

Statement of Consultation for  
the Draft Developer  
Contributions Supplementary  
Planning Document



# Local Development Framework

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the Draft Developer  
Contributions Supplementary  
Planning Document

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دیکھو سنو

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**WAKEFIELD METROPOLITAN DISTRICT COUNCIL  
SUPPLEMENTARY PLANNING DOCUMENT  
STATEMENT OF CONSULTATION  
FOR THE DRAFT DEVELOPER CONTRIBUTIONS  
TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT) (ENGLAND)  
REGULATIONS 2004  
Regulation 17(1)**

## **1. Introduction**

Under the Town and Country Planning (Local Development) (England) Regulations 2004, it is a requirement to prepare and publish a Consultation Statement for a range of planning policy documents including Supplementary Planning Documents (SPDs). This is a reflection of Government's desire to "strengthen community and stakeholder involvement in the development of local communities".

This document is a statement of the details of the consultations that were carried out in the preparation of the Draft Developer Contributions Supplementary Planning Document (SPD), the main issues raised in the representations, and how those issues have been addressed in the preparation of the Draft SPD. This Statement has been prepared under Regulation 17(1) of the Town and Country Planning (Local Development) (England) Regulations 2004.

Early engagement was conducted in conjunction with consultation on the associated sustainability appraisal, which involved the statutory consultation bodies identified in the SEA Regulations:

- Countryside Agency;
- English Heritage;
- English Nature;
- Environment Agency, and
- Neighbouring Councils.

The Council has adopted a Statement of Community Involvement (SCI), which describes the involvement of stakeholders, the community, voluntary organisations and statutory consultees in the preparation of LDF documents.

The consultation process adopted meets the minimum requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004 and conforms with the requirements in the Council's adopted SCI.

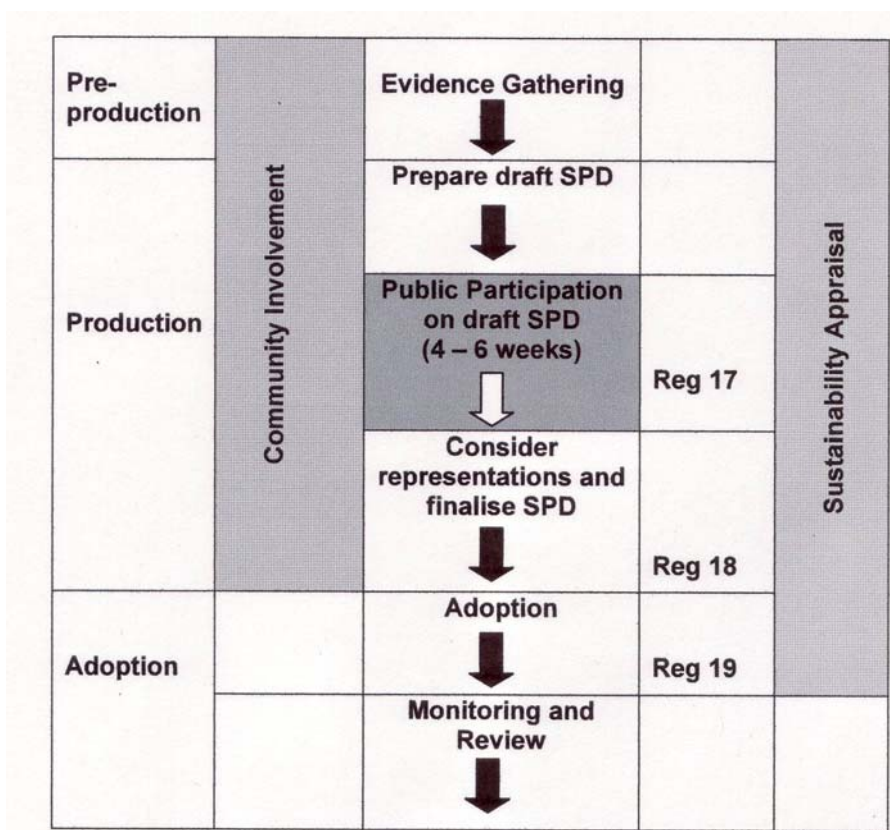
## 2. Planning Background

The Council is now preparing a new type of development plan, known as the Local Development Framework (LDF), which will guide the use of land and new developments throughout the district until 2026 and will be used to determine planning applications. It is being prepared under new guidance and legislation and will replace the Unitary Development Plan which was adopted in 2003.

The LDF will consist of a number of development plan documents and SPD. The Draft Developer Contributions SPD, to which this consultation statement relates, sets out how the Council will seek contributions from developers towards infrastructure, education provision and community facilities.

## 3. The Process of Producing a Supplementary Planning Document

National Guidance on the production of Supplementary Planning Guidance is set out in the Department of Communities and Local Government (DCLG) Planning Policy Statement (PPS) 12 on Local Development Frameworks (2004). PPS12 sets out a number of stages that the Council has to follow in the preparation of a SPD. The diagram below illustrates these stages: -



The Council is now at the public participation stages, and therefore in accordance with Regulation 17 of the 2004 Regulations a consultation exercise will take place between Thursday 17<sup>th</sup> January 2008 to Thursday 28<sup>th</sup> February 2008.

Following the end of the public consultation period, the Council will consider all the representations received when it produces the adopted SPD under Regulation 19 of the 2004 Regulations.

#### **4. Local Development Framework - Statement of Community Involvement.**

The Council's Statement of Community involvement (SCI) was adopted on the 8<sup>th</sup> February 2006. The Statement of Community Involvement (SCI) explains how the community and organisations can take part in the planning process. It sets out how the Council will engage with people and organisations when preparing the Local Development Framework and considering planning applications.

