

Planning Obs SPG Reps by Represantor

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

LDP Document: 56 SPG - Planning Obligations

RefPoint: 56.

78 Home Builders Federation Ltd

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
78.P10		08/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question *Representation Texts*

Question: **Details**

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

Yes.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
78.P11		08/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO2

Document:SPG - Planning Obligations Cross-references to LDP policies

Question *Representation Texts*

Question: **Details**

Representation Text: . PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only crossreferences to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? Is so, should they appear in the main document or in an Appendix?

Yes.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
78.P12		08/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO3

Document:SPG - Planning Obligations 3.Additional or alternative obligations

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by: Representation No

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P12		08/08/2018	<input type="checkbox"/>		S		M			Summary: Response to question PO3

Question **Representation Texts**

Question: **Details**

Representation Text: . PO3 - Due to the nature of planning obligations, this SPG cannot include every scenario/detail. Do you think the document is clear in this respect? Do you agree that it enables officers, stakeholders and developers to understand that additional or alternative obligations may be sought? If not, please explain why.

The list provided at para 4.19 of the document is clear and is similar to other Councils SPG's in terms of the areas against which contributions may be sought. Yes it does indicate that other requests for mitigation may be sought under S106 negotiations. The HBF would note that only known S106's can be considered during land negotiations and although possible to assess the likely cost implications based on Part 3 of the documents this would not be possible for these additional requirements which might be requested as part of the application process.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P13		08/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO4

Document:SPG - Planning Obligations Major development

Question **Representation Texts**

Question: **Details**

Representation Text: . PO4 - Do you agree that "major" development should be the development that most often triggers obligations? If not, please explain why.

Please detail any changes towards seeking obligations that you think may be suitable and relevant for Powys citing examples from other planning authorities where known.

Although the HBF agrees with the statement at para. 5.11 we do not see the need for it in the SPG, each site is considered on its own merits and based on the planning impact, there may well be 'major developments' [only 10 units] which do not require a S106.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P14		08/08/2018	<input type="checkbox"/>		S		M			Summary: Response to question PO5

Document:SPG - Planning Obligations 5.Step by Step Flowchart

Planning Obs SPG Reps by Represantor

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
78.P14		08/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO5

Question Representation Texts

Question: Details

Representation Text: . PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

The HBF considers the flow chart to be clear, but would suggest that under drafting that the council should include the flexibility for the developer to draft the S106?

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
78.P15		08/08/2018	<input type="checkbox"/>		O		M		Summary: Response to question PO6

Document:SPG - Planning Obligations Assessing financial viability

Question Representation Texts

Question: Details

Representation Text: . PO6- Do you agree with the approach that it is the Affordable Housing SPG and not this SPG which includes the arrangements for assessing the financial viability of a specific development?

No the HBF do not agree with the approach suggested by this question as the viability of a scheme can be affected by any S106 requirement not just the affordable housing one. So the ability to assess the viability of the scheme could apply as a result of any one of the S106 requests.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
78.P16		08/08/2018	<input type="checkbox"/>		O		M		Summary: Response to question PO7

Document:SPG - Planning Obligations 7.Spending financial contributions

Question Representation Texts

Question: Details

Representation Text: . PO7 – Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

The HBF object strongly to the proposed 10 year period as it is considered unreasonable. The S106 contributions are agreed for specific schemes and are justified in order to mitigate against the development. Therefore the S106 should be repaid once the development is completed unless otherwise agreed with the developer. Otherwise a period of 5 years is considered far more reasonable.

Planning Obs SPG Reps by Represantor

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P16		08/08/2018	<input type="checkbox"/>		O		M			Summary: Response to question PO7

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P17		08/08/2018	<input type="checkbox"/>		S		M			Summary: Response to question PO8

Document:SPG - Planning Obligations Five main topic areas

Question *Representation Texts*

Question: **Details**

Representation Text: . P08 – Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

Yes the HBF agrees, although note that Community facilities are often included (currently in point 6 but could be a separate area).

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P18		08/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO9

Document:SPG - Planning Obligations Detail for each topic area

Question *Representation Texts*

Question: **Details**

Representation Text: . PO9 – Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

The HBF supports in general the level of information provided, but would make the following specific comments:

Affordable Housing - Including the level of information does run the risk that people will not read the separate SPG. I would suggest making it much clearer in the first words that there is a separate SPG which should be used as well.

