



North Tyneside Council

Working in partnership with
CAPITA

North Tyneside

Planning Obligations SPD Supplementary Planning Document

March 2018

**PLANNING AND COMPULSORY PURCHASE ACT
2004 TOWN AND COUNTRY PLANNING (LOCAL
PLANNING) (ENGLAND) REGULATIONS 2012,
REGULATION 14**

**Planning Obligations Supplementary Planning Document
Adoption Statement - March 2018**

This statement is published by North Tyneside Council to fulfil the requirements of regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Planning Obligations Supplementary Planning Document (SPD) was adopted by North Tyneside Council on 12th March 2018.

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. Any such application for must be made promptly and in any case not later than 3 months after the date on which the SPD was adopted, that is by 12th June 2018.

Under Section 23 (1) of the Planning and Compulsory Purchase Act 2004, the Council has modified the SPD to take into account representations made in relation to the document and any other relevant matters. Modifications are included in the accompanying Consultation Statement.

The Planning Obligations SPD, Consultation Statement and this Adoption Statement are available to view on the Council's website:

<http://my.northtyneside.gov.uk/category/1150/supplementary-planning-documents-and-masterplans>

The documents are available for inspection on request at Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY. To request to view the documents please contact the Planning Policy team at planning.policy@northtyneside.gov.uk or by calling 0191 643 2310.

Contents

1	INTRODUCTION.....	1
2	LEGISLATION, POLICY AND GUIDANCE ON PLANNING OBLIGATIONS.....	3
3	CALCULATING DEVELOPER CONTRIBUTIONS	9
4	GENERAL SITE SPECIFIC INFRASTRUCTURE.....	12
5	AFFORDABLE HOUSING	14
6	HIGHWAYS AND TRANSPORTATION.....	17
7	EDUCATION	20
8	HEALTH.....	23
9	EMPLOYMENT AND TRAINING.....	25
10	GREEN SPACE AND CHILDREN'S PLAY.....	27
11	SPORT PROVISION AND PLAYING PITCHES	29
12	COMMUNITY SERVICES AND FACILITIES	31

1 Introduction

- 1.1 The purpose of this Supplementary Planning Document (SPD) is to provide guidance on the type and extent of planning obligations that North Tyneside Council may require in order to ensure that planning permission may be granted.
- 1.2 A planning obligation, also known as a Section 106 Agreement, is a formal commitment undertaken by a developer to mitigate site specific impacts caused by new development. They must be necessary and used directly to make a development acceptable.
- 1.3 The Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with applicants to identify appropriate solutions where matters of viability arise and require negotiation.
- 1.4 This SPD is intended to facilitate the planning obligation process between the Council and developers, providing transparency on the Council's approach. This SPD provides a guide to the possible requirements for Section 106 contributions that might be required and the methodology that is employed to determine the impacts of development proposals. The SPD does not introduce a 'tariff' style approach, but identifies key areas of infrastructure that may need to be addressed as part of a Section 106 Agreement where considered fair, necessary and reasonable.
- 1.5 The topic areas set out in this document are not exhaustive. Other infrastructure requirements not identified may be considered necessary should circumstances require and appropriate evidence of the potential impacts is available.

Pre-application advice

- 1.6 All developers are encouraged to contact the Council's planning team at the earliest possible time in order to ensure their proposals comply with current and emerging planning policy. To assist, the Council offers a dedicated pre-application advice service, which is

subject to a fee.

1.7 Pre-application advice will give an indication of the likely requirement for contributions to be made by the developer, for example levels of affordable housing, highways considerations and other contributions. Early discussions will ensure that all parties are fully aware of the issues which need to be taken into account when submitting a planning application. Usually, providing the pre-application advice is taken into account, applications can then be processed without any unnecessary delay.

1.8 Further information can be found on the Council's website at this address:

<http://my.northtyneside.gov.uk/category/1077/pre-application-advice>

2 Legislation, policy and guidance on Planning Obligations

- 2.1 The present legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act, as amended by the Planning and Compulsory Purchase Act. Further legislation is set out in Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Government policy on planning obligations is set out in Paragraphs 203 to 205 of the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).
- 2.2 The CIL regulations and guidance require local authorities to ensure planning obligations are directly related to a specific site. Regulation 122 of the CIL regulations and Paragraph 204 of the NPPF set out the following tests that must be satisfied when seeking a planning obligation for new development. Each requirement must be:
- Necessary to make the proposed development acceptable in planning terms,
 - Directly related to the proposed development and
 - Fairly and reasonably related in scale and kind to the proposed development.
- 2.3 In addition, the CIL regulations restrict the pooling of financial contributions sought through planning obligations. No more than five separate planning obligations, entered into from 6 April 2010 onwards, can be collected for the funding or provision of the same infrastructure type or project.
- 2.4 Where a CIL has been introduced, items funded through this levy cannot be sought through planning obligations.

