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Dear Councillor

CABINET - TUESDAY, 9TH JUNE, 2026

I now enclose, for consideration the following report that was unavailable when the agenda was published.

Agenda No Item

15. **Supplementary Planning Documents (Key Decision) (Pages 2 - 72)**



Report to: Cabinet Meeting: 9 June 2026
 Portfolio Holder: Councillor Claire Penny, Sustainable Economic Development
 Director Lead: Matt Lamb, Planning & Growth
 Lead Officer: Matthew Norton, Assistant Director - Planning & Economy
 Ext 5852

Report Summary	
Type of Report	Open Report / Key Decision
Report Title	Supplementary Planning Documents
Purpose of Report	To set before Cabinet the results of the consultation on the Draft Interim Affordable Housing Supplementary Planning Document (SPD) and the Draft Developer Contributions & Planning Obligations SPD and to agree a course of action regarding the SPDs.
Recommendations	That Cabinet: a) agree the results of the consultation and the Council's proposed responses contained in Appendix 1; b) agree the proposed approach to affordable housing SPD set out at paragraph 2.5; and c) approve the adoption of the Developer Contributions & Planning Obligations SPD as set out at Appendix 2 as a Supplementary Planning Document.
Alternative Options Considered	As Cabinet had agreed to prepare and consult on the two SPDs careful consideration was given to next steps following the receipt of the consultation responses. It was concluded that the proposed approach set out in the report is the only feasible approach.
Reason for Recommendations	To allow the District Council to adopt the Developer Contributions & Planning Obligations SPD.

1.0 Background

- 1.1 The Government has legislated that as part of the new plan making system SPDs cannot be adopted after the 30 June 2026. Cabinet agreed at the 24 February meeting that in advance of this deadline that the updating of two existing SPDs should be prioritised.

This was because the Affordable Housing and the Developer Contributions & Planning Obligations SPD support the delivery of, affordable housing, important facilities and infrastructure that help create sustainable communities.

1.2 Following agreement by Cabinet public consultation was undertaken on the draft Developer Contributions & Planning Obligations SPD and the draft Interim Affordable Housing SPD from 31st March to 25th May 2026.

1.3 The Council has received a small number of consultation responses regarding the Draft SPDs. The majority of respondents have confirmed that they have no comments. A small number have provided substantive comments The details of these consultation responses are contained in **Appendix 1** in a consultation responses document.

2.0 Public Consultation Responses and Next Steps

2.1 Whilst only a small number of substantive comments have been received including two from Pegasus Group on behalf of William Davis Ltd, one for each SPD. These responses challenged the legality of the SPDs, because they include reference to emerging policy within the proposed Amended Allocations & Development Management DPD which has not yet been adopted and felt that the SPDs were attempting to introduce planning policy through the SPD. These consultation responses were received a few days before the close of consultation. These response were considered at Planning Policy Board, and the Board endorsed an approach to seek further legal guidance on the matter.

2.2 It is important at this point to understand the policy basis on which the SPD's have been advanced:

- The Draft Interim Affordable Housing SPD seeks to provide guidance on the implementation of Affordable Housing policy in the context of Core Policy 1 (and to a lesser extent Core Policy 2) in the Adopted Core Strategy being replaced by a new Core Policy 1 in the Amended Allocations & Development Management DPD and numerous changes to National Planning Policy Framework.
- The Draft Developer Contributions & Planning Obligations SPD supports Spatial Policy 6 Infrastructure for Growth in the Amended Core Strategy and Policy DM3 Developer Contributions and Planning Obligations which is in the Allocations & Development Management DPD and the amended version which is in the Amended Allocations & Development Management DPD (currently still under examination).

2.3 Officers have received clear advice that in their current form the SPDs could not be adopted lawfully. This is principally because the Council cannot rely on the emerging policy in the Amended Allocations & Development Management DPD (hereafter the Draft DPD) in preparing the SPDs. Whilst the stage that the Draft DPD has reach can afford policies some weight (see NPPF paragraph 49) this does not mean that the SPDs can treat them like formal adopted planning policy. In short order the SPDs have to be supplemental to an adopted DPD policy.

2.4 As previously explained in an ideal circumstances the SPDs would follow on from the Draft DPD being finalised and adopted however this has not been possible, due to the delay in the examination of the Draft DPD compounded by the imposition of the

arbitrary 30 June 2026 deadline for new SPDs. Therefore, if the current versions of the Draft SPDs are not adoptable consideration needs to be given to if they could be with suitable amendments.

Interim Affordable Housing SPD

- 2.5 Considering the policy basis outline in paragraph 2.2 above and the legal position of SPDs, whilst the intention to provide interim guidance on affordable housing would be particularly helpful, it is clear that this is not possible through an SPD process. It is proposed that officers will look to prepare informal advice at a later date once local and national policy has become formalised. Officers will report back on this matter to Cabinet in due course.

Developer Contributions & Planning Obligations SPD

- 2.6 As outlined in paragraph 2.2 the Draft Developer Contributions & Planning Obligations SPD is based firstly on existing adopted Planning Policy – SP6 and Policy DM3 – and the amended version in the Draft DPD. Whilst the Draft DPD version of Policy DM3 is the focus of the SPD currently, it could with amendment to feature the current adopted Policy DM3 from the Allocations & Development Management DPD and meet the legal requirements. It should also be noted that the latest evidence on developer contributions has informed the content of the SPD.
- 2.7 The impact of the Adoption of the Draft DPD would of course have an impact with the current version of Policy DM3 being superseded, however Spatial Policy 6 would remain in place and would continue to be the SPD parent policy. The new proposed Policy DM3 states that “Planning applications will be expected to demonstrate consideration of identified site-based infrastructure needs and make clear how these needs will be met, guided by the Council’s latest, most up to date evidence.” We believe that as the SPD is based on up-to-date evidence then this content is not affected by whether Policy DM3 had been updated or not.
- 2.8 Therefore, the Draft SPD has been amended to address the comments raised by the William Davis representation and those issues by Nottinghamshire County Council, is attached at **Appendix 2**.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Implications Considered			
Yes – relevant and included / NA – not applicable			
Financial	Yes	Equality & Diversity	n/a
Human Resources	n/a	Human Rights	n/a
Legal	Yes	Data Protection	n/a
Digital & Cyber Security	n/a	Safeguarding	n/a
Sustainability	n/a	Crime & Disorder	n/a

LGR	n/a	Tenant Consultation	n/a
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Financial Implications (FIN26-27/7853)

- 3.1 No direct financial implications have been identified in this report. The updated SPD will set out how the Council will go about securing financial contributions in relation to affordable housing and infrastructure. These contributions will be reported in the Infrastructure Funding Statement which is published by the Council every December.

Legal Implications (LEG2627/9254)

- 3.2 The legal basis for the recommendations is clearly laid out in the report. The consultation process was followed correctly and responses have been duly considered by Officers. The recommendations reflect consultation responses and the Legal advice provided to ensure lawful adoption of the Developer Contributions and Planning Obligations SPD.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

Appendix 1



**AFFORDABLE HOUSING
SUPPLEMENTARY PLANNING DOCUMENT
and
DEVELOPER CONTRIBUTIONS & PLANNING
OBLIGATIONS SUPPLEMENTARY PLANNING
DOCUMENT**

Statement of Consultation

May 2026

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1.0 Introduction

1.1 This statement sets out the methods of consultation and representation and main issues on a stage-by-stage basis. It has been produced in accordance with Regulation 12 and 13 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (identified hereafter as ‘the Regulations’). The full consultation response for each document is included as an appendix to this report. The Council’s Statement of Community Involvement (SCI), adopted in June 2024, sets out the approach to consultation.

