



Norfolk County Council
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INFRASTRUCTURE, SERVICE AND AMENITY REQUIREMENTS FOR NEW DEVELOPMENT

Planning Obligations Standards
For Education, Library, Fire Hydrant and Social
Service Provision

April 2010

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**Infrastructure, Service and Amenity Requirements for New
Development
Norfolk County Council Standards – April 2010**

1. Background - Housing Growth 2001 - 2021

- 1.1. The Approved East of England Plan (May 2008) identifies 78,700 new dwellings in Norfolk in the period 2001 to 2021. This level of growth will place additional burdens on existing infrastructure and services throughout the County. Given the scale of the planned housing growth and the long time horizon involved it is important to ensure that the necessary improvements to the County's infrastructure and services are properly met where possible through developer contributions.
- 1.2. It is important to recognise not only the impact arising from individual developments but also the cumulative impact of these developments on the County Council's infrastructure and service such as schools, transport and libraries.

2. Introduction

- 2.1. The purpose of this document is to set out clearly the standard requirements the County Council may seek in association with new development. These standards apply to the following services:

• Children's Services;	• Library;	• Fire Service;
• Adult Social Services	• Public Rights of Way	• Household Waste Recycling Facilities

- 2.2. The highway and transport infrastructure required from new development will continue to be negotiated on a site by site basis (see paragraph 7.11 below).
- 2.3. Other infrastructure and service requirements will be sought by District Councils for affordable housing, play space, open space etc. A list of District Council contacts is set out in Section 10 below. In addition other service providers, such as the Police and the various Health Bodies may also seek developer contributions towards improvements to their services. Any such requirements must be compliant with the Community Infrastructure Regulations (2010) and be:
 - Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 2.4. The County Council will provide a detailed justification/explanation of any contributions it seeks. The Standard Charges detailed at paragraph 9.1 illustrate

the range of facilities that may be expected from developers as a consequence of the development. Developers will be expected to enter into a S.106 legal agreement with the local planning authority regarding the contributions sought or will be obliged through a planning condition to deliver the on-site infrastructure requirements.

2.5. The Standard Charges have been revised taking into account:

- Inflation;
- changes in national guidance/standards; and
- Any other material considerations.

National Guidance

2.6. These Standard Charges have been prepared in accordance with Circular 5/05 (Planning Obligations) published in July 2005 and have taken into account the Community Infrastructure Levy Regulations (2010).

2.7. The following national guidance has been taken into account:

- Revised Planning Policy Statement 12 (June 2008) (Creating Strong Safe and Prosperous Communities through Local Spatial Planning – PPS 12) – this provides policy advice on good infrastructure planning and cross-refers to proposals for a Community Infrastructure Levy (see below); and
- The Planning Act (2008) – this provides ministers with the power to bring in a new tax, the Community Infrastructure Levy (CIL).

2.8. The County Council will work with District Councils to develop where appropriate standard charge figures for inclusion in a CIL.

Dealing with Outline Schemes

2.9. Given that many proposals for housing come forward as outline schemes, where the precise level of housing is not known, the County Council has prepared a Best Practice Note dealing with such schemes. The Best Practice Note is set out in the accompanying appendix and addresses the key issues associated with Outline schemes in terms of:

1. The need to cap development to reasonable levels;
2. The need to provide a formulaic approach;
3. The need to review demographic multipliers;
4. The need to provide adequate land for schools;
5. The need for build costs to be made flexible over time.

Dealing with Major Urban Regeneration Sites

2.10. The County Council recognises that there will be occasions when not all the

infrastructure and services requirements made necessary by the development will be able to be provided by the developer. This is likely to be the case on major urban regeneration sites where there may be exceptional costs associated with site clearance and possibly decontamination.