Community Infrastructure Levy

- 2.5 North Tyneside Council intends to introduce a CIL and, once adopted, the Council will publish an infrastructure list in accordance with Regulation 123 known as a Regulation 123 List. This will set out the infrastructure and specific projects the CIL monies will help to fund and ensure no 'double dipping' occurs with planning obligations. The Regulation 123 List can potentially be changed, following local consultation, after its adoption. The areas of

infrastructure identified in this SPD, for potential Section 106 contributions, will never be sought or used to contribute towards a project that is identified in the Regulation 123 List.

Sustainability Appraisal

- 2.6 All Development Plan Documents are subject to a Sustainability Appraisal (SA). The 2008 Planning Act, however, allows for SPDs to be prepared without a full SA as long as they are screened to establish whether they will result in significant effects as defined by the Strategic Environmental Assessment Directive. A Screening Statement has been produced to accompany this document in order to fulfil this requirement.

Local Policy

- 2.7 Local Planning Authorities are required to demonstrate all development plan documents and supplementary planning documents are in conformity with the adopted Local Plan.
- 2.8 North Tyneside Council has recently adopted the North Tyneside Local Plan, which replaces the Unitary Development Plan (2002). Policies S7.1 and DM7.2 sets out the overall approach taken towards infrastructure provision and developer contributions. The table below sets out some of the policy needs for the areas of infrastructure set out in this document.

Table 1: Relevant Local Plan Policy

Area of funding	Local Plan Policy	
Affordable housing	DM4.7	Affordable Housing
Highways and Sustainable transport	DM7.3	Transport
	DM7.4	New Development and Transport
Education	S7.10	Community Infrastructure
Health	S1.2	Spatial Strategy for Health and Wellbeing
	S7.10	Community Infrastructure
Employment and training	S2.1	Economic Growth Strategy
	DM7.5	Employment and Skills
Green Spaces and Children's play	DM5.3	Green Space Provision and Standards
	S7.10	Community Infrastructure
Sports provision and playing pitches	DM5.3	Green Space provision and Standards
	S7.10	Community Infrastructure
Community services and facilities	S7.10	Community Infrastructure

Area of funding	Local Plan Policy
Public art	DM6.1 Design of Development
Regeneration	S3.1 Competitive Centres S6.4 Improving Image
Ecology and biodiversity	S5.1 Strategic Green Infrastructure DM5.2 Protection of Green Infrastructure S5.4 Biodiversity and Geodiversity DM5.5 Managing effects on Biodiversity and Geodiversity DM5.6 Management of International Sites S5.16 Coastal Erosion
Flood risk	DM5.12 Development and Flood Risk DM5.13 Flood Reduction Works DM5.15 Sustainable Drainage
Air quality	S1.2 Spatial Strategy for Health and Well-being DM5.19 Pollution
Waste management and collection	DM7.9 New Development and Waste
Digital technology	DM7.11 Telecommunications – Broadband, mobile phone masts and equipment

Procedural Matters

2.9 Planning obligations will be negotiated on a site by site basis using the information contained within this SPD. The Council will take into account the individual characteristics of the site, the availability and quality of the relevant infrastructure which the development of the site will impact. This approach ensures that obligations are necessary and directly related to the development from which they are sought.

Types of contributions

2.10 In order to meet the requirements of a planning obligation, developers may make contributions in a variety of ways. These are generally through in kind or financial contributions.

2.11 In kind contributions are those which the developer provides directly and are normally physical in nature. This could include the construction of a community meeting room, play space or the creation of new wildlife habitats on site. Improvements required to the adopted highways network are often secured through a planning condition, which requires the applicant to secure an agreement under Section 278 of the Highways Act 1980..

Payment of contributions

- 2.12 Financial contributions are payable at specific stages in the development process, usually on commencement of development or at an appropriate agreed stage in the development. There may also be cases, in large-scale development, where contributions can be phased to match the proportional impact of each phase of the development. For housing developments, the date of payment will normally be on the completion of a certain number of dwellings. The Council considers a dwelling to be complete when it is clearly fitted out and water tight with works to outside areas such as pathways, driveways or front gardens in place.
- 2.13 Trigger dates for the payment of financial contributions will be included in the Section 106 Agreement, as will any time periods by which the contribution is to be spent.
- 2.14 Following receipt by the Council, financial contributions will be held separately to be used for the intentions they were sought. Contributions remaining unspent at the end of a time period specified in the Section 106 Agreement will be returned to the payee in accordance with the terms of the Agreement.

Viability

- 2.15 The Council considers the level of financial contributions and affordable housing it seeks to be viable, deliverable and reasonable in relation to the nature and scale of development within the Borough. In exceptional circumstances, the Council understands there may be site specific considerations that result in a proposed development being unable to meet all the relevant policy requirements and still remain viable. Where the Council is satisfied that an otherwise acceptable development cannot be fully policy compliant and remain viable, a reduced package of planning obligations may be recommended. Developers will need to provide robust evidence on the economic viability of the development to demonstrate how it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it.
- 2.16 In order to assess the viability of a proposal, the Council will request an open book viability assessment. North Tyneside Council, in partnership with Capita, has prepared guidance for

developers, agents and land-owners to assist in the submission of viability assessments, to ensure a consistent and transparent process. A copy of this document, 'Submission of Viability Assessments Checklist for Applicants (January 2016)', can be provided upon request. It sets out the relevant fees, which must be paid up front to North Tyneside Council before any work will be carried out on the assessment, and the format of the assessment submission.