1.2 To accord with the Regulations, before a local planning authority adopt a supplementary planning document it must—

(a) prepare a statement setting out—

(i) the persons the local planning authority consulted when preparing the supplementary planning document;

(ii) a summary of the main issues raised by those persons; and

(iii) how those issues have been addressed in the supplementary planning document; and

(b) for the purpose of seeking representations under regulation 13, make copies of that statement and the supplementary planning document available in accordance with regulation 35 together with details of—

(i) the date by which representations must be made (being not less than 4 weeks from the date the local planning authority complies with this paragraph), and

(ii) the address to which they must be sent.

1.3 Representations on supplementary planning documents

In accordance with section 13 of the Regulations, any person may make representations about a supplementary planning document; and any such representations must be received by the local planning authority by the date specified pursuant to regulation 12(b).

1.4 Adoption of supplementary planning documents

As soon as reasonably practicable after the local planning authority adopt a supplementary planning document they must—

(a) make available in accordance with regulation 35—

(i) the supplementary planning document; and

(ii) an adoption statement; and

(b)send a copy of the adoption statement to any person who has asked to be notified of the adoption of the supplementary planning document.

Table 1: Summary of Consultation Groups and Methods

Consultation Group	Method of Consultation
Specific and general consultation bodies (including statutory consultees)	These were sent an electronic or paper copy of the document together with comment forms
General Public	The document was placed on deposit at the District Councils Offices, website, Parish and Town Councils and public libraries throughout the District. Comment forms were made available in the same way. Notices were place in local press and advertised on social media.
Town & Parish Councils & Meetings	These were sent an email with a link to the document.

2.0 Interim Affordable Housing Supplementary Planning Document (SPD)

2.1 Following Cabinet approval in March 2026, the District Council placed the Draft Interim Affordable Housing SPD on deposit from 31st March 2026 to 25th May 2026. The document posed a series of questions regarding the Draft SPD. A total of 7 responses were received of which only 2 consultees made substantive responses.

Who was Consulted?

2.2 The specific and general consultation bodies identified within The Regulations together with other bodies and individuals who had previously registered an interest in the process were sent direct consultations. The information was also published on the Council's website.

How was the Consultation Undertaken?

2.3 On publication of the Draft SPD, emails or letters were issued notifying all interested parties whose details were retained on the Council's consultation database of the period of consultation, with a web-link to the document, Representation Form, Statement of Representation Procedure, Representation Guidance Note, Statement of Fact Notice, and supporting evidence base documents being included.

2.4 The document was made available for general consultation by being placed on deposit at the District Council's Offices, website, Parish and Town Councils and public libraries within the District. A comments form was prepared specifically for this stage in the process and this was made available in the same way. This was publicised by notices in local newspapers.

What were the Main Issues Raised?

2.5 The main issue raised was:

- **Legality** - the extent to which given the status of the Amended Allocations & Development Management DPD policies – not yet adopted policy – meant that the SPD could not be legally adopted.
- **Rural Affordable Housing** - a request for existing Affordable Homes that are marketed for sale or rent to be sold to, or rented by occupants meeting the definition of local need/connection

2.6 The full Summary of Consultation Responses is included within Appendix A.

3.0 Developer Contributions & Planning Obligations SPD

3.1 Following Cabinet approval in March 2026, the District Council placed the Draft Developer Contributions and Planning Obligations SPD on deposit from 31st March 2026 to 25th May 2026. The document posed a series of questions regarding the Draft Developer Contributions and Planning Obligations SPD. A total of 8 responses were received of which 4 consultees made substantive responses.

Who was Consulted?

3.2 The Council consulted the specific and general consultation bodies identified within The Regulations together with other bodies and individuals who had previously registered and interest in the process. These were sent either an email or a letter setting out the availability of the document and the consultation timescale along with details on how to respond to the consultation.

How was the Consultation Carried Out?

3.3 On publication of the Draft SPD, emails or letters were issued notifying all interested parties whose details were retained on the Council's consultation database of the period of consultation, with a web-link to the document, Representation Form, Statement of Representation Procedure, Representation Guidance Note, Statement of Fact Notice, and supporting evidence base documents being included.

3.4 The document was made available for general consultation by being placed on deposit at the District Council's Offices, website, Parish and Town Councils and public libraries within the District. A comments form was prepared specifically for this stage in the process and this was made available in the same way. This was publicised by notices in local newspapers.

What were the Main Issues Raised?

3.5 The full consultation responses document at Appendix B but a summary of the main issues include:

- **Legality** - The extent to which given the status of the Amended Allocations & Development Management DPD policies – not yet adopted policy – meant that the SPD could not be legally adopted.
- **Heritage** – Request for Heritage Assets to be included in the list of elements that developer contributions will be used to fund.
- **Nottinghamshire County Council** – have suggested a small number of amendments to reflect their role in the process.

Appendix A. Interim Affordable Housing SPD Responses

Respondent	Response	NSDC Comment
National Highways	No comments	
Coal Authority	No comments	
Health & Safety Executive	No comments	
Historic England	No comments	
Canal & River Trust	No comments	
Farndon Parish Council	<p>Members are aware from other rural exception sites in the District that a Section 106 Agreement has been entered into to ensure that houses are allocated to those with a local need/connection.</p> <p>Unfortunately, while this appears to work when any houses are originally allocated, that connection seems to disappear as the properties change hands over time.</p> <p>Members would wish to see included in the policy that properties were protected in perpetuity for local need/connection.</p>	Noted a local connection is the preferred starting point, but in some circumstances to ensure the property is occupied more flexibility may need to be shown.
William Davis (Pegasus Planning)	<p>The Draft Interim SPD goes beyond the legal scope of an SPD, by introducing new planning policy and by seeking to provide detailed advice and guidance on policies which are not part of adopted policy. The contents of the SPD do not therefore meet Government guidelines and are potentially legally flawed.</p> <p>Our key concerns are explored below.</p> <p>Procedural / Legal Concerns</p> <p>The Government’s Planning Practice Guidance sets out the role of Supplementary Planning Guidance as follows: “Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form</p>	Noted – Given the issues highlighted by the representation the District Council has decided not to pursue the adoption of the SPD.

part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development”. (emphasis added). (Paragraph: 008 Reference ID: 61-008-20190315).

The scope of SPD has already been tested through the courts, notably in the High Court case brought against Charnwood Borough Council by William Davis, Bloor Homes, Jelson Homes, Davidsons Homes and Barwood Homes reference: [2017] EWHC 3006 (Admin) www.bailii.org/ew/cases/EWHC/Admin/2017/3006.html.

It is noted that at paragraph 1.1 of the draft document that the SPD is intended to support, and should be read in conjunction with, the adopted Amended Newark and Sherwood Core Strategy (2019), and with emerging Policy DM3 of the Publication Amended Allocations and Development Management Development Plan Document (DPD) which, at the time of writing, is undergoing examination.

Section 5 of the Draft SPD explains the progress of the Amended Allocations and Development Management DPD, however it is clear that the parent policy will not be adopted when the SPD is due to be adopted in June. Whilst we understand why this approach is being taken, with the Government’s deadline for SPDs, there is no legal basis for this approach of providing guidance to support future policy.

An SPD needs to support an adopted parent planning policy in the development plan. In this case the adopted parent policy is in the Amended Newark and Sherwood Core Strategy (2019), however this is due to be completely replaced by the emerging Amended Allocations and Development Management DPD and therefore any SPD adopted in support of it would also be superseded.

It would be more appropriate for the Council to publish this guidance in support of the Amended Allocations and Development Management DPD in due course

accepting it will not have the status of an SPD but can still be material consideration in decision-making.

National Affordable Housing Policy

It is noted that Section 2 summarises current National Planning Policy Framework and also the draft National Planning Policy Statement, issued for consultation in December 2025. Whilst this is helpful to summarise, it will only be current for a very short time and may even be superseded before the SPD is adopted. The value of this section is therefore questioned.

The SPD has specific sections regarding the amount and threshold for affordable housing on new development, and also the amount and threshold for affordable housing in the greenbelt. It is noted that these largely repeat NPPF 2024, so it is not clear these sections add any clarity or value and could become out of date if national policy changes.