The SCI states that the following method of consultation would be undertaken at the early community engagement stage: -

- Inform specific, general and additional organisations and interested parties – send a copy of documents by letter or email and request them to complete a comments form provided.
  
- Inform residents of documents via:
  - Notice and advert in local press
  - View documents at Council offices and libraries
  - View and download documents from website
  - Activities and events set up purposely to gather the views of affected groups of mainstream and hard to engage residents
  - Inform decision making bodies by email, letter, reports meetings and send copy of documents and request completion of Comments Form provided

## 5. The Pre-Production Stage (Pre-Production Evidence Gathering)

<b>CONSULTATION PLAN - EARLY ENGAGEMENT STAGE</b>			
<b>Stage</b>	<b>Method of Consultation</b>	<b>Consultees</b>	<b>Dates</b>
<b>Early engagement document and Sustainability Appraisal Scoping Report</b>	E-mail of Initial SPD/ SA to internal officers for comment	<ul style="list-style-type: none"> <li>Internal Officers across the Council</li> </ul>	October 2006
	Sounding Board -	<ul style="list-style-type: none"> <li>Councillors</li> </ul>	October 2006
	CMT/ CMB	<ul style="list-style-type: none"> <li>Chief Officer Team</li> </ul>	October 2006
	Overview and Scrutiny Committee	<ul style="list-style-type: none"> <li>Councillors</li> </ul>	October 2006
	Draft SPD and Scoping Report to statutory SA consultees	<ul style="list-style-type: none"> <li>Natural England</li> <li>English Heritage</li> <li>Environment Agency</li> <li>Countryside Agency</li> </ul>	November 2006
	Set up web page and link to both documents from homepage	<ul style="list-style-type: none"> <li>Local groups mailing list</li> <li>All parties on LDF mailing list including residents, developers, community organisations</li> <li>All Councillors</li> <li>All Parish Councillors</li> </ul>	November 2006
	Link on REACT database		
	Attend Partnership Advisory Group – Cohesion Meeting		
	Article in The Citizen		
	Articles in Magazine for hard to reach groups; Awaaz, Vox and Mango		
	Copies of documents sent to libraries and planning receptions		November 2006

## 6. List of Bodies Consulted

Specific Organisations Consulted	
Specific Organisations (SCI Appendix 2.1)	
Specific Organisations	Specific Organisations
Government Office for Yorkshire and the Humber (GOYH)	National Power Plc
Yorkshire & Humber Assembly (YHA)	Powergen
The Highways Agency	Innology Plc
Yorkshire Forward	National Grid Transco
The Environment Agency	Yorkshire Water Services Ltd
English Heritage Yorkshire Region	Knottingley to Gowdall Internal Drainage Board
Royal Commission on the Historic Monuments of England	<b>Adjoining Councils</b>
English Nature (Natural England)	Barnsley Borough Council
Countryside Agency for Yorkshire & the Humber (Natural England)	Calderdale Metropolitan Borough Council
Strategic Rail Authority	City of Bradford Metropolitan District Council
Mobile Operators Association	Kirklees Metropolitan Council
Yorkshire Cable Planning Dept	Leeds City Council
British Telecom Plc	Selby District Council
West Yorkshire Strategic Health Authority	<b>Town and Parish Councils Within the District</b>
British Gas Transco District Office	28 Town and Parish Councils consulted
Yorkshire Electricity	<b>Town and Parish Councils Adjoining the District</b>
Yorkshire Electricity YEDL	20 Town & Parish Councils consulted

General Organisations Consulted	
General Organisations: Community Groups (SCI Appendix 2.2)	
Ackworth and District Riding Club	National Association for the Care and Resettlement of Offenders (NACRO)
Ackworth Footpath Group	Network of Community and Voluntary Groups (VOX)
Agbrigg & Belle Vue Allotment	Next Generation Community Youth

General Organisations Consulted	
General Organisations: Community Groups (SCI Appendix 2.2)	
Association	Project
Age Concern Wakefield District	Normanton Environmental Society
AIRE Environmental Group	North Wakefield Community Group
Airedale Community Forum	Ossett Historical Society
Asian Women's Association	Ossett Town Centre Steering Group
Aysgarth Community Association	Pontefract & District Archaeological Society
Barnsley Dial-a-Ride & Community Transport	Pontefract and Castleford Federation of Small Businesses
Brunswick Street Mosque	Pontefract and District Rail Action Group
Castleford & District Naturalists Society	Pontefract Heritage Group
Castleford Heritage Group	Pontefract Local History Society
Castleford Riverside Community Group	Pontefract Town Centre Partnership
Castleford Town Centre Partnership	Portobello Tenants and Residents Association
Central Jamia Mosque	RASA – voice of the refugee community in Wakefield District
Chevin Housing Association	RCG Tenants and Residents Federation
Citizens Advice Bureau (Wakefield District)	Residents Against Toxic Sites (RATS)
Coal Industries Social Welfare Organisation	Royal British Legion
Cohesion Liaison Group for Ethnic Minorities	Royal British Legion, Horbury, Sitlington and Ossett branch
Community Assembly	Ryhill Residents Amenity Improvement Development (RRAID) Action Group
Crofton Community Centre	SANS (Sharlston and Streethouse) Community Development
Cutsyke Community Group	Save Horbury Heritage Group
Development Initiative for Voluntary Arts (DIVA)	SCOPE
Disability Information and Advice Line Services (DIAL), Wakefield	Sharlston Community Centre Management Group
Eastmoor Community Project	South Elmsall, South Kirkby and Upton (SESKU) Community Advisory Forum