2.17 The following information is required to be submitted by the developer to assess viability:

- Site information (gross site area ha, net residential area ha, size of the residential units, plan showing the area and development plan);
- Development value (value of market housing, value of affordable housing, threshold land value);
- Development costs (build costs, abnormalities, fees, finance, timescales, developer's profit)

2.18 This list is not exhaustive and the developer should include any further information, if necessary, in support of their viability assessment and be able to provide the Council with any site specific information upon request.

Index Linking

2.19 All financial contributions contained in this SPD are to be index linked from the date of the S106 Agreement to the date when the contribution is requested. The Council's preferred index is the All in Tender Price Index published by the Buildings Cost Information Service of the Royal Institute of Chartered Surveyors.

Monitoring and Reporting of S106 Obligations and Payments

2.20 Monitoring will be undertaken by the Council to ensure all obligations entered into are complied with on the part of both the developer and the Council. It will also ensure that no more than five obligations, relating to a type of infrastructure or project, are pooled.

2.21 Obligations are reported in the Authority Monitoring Report and to North Tyneside Council's Finance Sub-Committee.

Enforcement

2.22 The Council will enforce obligations where necessary. In the first instance this will be sought informally. Where this is not possible, the Council will fully enforce the obligation.

3 Calculating Developer Contributions

- 3.1 When calculating the contributions required from new development, three key factors have been identified. These are:
- Infrastructure costs arising from the proposed population increase,
 - Occupancy rates, and
 - Pupil yield.
- 3.2 The infrastructure costs are dependent on current prices as well as local and national requirements established through latest policy. Consultation with the relevant service providers during the application process will ensure that the most recent information is used.
- 3.3 Calculations also use occupancy rates to establish the potential number of people arising from new development. These figures are derived from the 2011 Census and are as follows:

Table 2: Occupancy (resident) yield per house size

No. of bedrooms	Occupancy rate
1	1.23
2	1.75
3	2.46
4	3.01

- 3.4 Derived from the population figures is the potential pupil yield, which is used to calculate infrastructure costs such as education and play space. The calculation for pupil yield from new developments is based upon the National Level of Pupil Yield, derived from the Audit Commission research 'Trading Places'. The National Yield averages 5 pupils per 100 houses per year group from Reception to Year 11 (12 years). Local research into the impact of housing developments indicates that the pupil yield per dwelling is lower in North Tyneside, therefore an adjustment is made to reflect yield in pupils per size of dwellings.
- 3.5 To calculate the projected pupil yield from a development, a weighting is firstly applied for each educational sector. Primary and Nursery schools are weighted at 70% and Secondary Schools at 30% of the total pupil yield. The number of dwellings of each bedroom size will be multiplied by rows C and rows D below. This will produce a primary pupil yield and a secondary pupil yield.

Table 3: Primary and secondary yield per house and house size

		1 Bed	2 Bed	3 Bed	4 Bed
A	Year Group 1 pupils per dwelling	0.003	0.016	0.033	0.040
B	Total Pupil Yield per dwelling	0.040	0.196	0.400	0.478
C	Primary Yield	0.0280	0.137	0.280	0.335
D	Secondary Yield per dwellings	0.012	0.059	0.120	0.143

3.6 Where updated information becomes available that significantly alters these figures an update to this document will be issued.

3.7 Due to the changing nature of these factors it, is not possible to calculate the cost of infrastructure as part of this document. Table 4 below describes the amount of new provision that would be required as a result of new development, using the population yields per home identified above. The table assumes that there is a shortfall in infrastructure provision and can provide guidance. Any infrastructure not listed in Table 4 due to the varying nature of the potential impacts of development will be assessed on a site by site basis. This includes Highways and Sustainable Transport, Ecology and biodiversity, Public art, Regeneration, Flood risk, Air quality, Waste management and collection, and Digital technology.

Table 4: Indicative requirements arising to address capacity shortfall

House Type	Floor space (m ²) per person	1 bed	2 bed	3 bed	4 bed
Number of residents	n/a	1.23	1.75	2.46	3.01
Health	0.09m ²	0.11m ²	0.15m ²	0.21m ²	0.26m ²
Affordable Housing	25% affordable sought on schemes of 11 units or more.				
Semi-Natural and Natural Green Space	2.00 m ²	2.46 m ²	3.50 m ²	4.92 m ²	6.02m ²
Allotments	1 plot per 27 households				
Parks	2.00m ²	2.46m ²	3.50m ²	4.92m ²	6.02m ²
Local Amenity Green Space / Informal Play	5.50m ²	6.77m ²	9.63m ²	13.53m ²	16.56m ²
Equipped Area for Play / Multi Use Games Area	2.50m ²	3.08m ²	4.38m ²	6.15m ²	7.53m ²
Sports Pitch	12.00m ²	14.76m ²	21.00m ²	29.52m ²	36.12m ²
Swimming Pool	0.01	0.012m ²	0.018m ²	0.025m ²	0.030m ²
Sports Hall	0.11m ²	0.132m ²	0.187m ²	0.263m ²	0.322m ²
Primary Education	<i>Pupils</i>	<i>0.280</i>	<i>0.137</i>	<i>0.280</i>	<i>0.335</i>
		5.73	1.604m ²	0.785m ²	1.604m ²
Secondary Education	<i>Pupils</i>	<i>0.012</i>	<i>0.059</i>	<i>0.120</i>	<i>0.143</i>
		8.50m ²	0.102m ²	0.501m ²	1.02m ²
Employment and Training	1 apprentice per 30 dwellings or to be agreed in discussion with the Council for other types development.				
Community Facilities	0.033 m ²	0.04m ²	0.06m ²	0.08m ²	0.10m ²