Tenure

The SPD proposes a tenure split for affordable housing:

- 60% social rented/affordable rented;
- 40% affordable home ownership product.

This split reflects Core Policy 1 in the Review of The Newark & Sherwood Local Development Framework Core Strategy & Allocations adopted March 2019, however the parent policy makes it clear that the District Council will seek to secure a tenure mix of Affordable Housing to reflect local housing need and viability on individual sites, but the tenure mix applies to the district as a whole.

It is not clear what value the inclusion on the tenure split in the SPD. It does not clarify or explain further Core Policy 1 and presents an incomplete explanation of how the policy should be applied.

	<p>Phasing Paragraph 3.45 of the SPD sets specific requirements in terms of phasing:</p> <p>“Control of the processes of construction and occupation of the required Affordable Housing will normally be linked to the operation of those processes on the remainder of a development site. Accordingly, construction of the Affordable Housing should be commenced before 40% of the market housing is commenced and, in addition, the Affordable Housing should be available for occupation before 60% of the market housing is completed. Where a commuted sum is acceptable in place of Affordable Housing provision on an individual site, the Council will normally require payment to be made prior to the commencement of development on the site but will have regard to phasing and viability which will be proportional to the scale and complexity of the development. (emphasis added).</p> <p>It should be noted that requirements relating to phasing go beyond the requirements of the parent policy Core Policy 1 Affordable Housing Provision from the Amended Core Strategy 2019 and therefore go beyond the scope of an SPD. It is recommended that they are removed from the SPD as they are potentially legally flawed.</p>	
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Appendix B. Developer Contributions & Planning Obligations SPD Responses

Respondent	Response	NSDC Comment
Historic England	<p>We request the Council considers including a bullet point under paragraph 1.12 to include the historic environment and then include a section within Part Two referencing the historic environment. We have set out below several considerations that could be included within this SPD, for the historic environment:</p> <ul style="list-style-type: none"> • Heritage at Risk, • Works & enhancement opportunities for heritage assets, • Management Plans for Heritage Assets, • Heritage Tourism, • CA Appraisals & Management Plans, • Projects to ‘better reveal the significance of heritage assets’, • Public Realm Improvements, • Historic Shopfront repairs 	<p>Thank you for your comments. The Council considers that these factors are sufficiently covered within policies in the Amended Core Strategy and Amended Allocations and Development Management DPD and, as such, it is not necessary to include this within the Developer Contributions and Planning Obligations SPD.</p>
National Highways	<p>The Council should note that National Highways does not have the facility to accept financial contributions. As such, National Highways could not be the delivery body for highways improvements required in respect of the A1 or A46 trunk road utilising developer contributions.</p> <p>We may be supportive of the local highway authority (in this case Nottinghamshire County Council) delivering highway improvements on our network, although this would need to be agreed on a case-by-case basis.</p> <p>By way of explanation, securing the ‘forward funding’ of highways schemes in the timescales necessary to deliver growth cannot be guaranteed, and any shortfalls in funding could jeopardise the delivery of a scheme. As such, there is a risk to a highway authority in agreeing to a contributions approach which may allow the development to proceed without necessarily having the required mitigation in place.</p> <p>Our preference would be for any highways infrastructure improvements to be ‘developer led’, whereby the required infrastructure is designed, delivered and paid for directly by the</p>	Noted

	<p>developer, via a Section 278 Agreement under the Highways Act 1980. This method of securing highway improvements puts the developer (or consortium of developers) in control of the highway scheme delivery, and subsequently more in control of when their development can come forward.</p>	
Coal Authority	No comments	
Health & Safety Executive	No comments	
Canal & River Trust	No comments	
Nottinghamshire County Council – Planning Policy	<p>Support contents of the SPD</p> <p>The SPD provides sufficiently clear guidance. It covers a broad range of infrastructure including adequate coverage of infrastructure and services managed by the County Council with cross reference to our Developer Contribution Strategy where required.</p> <p>The reference to the County Council being consulted on proposals and a party to agreements is welcomed. Paragraph 6.5 could clarify that NCC will party to the drafting process where contributions are secured for its services and that its reasonable costs will be payable. Additionally, Paragraph 6.10 could refer to the County Council as being a potential recipient of land, as well as the DC/PC, for example in relation to schools.</p> <p>We welcome the confirmation at the start of the transport and libraires section confirming they should be read in conjunction with NCC’s Developer Contributions Strategy. This same phrase could also be added to the education section. We are content with the sections covering our services, which are supplemented by our DCS.</p>	Noted and propose amendments to address consultees response
Nottinghamshire County Council – Public Health	<p>Thank you for giving us the opportunity to review the SPD. We have carefully considered the document, and we appreciate the recognition it gives to the broader health determinants— what we often refer to as the Building Blocks of Health—that enable our communities to truly thrive.</p> <p>We were pleased to see indirect evidence of this approach, for instance, through the inclusion of open space and green infrastructure, which clearly support wellbeing and physical activity. The emphasis on active travel and transport measures is also very welcome, as it promotes healthier travel behaviours. Additionally, the document’s support for</p>	Noted and propose amendments to address consultees response

	<p>community facilities and recreation infrastructure is a positive step, as these elements play a vital role in contributing to both social and physical health.</p> <p>To further strengthen the SPD, we would like to recommend that Section 12.2 Table on Health - `Current Guidance, Local Strategy and Evidence' explicitly references the Spatial Planning and Health Framework 2025-30. Including this reference would provide helpful context and reinforce the document's alignment with current best practice in linking spatial planning with public health outcomes.</p>	
<p>William Davis (Pegasus Planning)</p>	<p>Question 1. Do you support the contents of the SPD?</p> <p>The contents of the SPD go beyond the scope of an SPD, by introducing new planning policy and by seeking to provide detailed advice or guidance on policies which are not part of an adopted local plan. The contents of the SPD do not meet Government guidelines, and are potentially legally flawed.</p> <p>Our key concerns are explored below.</p> <p>Procedural / Legal Concerns</p> <p>The Government's Planning Practice Guidance sets out the role of Supplementary Planning Guidance as follows:</p> <p>“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development”. (emphasis added). (Paragraph: 008 Reference ID: 61-008-20190315).</p> <p>The scope of SPD has already been tested through the courts, notably in the High Court case brought against Charnwood Borough Council by William Davis, Bloor Homes, Jelson Homes, Davidsons Homes and Barwood Homes reference: [2017] EWHC 3006 (Admin) www.bailii.org/ew/cases/EWHC/Admin/2017/3006.html.</p>	<p>Noted - given the issues highlighted by the representation the District Council has decided to amend the SPD to make clear it is linked to adopted planning policy only.</p>

It is noted that at paragraph 1.1 of the draft document that the SPD is intended to support, and should be read in conjunction with the adopted Amended Newark and Sherwood Core Strategy (2019) (ACS) and with emerging Policy DM3 of the Publication Amended Allocations and Development Management Development Plan Document (DPD) which, at the time of writing, is undergoing examination.

Section 5 of the Draft SPD explains the progress of the Amended Allocations and Development Management DPD, however it is clear that the parent policy will not be adopted when the SPD is due to be adopted in June. Whilst we understand why this approach is being taken, with the Government’s deadline for SPDs, there is no legal basis for this approach of providing guidance to support future policy.

An SPD needs to support an adopted parent planning policy in the development plan. In this case the adopted parent policy is in the Amended Newark and Sherwood Core Strategy (2019), however this is due to be replaced by the emerging Amended Allocations and Development Management DPD and therefore any SPD adopted in support of it would also be superseded.

It would be more appropriate for the Council to publish this guidance in support of the Amended Allocations and Development Management DPD in due course accepting it will not have the status of an SPD but can still be material consideration in decision-making.

Question 2. Does the SPD provide sufficiently clear guidance on what will be sought in relation to Developer Contributions?

