the likely need for mitigation and associated costs can be considered as early as possible. Early engagement with National Highways is recommended such that we can advise on this matter.	Comments noted.
James Chadwick	Staffordshire County Council	Agree	We support the proposal for the SPD to include a formal protocol in place to deal with viability issues that arise.	Support noted.
Mrs Sarah Haydon	Biddulph Town Council	Agree	(None)	Support noted.
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted.
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The Staffordshire Moorlands Local Plan and Site Allocations Viability Study was utilised as an assessment of the overall viability of development in the district, providing a	Comments noted. The draft SPD sets out the approach to prioritisation of contributions where there are viability issues. CIL might be replaced by a new single infrastructure levy

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			<p>viability framework within which to consider the proposed site allocations. It was found in the study that many of the sites were not viable, which has resulted in few development sites being brought forward in the Staffordshire Moorlands 5 Year Housing Land Supply. The SPD should ensure that the proposed options for planning obligations are viable and ensure that development that is required to meet local needs can take place. It is therefore critical that the Council does not pursue contributions through the SPD and Section 106 obligations which are out of step with the level of contributions tested at the Local Plan stage. It is noted that the Council do not intend to utilise CIL to secure Developer Contributions. Further clarification as to why the developer contributions cannot be provided through CIL and need to be dealt with separately. This would be an appropriate forum for viability to be properly considered at a plan wide level, if the Council considers that development can support contributions at a higher level than accounted for in the Local Plan viability work.</p>	<p>proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place.</p>
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.4

Question 1e – Approach to Monitoring Fees

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted
Mrs Sarah Haydon	Biddulph Town Council	Agree	(None)	Support noted
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The monitoring of developer contributions should be classified as the general duties of the LPA. The payment of a monitoring or administration fee is not necessary to make the development acceptable in planning terms and therefore should not be included in the SPD. This is supported by a High Court judgement of Oxfordshire County Council v Secretary of State for Communities and Local Government and others (2015) EWHC 186 (Admin). An appeal inspector ruled that several payments in a section 106 agreement were not necessary to make the development acceptable in planning terms. One of the payment obligations that was struck out was the obligation to pay a sum to Oxfordshire County Council for its costs of administering and monitoring the S106 agreement. This decision was then challenged by the County Council, but the High Court upheld the decision on the grounds that it was part of the Council's functions as a LPA to administer, monitor and enforce planning obligations in S106 agreements. A standardised approach to monitoring fees is not appropriate for all developed approach, as found within the High Court judgement. Monitoring fees may only be appropriate for very large scale	The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where: <ul style="list-style-type: none"> the sum to be paid fairly and reasonably relates in scale and kind to the development; and the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			developments and the LPA should therefore assess each case on an individual basis rather than applying a standard approach to monitoring.	
Mr David Pyner	Highways England	General comment	We have no comments to make on the subject of monitoring and administration fees associated with the potential changes to developer S106 agreements for developer contributions.	Comments noted.
James Chadwick	Staffordshire County Council	General comment	In relation to the proposals for Monitoring of Obligations it is noted that this is still a work in progress. The County Council is also required to Monitor Obligations for which it is responsible e.g. Education, Transport. Therefore, it would be prudent to engage with our Legal Department to understand what the how the County is proposing to undertake monitoring of obligations and how it will go about collecting contributions to this end from developers. Should it transpire that District and County have differing approaches the SPD should note this and signpost developers to contact SCC.	Comments noted. The Council has liaised with SCC and the draft SPD signposts to the Staffordshire Education Infrastructure Contributions Policy and Staffordshire County Council pre-application advice.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.5

Question 2a – Approach to Affordable Housing- Commuted Sum

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	No comment	(None)	N/A
Mrs Sarah Haydon	Biddulph Town Council	No comment	We are happy to comment further after additional modelling work (3.5). In the meantime, please note that the Town Council preference is that affordable housing should be within the designated Town/ Parish boundary.	Comments noted.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A
Mr Richard Goodall		No comment	(None)	N/A
Emery Planning on behalf of client	Bloor Homes	Other option - please specify	(summary) As it is unclear how the Council wish to proceed with affordable housing contributions, our client will reserve their position on this matter until options and costs are brought forward.	Comments noted.

Table 5.6

Question 2b – Approach to Vacant building credit

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted
Mrs Sarah Haydon	Biddulph Town Council	Agree	(None)	Support noted.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Emery Planning on behalf of client	Bloor Homes	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A

Table 5.7

Question 2c – Approach to Open Space, Sport and Recreation

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Mrs Sarah Haydon	Biddulph Town Council	Agree	p11- Open Space table should make reference to the Neighbourhood Plan. Again, we are happy to comment further after additional options appraisal work.	Comments noted. The draft SPD refers to the emerging Biddulph Neighbourhood Plan.
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) If developer contributions are to be sought for the maintenance of open spaces, this would need to be justified as the Council is already required to ensure the upkeep of these spaces. There may be some situations where this is more relevant than others and therefore a standardised approach should not be utilised for this. Further information should be provided by the Council once they have looked at the potential options in more detail as it is currently unclear how this will be applied.	Comments noted. The draft SPD states that obligations for open space and recreation will be based on a tailored approach relevant for each development site. It also sets out the Council's approach to management and maintenance of open spaces.
Rajvir Bahey	Sport England	Disagree	The document sets out approaches towards requesting contributions towards playing pitches with Sport England supportive of the approach set out in the PPS. Sport England are not supportive of a standards-based approach for identifying the contribution new development should make towards new outdoor sports provision. We do not consider that such an approach is sufficiently nuanced to take account of existing facilities ability to accommodate additional demand generated by new development. For example, it may be more appropriate to improve or enhance existing facilities to create additional capacity to meet the demand from new development rather than create new provision. Sport England also welcomes the	Comments noted. A standards-based approach has not been included for new outdoor sports provision. The SPD sets out the Council's approach for outdoor sports provision and indoor sports provision.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			<p>identification of contributions to indoor sports provision to meet identified shortfalls in provisions. Sport England's sports facility calculator could be utilised as a tool to identifying demand and costs for developments which could be incorporated within the SPD. Sport England would welcome further consultation on the preferred approach once developed.</p>	
Mr Ian Dickinson	Canal & River Trust	General comment	<p>(summary) Although the SPD acknowledges the importance of having access to a network of high-quality open spaces and opportunities for sport and activity in supporting healthy lifestyles and communities as highlighted in Para 98 of the NPPF, it appears to place greater emphasis on either provision of new open spaces/recreational facilities or the improvement of existing formal spaces, play areas and facilities. The canal network is a less formalised recreational space but it is nonetheless equally valuable and important in supporting healthier and more active lifestyles. Increased use and footfall generated by residential development near waterways can often lead to increased liabilities for the Trust. It is important to be able to secure developer contributions to help maintain the canal infrastructure when it is impacted by development, to enhance quality and ease of access. The Staffordshire Moorlands Green Infrastructure Strategy (May 2018) supports the enhancement of walking routes along the canal network and creation/enhancement of linkages with wider walking and cycling networks. We therefore consider that the SPD should seek to support these aims by acknowledging that developer contributions could be sought for canal and towpath improvements. We consider that such contributions would satisfy the tests set out in the CIL regulations 2010 and Para 56 and 57 of the NPPF, necessary to make a development</p>	<p>Comments noted. The draft SPD includes a section on informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure.</p>

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			acceptable in planning terms; directly related to a development and fairly and reasonably related in scale and kind to the development.	
Mrs Wendy Bannerman	The British Horse Society	General comment	The British Horse Society is the UK's largest equestrian Charity, with over 117,000 members representing the UK's 3 million horse riders. Nationally equestrians have just 22% of the rights of way network and are increasingly forced to use busy roads to access them. Between 29.02.2020 and 28.02.2021 1,010 road incidents involving horses have been reported to The British Horse Society 46 horses have died 118 horses have been injured 130 people have been injured 45% of riders were victims to road rage or abuse 80% of incidents occurred because a vehicle passed by too closely to the horse 43% of incidents occurred because a vehicle passed by too quickly This illustrates the importance of protecting, improving and extending safe off-road provision will help to prevent these numbers from increasing in the future. Open Space, Sport and Recreation makes no reference to PRow and other multi-user paths with public access. The BHS would welcome further discussion and has detailed guidance on these crucial matters to ensure all users are included and developers meet requirements of the Equality Act 2010 and associated legislation. https://www.bhs.org.uk/advice-and-information/free-leaflets-and-advice .	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A

Table 5.8

Question 2d – Approach to Biodiversity

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support Noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The Council does not currently include any planning obligations under biodiversity and climate change but with the support of an updated IDP the Council aims to achieve at least 10% net gain in biodiversity when this cannot be secured via planning conditions. It is noted that the SPD could encourage these measures in advance of them becoming a statutory requirement in 2023 however there is no current policy basis in the adopted development plan to justify this being added to the SPD. Furthermore, the Environment Act mandates Biodiversity Net Gain and therefore there is no requirement for this to be added into the SPD. As this will require a deemed planning condition, the requirement for this to be added as a planning obligation in the SPD is unclear. We are unclear on the justification behind this approach as the Local Plan does not include this policy and therefore cannot be applied prior to 2023 when it becomes a statutory requirement through the Environment Act.	Comments noted. The requirements of the Environment Act will be implemented as mandatory in winter 2023 however the draft SPD states that the Council will work with developers to proactively encourage that appropriate contributions are sought for Biodiversity Net Gain in advance of the 2023 date.
James Chadwick	Staffordshire County Council	General comment	It is noted that the SPD makes reference to the SPD including measure to ensure that there is provision made to secure developer contributions for biodiversity net gain where it is not possible to deliver these through development design or planning conditions. It is suggested that liaison with the County Ecologist would be prudent to understand whether there would	Comments noted. The draft SPD sets out the Council's approach to biodiversity and green infrastructure. It states that the Council will continue to work with key stakeholders to strengthen ecological networks and corridors of biodiversity value. New evidence will also inform biodiversity net gain.

Developer Contributions SPD Consultation Statement

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			<p>be any linkage to Local Nature Recovery Strategies, which we are awaiting guidance from DEFRA on implementation and confirmation of the responsible authority.</p> <p>Reference should be made to the Environment Policies within the Neighbourhood Plan. Contributions should be spent within the Town/ Parish boundaries.</p>	
Mrs Sarah Haydon	Biddulph Town Council	General comment		Comments noted. The draft SPD refers to the Biddulph Neighbourhood Plan.
Mr Ian Dickinson	Canal & River Trust	General comment	<p>(summary) The canal network and Ruyard Lake both provide important wildlife habitats and support a wide range of biodiversity and form part of the wider green infrastructure network, with the canal network forming a green corridor connecting numerous wildlife habitats. Both the canals and Ruyard Lake are acknowledged in the Staffordshire Moorlands Green Infrastructure Strategy and therefore it is considered that developer contributions towards maintaining and enhancing its role as a green infrastructure corridor would be justified and capable of meeting the relevant tests. The Trust supports the inclusion of provisions within the SPD to allow Developer Contributions to be secured for the delivery of Biodiversity Net Gain (BNG) and considers that the canal network and Ruyard Lake both have a potential role to play in providing opportunities for providing off-site BNG funded through developer contributions.</p>	Comments noted. The requirements of the Environment Act will be implemented as mandatory in winter 2023 however the draft SPD states that the Council will work with developers to proactively encourage that appropriate contributions are sought for Biodiversity Net Gain in advance of the 2023 date.
Ms K Dewey	Staffordshire Wildlife Trust	General comment	<p>Thank you for consulting us on this document. We are not able to comment in detail at this time, but would welcome further discussions with the Forward Planning team regarding the final SPD. We support the proposed option to include a requirement within the SPD for at least 10% net gain in biodiversity where these cannot be secured via planning conditions. Consideration could also be given to requiring a higher percentage in certain key areas, identified through Nature Recovery Network</p>	Comments noted. The draft SPD sets out the Council's approach to biodiversity and green infrastructure. It states that the Council will continue to work with key stakeholders to strengthen ecological networks and corridors of biodiversity value. New evidence will also inform biodiversity net gain.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			mapping, for example degraded landscapes linking high-value sites. This might be dealt with through the planned Biodiversity Strategy; the current SPD should allow for future policy detail. Thought will need to be given to which developments this will apply to, and how any off-site offsetting could be directed towards green infrastructure and biodiversity projects. Some projects within the Green Infrastructure Strategy would need to be developed further and costed, and/or a figure for monetary contributions per biodiversity unit determined. Particularly, a baseline for council-owned land in terms of biodiversity net gain should be an aim. Setting up a register of biodiversity net gain sites, and an accounting system would be helpful in readiness for mandatory net gain, as well as resourcing staff and training. A 'call for sites' for biodiversity mitigation sites would also be a useful undertaking. We would value further discussions on how biodiversity can be dealt with in this SPD.	
Phil Murphy	Staffordshire and Stoke CCG	General comment	The approach to 10% net gain in advance of national requirements is understood but where developers can evidence no net loss on site and can demonstrably mitigate for any unavoidable losses on site but not necessarily achieve 10% gain within the spatial constraints of the site, this uplift should not then be prioritised (by way of commuted sums) at the expense of other infrastructural requirements during this period.	Comments noted. The requirements of the Environment Act will be implemented as mandatory in winter 2023 however the draft SPD states that the Council will work with developers to proactively encourage that appropriate contributions are sought for Biodiversity Net Gain in advance of the 2023 date.
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.9