Thresholds

3.8 Large scale developments where infrastructure is not provided on site will have an impact on existing facilities. As a result, major developments will often trigger the requirement for a Section 106 Agreement to be considered. The Town and Country Planning (Development Management) Order 2015 (as amended)¹ defines major planning applications and can be summarised as follows:

- minerals and waste development;
- developments of 10 or more dwellings;
- new building, or buildings, where the floor space is 1,000m² or more; or
- where a site has an area of 1 hectare or more.

3.9 Within the following chapters there are explicit triggers for certain types of infrastructure. However, there may also be specific circumstances where it is considered that smaller schemes result in an impact that requires a developer contribution.

3.10 National Planning Policy Guidance makes an exception for residential developments of 10 units or less that have a combined floorspace of 1,000sqm (gross internal area). Where a Section 106 Agreement is sought in these circumstances, contributions will be only used to address an adverse impact arising from the development and will not be pooled to fund a project.

¹ <https://www.legislation.gov.uk/ukxi/2015/595/article/2/made>

4 General Site Specific Infrastructure

4.1 When considering the impact of proposed development there are certain key areas of infrastructure that will be affected by most major schemes. This document will therefore address the evidence, policy justification and scope of potential requirements associated with these infrastructure types in each of the following chapters:

- Affordable housing
- Highways and transportation
- Education
- Health
- Employment and training
- Green space and children's play
- Sports provision and playing pitches
- Community services and facilities

4.2 There are also a range of additional site specific measures that may be required as a result of the location of a proposed development or its likely impacts, and could include:

- **The historic environment, regeneration and public art:** where a site is of particular prominence, might be likely to have a specific role in regeneration or requires particular intervention or mitigation for the historic environment for development to be acceptable.
- **Ecology and biodiversity:** in order to mitigate the impact of development on existing habitat or species, enhancing or creating a new habitat may be considered necessary.
- **Flood risk:** a Section 106 Agreement may be identified as the most effective mechanism to ensure mitigation of flood risk and drainage issues, and may include measures such as the provision of Sustainable Urban Drainage schemes (SUDs).
- **Air quality:** where a site has a particular impact on or exposure to potential air quality issues within the Borough, measures to ensure appropriate monitoring and / or delivery of specific mitigation may be required via a Section 106 Agreement.

- **Waste management and street cleansing:** where a site cannot be readily integrated into the network or projected population growth exceeds the available capacity of existing facilities.
- **Digital technology:** to support the roll out of superfast broadband in North Tyneside, supporting the connectivity of new residents.

5 Affordable Housing

Introduction

- 5.1 The provision of adequate affordable housing in North Tyneside is a major priority for the Council. All developers seeking to bring forward new residential development should be aware of current national and local planning policy and must be prepared to work with the Council to meet the identified need for affordable housing.
- 5.2 The NPPF requires local planning authorities to significantly boost the supply of housing to meet their full, objectively assessed needs for market and affordable housing. In North Tyneside affordable housing is delivered by the Council, Registered Housing Providers and private developers.

Policy justification and requirements

- 5.3 Local Plan Policy DM4.7 Affordable Housing confirms the Council's requirement to ensure that new housing development makes a contribution to affordable housing provision, to meet that identified need. Based on the evidence of housing needs assessment and the Area Wide Viability Assessment, Local Plan policy confirms that certain housing developments should include affordable housing provision equal to 25% of the overall volume of development.
- 5.4 It is the Council's expectation that a 25% contribution towards affordable housing will be secured from all housing schemes that trigger the requirement. However, Policy DM4.7 is worded in a flexible manner in relation to affordable housing. Developers are required to provide a mix of affordable housing for rent and intermediate housing, based on the most up-to-date evidence of local need. Where necessary, to assist the viability of proposals, a flexible approach to the tenure mix of affordable housing provision, may be considered by the Council.
- 5.5 In all but the most exceptional cases the Council will require affordable housing provision to be made on site, in line with policy. Where alternative off-site affordable housing provision or a commuted sum is proposed it must be demonstrated that:

- All options for securing on-site provision have been explored and exhausted; and,
- Where off-site affordable housing is to be provided the amount of affordable housing would be broadly equivalent in value to, that which would be viable if the provision was made on-site or,
- Where a commuted sum is to be provided it will be broadly equivalent to that which would be viable if the provision was made on-site.