General Organisations Consulted	
<b>General Organisations: Community Groups (SCI Appendix 2.2)</b>	
Featherstone Historical Society	South Elmsall, South Kirkby and Upton (SESKU) Environment Group
Federation of Neighbourhood Watch	South Hiendley Community Association
Federation of Small Businesses (Wakefield Branch)	South Pontefract Community Partnership
Ferrybridge Community Centre	Special Abilities
First The Development Agency for Wakefield	St Catherine's Church Centre
Fitzwilliam Community Action Group	St Mary's Project
Frickley Country Park Regeneration Group	St Peter & St Paul's Community Association
Fryston Local Action Group	Swaffia Mosque
Glasshoughton Community Forum	Thorpe Audlin Community Association
Groundwork Wakefield	Upton & North Elmsall Community Forum
Havercroft, Ryhill & South Hiendley Community Partnership	Voluntary Action Wakefield District (VAWD)
Help the Aged	Wakefield & District Environmental Action Forum
Hemsworth & District Partnership	Wakefield & District Environmental Action Forum South Kirkby
Horbury and District Historical Society	Wakefield and District Sports Association
Horbury Town Centre Partnership	Wakefield Asian Community Forum
Horbury, Ossett and Sitlington Regeneration Group	Wakefield Asian Welfare Association (WAWA)
Joint Group Users and Carers	Wakefield College
Jubilee Hall Community Centre	Wakefield Mosque Committee
Kinsley & Fitzwilliam Community Regeneration Partnership	Wakefield Society for the Blind
Kinsley & Fitzwilliam Community Resource Centre	Ward 3 Partnership
Kirkhamgate Community Association	Woodhouse Community Centre
Knottingley Town Hall Community Centre	Wrenthorpe Community Association
Local Mosque Representatives	Wrenthorpe Environmental Society
Lock Lane Community Centre	Yorkshire Mesmac

General Organisations Consulted	
<b>General Organisations: Community Groups (SCI Appendix 2.2)</b>	
Lupset Community Centre Association Ltd	Zakria Mosque
Lupset Community Partnership	Horbury Community Council
Markazi Jamia Mosque	SHE Castleford Forum
Minsthorpe Community College	Wakefield Learning Partnership
Castleford Lock Lane Residents Association	Sandal Community Association
Upton & North Elmsall History Group	Hemsworth Arts & Community College
Manygates Centre Lifelong Learning Advisor	

Government Departments and Additional Organisations Consulted	
<b>Government Departments and Additional Organisations (SCI Appendix 2.3)</b>	
<b>Government Departments</b>	<b>Additional Organisations</b>
Department for Education & Skills c/o GOYH	Network Rail
Department for Transport c/o GOYH	Network Rail Property
Department for Trade & Industry c/o GOYH	Post Office Property Holdings
NHS Executive Northern & Yorkshire c/o West Yorkshire Strategic Health Authority	Rail Freight Group
HM Prison Service Headquarters	Road Haulage Association
Home Office	Northern Region Freight Transport Association
Defence Estates Ministry of Defence	Transport 2000 (West Yorkshire Group)
Office of Government Commerce	Sustrans
Yorkshire & Humber Regional Housing Board c/o GOYH	English Welsh & Scottish Railways
Department for the Environment, Food & Rural Affairs c/o GOYH	Freightliner Ltd
<b>Additional Organisations</b>	G B Railfreight Ltd
Diocese of Wakefield	Great North Eastern Railway (GNER)
Wakefield Naturalists' Society	Midland Mainline
Wakefield District Bio-diversity Group	Arriva Trains Northern
British Geological Survey	Virgin Trains
British Waterways North East Region	Women's National Commissions

Government Departments and Additional Organisations Consulted	
<b>Government Departments and Additional Organisations (SCI Appendix 2.3)</b>	
Commission for Architecture & the Built Environment (CABE)	Disability Rights Commission
Centre for Ecology & Hydrology	National Gypsy Council
Church Commissioners	Yorkshire Wildlife Trust
Civil Aviation Authority (Safeguarding Department)	Hazardous Installations Directorate
Civil Aviation Authority	Yorkshire Planning Aid
The Coal Authority	<b>Additional Organisations: Joint Services</b>
Commission For Racial Equality	West Yorkshire Fire Service
Crown Estates	West Yorkshire Metropolitan Ambulance Service (WYMAS)
Council For The Protection Of Rural England	West Yorkshire Ecology Service
Royal Society for the Protection of Birds (RSPB)	West Yorkshire Police
Friends of the Earth	West Yorkshire Police Architectural Liaison officer
The National Trust	<b>Additional Organisations: Civic Societies</b>
The Woodland Trust	Pontefract Civic Society
Equal Opportunities Commission	Wakefield Civic Society
Forestry Commission	Castleford Civic Trust
Health and Safety Executive	Normanton Civic Society
Sport England (Yorkshire)	Ossett Civic Society
The Home Builders Federation (Yorkshire, North West and North East Regions)	Horbury Civic Society
The Housing Corporation	Knottingley Civic Society
West Yorkshire Learning & Skills Council	<b>Additional organisations: Chambers of Trade and Commerce</b>
West Yorkshire Passenger Transport Executive (Metro)	Castleford Chamber of Trade
Arriva Yorkshire	Mid Yorkshire Chamber of Commerce & Industry Ltd
National Playing Fields Association	Horbury and District Chamber of Trade
West & South Yorkshire Playing Fields	Normanton Chamber of Trade

Government Departments and Additional Organisations Consulted	
<b>Government Departments and Additional Organisations (SCI Appendix 2.3)</b>	
Association	
The Gypsy Council for Health, Education and Welfare	Pontefract Chamber of Trade
The Gypsy and Traveller Law Reform Coalition	Featherstone Chamber of Trade

