



Melton
Borough
Council

Open Space and Green Infrastructure Strategy & Action Plans – Developer Contributions report

14th January 2025

MD2 Consulting Ltd



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Front cover image: Melton Country Park, Melton Mowbray.

1 Introduction

1.1 Background

This report provides guidance to Melton Borough Council to help secure relevant developer contributions from planning agreements associated with new residential development, focussed upon the provision of new accessible open spaces and the management and enhancement of existing publicly accessible open spaces.

The study/report objective is to “*define a formula-based approach seeking developer contributions for the provision, enhancement, maintenance and management of open spaces for the long term in line with quantity and quality standards and accompanied by a user-friendly calculator applying the formula for publication on the Council’s website*”. Our response includes a simple applet for The Melton Borough Council website which will allow developers to be given a basic simple calculation of developer contributions in the form of accessible open space based on the size of their proposed development. The details of the proposed approach are set out in this report.

Importantly, Melton Borough Council already has a Developer Contributions SPD (Supplementary Planning Document) adopted in September 2021 which offers guidance to developers about contributions that are typically secured associated with new development¹. The Council has no immediate plans to update the Developer Contributions SPD. The Open Space Strategy and Action Plan 2024 and the Green Infrastructure Strategy and Action Plan 2024 provide updated evidence and standards to supplement the approach within the adopted SPD.

1.2 About Planning Obligations

New development can make a positive addition to an area, for example, providing new homes and jobs. It can also have additional impacts on the local community however, placing additional pressures on the local infrastructure and facilities such as the local schools, highways, accessible open space and other essential services. Effective use of Obligations and Contributions can play a vital role in helping to ensure that necessary infrastructure provision keeps pace with new development and maintains suitable standards. This report outlines how Developer Contributions may be used to benefit the provision and management of all types of publicly accessible open spaces, whether they are new or existing.

Planning obligations are normally included within Section 106 (s106) agreements, which are legal agreements between the Council, landowners/developers and/or infrastructure providers

¹ https://www.meltonplan.co.uk/_files/ugd/c2f881_22bade866a894c64a5fd19c4ca84d04c.pdf

to make a development acceptable in planning terms. These agreements bind parties to the provision of funding towards the delivery of essential infrastructure that cannot normally be funded from council budgets. In certain circumstances, unilateral undertakings can also be included within s106 agreements and maybe entered into. In all cases, the content of s106 documents can be amended later by means of a 'deed of variation' if there is agreement between the parties that are signatories to the originals.

Applicants must enter a planning obligation with the Council for provision of commuted sums and/or off-site contributions. The s106 Agreement controls the development, maintenance and transfer of ownership of the land to the Council or other nominated maintenance organisation. Normally the developer contributes to the Council's legal and monitoring costs for setting up the s106 Agreement.

A fundamental principle of planning obligations is that they are not used to 'buy' a planning permission, nor should they be used as a means of unfairly taxing a developer. They are, however, intended to make development acceptable which would otherwise be unacceptable in planning terms. Furthermore, planning obligations cannot be sought or used to mitigate an existing problem within an area, although they can be secured against a future need that would be created because of the proposed development.

The provision and accessibility thresholds and quality and value assessment derived as part of the Open Spaces Strategy² are used here to inform future Council planning policy related to developer contributions for future open space provision. The identification and negotiation of appropriate developer contributions can occupy a significant portion of the time taken to determine a planning application. Although an Applet will aim to simplify the process, pre-application discussions, which may often include potential open space requirements associated with new development, are nevertheless always recommended. Not only will this precipitate understanding and facilitate validation of a future application more generally, but it will promote confidence from the perspective of both parties (developers and the local planning authority) including facilitation of proposed 'Heads of Terms' for accessible open space provision.

Infrastructure, facilities and services which are required by a planning obligation should, wherever possible, be provided on site. Nevertheless, there will be circumstances where this may be neither practical, as in the case of small sites, nor appropriate within the existing policy context. In these instances, the Council will seek financial contributions towards the provision and/or maintenance of infrastructure, facilities and services in or at suitable alternative locations. The Council should consider the issue of whether the required facilities are to be provided on or off site according to the circumstances and individual merits of each individual planning proposal.

² These are also used in the Melton Green Infrastructure Strategy 2024

1.3 Policy Basis for Developer Contributions for Open Space

The National Planning Policy Framework (December 2023) (NPPF) states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The NPPF guidance with greatest relevance to the provision of accessible open space is set out in the following parts of the Framework:

Part 8 “Promoting Healthy and Safe Communities”,
Part 11 “Making Effective Use of land”,
Part 12 “Achieving Well-Designed and Beautiful Places”,
Part 14 “Meeting the Challenge of Climate Change, Flooding and Coastal Change”, and
Part 15 “Conserving and Enhancing the Natural Environment”.

The NPPF states that planning policies and decisions should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific local needs as well as quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in each local authority area. Information gained from the assessments should be used to determine what open space, sport and recreational provision is required to address future needs.

Planning Policy Guidance Note 17 (PPG17): Planning for Open Space, Sport and Recreation, which is no longer extant but is still considered as a key source. It was published in 2002 and it aimed to achieve three long term relevant outcomes as follows:

- Networks of accessible, high quality open space, sport and recreation facilities in both urban and rural areas, which meet the needs of residents and visitors, are fit for purpose and economically and environmentally sustainable.
- An appropriate balance between new provision and the enhancement of existing provision; and
- Clarity and reasonable certainty for developers and landowners in relation to the requirements and expectations of local planning authorities, in respect of open space, sport and recreation provision.

The introduction of the NPPF (and Planning Practice Guidance) effectively replaced PPG17 but has nevertheless aimed to build on it in the following ways:

- Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change (paragraph 102).
- Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails (paragraph 104).
- Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them.

Since there is a policy requirement to address open space provision, as well as quality, quantity and access standards, the Council will have to ring fence funding for the same derived from planning agreements, since monies must be spent locally to fulfil the terms of the legislation. This will be a matter for Melton Borough Council officers to address to deliver agreed projects and to implement the Action Plan provided as part of the Open Spaces Strategy.