5.6 As such, local policy is considered to be sufficiently flexible to take account of changing market conditions.

Evidence base

5.7 Evidence of the level of affordable housing required in the Borough is set out within the North Tyneside Strategic Housing Market Assessment (SHMA)². The latest evidence provided within the SHMA found that, considering the ability of existing and newly forming households to access market housing, there is a significant shortfall of affordable homes in the Borough. This is the equivalent to 490 affordable homes per annum. Within that affordable need the SHMA recommends that 75% should be affordable housing for rent and 25% intermediate tenure, such as shared ownership, shared equity, or discount open market sale. Information on the type and size of affordable housing needed is also provided in the SHMA.

Threshold

5.8 Only residential developments of 11 or more dwellings and gross internal area of more than 1,000sqm.

Exemptions from Affordable Housing Obligations

- 5.9 The following residential uses will not be required to make a contribution towards the Boroughs affordable housing requirements:
- Student Housing – Where a development is solely for student housing;
 - Hostels;

² <http://my.northtyneside.gov.uk/category/1134/housing-and-employment>

- Educational Establishments – Establishments that include an element of residential development, when the residential accommodation is linked to educational facilities on site; and
- Residential Care/Nursing Homes – Where the accommodation is not self-contained and falls within Use Class C2.

Starter Homes

5.10 At the time of writing the Government's proposed amendment to the NPPF, which would include Starter Homes under the definition of affordable housing, has not been introduced. As government policy evolves, the Council will engage with applicants on suitable affordable housing provision in reference to the latest national position. As a general principal, through the affordable housing requirement, the Council will seek to ensure that the housing needs of the Borough are met.

6 Highways and Transportation

Introduction

- 6.1 North Tyneside Council seeks to improve accessibility and increase the use of sustainable modes of transport such as walking, cycling and public transport. Coordinating with others in the Tyne and Wear area, the Council will seek to improve connections regionally, nationally and internationally and seek to reduce the number of car journeys.
- 6.2 New developments can have significant impacts on the strategic transport network and the cumulative effect of a number of developments can produce considerable pressures.

Policy justification and requirements

- 6.3 The NPPF is clear that planning should encourage the use of sustainable transport modes, the creation of safe access and improvements to the highways network in order to mitigate potentially severe impacts of new development.
- 6.4 Local Plan Policy S7.3 Transport and DM7.4 New Development and Transport set out the policy expectations placed upon new development. Further guidance regarding the Council's approach is set out in the SPD, LDD12 Highways and Transport 2017³.

Evidence Base

- 6.5 When assessing a planning application, the Council will consider a range of evidence and available information regarding the broad accessibility and sustainability of the location. This will include opportunities available for cycling, walking and public transport and the likely impacts of the scheme upon the Borough's local and strategic road network. Evidence of trip generation and modal shift will be considered in ascertaining likely impacts, alongside known evidence of the remaining junction capacity in the Borough once existing and future projected growth is taken into account. Where appropriate for large schemes that potentially impact upon more than one junction, the proportionate impact of that scheme upon those

³ <http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/transport.pdf>

junctions may be taken into consideration to make the most effective use of any works required.

Threshold

- 6.6 All development would be considered for the potential requirement to make a contribution via section 106 based upon the impact of the site and location upon sustainable travel, severe traffic impacts and highway and highway safety.

Other Highways Requirements

- 6.7 Highways infrastructure may be also be delivered through Section 38 Agreements (S38) or Section 278 Agreements (S278) of the Highways Act 1980, as deemed appropriate by the Local Highway Authority, to mitigate the impact of the development.
- 6.8 Planning conditions and provisions within the Highways Act normally control the construction and improvement of highways associated with development. They work alongside planning obligations in securing new highways within a development (S38) or improvements to existing highways adjacent or near to the development (S278). These agreements also ensure that traffic associated with the new development can be accommodated on the local highway network without having a severe impact, in line with NPPF.

Travel Plans

- 6.9 The starting point for a Travel Plan (TP) is a Transport Assessment (TA) that identifies the potential impact of a development on the local highway network. The TP sets out a range of measures to reduce the number of single car occupancy journeys and increase the use of alternative, more sustainable modes of transport. The TP also sets out targets, details of monitoring and will include a Travel Plan Bond that will be used to provide further sustainable measures should these targets not be met.
- 6.10 Developers are required to identify a Travel Plan Coordinator who will remain responsible for the delivery, monitoring and reporting of the Travel Plan. In the absence of a Travel Plan

Coordinator being identified at the planning stage, the Council will carry out the coordinator role on behalf of the developer at the developer's expense. This will ensure all new developments are delivering effective Travel Plans, reducing car-borne trips and encouraging sustainable travel. Further guidance on TA's and TP's can be found in the Council's SPD, LDD12 Highways and Transport 2017.

7 Education

Introduction

- 7.1 Schools are a crucial element of local infrastructure and therefore change in the local provision of school places must be considered alongside the delivery of new homes. North Tyneside Council seeks to prepare young people for work and life through their education and is striving to reduce the attainment gap across the borough.