Other organisations and individuals consulted	
<b>Other organisations and individuals (SCI Appendix 2.4)</b>	
<b>Other Organisations</b>	<b>Other Organisations</b>
Council for British Archaeology	Theatres Trust
English Partnerships	British Wind Energy Association
National Farmers Union	<b>Wakefield MDC Councillors</b>
Ramblers Association	63 Members of the Council consulted
Yorkshire Tourist Board	<b>Members of Parliament and Members of European Parliament</b>
West Yorkshire Archaeological Advisory Service (WYAAS)	7 MPs and MEPs consulted
Wakefield West Primary Care Trust	<b>Developers, Businesses, citizens and individuals requesting consultation</b>
Eastern Wakefield Primary Care Trust	199 Businesses and individuals consulted
Wakefield Job Centre Plus	<b>Local Delivery Forum</b>
The Planning Inspectorate (PINS)	3 Local Delivery Forums consulted
Liquorice Trust	

## 7. Schedule of Responses

### Scoping Report Consultation – Summary of Comments Received.

Name	Organisation	Summary of Comments (Summarised by WMDC)	WMDC Response
Mr Beverley Smith	GVA Grimley	<p>1) Include PPS 3</p> <p>2) Section 5.2 SUDS – overemphasis on SUDS – this is just one environmental measure that ensures sustainability</p> <p>3) Indicators in section 6.0 could be expanded further i.e SA1 employment (direct, indirect) SA5 Crime statistics, SA15 No of community recycling initiatives</p>	<ul style="list-style-type: none"> <li>• PPS3 included within the baseline information;</li> <li>• Comments in relation to SUDS have been considered and noted;</li> <li>• Comments in relation to SA5 have been noted, and the indicator has been expanded upon.</li> <li>• Comments in relation to SA15 are noted, however it is considered that there is sufficient detail.</li> </ul>
Mr Henry Peterson	Sports England	The PGS should be referred to, relevant DC policies associated with CS31, CS22, Yorkshire Plan for Sport, the support behind the statement 'there is considered to be insufficient greenspace within the district', Evidence that bus use and cycle use is falling - developer contributions to apply to improving and creating new footpaths, use Sport England statistics for community and health facilities - have data on participation levels in the district, issues identified such as long term ill and morbidity stats should be reflected in health and participation (section 5) , Participation rates in physical activity should be used as an indicator re quality of life indices within the table in Section 6	<ul style="list-style-type: none"> <li>• PGS and Yorkshire Plan for Sport have been included within the initial SA.</li> <li>• The SPD will include provision for developer contributions towards improving the public realm and highways and transportation, which includes public footpaths and cycleway.</li> <li>• Currently there is limited data on participation in sport levels at the District level, therefore the indicator will be developed in the annual monitoring report and sustainability appraisal at a later date.</li> </ul>
Mrs Jenny Poxon	Yorkshire and Humber	No comment on the document.	
Mr Sam	Environment	PPS 25 should be included in the list of National	<ul style="list-style-type: none"> <li>• PPS25 has been included.</li> </ul>

Kipling	Agency	Policy Documents	
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Name	Organisation	Summary of Comments (Summarised by WMDC)	WMDC Response
Mr Ian Smith	English Heritage (Yorkshire Region)	Problems associated with using four separate areas under objective SA11. Because of the diverse nature of the elements encompassed by this objective, it is likely that a particular policy approach could have a positive outcome for one aspect of Objective SA11 whilst, at the same time, having a negative impact upon one or more of its other aspects. For example, whilst developer contributions towards transport developments might score positively against the minimising travel aspect of Objective SA11, they could potentially have an adverse impact upon the character of a conservation area and, thus, would score negatively against the historic environment aspect of that objective.	<ul style="list-style-type: none"> <li>Concerns are noted, however it is considered that it is inevitable that there is an overlap and in some cases conflict between the different objectives. Therefore, no changes will be made to the SA.</li> </ul>
		As a result, a positive score against one element of the objective may, in fact, be cancelled out by a negative score for another element. Thus a "composite" objective, such as SA11, may well "mask" potential negative (and indeed, beneficial) effects of the policy. This may make it difficult to identify likely significant effects and, in consequence, what mitigation measures might need to be developed. They believe, therefore, that there is a clear case for having a specific objective covering the protection and enhancement of the District's historic assets.	<ul style="list-style-type: none"> <li>It is recognised that historic assets are important, however any planning obligations for their maintenance, improvement or preservation would be secured on an individual site by site basis according to the impact of the individual planning application. .</li> </ul>
		Section 5 - Public realm improvements are also likely to have positive benefits for both the environment and for the economic well-being of the District.	<ul style="list-style-type: none"> <li>Noted</li> </ul>
		Objective SA 11 - Notwithstanding our concerns, above, regarding this particular Objective, given the requirement within the SEA Directive for the Appraisal to assess the potential significant effects upon "cultural heritage including architectural and archaeological heritage", they would have expected at least one of the Sub-Objectives (and its Indicators) to refer to the impact upon the historic environment. The proposals to include the public realm improvements as an area which may attract developer contributions could, potentially, have a major positive impact upon the character and setting of the District's historic assets.	<ul style="list-style-type: none"> <li>The sub-objective covering regional and cultural heritage would cover historic assets.</li> </ul>