1.4 Policy Basis for Developer Contributions for Green Infrastructure

At the end of January 2023, Natural England introduced a new **Green Infrastructure Framework** for England based upon the **25 Year Environmental Plan**. On the one hand, the environmental plan aims to leave the environment in a better state than it was before and to make greener, healthier, climate resilient, distinctive, and thriving places to live, learn, work and play. It includes a commitment that the public should be able to access green space or water, such as woodlands, wetlands, parks and rivers, within a 15-minute walk from their home. On the other hand, the Green Infrastructure Framework aims to increase the amount of green cover to 40% in urban residential areas.

The green infrastructure Framework has the following aims:

- To be a comprehensive plan that seeks to promote sustainability
- To improve the quality of life for communities
- To conserve the natural environment for future generations

The National Planning Framework recognises the vital role that green infrastructure can play in addressing some of the most pressing environmental challenges faced by society today. In turn, the Green Infrastructure Framework is a commitment in the Governments 25 Year Environmental Plan. The Green Infrastructure Framework provides the means to help Local Planning Authorities and developers meet requirements of the NPPF to support the greening of our towns and cities as well as connections with the surrounding landscape as part of the Nature Recovery Network.

The Natural England Green Infrastructure Framework provides a structure to analyse where greenspace in urban environments is needed most. It aims to support equitable access to greenspace across the country, with an overarching target for everyone being able to reach good quality greenspace in their local area. From parks to green roofs, and increased tree cover, the Green Infrastructure Framework will make a significant contribution to nature recovery by embedding nature into new developments. Increasing the extent and connectivity of nature-rich habitats will also help increase wildlife populations, build resilience to the impacts of climate change, and ensure our towns and cities are habitable for the future.

Natural England has confirmed that the purpose of the **Green Infrastructure Planning and Design Guide** is to provide evidence based practical guidance on how to plan and design good green infrastructure. It complements the National Model Design Code and National Design Guide and can be used to help planners and designers, and other professionals to develop local

design guides and codes with multifunctional green infrastructure at the heart. The aim is to raise standards for green space in towns and cities in increasing the amount of green cover to 40% in urban residential areas through the planning system. This will help to inspire the creation of healthier, nature-rich, climate resilient and thriving places to live, learn, work and play.

A **Process Guide for Local Planning Authorities** replaces the previous version “Process Journey for Local Planning Authorities (NE 2023)”. The updated Process Guide for Local Authorities sets out a six-stage best practice process for developing a green infrastructure strategy and integrating green infrastructure policies into Local Plans. The Process Guide includes several appendices with further information, guidance and case studies.

Responsibility for Green Infrastructure cuts across various Central Government departments of which the most notable are the Department for Environment, Food and Rural Affairs (Defra) which is responsible for environment policy including access to and enjoyment of nature; the Ministry of Housing, Communities and Local Government (MHCLG) which is responsible for policy concerning urban green spaces; for national planning policy; and for funding the local authorities who plan and maintain many green spaces and the Department for Culture, Media and Sport (DCMS) which is responsible for policy concerning playing fields; and historic gardens, parks and landscapes.

2 The Importance of Accessible Open Space to local communities

2.1 Provision

The provision of open space across the Borough, whether provided on-site or off-site, is crucial to support the needs of the Borough of Melton future population as well as to secure environmental enhancements related to objectives to help deliver quality of place.

The Borough of Melton Developer Contributions Supplementary Planning Document seeks the provision of on-site open space, wherever practicably possible, subject to the nature and value of this provision. In circumstances where a development does not provide any open space on-site, a financial contribution will normally be sought towards off-site provision. These financial contributions will be secured via developer contributions, appropriate and proportionate to the scale of the proposed development, each measured on a case-by-case basis and a general formula established by this report.

In the first instance, Melton Borough Council expects developers to meet the accessible open space standards set out in Policy EN7 of the Borough of Melton Local Plan. Alternatively, through Pre-Application proposals, early involvement with Borough Council planning officer's and, where relevant, with ward members, may realise opportunities for developers to provide financial contributions towards the enhancement of existing open spaces within local communities. In certain circumstances, this approach may be deemed more pragmatic if it better suits an application site and the needs of the community. Local priorities should be considered when looking at the provision of open spaces in rural areas, as these may constitute priorities for the Parish Council and Ward Members.

Understandably, the need for accessible open space can vary significantly across the Borough, especially as much of the Borough is rural in nature and since each Parish and its constituent village have a unique mix of spaces. Therefore, each application will be assessed on a case-by-case basis based on its individual planning merits to determine what the most appropriate accessible open space solution might be.

In addition to accessible open spaces, playing pitches provide an opportunity for the Borough's residents to take part in sport activities, noting that the demand for playing pitches is likely to increase relative to the growth. Following a review of the Borough Council's reviewed Playing Pitches Strategy in 2023, the Sport England playing pitch demand calculator can be used to assess the demand for playing pitches within the Borough. This may result in contributions being requested to accommodate forecasted future demand, which is especially relevant for development that may impact upon a playing field, as well as suitable mitigation for any prospective loss of that playing field should this be permitted by the guidance.

Major developments for industrial/commercial developments may feasibly generate excess demand on existing accessible open space, although this is far less clear and far harder to justify, quantify and apply. It is however possible that accessible open space can be included in the design of new industrial/commercial developments and this should attract the support of the Council if it provides benefits to neighbouring communities.

2.2 The Borough of Melton Open Spaces Strategy and Action Plan (2024)

Policy EN7 of the Melton Local Plan requires the provision of open space to meet identified deficiencies and to sustain quantity standards as the population grows. The Open Space Strategy is an evidence-based report document produced to support delivery of policies in the Council's Local Plan, which was adopted in October 2018.

In 2020 MD2 Consulting Ltd prepared a Melton Mowbray Open Spaces Strategy for the town of Melton Mowbray. The strategy was prepared to address the proposed new sustainable communities in the town. The 2020 strategy includes an action plan to identify the prospective focus for improvement of existing public open spaces in the town. It further recommended the provision of new accessible open space to meet identified deficiencies and to sustain quantity standards linked with new developments and as the local population continues to grow. The 2020 strategy also recommended that an update should be done for the entire Borough to ensure a 'level playing field' and a consistent Borough-wide approach.