Please see our comments in relation to Part 1 and Part 2.

Question 3. Do you have any comments on Part 1 of the SPD?

Relationship between Community Infrastructure Levy and S106

The SPD sets out the relationship between Community Infrastructure Levy and S106 developer contributions, however this does not appear to add value to the explanation in Spatial Policy 6 - Infrastructure for Growth in the Amended Newark & Sherwood Core Strategy DPD (2019).

Noted – we believe that this provides important context to the reader in one place about various elements of the SPD.

It is noted that the SPD relates to Section 106 contributions rather than CIL and therefore focuses on contributions to the Local Infrastructure compared the CIL which collects contributions towards strategic infrastructure improvements.

Paragraph 4.2 of the SPD states that:

“We define Strategic Infrastructure as improvements which are required because of the growth of the District up to 2033, and which cannot be attributed to the development of any one site”.

Paragraph 4.3 continues that:

“We define Local Infrastructure as the development of facilities or services that are essential for development to take place on individual sites and refers to the facilities or services that are essential for development to occur or are needed to mitigate the impact of development at the site or neighbourhood level. Where a need is established, the way in which these types of facilities /services may be sought is set out in Part 2”.

Paragraph 4.4 confirms that:

“Put simply, CIL is used to fund highway improvements and secondary education. These documents can be viewed at <https://www.newark-sherwooddc.gov.uk/infrastructuretosupportgrowth/>”

Whilst this information forms context to the SPD, it duplicates content from parent policy and does not appear to add value to the explanation in Spatial Policy 6 - Infrastructure for Growth in the Amended Newark & Sherwood Core Strategy DPD (2019).

Contribution Triggers and Requirements

In terms of contribution triggers and requirements, the SPD notes at paragraph 6.11 that: “The Council will generally regard developments below predetermined thresholds as de minimis (too small) to require some developer contributions. Contributions will be expected from those developments which exceed the predetermined thresholds, where they are necessary to make the development acceptable”.

These thresholds are contained within Part 2 of the SPD.

For clarity and openness the SPD should be clear about what the thresholds are where developer contributions are required and also where the policy justification is for such thresholds.

Phasing, Viability and Renegotiation
 The SPD approach to viability in paragraph 6.15 is welcome in so far as the Council recognises that the application of planning policy targets should not adversely impact on economic viability for appropriate development.

It is noted that the paragraph goes on to state that:
 “Viability has been tested through the Whole Plan Viability Assessment of the Amended Core Strategy (2019) and Publication Amended Allocations & DM Policies DPD (2024)”

The Amended Allocations & DM Policies DPD is emerging development plan and so it is inappropriate to use this as a basis for assessing viability until it is adopted policy.

Contingent Deferred Obligations
 In terms of deferred obligations, the SPD notes at paragraphs 6.20/6.21 that:
 “For larger scale developments where some degree of phasing is likely, it may be that whilst full policy requirements cannot be met at the time when any Viability Assessment is undertaken, positive changes in market circumstances over time may allow additional contributions to be made whilst maintaining the economic viability of development. Therefore where policy targets are not met, the Council will use Contingent Deferred Obligations that apply a viability re-evaluation mechanism to the development based on time or unit number triggers. A positive re-assessment that demonstrates additional viability, usually as a result of increased sale values in relation to construction costs, may then release additional affordable housing or infrastructure contributions”.

The main basis for this requirement lies within Policy DM 3 of the amended Allocations & DM Policies DPD which is still under examination. There is no indication that this particular requirement has been tested through the Council’s supporting evidence and so the parent policy has questionable justification. Furthermore, and as mentioned previously, it is

Noted – reference to this will be removed from the SPD.

Noted – this is a current requirement of Policy DM3 of the adopted Allocations & Development Management DPD.

	<p>inappropriate to use an emerging Allocations & DM Policies DPD as a basis until it is adopted policy.</p> <p>Question 4. Do have any comments on Part 2 of the SPD? It should be noted that for the following contributions include Amended Allocations & DM Policies DPD as its policy basis:</p> <ul style="list-style-type: none"> • Community Facilities • Education Provision • Health • Libraries • Open Space and Green Infrastructure • Transport <p>As stated in earlier in this representation, this is a flawed approach, as SPD should build upon and provide more detailed advice or guidance on policies in an adopted local plan. They should not introduce new policy.</p> <p>Question 5. Do you have any additional comments? No further comments to add.</p>	<p>Noted – this is a current requirement of Policy DM3 of the adopted Allocations & Development Management DPD and the wording will be amended accordingly to reflect this.</p>
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Newark & Sherwood Local Development Framework

Developer Contributions and Planning Obligations Supplementary Planning Document

June 2026

Document Passport

Title: Newark and Sherwood Developer Contributions and Planning Obligations Supplementary Planning Document

Status: Adopted Supplementary Planning Document

Summary: This Developer Contributions and Planning Obligations (SPD) sets out proposals for how the District Council approaches developer contributions and planning obligations. It shows how the SPD complies with national and local policy and deals with procedural matters relating to the preparation and monitoring of S106 Agreements. In addition, it sets out the types of obligation that the Council may seek to secure from development and how it identifies the relevant policy basis, types of development to which the obligation will apply, thresholds over which the obligation will be sought and, where possible, the basis on which the level of obligation will be calculated.

As an SPD, the document provides further guidance on policies within the Council's Adopted Core Strategy DPD and the Adopted Allocations & Development Management DPD but does not develop new ones. The document is part of the Council's Local Development Framework and will be a material consideration in the determination of planning applications.

Date of Final Adoption: 15 June 2026

Adopted by: Cabinet

Consultation Summary: The District Council consulted on the document seeking views from local residents, landowners, developers, town & parish councils, infrastructure providers and other interested parties from 31st March to 25th May 2026. Following consideration of representations received the Council revised the document and submitted the final version to the Council's Cabinet on the 8th June 2026 for adoption.

Availability of Document: Copies of this document, the accompanying Screening Reports for the Strategic Environment Impact Assessment and Integrated Impact Assessment are deposited at Castle House and on the Council's website: [Local Development Framework – supplementary planning documents \(SPDs\) | Newark & Sherwood District Council](#). In addition, paper copies of the SPD are available to view at local libraries in the District.

If you have any questions please contact the Council's Planning Development or Planning Policy Business Units on 01636 650000 or planning@nsdc.info

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PART ONE

1.0 INTRODUCTION

- 1.1 This Supplementary Planning Document (SPD) supports, and should be read in conjunction with, the adopted Amended Newark and Sherwood Core Strategy (2019) (ACS), and with Policy DM3 of the Allocations and Development Management Development Plan Document (DPD).
- 1.2 New development within the District of Newark and Sherwood will need to be supported by new and improved facilities to meet the needs of the community. As part of determining planning applications, Newark and Sherwood District Council (the 'Council') may seek to enter into agreements with developers where infrastructure is required to address the impact of development proposals.
- 1.3 Planning Obligations in the form of Section 106 Agreements (S106 Agreements) are an established mechanism used to secure planning contributions arising from a development proposal. They are most commonly used by the Council to require developers to make financial contributions towards the provision of off-site facilities that are necessary for the development to proceed. This Developer Contributions and Planning Obligations Supplementary Planning Document (SPD) sets out the Council's approach for securing planning obligations from new developments that require planning permission and how this operates alongside the Community Infrastructure Levy (CIL).
- 1.4 CIL applies to most new developments and charges are based on the size and type of the new development. The Newark & Sherwood CIL Charging Schedule first came into effect on the 1st December 2011. Following this, the Council completed a review of its Community Infrastructure Levy (CIL) in 2017. The process involved consultation on our charges, an independent examination and approval at Full Council. We then adopted our current charging schedule from 1 January 2018 onwards. Planning applications and appeals decided on or after this date may therefore be subject to CIL. The charging schedule can be viewed on the Council's website: [Developer contributions | Newark & Sherwood District Council](#). Where a development is liable for CIL, the amount will be non-negotiable. However, where a scheme will contain elements of social housing or will be for charitable purposes, the amount may be reduced subject to an application for relief being submitted.
- 1.5 Section 106 agreements need to have regard to the restrictions and tests in the CIL Regulations regarding what infrastructure / contributions can be secured and how delivery will be achieved. The Developer Contributions and Planning Obligations SPD sets out how the negotiable elements that cannot be addressed by the Levy will be secured. This will include the resolution of site-specific impacts, such as primary education and the provision of highway improvements to serve the development to make a development proposal acceptable in planning terms.