	<p>Table of SA objectives and SPD objectives - In view of the potential benefits for the townscape which would arise through the creation of a high-quality public realm (SPD07), it is unclear why it is recorded as “no obvious relation” against SA Objective 11. It is possible that this is as a result of the use of a composite indicator. In addition, whilst there might be benefits for certain aspects of SA Objective 11, in terms of the historic environment the impact of SPD Objectives 01, 04, 08 and 09 will depend on how they are implemented. This would also appear to be the case for SPD Objectives 03 and 10. This demonstrates the problems of having an SA Objective, which encompasses a number of different aspects</p>	<ul style="list-style-type: none"> <li>• The concerns are noted, and the objectives have been refined accordingly.</li> </ul>
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Name	Organisation	Summary of Comments (Summarised by WMDC)	WMDC Response
Mr J Mitchel I	Crigglestone Parish Council	<p>Need more health reports and plans which highlight health problems, some of which are attributable to the consequences of overdevelopment and traffic pollution.</p> <p>The document could do more to highlight the detrimental impact of development on health.</p> <p>Need to include data on the levels of health problems associated with traffic pollution. These should be available for each Ward area.</p> <p>Need data on the impact of the loss of environmental habitat, caused by development and what the costs to both human and eco systems are in totality.</p> <p>Air Quality- Development should not be allowed where this could have a detrimental impact on air quality in or adjacent to existing poor air quality areas. Allowing further development in these cases is not planning, but madness and it poses a clear threat to health.</p> <p>Where development is close to or could have a significantly detrimental impact upon air quality in poor air quality areas. Mitigations measures can be put in place to attempt to overcome detrimental impacts. Planning obligation can be the tool to secure these measures.</p>	<ul style="list-style-type: none"> <li>• Air Quality is identified as a key objective within the SA, and the SPD will cover contributions towards improving air quality. This will cover issues surrounding pollution generated by traffic.</li> <li>• There is currently no mechanism in place to measure the impact of developments to humans and ecosystems in their totality. However the relevant ecology groups such as Natural England are consulted on planning applications which are likely to have an impact upon protected species or protected habitats.</li> </ul>

Mrs S Templeman	Ackworth Parish Council	<p>Emphasis on rural communities</p> <p>The questions and references are not user friendly</p> <p>Amount of development in villages causes problems - there is no correlation between the effects they cause and the solutions i.e transport exacerbates the problems and puts more pressure on infrastructure and existing roads.</p> <p>Trees in conservation areas must be firmed up and not dealt with on an adhoc basis.</p> <p>In rural areas ensure identities and amenities are not lost.</p>	<ul style="list-style-type: none"> <li>• The Developer Contributions SPD aims is to mitigate the negative impacts upon infrastructure/ services and facilities.</li>   <li>• This is not relevant to this SPD. Legislation on the protection of trees in a conservation area is set out in Planning (Listed Buildings and Conservation Areas) Act 1990, and Planning Policy Guidance 15 (PPG15), Planning and the Historic Environment (1994).</li>   <li>• The Developer Contributions SPD aims is to mitigate the negative impacts upon infrastructure/ services and facilities.</li> </ul>
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Name	Organisations	General Comments (Summarised by Wakefield MDC)	WMDC Response and proposed changes.
Mrs Rose Freeman	Theatres Trust	<p>Concerns that the need for developer contributions for cultural activities and facilities has not been identified and we wish to be assured that theatre buildings will benefit appropriately under the terms of s.106 agreements. S106 has significantly benefited the provision of cultural facilities and there are many important examples of theatre buildings that have been protected or benefited directly from developer contributions that secured replacement/ substitution. These include, Aylesbury Theatre a new 300-seat theatre provided by the sale of residential properties on another site and the Southampton Mayflower Theatre, which has had substantial signage and landscape enhancements provided by an S106 from an adjoining development.</p> <p>As new developments take place, new houses built and new residents arrive, existing theatres and leisure facilities within development areas' catchments will be required to meet demands of increasing audience numbers. The Trust is concerned that theatre buildings will not benefit enough from the use of the proposed Planning Gain Supplement, and that with the decrease of Lottery funds, Treasury funds and EU structural funds and the greater likelihood of audiences with lower levels of disposable income, theatres will find it increasingly hard to unlock new sources of funding to help pay for improvements to meet new market demands.</p> <p>They recommend that to avoid any confusion the word 'cultural' is added to the bullet point at 3.1 to read <i>Social, education, recreation, cultural or sporting facilities</i>.</p>	<ul style="list-style-type: none"> <li>• The Council recognises the contribution that theatres make to the cultural life of the district. However, the SPD must concentrate on those "every-day" needs such as infrastructure, education which must take priority.</li> <li>• No action taken</li> </ul>

Name	Organisations	General Comments (Summarised by Wakefield MDC)	WMDC Response and proposed changes.
Mr J Titchener	Highways Agency	The Agency would support that in future contributions could be sought for public transport initiatives including bus stops and shelters, metro passes, the provision of timetable information and potentially park and ride facilities. The Agency supports this as it has the potential to reduce the number of commuter trips generated on the SHN or indeed the local network.	No actions
		Circular X/2006 makes the following references regarding highway improvements:	No actions
		It is Government policy to look for alternatives to building new roads, by reducing the impact of road users, improving road performance through network management and smarter journey choices.	No actions
		Any strategic road capacity constraint on sustainable economic development should be identified at the RSS stage.	No actions
		Where appropriate the Agency will provide advice and technical support to guide the scale and location of economic development proposals in relation to the strategic road network, including advice on the scale and nature of network improvements and demand management measures.	No actions
		In working with developers, the Agency will expect to see proposals that include ways to reduce traffic impact - developers can no longer expect that all traffic they might be produced will be allowed without restraint.	Comments are noted
		Where new capacity and/or other improvements are required to mitigate the impact of traffic generated by developments, then those improvements will need to address any existing issues at that location.	Comments are noted
		In many locations, the degree to which it is possible to provide infrastructure to cater for development and traffic growth may be constrained by environmental and society's tolerance levels.	Comments are noted
		Developers must submit plans for the implementation and maintenance of measures (through travel plans) that will minimise traffic generated by their development.	Comments are noted
		There is a general presumption against capacity enhancements on routes of strategic national importance purely to accommodate new developments. Capacity enhancements should be identified in the RSS and would not normally be considered as a fresh proposal at the planning application stage.	Comments are noted
		Where multiple development proposals may have a significant (cumulative) impact on the network, proportional investment may be required for the necessary improvements. It may be beneficial for a ringmaster to act as a broker for	Comments are