A full update of the Borough of Melton Open Space strategy was produced in 2024 and includes a strategy report, report of consultation, spreadsheet/database and action plan plus mapping.

2.3 Open Space Standards 2024

If a housing development generates a need for new accessible open space, then, wherever practicably possible and considering the minimum sustainable sizes of open space, the open space should be provided on-site. However, it is accepted that this may not always be possible and, in such circumstances, off site provision will be the next best option. This is because on site provision is normally the best and most practicable way to meet the needs of new communities. The open space to be provided should meet the relevant open space typology standard for quality; it be installed as per the approved landscape plan and landscape management plan and a suitable and satisfactory maintenance programme should be agreed and be in place to ensure the open space is usable for all residents and the community in the longer term.

Table 1, below, shows the types of accessible open space considered in the Borough of Melton Open Space Strategy and Action Plan (2024). Table 2 which follows it shows the quantity and access standards. Note that there are more detailed strategy recommendations in the main Strategy report, which should also be read.

Typology name	Notes
Allotments and community growing spaces	Includes recognisable allotment gardens along with community growing spaces. No distinction is made on ownership
Amenity green space	Planned or incidental open space often (but not only) grass – amenity use, and visual appearance are key considerations
Churchyard and cemeteries	These are considered only when they are publicly accessible areas and have a significant green space component
Non-pitch sport facility	These are sites that may be missed in a Sport England compliant Playing Pitch Strategy which focuses on a small number of key sports. Examples that may be missed include Timed jogging routes, Nordic walking, Trim trails, Park Run, Gymkhana.
Parks and gardens	Accessible parks and gardens, normally a formal landscape
Provision for children and young people, e.g. play areas	Also referred to as playgrounds and play spaces. Includes Local areas for play (LAPs), Locally equipped areas for play (LEAPs), Neighbourhood equipped areas for play (NEAPs) and Multi use games areas (MUGAs).
Accessible semi-natural green space	Wide ranging description for space that is for people and nature. An increasingly important component of green infrastructure and necessary to adapt to climate change
SuDS or Sustainable Urban Drainage	These are areas created principally for the management of surface water but feature open space types, including those listed above. In the strategy, a distinction is made between non-accessible SuDS, and accessible SuDS

Table 1: Typology included in the 2024 Borough of Melton Open Space Strategy and Action Plan

Open space typology	Quantity standard 2020 (hectares per 1,000 population)	Access standard 2020 (measured in straight line)		Recommended quantity standard 2024 (hectares per 1,000 population unless indicated otherwise)	Recommended access standard 2024 (taking into account safe crossing points)	
		10-minute walk or 800 metres	15-minute cycle ride in rural areas		In urban areas 10-minute walk or 800 metres	In rural area 15-minute cycle ride in or 5,000 metres
Allotments and community growing spaces	0.30	15-minute drive in rural areas		0.30	In urban areas 15-minute walk or 1,200 metres	15-minute drive in rural areas
Amenity Green space	0.60	10-minute walk or 800 metres		0.60	10-minute walk or 800 metres	
Parks and gardens	2.08	10-minute walk or 800 metres	15-minute cycle ride in rural areas	2.08	In urban areas 10-minute walk or 800 metres	In rural area 15-minute cycle ride in or 5,000 metres
Provision for children and young people.	0.25	10-minute walk or 800m	15-minute cycle ride in rural areas	0.25	In urban areas 10-minute walk or 800m	In rural areas 15-minute cycle ride or 5,000 metres
Semi-natural green space	1.80	10-minute walk or 800 metres	20-minute cycle ride in rural areas	1.80	In urban areas 10-minute walk or 800 metres	In rural areas 20-minute cycle ride or 6,500 metres
Total open space (sum of above)	5.03	Not applicable	Not applicable	5.03	Not applicable	

Table 2: The open space access and quantity standards 2024 - note that Melton Mowbray, Bottesford and Asfordby are considered urban and all other areas rural.

Fields in Trust (FiT) is a national charity that has issued national guidance for Outdoor Sport and Play (Beyond the Six Acre Standard). This was updated in 2015 to reflect policy changes including the National Planning Policy Framework and includes recommendations on the provision of amenity and natural green space. In line with 'Fields in Trust' guidance four types of play space are identified in the Borough of Melton Open Space Strategy (see table 3)

Typology	Sub-type	Size in hectares (ha)	Minimum dimensions	Buffer zone	Notes
Equipped - designated play areas	Local area for play (LAP)	0.01ha	10 x 10 metres (minimum activity zone of 100sqm)	5m min separation between activity zone and nearest property containing a dwelling	
	Locally equipped area for play (LEAP)	0.04ha	20 x 20 metres (minimum activity zone of 400sqm)	20m min separation between activity zone and the habitable room façade of dwellings	
	Neighbourhood equipped area for play (NEAP)	0.1ha	31.6 x 31.6 metres (minimum activity zone of 1,000sqm comprising an area for play equipment and structures & a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football))	30m min separation between activity zone and the boundary of the nearest property containing a dwelling	
Other outdoor provision, including multi use games areas and skateboard parks	Multi use games area (MUGA)	0.1ha	40 x 20 metres	30m min separation between activity zone and the boundary of the nearest property containing a dwelling	In practice MUGAs are often referred to by other names such as recreation grounds. The term is also used for artificial surfaces

Table 3: Types of play space based on Fields in Trust (FiT) guidelines used in the Borough of Melton Open Space Strategy.

Table 4 below, shows the application of access standards based on existing and prospective population growth in the Borough of Melton up until 2039.