- 2.11. In such circumstances it may be appropriate for the local authority and other public sector agencies to assist and facilitate in the development coming forward. This may involve a reduction in the level of contributions normally sought. This would in practice mean the County Council or other service providers needing to fund in part the infrastructure and services needed.
- 2.12. However, in such circumstances the County Council would need clear evidence that:
- The economics of the site do not allow for all contributions to be met. The County Council acknowledges that there may be instances when such evidence/information is provided from the applicant in confidence to the District Council. In these circumstances the County Council would expect the District Council to scrutinise the evidence rigorously. The County Council would want assurance from the District Council that they are satisfied with the evidence provided to them as reason for waiving any contribution sought; and
 - The development is in the wider public interest i.e. will provide a wide range of community benefits such as the removal of derelict land and will provide local services (e.g. schools and healthcare provision) accessible to the community as a whole.

Cabinet approval would be needed before the County Council could agree to reduce its infrastructure and service requirements. The County Council recognises that it is the District Council who will determine the application and ultimately decide the content of the S106 agreement.

Use of Bonds

- 2.13. The County Council may seek from developers where appropriate the use of “Bonds” to act as a guarantee where large contributions have been negotiated through the S106 process. Bonds will typically be used for contributions exceeding £200,000. The bond will be normally be triggered on commencement of a development.

Phasing of payments

- 2.14. Agreed contributions will typically be paid to the County Council in a series of phased payments to be agreed with the applicant and determining authority.

Potential Claw-back of Payments

- 2.15. Where contributions have been made, the County Council will normally be expected to use the sum of money received for the purposes agreed within 5 years of final occupation of the development being completed. However, for some large scale developments the period may be extended. If the County Council has not spent the money in this time then some or all of the contributions will be returned to the developer as agreed in the S106.

Monitoring and Legal Charges

- 2.16. The County Council will seek a charge towards the administration of the S106 agreements (i.e. covering monitoring of S106 agreements – undertaking sites visits and chasing up any payments outstanding). The charge will be levied at a rate of £300 per obligation on all schemes involving the phasing of payments. Where the contribution is payable on commencement no monitoring charge will be sought for the particular obligation.

On major strategic housing sites (typically over 1,000 dwellings), a higher charge may be sought to reflect the complexities of the S106 and the additional work involved in monitoring the agreement.

The monitoring charge will be payable on commencement of the development.

- 2.17. In addition the developer will be required to pay the County Council's legal fees for the legal input into the drafting of a S106 agreement and a solicitors undertaking must be supplied to the County Council's legal advisor before any work is carried out.

The County Council will review the issue of charging when the Standards are next updated.

3. Education Provision

3.1. The County Council has a statutory responsibility for Education provision in the County for children between the ages 5 and 16 years and, from April 2010, for the provision of 16-19 year places in sixth forms and sixth form Colleges. In addition the County Council has a statutory responsibility to provide pre-school places (e.g. Play Group, Children's Centres and/or Nursery provision) for children aged three and over. Contributions for pre-school provision may be required either for existing pre-schools or purpose built new facilities on a separate site, possibly shared with a school. Existing playgroups and nurseries (including private facilities) will be taken into account.

3.2. In order to assess the number of new children likely to arise from a new development the County Council has undertaken an analysis of recent development in the County which has resulted in the use of the following pupil generation figures¹ (based on 100 dwellings):-

Table 1

Age range	No. years cohorts	Type of school	Multiplier (no. of Children)
3 - 5	2	Pre - School	8.4
5 - 11	7	Primary	25.4
11 - 16	5	High	14.0
16 - 18	2	Sixth Form	2.8
Total			50.6

3.3. The above multipliers are applicable for all residential developments although the following allowances are made:

- No children are assumed on development comprising 1-bed accommodation or sheltered housing (i.e. no contributions are sought);
- For flats, apartments and maisonettes the above multipliers are discounted by a factor of 50% reflecting the fact that fewer children are likely to arise from these types of dwellings.

Catchment Schools

3.4. In urban areas where there is a greater concentration of schools, the County Council will expect pupils generated from any new development in the first instance to attend the catchment school as set out in its statutory admissions documentation. However, if the catchment school is at full capacity, the County Council **may** consider the next nearest school with places providing:

¹ The County Council on a regular basis reviews these pupil generation figures.