Policy, Justification and Requirements

- 7.2 The NPPF recognises the importance of ensuring there is sufficient choice of school places available to meet the needs of existing and new communities. Furthermore it seeks to minimise journey lengths to education facilities.
- 7.3 Local Plan Policy DM7.5 encourages the development or expansion of education facilities in order to address any shortfall in provision as a result of new development. This is further supported by Policy S7.10 which looks to protect and enhance community facilities.
- 7.4 When considering the required contribution, reference will be made to the current catchment areas and the capacity of schools affected by the development, and the wider implications of reduced capacity in one location affecting other school catchments.

Evidence base

- 7.5 The pupil yield that arises from new development is considered in the following context:
- the existing and projected capacity of relevant schools within North Tyneside, and
 - the relationship between the development site and schools.
- 7.6 The underlying capacity of schools is established using the North Tyneside Pupil Place Planning Projection model. This model was developed as part of North Tyneside's work associated with Building Schools for the Future. The model enables the Council to forecast the likely demand for places for each primary and secondary school in the Borough.

- 7.7 The model uses birth data, received on an annual basis from health partners, which gives the month and year of birth for children born within the local authority during the last academic year. Data from the school census is also used to calculate the average proportion of pupils transferring between births and reception. Using the projected intakes and rates of transfer between year groups, projections are made at a school level for the next 5 years for primary schools and 10 years for secondary schools.
- 7.8 All parts of the model are updated on at least an annual basis using the school census. The model does not have the capacity to restrict the intake to the Published Admission Number (PAN) and then redistribute pupils to other schools, as the redistribution to other schools would be different for each school.
- 7.9 Furthermore, the model does not include the implications of new housing development. As a result it does not take into consideration the potential growth arising in the Borough beyond the forecasting of known births and current trends. These projections therefore only provide the baseline assessment of pupil place needs.
- 7.10 The basis for considering the capacity at each school follows established best practice; originally set out by the Audit Commission⁴. Broadly against each school's PAN capacity, the maintenance of a 10% surplus is sought for primary schools and 5% for secondary schools.

Threshold

- 7.11 Only residential developments of 10 or more dwellings may be required to contribute towards meeting the impact of housing growth upon schools capacity where:
- the capacity of a relevant primary school or schools is reduced to less than 10% of the PAN. and / or
 - the capacity of a relevant secondary school or schools is reduced to less than 5% of the PAN.

⁴ <http://webarchive.nationalarchives.gov.uk/20150421134146/http://archive.audit-commission.gov.uk/auditcommission/subwebs/publications/studies/studyPDF/1212.pdf>

7.12 Where these thresholds are not exceeded, a contribution towards the enhancement of affected schools may be sought where necessary.

8 Health

Introduction

- 8.1 On 1 April 2013 the responsibility for public health services transferred from North Tyneside Primary Care Trust (PCT) to North Tyneside Council. The Authority now has responsibility for:
- leading investment for improving and protecting the health of the population and reducing health inequalities;
 - ensuring plans are in place to protect the health of the population and ensuring an appropriate public health response to local incidents, outbreaks and emergencies; and;
 - providing public health expertise, advice and analysis to Clinical Commissioning Groups (CCGs).
- 8.2 North Tyneside CCG is responsible for planning and securing health services for the local population. This includes the commissioning of primary care services from 29 GP practices that operate from numerous locations around the borough, and secondary care and community services from Northumbria Healthcare NHS Foundation Trust (Northumbria FT) and Newcastle Upon Tyne Hospitals NHS Foundation Trust (Newcastle FT). Within North Tyneside, Northumbria FT operates North Tyneside General Hospital and associated facilities adjacent to the hospital building and Tynemouth Court in North Shields. Newcastle FT provides services for residents predominantly in west North Tyneside and for more specialist services.
- 8.3 Whilst life expectancy over a number of decades has greatly improved within North Tyneside, due to a growing and rapidly aging population some health facilities are under a great deal of pressure. Housing development can add substantially to the demand for health care as it generates population growth in given areas. Where this is the case it is incumbent upon the planning system to ensure not only that development creates an environment that supports health and wellbeing; but that there should be a reasonable contribution towards the capacity and resilience of health facilities.

Policy, Justification and Requirements

- 8.4 The NPPF is clear that new development and the planning of communities should take account of the health and wellbeing of residents, and that appropriate consideration should be given to ensuring high quality built environments include access to local facilities and services to support amongst other priorities the health of residents. Local Plan policy further promotes health and wellbeing with Policy S1.2 Spatial Strategy for Health and Wellbeing that places the value of supporting healthy communities at the core of the Local Plan and S7.10 Community Infrastructure sets out the Council's commitment to ensuring facilities, including health provision, are accessible to residents .

Evidence Base

- 8.5 Developments are generally encouraged to promote healthy communities through the design and layout to shape the Borough's living environment. Where specific facility provision or contributions to the capacity of facilities is required, in particular general practices reference will be made to latest national advice and guidance. The level of contributions required will be based on the estimated numbers of patients generated by the development, beyond potential capacity of existing surgeries, together with the particular circumstances prevalent in the locality at the time. Based on current good practice the Clinical Commissioners Group advise that for primary care services approximately 199m² gross internal area for every 2,000 patients is required.