A	B	C	D	E	F	G	H	I	
Typology	No. of sites	Area (Ha)	2024 Provision (total ha) per 1000 Head of population based on a population of 51,800	2039 Provision (total ha) Assume open space stays static at 2020 level based on anticipated population of 57,829	Policy EN7 Open Space Quantity Standard - 2020	2020 Access Standard	2024 Open Space Quantity Standard	2024 Open Space Access Standard	
2	Allotments and community growing space	47	21.31	0.41	0.37	0.30	15 min walk/1200m or 15 min drive (rural)	0.30	15-minute walk or 1,200m in urban areas 15-minute drive in rural areas
3	Amenity Green Space	207	49.45	0.95	0.86	0.60	10 min walk or 800m	0.60	10-minute walk or 800 metres
4	Cemeteries / Churchyards	74	30.29	0.58	0.52	No standard	No standard	No standard	No standard
5	Non pitch sports facility	8	16.34	0.32	0.28	No standard	No standard	No standard	No standard
6	Parks & Gardens	10	100.86	1.95	1.74	2.08	15 min walk/1,200m/10 min drive (rural)	2.08	10-minute walk or 800m 15-minute cycle ride in rural areas
7	Provision for Children & Young People	81	42.42	0.82	0.73	0.25	10 min walk or 800m, 10 min drive (rural)	0.25	10-minute walk or 800m 15-minute cycle ride in rural areas
8	Semi-natural Green space	61	92.15	1.78	1.59	1.80	10 min walk/800m/20 min drive (rural)	1.80	10-minute walk or 800m 20-minute cycle ride in rural areas
9	Playing Pitches (refer to PPS)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
10	Football pitches (refer to PPS)	n/a	n/a	n/a	n/a	0.41	n/a	n/a	n/a
11	TOTAL	488	352.80					5.03	

Table 4: In this table, the access standards have been applied to the results of the audit and quantity provision.

For the categories of (i) allotments and community growing space and (ii) amenity green space the current provision is ahead of standard until 2039 based on population projections. However, local deficiencies can exist and should be considered by the Council in making local planning decisions.

The provision of parks and gardens is already below standard, and this will be exacerbated by population growth. The demand will be focused on growth hubs (such as new sustainable communities), where new provision will be needed.

Care is needed in interpreting the provision for Children & Young People. Based on the NEAPs categorisation (play areas for larger children) the Borough is well catered for under the population projections. However, with regards to Local Areas for Play (LAPs) aimed at very young children and Locally Equipped Areas for Play (LEAPs) aimed at children who can go out to play independently, it is inevitable that local accessibility deficits will exist due to the recommended distances criteria. The demand will be focused on growth hubs, hence new provision will be needed and is likely to be targeted.

The deficit in semi-natural green space is a factor in the distribution of green infrastructure and the Melton Borough Council's climate change priorities. It is thought that an opportunity exists to increase this typology based on the sustainable urban drainage schemes (SuDS) in new development. In terms of design, consideration should be given to how new provision is linked to other green corridors both on-site and offsite. Natural England have provided design guidance in the green infrastructure framework, including how different elements of green infrastructure can be networked together.

With regards to accessible SuDS schemes, advice is provided in the main Open Space Strategy Report.

3 The Importance of Green Infrastructure to local communities

3.1 Provision

Green Infrastructure is not simply an alternative name for open space. It is a network of multi-functional green and blue spaces and other natural features, both urban and rural. Green Infrastructure can deliver a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity. Furthermore, green infrastructure provides an opportunity to link with Biodiversity Net Gain, Local Nature Recovery Strategies, Nature Recovery Network, and Natural Capital. The distribution, standard and quality of open space is important to the green infrastructure network. For that reason, the Council commissioned a Borough-wide Green Infrastructure Strategy and Action Plan which takes account of and references relevant aspects of the Melton Borough Open Space Strategy and Action Plan.

This Melton Green Infrastructure strategy has been developed using the Natural England Green Infrastructure framework³. A process guide has been produced by Natural England which sets out how to develop and implement green infrastructure policies and strategies. For this strategy use has been made of version 1.2 (Beta) dated September 2024.

Natural England believe that networks of multi-functional green and blue spaces contribute especially to quality of life in towns and cities. Trees, green roofs, and vegetation can reduce extreme heat in urban areas. Sustainable urban drainage features can reduce flood risk following heavy rainfall, which in turn can reduce costs of climate change for residents and businesses. Hedges and trees around schools can improve air quality, helping to protect those spaces from vehicle exhaust emissions.

Natural England's Green Infrastructure Framework helps Local Planning Authorities, developers and communities to work in partnership to both enhance existing green spaces and plan high quality, nature-rich networks within and around residential and other developments. It offers an integrated approach to planning and design; many green infrastructure features count towards Biodiversity Net Gain, and the nature networks created support the growth of the national Nature Recovery Network.

³ <https://designatedsites.naturalengland.org.uk/greeninfrastructure/home.aspx>

3.2 Headline standards

Headline standards are a central component of the green infrastructure framework and for the Borough of Melton these have been developed based on the principles set out by Natural England. The five headline standards are as follows.

- S1: Green infrastructure strategy standard
- S2: Accessible green space standard
- S3: Urban nature recovery standard
- S4: Urban greening factor standard
- S5: Urban tree canopy standard

Melton Green infrastructure strategy incorporates five standards as follows:

Green Infrastructure Strategy Standard for Borough of Melton

1. The Borough of Melton Council will work with stakeholders both within the borough and outside the borough (under the duty to cooperate) to ensure that green infrastructure corridors and other enhancements are 'joined up'.
2. The Borough of Melton Council will undertake a review and update of the green infrastructure strategy five years after adoption of the green infrastructure strategy and action plan 2024.
3. Developers will be required as part of all major developments (e.g. 10 or more dwellings) to provide a green infrastructure strategy for their development either as a separate report or as a discrete and satisfactory part of the design and access statement.
4. A developer's green infrastructure strategy whether a separate document or included in a design and access statement will be reviewed in the context of the Melton Green Infrastructure strategy 2024, the action plan for the Melton Green infrastructure strategy 2024 and the 15 green infrastructure principles set out by Natural England.
5. Developers will be required to provide a proposal for management and maintenance for a period of 30 years to the satisfaction of the Borough Council planning service.

Accessible Greenspace Standard for Borough of Melton

1. The Borough of Melton has set a standard of 5.03 hectares of accessible greenspace per 1,000 population. Developers are required to make provision to meet the quantity and access standards through their planning applications and delivery. Compliance will be monitored and where the standard is unsatisfactory developers will be required to make good at their own expense.
2. The Council accepts that access to open spaces frequently require users to cross main roads. The situation precipitates pedestrian safety issues, with extended journeys to traverse roads at formal, safe crossing points. This should be accounted for when calculating the distance from a residential area to an open space.
3. To reduce car use as the only option to access open spaces - cycling distance is now being used as an access standard. This is becoming even more so as the Melton Borough Council is considering how best to respond to climate change.