		the public sector and developers. The Agency will not act as a ringmaster.	noted
		In terms of Air Quality - It is noted that Wakefield has already declared four AQMA's around the district (see below bullet points) and as such any developments that could exacerbate problems in any of these areas could be required to provide some form of mitigation through the forthcoming EU Directive 96/62, which it is believed will indicate that all planning applications will need to come with an EIA as well as the usual Transport Assessment.	The SA has been amended accordingly.
		It would be best to deter any developments from Wakefield AQMA's as they may exacerbate the air quality further depending on the findings of the EIA from developers in these areas. To help avoid this though better use of enforced travel plans is strongly encouraged.	Noted and SPD amended.

### Consultation on the Early Engagement Draft of the Developer Contributions SPD.

Name	Organisation	Summary of Comments (Summarised by WMDC)	Response and Actions taken by WMDC.
Coghlan	Leeds City Council	Leeds would like to comment on cross boundary issues such as rail improvements/ school catchments. Support for the lower threshold of 6 plus dwellings for rural in terms of affordable housing. Environmental contributions should be included in most developments. Every development which generates trips should make a contribution to deal with the impacts.	No actions taken
Donson	David Wilson Homes	Incorporate Planning Gain Supplement, PPS 3 and Climate Change agenda into the final draft of this document. Each specific matter for contributions such as affordable housing and education should have separate thresholds. Obligations should apply to all types of development as reflected in the latest PGS. Contributions should not be sought for recycling facilities -this would be paid out of council tax and is not something required to make a development acceptable. Requirement for PGS will supersede parts of this document which should be reflected in the final draft of the SPD. It would be inappropriate to require a development to pay for recycling facilities as this is a service which should be paid out of Council Tax and is not something required to make a development acceptable. Air quality requirements should be obligation. Support developer contributions toward affordable housing, open space, education, highways and transportation works, community and health facilities, economic regeneration.	<ul style="list-style-type: none"> <li>• Planning Gain Supplements are no longer relevant</li> <li>• PPS3 and climate change agenda incorporated.</li> <li>• Specific matters have been given individual thresholds; and</li> <li>• The justification for seeking contributions towards recycling facilities is set out in PPS1, PPG23, and PPS10.</li> </ul>
Pilgrim	Yorkshire Forward	Support for developer contributions toward affordable housing, open space, education, highways and transportation works, community and health facilities economic regeneration, refuse and waste disposal. Support developer contributions toward affordable housing, open	No actions taken

		space, education, highways and transportation works,	
Kipling	Environment Agency	Incorporate provision and maintenance of SUDS drainage systems. Include a new section to cover environmental enhancements - such as fish passes, enhancement of ponds or wetlands and access to waterfront areas for recreation. Contributions should apply to all developments giving rise to relevant matters.	Additional information relating to SUDS drainage systems added to the SPD. The Developer Contributions SPD is not meant to be an exhaustive list and other contributions will be sought on a site by site basis.
Waudby	North Wakefield Community Group	The green area to the south of what was Stanley Road Hospital (now flats) down to Eastmoor Rd, be designated a Public Open Space i.e. park for this area.	The SPD does not deal with site-specific issues.
Freeman	The Theatres Trust	They raised concerns that the need for contributions for cultural activities or facilities has not been identified. Theatre buildings ought to be included in contributions - new developments place increased pressure on existing theatre facilities and a section should be included for contributions towards culture and leisure facilities.	It is recognised that theatres are an important element of provision in any community. However this Draft SPD must prioritise areas of importance, and it is the case that everyday needs such as schools, roads, open space, housing, community facilities, health etc must take priority.

Name	Organisation	Summary of Comments (Summarised by WMDC)	Response and Actions taken by WMDC.
Wilson	Normanton Town Council	The Town Council welcomes the existence of a transparent policy on this matter but one of the main concerns of the Town Council is to ensure that when any decisions are being made then the Town Council has an opportunity to engage in meaningful dialogue about the spending of the monies. It is particularly important if the monies are to be incurred in providing community facilities that the Town Council is able to offer its views, at an early stage, on how the monies might be spent. In this context the Town Council would like to see some formal consultation mechanism created which would ensure that any representations of the Town Council are taken fully into account before a final decision is made. Cllr Barry Smith raised the issue of s.106 agreements following planning permissions relating to industrial sites. Certainly in the context of the Normanton Industrial Estate, and other industrial development in the Normanton area, this is something that again the Town Council would like to see taken into account in the development of any criteria for Developer Contributions.	The comments are noted, and the Council is seeking to create a list of community facilities and services or improvements that the Town and Parish Councils wish to have within their area.
Meetin	Partnership Advisory - Group -	No responses to the specific questions asked.	The comments are incorporated and answered