- 1.6 The Council expects new development to contribute to site related and wider infrastructure needs through a combination of the following mechanisms:
- Planning conditions (development related);
 - Planning obligations to secure developer contributions or works in kind e.g. S106 Agreements (development related);
 - Community Infrastructure Levy (District wide).
- 1.7 Planning conditions are attached to planning approvals and require the development to be carried out in pre-agreed or specific ways in order to make it acceptable. They cannot be used to secure financial contributions but can be used to ensure that certain elements related to the development proposal, and which may benefit the wider community, are carried out. The Council is required to have regard to the National Planning Policy Framework (NPPF) in imposing planning conditions. In the District such conditions are likely to cover, amongst other things, the requirement to undertake archaeological investigations, implement necessary local site-related transport / junction improvements, and undertake appropriate flood risk solutions.
- 1.8 Planning obligations, secured through agreement or otherwise and also known as S106 Agreements (entered into under S106 of the Town and Country Planning Act 1990), are legally binding agreements entered into between a Local Authority, land owner and a developer (and often other interested parties, such as a mortgagee for example). They provide the mechanism by which required measures are secured. This can be through financial contributions, works, activities or restrictions relating to the use of land and buildings. The use of Planning Obligations is a useful and nationally recognised tool through which the Council can make development acceptable in planning terms that would otherwise be refused.
- 1.9 The need for site related infrastructure secured through planning conditions and S106 Agreements will be assessed on a site-by-site basis and will involve consultation with relevant internal and external agencies e.g. Health Authority, Nottinghamshire County Council.
- 1.10 This SPD comprises two parts:
- **Part One** sets out the Council's overall approach to Planning Obligations. It shows how the SPD complies with national and local policy and deals with procedural matters relating to the preparation and monitoring of S106 Agreements.
 - **Part Two** sets out the types of obligation that the Council may seek to secure from development and how it identifies the relevant policy basis, types of development to which the obligation may apply, thresholds over which the obligation may be sought and it sets out, where possible, the basis on which the level of obligation will be calculated.

1.11 It specifically covers the following obligation types:

- Affordable Housing (full details of which are set out in the Affordable Housing SPD <http://www.newark-sherwooddc.gov.uk/spds/>);
- Community facilities;
- Education Provision;
- Health;
- Libraries;
- Open Space incorporating:
 - Allotments & Community Gardens
 - Amenity Green Space
 - Natural & Semi Natural Green Spaces
 - Outdoor Sports Facilities;
 - Public Open Space Provision for Children & Young People; and
 - Suitable Alternative Natural Green Space (SANGS) related to Birklands & Bilhaugh Special Area of Conservation (SAC); and
- Transport (excluding projects 100% funded by CIL)

It should be noted that contributions will not be requested as a per dwelling payment as a matter of course. It is the impact of each individual proposal that will need to be assessed on a site-by-site basis to identify what contributions may be needed to make development acceptable.

2.0 Purpose of the SPD

- 2.1 The SPD has been prepared in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012 to expand and clarify Spatial Policy 6 in the Amended Newark & Sherwood Core Strategy (Adopted March 2019) and Policy DM3 in the Allocations & Development Management DPD (Adopted July 2013). It will assist in securing both local and national objectives in respect of the provision of sustainable development across the District.
- 2.2 The purpose of the Developer Contributions and Planning Obligations SPD is to:
- Explain the Council’s policies and procedures for securing developer contributions through obligations in S106 Agreements;
 - Explain the relationship between planning obligations under S106 Agreements and the Community Infrastructure Levy in a fair and transparent way;
 - Provide guidance to developers and landowners about the types of contributions that may be sought and the basis for charges;
 - Provide clarity to developers regarding the potential cost of development; and
 - Give communities an idea of the types of developer contributions that may be sought to support growth allocated in their area.
- 2.3 Any proposal that may require the provision of planning obligations will require the consideration of a number of planning issues, and a variety of policies contained in the Amended Core Strategy (2019) and Allocations & Development Management DPD’s may apply. The policies that the SPD supplements have been subject to an Integrated Impact Assessment – including the requirements of Sustainability Appraisal and Equalities Impact Assessment (EqIA). The SPD has been screened, and the Council has determined that a full Sustainability Appraisal, Strategic Environmental Assessment and EqIA are not needed.
- 2.4 As set out in Strategic Objective 6 of the Newark and Sherwood Amended District Core Strategy (2019), the Council is seeking to manage the release of land for new housing, employment and other necessary development to meet the Objectively Assessed Need (OAN) of the District to 2033 integrated with the provision of new supporting infrastructure. Our priorities for allocated sites is the delivery of:
- Affordable Housing;
 - Infrastructure Delivery Plan (IDP) identified infrastructure; and
 - Green Infrastructure, including public open space and Biodiversity Net Gain requirements.
- 2.5 The IDP is a strategic overview of future infrastructure requirements to support the development set out in the Local Development Framework, and particularly the Amended Core Strategy (2019). As with all documents which are a snapshot in time, it may need to be supplemented in many cases by a review of the situation at the time of application. This is particularly the case with education provision.

- 2.6 Where existing uses change because of market forces, additional brownfield sites may become available and it maybe that other matters emerge which are more pressing than the priorities which were identified as part of the IDP. This document needs to be sufficiently flexible to deal with these contingencies.
- 2.7 The Council is a reasonable authority and requests for contributions will be based on objectively assessed need, following consideration of the impact of development on existing service provision by relevant providers. Developers should liaise / engage with the Council through the pre-app and application stages to understand the impacts in the location of their proposed development. In accordance with the NPPF, no proposals should be subject to such a scale of obligation and policy burden that its ability to be developed viably is threatened.

3.0 National Policy and Legal Context

- 3.1 National Planning Policy Framework (2024 (as amended)) (NPPF) indicates that Local Planning Authorities (such as the Council) should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 3.2 The legislative framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act, and the Localism Act 2011. Further guidance is set out in the National Planning Policy Framework (NPPF), Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (The CIL Regs 2010), the Community Infrastructure Levy (Amendment) Regulations 2011 and Community Infrastructure Levy (Amendment) Regulations 2012.
- 3.3 Regulation 122 sets out the following tests that must be satisfied in order for obligations to be a reason for granting planning permission. The obligation must be:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development
- 3.4 The statutory tests mean that planning obligations (Section 106) can only be used to fund new or upgraded infrastructure that is needed specifically because of the development in question, to make that development acceptable in planning terms. They may include contributions toward infrastructure that already exists at the time the agreement is signed if it provides additional capacity for that development. Sometimes infrastructure is delivered early and funded upfront by a third party, with future S106 contributions reimbursing them. However, S106 obligations **cannot** be used to fix pre-existing infrastructure shortfalls unrelated to the new development.
- 3.5 Changes were made to the Community Infrastructure Levy Regulations through the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 which came into force on 1 September 2019. Regulation 5 (and Schedule 1) of the 2019 Amendment Regulations (No. 2) make a number of changes to regulation 9, regulation 40 and regulation 50 of the CIL regulations in relation to a chargeable development; the chargeable amount and the calculation of social housing relief. These changes only apply to planning permissions granted on or after 1 September 2019. If planning permission was granted before 1 September 2019 you should also refer to the previous version for guidance on the Community Infrastructure Levy.
- 3.6 Regulation 6 of the 2019 Amendment Regulations (No. 2) makes a number of changes relating to applications for relief or exemptions. If you have been granted a relief or exemption from the levy but fail to serve a Commencement Notice before beginning works

on site, the 2019 Amendment Regulations (No. 2) apply a surcharge penalty, rather than the loss of the exemption. These changes only apply to cases where a Liability Notice or revised Liability Notice is issued on or after 1 September 2019. Therefore, if your Liability Notice or revised Liability Notice in relation to a relief or exemption predates 1 September 2019, you should also refer to the previous version for guidance on the Community Infrastructure Levy, as the loss of exemption penalty will remain relevant. Any subsequent revised Liability Notice issued on or after 1 September 2019, for whatever reason, would mean the 2019 Amendment Regulations (No.2), and the latest version of guidance, are applicable. Therefore, in order to establish which provision applies, the key consideration is the date of issue of the Liability Notice, or revised Liability Notice.