Question 2e – Approach to Climate Change

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	As the responsible body for the Fire and Rescue Service, we particularly support the emphasis on flood risk mitigation given the increasing proportion of time which the service spends responding to flooding incidents.	Support noted.
James Chadwick	Staffordshire County Council	Agree	We support the principle of including measures within the SPD to ensure a greater level of climate resilience. The options presented include areas for which the County Council has responsibility and a role in our capacity as Lead Local Flood Authority and Highway Authority. We are willing to assist in preparation of this section of the SPD or to provide feedback/comment on any draft wording.	Comments noted.
Mrs Sarah Haydon	Biddulph Town Council	Agree	Electric Vehicle Charging points should be included within the design of all developments, not just major developments.	Comments noted. The draft SPD refers to Electric Vehicle Charging points and Part S of the Building Regulations that came into force on the 15th June 2022.
Phil Murphy	Staffordshire and Stoke CCG	Agree	(None)	Support noted
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) The Issues and Options paper states that although there is no direct reference to developer contributions within the Local Plan policy, there is an opportunity to underpin the policy requirements with additional detail and specific comments that can be provided within a S106 agreement. The viability of providing the wide range of proposed options would need to be assessed to ensure that development can still come forward despite the additional contributions. Our client (Bloor Homes) would like to be consulted again on this matter once a clearer approach is outlined. There is no reference to developer contributions for climate change within Local Plan policy and therefore no basis for these planning obligations to be secured.	Comments noted. The draft SPD sets out the Councils approach in a section relating to climate change.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Mr Ian Dickinson	Canal & River Trust	General comment	(summary) The proposed options identified for supporting measures to minimizing the effects of climate change include the provision of walking and cycling links in order to promote more sustainable travel modes. The canal towpath provides a valuable element although it often requires improvement to ensure suitability for year-round use, particularly by cyclists. The SPD should consider the role towpath can play in this respect and the potential need for improvements to ensure it can properly fulfil this role. Again we consider that developer contributions for such improvements would be capable of meeting the relevant tests (CIL regulations 2010 & NPPF paras 56 and 57).	Comments noted. The draft SPD includes a section on informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure.
Mrs Wendy Bannerman	The British Horse Society	General comment	3.27 refers to 'provision of cycling and walking links' without inclusion of other vulnerable road users, including equestrians. Active travel does include equestrians. Jesse Norman in House of Commons debate on Road Safety, 5 November 2018: 'We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders'. For the reasons given in the response to c. Open space, sport and recreation shared routes for all vulnerable road users should be provided for in development plans.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.10

Question 2f – Approach to Health

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	This section should reference Healthy and Safe Communities as per NPPF. As such, we strongly believe that policing and fire infrastructure should be included in the approach. This definition is currently in debate nationally in the context of planning reform. It does not simply relate to police buildings but also the vehicles, technology and operational equipment that are essential to deliver policing services to an expanding local population.	Comments noted. Planning obligations should only be used to secure infrastructure where they are compliant with the CIL regulations. The draft SPD allows for consideration of other infrastructure not specifically required by the Local Plan but reasonably requested by an infrastructure provider / consultee.
Phil Murphy	Staffordshire and Stoke CCG	Agree	The need to work collaboratively and feed into strategic estates plan is agreed. It is suggested that the trigger for consultation on cases is as follows with a recognised address for consultations moving forward as follows: Planning@staffsstockccgs.nhs.uk . Applicable Policy and Guidance: - National Planning Policy Framework 2021 (NPPF) - Planning Practice Guidance (PPG) - Healthy and Safe Communities - Relevant development plan documents for each LPA and associated policy - Health Building Note 11-01: Facilities for primary and community care services. Type of infrastructure contribution may be required to support: - Construction costs for additional facilities/extensions, adaptations, or alterations including all fees, charges and VAT where applicable - New health facilities (these may be co-located with other health or social care providers). Trigger for consultation: - Residential - 10 dwellings or more - Applications for the development of concentrated/multi-tenant housing such as residential care homes, nursing homes, sheltered housing or student accommodation (these will be assessed for their impact on the local healthcare functions on a case-by-case basis). Form of contributions: - Capital monies to provide new or enhanced facilities - Land or buildings may also form all or part of the contribution - All on-costs associated with the above. Calculation of costs: The calculation showing the likely impact of the new	Comments noted. The draft SPD includes a section on health infrastructure and when S106 contributions may be required.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			<p>population in terms of the number of additional consultations is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services and this will be the primary method for calculating developer contributions. Primary contact for consultations Planning@staffsstokeyccgs.nhs.uk</p>	
Mrs Sarah Haydon	Biddulph Town Council	General comment	<p>Health and wellbeing outcomes can also be improved through investment in community facilities. This should form part of the consideration here. Contributions should be spent within the Town/ Parish boundaries.</p>	<p>The draft SPD includes sections on sport and recreation and health and community facilities.</p>
Mrs Wendy Bannerman	The British Horse Society	General comment	<p>Much of the research relating to active travel acknowledges that walking and cycling are beneficial leisure activities, not primarily commuting methods (Menai et al, 2015; Mouratidis, 2019, etc). Equestrian leisure activity also has health benefits: 'Horse riding induces physiologically positive effects such as muscle strength, balance and psychologically positive changes' (Sung et al, 2015). According to BETA two-thirds of equestrians are women and Church et al (2010) found 37% of women who are horse riders are over 45 years of age and over a third would pursue no other physical activity. The therapeutic and physical benefits of horse riding and carriage driving have been proven for people with disabilities (Favali and Milton, 2010).</p>	<p>Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.</p>
Emery Planning on behalf of client	Bloor Homes	General comment	<p>Presently, the Council have no set policy for negotiating developer contributions towards health, but the NHS / Clinical Commissioning Group (CCG) are consulted during the planning application stage. The SPD is to include a section on the provision of health to refine this process and the Council will continue to work collaboratively with the NHS/CCG to support the use of developer contributions. Our client (Bloor Homes) reserves their position on this matter until further details are provided in relation to options and costs.</p>	<p>Comments noted. Policy SS1 – Development Principles, outlines the requirement to provide necessary local services including healthcare. The draft SPD includes a section on health and set out the Council's approach to developer contributions.</p>

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A

Table 5.11

Question 2g – Approach to Training and Employment

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) This will involve meeting specific needs identified locally which would be managed through a Training and Employment Management Plan. However, it should be noted that this could cause some harm to the viability of achieving development in some locations. If there aren't the required skills in certain areas, this will lead to a delay in development which could have a positive impact on the surrounding local area. Furthermore, there is no policy basis to enable the request of developer contributions for training and employment.	Comments noted. Local Plan Policy E1 states the Council will, where appropriate, seek to enter into agreements with developers and employers to contribute towards training programmes and employment support and employment access schemes. The draft SPD includes a section on training and employment.
Mrs Sarah Haydon	Biddulph Town Council	General comment	Contributions should be spent within the Town/ Parish boundaries.	Comments noted.
James Chadwick	Staffordshire County Council	Agree	We support the recommendation that the SPD includes coverage for Employment and Training. Elsewhere in the County S106 has been used to secure Employment and Skills Plans and contributions to training and job brokerage schemes. We are preparing a Framework Employment and Skills Plan document that should help developers in the preparation of their own Plans. It is suggested that liaison with our Head of Employability Skills, would be useful to discuss our experience elsewhere in the County with such matters, the work we are presently undertaking in this arena and what role SCC could play moving forward.	Support noted and comments have been reflected in the draft SPD which refers to the Framework Employment and Skills Plan and the additional support offered by Staffordshire County Council.
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Mrs Wendy Bannerman	The British Horse Society	No comment	(None)	N/A
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(none)	N/A

Table 5.12

Question 2h – Approach to Highways

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Ralph Butler	Staffordshire Police, Fire and Crime Commissioner	Agree	(None)	Support noted.
Mrs Wendy Bannerman	The British Horse Society	General comment	As previously stated, sustainable and active travel is not limited to walking and cycling. Horse riding is included in the Active Travel definition. Jesse Norman MP, Parliamentary Under Secretary of State for Transport in a House of Commons debate on Road Safety, 5 November 2018 (1) stated: "We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders..... Horse riders are vulnerable road users - there is no doubt about that, and there never has been - and they have been included in the work we are doing". □ Developers should reduce reliance on increasingly busy roads by improving and extending the off road network of bridleways, byways and multi-user routes and providing for safe connectivity through Pegasus crossings (light controlled crossings accessible to equestrians, pedestrians, cyclists, wheelchair users and mobility scooter users), under and overpasses.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
Mr David Pyner	Highways England	General comment	National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is the role of National Highways to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to Staffordshire Moorlands District, our principal interest is safeguarding the operation of the A50 trunk road, which routes through the southern part of the	The comments are noted and have been reflected in the Transport Infrastructure section of the draft SPD.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			<p>District between Blythe Bridge and Uttoxeter. National Highways most recent involvement in the Staffordshire Moorlands Local Plan was in October 2019 through review of the main modifications to the Submission Version. We noted the changes to the scale of housing and employment growth proposed for the District, and recommended early engagement with site promoters to consider development impacts on the A50 and advised that the updated growth aspirations be reflected in the forthcoming transport analysis. As stated within the Paper under the heading of Transport and Accessibility, National Highways support the proposal that developments which generate significant demand for travel or are likely to have significant transport implications will be required to contribute towards transport infrastructure. Historically National Highways has developed, along with the support of the relevant local planning and highway authorities, developer contribution schemes for highway infrastructure required to mitigate the cumulative traffic impacts generated by the local authority's allocated sites. As agreed by all parties and developers, a fair and proportionate cost is to be provided towards highway infrastructure, and this is calculated through the following approach for each location/junction where mitigation is required: 1. Determine the cost of each mitigation scheme required at each location to accommodate the cumulative traffic demands from the Local Plan's growth aspirations. 2. Determine each specific development site's traffic impact on each junction as a proportion of all developments' cumulative traffic impact on each junction. 3. Multiply the cost of improvement at each junction by each development's proportionate impact. More details can be provided on National Highways historic and ongoing developer contribution schemes to support Staffordshire Moorlands District Council in the development of a fair and proportionate developer contribution strategy towards</p>	

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			highway mitigation. We have no further comments to provide at this stage and trust that the above is helpful in the development of the Developer Contribution SPD.	
Mrs Sarah Haydon	Biddulph Town Council	General comment	Please refer to the Neighbourhood Plan and the sections on infrastructure.	Comments noted. The draft SPD refers to the emerging Biddulph Neighbourhood Plan.
Mrs Julie Turner	Staffordshire Moorlands Bridleways Group	General comment	Staffordshire Moorlands Bridleways Group (which is affiliated to the British Horse Society) wish the following comments to be taken into consideration regarding developer contributions: Only 3% of public rights of way in Staffordshire Moorlands District are available for use by horse riders, compared to a national average of 22%. The low level of off-road routes available for ridden and driven horses within the Staffordshire Moorlands is acknowledged in Staffordshire County Council's Rights of Way Improvement Plan. Staffordshire Moorlands Bridleways Group asks that consideration be given to developers providing bridleways within large developments, or alternatively, providing bridleways in the local vicinity, particularly where a new bridleway would link with existing bridleways and/or create circular routes. Walkers, cyclists and horse riders can all legally use bridleways so a wide variety of users will benefit. Staffordshire Moorlands District has a higher than average proportion of heavy good vehicles using highways, in view of the number of quarries and associated industries. Also - the roads leading to Alton Towers carry a large amount of traffic and as many visiting drivers are from urban areas they are not used to safe driving methods when passing horses. The provision of additional bridleways will increase the safety of both horse riders and cyclists that currently have to use the ordinary roads.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
James Chadwick	Staffordshire County Council	General comment	The Options paper does not appear to make any specific recommendations in relation to Transport and Accessibility. Paragraphs 3.37-3.39 are factually correct and we will seek to	Comments noted. The draft SPD includes a section on transport infrastructure which includes sustainable travel.

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
			secure S106 contributions towards transport infrastructure improvements and/or to promote sustainable travel where necessary. At this point it is unclear what content the SPD may contain in relation to Transport and Accessibility but we will happily work with you or review any draft text as you prepare the final version of the SPD.	
Ms Louise Eyre	Cheddleton Parish Council	No comment	(None)	N/A
Emery Planning on behalf of client	Bloor Homes	No comment	(None)	N/A
Phil Murphy	Staffordshire and Stoke CCG	No comment	(None)	N/A

Table 5.13

Question 2i – Approach to Education

Consultee Name	Organisation	Agree/ Disagree/ Other	Consultee Comments	Council Response
Emery Planning on behalf of client	Bloor Homes	Disagree	(Summary) It is noted that the SPD will not set out the County Council's Education infrastructure contributions policy but instead applicants will be sign-posted where to refer to this separately. It is important to note our concerns in relation to how contributions are calculated under the Staffordshire Education Infrastructure Contributions Policy. The costs per pupil place have increased significantly. We do not consider that the updated figures are justified and they appear to be much higher than the figures being applied in other local authority areas. It is also not clear how this sits with the viability work which underpins the adopted Local Plan. This is displayed in the Education Contributions Request Note prepared by EFM for Land at Froghall Road, Cheadle. The sum requested by Staffordshire County Council cannot be considered to be CIL compliant in terms of being 'fairly and reasonably related in scale and kind to the development'. This is supported by a National Benchmarking exercise and an average taken from other local authorities displaying a significantly lower contribution cost than that under the Staffordshire Education Infrastructure Contributions Policy.	The draft SPD will direct applicants to the County Council's published Education Infrastructure Contributions Policy so that the most up to date version can be accessed. Staffordshire County Council as the Local Education Authority sets out the context and calculations for collecting contributions and developers are advised to contact the pre-application advice service for further information.
James Chadwick	Staffordshire County Council	Agree	We agree with the proposed approach that the SPD will direct applicants to refer to the County Council's published Education Infrastructure Contributions Policy separately.	Support noted.

Table 5.14

Question 3 – Other areas you consider the SPD should cover?