Threshold

- 8.6 Only residential developments of 10 or more dwellings may be required to contribute towards necessary mitigation.

9 Employment and Training

Introduction

- 9.1 New development will bring capital investment to North Tyneside and encourage the growth of new businesses, create a wider variety and more jobs, and provide a robust platform upon which to tackle the problem of economic exclusion for local people and communities. It also provides an opportunity to address the 'skills gap' within the local workforce by providing opportunities for training, thereby enabling a wider distribution of the economic benefit of development in the support of sustainable communities. It is vital to North Tyneside's economy that residents develop the skills, knowledge and qualifications to be successful in the labour market, as being in work means fewer health and social problems and is the best way of increasing the resilience of individuals and communities.

Policy, Justification and Requirements

- 9.2 The Our North Tyneside Plan⁵ aims to grow the local economy through ensuring residents have the right skills and creating new, good quality jobs and apprenticeships. This aim is reflected in the NPPF, as it seeks to secure economic growth to ensure jobs and prosperity.
- 9.3 Policy DM7.5 Employment and Skills seeks to meet this aim by encouraging new development to contribute towards the creation of local employment opportunities. This could be through either specialist training or apprenticeships related to the development or support skills in the advanced engineering, manufacturing and the off-shore, marine and renewables sector.

Evidence Base

- 9.4 The Council will work in partnership with the developers to secure a reasonable and proportionate approach to targeted employment and training opportunities. The Council is using the Targeted Recruitment and Training Programme (TR&T) to facilitate these negotiations. Targeted recruitment and training requirements will be delivered by developers through a Training and Employment Management Plan for both the construction and end

⁵ <http://my.northtyneside.gov.uk/category/368/our-north-tyneside-plan>

user phases of the development where appropriate. Alternatively, where a developer has an existing training and recruitment programme this scheme could be used. Where the development is unable to deliver on site training or employment an equivalent financial contribution will be required.

Threshold

- 9.5 The contributions required by development will be assessed on a case by case basis when the thresholds set out at paragraph 3.8 and 3.9 of this document are met.

Training and Employment Plan

- 9.6 The Training and Employment Plan, secured through the Use of Section 106 Agreements or condition, could take the form of:
- Creating apprentice opportunities either directly or through the developers supply chain. Apprentice opportunities created would need to be monitored by the council in order to ensure that the targets are met and outcomes recorded. There would be an understanding that developers would work with the Council and full contribute to that activity.
 - The Council's Employment and Skills service can work with developers to ensure that apprentice recruitment is simplified with opportunities targeted at the Council's priority groups. Financial contributions towards the running of Local Labour Initiatives.
 - A commitment to work in partnership with the council's Employment and skills service to joint working in schools.
 - Provide structured work experience placements linked to existing training provision.

10 Green Space and Children's Play

Introduction

- 10.1 Green spaces make a major contribution to the economic, environmental, health and social well-being of local communities. They are also the most widely used facility that the Council provides and, as such, it is imperative that green spaces are provided are attractive, safe and well managed.
- 10.2 New residential development can place increased pressure on green space and recreation provision within the Borough. It is the Council's responsibility to enable and co-ordinate the provision of these facilities to ensure they are in the right place and of appropriate quality. Planning obligations play an essential role in ensuring that facilities are available and of a standard to cope with additional demand placed upon them by new development.

Policy justification and requirements

- 10.3 The NPPF seeks to improve health, social and cultural wellbeing for all. Access to high quality open spaces is identified as an important contribution to the health and well-being of communities.
- 10.4 Local Plan Policy DM5.3 Green Space Provision and Standards seeks to protect and enhance accessible Green Space. Opportunities should be sought to improve the existing provision and new development is required to meet the requirements in the Green Space Strategy. Policy S7.1 Community Infrastructure also supports the maintenance and enhancement of open space and other community resources.

Evidence Base

- 10.5 The Council, in its Green Space Strategy⁶ (GSS), identifies a range of formal and informal open space provision including: semi-natural green spaces, parks, allotments, outdoor recreation facilities (excluding football, cricket, hockey and rugby pitch provision), informal

⁶ http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=558885

green space and play provision for children and young people, open space associated with new housing provision, and youth and adult facilities.

- 10.6 Standards for a range of green space provision in North Tyneside are set out in the GSS and new housing developments will be required to meet provision within the development site where this is possible. There may be certain circumstances, such as on smaller housing developments, where it is not possible to accommodate the provision on site. In these instances a contribution may be required to provide or enhance existing facilities.
- 10.7 Allotment provision is set out in the Council's Allotment Strategy⁷. This document assesses the current facilities available by area and calculates the demand. The demand, as a ratio by area, is then used to assess the contribution required. Currently the Borough's requirement is as follows:

Table 4: Current allotment provision

Area	Number of Households	Number of plots	Number on waiting lists	Availability	Demand
Borough Wide	97,239	2,012	1,350	1 plot per 48 households	1 allotment per 29 households

Threshold

- 10.8 Only residential developments of 10 or more residential units will be required to incorporate infrastructure as set out above, based upon the specific impacts of the proposal, within the development site and/or contribute towards meeting local needs off-site.
- 10.9 Future maintenance for off and on site provision will also be included as part of a contribution. This will cover the cost of provision for up to 10 years, unless an alternative management scheme is agreed.