- 3.7 The Council will continue to monitor the agreements which are signed to ensure that it accords with the regulations. Further information about monitoring is set out elsewhere within this document.

4.0 Relationship between CIL and S106

- 4.1 In Newark & Sherwood, an Infrastructure Delivery Plan (IDP) has been produced which identifies the infrastructure that is required to meet the level of growth anticipated in the District over the Plan Period (2013-2033). The latest update can be viewed on the Council's website: <https://www.newark-sherwooddc.gov.uk/infrastructuredeliveryplan/>
- 4.2 The infrastructure requirements can be subdivided into what we call Strategic or Local Infrastructure. We define Strategic Infrastructure as improvements which are required because of the growth of the District up to 2033, and which cannot be attributed to the development of any one site.
- 4.3 We define Local Infrastructure as the development of facilities or services that are essential for development to take place on individual sites and refers to the facilities or services that are essential for development to occur or are needed to mitigate the impact of development at the site or neighbourhood level. Where a need is established, the way in which these types of facilities /services may be sought is set out in Part 2.
- 4.4 The Council will use CIL to secure the Strategic Infrastructure which is shown in the Delivery Plan and Infrastructure Funding Statement. Put simply, CIL is used to fund highway improvements and secondary education. These documents can be viewed at <https://www.newark-sherwooddc.gov.uk/infrastructuretosupportgrowth/>. The Infrastructure Funding Statement is updated annually and reviewed to take account of the delivery of projects and possible changes in the Council's priorities. Local Infrastructure will be secured through Planning Obligations in line with the Policies of the Amended Core Strategy (2019) and the Allocations & Development Management DPD (2013), utilising this Developer Contributions and Planning Obligations Supplementary Planning Document (SPD).
- 4.5 If new or improved secondary education is required as part of the development, Section 73 of the CIL regulations allow for land to be provided in lieu of CIL payments. Such requests will need to be made to the District Council in accordance with the criteria within the CIL Regulations. Primary education will not be funded by CIL and therefore is covered by the provisions of this SPD.

5.0 Local Planning Policy Framework

- 5.1 In relation to requirements for infrastructure, the Amended Newark & Sherwood Core Strategy DPD (2019) contains the following policy:

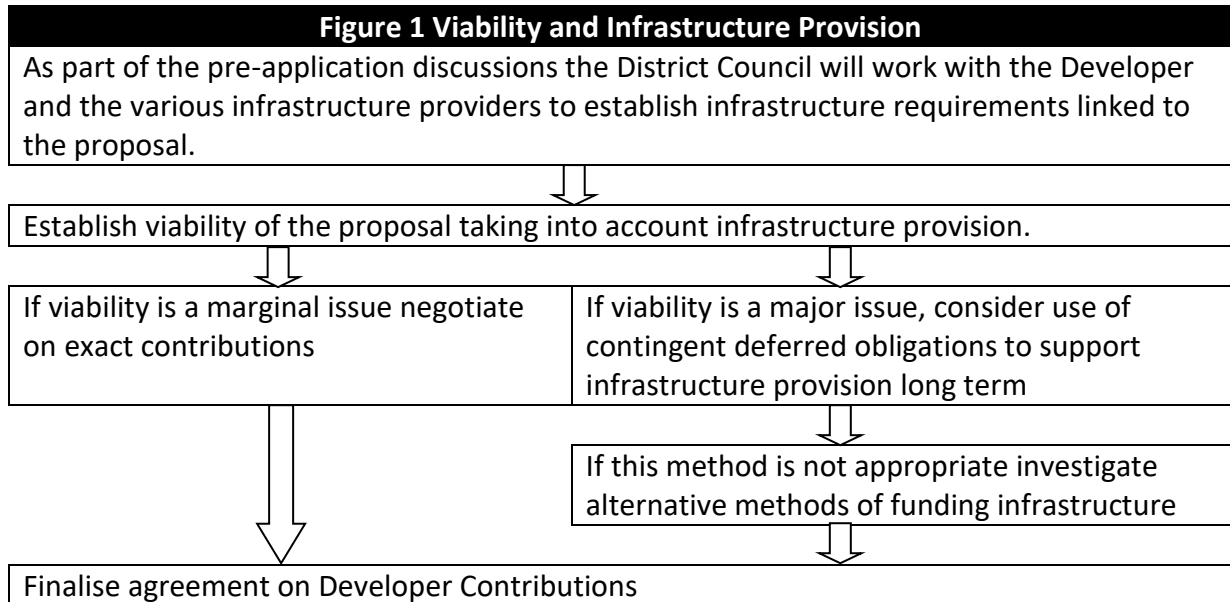
Spatial Policy 6 - Infrastructure for Growth

To ensure the delivery of infrastructure to support growth in the District, the District Council will secure:

- Strategic Infrastructure via its Community Infrastructure Levy. Strategic Infrastructure is defined as improvements to the strategic highway network and other highway infrastructure as identified within the IDP and secondary education provision across the District;
- Local Infrastructure, including facilities and services that are essential for development to take place on individual sites, or which are needed to mitigate the impact of development at the site or neighbourhood level, will be secured through Planning Obligations in line with the Policies of the Core Strategy, Policy DM3 Developer Contributions and Planning Obligations and supported by a Developer Contributions & Planning Obligations Supplementary Planning Document.

- 5.2 The Amended Core Strategy (2019) at Appendix D provides a summary of the main elements of infrastructure the IDP identifies as required to deliver the Amended Core Strategy. The table includes approximate costs, timescale and funding sources and likely delivery agent(s) where known. This is subject to indexation on an annual basis, and an up-to-date schedule will be published yearly.
- 5.3 Planned growth in the Amended Core Strategy relies on having adequate supporting infrastructure. As set out in Policy DM3 of the Allocations and Development Management DPD (2013), infrastructure will be funded through a mix of Community Infrastructure Levy (CIL), planning obligations, developer contributions, and, when needed, Council funding. Planning applications must include suitable infrastructure provision.
- 5.4 In facilitating the delivery of new development, it will be necessary to ensure that appropriate new development is not made unviable because of infrastructure and planning obligation requirements. Central to this approach will be the Council, Developers and Infrastructure Providers working together to support the delivery of new development. The requirements to support new development will be monitored over time. The diagram below (Figure 1) illustrates the three-stage approach that the District Council will establish:
- Establish detailed infrastructure needs;
 - Establish viability issues;
 - Negotiate a solution

5.5 The District Council will need to work closely with developers once the Infrastructure requirements are identified and it becomes apparent that a 'funding gap' exists. The Council will expect to operate an open book approach with the developer to ensure that a full understanding of viability issues can be identified.