Consultee Name	Organisation	Consultee Comments	Council Response
Emey Planning on behalf of client	Bloor Homes	<p>(summary) Bloor Homes Ltd welcome the preparation of the SPD to provide clarity on how planning obligations will be sought and how contributions will be utilised. However - Would like further clarification as to why many of the matters are not being dealt with through CIL Regulations. - Not possible to comment on many of the matters addressed within the Issues and Options paper until further details of costs and options are brought forward. - Wish to be consulted throughout the drafting of the SPD when issues surrounding the lack of clarity and connections to the policy basis have been clarified.</p>	<p>Comments noted. CIL is soon to be replaced by a new single infrastructure levy. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place. The draft SPD will be subject to consultation.</p>
Mr Sam Pierce	Persimmon Homes (North West)	<p>(summary) Thank you for providing Persimmon Homes (North West) Ltd with the opportunity to make comments. Persimmon has significant recent experience of delivering new homes within Cheshire. It is considered important that the Council seek the views of the development industry in the plan-making process, particularly when seeking to introduce new planning policies or obligations which may impact development viability and the Councils ability to achieve its housing requirement. Persimmon Homes does have some procedural concerns as to how the updated SPD is being introduced. The PPG continues that it is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination [23b-004-20190901]. The Company is concerned that in proposing to introduce revised planning obligations and possible further financial burden on housing development through the SPD, which has not been subject to the level of scrutiny afforded by the examination process, full consideration has not been given to the impact on scheme viability and developers ability to bring developments forward viably to meet identified housing needs. The Company consider that any new or additional planning obligations should be considered as part of a future Local Plan review and subject to full viability appraisal. Use of Planning Obligations Notwithstanding the above, as set out at paragraph 1.9 and 2.7 of the SPD, the National Planning Policy Framework [the Framework] sets out that planning obligations should only be used where it is not</p>	<p>Comments noted. The Staffordshire Moorlands Local Plan was prepared under the transitional arrangements set out in para 2.14 of the 2019 Framework which states that the policies in the previous Framework published in 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019.</p> <p>The draft SPD sets out the current legislative framework and states that developer contributions should only be used where it isn't possible to address the unacceptable impacts of development through planning conditions or other statutory controls.</p> <p>The draft SPD states that there may be circumstances where the benefits of development are considered by the Council to outweigh policy compliant obligations. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions is provided in the draft SPD. This will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council Strategies.</p> <p>The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where:</p>

Consultee Name	Organisation	Consultee Comments	Council Response
Mr Ian Dickinson	Canal & River Trust	<p>possible to address unacceptable impacts arising from a development through a planning condition. Planning Practice Guidance [PPG] is clear that planning obligations may only constitute a reason for granting planning permission if they "meet the tests that they are necessary to make the development acceptable in planning terms. They must be: i. Necessary to make the development acceptable in planning terms; i. Directly related to the development; and i. Fairly and reasonably related in scale and kind to the development. As per the Framework and PPG, the use of planning obligations should only be considered if it not possible to address an unacceptable impact via planning conditions; it should be a pre-requisite that the Council ensure and provide appropriate justification as part of the pre-application/decision-making process that a contributions is justified and can't otherwise be dealt with via condition, and meets the necessary tests set out in regulation 122 of CIL.</p> <p>(summary) The Canal & River Trust is owner, operator and Navigation Authority for some 17km of the Caldon Canal and 4km of the Leek Branch of the Caldon Canal. We also own and operate Rudyard Lake which is a reservoir providing a water supply for the Caldon Canal. Our waterways contribute to the health and wellbeing of local communities and as a historic, natural and cultural asset form part of the green-blue infrastructure network. Inland waterways can help to stimulate regional, sub-regional and local economies. The canals in Staffordshire Moorlands, and particularly Rudyard Lake provide attraction that also contribute to the local tourist and visitor economy. Canal towpaths offer a sustainable, traffic-free route for walkers and cyclists and also encourage healthier lifestyles and improve the overall health and wellbeing of local communities. As such they contribute significantly towards achieving a number of policy objectives. It is important to ensure that potentially harmful impacts on the Trust's assets and infrastructure from new developments are avoided or mitigated. Impacts can arise from increased numbers of people using the canal and towpath network which often necessitates improvements to towpath surfaces to cope with increased footfall and/or alterations to access points to facilitate easier use by people with differing levels of mobility. The Trust therefore considers that an up-to-date SPD on Developer Contributions will be beneficial in ensuring that there is a</p>	<ul style="list-style-type: none"> the sum to be paid fairly and reasonably relates in scale and kind to the development; and the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development
			<p>Comments noted. The draft SPD includes a section on informal recreation and that developer contributions may be secured where new development impacts on canal infrastructure.</p>

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>clear and consistent approach to securing appropriate contributions to mitigate the impact of development where existing infrastructure is inadequate to meet the demands generated by it. In order to ensure that harmful impacts on our assets and infrastructure can be mitigated we consider that it is important that the SPD acknowledges the multi-functional roles that waterways can play and supports the principle of seeking appropriate contributions to support these roles where relevant to new developments. This will enable them to contribute more fully to the health and well-being of communities through benefits such as biodiversity, conservation and recreation.</p>	
Mr Richard Goodall		<p>From sustainable travel to better sports areas have to be high-lighted which all part of essential infrastructure for communities. Are building projects committed to this mantra consistently or only when it is convenient. At Forsbrook Village Hall better sporting area and changing rooms have been funded, but you must remember the loss of part of Blythe Bridge High School playing field for development to balance the difference. Developer contributions require more research and fairer opportunity for small, medium and large building projects to produce the desirable infrastructure that people want.</p>	<p>Comments noted. The main purpose of the draft SPD is to set out the Council's approach to the use of S106 agreements used to secure developer contributions from new developments. It outlines the mechanisms for securing developer contributions, explains what is expected of applicants and what the applicant can expect from the Council in relation to securing S106 planning agreements. It also will ensure that the process is fair, transparent and applied consistently.</p>
Mr Phil Darby		<p>After years of fighting off the proposed development of housing on Green Beit farmland between Folly Lane and Rock End we are now informed that SMDC are once more considering going against the wishes of residents and general public to grant the building of houses on this land. All of the reasons for the previous refusal of permission still apply and you must surely understand that there will be enormous objection to any further proposal as well as to the plans to increase the size (and associated problems) of the AP Proteins site. It would appear that SMDC have little or no regard for Council Tax Paying residents but are very supportive of Building Developers and large Commercial concerns whose ultimate goals are simply increased profits for themselves. Listen to the people you are supposed to serve.</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.</p>
Charles David Bode		<p>Ball Have Green playing field. It is several years since Ball Have Green FC were evicted from their base ground behind Ball Have Green Workingmans Club. Since that time their facilities which took</p>	<p>The draft SPD sets out the Council's approach for qualifying residential development to make provision or a contribution towards provision of open space, sports and recreation facilities which are</p>

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>many dedicated manhours and labour to achieve have being trashed. I understand that the initial planning application was rejected on various issues, and as the (community asset) status on the ground will soon be lifted, what happens next.? I ask this question in light of conflicting government guidance a) a need for more affordable housing b) a dire need for playing field space and community involvement in sport. I have witnessed in my 70 years involvement with BHGFC a dramatic depletion of community involvement in local football. Most of this stems from the schools who have sold off playing fields and have replaced football, cricket etc with other subjects etc. We have lost 90% of our local community involvement in football already, and the loss of this Ball Haye Green facility is certainly bringing local football involvement nearer to extinction. We need strong leadership from our local council to save this facility and help to turn things around, and quickly! I know the government are advising Staffs Moorlands Council to save these facilities, what is the delay?</p>	<p>necessary and reasonably related in form and scale in accordance with the recommendations set out in the various open space, sport and recreation studies. It does not propose land for development or refer to specific sites.</p>
Adele Metcalfe	Community Policy Planner Peak District National Park Authority	I confirm that the PDNP has no comments with regards to this.	Comments noted.
Ms Anita Williams		I see from your plans once again that we are in the same stage again after these plans have been turned down. What has changed! What a waste of time and ratepayers money.	The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.
James Aberley		In response to the issues and options for the developer contributions SPD. I think the important thing is from the public's perception the whole scheme isn't abused. In that, developers who promise to deliver some community benefit either financial or provision of facilities etc, should be asked to lodge the money for that up front with SMDC so that they can't just back out of it later and scale down the requirements which seems to happen in the majority of cases. Same goes for affordable housing, if a certain % of a scheme is designated for that,	Comments noted. The main purpose of the draft SPD is to set out the Council's approach to the use of S106 agreements used to secure developer contributions from new developments. It outlines the mechanisms for securing developer contributions, explains what is expected of applicants and what the applicant can expect from the Council in relation to securing S106 planning agreements. It also will ensure that the process is fair, transparent and applied consistently.

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Consultee Name	Organisation	Consultee Comments	Council Response
Kezia Taylerson		<p>then they should build in contingency money to make sure that they can actually achieve that up front rather than change it later as it gives SMDC planning a bad name!</p> <p>Many thanks for consulting Historic England on the above consultation. We have limited comments to raise on this consultation and we look forward to working with the Council as they develop their Local Plan documents. We would request the inclusion of heritage as a form of infrastructure that could benefit from planning obligations, including but not exhaustive to, opportunities to better reveal the significance of heritage assets through public realm works, public art and interpretation, improved walking and cycleways which create better access and appreciation of heritage, improvement works in conservation areas, heritage at risk works etc. This could link to your Local Plan Spatial Objective 8 which seeks enhancement opportunities for heritage and Local Plan Policy DC2 Historic Environment. We are happy to liaise with you to discuss appropriate wording. If you have any questions on how Historic England can engage in the preparation of local plan documents, please contact us.</p>	<p>Comments noted. The draft SPD includes a section on heritage which sets out where developer contributions may be sought.</p>
Ms Melanie Lindsley	The Coal Authority	<p>Our records indicate that within the Staffordshire Moorlands area there recorded coal mining features present at surface and shallow depth including; mine entries, recorded workings and mine gas sites. These features pose a potential risk to surface stability and public safety. The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource. It is noted that this current consultation relates to a Developer Contributions SPD (Issues and Options) and I can confirm that the Planning team at the Coal Authority has no specific comments to make on this document.</p>	<p>Comments noted.</p>

Consultee Name	Organisation	Consultee Comments	Council Response
Ms Louise Eyre	Cheddleton Parish Council	Parish Council discussed the SPD and do approve of the document as this does tighten certain loop holes in areas of climate change and viability for affordable housing so support this being implemented.	Support noted.
	Severn Trent	Thank you for the opportunity to comment on your consultation, we do not currently have any specific comments to make on your plan. Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice. (Summary) A position statement states that where more detail is provided on site allocations Severn Trent will provide specific comments. Some general guidelines and relevant policy wording is provided for the following: Wastewater Strategy Surface Water Sustainable Drainage Systems (SuDS) Blue Green Infrastructure Water Quality and Resources Water Quality; and Developer Enquiries.	Comments noted.
Mrs Wendy Bannerman	The British Horse Society	The Staffordshire ROWIP states that "There are many existing longstanding problems due to past development not accommodating or severing the path network. The emphasis is on ensuring that such events do not recur by improving the availability of rights of way information and communication with potential developers and local planning authorities. New development plans provide opportunities to improve and extend the network for the shared enjoyment of equestrians, cyclists and pedestrians. DEFRA has recorded a population of 9,775 horses just in the immediate postcode areas of the Staffordshire Moorlands district (2021). BETA (2021) data shows that each horse owned equates to a contribution of £5,548 to the economy giving a total of £354,231,700 per annum. Resources to manage a well-used and growing off-road network are needed. The Rights of Way and Definitive Map services within Derbyshire are limited which could lead to delays in maintenance, enforcement and determination of routes and off-road provision which is not recorded on the Definitive Map such as greenways and multi-user routes will require resources additionally.	Comments noted. The draft SPD refers to informal recreation opportunities and improved linkages in order to encourage walking, cycling and horse riding.
	Natural England	While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major effects on the natural environment, but may nonetheless have some	Comments noted. The draft developer contributions SPD sets out the Council's approach to Green Infrastructure and Biodiversity. The Council has also undertaken a SEA Screening Assessment

Developer Contributions SPD Consultation Statement

Consultee Name	Organisation	Consultee Comments	Council Response
		<p>effects. We therefore do not wish to provide specific comments, but advise you to consider the following issues (summary): Green Infrastructure - SPD could consider making provision for Green Infrastructure (GI) within development which should be in-line with the GI strategy. The PPG provides more detail on GI. It is one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities. Sets out examples of ways to retrofit green infrastructure in urban environments. Biodiversity enhancement - This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. Landscape enhancement - The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community. SEA - SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	<p>which concludes that significant effects on the environment are unlikely to occur and therefore further assessment is not required to be undertaken. Natural England as one of the SEA bodies has been consulted.</p>
Dr Simon Elsdon		<p>With the best will in the world it is impossible to pick up any sense of what specifically we are being asked to comment on. Endless sections and subsections spread across a bewildering number of documents feels like tick boxing for central government and/or way of sneaking plans past us</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.</p>

Consultee Name	Organisation	Consultee Comments	Council Response
Mr John Williams		<p>(Summary) Unconvinced about the need for the document which is being prepared by consultants. The document is difficult to work through due to the many parts that make up the report. It is similar to a document which was produced in 2015. Response refers to a Cheddleton Appraisal Matrix and land identified by CD002-3 which is located in the Green Belt. Staffordshire Moorlands Council Members have previously rejected proposals on this site. The Planning Department seems intent in pursuing the need for development on this land. It is considered that the Council should not be spending money on report and guidance which are inappropriate and subjective.</p>	<p>The Issues and Options document is a technical paper regarding developer contributions. The responses to the consultation have been used to inform a draft Developer Contributions SPD. It does not propose sites or land for development.</p>