g	cohesion meeting	Is there an opportunity for community groups to secure some s.106 money? When money is spent on public realm such as parks - who pays for the future maintenance of the park? Cohesion issues with big housing developments- can s.106 be used to help stop communities struggling against each other	within the Draft SPD.
Cllr Metcalfe	District Councillor	Minimum threshold should start at 15 dwellings. Homes should be provided for all to ensure a balanced community. Local community cohesion is important. Homes should be provided for teachers, care workers etc. Improved public transport is a necessity.  Local issues and local people should be a priority providing homes for all. Improved public transport facilities are also a priority.	Comments noted. PPS 3 imposes requirements for affordable housing to start at 15 dwellings.
Mr J Mitchell	Crigglestone Parish Council	Issues such as Crime and disorder (this could result from new development and contributions towards SAFE schemes should be sought.) Public transport should be an important contribution to mitigate the effects of the development. Landscaping is important for environmental quality. All developments above one dwelling should be subject to s.106. Priority should be given to drainage, crime and disorder, public transport, infrastructure and landscaping for contributions.  Contributions towards public open space (when these are created consideration needs to be given to crime and disorder and Anti Social Behaviour- play areas become the focus of such activity.) Development should not be allowed when it has a detrimental impact on air quality.	Comments and concerns noted. Issues of air quality, and crime and disorder have been considered within the Draft SPD.
<b>Name</b>	<b>Organisation</b>	<b>Summary of Comments (Summarised by WMDC)</b>	<b>Response and Actions taken by WMDC.</b>
Mr S Templeman	Ackworth Parish Council	Local amenities should be a priority for requirements for planning obligations. Consideration should be given to the amount of development which has taken place in the last 5 or 6 years. Local people need to be consulted on how they are affected by the proposed development. Contributions should start at 10 dwellings and/ or £1.5 million value of properties. Controls must be put in to achieve affordable housing. The most important issues for planning obligations must be roads, drains and infrastructure. Contributions should be sought from large or middle sized developments as these all have a bearing on village life.	Comments noted. Consultation is a statutory requirement of the development control process. In line with PPS 3 (to be adopted in April 2007) the minimum threshold for contributions is 15 dwellings.
Mr Malcolm Neill	Havercroft with Cold Hiendley Parish Council	Contributions toward open space should be sought from housing developments of 15/20 houses. Parish Councils should have more use of s.106 obligations to bring benefits direct to the community rather than the money going direct to the council.	The threshold for Public Open Space has to be set at a reasonable level to ensure that developments remain viable. The mechanism for dealing with monies acquired through

		In order to benefit parish councils the number of houses should be reduced to say 15/20 to obtain monies from developers for open spaces. In addition Parish Councils should make more use of Section 106 agreements to bring benefits to the community from developers rather than monies go direct to the District Council. In respect of affordable housing it would be beneficial to provide more one bedroom accommodation.	Section 106 Agreements is set out by national government guidance.
Mr Tutton	Community Foundation for Wakefield District	Methods by which contributions direct to local communities or community groups are sought are not covered, these would offset adverse impacts of developments. There should not be minimum thresholds at which developments should start. No specific priorities for obligations should be set but health should be high on the agenda. Contributions should be sought for any catchment areas, which could be affected by a development. Obligations should be sought for all types of development.	Comments noted.
Mrs BJ Smith	GVA Grimley LLP on behalf of Wakefield College	It is not appropriate to apply for contributions for Post 16 education. This is normally provided by LSC and HEFCE funding bodies and not the local authority.  Obligations should be sought in accordance with circular 05/2005 for all obligations. Priority should be given to off site highways and drainage. Any contributions sought should be specific to the immediate area.	Comments noted and amendments have been made where necessary to the draft SPD.
Mr M McKigney	Wakefield First	Obligations that should be sought which benefit the Districts economic development include; employment compacts, office space for small business, investment in special initiatives which support local action, local infrastructure contributions, support for developing local skills, support for marketing the district. To summarise: the obligations placed upon developers should be used to address local problems and to enhance local facilities to bring further benefits to the community, or to improve the positive impact of a development.	The comments are noted and alterations have been made to the Draft SPD. However all planning obligations must comply with Circular 05/05, and the SPD is not intended as a definite list of possible contributions.

Name	Organisation	Summary of Comments (Summarised by WMDC)	Response and Actions taken by WMDC.
Ms F Dodd	Natural England	Green infrastructure networks should be included into public open space section to encourage development of wildlife habitats. Contributions should be sought from all new housing developments and be calculated on a size of unit basis. Priorities for contributions should be affordable housing and public open space. Catchments for contributions should vary depending on the topic area. Contributions should be sought from all types of development that are relevant to the type of development and a priority for the local area.	The comments are noted and relevant alterations have been made to the SPD.

Mr Titchener	Highways Agency	<p>The Highways Agency would like to see developments that are near the strategic highway network (SHN) to make a contribution to sustainable transport measures to reduce their potential for creating additional commuter trips on thr SHN. Proposals to 'pool' funds from numerous developments would be supported as this would create the potential for substantial improvements to public transport/ walking/ cycling initiatives. Where multiple developments may impact on the network, proportional investment may be required for improvements. In terms of air quality any developments that may exacerbate problems in AQMA's could be required to provide some form of mitigation - it may be best to deter developments from these areas.</p> <p>All developments which generate trips should be subject to s.106 agreements. Off site highways and transportation works should be a priority.</p>	Comments noted, and incorporated within the SPD.
Mr Sutcliffe	Sutcliffe Play	Section 106 money is a prime source of finance for play provision and its significance has steadily grown over the past 10 years. Developer contributions towards play provision must be sought. Contributions should be pooled into a 'pot' so that local authorities can determine the spaces for play and not the developer. Negotiation of the location of the play space should be part of the obligation.	The SPD seeks developer contributions towards play provision subject to certain thresholds. However, national and local policy sets the preference where possible for "play space" to be located on-site to meet the needs arising from the developments.
Mr J Davis	Metro	<p>The types of public transport initiatives we would like to see contributions secured for include: Pump priming of new bus services, enhancing existing services and or extending/ rerouting services. Short term capacity enhancements to rail services and conversion to tram train in the medium term.</p> <p>Bus priority measures, rail station improvements, residential Metrocards or other sustainable travel initiatives such as car clubs and travel packs. It is envisaged that developers would improve bus stop facilities in the vicinity of the development sites as a matter of course.</p> <p>Minimum threshold for transport contributions should be 50 new all mode trips generated by a development per day. Public transport provision should be given a priority. A district wide approach needs to be adopted with regards to securing contributions. Contributions should be sought from all developments - excluding essential public infrastructure developments such as health.</p>	Comments noted. Consideration of issues raised will be given in the drafting of the SPD.