⁷ <http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/allotment.pdf>

11 Sport provision and playing pitches

Introduction

11.1 In the Our North Tyneside Plan⁸, North Tyneside Council seeks to ensure residents are happy and healthy. The mission statement for sport and leisure is:

‘To continuously develop quality leisure opportunities that meets the needs and circumstances of people in North Tyneside’.

11.2 It is also acknowledged that green spaces offer opportunities for sport and recreation and it is therefore important that they are accessible, attractive, safe and well-managed. New development can affect these facilities as a result of an increased demand. Contributions to support existing and provide new sports pitches and recreation facilities can address the impact.

Policy Justification and Requirements

11.3 The NPPF which identifies access to high quality open spaces and opportunities for sport and recreation as an important contribution to the health and well-being of communities.

11.4 Local Plan Policy S7.10 seeks to ensure that the quantity and quality of open space, sport and recreation provision throughout the Borough will be maintained and enhanced. This is further supported by Policy DM5.3 Green Space Provision and Standards by ensuring accessible green space will be protected and enhanced to be of the highest quality and value.

Evidence Base

11.5 The Green Space Strategy⁹, Playing Pitch Strategy¹⁰ and Built Sports Strategy¹¹ set out the current and required levels of provision. Spatial and thematic approaches have been undertaken to ensure all residents have access to the full range of provision.

⁸ <http://my.northtyneside.gov.uk/category/368/our-north-tyneside-plan>

⁹ http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=558885

¹⁰ http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=553126

¹¹ http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=563333

11.6 Where the Council has not prepared local standards the need will be assessed on a case by case basis through the planning obligations process. The contribution required will take into account these standards and the associated costs required to meet the needs of development. Facilities that will be taken into account include sports halls, fitness facilities, swimming pools and sports pitches.

Threshold

11.7 Only residential developments of 10 or more dwellings may be required to contribute towards meeting needs.

11.8 Where new development does not need to provide new facilities, it may have an impact on existing services. In these circumstances it is appropriate to ensure these facilities are improved and enhanced in order to cater to the increased demand. In these circumstances the Council considers that it may be appropriate for the contribution figure to be reduced.

12 Community Services and Facilities

Introduction

- 12.1 North Tyneside Council seeks to ensure residents are ready for school, work and life as well as having the relevant information, skills and opportunities needed¹². The range of community services and facilities available in the borough are critical to achieving this objective.

Policy Justification and Requirements

- 12.2 The NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. To ensure that sufficient community and cultural facilities and services are provided, development should plan positively for the provision of community facilities and other local services.
- 12.3 This is supported at a local level through Local Plan policy S7.10 Community Infrastructure. It prioritises facilities that contribute towards communities and specifies library provision in the supporting text.

Evidence Base

- 12.4 North Tyneside Council as a public library authority, has a statutory duty under the Libraries and Museums Act 1964¹³ to provide a comprehensive, efficient and modern library service to those who live, work and study within North Tyneside. The Arts Council of England is responsible for developing and advocating libraries and aim to place the library as “the hub of the community”¹⁴. Locally, the North Tyneside Library Strategy 2016-21, Words, Well-being and Wifi, draws upon national reports to set out the Council’s priorities for this service.

¹² <http://my.northtyneside.gov.uk/category/368/our-north-tyneside-plan>

¹³ <http://www.legislation.gov.uk/ukpga/1964/75>

¹⁴ <http://www.artscouncil.org.uk/supporting-libraries/how-we-work-libraries>

- 12.5 The Museum, Libraries and Archives Council, recommended a minimum figure of 30sqm of library accommodation per 1,000 people¹⁵. Whilst this benchmark is dated, it is still considered reasonable and robust in order to build on the recent improvements to the service and fulfil the aims of the Library Strategy.
- 12.6 Within North Tyneside there are four Customer First Centres (CFCs) located at the main centres of Killingworth, North Shields, Wallsend and Whitley Bay. These CFCs provide a range of services including, library, customer advice suites, Council payment kiosks; community space for hire and a range of other Council, health or community services. Further libraries are located around North Tyneside as well as other community buildings and facilities. All of these facilities play an important role for local communities and can provide useful services for those who commute in and out of the borough.
- 12.7 The Council recognises that new development can help meet these objectives by making appropriate contributions to support existing and provide new community facilities and library services to address the requirements of new and growing populations.

Threshold

- 12.8 Only residential developments of 10 or more dwellings may be required to contribute towards meeting needs.

¹⁵ Museums Libraries Archives Council: Public Libraries, Archives and New Development - A Standard Charge Approach, ISBN 978-1-905867-23-3, June 2008, Annex B

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