Table 5.15

Appendix 3 - Draft SPD Consultees

Appendix 3 - Draft SPD Consultees

List of Consultees

Organisations

Organisation	Organisation
Alstonefield Parish Council	Leek Sports Council
Alton Parish Council	Leek Town Council
Alton Towers Resort Operations Ltd	Leekfrith Parish Council
Aspire Housing Association	Leigh Parish Council
Associate Director nineteen47	Longnor Parish Council
Avison Young Ltd	Longsdon Parish Council
Aviva Investors	M J Barrett Developments
Bagnall Parish Council	Mancunian Mercantile Investments Limited
Barratt Homes	Marine Management Organisation
Barton Consortium	Mayfield Parish Council
Bellway Homes Ltd	Michael Green Planning Services
Biddulph CAB	Mono Consultants
Biddulph East Community Association	Moorland and City Railways Ltd
Biddulph High School	Mounsey Surveyors
Biddulph Methodist Church	National Federation of Gypsy Liason Groups
Biddulph Town Council	National Gas Transmission
Biddulph Town Council	National Grid
Bloor Homes	National Grid Gas - Distribution Network
Blore With Swinscoe Parish Meeting	National Trust
Bosley Parish Council	National Trust
Bradnop Parish Council	Natural England
British Telecommunications PLC	Network Rail, Town Planning Team LNVW
Brown Edge Parish Council	Newbold Astbury-cum-Moreton Parish Council
Building Research Establishment	Newcastle under Lyme Borough Council
Butterton Parish Council	NFU
Buxton and Leek College	NHS England

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Organisation	Organisation
Cadent	North Staffordshire Divisional Police
Caldon & Uttoxeter Canals Trust	North Staffordshire railway company (1978) Limited
Canal & River Trust	North Staffs and Stoke on Trent CCG
Canal and River Trust	North Staffs CCG
Cannock Chase District Council	NPower
Capita Finance Leek	Oakamoor Parish Council
Caverswall Parish Council	Odd Rode Parish Council
Cheadle Town Council	Office of Rail and Road
Cheadle Unite	Okeover Parish Meeting
Checkley Parish Council	Onecote Parish Council
Cheddleton Parish Council	Peak District Local Nature Partnership
Cheshire East Council	Peak District National Park Authority
Cheshire East Council	Peak District Rural Housing Association
Churnet Valley Railway	Peaks and Plains Housing Trust
City Of Stoke On Trent Council	Pegasus Group
Civil Aviation Authority	Persimmon Homes (North West)
Community Health Partnerships	Persimmon Homes North West
Congleton Town Council	Plants Haulage
Consall Parish Council	Plus Dane Housing Group
Cotton Parish Council	Quarnford Parish Council
Council For British Archaeology	Renew Land Limited
CPRE Staffordshire	Renew Land Limited
CPRE Staffordshire	Richborough Estates
Croxden Parish Council	Road Haulage Association
CT Planning	Rob Duncan Planning Consultancy Ltd.
D And G Coaches	RSPB
Davera Properties	Rushton Parish Council
Dean Lewis Estates Limited	Salloway Property Consultants
Defence Infrastructure Organisation	Sammons Architectural Ltd

Organisation	Organisation
Denstone Parish Council	School Business Manager
Derbyshire County Council	School Organisation Team, Staffordshire County Council
Derbyshire County Council	Seabridge Developments
Derbyshire Dales District Council	Severn Trent
Derbyshire Gypsy Liaison Group	Severn Trent Water
Dilhorne Parish Council	Sheen Parish Council
Director Define	Skipton
Director Emery Planning	Snugg Homes
Director Turley	South Staffordshire Council
Draycott Parish Council	Sport England
East Staffordshire Borough Council	Sport England
EE	Stafford Borough Council
EE	Staffordshire and Stoke CCG
Emery Planning	Staffordshire Chambers of Commerce
Endon with Stanley Parish Council	Staffordshire County Council
Energy Networks Association	Staffordshire County Council
Entec UK Ltd	Staffordshire County Council
Entec UK Ltd	Staffordshire County Council
Environment Agency	Staffordshire County Council
Environment Agency	Staffordshire Fire & Rescue Service
Farley Parish Council	Staffordshire Moorlands Bridleways Group
Fawfieldhead Parish Council	Staffordshire Police
Fawfieldhead Parish Council	Staffordshire Police Estates
Forsbrook Parish Council	Staffordshire Police, Fire and Crime Commissioner
Foxfield Railway	Staffordshire Wildlife Trust
Friends Families & Travellers	Staffordshire Wildlife Trust
Fulford Parish Council	Stanton Parish Council
Gladman	Stoke-on-Trent and Staffordshire LEP
Gladman Developments LTD	Support Staffordshire

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Organisation	Organisation
Grindon Parish Council	Support Staffordshire (Staffordshire Moorlands)
Harris Lamb Limited	Tetlow King Planning
Hawksmoor Property Services Limited.	The British Horse Society
HBF	The Coal Authority
Heathylee Parish Council	The Crown Office
Heaton Parish Council	The Forestry Commission
Heine Planning	The Planning Inspectorate
Highways England	The Showmen's Guild Of Great Britain Midlands Branch
Highways England	The Theatres Trust
Highways England	The Traveller Movement
Hilderstone Parish Council	THREE
Historic England	Tittesworth Parish Council
Homes England	Trent Rivers Trust
Horton Parish Council	United Utilities Water Limited
Ilam Parish Council	Vodafone and O2
Inland Waterways Association	Warslow & Elkstones Parish Council
Ipstones Parish Council	Waterhouses Parish Council
J C Bamford Excavators Ltd	Werrington Parish Council
JMW Planning Ltd	West Midlands HARP Planning Consortium
KDR Developments	Western Power Distribution
Ken Wainman Associates Ltd	Western Power Distribution
Ken Wainman Associates Ltd	Wetton Parish Council
Kidsgrove Town Council	Willardwillard Ltd
Kingsley Parish Council	Wincle Parish Council
Knights plc	Woodland Trust
Leek And District Civic Society	Woodland Trust
Leek Chamber Of Trade And Commerce	Wootton Parish Council
Leek Cricket Club	Wrekin Housing Trust

Appendix 4 - Draft SPD Responses

Appendix 4 - Draft SPD Responses

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
Mr Jack Robinson	Severn Trent Water	Draft Developer Contributions Supplementary Planning Document (SPD)	Position Statement - As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments on the impacts of future developments and to provide advice regarding policy wording on other relevant areas such as water efficiency, Sustainable Drainage Systems (SuDS), biodiversity, and blue green infrastructure. Where more detail is provided on site allocations, we will provide specific comments on the suitability of the site with respect to the water and sewerage network. In the instances where there may be a concern over the capacity of the network, we may look to undertake modelling to better understand the potential risk. For most developments there is unlikely to be an issue connecting. However, where an issue is identified, we will look to discuss in further detail with the Local Planning Authority. Where there is sufficient confidence that a development will go ahead, we will look to complete any necessary improvements to provide additional capacity.	Comments noted. The draft SPD doesn't propose housing allocations but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development. Recommendation - No change.
Mr Goodall		Draft Developer Contributions Supplementary Planning Document (SPD)	Developer contributions are fundamentally based where suitability of potential building sites are found and created in the first case of councils choosing sites in their consultation process and then the follow up of developers creating a building project from aforesaid locations, whether both marry together is a different matter altogether with developers needing suitable sites with infrastructure available to off set the amount of contributions they have to spend to create harmony for themselves, the local council and local residents. A lot of sites chosen by Staffordshire Moorlands District Council are not viable which has meant fewer development sites being brought forward especially smaller and medium building projects. The infrastructure of so called suitable sites chosen by Staffordshire Moorlands District Council is lacking and therefore amenities	Advice on the prioritisation of contributions is included in paragraphs 3.11 to 3.14 of the draft SPD. S106 contributions should only be required where they are considered necessary in order to make the development acceptable in planning terms. The Council may decide to refuse the application if the developer cannot mitigate the impact of development. Recommendation - No change

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	Draft Developer Contributions Supplementary Planning Document (SPD)	<p>which developers pay contributions are extra expense on top of the cost of developing the actual building site.</p> <p>Tetlow King Planning (TKP) represents the West Midlands Housing Association Planning Consortium (WMHAPC) which includes leading Housing Associations across the West Midlands. Our clients' principal concern is to optimise the provision of affordable housing and to ensure the evolution and preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the West Midlands region. As significant developers and investors in local people, the WMHAPC is well placed to contribute to local plan objectives and act as long-term partners in the community. The preparation of a Developer Contributions Supplementary Planning Document ("SPD") is welcomed in order to provide further guidance on securing developer contributions across the authority, particularly the delivery of affordable housing. Section 4 of the SPD sets out 'Planning obligations guidance', including affordable housing.</p>	Support noted. Recommendation - No change.
Ms D Clarke	Network Rail, Town Planning Team LNVW	Draft Developer Contributions Supplementary Planning Document (SPD)	<p>(Summary) Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway. Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests will need to be carefully considered. The LPA's strategy for Developer Contributions should identify infrastructure needs in relation to the rail network, recognising opportunities for targeted investment. This is consistent with the guidance set out in the National Planning Policy Framework paragraphs 104 and 106. Network Rail is happy to work collaboratively with the LPA to identify opportunities for</p>	<p>Comments noted. The SPD (para 2.6) refers to PPG guidance which outlines the importance of identifying infrastructure that an authority intends to fund, the different sources of funding proposed and recording the information in an up to date Infrastructure Development Plan. Developer contributions will be assessed on a case-by-case basis using the information contained within the SPD and considering reasonable requests by infrastructure providers and/or consultees. Recommendation - No change.</p>

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Name	Organisation	Section/ Paragraph No	Comments	Officer Response
Consultation Service			investment, including identification of headline costs and how Developer Contributions should be harnessed to enable schemes' delivery.	
Consultation Service	Natural England	Draft Developer Contributions Supplementary Planning Document (SPD)	Natural England has no specific comments to make on this.	Comments noted. Recommendation - No change.
Ms Melanie Lindsley	The Coal Authority	Draft Developer Contributions Supplementary Planning Document (SPD)	It is noted that this current consultation relates to a Developer Contributions SPD and I can confirm that the Planning team at the Coal Authority has no specific comments to make on this document.	Comments noted. Recommendation - No change.
Mr Jack Robinson	Severn Trent Water	Draft Developer Contributions Supplementary Planning Document (SPD)	Developer Enquiries - When there is more detail available on site-specific developments, we encourage developers to get in contact with Severn Trent at an early stage in planning to ensure that there is sufficient time for a development site to be assessed and if network reinforcements are required that there is time to develop an appropriate scheme to address the issues. We therefore encourage developers to contact us, details of how to submit a Developer Enquiry can be found here - https://www.stwater.co.uk/building-and-developing/new-site-developments/developer-enquiries/	Comments noted. Recommendation - No change.
Tetlow King Planning on behalf of	West Midlands Housing Association	Draft Developer Contributions Supplementary Planning	The above comments are intended to be constructive, to ensure that the SPD offers fair and consistent guidance on Local Plan policies. We would like to be consulted on further stages of the above document and other publications by the Council, by email only (email provided) please ensure that the West Midlands	Comments noted. It is confirmed that organisation is on the Council's Planning Policy database. The SPD Regulations do not require a further round of consultation but state that a consultation statement should provide a summary of the main issues raised and how those issues have been addressed in

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
Mr David Elkington	Staffordshire Police	1.4	While acknowledging that paragraph 1.4 near the start of the document states the following, "The specific areas set out in this document are the most common types of developer contributions that are required; however, other infrastructure requirements not identified may also be considered necessary in certain circumstances where appropriate evidence is apparent, and to mitigate development impact. The Council will also work closely with delivery partners to plan for required public service infrastructure facilities (NPPF)", it would seem entirely appropriate for the equally important part that policing plays in promoting healthy and safe communities to be specifically recognised by its own concise section within the Developer Contributions SPD.	Comments noted. Local Plan Policy DC1 - Design Considerations and its supporting text refers to 'Secured by Design' guidance which provides guidance on issues of safety and public safety. Reference to this can be included in the SPD to provide further clarity. Recommendation - Add the following text to paragraph 4.35. The NPPF outlines the importance of promoting healthy and safe communities, stating that planning authorities should work with delivery partners to plan for required public service infrastructure facilities. Local Plan Policy DC1 sets out guidance for new developments which includes 'designing out crime' and healthy active environments.
Sarah Haydon	Biddulph Town Council	1.6	If you are going to list key stakeholders within this section, please don't forget the role of town/ parish councils in both determining priorities and delivering projects.	Agreed that this should be included. Recommendation - add "town/parish councils" to the list of stakeholders in paragraph 1.6.
Emery Planning on behalf of	Bloor Homes	1.7	To conclude, Bloor Homes welcome the preparation of the Staffordshire Moorlands Developer Contributions Supplementary Planning Document to provide clarity on how planning obligations will be sought and how contributions will be utilised. This representation provides comments on the draft SPD and notes a number of issues with the proposed document. It is noted that many of the matters which are addressed within the draft SPD could be dealt with through CIL Regulations and further clarification as to why this is not being utilised should be provided by the Council. Bloor Homes wish to be consulted throughout the drafting of the Developer Contributions SPD when issues surrounding the lack of clarity and connections to the policy basis have been clarified.	Comments noted. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place. The SPD Regulations do not require a further round of consultation but state that a consultation statement should provide a summary of the main issues raised and how those issues have been addressed in the SPD. This will be provided alongside the adopted SPD. Recommendation - No change.