4. Normally all major developers should ensure that their green infrastructure strategies and or design and access statements should allow for their management company or in the case of a S106 agreement for the site to be managed to green flag standard.
5. Given the importance of connectivity and the fact that the Borough of Melton is a substantially rural local authority, high importance is attached to the quality and accessibility of the public rights of way network. Where priority needs to be given this should be focused on access to green infrastructure corridors and links between urban areas and the surrounding countryside.

Urban Nature Recovery Standard for Borough of Melton

1. The Borough of Melton has set a standard of at least 1 ha of local nature reserve per 1,000 population. Local nature reserve here also means local wildlife sites and other sites identified by the Borough of Melton as of significant wildlife value. In most cases these are synonymous with semi-natural green space as identified in the Council's Open Space Strategy and Action Plan.
2. Normally all major developers should provide a Green Infrastructure Plan for the development (or in the Design and Access Statement, as appropriate), on how the development contributes to nature recovery and/or the creation and restoration of wildlife rich habitats, which can contribute to the delivery of local nature recovery objectives, including the potential for creation or enhancement of Local Nature Reserves or Local Wildlife Sites.
3. Whenever possible, the urban nature recovery standard will be linked to the local nature recovery strategy (LNRS) for Leicestershire, Leicester and Rutland notwithstanding the urban focus which is considered a priority for improvement and provision.
4. The health and well-being of the community is recognised as an important consideration in the provision of urban nature as research has shown the benefits to humans both in terms of physical and mental health. Where developers are producing a green infrastructure plan for the development or as appropriate a design and access statement, health and well-being impacts should be clearly set out, including any possible disbenefits.

Urban Greening Factor Standard for Borough of Melton

1. Normally all major residential development should have approximately 40% of the area committed to green and blue spaces, this can include land used for green roofs or green walls, open space required under the Melton Open Space standards, accessible and non-accessible open Sustainable (urban) Drainage Systems (SuDS), and tree canopy coverage. An exception may be made in the provision of social housing; however, this standard should not be disregarded in its entirety as environmental exclusion is often associated with social housing environments and the health and well-being benefits that accrue to communities may well be of great significance in these areas.
2. Normally all major commercial development should have approximately 30% of the area committed to green and blue spaces, this can include land used for green roofs or green walls, open space required under the Melton Open Space standards, accessible and non-accessible open SuDS, and tree canopy coverage.
3. Where land being proposed for development is presently Greenfield and where the council consider that there are significant losses in landscape and ecological benefit then

approximately 50% of the area should be committed to green and blue spaces, this can include land used for green roofs or green walls, open space required under the Melton Open Space standards, accessible and non-accessible open SuDS, and tree canopy coverage.

Urban Tree Canopy Standard for Borough of Melton

1. For the urban settlements of Melton Mowbray, Bottesford, Asfordby major new development should provide for 3 trees visible/close by every home, 30 percent tree canopy cover in the development or LSOA and be no more than 300 metres from the nearest public park or green space.
2. Developers will be expected as part of their planning proposals to submit a report that satisfies the standard in one above and addresses the advice available on the right tree in the right place for a resilient future using the Forest Research publication⁴ as a relevant source document. Mature trees should only be removed subject to a survey that this is essential for a development to proceed and if so, the developer will be required to plant a substantial number of replacement trees in a suitable and proximate location and provide for their maintenance long term. The Bristol tree replacement standard⁵ is proposed as a guideline as follows in Table 5.

Category	Diameter at Breast Height (DBH) (cm)	Root Protection Area radius (RPAr) (m)	Area (ha)	Replacement trees required
Small	<30	3.6	0.0041	2
Medium	>30 to <90	10.8	0.0366	10
Large	>90	15.6	0.0765	21

Table 5 Tree replacement standard guidance

3. When a financial alternative is proposed the contribution covers the cost of providing the tree pit (where appropriate), purchasing, planting, protecting, establishing and initially maintaining the new tree. The level of contribution per tree is as follows^{6,7}:
 - Tree in open ground (no tree pit required) £765.21
 - Tree in hard standing (tree pit required) £3,318.88

⁴ [Urban Tree Manual - Forest Research](#)

⁵ bristoltreeforum.org/2022/06/

⁶ Benchmarked April 2022 and subject to RPI

⁷ If not already applied to BNG

The 'open ground' figure will apply where a development results in the loss of Council-owned trees planted in open ground. In these cases, the Council will undertake replacement tree planting in the nearest appropriate area of public open space.

3.3 Spatial and Thematic Strategy

The Melton Green infrastructure strategy includes eight spatial strategies based on identified green infrastructure network/corridors and eight the Matic strategies which applied to the whole Borough area.

Spatial Strategies

1. SGI Ref GB: Gaddesby Brook to Burrough Hill
2. SGI Ref RW: River Wreake and Tributaries
3. SGI Ref MM: Melton Mowbray and its Urban Fringe
4. SGI Ref RE: River Eye and Tributaries
5. SGI Ref GC: Grantham Canal
6. SGI Ref BO: Bottesford, River Devon and Winter Beck
7. SGI Ref JW: The Jubilee Way
8. SGI Ref NM: Newark to Market Harborough Dismantled Railway

Thematic Strategies

1. TGI Ref LI: Rural landscape improvements access opportunities for local communities
2. TGI Ref UD: Urban design
3. TGI Ref OS: Open (green) space
4. TGI GC: Green Corridors
5. TGI ND: New development
6. TGI RW: Rights of Way
7. TGI HE: Access to local heritage
8. TGI TR: Trails, cycleways and bridleways

3.3 Types of Green Infrastructure that Attract Developer Contributions

The types of green infrastructure that attract developer contributions are those linked to achieving the Green Infrastructure Standards and/or the spatial and thematic strategies.