6.0 Procedural Matters

The Role of Newark and Sherwood District Council

- 6.1 The Council's role in the planning agreement process is fundamental. The Council is responsible for implementation and regulation of developer contributions, ensuring that a balance is struck which meets the various and often competing needs of the District. Apart from Unilateral Undertakings, which are only signed by the applicant/landowner(s), planning obligations are required to be executed by the Local Planning Authority (Newark & Sherwood District Council in this instance). Consequently, it is the role of the Council to lead planning agreement negotiations, ensuring any funds provided by the developer are appropriately spent and / or distributed to the relevant Local Authority or public / private body. Where the Council negotiates contributions for infrastructure, services, facilities or amenities beyond the scope of its day-to-day responsibilities e.g. transport, education and health, those contributions are transferred directly to the relevant responsible Local Authority or public / private body. In these instances, Nottinghamshire County Council and/or the NHS may also be signatories to the S106.

Consultation and Negotiation

- 6.2 Officers from the Council's Planning Development team strongly encourage, in accordance with national guidance, pre-application discussions. This then allows agreement of planning obligations prior to the planning application being formally submitted. Negotiations will include consultation with internal service areas where appropriate (e.g. where open space or affordable housing is to be provided) who will detail the level of contribution needed as a result of the development. In some cases, external bodies e.g. the County Council may be consulted regarding contributions or obligations which they propose. It should be noted that only the very largest of applications are likely to be subject to all of the requirements detailed within the SPD.
- 6.3 There may be applications which have very site-specific requirements which are not included within this SPD. It should be noted that the obligations set out in this SPD are not exhaustive, and the Local Planning Authority may wish to negotiate other obligations where they are considered necessary and relevant to a development.
- 6.4 This approach has many benefits, ensuring that developers are fully informed of likely contributions required for a proposed development at the earliest opportunity, assisting in determining project viability and greater clarity and certainty.

Drafting of S106 Agreements

- 6.5 Once the above information has been agreed with the Planning Development team, they will submit this with full instructions to the Council's Legal team who will produce a draft legal agreement. As part of this process the applicant will be required to produce satisfactory proof of title and all persons with an interest in the development site including mortgagees, tenants and option holders must be party to the agreement. Following receipt of this

information the Council's Legal team will aim to produce a draft agreement within 10 working days, but this may take longer depending on complexities. They will also be required to pay the Council's reasonable costs incurred in drafting and completing the agreement. If Nottinghamshire County Council or the NHS are to be signatories to the agreed then any reasonable cost which they incur would also be covered by this approach.

- 6.6 For straightforward obligations that contain only financial obligations, the use of Unilateral Undertakings (UU) may be possible. The Council would like applicants to enter into early discussions with them prior to the UUs being drafted. Please contact the Case Officer for the planning application to discuss further. Where Unilateral Undertakings are used, it may be that the Council will prepare the draft Undertaking and applicants will be required to meet the Council's reasonable costs incurred in checking the Undertaking and the legal interests in the land to be bound by the Undertaking.
- 6.7 Further information about the Legal charges can be viewed at <https://www.newark-sherwooddc.gov.uk/feesandcharges/>
- 6.8 Once the document has been agreed between the developer and the Council and properly signed and sealed within an agreed timescale, it will be given to the Council's Land Charges team, who will register it. The obligations, including triggers, set out in each agreement will then be entered on the Council's Section 106 Obligation Tracker. This is to allow the authority to monitor the implementation of agreements (see paragraphs 7.1 – 7.6 on monitoring of agreements).

Index Linking

- 6.9 To take account of inflation, all payments will be index linked by reference to the 'All In Tender Price Index' published by the Building Cost Information Service of the Royal Institution of Chartered Surveyors (or any successor organisation) from the date of the obligation to the date the actual payment is made.

Transfer of Land

- 6.10 Occasionally obligations will require land to be transferred to the Council, or Parish Council or other community organisation usually in respect of public realm or open space scheme obligations. This could also be the case in relation to land for new schools for the County Council. In such cases, the S106 Agreement will contain a requirement to pay the Council's, or other community organisations legal costs in respect of the land transfer and provisions relating to the condition of the land to be transferred.

Contribution Triggers and Requirements

- 6.11 The Council will generally regard developments below predetermined thresholds as *de minimis* (too small) to require some developer contributions. Contributions will be expected from those developments which exceed the predetermined thresholds, where they are necessary to make the development acceptable. No contribution requirement (or lack of) precludes the imposition of normal planning standards required of a development proposal.
- 6.12 Where an individual application falls below the threshold but is part of a larger site, regard will be given to the wider site, ensuring a consistent approach to contribution requirements across the whole development site.
- 6.13 Where the cumulative impact of a number of developments (each above the predetermined thresholds) results in an identified community need, it may be reasonable for the associated developers' contributions to be pooled in order to secure the relevant infrastructure, however such an approach will have to be undertaken in accordance with the CIL regulations.
- 6.14 Trigger dates for the payment of financial contributions or the provision of physical infrastructure will be included in the S106 Agreement, as will any time periods by which the contribution is to be spent. Where obligations are to be pooled with those from another site, it may be necessary to specify a time period after which contributions will be returned if they have not been spent. Where a sum includes a maintenance element the period for repayment should reflect this; where it will solely be used for maintenance no repayment should be required.

Phasing, Viability and Renegotiation

- 6.15 The Council recognises that the application of planning policy targets should not adversely impact on economic viability for appropriate development. Viability has been tested through the Whole Plan Viability Assessment of the Amended Core Strategy (2019). In accordance with the NPPF, where up-to-date policies have set out the contributions expected from development, planning applications that comply with them are assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.
- 6.16 Where the applicant is able to demonstrate the need for a viability assessment, the District Council expects this to be prepared in line with the requirements of the NPPF and Planning Practice Guidance. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.
- 6.17 All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available. This should take the form of a written report that includes appropriate and relevant evidence in relation to build costs and infrastructure

requirements, including land acquisition and future sales values. This should link back to the typology assumptions contained within the Newark & Sherwood Local Plan Whole Plan Viability Appraisal Update. It should be an open book viability assessment, the results of which should indicate the level of affordable housing and other planning obligation contributions that the proposed development may reasonably accommodate without becoming economically unviable.

- 6.18 When acquiring land, developers must have regard to the various planning policy requirements including planning obligations and CIL. Where developers have not taken account of likely contributions in negotiating a purchase price, this cannot be considered a viable reason for reducing the level of required contributions or obligations that would otherwise be required to make the development acceptable. Potential risk is accounted for in the assumed return for developers at the plan making stage. It is the role of developers, not plan makers or decision makers, to mitigate these risks. The cost of fully complying with policy requirements should be accounted for in benchmark land value. Under no circumstances will the price paid for land be relevant justification for failing to accord with relevant policies in the plan. For the purpose of plan making, an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers in order to establish the viability of plan policies. Plan makers may choose to apply alternative figures where there is evidence to support this according to the type, scale and risk profile of planned development. A lower figure may be more appropriate in consideration of delivery of affordable housing in circumstances where this guarantees an end sale at a known value and reduces risk. Alternative figures may also be appropriate for different development types.
- 6.19 Whilst the Council accepts that there may be occasions where development proposals are unable to meet all the relevant policy requirements but can proceed with reduced obligations, there must still be a strong justification for any change, such as a reduction in the percentage of affordable housing or infrastructure elements to be provided, and the resultant obligation must still be sufficient to make the development acceptable in planning terms. Where the Council is satisfied that an otherwise desirable development cannot be fully policy compliant and remain viable, a reduced package of planning obligations may be recommended based on the Viability Assessment.

Contingent Deferred Obligations

- 6.20 For larger scale developments where some degree of phasing is likely, it may be that whilst full policy requirements cannot be met at the time when any Viability Assessment is undertaken, positive changes in market circumstances over time may allow additional contributions to be made whilst maintaining the economic viability of development.
- 6.21 Therefore where policy targets are not met, the Council will use Contingent Deferred Obligations that apply a viability re-evaluation mechanism to the development based on time or unit number triggers. A positive re-assessment that demonstrates additional

viability, usually as a result of increased sale values in relation to construction costs, may then release additional affordable housing or infrastructure contributions.