Developer Contributions SPD Consultation Statement

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
Sarah Haydon	Biddulph Town Council	2.1	Happy with this- thank you. We also want to enhance/ improve green spaces, improving wildlife corridors.	Support noted. Recommendation - No change.
James Chadwick	Staffordshire County Council	2.11	Under the Local Planning Policy section please can reference be made in paragraph 2.11 to the Integrated Transport Strategy for Staffordshire Moorlands.	Agreed that this should be added. Recommendation - Add 'the Integrated Transport Strategy for Staffordshire Moorlands' to paragraph 2.11.
Consultation Service	Natural England	2.12	Natural England has no specific comments to make on this SEA screening assessment.	Comments noted. Recommendation - No change.
Sarah Haydon	Biddulph Town Council	3.2	Can town/ parish councils be involved with the planning officer at this stage, and later?	The parties involved at a pre-application stage will vary on a case-by-case basis, and the level of engagement will to be proportionate to the nature and scale of a proposed development. Town and parish councils will be consulted on relevant planning applications. Recommendation - No change.
Mr Philip Murphy	Staffordshire and Stoke-on-Trent ICB	3.9	Use of Tender Price Index in 106 agreements: The ICB would like to ensure that sums secured are linked to the BCIS Tender Price Index (TPI) as this effectively measures the movement in prices in tenders for building contracts (agreed between a client and contractor at the commit to construct stage) and allow for adjustment between different dates. The ONS have been clear in their view that the Retail Prices Index is not a good measure of inflation and discourage its use with CPI now the favoured measure. The construction industry don't use either RPI or CPI as construction costs fluctuate in a different way to general consumer prices as expected. The RICS set up the BCIS to track construction costs and allow a more accurate method of recording construction market costs and allow for predicting future increases. For definition purposes I would suggest the following is entered into any agreement at drafting stage: TPI - "The All In Construction Tender Price Index as published by the Building Cost Information Service"	Agree that BCIS Tender Price Index could be used for health care contributions. Recommendation - Amend the penultimate sentence of paragraph 3.9 as follows: "The preferred index that will be is currently used is the All Items Group (item reference CHAW) of the Retail Prices Index published by HM Government Office of National Statistics, <u>or for health care contributions the All In Construction Tender Price Index as published by the Building Cost Information Service (TPI)</u> . During any period when no such index exists, the index which replaces it or is the nearest equivalent will be used.
Emery Planning on behalf of	Bloor Homes	3.9	The draft SPD notes that the preferred index that will be used for financial contributions contained in a S106 is the All Items Group (item reference CHAW) of the Retail Prices Index (RPI)	Support noted. Recommendation - No change.

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
			<p>published by HM Government Office of National Statistics. Bloor Homes supports this approach and considers that RPI is the best measure regarding indexation. It is noted that for certain types of infrastructure there may be more bespoke information about costings and inflationary increases that is particularly relevant. In this case, the SPD states that if this information is available and supported by consultees then it could be used to support costing calculations. We support this aspect of the approach.</p>	
Mr Goodall		3.11	<p>What is the priority for developers when making contributions, a lot depends on the Council wish list in that vicinity, at the moment climate change is key with open space, green space [especially after Covid restrictions] and local amenities which can provide a balanced bio-diversity environment for the community. Also not to forget the necessity for developers to have the requisite affordable housing, first homes in line with the Local Plan in order contributions can realistically take effect.</p>	<p>Advice on the prioritisation of contributions is included in paragraphs 3.11 to 3.14 of the draft SPD. S106 contributions should only be required where they are considered necessary in order to make the development acceptable in planning terms. The Council may decide to refuse the application if the developer cannot mitigate the impact of development. Recommendation - No change</p>
Mr Goodall		3.11	<p>Staffordshire Moorlands 5 Year Housing Supply is falling short of target, with developers choosing different locations and areas if sites are not attractive enough to develop. Which approach do developers take to prioritisation of contributions considering the amount of money involved in a building site. Large projects normally mean houses with very little space between them virtually looking straight into neighbouring properties, quite literally in touching distance of one another creating no open space and green space which has to be found elsewhere, is this on the periphery of building project or on a neighbouring different location [more often than not this is the case]. The National Planning Policy includes affordable housing and supporting infrastructure of education, health, transport and digital infrastructure which developers should adhere to, but this is often neglected as chosen sites do not easily have the potential possibilities without extra expense involved.</p>	<p>Advice on the prioritisation of contributions is included in paragraphs 3.11 to 3.14 of the draft SPD. S106 contributions should only be required where they are considered necessary in order to make the development acceptable in planning terms. The Council may decide to refuse the application if the developer cannot mitigate the impact of development. Recommendation - No change.</p>

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
Mr Philip Murphy	Staffordshire and Stoke-on-Trent ICB	3.12	Can it be clarified within this prioritisation criteria what is classed as critical on and off-site infrastructure and what is classed as other? The document would suggest that 'other' would fall at the bottom end of the infrastructure scale in terms of importance. The reference to policy SS1 within the SPD would suggest that healthcare infrastructure is a form of critical infrastructure i.e. included within the first point in this prioritisation list but can this please be clarified.	Comments noted. Bullet one in paragraph 3.12 specifies examples of critical on and off-site infrastructure needed to achieve the development of the site such as highways and sewers/drainage. Paragraph 3.13 clarifies that contributions will be assessed using the framework specified in paragraph 3.12 however this is on a case by case basis and will also relate to priorities outlined in the Local Plan, Neighbourhood Plans, Corporate Plan and other supporting Council strategies which will be reflected in the Infrastructure Delivery Plan. Policy SS1 refers to delivering a wide range of infrastructure in partnership with other agencies and services which includes healthcare. It should be noted that S106 contributions should only be required where it is: necessary to make the development acceptable in planning terms; directly related to a development; and fairly and reasonably related in scale and kind to the development. Recommendation - No change.
Sarah Haydon	Biddulph Town Council	3.12	Could community facilities come in this list somewhere? E.g. enhancements to village halls, etc.	It is not considered appropriate to include all types of infrastructure in the list in paragraph 3.12. Paragraph 4.38 refers to 'community meeting spaces'. Recommendation - No change.
Emery Planning on behalf of	Bloor Homes	3.15	The draft SPD states that the applicant must demonstrate any particular circumstances to justify the need for viability assessment at application stage. It is noted that the Council will look to address any valid concerns by seeking other viability enhancements, such as deferring or phasing contribution payments to assist developers when necessary. By way of context, it should be noted that the circumstances in the SPD relating to viability being assessed assume that viability has been thoroughly tested as part of an up-to-date Local Plan. The Staffordshire Moorlands Local Plan and Site Allocations Viability Study was utilised as an assessment of the overall viability of development in the district, providing a viability framework within which to consider the proposed site allocations. It was found in the study that many of the sites were not viable, which has resulted in few development sites being brought forward in the Staffordshire Moorlands 5 Year Housing Land Supply. The	The adopted Local Plan was examined under transitional arrangements in the revised 2019 NPPF so that policies in the 2012 Framework applied. Viability of the plan and allocated sites were considered through the Local Plan and Site Allocations Viability Study. Policy SS12 of the adopted Local Plan sets out the position regarding planning obligations and that the developer contributions SPD will provide further guidance on how contributions will be calculated. Policy H3 states that the Council will consider a lower level of affordable housing provision taking into account the Local Plan and Site Allocations Viability Study, other up-to-date viability evidence and other contributions. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place. The draft SPD provides sections on the prioritisation of contributions and viability. This

Name	Organisation	Section/ Paragraph No	Comments	Officer Response
			<p>Developer Contributions SPD should ensure that the proposed options for planning obligations are viable and ensure that development that is required to meet local needs can take place. It is therefore critical that the Council does not pursue contributions through the SPD and Section 106 obligations which are out of step with the level of contributions tested at the Local Plan stage. Furthermore, it is noted that the Council do not intend to utilise the Community Infrastructure Levy Regulations (CIL) to secure Developer Contributions. Further clarification is required as to why the developer contributions detailed cannot be provided through CIL and need to be dealt with separately. This would be an appropriate forum for viability to be properly considered at a plan wide level, if the Council considers that development can support contributions at a higher level than accounted for in the Local Plan viability work. In relation to the approach to viability being assessed, the SPD states that to substantiate a claim, the Council will require the applicant to appoint an independent assessor on behalf of the Council and the applicant together who will carry out a full financial appraisal with all costs incurred to be paid for by the developer. We assume that the independent assessor is appointed to review the applicant's evidence, which would be a logical approach, but clarification on this point is required.</p>	<p>is in cases where some developments are not able to to viably make contributions towards all of the infrastructure that is required but the benefits of development are considered by the Council to outweigh the failure to provide policy compliant obligations. Recommendation - No change.</p>
Emery Planning on behalf of	Bloor Homes	3.15	<p>The Developer Contributions SPD should ensure that the proposed options for planning obligations are viable and ensure that development that is required to meet local needs can take place. It is therefore critical that the Council does not pursue contributions through the SPD and Section 106 obligations which are out of step with the level of contributions tested through the adopted Local Plan. Furthermore, it appears that the Council does not intend to utilise the Community Infrastructure Levy Regulations (CIL) to secure Developer Contributions. Further clarification is required as to why the developer contributions detailed cannot be provided through CIL and need to be dealt with separately. This would be an appropriate forum for viability to be properly considered at a</p>	<p>Comments noted. CIL might be replaced by a new single infrastructure levy proposed as part of national planning reforms. The Local Plan is still reliant on S106 and this will be used until the new national levy is in place. The draft SPD provides a section on the prioritisation of contributions. This is in cases where some developments are not able to viably make contributions towards all of the infrastructure that is required but the benefits of development are considered by the Council to outweigh the failure to provide policy compliant obligations. Recommendation - No change.</p>

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Emery Planning on behalf of	Bloor Homes	3.18	<p>plan wide level, if the Council considers that development can support contributions at a higher level than accounted for in the Local Plan viability work.</p> <p>The draft SPD notes that infrastructure providers and/or statutory consultees may suggest trigger points when submitting their requests for contributions which the Council will then take into account when drafting the S106 agreement. It is noted that the Council will aim to ensure that trigger points are viable to the specific stage of the delivery of development. Paragraph 3.20 of the draft SPD states that the monitoring fee will normally be £218.83 for every obligation trigger in the S106 agreement. This fee will be based upon the occurrence of triggers for compliance of planning obligations (rather than each obligation individually). An additional fee of £583.72 per S106 agreement for residential schemes is suggested for residential applications relating to external (resale) valuations and Discount Market Sale S106 valuations. The Draft SPD notes that Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow fees for monitoring obligations to be sought from developers where: • The sum to be paid fairly and reasonably relates in scale and kind to the development; and • The sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development. However, the monitoring of developer contributions should be classified as the general duties of the Local Planning Authority. The payment of a monitoring or administration fee is not necessary to make the development acceptable in planning terms and therefore should not be included in the SPD. The position is made clear in the judgement of Oxfordshire County Council v Secretary of State for Communities and Local Government and others [2015] EWHC 186 (Admin). In that case, an appeal inspector ruled that several payments required in a section 106 agreement were not necessary to make the development acceptable in planning terms. One of the payment obligations that was struck out was the obligation to pay a sum</p>	<p>The appeal decision provided (2015) pre-dates the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 which allows local authorities to seek a proportionate and reasonable contribution towards the monitoring and reporting of planning obligations through section 106 Agreements. This is further reinforced within National Planning Guidance in September 2019 Paragraph - 036 Reference ID: 23b-036-20190901. The monitoring fees are based on average time and officer costs. By applying a fee to each obligation trigger it is considered to be fair and more closely relate in scale and kind to the development. Large scale developments are more likely to have more planning obligation triggers. Recommendation – No change.</p>

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			<p>to Oxfordshire County Council for its costs of administering and monitoring the S106 agreement. This decision was then challenged by the County Council, but the High Court upheld the decision. The Court upheld the decision to strike out the obligation to pay the monitoring fees on the grounds that it was part of the Council's functions as a local planning authority to administer, monitor and enforce planning obligations in section 106 agreements. A standardised approach to monitoring fees is not appropriate for all development, as found with the High Court judgement. Monitoring fees may only be appropriate for very large scale developments and the Local Planning Authority should therefore assess each case on an individual basis rather than applying a standard approach to monitoring.</p>	
Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	4.1	<p>Registered Providers - Paragraph 4.10 of the consultation document states the Council's expectation for "all developers to ensure that they identify a Registered Provider (RP)2 to support the delivery of affordable housing on site as soon as possible in the development process." The WMHAPC welcomes the Council's encouragement of developers to have early active engagement with Housing Associations.</p>	Support noted. Recommendation - No change.
Emery Planning on behalf of	Bloor Homes	4.1	<p>Paragraph 4.10 of the SPD states: "The Council expects all developers to ensure that they identify a Registered Provider (RP) to support the delivery of affordable housing on site as soon as possible in the development process. If the Council requests, the landowner/developer shall endeavour to provide evidence of the financial and management capabilities of the proposed Registered Provider(s). RP's will be required to own and manage the affordable housing units directly." Firstly, there is no requirement in national policy or the development plan to identify the Registered Provider in advance of affordable housing units being sold to a provider, or indeed through the planning application process. Secondly, there is equally no justification for requiring evidence to be provided in relation to the financial and management capabilities of the proposed</p>	<p>Paragraph 4.10 states that Registered Providers should be identified 'as soon as possible in the development process' rather than in advance of affordable housing units being through the planning application process. Agree that reference to requiring further evidence to be provided can be deleted. Recommendation - Make the following changes to paragraph 4.10 " The Council expects all developers to ensure that they identify a Registered Provider (RP) (10) to support the delivery of affordable housing on site as soon as possible in the development process. If the Council requests, the landowner/developer shall endeavour to provide evidence of the financial and management capabilities of the proposed Registered Provider(s); RP's will be required to own and manage the affordable housing units directly."</p>