1. In the case of the **Green Infrastructure Strategy Standard** for the Borough of Melton. Developers will be required as part of all major developments (e.g. 10 or more dwellings) to provide a green infrastructure strategy for their development either as a separate report or as a discrete and satisfactory part of the design and access statement. Developers will

also be required to provide a proposal for management and maintenance for a period of 30 years to the satisfaction of the Borough Council planning service.

2. In the case of the **Accessible Greenspace Standard** for Borough of Melton. The Borough has set a standard of 5.03 hectares of accessible greenspace per 1,000 population. Developers are required to make provision to meet the quantity and access standards through their planning applications and delivery. Compliance will be monitored and where the standard is unsatisfactory developers will be required to make good at their own expense. Note that the Accessible Greenspace Standard for Borough of Melton is the same as the open space standard in the Open Space Strategy and the process for this is described in chapter 4 (N.B. the terms green space and open space are used here interchangeably). For the avoidance of doubt, developers are not being asked to pay twice for the same standard. Normally all major developers should ensure that their green infrastructure strategies and or design and access statements should allow for their management company or in the case of a S106 agreement for the site to be managed to green flag standard.
3. In the case of the **Urban Nature Recovery Standard** for the Borough of Melton. The Borough has set a standard of at least 1 ha of local nature reserve per 1,000 population. Local nature reserve here also means local wildlife sites and other sites identified by the Borough of Melton as of significant wildlife value. In most cases these are synonymous with semi-natural green space as identified in the Open Space Strategy and Action Plan (see section 4).
4. In the case of the **Urban Greening Factor Standard** for Borough of Melton normally all major residential development should have approximately 40% of the area committed to green and blue spaces, this can include land used for green roofs or green walls, open space required under the Melton Open Space standards, accessible and non-accessible open Sustainable (urban) Drainage Systems (SuDS), and tree canopy coverage. An exception may be made in the provision of social housing. Normally all major commercial development should have approximately 30% of the area committed to green and blue spaces, this can include land used for green roofs or green walls, open space required under the Melton Open Space standards, accessible and non-accessible open SuDS, and tree canopy coverage. Where land being proposed for development is presently Greenfield and where the Council consider that there are significant losses in landscape and ecological benefit then approximately 50% of the area should be committed to green and blue spaces, this can include land used for green roofs or green walls, open space required under the Melton Open Space standards, accessible and non-accessible open SuDS, and tree canopy coverage. The Urban Greening Factor standard is voluntary.
5. In the case of the **Urban Tree Canopy Standard** for Borough of Melton (note that this is a Borough wide standard). Major new development should provide for 3 trees visible/close by every home, 30 percent tree canopy cover in the development or LSOA and be no more than 300 metres from the nearest public park or green space. Developers will be expected as part of their planning proposals to submit a report that satisfies the standard in one above and addresses the advice available on the right tree in the right place for a resilient future using the Forest Research publication as a relevant

source document. The Bristol tree replacement standard⁸ is used as a guideline as follows in table 5 above. When a financial alternative is proposed the contribution covers the cost of providing the tree pit (where appropriate), purchasing, planting, protecting, establishing and initially maintaining the new tree. The level of contribution per tree is as follows^{9,10}

- Tree in open ground (no tree pit required) £765.21
- Tree in hard standing (tree pit required) £3,318.88

The 'open ground' figure will apply where a development results in the loss of Council-owned trees planted in open ground. In these cases, the Council will undertake replacement tree planting in the nearest appropriate area of public open space.

6. In the case of the **Spatial and Thematic strategies** developer contributions will be subject to agreement with the local planning authority but will apply only to major development.

⁸ bristoltreeforum.org/2022/06/

⁹ Benchmarked April 2022 and subject to RPI

¹⁰ If not already applied to BNG

4 Delivering Green Space/Open Space Contributions

4.1 Chapter Objectives

This chapter provides information and guidance about the following important aspects related to the delivery of open space contributions which for the avoidance of doubt is the same as the green infrastructure contributions under the accessible green space standard.

4.2 Types of Accessible Green Space/Open Space that Attract Developer Contributions

The types of accessible open space that attract developer contributions are those where quantity and access standards have been set in the Borough of Melton Open Space Strategy 2024. Refer to table 2 and table 3 for further information.

- Allotments and community growing spaces
- Amenity Green space
- Parks and gardens
- Provision for children and young people.
- Semi-natural green space

Note 1: that the Melton Borough Council may nominate an alternative accessible open space type to meet a particular local need.

Note 2: that for the green space standard link to the green infrastructure strategy this equates to the semi natural green space element (Natural England guidance is that one hectare per 1000 population of semi natural green space should be designated as a local nature area – this equates to 56% of the semi-natural green space standard).

4.3 Priorities Identified in the Borough of Melton Open Space Strategy 2024

Quality is the main determinant of user satisfaction in open space. Since a key focus of open space is amenity and recreation then 'quality' should be regarded as the priority ahead of quantity and access where funding and management choices are required.

4.4 Thresholds for the Application of Financial Contributions

For major developments dwellings of 10 dwellings or more (the planning definition of major development), the required accessible open space should normally be provided on site in

accordance with the adopted policies of the Melton Borough Council. However, if on site open space is not provided, or for a suitable reason cannot be provided, the Council will seek a financial contribution. This contribution should be put towards the provision of off-site facilities elsewhere within the general locality of the development, which would be used by the occupiers/users of that development.

For developments of 1 - 10 dwellings the Council will not require a developer contribution. If the units are subsequently varied and increased on the same site or are provided on an immediately neighbouring site, then developer contributions would be required to reflect the increased number if 10 or over.

4.5 Procedure for the Detailed Procurement of Developer Contributions

Developer contributions may be applied for all the typologies of open space where a standard has been set. Priority categories and the practicality of the delivery of the most suitable typologies to be delivered on a particular development site both locally and more generally within the Borough will be discussed at the Pre-Application stage. For each of the five types of accessible open space where standards have been set, the Borough Council will assess whether a new area of open space needs to be provided because of the proposed housing development.