Education – should Welsh medium schools be included in the list of schools supported by contributions?

I have recently been sent a summary of school contributions across Wales carried out by Wrexham Council the most commonly used figures are £12,257 – primary, £18,469 – secondary. I would suggest the figures you include need to be checked against other LPA's.

Under the section 'Financial contributions may be used for:' the HBF questions the final point Security and safety measures. It would not be appropriate for a new development to pay for these in full if they are completely new. This point should either be removed or reworded to make it clear that the S106 is only being used to upgrade or improve based on the extra pupils generated as with all the other types of contributions.

Open Space - The HBF objects to the Council stating that they will not adopt any new open space provided by developers, as this results in the need to set up a management company which will result in an annual charge to all residents including those in any affordable homes.

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P18		08/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO9

Transport And Access – The HBF suggests, as referred to in the Synopsis that 'Travel plans and /or transport assessments' are only likely to be required on major developments (as suggested later in the document under the heading travel plans).

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P19		08/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO10

Document:SPG - Planning Obligations Calculating financial contributions

Question *Representation Texts*

Question: **Details**

Representation Text: . PO10 - Do you agree with the methods and formulae (where provided) for calculating the required financial contributions as set out in Part 3? If not, please explain why.

The HBF has no objections.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
78.P20		08/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO11

Document:SPG - Planning Obligations Other comments

Question *Representation Texts*

Question: **Details**

Representation Text: . PO11 – If you have any other comments you want to make which are not covered by the above questions please include them here:

The document should make reference to the fact that the Council will keep a public register of S106 agreements once signed and this will include a list with details of each contribution.

Para 5.34 on second line replace the word 'will' with 'could' as S106's will not always be sought.

Para 5.38 the wording suggests that the thresholds are for negotiation on each application which is contrary to para 5.34 table 1 which sets the thresholds. I suggest that this para should just refer to the trigger points for payment/ implementation of works being negotiated on a site by site basis.

Para 6.11 currently suggests that reviews of S106 contributions should be triggered by a change in the economy, although this is common practise recent work carried out by the HBF in relation to Swansea LDP showed that over a two year period although house prices had gone up build costs and gone up by three times the amount over the same period. The paragraph should explain that all factors and cost associated with the development will be considered as part of any review of viability.

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<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>	<i>Summary</i>
78.P20		08/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO11

There was reference in the SPG to the Council employing a S106 officer if this is the case could their contact details not be included at the end of the documents.

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131 New Radnor Community Council

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
131.P1		15/07/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question *Representation Texts*

Question: **Details**

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

The Community Council is concerned that with the present S.106 agreements Community Councils have little input and whilst general comments can be made during the planning process this is no substitute for involvement in the drawing up of S.106 obligations.

It therefore feels that a more structured CIL might enable communities to have more involvement. If this is not to happen then greater involvement for Community Councils over S.106 obligations should be incorporated into the policy.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
131.P2		15/07/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO2

Document:SPG - Planning Obligations Cross-references to LDP policies

Question *Representation Texts*

Question: **Details**

Representation Text: . PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only cross-references to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? Is so, should they appear in the main document or in an Appendix?

Yes

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
131.P3		15/07/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO7

Document:SPG - Planning Obligations 7.Spending financial contributions

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
131.P3		15/07/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO7

Question **Representation Texts**

Question: **Details**

Representation Text: . PO7 – Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

Yes

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by: Representation No

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516 Mochdre Community Council

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P16		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question Representation Texts

Question: Details

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

YES.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P17		20/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO2

Document:SPG - Planning Obligations Cross-references to LDP policies

Question Representation Texts

Question: Details

Representation Text: . PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only cross-references to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? If so, should they appear in the main document or in an Appendix?

YES – The SPG should include the applicable policies in an Appendix.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P18		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO3

Document:SPG - Planning Obligations 3.Additional or alternative obligations

Question Representation Texts

Question: Details

Representation Text: . PO3 - Due to the nature of planning obligations, this SPG cannot include every scenario/detail. Do you think the document is clear in this respect? Do you agree that it enables officers, stakeholders and developers to understand that additional or alternative obligations may be sought? If not, please explain why.

YES

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P18		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO3

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P19		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO4

Document:SPG - Planning Obligations Major development

Question **Representation Texts**

Question: **Details**

Representation Text: . PO4 - Do you agree that "major" development should be the development that most often triggers obligations? If not, please explain why.