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Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	4.2	<p>Registered Provider. We therefore consider that paragraph 4.10 should be deleted.</p> <p>Whilst reference to the NPPF 2021 is welcomed, it is suggested that the Council refrains from reproducing national policy text. This will help to ensure the longevity and consistency within a changing national policy context in years to come. As an example, paragraph 4.2 reproduces national policy with regard to affordable housing. Instead, it would be more appropriate to direct readers to paragraph 63 of the NPPF 2021.</p>	<p>Comments noted. Agree that this change could be made in order to keep guidance up to date. Recommendation - Amend paragraph 4.2 as follows: "...Where there is a need for affordable housing, planning policies should specify the type of affordable housing required and expect it to be met on site unless . The NPPF sets out where exceptions to this are considered appropriate. off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities.</p>
Kate Hall	Regeneration Service	4.3	<p>Would be useful to include clarification that on schemes which are considered to fall within Use Class C2 does not generate a requirement for affordable housing.</p>	<p>Agree that clarification on Use Class C2 should be added to the SPD. Recommendation - Add the following sentence to the end of paragraph 4.3: <u>If a proposed scheme is considered to fall within Use Class C2 (residential institutions) there will not be a requirement for affordable housing.</u></p>
Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	4.4	<p>First Homes - The WMHAPC welcomes the further points of clarification regarding the delivery of First Homes, which was introduced after the adoption of the Staffordshire Moorlands Local Plan in September 2020. While a prescriptive tenure mix can be helpful to ensure the delivery of a range of tenure types as set out in paragraph 4.5 and Table 4.1 of the draft SPD, Staffordshire Moorlands District Council should take a pragmatic approach to tenure mix having regard to site characteristics and housing market conditions. It is important to highlight that Policy H11 of the Local Plan does not set out a required tenure mix of affordable housing stating that for applications of 10 dwellings (0.5ha) or more "The final mix will be negotiated with the developer based on housing needs as informed by the SHMA or successor document and other relevant factors such as available supply and market demand." As such, Table 4.1 of the draft SPD can only be used as guidance.</p>	<p>Comments noted. Paragraph 4.5 of the SPD states that Table 4.1 provides 'a guide' to the affordable housing requirements for sites of different sizes. Recommendation - No change.</p>

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Kate Hall	Regeneration Service	4.4	First Homes Guidance published Dec 2021 states that local authorities can apply eligibility criteria for the first 3 months of marketing in addition to the national criteria. The adoption of the SPD would be a good opportunity to set out the councils stance in relation to this. Local eligibility criteria could include: Being a current resident of the District (including priority for defined key workers) Being in full time employment within the District Needing to move to take up employment within the District	Agree that local eligibility criteria could be added to provide further clarification. Recommendation - add the following text after paragraph 4.5. Government guidance allows local authorities to set local eligibility criteria to enable First Homes to work effectively in the area, although these only apply for a maximum of three months of marketing. To align with our existing approach to affordable housing, we will therefore require purchasers (at least one person within the household) of First Homes to have a local connection to the District (including priority for defined key workers*) in line with the following criteria: <u>Being a current resident of the District: Permanently employed within the District; or Needing to move to take up employment within the District. *as defined by ONS</u>
Kate Hall	Regeneration Service	4.5	Under policy H4 it would be useful to provide clarification on councils policy of rounding up or down if affordable housing contribution is not a whole number. Up to 0.4 will be rounded down, whilst 0.5 and above will be rounded up to the nearest whole number for on delivery and the approach we will take for off site financial contributions.	Agreed that clarification would be helpful. Recommendation - Add the following text to paragraph 4.5: "Percentages will be rounded to the nearest whole unit. If the affordable housing contribution is not a whole number, up to 0.49 will be rounded down, whilst 0.5 and above will be rounded up to the nearest whole number with the table below providing a guide to the affordable housing requirements for sites of different sizes."
Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	4.5	The WMHAPC welcomes the clarity that is offered by paragraph 4.5 of the draft SPD regarding the rounding of affordable housing percentages, this will make it easier for applicants when forming development proposals.	Support noted. Recommendation - No change.
Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	4.5	We hope that the Council will support shared ownership as an affordable home ownership tenure as it provides an invaluable role in assisting home ownership and enabling households to join the housing market with small deposits. Shared ownership is a flexible and well-established affordable homeownership product that enables staircasing up to full ownership.	Comments noted. Local Plan Policy H3 and the draft SPD both refer to intermediate homes which includes shared ownership. Recommendation - No change.

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Kate Hall	Regeneration Service	4.7	Para 4.7 calculation of commuted sum Possible typo? Should it be 30% of OMV for intermediate homes rather than the 70% as stated?	Paragraph 4.7 refers to 30% rather than 70% for intermediate/starter homes. Recommendation - No change.
Kate Hall	Regeneration Service	4.7	Would be useful to expand the worked 20 unit example as per the draft High Peak SPD to include a breakdown of property types. The council would typically take a contribution based on a range of property types. Following on the 20 unit example in para 4.7 if the OMV of a two bed property is £160,000 and a 3 bed property is £210,000 the contribution would be as follows for the 5 remaining units. 50% of £160,000 = £80,000 (2 x 2 bed affordable rent) 50% of £210,000 = £105,000 (2 x 3 bed affordable rent) 30% of £160,000 = £48,000 (2 bed shared ownership) Total contribution = £ 418,000	A 15 unit example is provided in paragraph 4.8. Consider that this is acceptable. Recommendation - No change.
Tetlow King Planning on behalf of	West Midlands Housing Association Planning Consortium	4.9	(summary) Space Standards for Affordable Housing. Paragraph 4.9 of the SPD explains that "Policy H1 (New Housing Development) applies the nationally described space standards (NDSS) set out in the Technical Housing Standards requirements (DLUHC,2015) (9) for internal space within new dwellings across all tenures." However, Policy H1 'New Housing Development' does allow for some level of flexibility with part 3d of the policy stating: "d) All new dwellings should aim to provide flexible accommodation.....in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design." (Our emphasis). Paragraph 4.9 of the consultation document goes on to explain that "RPs will expect proposals to meet the NDSS; therefore, the S106 will require all affordable housing to meet NDSS requirements." There is nothing in Local Plan Policy which seeks to secure NDSS on all affordable housing with Policy H1 stating that NDSS will be "determined on a site-by-site basis subject to considerations such as viability and design." National planning guidance is clear that new policies cannot be introduced through	Agree that an amendment can be made to the text so that the SPD aligns more closely with Local Plan Policy H1. Recommendation - Make the following changes to paragraph 4.9 "Policy H1 (New Housing Development) refers to applies the nationally described space standards (NDSS) set out in the Technical Housing Standards requirements (DLUHC,2015) (9) for internal space within new dwellings across all tenures. Individual dwelling types are expressed with reference to the number of bedrooms and the number of bedspaces (or people) that can be accommodated within these bedrooms. This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy. In order to comply with space standards (Policy H1) and maximise the number of affordable housing bedspaces, dwellings should aim to provide larger bedrooms to allow greater flexibility and better living conditions for their occupants. For example, providing a 2 bedroom, 4 person dwelling rather than a 2 bedroom 3 person dwelling; and a 3 bedroom 5 person

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Emery Planning on behalf of	Bloor Homes	4.9	<p>supplementary planning documents, as such this requirement should be replaced with wording that is in line with Policy H1. As Homes England require 85% of floor space to meet NDSS the statement that "RPs will expect proposals to meet the NDSS; therefore, the S106 will require all affordable housing to meet NDSS requirements" is not correct and NDSS for affordable housing should be secured by a S106 agreement on a site-by-site basis. The WMHAPC would like to remind the Council that the NDSS are not a building regulation and remains solely within the planning system as a form of technical planning standard. It is not essential for all dwellings to achieve these standards in order to provide good quality living. For affordable housing in particular, there may be instances where achieving NDSS is impractical and unnecessary.</p> <p>The Draft SPD refers to Policy H1 of the Local Plan, noting that it applies the nationally described space standards (NDSS) for internal space within new dwellings across all tenures. Section 4.9 of the draft SPD states that: "In order to comply with space standards (Policy H1) and maximise the number of affordable housing bedspaces, dwellings should aim to provide larger bedrooms to allow greater flexibility and better living conditions for their occupants. For example, providing a 2 bedroom, 4 person dwelling rather than a 2 bedroom 3 person dwelling; and a 3 bedroom 5 person dwelling rather than a 3 bedroom 4 person dwelling." However, Policy H1 states: "All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design." There is no additional requirement in national policy or the Local Plan for affordable housing to meet the further requirements in the SPD of 'larger bedrooms' for greater flexibility and living conditions.</p>	<p>dwelling rather than a 3 bedroom 4 person dwelling. Provision of bedspaces should meet the identified needs, as set out in the Strategic Housing Market Assessment (SHMA) or successor document, supported by annual monitoring of provision and/or latest evidence on housing need. RPs will expect proposals to meet the NDSS; therefore, the S106 will require all affordable housing to meet NDSS requirements."</p>
				<p>Agree that an amendment can be made to the text so that the SPD aligns more closely with Local Plan Policy H1. Recommendation - Make changes to paragraph 4.9 - see above.</p>

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Kate Hall	Regeneration Service	4.11	In addition to guidance within the NPPF and PPG, it would be beneficial to consider implementing a criteria on which applications could be assessed and defining how the council will define 'vacant'. A definition could be as follows 'A vacant building is considered to be 'a building that has not been in continuous use for any 6 month period during the last 3 years'. This means the whole building must have been vacant, not just a single planning unit or part of the building. The building must be vacant at the time the application is validated for the VBC to be applied'.	Agree that a definition would provide clarification. Recommendation: Add the following text to the end of paragraph 4.11 " A vacant building is considered to be a building that has not been in continuous use for any 6 month period during the last 3 years. This means the whole building must have been vacant, not just a single planning unit or part of the building. The building must be vacant at the time the application is validated for the VBC to be applied."
Kate Hall	Regeneration Service	4.12	It would also be useful to include a worked example of the calculation which would enable developers to provide the correct information to officers. Example of vacant building credit calculation Proposal Housing development of 50 dwellings Affordable Housing requirement 33% The Proposed Gross Internal Floor Area (GIA): 5,000sqm The existing Gross Internal Floor Area (GIFA): 1,000sqm Step 1 Calculate the affordable housing contribution based on the total number of eligible dwellings and the affordable housing percentage (33%) required by the council's planning policy Affordable housing contribution 50 units x 33% = 17 units Step 2 Calculate the amount of existing floorspace, if any, as a proportion of the floorspace provided by the development: E/P x 100 (where E = existing floorspace and P = proposed floorspace) 1,000 sqm / 5,000 sqm x100 = 20% Step 3 Calculate the amount of AH credit: Step 1 AH units x Step 2 percentage 17 units x 20% = 3 units Step 4 Deduct the AH credit from the policy compliant affordable housing contribution, Step 1 AH number – Step 3 AH credit 17 units – 3 units = 14 units (14 affordable dwellings to be delivered on-site)	Agree that this would provide further clarification. Recommendation: Add table to Appendix 1.
Kate Hall	Regeneration Service	4.13	Possible typo. NPPG states VBC only applies where building have not been abandoned.	Agreed. Recommendation: Include the word "not" in the second sentence of paragraph 4.13.
Mr C Hinton	Waterhouses Parish Council	4.16	The parish council of Waterhouses would like to submit the following observations regarding practical implementation at a	Comments noted. Paragraph 4.19 states that in order to maximise opportunities to successfully deliver strategic

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			<p>local level. Paragraphs 4.16 to 4.27 cover open space, sport and recreation including playing fields sports pitches and allotments. Waterhouses has only one substantial residential allocation in the current local plan, from memory around 35 units. It seems sensible to me that should the site be developed, provision for open space and recreation should be provided off site through enhancements and expansion of existing facilities which are mainly owned and managed by the Parish Council. On site provision would be small and fragmented. The site is within close walking distance of the existing facilities.</p>	<p>outcomes, consultation with Service Commissioning should take place at the pre-application stage. If off-site contributions are agreed part or all the requirements will be provided by means of a commuted sum. Recommendation - No change.</p>
Emery Planning on behalf of	Bloor Homes	4.18	<p>The Draft SPD states that the Council's Service Commissioning Team will ensure that obligations sought for open space and recreation are based on a tailored approach to each development site, using the evidence base provided within the most recent studies in order to justify the needs arising. The draft SPD notes that this will be dealt with on a case by case basis, which Bloor Homes supports.</p>	<p>Support noted. Recommendation - No change.</p>
Emery Planning on behalf of	Bloor Homes	4.22	<p>The SPD states that management and ongoing maintenance of areas of open space and any on-site play provision will be the responsibility of the developer. However, the draft SPD notes that if in exceptional circumstances, the developer wishes to transfer responsibility to the Council, a commuted sum contribution will be collected to cover a minimum of a 25-year period lifestyle costs. It would be helpful if the SPD could clarify what fee would be sought in this scenario for each type of open space. If developer contributions are to be sought for the maintenance of open spaces, this would need to be justified as the Council is already required to ensure the upkeep of these spaces. There may be some situations where this is more relevant than others and therefore a standardised approach should not be utilised for this.</p>	<p>Comments noted. A commuted sum contribution would only be collected in exceptional circumstances therefore a fee has not been included in the SPD. Paragraph 3.1 confirms that developer contributions will be negotiated on a site-by-site basis. Recommendation - No change.</p>
Rajvir Bahey	Sport England	4.25	<p>Sport England welcomes the SPD seeking contributions towards playing pitches and outdoor sports facilities informed by Sport England's Playing Pitch Calculator (PPC). However, the existing</p>	<p>Comments regarding an up to date Playing Pitch Strategy (PPS) are noted. The Council is due to undertake an update of the PPS and reference to this should be made in the SPD.</p>

