

## Statement of Representations on the Planning Obligations Supplementary Planning Document

Consultation response	RBC response
<p><b>Approaches to contributions</b> falls silent on the issues of viability</p>	<p>A new section has been added to the SPD to reflect this concern and stating how the Council will treat viability assessments.</p>
<p><b>Strategic Transport Contributions</b> - Further evidence and clarification is required by WCC to ensure the approach is compliant with regulations and to enable the infrastructure to be delivered at the appropriate time to support growth (i.e. need to ensure that developments that rely on a piece of infrastructure is delivered from the onset and is not held up until all the monies is collected).</p>	<p>The Strategic Transport Contributions section has been removed from the SPD.</p>
<p><b>Education</b> – pupil yield is too high and not reflective of different development sites i.e. yield is based on two sites that have a high proportion of 4-5 beds thus giving a high yield therefore a development site which will be predominately 2-3 beds will result in a over provision of contributions therefore it would not be considered to be compliant with the regulations. Also keeping surplus school places, contributions for early years, special needs pupils and 6<sup>th</sup> form students are argued not to be compliant with regulations.</p>	<ul style="list-style-type: none"> <li>- The education section has been revised with child yield's being now being relevant to the number of bedrooms for a dwelling. The yields used are from the same data source that was used to provide an average yield for all dwellings in the draft SPD. Therefore this approach addresses concerns raised.</li> <li>- The text relating surplus school places has also been amended to better reflect how the spare capacity works in practice.</li> <li>- Warwickshire County Council has a duty to provide sufficient places for early years (ages 3 and 4) whether this be at a foundation unit on new school development, existing schools where nursery providers are present or support private nursery providers etc.. Where there is no identifiable need for additional provision, no request will be made. Where a request is made and the need is subsequently met elsewhere any contribution received by the authority will be returned. WCC is a significant provider of premises for childcare, day-care and pre-</li> </ul>

school activity. Most primary schools in RBC have on-site pre-school provision in premises or on land provided by WCC. In the absence of such provision it is debateable whether any alternative wholly private provision could meet the demand

- 6<sup>th</sup> form contribution WCC has analysed the number of young persons staying on at school in RBC and bases its requests on school staying on rates. The request assumes that the net product of new pupils living on a new estate are likely to stay on at school at the same rate as the rest of the school population. WCC therefore seeks to recover any increase in sixth form provision on school sites that arises as a result of the increase in the number of secondary age pupils.
- Pupils with Statements of Special Educational Needs (SEN) can choose to attend any school, whether Mainstream or Special. WCC must therefore make provision in its special schools for those whose needs are best met at such schools; ensure that its mainstream schools are adapted to meet the needs of pupils with special needs and where appropriate, purchase provision either within or outside of the County from other providers.

The approach to SEN in the SPD is:

- based on an analysis of local need in RBC
- Includes only those with Statements of Special Educational Needs
- Reflects the current destinations of young people with Statements
- Posits that new populations are likely to have at least the same proportion of young people with Statements as the existing population.

	<ul style="list-style-type: none"> <li>• The request assumes all new pupils are mainstream pupils and requests a contribution for each new mainstream place.</li> <li>• It then applies a %age based on the existing population to indicate how many of those new pupils are likely to have statements.</li> <li>• It then requests only the <i>extra-over cost</i> of providing a place at a special school</li> <li>• It does not request the full cost of a new place</li> <li>• It does not assume a new build place but assumes that, given the small numbers, any additional places would be provided by extension.</li> </ul>
<p><b>Ken Marriot Leisure Centre-</b> Questions of legality were raised as to why new development should pay for a facility that requires redevelopment due to existing problems which is not as a result from additional demand created by new developments.</p>	<p>The approach to leisure facilities has been revised. The section is now titled Indoor Sports Facilities it reflects the evidence produced by consultants Nortoft who were commissioned by the Council to produce the Sports Facility Strategy. The strategy identifies the sports facilities needs for the Borough up to 2026 taking account of sporting participation and the increase in population.</p> <p>The Council will seek contributions towards meeting these needs some of which could be met at the Leisure Centre as highlighted in the Sports Facility Strategy. Contributions will only be sought where there is an identified schemes that will meet the need.</p>
<p><b>Libraries</b> Developers have highlighted in their recent experience no evidence has been provided to date by WCC to enable them to sought contributions. It is unclear how the evidence will be collated and presented, or appropriately monitored to ensure that it remains up to date.</p>	<p>This section has been removed from the SPD as the required information has not been submitted to the Council to address the concerns raised through consultation. Contributions for libraries can still be sought by WCC provided they are sufficiently comply with the 3 test for planning obligations</p>

<p><b>Air Quality</b>- Questions ask as to where the air quality assessment thresholds were derived from.</p>	<p>A new section has been made in the SPD to provide further detail on when air quality assessments will be required and the possible contributions that could be sought to address the matter.</p>
<p><b>No Green Infrastructure, Flooding (SUDS) or Historic environment Contributions section</b></p>	<p>As mentioned the SPD does not attempt to specify all of the planning obligations that may be necessary to mitigate the impacts of every development. Other planning obligations may be required that are not set out in this SPD due to site specific or local circumstances.</p> <p>Each of these type of contributions highlighted will be site specific and there is no methodology that can be applied to all sites.</p> <p>Contributions sought towards buildings on the heritage at risks will not be compliant with the tests.</p>