YES

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P20		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO5

Document:SPG - Planning Obligations 5.Step by Step Flowchart

Question **Representation Texts**

Question: **Details**

Representation Text: . PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

YES

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P21		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO6

Document:SPG - Planning Obligations Assessing financial viability

Planning Obs SPG Reps by Represantor

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P21		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO6

Question **Representation Texts**

Question: **Details**

Representation Text: . PO6- Do you agree with the approach that it is the Affordable Housing SPG and not this SPG which includes the arrangements for assessing the financial viability of a specific development?

YES

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P22		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO7

Document:SPG - Planning Obligations 7.Spending financial contributions

Question **Representation Texts**

Question: **Details**

Representation Text: . PO7 – Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

YES

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P23		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO8

Document:SPG - Planning Obligations Five main topic areas

Question **Representation Texts**

Question: **Details**

Representation Text: . PO8 – Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

YES

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P24		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO9

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P24		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO9

Document:SPG - Planning Obligations Detail for each topic area

Question *Representation Texts*

Question: **Details**

Representation Text: . PO9 – Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

YES

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
516.P25		20/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO10

Document:SPG - Planning Obligations Calculating financial contributions

Question *Representation Texts*

Question: **Details**

Representation Text: . PO10 - Do you agree with the methods and formulae (where provided) for calculating the required financial contributions as set out in Part 3? If not, please explain why.

YES

Planning Obs SPG Reps by Representor

by: Representation No

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517 Montgomery Town Council

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
517.P7		10/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question *Representation Texts*

Question: **Details**

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

We understand the rationale but this should be kept under regular review to ensure that all the infrastructure required by the Authority and the community is indeed being delivered in a timely manner.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
517.P8		10/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO4

Document:SPG - Planning Obligations Major development

Question *Representation Texts*

Question: **Details**

Representation Text: . PO4 - Do you agree that "major" development should be the development that most often triggers obligations? If not, please explain why.

Please detail any changes towards seeking obligations that you think may be suitable and relevant for Powys citing examples from other planning authorities where known.

Inevitably it will be the type of development that most often triggers Obligations, however, this should not exclude Obligations being sought, where appropriate, for any development and we would propose making it transparent that the LPA reserves the right to do so. Also, to avoid any dubiety in what constitutes 'major' in development terms, that any planning application requiring a Pre-Application Consultation will trigger potential Obligations.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
517.P9		10/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO5

Document:SPG - Planning Obligations 5.Step by Step Flowchart

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
517.P9		10/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO5

Question Representation Texts

Question: Details

Representation Text: . PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

The flowchart is clear but it has omitted the Pre-Application consultation stage which is now mandatory for all larger developments. The Town Council considers this is an important stage and from this point, as statutory consultees, they should be involved in discussions and negotiations regarding the development. They will have essential information to bring regarding local highways issues and potential impact as well as greater insight into community needs in terms of recreation, leisure and education and of possible environmental mitigation. Such knowledge will be invaluable in the S.106 process and we would contend that the full application stage is too late for this input as it is evident that, in practice, all the main decisions will have been taken and provisionally agreed. Early involvement also gives the Town or Community Council the opportunity to consult with the wider community before the full application is submitted and thus have a more meaningful input to the S.106 negotiations. Early engagement could also reduce objections to major developments in a locality.

Furthermore, it is unclear whether Departmental consultees will have the opportunity to engage with discussions prior to the full Planning Application stage. Departments such as Highways must be assured that satisfactory agreements can be reached for a development to realistically be achieved.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
517.P10		10/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO8

Document:SPG - Planning Obligations Five main topic areas

Question Representation Texts

Question: Details

Representation Text: . P08 – Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

We agree that the Obligation topic areas of affordable housing; leisure , recreation and open space; access and transportation; Welsh language, and the other topics are appropriate.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
517.P11		10/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO9

Document:SPG - Planning Obligations Detail for each topic area

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<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>	<i>Summary</i>
517.P11		10/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO9

Question ***Representation Texts***

Question: **Details**

Representation Text: . PO9 – Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

We would largely agree that there is sufficient information to inform S.106 negotiations.