1. the school lies within the statutory maximum distance a child would be expected to travel (i.e. 2 miles for the age range 5 – 8 and 3 miles for the age-range 8 plus.);
2. there will be no adverse impact on the pupils effected in terms of splitting peer groups (i.e. classmates) or siblings;
3. existing and planned investment in local schools is not compromised;
4. the route to the school is adequate and safe. Where there is inadequate access the County Council may seek developer contributions towards safe routes to school;
5. The developer addresses the impact of those children having to commute further to school e.g. through the provision of cycle storage and/or contributions towards safe routes to school (see 4 above).

Types of Requirements Sought

3.5. Developer contributions will usually be required for:

- (a) Extending and/or improving existing schools and pre-school provision that serve the development; and/or
- (b) The building of a new school or pre-school facility where there is a significant housing proposal (see new school costs below).

When building a new school the County Council will consider the wider community use of both the school buildings and playing fields.

3.6. It should be noted that existing spare capacity will not automatically be credited to developers, except where there is a significant existing spare capacity at the recipient school. The County Council in assessing spare capacity in the catchment area will also take into account:

- Other permitted development in the area; as well as
- Those sites identified in the emerging Local Development Framework (LDF).

Capacity at local schools is taken from the County Council's records at the time of enquiry/application and is based on the most recent formal pupil count at the school.

This approach is in line with advice set out in Circular 5/05 (Paragraph 22).

3.7. It should be noted that temporary mobile classrooms will not be counted towards the net capacity of the school. Therefore those schools where there are temporary mobile classrooms present will normally be considered as being at, or over capacity, and as such developer contributions will be sought.

(a) Extension Costs & New Build Costs

3.8. The costs for both extension and new build works (i.e. new classrooms) are based on the capital cost per pupil. These costs are derived from a "basic need multiplier" produced by the Department for Children, Schools and Families (DCSF) on a regular basis. The DCSF multipliers are based on building cost information received from LAs across the country as whole. The figures take into account regional variations in prices.

- 3.9. The DCSF provide a range of “basic need multipliers” which take into account the different school age ranges. These costs have been translated into the cost per dwelling (see Table 2 below) and assume that there is no long-term spare capacity at the recipient school (i.e. a worst case scenario). Future pupil forecasts will also be taken into account

Table 2

Sector	Basic Need Multiplier Cost Per Pupil (January 2009) (£)	Standard Charge per dwelling (providing there is no spare capacity at the local school) (January 2009) (£)
Nursery (3-5)	5,822	489
Primary Sector (5-11)	11,644	2,958
High School Sector (11-16)	17,546	2,456
Sixth Form (16-18)	19,029	533
Total		6,436

Therefore the total cost per dwelling for education (extension) is £6,436 assuming there is no spare capacity at the recipient schools.

(b) New School Costs

- 3.10. Developer contributions towards a new school will be sought when:
- the existing catchment area school cannot be expanded any further (i.e. insufficient land area); and/or
 - the proposed residential development is of such a scale that a new school can be justified. For the purposes of a new primary school the typical threshold needed to sustain a new school is between 500 – 1,000 new dwellings. For a High school the level is considerably higher 5,000 – 6,000 new dwellings;
 - If the scale of proposed development falls below the critical threshold to deliver a 100% developer funded school the Local Authority will seek a pro-rata contribution towards the new build costs where appropriate. However, the County Council would, in such circumstances, need to carefully examine the proposed development in the context of the Local Development Framework in order to ensure that the wider objectives of delivering a sustainable community are met.
- 3.11. In the case of a new Primary School, the County Council would expect the free transfer of a suitable site (approximately 1 hectare for a 210 place school or in accordance with DCSF Building Bulletin 99: Briefing Framework for Primary

School Projects) plus the full cost of building the school including early years provision.