Name	Organisation	Summary of Comments (Summarised by WMDC)	Response and Actions taken by WMDC.
Mr I Smith	English Heritage	Include a requirement for developer contributions towards improvements to the public realm since all developments would make some demands upon the public realm within a city. Therefore all new development within those parts of the city should contribute to public realm improvements. The scale of the contributions should be proportionate to the scale of development. A targeted approach would be favoured directing funding to particular parts of the city centre. The Streetstyle design guide identified a number of areas within the city where such a policy approach might be appropriate.	Comments noted, and incorporated within the SPD.
Mr Usmanmulla	Individual	The open space area next to 111 Warwick Road, Wakefield is currently being used as a rubbish dumping place. Can this area be used and improved as a public open space?	Comments noted. Contributions sought from developments must satisfy Circular 05/2005. Provisions for public open space can be secured through planning obligations.
Mr S Brooks	Wakefield District Primary Care Trust	New developments have the potential to affect health whether from air pollution, traffic accidents or stress of the urban environment. It is therefore essential that the health of new and existing communities should be recognized in the Local Development Framework. While the provision of a capital asset, for example, a new health centre is an accepted principle via section 106 the revenue costs for health is an emerging area. The provision of a capital asset alone to meet the health needs of an expanding population does not in itself meet the planning need and likely revenue costs for the new population (normally 1 to 3 years) before mainstream NHS funding allocation takes over should be recognized.	Contributions sought from developments must satisfy Circular 05/2005.

Name	Organisation	Summary of Comments (Summarised by WMDC)	Response and Actions taken by WMDC.
Mrs C Goodwin	MOD Defence Estates	The MOD are keen to work with the City of Wakefield Metropolitan District Council to ensure any developments in the vicinity of our safeguarded zones are technically assessed and where infringements or increases to risk are likely to occur we can wherever possible suggest mitigating measures or planning conditions to make schemes workable for us.	Comments noted. Consultation is an important component of the planning process and consultation will be carried out in line with the SCI.
Cllr M Cummings	District Councillor	Minimum threshold for transport contributions should be 50 new all mode trips generated by a development per day. Public transport provision should be given a priority. A district wide approach needs to be adopted with regards to securing contributions. Contributions should be sought from all developments - excluding essential public infrastructure developments such as health.	<p>There has to be an identified need to justify a planning contribution. The highway infrastructural needs for any development will be site specific, therefore an arbitrary threshold can not be applied. However, the draft SPD sets how contributions can be achieved towards improving public transport.</p> <p>This SPD will set a district wide approach to securing developer contributions.</p>

## **8. Consultation on the Initial Sustainability Appraisal of the Developer Contribution SPD.**

The role of the sustainability appraisal (SA) is to shape the final SPD by testing the documents sustainability and to identify scope for enhancing its sustainability and finally to address any conflicts with the SA objectives which might arise.

The initial stage of the appraisal process was the production of a Scoping Report in December 2004. This set out the scope and framework for the later Sustainability Report, determining through a review of planning document and baseline information, and establish objectives for the SA. Consultation on the Scoping Report was undertaken for a five-week period in November and December 2004. The following bodies were consulted:

- Yorkshire & Humber Assembly
- Yorkshire Forward
- Kirklees MC
- Doncaster MBC
- City of Bradford MDC
- Calderdale MBC
- Barnsley BC
- Leeds City Council
- Selby District Council
- The Environment Agency
- English Heritage Yorkshire Region
- English Nature
- Countryside Agency for Yorkshire & The Humber
- West Yorkshire Strategic Health Authority
- First The Development Agency for Wakefield
- Mid-Yorkshire Chamber of Commerce & Industry Ltd
- West Yorkshire Learning & Skills Council

Following the responses from a number of consultation bodies (see previous section), the SA framework was amended and an Initial Sustainability Report was produced. The Initial Sustainability Appraisal was published on the 21<sup>st</sup> November 2007, and finished on the 24<sup>th</sup> December 2007.

In respect of monitoring, it is essential that the performance of the SPD is regularly monitored to ensure that they are meeting their objectives and that any negative impacts are minimised. Reviewing and updating the baseline data will be particularly important in the monitoring of the draft SPD. This data will allow the Council to check if the SA predictions of sustainability effects outlined in this report were accurate, and to see if the SPD is contributing to the achievement of the SA objectives. This monitoring exercise will also allow the Council to identify if the recommended mitigation/improvement measures are having the correct effect. Where adverse effects are identified as part of this monitoring process, consideration will be given to the need to review the SPD to mitigate against these concerns. This monitoring process will form part

of the overall annual LDF monitoring exercise, with an Annual Monitoring Report being published.

### **9. Public consultation on the draft Supplementary Planning Document**

In accordance with Section 18 of Town and Country Planning Regulations (Local Development) (England) Regulations 2004, Formal consultation on the draft supplementary planning documents will take place early in 2008.