As a Town Council we would wish to see greater clarity on the use of financial contributions for the future care and maintenance of community facilities, such as open spaces, playing fields and playgrounds, that will become the responsibility of Town and Community Councils. We would propose that the best way of dealing with this is by the provision of a sufficient contribution to establish a trust fund for maintenance in perpetuity. This creates certainty and an efficient use of funds which, with prudent management, ensures maintenance and prevents the facility becoming a future charge on the Town or Community Council.

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525 Presteigne & Norton Town Council

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
525.P16		27/07/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question *Representation Texts*

Question: **Details**

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

Yes providing consultation is made with the relevant Town and Community Council as the S.106 is being drawn up and that T or CC is fully involved with the process.

Given the size of most Community Councils it is difficult to separate the planning and planning gain processes and it therefore much easier if the planning gain consultation is carried out at a later stage in the process when there is no reason for the public to suspect that planning permission is being bought.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
525.P17		27/07/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO4

Document:SPG - Planning Obligations Major development

Question *Representation Texts*

Question: **Details**

Representation Text: . PO4 - Do you agree that "major" development should be the development that most often triggers obligations? If not, please explain why.

Yes.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
525.P18		27/07/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO5

Document:SPG - Planning Obligations 5.Step by Step Flowchart

Question *Representation Texts*

Question: **Details**

Representation Text: . PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

Include consultation on S.106 details with Town and Community Councils.

Planning Obs SPG Reps by Represantor

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
525.P18		27/07/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO5

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
525.P19		27/07/2018	<input type="checkbox"/>		S		M			Summary: Response to question PO7

Document:SPG - Planning Obligations 7.Spending financial contributions

Question *Representation Texts*

Question: **Details**

Representation Text: . PO7 – Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

Yes.

<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status</i>	<i>Modified</i>	<i>Summary</i>
525.P20		27/07/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO11

Document:SPG - Planning Obligations Other comments

Question *Representation Texts*

Question: **Details**

Representation Text: . PO11 – If you have any other comments you want to make which are not covered by the above questions please include them here:

Given the County Council will not adopt any play areas created it does not seem sensible to rely on developers to do so – they may not even still be in operation five years on from the development. If play areas continue to be requested then securing their long term future maintenance should be addressed

The Town Council was pleased to see that a dedicated monitoring and enforcement officer is in post to maintain a register of obligations and provide enforcement to ensure compliance. This must be continued.

Planning Obs SPG Reps by Represantor

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

1552 Douglas Hughes Architects Ltd

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P17		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question *Representation Texts*

Question: **Details**

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

Yes we are content with this approach.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P18		21/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO2

Document:SPG - Planning Obligations Cross-references to LDP policies

Question *Representation Texts*

Question: **Details**

Representation Text: . PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only cross-references to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? Is so, should they appear in the main document or in an Appendix?

We are content for the SPG to cross-reference to policies in the LDP and for these to be read in conjunction with the Guidance. It would be useful to include web links for handy navigation between the two documents.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P19		21/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO3

Document:SPG - Planning Obligations 3.Additional or alternative obligations

Planning Obs SPG Reps by Represantor

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P19		21/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO3

Question Representation Texts

Question: Details

Representation Text: . PO3 - Due to the nature of planning obligations, this SPG cannot include every scenario/detail. Do you think the document is clear in this respect? Do you agree that it enables officers, stakeholders and developers to understand that additional or alternative obligations may be sought? If not, please explain why.

It is sufficient to include general guidance in this respect. However it would be useful to provide illustrative examples of how or in what circumstances additional or obligations might be sought and what rationale or justification there might be for doing so (while emphasising that the examples are illustrative and not exhaustive).

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P20		21/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO4

Document:SPG - Planning Obligations Major development

Question Representation Texts

Question: Details

Representation Text: . PO4 - Do you agree that "major" development should be the development that most often triggers obligations? If not, please explain why.

Please detail any changes towards seeking obligations that you think may be suitable and relevant for Powys citing examples from other planning authorities where known.

It is clear and logical that planning obligations will most likely be sought for "major" development and which is defined in the Guidance.

It is less clear whether the statement, "each case will be considered on its individual merits", relates to exceptions to this requirement or whether it relates to where planning obligations may be required on other forms of development.