- 3.12. The same principle above will apply to a new High School and the land requirement will be in accordance with the DCSF Building Bulletin 98: Briefing Framework for Secondary School Projects.

Education/Children's Services Contributions arising from Affordable Housing

- 3.13. The approach set out below applies to both housing schemes where affordable housing forms a component part of a larger market housing development and to those schemes which are 100% affordable housing.

- 3.14. The County Council's approach is that it will seek, for the most part, education contributions on the whole housing site including any component of the proposal which may be developed for affordable housing. The reasons for seeking such contributions are:

- Affordable housing may involve a variety of tenure types, for example rented, shared equity or cheaper market housing, and these tenures are as likely, if not more so, to be occupied by families containing children as market housing; and
- Those families moving into a new affordable development will almost certainly have vacated a home elsewhere, which could in turn be occupied by another family containing children. This means the new development could lead in net terms to more families in the area and more children attending local schools.

- 3.15. However, the County Council does accept that there may be some instances where new affordable housing will not lead to additional children in the area, for example:

1. Where the families being housed are from a shared household (i.e. sharing with a family member). Therefore once they move to the new affordable home the original home reverts back to a single household; or
2. The family being housed live in a nearby bed and breakfast, hostel or other such accommodation provided by the Local Housing Authority thereby not freeing-up any housing stock; or
3. Where there is an occupancy condition precluding children (i.e. accommodation for the elderly).

- 3.16. Even in these circumstances (1 and 2) there may still be some justification for the County Council to seek education contributions if the family containing children move between school catchment areas (i.e. leading to children transferring schools and placing greater pressure on the recipient school). Therefore it will only be in very exceptional cases that no education contribution, or reduced contributions, are sought in connection with affordable housing

proposals. In such cases it will be up to the applicant together with the Local Housing Authority to clearly demonstrate to the County Council that the affordable housing proposed will not lead to a net increase in the number of children in the respective school catchment area.

3.17. The County Council recognises that ultimately it will be up to the determining authority to decide on whether or not it is acceptable to seek education and other contributions on affordable housing schemes.

3.18. **Affordable Housing – Claw Back provision**

The County Council recognises that there is an issue surrounding the payment of education contributions for the affordable housing element of a new development. The practical solution would be for a legal agreement to allow for an element of claw-back by the applicant where it can be demonstrated that:

- a child occupying the affordable house was a pupil at Local Recipient School immediately before the dwelling was occupied; and
- The provisos set out above are satisfied.

The detailed wording of such a claw-back clause will be a matter for respective solicitors to agree, although the principle should be acceptable, as this is consistent with the current Government guidance. The County Council will continue to monitor the implementation of this approach and review the situation when the standards are updated.

4. Library and Information Service

4.1. The County Council has a statutory responsibility to provide a comprehensive and efficient library service. New housing development will put a strain on existing library provision, which may require the following developer funding towards the provision of:

- A new library building, fixtures and stock. The provision of a new library is only likely to be sought on major new housing sites/allocations of 3,000 dwellings or more. However, each case will depend on an assessment of the particular requirements in that area and the likely impact of the new development on current provision;
- Depending on the scale of upgrade required this may include: an extension and/or improvement to the existing internal floorspace to maximise the lending capacity of the library or the provision of additional library stock. Such contributions are likely to be sought for most development proposals within a reasonable distance of an existing library facility;
- A mobile service - This would apply to small-scale developments in rural areas i.e. where there is no local library (building) and a service to any proposed development cannot be incorporated into current schedules.

4.2. The following costs per dwelling will be sought:

Type of Library Provision	Standard Charge per dwelling (£)
A new library and stock	To be negotiated
Up-grading of an existing library and stock – this will include books, IT equipment, furniture and fittings as well as more significant up-grading of the library e.g. design works, new layout, decoration and internal structural works (e.g. partitioning etc).	310
Mobile Service	150
Providing extra public capacity in current libraries. This may include provision of books, IT equipment, furniture and fittings.	60

4.3 The above costs relate to any dwelling (e.g. houses, bungalows, flats and apartments). However, contributions will not be sought in relation to residential care homes and student accommodation.