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			Playing Pitch Strategy (PPS) is over five years old it is therefore recommended that a new Strategy should be produced. A new PPS would provide more up to date data in relation to supply/demand for the authority and team data to be utilised in the PPC. It should also be noted that the Local Football Facility Plan (LFFP) is not an assessment of need document with it instead setting out the Football Foundations funding prioritisations for investment in the authority based in part by an up to date PPS (where a new PPS is undertaken the LFFP will be updated).	Comments regarding the Local Football Facility Plan are also noted and reference to this can be removed from the list of documents. Recommendations - Remove the reference to the Local Football Facility Plan (2018) in paragraph 4.17. Add the following sentence to the end of paragraph 4.23: " <u>The Council is due to review the 2017 Playing Pitch Strategy to ensure that demand and requirements for provision continues to be up to date</u> ".
Rajvir Bahey	Sport England	4.26	Similarly Sport England are supportive of contributions towards built sports facilities and the use of Sport England's sports facility calculator (SFC). The SFC can help to provide an indication of the likely demand that will be generated by a development for certain facility types (sports halls, swimming, indoor bowls and AGPs), with the LPA advising how best the need could be met taking account of its Built Facilities Strategy or similar evidence base. Sport England would be happy to discuss the above comments.	Comments noted. Recommendation - No change.
Sarah Haydon	Biddulph Town Council	4.27	Biddulph Valley Way would be a good example of informal recreation too.	Agreed. Recommendation - No change.
Mr C Hinton	Waterhouses Parish Council	4.27	With reference to para 4.27 informal recreation, Staffordshire County Council is the main obstruction locally to achieving an improved rights of way network through inordinate delays to dealing with applications to extend and upgrade routes. Similarly huge budgets cuts to the rights of service has left much of the network badly obstructed and in need of maintenance, the Manifold track being a prime example. Developer contributions could be specifically tied to upgrades to the local right of way network to achieve benefits for residents of new developments and at the same time the wider community.	Comments noted. Agreed that developer contributions could be sought where they meet the CIL Regulations tests set out in paragraph 2.2 of the document. Recommendation - No change.
Mr Jack Robinson	Severn Trent Water	4.29	(Summary) Severn Trent is supportive of the principles of blue green infrastructure and plans that aim to improve biodiversity	Comments noted. Local Plan Policy C3 - Green Infrastructure supports the development of multi-functional green infrastructure

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			<p>across our area. Looking after water means looking after nature and the environment too. Severn Trent wants to encourage new development to continue this theme, enhancing biodiversity and ecology links through new development so there is appropriate space for water. The incorporation of Sustainable Drainage Systems (SuDS) into blue green corridors can help to improve biodiversity, assisting with the wider benefits of utilising SuDS. Refers to NPPF (2021) paragraph 174.</p>	<p>that will mitigate the negative effects of climate change and maximise potential climate change benefits including effective flood risk and waterways management. Local Plan Policy SD5 provides guidance around SuDS. Recommendation - No change.</p>
Mr Jack Robinson	Severn Trent Water	4.29	<p>Severn Trent Green Open Spaces Policy - Development of flood resilience schemes within local green spaces will be supported provided the schemes do not adversely impact the primary function of the green space. We understand the need for protecting Green Spaces, however open spaces can provide suitable locations for schemes such as flood alleviation schemes to be delivered without adversely impacting on the primary function of the open space. If the correct scheme is chosen, the flood alleviation schemes can result in additional benefits to the local green space through biodiversity and amenity benefits.</p>	<p>Comments noted. Local Plan Policy C3 - Green Infrastructure supports the development of multi-functional green infrastructure that will mitigate the negative effects of climate change and maximise potential climate change benefits including effective flood risk and waterways management. Recommendation - No change.</p>
	Environment Agency	4.30	<p>Biodiversity Net Gain - We welcome the comments around BNG and green infrastructure in section 4.28 to 4.32. but would encourage the inclusion of blue infrastructure as part of this. Planning obligations could support de-culverting or daylighting of existing watercourses, enhancement and maintenance of wetland areas, naturalisation of riverbanks etc.</p>	<p>Agreed that reference to blue infrastructure could be included in paragraph 4.30. Recommendation - Add the following text after the second sentence in paragraph 4.30 " <u>Planning obligations could also support blue infrastructure such as de-culverting or daylighting of existing watercourses, enhancement and maintenance of wetland areas or naturalisation of riverbanks .</u> Move the rest of the paragraph "In accordance with the Environment Act...." into a new paragraph.</p>
Emery Planning on behalf of	Bloor Homes	4.30	<p>As we noted in our representations to the Issues and Options Paper, there is no current policy basis in the adopted development plan to justify this being added to the SPD. Furthermore, the Environment Act mandates Biodiversity Net Gain and therefore there should be no requirement for this to be added into the SPD. This will require a deemed planning</p>	<p>Comments noted. Paragraph 4.30 states that before the requirements of the Environment Act are mandatory BNG will be 'actively encouraged' rather than be compulsory. Recommendation - No change.</p>

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			condition to be inserted into all planning applications to ensure a 10% increase in Biodiversity Net Gain. As this is dealt with by condition, the requirement for this to be added as a planning obligation in the Developer Contributions SPD is unclear. We are unclear on the justification behind this approach as the Local Plan does not include this policy. This therefore cannot be applied prior to when this becomes a statutory requirement through the Environment Act. An update to the Local Plan would be required in order for this approach to be brought forward.	
Sarah Haydon	Biddulph Town Council	4.34	There will be a Neighbourhood Development Order for Biddulph Town Centre, when made.	Comments noted. Refer to the Neighbourhood Development Order for Biddulph. Recommendation - Add the following sentence to paragraph 4.34 "A Neighbourhood Development Order (NDO) is being prepared for Biddulph Town Centre which relates to the replacement of shopfronts".
Mr David Elkington	Staffordshire Police	4.35	It is noted that under the heading 'Health', paragraph 4.35 states "The NPPF outlines the importance of promoting healthy and safe communities, stating that planning authorities should work with delivery partners to plan for required public service infrastructure facilities". Of course, it is clear that safe communities and public safety in general falls very much within the realm of public policing as much as it does public health.	Comments noted. Local Plan Policy DC1 - Design Considerations and its supporting text refers to 'Secured by Design' guidance which provides guidance on issues of safety and public safety. Reference to this can be included in the SPD to provide further clarity. Recommendation - Add the following text to paragraph 4.35. The NPPF outlines the importance of promoting healthy and safe communities, stating that planning authorities should work with delivery partners to plan for required public service infrastructure facilities. Local Plan Policy DC1 sets out guidance for new developments which includes 'designing out crime' and healthy active environments.
	NHS Property Services	4.35	NHSPS strongly support the approach of securing infrastructure and contributions for health through developer contributions to ensure developments provide adequate measures to mitigate their impacts. NHSPS would welcome further engagement in relation to the above comments on the draft document.	Comments noted. The SPD Regulations do not require a further round of consultation but state that a consultation statement should provide a summary of the main issues raised and how those issues have been addressed in the SPD. This will be provided alongside the adopted SPD. Recommendation - No change.
	NHS Property Services	4.35	The Draft Developer Contributions SPD forms part of the Local Plan framework and contains guidance on the developer	Support noted. Recommendation - No change.

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			<p>contributions required to mitigate the impacts of development. NHSPS supports the seeking of contributions to mitigate the impacts of development on local infrastructure as it accords with the principles of sustainable development as set out in national and local plan policies and guidance. NHSPS supports sections 4.35-4.38 which outline health provision as a key priority, noting that housing development generates population growth that can impact healthcare infrastructure.</p>	
	NHS Property Services	4.39	<p>In relation to section 4.39, NHSPS supports the use of HBN11-01: Facilities for Primary and Community Care Services as the primary method of calculating developer contributions, however note that NHS should have flexibility alongside the option of seeking financial contributions, to seek the provision of new on-site healthcare infrastructure and to secure free land and infrastructure/property, especially from large residential developments which often have very significant impacts in terms of the need for additional healthcare provision for future residents. Our experience has shown that the provision of new purpose-built healthcare infrastructure to mitigate the impacts of development will require extensive capital funding. The NHS, Council and other partners must work together to plan the infrastructure and necessary funding required to support the projected housing development and related population growth across the borough. Continued partnership working with the Council is encouraged to help secure the appropriate infrastructure to support sustainable development in the borough. A vital part of this is ensuring that the NHS has the resources required to develop additional healthcare infrastructure where necessary.</p>	<p>Support noted. Planning obligations should only be used to secure infrastructure where they are compliant with the CIL regulations. The draft SPD allows for consideration of other infrastructure not specifically required by the Local Plan but reasonably requested by an infrastructure provider / consultee. Recommendation - No change.</p>
Emery Planning on behalf of	Bloor Homes	4.41	<p>The draft SPD states that Policy E1 of the Local Plan considers the importance of supporting the local workforce and economic base. It is also noted that Staffordshire County Council are preparing a Framework Employment and Skills Plan document that will help developers in the preparation of their own proposals. However, there is no policy basis to enable the</p>	<p>Comments noted. Local Plan Policy E1 states the Council will, where appropriate, seek to enter into agreements with developers and employers to contribute towards training programmes and employment support and employment access schemes. Recommendation - No change.</p>

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James Chadwick	Staffordshire County Council	4.42	request of developer contributions for training and employment. We therefore consider that an update to the Local Plan would be required in order for this approach to be brought forward and therefore this section should be deleted. At Paragraph 4.42 no actual figures are provided in terms of the scale of development to which this element of the SPD applies. These could be useful for context and it is suggested liaison with our Development Management team would be beneficial.	Comments noted and consider it is appropriate to refer directly to the Guidelines for Transport Assessments and Travel Plans produced by Staffordshire County Council and provide a link. Recommendation - Add the following sentence and link to the end of paragraph 4.42. <u>Further information is provided in the Guidelines for Transport Assessments and Travel Plans produced by Staffordshire County Council"</u> https://www.staffordshire.gov.uk/Highways/highwayscontrol/Documents/GuidelinesforTransportAssessmentsandTravelPlansJan.pdf
Sarah Haydon	Biddulph Town Council	4.42	The Biddulph Neighbourhood Plan makes reference to critical road junctions. This will be important in the town. Additionally, there is an existing bus service; developer contributions to add capacity would be appreciated.	Comments noted. Paragraph 4.44 states that Section 106 agreements may be sought by the Highway Authority for travel planning, public transport services, sustainable travel and pedestrian and cycle infrastructure provided that the NPPF planning tests are met. Recommendation - No change.
James Chadwick	Staffordshire County Council	4.45	Paragraph 4.45 requires clarification. It refers to agreements and approached that are not detailed or explained. It also refers to Highways England which is now National Highways. It is suggested a meeting be convened between ourselves, National Highways and Staffs Moorlands DC to determine what paragraph 4.45 is trying to achieve and agree wording to that end.	Comments noted. Consider that amendments to the text can clarify the approach. Recommendation - amend paragraph 4.45 as follows: " <u>The adopted Staffordshire Moorlands Local Plan recognises the need for an assessment of the cumulative implications of traffic at the A50/A521 junction with planned growth in the neighbouring authorities' Local Plans undertaken at the appropriate time when there is further information regarding details of development (para 8.100). As agreed by all parties and developers, a fair and proportionate cost is to be provided towards Strategic Road Network (SRN) highway infrastructure, and this is calculated through the following approach outlined by National Highways England for each location/function where mitigation is required. 1. Determine the cost of each mitigation scheme required at each location to accommodate the cumulative traffic demands from the Local</u>

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Mr David Pyner	National Highways	4.45	<p>(Summary) National Highways has been appointed by the SoS for Transport as the strategic highway company and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). In relation to Staffordshire Moorlands District, our principal interest is safeguarding the operation of the A50 trunk road, which routes through the southern part of the District between Blythe Bridge and Uttoxeter. National Highways' most recent involvement was April 2022 through the Developer Contributions Issues and Options paper. We noted the changes to the scale of housing and employment growth proposed for the District and recommended early engagement with site promoters to consider development impacts on the A50 and advised that the updated growth aspirations be reflected in the forthcoming transport analysis. Support the proposed approach which applicants should take in conducting viability assessments for developer contributions. Applicants are recommended to engage at an early stage with National Highways so they can advise on the scope of likely traffic impacts on the highway network, existing conditions of network, likely need for mitigation and associated costs. National Highways has developed, along with relevant local planning and highway authorities, developer contribution schemes for highway infrastructure required to mitigate the</p>	<p><u>Plan's growth aspirations. 2. Determine each specific development site's traffic impact on each junction as a proportion of all developments' cumulative traffic impact on each junction. 3. Multiply the cost of improvement at each junction by each development's proportionate impact. Firstly, the cost of each mitigation scheme is determined based on the requirements to accommodate the cumulative traffic demands from the Local Plan growth strategy for the area and the impacts of the proposed development. The cost of improvement is then based proportionately on the impact of the proposal. The County Council and National Highways will advise on each application on a case-by-case basis, in delivering a fair and proportionate developer contribution strategy towards highway mitigation."</u></p> <p>Comments noted. Consider that amendments to the text can clarify the approach. Recommendation - amend paragraph 4.45 as above.</p>

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Emery Planning on behalf of	Bloor Homes	4.47	<p>cumulative traffic impacts generated by the local authority's allocated sites. Welcome the inclusion within the draft document of the approach for all parties and developers to provide a fair and proportionate cost towards highway infrastructure, and suggest that this is calculated through the following approach for each location/junction where mitigation is required: 1. Determine the cost of each mitigation scheme required at each location to accommodate the cumulative traffic demands from the Local Plan's growth aspirations. 2. Determine each specific development site's traffic impact on each junction as a proportion of all developments' cumulative traffic impact on each junction. 3. Multiply the cost of improvement at each junction by each development's proportionate impact.</p> <p>The draft SPD notes that the County Council is the Local Education Authority and has the statutory duty for the provision of education. The draft SPD notes that it therefore does not set out the County Council's education infrastructure contributions policy but will sign-post to the Developer Contributions Protocol Document, which is updated annually and signed off by the Council. However, it is important to note our concerns in relation to how contributions are calculated under the Staffordshire Education Infrastructure Contributions Policy. The costs per pupil place have increased significantly. We do not consider that the updated figures are justified, and they appear to be much higher than the figures being applied in other authority area. It is also not clear how this sits with the viability work which underpins the adopted Local Plan.</p>	<p>The draft SPD directs applicants to the County Council's published Education Infrastructure Contributions Policy so that the most up to date version can be accessed. Staffordshire County Council as the Local Education Authority sets out the context and calculations for collecting contributions and developers are advised to contact the pre-application advice service for further information. Recommendation - No change.</p>
James Chadwick	Staffordshire County Council	4.48	<p>In relation to the section on Education contributions we would request an amendment to paragraph 4.8 with the addition of a new sentence at the end as shown underlined below. This is to provide clarity around situations where infrastructure is provided in advance of need we will continue to collect contributions from developments that benefit from that infrastructure. The original wording of 4.48 only refers to forward funding in relation to completed S106 agreements. The new</p>	<p>Agreed that this clarification should be made. Recommendation - Add the following sentence to the end of paragraph 4.48. <u>Education contributions will continue to be sought for infrastructure that is being built or has completed when the County Council has been required to forward fund.</u></p>