If the latter, then one or more illustrative examples of the type of scenario where obligations may be considered or applied might be useful to include here.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P21		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO5

Document:SPG - Planning Obligations 5.Step by Step Flowchart

Planning Obs SPG Reps by Represantor

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P21		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO5

Question Representation Texts

Question: Details

Representation Text: . PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

By and large we would consider the flow chart to be accurate and clear. We would wish to emphasise the difference between pre-application discussion (informal) and pre-application advice enquiry (formal/chargeable) and would counsel against any drift towards the latter at the expense of establishing good dialogue with planning officers and who are confident to provide informal advice designed to assist applicants and their agents to make informed decisions.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P22		21/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO6

Document:SPG - Planning Obligations Assessing financial viability

Question Representation Texts

Question: Details

Representation Text: . PO6- Do you agree with the approach that it is the Affordable Housing SPG and not this SPG which includes the arrangements for assessing the financial viability of a specific development?

Yes as Affordable Housing sits outside of CIL (irrespective of whether the LPA chooses to implement it) and is a complex issue as well as a key strategic priority. However it would be useful to include a hyperlink to this guidance by way of cross-reference with that document in order to help signpost developers, agents and other interested parties

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P23		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO7

Document:SPG - Planning Obligations 7.Spending financial contributions

Question Representation Texts

Question: Details

Representation Text: . PO7 – Whilst there is no statutory requirement to specify a time period in which planning contributions should be spent, do you agree with the suggested 10 year (maximum) period? If not, please explain why.

We do not consider this timescale to be unreasonable.

Planning Obs SPG Reps by Represantor

by: Representation No

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P23		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO7

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P24		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO8

Document:SPG - Planning Obligations Five main topic areas

Question *Representation Texts*

Question: **Details**

Representation Text: . P08 – Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

These topics areas would appear to be rational.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P25		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO9

Document:SPG - Planning Obligations Detail for each topic area

Question *Representation Texts*

Question: **Details**

Representation Text: . PO9 – Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

We do not have any significant issues with this section.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
1552.P26		21/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO10

Document:SPG - Planning Obligations Calculating financial contributions

Planning Obs SPG Reps by Represantor

Powys County Council Local Development Plan

by: Representation No

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Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
1552.P26		21/08/2018	<input type="checkbox"/>		S		M			Summary: Response to question PO10

Question **Representation Texts**

Question: **Details**

Representation Text: . PO10 - Do you agree with the methods and formulae (where provided) for calculating the required financial contributions as set out in Part 3? If not, please explain why.

We do not have any significant issues with this section.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
1552.P27		21/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO11

Document:SPG - Planning Obligations Other comments

Question **Representation Texts**

Question: **Details**

Representation Text: . PO11 – If you have any other comments you want to make which are not covered by the above questions please include them here:

The issue is one of capacity for the S106 officer bearing in mind the requirements in terms of planning obligations and whether this is likely to overwhelm or at least slow down the process.

In addition – and this is one perhaps for affordable housing, where major new factory development is likely to require skills, expertise and capacity not wholly available within the local workforce (e.g. as part of a Mid Wales Growth Deal) and which therefore places pressure on housing as well as local other local infrastructure. In this case what (if any) contribution, if any, would be required from developers of new industrial and commercial units towards provision?

Planning Obs SPG Reps by Represantor

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

5704 Glandwr Cymru - Canal & River Trust in Wales

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
5704.P1		17/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO1

Document:SPG - Planning Obligations CIL Charging Schedule

Question *Representation Texts*

Question: **Details**

Representation Text: . PO1 - Do you agree with the Council's approach not to pursue a CIL Charging Schedule at this point in time? If not, please explain why.

Glandwr Cymru agrees in principle to the Council not pursuing a CIL Charging Schedule. This is providing that an appropriate mechanism will remain for planning obligations to be sought to ensure that development provides for adequate infrastructure necessary to serve the proposal and mitigate the impacts of development. Adopted Policy DM1 should provide an appropriate mechanism.

Glandwr Cymru has previously commented that new development in the vicinity of the Montgomery Canal may place an additional burden on the canal infrastructure, for example as a result of the increased use of the towpath by pedestrians and cyclists, increased vehicular traffic crossing historic canal bridges or increased water levels due to the introduction of surface water run-off. It is considered that the need for developers to contribute towards necessary improvements to mitigate the adverse impact of development upon the canal infrastructure is required as set out below (PO9).

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
5704.P2		17/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO2

Document:SPG - Planning Obligations Cross-references to LDP policies

Question *Representation Texts*

Question: **Details**

Representation Text: . PO2 - Do you agree that, in the interests of avoiding duplication, this SPG only cross-references to policies in the LDP and does not repeat them? Would you prefer the SPG to include the applicable policies? Is so, should they appear in the main document or in an Appendix?