5. **Adult Social Services**

(a) **Affordable Housing**

5.1. Affordable housing is a key issue for people of all ages and disabilities who use Norfolk County Council services and this must be accessible and integrated, taking account of access to public transport in terms of location within a site.

A proportion of affordable and market housing should be built to “homes for life” standards to meet changing needs.

(b) **Residential Care Homes**

5.2. An increasing proportion of the population is over 65 (25%) or disabled in some way. This places pressure on care services such as sheltered housing, housing with care and care homes, social care equipment budgets and demonstration services for equipment and assistive technology which serves the public at large.

5.3. Therefore on larger housing proposals, and on smaller sites where the cumulative effect on services is similar to a larger site, the County Council may ask for a contribution to develop care services for example:

- to upgrade, expand or convert care homes to housing with care;
- to provide new housing with care to meet the needs of new residents to be near their extended family;
- To expand the capacity of services providing equipment, including demonstration services.

This will not be a fixed charge but will be negotiated on a site by site basis, and in the case of care homes or housing with care may be based on land

contribution. The justification to seek such contributions will be derived from local social care commissioning plans, which will be developed in partnership with district councils and health services, under the Local Strategic Partnership and the Community Strategy. Any contributions sought will need to fully meet the policy tests set out in Circular 5/05.

- 5.4. The County Council would support the district council in seeking contributions towards developing new or existing sheltered housing in the community to meet changing needs.

6. Fire Services

- 6.1. Developers will be expected to provide fire hydrants to the relevant water main. Normally one hydrant will be needed for every 50 dwellings. The minimum cost of a hydrant to fit an 80 – 150 mm main is £766. Therefore the Standard Charge per house towards a fire hydrant is £15.32.
- 6.2. Fire hydrants may also be sought in respect of commercial development at a cost of £766 per hydrant. The number of hydrants required will need to be assessed on a site by site basis taking into account the mix and type of commercial uses proposed.
- 6.3. Given that the provision of a fire hydrant will in most cases be on site, the County Council would expect that they are delivered through a planning condition. The fire hydrants ought to be installed at the same time as the rest of the water infrastructure, ahead of any dwellings being occupied, in order to avoid any excessive costs to the developer. The location of the hydrant must be agreed with the Norfolk Fire Service prior to installation. The developer will be expected to initiate the installation of the hydrant through contact with the Water Company and will incur all costs associated with the hydrant and its installation. The following conditions will be sought:

Condition 1 Residential Development:-

No development shall commence on site until a scheme has been submitted to, and agreed by the Council in consultation with Norfolk Fire Service, for the provision of one fire hydrant (served by mains water supply) for every 50 dwellings forming part of the development and no dwelling shall be occupied until the hydrant(s) serving the property or group of properties has been provided to the satisfaction of the Council in consultation with Norfolk Fire Service.

Condition 2 Commercial Development:-

Commercial Development - The Planning condition should indicate that:

No development shall commence on site until a scheme has been submitted for the provision of 0.75 fire hydrants per hectare (*served by a 150 - 180mm main water supply depending on the mix and type of commercial uses*) for the benefit of the commercial development in a location agreed with the Council in consultation with Norfolk Fire Service and should meet the requirements of Building Regulations Approved Document B Volume 2 Sections 15 & 16 (Fire Hydrants/Water Supplies and Vehicle Access).

The commercial development buildings shall not be occupied until the hydrants have been provided to the satisfaction of the Council in consultation with the Norfolk Fire Service.

Informative

With reference to Conditions 1 and 2, the developer will be expected to meet the costs of supplying and installing the fire hydrants.

Reason for Condition

Condition is needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

- 6.4. Developers may also be asked to contribute towards additional off-site facilities made necessary by the proposed development. For any off-site requirements the County Council would expect these to be dealt with through a S106 agreement.
- 6.5. The delivery of fire hydrants should therefore be dealt through the use of planning condition rather than within a S106 agreement.