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Mr Goodall		4.49	<p>sentence ensures that any development that comes forward for planning permission after the infrastructure has been provided still contributes to its cost. 4.48 An important consideration that is particularly relevant for education provision, but may apply across other S106 typologies, is the requirement for 'forward funding'. The County Council may need to spend money in advance of receiving S106 funding in order to meet demand at a specific time. Accordingly, the S106 may provide for contributions due under the agreement to be spent in advance if required for the purposes set out in the S106 before the trigger in the S106 is reached to pay the money to the County Council. Education contributions will continue to be sought for infrastructure that is being built or has completed when the County Council has been required to forward fund.</p>	<p>It is not possible to comment on the detail of individual planning applications. Whilst each case needs to be assessed on its own merits the general approach that will be taken to prioritise contributions and the type and extent of developer contributions that the Council may seek to secure from development is set out in the SPD. Recommendation - No change.</p>
Emery Planning on behalf of	Bloor Homes	4.51	<p>(Summary) Blythe Vale has needed the alteration of the dual carriageway with traffic lights installed to enable better access [cost of this has meant a shortfall of affordable houses on this site]. This causes a deterioration of air quality with amount of traffic which drives on that section of A50 having to stop and wait for the traffic lights which contradicts St. Modwen green travel plans. Blythe Vale is next to a busy dual carriageway and the constant noise has been overlooked. The relevant council must take responsibility if an access is inadequate, or lacking complicity. Dove House Farm is provided as an example where the approved access has been moved without permission.</p> <p>Section 4.51 of the draft SPD states that: "Larger developments may be required to submit an Air Quality Assessment, to determine impacts of the proposal and then by providing mitigation measures to offset any identified impacts or by making a financial contribution." The draft SPD provides examples of contributions which may be requested, including green travel plans and public transport improvements. It is important that any contributions are only sought where there is an adverse impact from the development which, without the proposed contribution, would otherwise make the development</p>	<p>Comments noted. Paragraph 2.1 makes it clear that contributions should only be required where they are considered necessary in order to make the development acceptable in planning terms. Recommendation - No change</p>

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Emery Planning on behalf of	Bloor Homes	4.53	<p>unacceptable and result in planning permission being refused. This should be clarified within the SPD.</p> <p>The draft SPD states that developer contributions will be sought to help adapt and mitigate against climate change, contributing to the Borough's targets and ambition to become carbon neutral by 2030. It provides a number of proposed developer contributions for climate change. However, the viability of providing the proposed options would need to be assessed to ensure that development can still come forward despite the additional contributions. Furthermore, there is no reference to developer contributions for climate change within Local Plan policy and therefore no basis for these planning obligations to be secured. The Local Plan needs to be updated in order for this approach to be taken forward. This entire section should be deleted from the SPD. The same equally applies for the proposed requirements in relation to: • Carbon offsetting • Other Greenhouse Gas Emissions • Electric vehicle charging (this is now dealt with under Building Regulations in any event) • Sustainable Design and Construction (the Local Plan does not provide any policy basis to seek any standards above current Building Regulations in relation to residential development) These sections should therefore be deleted.</p>	<p>Local Plan policies SS1(Development Principles) SD1 (Sustainable Use of Resources) SD2 (Renewable/Low-Carbon Energy) SD4 (Pollution and Water Quality) and SD5 (Flood Risk) seek to ensure that development proposals adapt to climate change through the sustainable use of resources and good practice design, demonstrating energy efficiency, water conservation and sourcing sustainable materials. The proposed measures outlined in the SPD refer to the main ways that developer contributions could be sought to help and mitigate against climate change. S106 should be secured where it is necessary to make a development acceptable in planning terms, directly related to a development and fairly and reasonably related in scale and kind to the development. Section 3.11 onwards deals with prioritisation of contributions and states that this will be assessed on a case-by-case basis. Recommendation: No change.</p>
James Chadwick	Staffordshire County Council	4.61	<p>Paragraph 4.61 – this could also mention encouragement of modal shift to more sustainable transport modes.</p>	<p>Agreed that reference to this could be made in paragraph 4.61. Recommendation - Amend paragraph 4.61 as follows "Related to the above measures to improve air quality and in order to promote more sustainable transport modes, developments that generate significant demand for travel should provide features such as walking/cycle path linkages or improved access to public transport <u>and encourage modal shift to more sustainable transport modes</u>".</p>
	Environment Agency	4.64	<p>Flood Alleviation In addition to the points made in section 4.64 & 4.65 (Flood Protection) planning obligations should consider the cost of on-going maintenance and deployment (where relevant) of existing flood alleviation schemes. In cases</p>	<p>Comments noted. Agree that reference to existing flood alleviation schemes could be included in paragraph 4.65. Recommendation - Add the following text These measures may cover design and maintenance of sustainable drainage</p>

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			<p>where a new development is reliant on an existing Flood Alleviation Scheme (FAS) it can be considered necessary, directly related and reasonable for a planning obligation to secure a proportionate sum towards the significant costs of maintaining, storing and operating and improving (where relevant) the FAS. We would be happy to discuss a methodology and to provide examples for calculating costs for an existing scheme with you.</p>	<p>systems (SuDS), or flood management features or maintaining and improving (where relevant) an existing flood alleviation scheme (Policy SD5). The Council will expect any flood management measures to be agreed with the Environment Agency (or other relevant authority) and in place prior to occupation of the development if required through S106.</p>
	Environment Agency	4.65	<p>Flood Warning Service - It may be reasonable to use planning obligations to secure developer contributions towards our flood warning system where a development is dependent on this service i.e., for flood evacuation and management, often linked to safe access. We generally recommend a contribution of £1,000 per new dwelling towards our flood warning system. Non-residential schemes would be advised on an individual basis. We have secured such contributions elsewhere in the West Midlands area. In the absence of contributions, the cost of flood warning and any 'maintenance, rebuild, or structural alterations' of FAS would potentially place an increased burden on the public purse. It may also place additional burden/ risk to life on the emergency services and/or any rescuers.</p>	<p>Comments noted. Paragraph 4.1 states that the SPD will not cover every circumstance where developer contributions may be sought to make a specific new development acceptable in planning terms. Paragraph 3.1 confirms that developer contributions will be negotiated on a site-by-site basis. Recommendation – No change.</p>
Mr Jack Robinson	Severn Trent Water	4.65	<p>(Summary) Need to manage surface water from new developments as the increased coverage of impermeable area on a site can increase the rainwater flowing off the site. Introduction of these flows to the public sewerage system can increase the risk of flooding for existing residents if it is not managed sustainably. Connections into the foul or combined sewerage system should be avoided and where possible directed back into the natural water systems. Recommend policy wording that deals with surface water discharge.</p>	<p>Advice around policy wording is noted however the SPD is based on existing policies in the adopted Local Plan. Recommendation - No change.</p>
Mr Jack Robinson	Severn Trent Water	4.65	<p>(Summary) Sustainable Drainage Systems (SuDS) represent the most effective way of managing surface water flows whilst being adaptable to the impact of climate change and providing wider benefits around water quality, biodiversity, and amenity.</p>	<p>Advice around policy wording is noted however the SPD is based on existing policies in the adopted Local Plan. Recommendation - No change.</p>

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Mr Jack Robinson	Severn Trent Water	4.66	<p>We Recommend specific policy wording to be included within your plan regarding SuDS.</p> <p>Water Supply - For the majority of new developments, we do not anticipate issues connecting new development, particularly within urban areas of our water supply network. When specific detail of planned development location and sizes are available a site-specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts. If significant development in rural areas is planned, this is more likely to have an impact and require network reinforcements to accommodate greater demands.</p>	<p>Comments noted. The draft SPD doesn't propose housing allocations but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development. Recommendation - No change.</p>
Mr Jack Robinson	Severn Trent Water	4.66	<p>(summary) Water Quality and Resources - Good quality watercourses and groundwater is vital for the provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that the water quality of our supplies are not impacted by our operations or those of others. Any new developments need to ensure that the Environment Agency's Source Protection Zones (SPZ) and Safeguarding Zone policies which have been adopted are adhered to. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan as prepared by the Environment Agency. The Water Resources Management Plan (WRMP) focuses on how we plan to ensure there is sufficient supply of water to meet the needs of our customers whilst protecting our environment over the next 25 years. New development results in the need for an increase in the amount of water that needs to be supplied across our region. Suggest wording for 'Protection of Water Resources Policy'.</p>	<p>Advice around policy wording is noted however the SPD is based on existing policies in the adopted Local Plan. Recommendation - No change.</p>
Mr Jack Robinson	Severn Trent Water	4.66	<p>(Summary)Water Efficiency Policy - We are supportive of the use of water efficient design of new developments fittings and appliances and encourage the optional higher water efficiency target of 110 litres per person per day within part G of building</p>	<p>Advice around policy wording is noted however the SPD is based on existing policies in the adopted Local Plan. Recommendation - No change.</p>

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Mr Jack Robinson	Severn Trent Water	4.66	<p>regulations. Delivering against the optional higher target or better provides wider benefits to the water cycle and environment as a whole. Suggest policy wording for the optional higher water efficiency standard.</p> <p>(summary) Wastewater Strategy - We have a duty to provide capacity for new development in the sewerage network and at our Wastewater Treatment Works (WwTW) and to ensure that we protect the environment. On a company level we have produced a Drainage and Wastewater Management Plan (DWMP) covering the next 25 years, which assesses the future pressures on our catchments including the impacts of climate change, new development growth and impermeable area creep. This plan supports future investment in our wastewater infrastructure and encourages collaborative working with other Risk Management Authorities to best manage current and future risks. Where site allocations are available, we can provide a high-level assessment of the impact on the existing network. Where issues are identified, we will look to undertake hydraulic sewer modelling to better understand the risk and where there is sufficient confidence that a development will be built, we will look to undertake an improvement scheme to provide capacity.</p>	<p>Comments noted. The draft SPD doesn't propose housing allocations but provides guidance on the type and extent of developer contributions that the Council may seek to secure from development. Recommendation - No change.</p>
	Environment Agency	4.66	<p>Contaminated Land - Groundwater planning obligations may be required to ensure that remediation works are carried out and where relevant, to require notification of any significant unsuspected contamination encountered during development. For example, this can include an agreement for monitoring of groundwater which cannot be dealt with using planning conditions i.e., in some circumstances there will be a need for the developer to provide continued and/or off site groundwater and surface water monitoring and any further remediation measures required (after planning conditions have been discharged) as part of a planning obligation. This is likely to have a cost implication.</p>	<p>Comments noted. Policy SD4 outlines the requirement for new development to mitigate potential adverse impacts of pollution (including ground contamination) which may also be addressed by developer contributions. This is set out in paragraph 4.66 of the SPD. Recommendation - No change.</p>

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	Environment Agency	4.67	(summary) Foul Drainage / Water Infrastructure - At this stage, we would also identify waste water infrastructure as a possible area for future contributions. Developers can bring forward schemes through contributions to utility company programmes, accelerating AMP (Asset Management Plan) programmes. This is to improve waste water environmental capacity and physical capacity. It may be appropriate for a section 106 agreement to be used to secure a future mains foul sewer connection, e.g., where there are capacity problems and an upgrade programme exists or for first time sewerage schemes in rural areas (Such infrastructure constraints will be identified within your Council's Water Cycle Strategy).	Comments noted. Agree that reference could be made to this in paragraph 4.67. Recommendation - Add the following text after the second sentence in paragraph 4.67. <u>It may also be appropriate for a S106 agreement to be used to secure a future mains foul sewer connection e.g. where there are capacity problems.</u> Advice will be sought through consultation with relevant statutory bodies to ensure that appropriate measures and contributions are provided.
Sarah Haydon	Biddulph Town Council	4.69	Biddulph Town Council has submitted a number of sites for local listing. This should be considered when enhancing heritage assets.	Agreed that reference could be made in paragraph 4.69 to non-designated heritage assets. Recommendation – Include reference to "non-designated heritage assets" in paragraph 4.69.
Kezia Taylerson	Historic England	4.69	It would be beneficial when considering how to spend developer contributions that the Council considers how any monies could benefit the historic environment including the opportunity for enhancement for heritage assets and their setting, as well as considering options such as public realm improvements, public art, cycling and walking routes which better reveal heritage assets, interpretation boards to better understand the heritage of a place etc. We would welcome the inclusion of a paragraph that considers wider heritage benefits and seeks to include these opportunities wherever possible.	Agreed that additional wording could be added. Recommendation - Add the following sentence to the end of paragraph 4.69 <u>"There may be further opportunities to benefit the historic environment through works to non-designated heritage assets, public realm improvements, town centre improvements, green infrastructure and open spaces."</u>
Kezia Taylerson	Historic England	4.69	We welcome paragraph 4.69 and a reference to the historic environment. We would expect that where there is harm to heritage as a result of a proposed development, that any avoidance and mitigation measures that are required to overcome that harm, are considered as part of the proposal and planning conditions, as standard.	Support noted. Recommendation - No change.

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