Glandwr Cymru do not have a strong preference, however if the text is to be repeated then this should be included within an appendix to the SPG.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
5704.P3		17/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO3

Document:SPG - Planning Obligations 3.Additional or alternative obligations

Planning Obs SPG Reps by Represantor

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
5704.P3		17/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO3

Question Representation Texts

Question: Details

Representation Text: . PO3 - Due to the nature of planning obligations, this SPG cannot include every scenario/detail. Do you think the document is clear in this respect? Do you agree that it enables officers, stakeholders and developers to understand that additional or alternative obligations may be sought? If not, please explain why.

It is acknowledged that the document cannot include every scenario that obligations may be sought for and nor should it. The wording of paragraph 5.5 would appear to be sufficient to enable case specific obligations to be sought.

Reference to pre-application could be made in paragraph 5.6, which would be an opportunity for developers to be made aware of potential obligations, to enable them to integrate any obligations into their site viability.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
5704.P4		17/08/2018	<input type="checkbox"/>		C		M			Summary: Response to question PO4

Document:SPG - Planning Obligations Major development

Question Representation Texts

Question: Details

Representation Text: . PO4 - Do you agree that "major" development should be the development that most often triggers obligations? If not, please explain why.

Please detail any changes towards seeking obligations that you think may be suitable and relevant for Powys citing examples from other planning authorities where known.

Anything other than a major development is unlikely to comply with the being 'fair and reasonable related in scale' criteria to warrant a planning obligation. However, as drafted, the SPG, when read as a whole would enable a case to be made for non-majors on a case by case basis.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status	Modified	Summary
5704.P5		17/08/2018	<input type="checkbox"/>		S		M			Summary: Response to question PO5

Document:SPG - Planning Obligations 5.Step by Step Flowchart

Planning Obs SPG Reps by Represantor

Powys County Council Local Development Plan

by: Representation No

Filtered to show: (all of) Stage=P; Status=M; Document= SPG - Planning Obligations

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
5704.P5		17/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question PO5

Question **Representation Texts**

Question: **Details**

Representation Text: . PO5 - Do you consider the Step by Step Flowchart in Figure 1 to be clear and accurate? If not, what changes would you suggest? If you have experience of the process within Powys County Council, does this flowchart mirror your experience?

Glandwr Cymru consider that the flowchart is clear and have no comments to make on it.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
5704.P6		17/08/2018	<input type="checkbox"/>		S		M		Summary: Response to question P08

Document:SPG - Planning Obligations Five main topic areas

Question **Representation Texts**

Question: **Details**

Representation Text: . P08 – Do you consider that the five main topic areas set out in Part 3 are the right topic areas for this document? If not, please explain what changes you would like to see and why.

Glandwr Cymru consider that the topic areas are appropriate.

Rep'n/Para/Policy	AccessnNo	DateLodgd	Late?	Source	Type	Mode	Status	Status Modified	Summary
5704.P7		17/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO9

Document:SPG - Planning Obligations Detail for each topic area

Question **Representation Texts**

Question: **Details**

Representation Text: . PO9 – Do you agree that the detail provided in Part 3 for the various topic areas is relevant and sufficient to inform S.106 negotiations? If not, what changes would you like to see and why?

Glandwr Cymru would wish to see specific mention made to canal towpath improvements within Leisure, Recreation and Open Space and Transportation and Access, this would better accord with policy TD3 of the adopted Powys Local Plan.

New development in the vicinity of the Montgomery Canal may place an additional burden on the canal infrastructure, for example as a result of the increased use of the towpath by pedestrians and cyclists. It is considered that the need for developers to contribute towards necessary improvements to mitigate the adverse impact of development upon the canal infrastructure should be referenced in the document.

Planning Obs SPG Reps by Representor

by: Representation No

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<i>Rep'n/Para/Policy</i>	<i>AccessnNo</i>	<i>DateLodgd</i>	<i>Late?</i>	<i>Source</i>	<i>Type</i>	<i>Mode</i>	<i>Status</i>	<i>Status Modified</i>	<i>Summary</i>
5704.P7		17/08/2018	<input type="checkbox"/>		C		M		Summary: Response to question PO9

Planning Obs SPG Reps by Representor

by: Representation No

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