7. Other Potential Contributions to the County Council

7.1. Household Waste Recycling Facilities

- 7.2. Norfolk County Council, as a Waste Disposal Authority, has a statutory duty under the Environmental Protection Act (1990) to provide facilities at which residents may deposit their household waste. Each facility must be situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area.
- 7.3. Planned housing growth in Norfolk up to 2021 will place further pressures on existing facilities and will require a combination of new or improved facilities in order to meet future demand. Contributions may be sought to deal with the cumulative impact of a series of both small and large developments.
- 7.4. NB at this stage the precise figure has not been calculated and would not be implemented until consultation has occurred with the District Councils as part of any CIL preparation.
- 7.5. **Green Infrastructure** –The County Council, in partnership with Local Planning Authorities, will require developers to contribute towards the provision of green infrastructure.
- 7.6. **Public Rights of Way** - Norfolk County Council has a duty to sign and maintain 3,750 km Public Rights of Way (PROW). The County Council also has responsibility for Long Distance Paths, Permissive Access and for developing new access opportunities. New development may directly effect routes through for example:
- Requiring those that exist to be moved or adopted; or
 - Creating the need for new ones; or
 - Requiring existing ones to be improved.

Where detached ways are proposed it is in the public benefit that they be dedicated as public rights of way. Increased use will be made of off-site routes requiring enhanced maintenance incurring cost to this authority.

- 7.7. Therefore where proposed development is likely to have an impact on PROW, the County Council will seek to negotiate a contribution which is consistent with the tests set out in Circular 5/05.
- 7.8. **Biodiversity** – The County Council has a duty to protect biodiversity. The County Council, in partnership with the respective District Council, may seek contributions towards improving areas of open space and/or the creation of new habitats in order to maintain, enhance, restore or add to biodiversity interests, where they relate to new housing development. Such contributions towards biodiversity interests will assist local authorities discharge their responsibilities under the Section 40 of the Natural Environment and Rural Communities Act (2006).
- 7.9. **Historic Environment** – Developers will usually be required to meet the costs of protecting or examining and recording the historic environment generally including archaeological remains, historic buildings and other landscape feature through planning conditions or legal agreement.
- 7.10. **Climate Change** – national planning guidance is encouraging the use of the planning system, including through PPS.1 (Climate Change Supplement) and other national policies and legislation, to reduce the impacts linked with increasing the levels of carbon emission that exacerbate climate change . To this end the County Council has adopted the Norfolk Climate Change Strategy and will be working with other planning authorities in an attempt to mitigate the impacts of climate change. The above Strategy was commissioned by the Norfolk Local Government Association (LGA) and has been agreed by the County Council (2008) and was formally launched on 6 February 2009. The Strategy has two high level goals of mitigating and adapting to climate change.
- In due course this may involve contributions to abate these impacts, however, at this stage the precise figure has not been calculated and would not be implemented until consultation has occurred with the District Councils as part of any CIL preparation.
- 7.11. **Highways and Transport**– Developers may also be required to mitigate the effects of development by providing transport related financial contributions or physical works within the highway. These contributions are dealt with through both the Planning (s106) and Highways (S278 of the 1980 Highways act) legislation. Contributions/works are assessed on a site specific basis.
8. **Monitoring of Contributions**
- 8.1. The County Council will closely monitor the contributions collected and ensure that any monies collected and spent are in accordance with the advice contained in Circular 5/05.