4.6 Estimate of the number of residents living in the proposed development

It is considered that, for most applications, an indication will be given about the number and type of houses within the development. If an application is received in 'outline' and the number and type of dwellings is not specified or not known, then the accessible open space requirement can be estimated based on the application of a minimum density of dwellings per hectare and an average household size that is being used by the Melton Borough Council at the time of the outline application. The initial figure will in all circumstances be updated by a detailed calculation based on the number of bedrooms, once a detailed application is submitted (see table 6).

No. of bedrooms	1	2	3	4	5+
Assumed No. of residents	1.5	2	2.3	3	4

Table 6: Bedroom/occupancy for accessible Open Space contributions.

If a qualifying development is approved and subsequently revised to include a higher number of units, or different sized dwellings (with changes to the number of bedrooms) the proposed calculation will need to be revised, and this will be reflected in an updated Planning Agreement.

We advise that the level of contributions will need to be reviewed periodically to ensure that they remain up to date. In addition, the level of contributions set initially will be index linked to a base

figure applied from the 5th April 2024 and adjusted to match the prevailing inflation rate at the time that a Planning Agreement is signed/started on site.

The Melton Borough Council will decide whether it proposes to apply developer contributions to fully affordable housing developments that it is trying to encourage through other planning policies since affordable housing schemes constitute planning gain *per se* to meet nationally imposed housing delivery targets.

4.7 Calculating the existing amount of accessible open space within distance thresholds of the new housing development

Developer contributions for off-site provision will normally be sought if they can be targeted to a site that lies within the relevant distance threshold of the proposed housing development and is suitable for use as accessible open space (see tables 2 and 3). Some flexibility may be sought depending on local circumstances. Wherever possible, the sites should be accessible by public transport, cycle paths or public rights of way. The notable exception to this is Cemetery and Burial Ground provision, where contributions might be sought for sites that are outside the distance threshold.

The normal procedure is as follows:

- Calculate the existing amount of open space within the following distance thresholds of the new housing development
- For ease of measurement and clarity for developers, each of these distance thresholds is measured directly 'as the crow flies' from the outermost edges of the new housing development, except where there are physical barriers to access, such as main roads, rivers, railway lines etc. then the actual distance will be calculated. The actual distance will depend on the open space typology.
- Estimate the existing residential population within the relevant accessibility threshold.
- Add this to the estimated population of the new housing development. This will give a total population figure. These calculations will use the average occupancy figures for existing population and the calculations from table 4 above for the new population.
- This is then compared with the existing amount of open space and the total population within the relevant distance with the quantity standards set out in tables 2 and 3.

4.8 Assessing whether the developer is required to provide a new area of open space.

A new area of accessible open space will normally be required if the existing amount of open space is insufficient to cater for the needs of the total population. For example:

- The Quantity standard for Amenity Greenspace is 0.6 ha per 1000 people.

- The estimated population of the new housing development is 300 people (say 130 dwellings) and the existing population within the distance threshold (800m) of the development is 1500, giving a total population of 1800 people.
- Therefore, for a population of 1800 the amount of Amenity Greenspace required is $(0.6 \text{ ha} / 1000) \times 1800 = 1.10 \text{ ha}$.
- If the existing amount of Amenity Greenspace within 800m of the development is say 0.6 hectares. Then 0.6 ha of existing Amenity Greenspace is a lower level of provision than 1.10 ha of required Amenity Greenspace within the catchment area.
- The developer will therefore be required to provide a new area of Amenity Greenspace, to meet the needs of the people who will be living in the new housing development as a minimum.

Note: If a play area is required for a development, the developer will be expected to provide a fully equipped LAP, LEAP or NEAP, depending on size required, to industry standards EN1176/EN1177. The minimum size for a LEAP is 400m².

4.9 If a new area of open space is required, calculate how large that area should be.

Using the same example for Amenity Greenspace above:

- $(0.6 / 1000 \text{ ha}) \times$ the estimated population of the new housing development 300 persons (130 dwellings) = 0.18 ha.
- The developer will therefore be required to provide 0.18 hectares of new Amenity Greenspace.

This assessment will be carried out individually for each of the five types of accessible open space shown in table 1. For each of the five types, a requirement to provide a new area of open space may be waived if it is found that the relevant quantity standard is met or exceeded and there are no quality or value issues within the accessibility threshold. It is recognised some sites are constrained and off-site contributions in lieu of on-site provision can be considered in these cases. In these circumstances all contributions will be calculated pro rata.

4.10 Check and determine whether open space provision is viable

Table 7 below sets out minimum useful size guidelines that can be used when assessing whether an open space is viable. To ensure the provision of useable areas of open space which can be easily and economically maintained, open space should not normally be provided on-site if the levels required fall below the following minimum size standards. Each site will be considered on an individual basis. If it is not possible to provide the typologies of open space at a sufficient scale on site, then developers will be required to contribute towards the new provision or enhancement of that typology of accessible open space off-site.

Typology	Usual minimum size of typology to be sustainable	Usual minimum size of development
Allotments and Community Growing spaces	0.4 hectare	sites over 50 dwellings otherwise off-site contributions are required
Amenity Greenspace	0.1 hectare	sites over 50 dwellings otherwise off-site contributions are required
Parks and Gardens	0.25 hectare	sites over 100 dwellings otherwise off-site contributions are required
Provision for Children and Young People	0.02 hectare LAP 0.04 hectare LEAP 0.10 hectare NEAP	sites over 75 dwellings otherwise off-site contributions are required
Semi-natural green space (includes Urban Woodlands)	0.25 hectare	sites over 50 dwellings otherwise off-site contributions are required

Table 7: minimum useful size guidelines that can be used when assessing whether an open space is viable¹¹.

4.11 Calculating the cost for delivering a new accessible open space

Costs based on developer contributions per dwelling for each type of open space are shown in table 8 (provision for children and young people), table 9 (capital contributions by typology where access and quantity standards have been set), table 10 (revenue contributions).

Scale of development	Local area for play (LAPs)	Locally equipped area for play (LEAPs)	Neighbourhood equipped areas for play (NEAPs)	Multi-use games area (MUGAs)
1 - 9	Not sought	Not sought	Not sought	Not sought
10 – 49	Sought	Sought	Not sought	Not sought
50 – 99	Sought	Sought	Not sought	Not sought
100 +	Sought	Sought	Sought	Sought

Table 8: Benchmark guidelines for the provision of equipped/ designated play space in the Borough of Melton. A financial contribution can be made in lieu of on-site or adjacent provision for larger scale play spaces, or where existing play spaces live within the walking distance guideline of a proposed development.