9. Summary of Developer Requirements

9.1. The table below summarises the maximum costs per dwelling for education, library and fire hydrant provision. At this stage the table excludes any highway and transport standard charge:

Infrastructure/Service Area	Cost per Dwelling (£)
Green Infrastructure	To be negotiated
Education ²	6,436
Libraries	310
Adult Social Services	To be negotiated
Fire Hydrant	15.32
Household Waste Recycling Facilities	To be negotiated
Highways and Transport	To be negotiated
Other Items (relating to Public Rights of Way, Historic Environment and Biodiversity)	To be negotiated
Monitoring Charge – where appropriate	£300 per obligation
Total	6,761 (plus monitoring charge and other items to be negotiated)

10.0 District Contacts – Planning Obligations

District	Contact	Number
North Norfolk	Stephen Oxenham	01263 516190
King's Lynn and West Norfolk	Stuart Ashworth	01553 616417
Breckland	Sue Bloomfield	01362 656 239
City	Ian Whittaker	01603 212528
Broadland	Phil Courtier	01603 430549
Great Yarmouth	Dean Minns	01493 846421
South Norfolk	Paul Whitham	01508 533841
Broads Authority	Cally Smith	01603 610734

² The education figure assumes extension and new build associated with an existing school and does not reflect the construction costs of a new school.

Appendix

Planning Obligations - Best Practice Note

1. **Issues on Major Housing Sites – Outline Scheme**
 - 1.1. The key issue facing the County Council relates to an increase in housing arising from increased densities. While the S106 agreements allow for an increase in housing by ensuring that each additional dwelling over and above a given level contributes on a pro-rata basis (i.e. an uplift clause), it does not allow for additional land. With a modest increase in housing of between 10% - 15% it is considered possible that a pro-rata increase in contributions would cover any additional build costs. However, the level of increase which could come forward (40% plus) on some sites (i.e. reflecting Government aspirations for higher housing densities) may require in some instances a larger school and would need additional land to that agreed in the S106.
 - 1.2. Other issues include Demographic Multipliers - S106 are negotiated on the basis of demographic multipliers produced by the Department of Planning and Transportation, which are from time to time updated. For example it was previously anticipated that 20 primary pupils and 8 high school pupils would arise for every 100 new houses. These figures have now risen to 25.4 and 14 respectively. Therefore it is possible on those S106s agreed prior to the increase in the pupil multiplier that more children will arise from the development than previously thought.
 - 1.3. Increase in Build Costs – Estimates of build costs may rise over and above those allowed for through index -linking. The S106 relies on the RICS Building Cost index.
2. **General S106 Issues and Way Forward on Outline Schemes**
 - 2.1. The above issues are particularly relevant on large-scale outline housing schemes. Such schemes will increase in number over the next 15 years, as the County has to accommodate its share of Regional housing growth.
 - 2.2. The following “best practice” actions are considered appropriate:
 - **Capping the Level of Development** - All S106 relating to outline schemes should have an upper limit/cap placed on them through condition. This cap will need to be agreed between the District the County and the developer and be soundly based on the effective delivery of infrastructure and service (e.g. for education and highway provision);
 - **Uplift charge** – where an uplift charge (overage) is considered appropriate as an alternative to a “cap”, the uplift will be limited to an additional 10% dwellings. Any additional dwellings arising through more intensive development will require a new S106. The uplift will only relate to reserve

matters applications.

- **Demographic Multipliers**– these multipliers will be reviewed annually and where necessary updated in the County Council’s Planning Obligations Standards. The County Council’s demographers are currently reviewing existing multipliers. Any new multipliers will need to be fed into the County Council’s Planning Obligations Standards (which are reviewed annually). The County Council will ensure that the most up to date multipliers are used;
- **Additional Land for a School** – in responding to District Council LDF consultations on site specific proposals the County Council will seek where appropriate additional school land to that required (i.e. contingency site) in order to serve the development in the event that housing numbers increase substantially. The site could potentially be reverted back to the developer if higher densities do not emerge. However, consideration would need to be made to the potential impact of any further housing on local infrastructure and services. In some instances it may be prudent to earmark any “contingency” site for other uses such as open space rather than simply handing the site back to the developer;
- **Build Costs for Schools** - where a new school is needed the valuation will need to be robust and time limited to say three years after the agreement is signed. Thereafter the S106 should allow the costs to be re-negotiated