Typology	Standards (sq.m) per person	Cost of provision	
		£ Cost/sqm	£ Contribution per person
Allotments and community growing spaces	10	38.00	380.00
Amenity green space	8	18.00	144.00

¹¹ Outdoor Sports Facilities are not part of the Open Space Strategy. The usual minimum size of typology to be sustainable use is 0.8 hectare. A Playing Pitch Strategy (PPS) is used to determine contributions.

Parks and gardens	15	102.00	1,530.00
Provision for children and young people e.g. Play space, LAP, LEAP, NEAP including MUGA – compound figure.	1	234.00	234.00
Semi-natural green space	8	18.00	144.00
TOTAL COST	42	-	£2,432.00

Table 9: Capital contributions for the provision of new accessible open space in the Borough of Melton. The standards can be amended by agreement between the Council and the Developer if there are high levels of low-cost housing, sheltered accommodation or exceptional viability issues. Figures are based on median figure of similar local authorities using the CIPFA nearest neighbour model

Typology	Cost of provision				
	£ average cost/sqm per year	£ contribution/sqm for 15 years	Inflation if paid annually	£ paid and walkaway sum + 3% annual compound interest	Note
Allotments and community growing spaces	0.16	2.40	+RPI	3.76	-
Amenity green space	0.75	11.25	+RPI	17.63	-
Parks and gardens	5.50	82.50	+RPI	129.31	-
Provision for children and young people e.g. Play space, LAP, LEAP, NEAP including MUGA	6.37	95.60	+RPI	149.85	-
Semi-natural green space	0.75	11.25	+RPI	17.63	-

Table 10: Revenue contributions for the management provision of open space in the Borough of Melton, per annum and as a commuted sum of up to 15 years if management is handed over to Melton Borough Council. The above figures represent a transfer to the Council once a site is established to the Council's satisfaction. Figures are based on median figure of similar local authorities using the CIPFA nearest neighbour model.

4.12 Improvement of Existing Open Space

The Council may instead expect a developer contribution to fund the enhancement the quality or value of existing open space in the area as an alternative. In such circumstances, the Council will identify all areas of open space within the relevant distance thresholds of the new housing development that do not presently meet the 'quality standard'.

It should be noted that developers will normally only be asked to contribute towards quality improvements of open space in circumstances when a site is demonstrated to have fallen below the quality threshold of 60%, which may occur when the quality issue is detrimental to the continued use of the site. The developer will not normally be asked to contribute towards items that are considered maintenance items.

EXAMPLE: if a play area equipment has reached the end of its useful life, then a developer may be asked to contribute towards its replacement if it is to be used by residents of the new development, as an alternative to new play area provision. However, if a play area is still fit for purpose but unusable because it has suffered vandalism, this would not normally trigger a contribution because it is a maintenance item.

The Council's intention is that all accessible open spaces should achieve a good quality rating when assessed against the appropriate quality threshold (i.e. greater than 60% in the accessible open space audit). A developer contribution to enhance existing open space will be required when there is an area of open space within the relevant distance of the proposed development that does not meet at least this quality standard.

There may be more than one area of open space within the relevant distance threshold that does not meet the quality standard. In such cases, the developer contribution will automatically be allocated to enhance the quality of the open space that is closest to the development site, unless alternative available options are otherwise agreed.

4.13 Open Space Management Arrangements

Maintenance arrangements for existing open space should normally be retained unless the arrangements are failing and unsustainable. Is it possible in such circumstances to secure contributions for future maintenance in the form of a commuted sum. This sum will be calculated using the Melton Borough Council's own management and maintenance costs and agreed for a period of normally 15 years for play equipment¹² and 30 years for green infrastructure¹³. Where the provision of open space is made on site and is of benefit to the occupants of a proposed development and the wider community the developer usually has three options to maintain the open space as follows:

- Transfer to Melton Borough Council with a commuted sum
- Transfer to a Parish Council, similar public sector organisation or a willing and established non-governmental organisation (NGO) with a commuted sum

¹² Average figure considering likely wear and tear. This figure is impacted by climate, the extent of use and the type of construction of equipment.

¹³ Section 2.4.17 of developing green infrastructure policies and strategies using the green infrastructure framework (Natural England) states that "each major new development has a Green Infrastructure Plan (which may be part of a Design and Access Statement) setting out how the development will deliver the Green Infrastructure Framework's 15 Green Infrastructure Principles and the Green Infrastructure Standards as set out in local green infrastructure policies, proposals and development requirements in development plans and local design codes. The green infrastructure delivered within (or associated with) major new developments should be managed, maintained and monitored for a minimum of 30 years".

- Retain ownership and maintain as accessible open space – such sites will be audited and if quality has fallen below 60% then rectifying measures will be taken by the developer at their expense.

4.14 Melton Borough Council Monitoring Fees

The Council monitors all its own developer contributions (as well as those of non-signatories) and will work with developers to ensure that financial contributions and non-financial obligations are delivered on-time. Once an agreement has been signed, administrative costs are incurred on tasks such as ensuring on-site measures are provided, financial contributions are received, and contributions are spent in accordance with the terms of the obligation. This requires compliance checks, monitoring, project management and implementation by the Council.

Therefore, the Council considers that a reasonable and fair monitoring fee be applied to all legal agreements that incorporate monetary or non-monetary planning obligations to be paid to the Borough Council and non-signatory organisations. This will be based on the estimated time and resources need to properly monitor and administer the contributions within each individual s106 agreement and will be calculated on a case-by-case basis by recognising the diverse nature of these agreements. The trigger point is intended to be 'prior to the commencement of the development', since monitoring occurs from the date that the Section 106 agreement is signed.

MD2 Consulting Ltd
The Dene
36 Nevilledale Terrace
City of Durham
DH1 4QG

info@md2.org.uk
www.md2.org.uk

Company registration number
08263372