Late Payments and Enforcement

- 6.22 Payments under a s106 Agreement become due to the Council immediately the trigger point described in the Agreement is reached. In the event of late payment, the Council reserves the right to impose late payment penalties set out in EU Late Payment Directive 2011/7/EU¹ (or subsequent legislation), in addition to any indexation due.
- 6.23 The Council will work with developers to find solutions in cases where they demonstrate real difficulty in making payments at the trigger set out in the S106 Agreement. This could be through agreeing payment of obligations at a later stage of the development process, or through provision by the developer of works rather than finance. However, where it is imperative that the relevant measure is in place prior to a development being occupied, the obligations to fund it will always become payable in accordance with the timescales within the S106 agreement and no variation will be possible.
- 6.24 The Council will enforce obligations through the relevant legal channels once other reasonable approaches to address non-compliance with obligations have been taken. In such cases, the Council will seek to retrieve its legal costs in taking action from the party that is in breach of its obligations as well as any additional indexation or interest on the sum that is due.

¹ NB. EU Late Payment Directive 2011/7/EU remains in effect in UK law through retained legislation (specifically the [Late Payment of Commercial Debts \(Interest\) Act 1998](#))

7.0 Monitoring of Obligations

7.1 As a reasonable Authority, the District Council considers it appropriate to carefully monitor all legal agreements in an open and transparent manner including the spending of monies received. This will be achieved utilising the following methods:

- Details of the obligation including triggers, amounts received and projects for which monies are to be spent on will be inserted into the Council's Obligation Tracker system;
- Use of building control records, monitoring reports, site visits and other appropriate actions to ascertain when trigger points have been reached;
- A Developer Contributions monitoring group will continue to meet. The group comprises officers from planning, strategic housing, leisure, legal and finance and its purpose is to monitor the progress of all developer contributions that that have been input onto the Obligation Tracker and ensure that agreements are implemented when trigger levels are reached; and
- A copy of each S106 Agreement will be placed on the public planning register together with the planning decision notice. This information will also be made available on the Council's website <http://publicaccess.newark-sherwooddc.gov.uk/online-applications/>

7.2 The mechanism for meeting the costs of monitoring planning obligations and the amount payable by each developer is incorporated within each individual Section 106 Agreement and is payable upon execution of the agreement. The administration fee for CIL, up to 5% of the total levy, is incorporated within the Levy itself so no additional fee will be payable.

7.3 All obligations are time consuming, albeit of a physical or financial nature and most are monitored on a monthly, annual or in some cases, on a perpetuity basis depending on the requirements and complexity of the agreement. The latter is where greatest consideration must be given to the amount of officer time incurred as well as site travelling costs. The main objective is to ensure compliance by all parties involved in the successful completion of all Section 106 Agreements.

Basis of Charges and Payment of Monitoring Fees

7.4 The S106 monitoring fees are based on the time spent on each type of obligation, either a financial contribution monitor or a physical monitor e.g. a site visit, review or negotiation. The hourly rates charged are based upon the identified 'on costs' for the grade of officer involved in the process of monitoring the agreement. It also includes an amount to take account of the support that will be required to be given by the Councils Legal Department to assist with the monitoring process.

7.5 A proportion of the monitoring fee (which will be agreed by the Council) will be payable upon the signing and sealing of the S106 agreement or prior to commencement of development.

7.6 Full details about the charges for S106 monitoring can be viewed at:

[Planning fees and charges | Newark & Sherwood District Council](#)

Infrastructure Funding Statement (IFS)

7.7 Local authorities are required to produce an IFS on an annual basis to provide an update on the receipt of developer contributions (from Section 106 agreements and the Community Infrastructure Levy (CIL)) and any monies spent within that timeframe. Developer contributions are used to help fund development related infrastructure provision and to maximise the benefits and opportunities from growth. The latest IFS can be viewed on the Council's website².

² [Infrastructure funding statements | Infrastructure | Newark & Sherwood District Council](#)

PART TWO

- 8.1 This part of the SPD sets out the types of obligation that the Council may seek to secure from development and how it identifies the relevant policy basis, types of development to which the obligation will apply, thresholds over which the obligation will be sought and, where possible, the basis on which the level of obligation will be calculated.

It should be noted that contributions will not be requested as a per dwelling payment as a matter of course. It is the impact of each individual proposal that will need to be assessed on a site-by-site basis to identify what contributions may be needed to make development acceptable.

- 8.2 This information is set out in the following order:
- Affordable Housing (full details of which are set out in the Affordable Housing SPD <https://www.newark-sherwooddc.gov.uk/spds/>)
 - Community facilities;
 - Education Provision
 - Health;
 - Libraries;
 - Open Space incorporating:
 - Allotments & Community Gardens;
 - Amenity Green Space;
 - Natural & Semi Natural Green Spaces;
 - Outdoor Sports Facilities;
 - Public Open Space Provision for Children & Young People; and
 - Suitable Alternative Natural Green Space (SANGS) related to Birklands & Bilhaugh Special Area of Conservation (SAC); and
 - Transport
- 8.3 The District Council is a reasonable authority and requests for contributions will be based on objectively assessed need, following consideration of the impact of development on existing service provision by relevant providers. Developers should liaise / engage with the LPA through the pre-app and application stages to understand the impacts in the location of their proposed development. In accordance with the NPPF, no proposals should be subject to such a scale of obligation and policy burden that its ability to be developed viably is threatened.
- 8.4 To take account of inflation all payments will be index linked by reference to the 'All In Tender Price Index' published by the Building Cost Information Service of the Royal Institution of Chartered Surveyors (or any successor organisation) from the date of the obligation to the date the actual payment is made.

9.0 AFFORDABLE HOUSING

9.1 The Council will continue to seek to secure appropriate affordable housing on development sites in accordance with policies in the Council’s Development Plan and National Planning Policy Framework.

9.2.1 It is considered that the Affordable Housing SPD addresses the issue of delivering affordable housing and details a developer’s contribution in this respect, alongside the other development contributions outlined in this document. It should therefore be read alongside the information set out below.

Current Guidance	<ul style="list-style-type: none"> • Planning Practice Guidance – Housing needs of different groups³ • Planning Practice Guidance – Housing and Economic Development Needs Assessment⁴ • Newark & Sherwood Amended Core Strategy DPD, Policy CP1 – Affordable Housing Provision • Newark & Sherwood Amended Core Strategy DPD, Policy CP2 – Rural Affordable Housing • Newark & Sherwood Core Strategy DPD, Policy CP3 – Housing Mix, Type and Density • Newark & Sherwood Allocations & Development Management DPD, Policy DM3 – Developer Contributions and Planning Obligations • Newark & Sherwood Affordable Housing Supplementary Planning Document
Current planning policy	<ul style="list-style-type: none"> • National Planning Policy Framework⁵
Types of facilities for which provision may be required	<ul style="list-style-type: none"> • On-site Provision of affordable housing; or where appropriate • Commuted Sum towards off-site provision
Type and size of development that may trigger need	All housing proposals of 11 units or more or those that have a combined gross floor space of more than 1000sqm.
How are the costs calculated and what are they?	<p>The Council will use the following approach for calculating commuted sums to provide sufficient funds to enable the equivalent value of on-site affordable housing to be provided off-site: -</p> <p>The commuted sum will represent the value that a Registered Provider would pay for an affordable unit. This will be based on the open market sales value minus the Developers Profit and Capitalised Net Rent including deductions for management, maintenance, bad debts and voids (i.e. the fixed property income stream in perpetuity)</p> <p>In assessing any off-site contribution, the Council will have regard to other contributions and given the variable factors involved, negotiations will take place on a site-by-site basis, and you are strongly</p>

³ <https://www.gov.uk/guidance/housing-needs-of-different-groups>

⁴ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#affordable-housing>

⁵ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

	encouraged to engage in pre-application consultation.	
Form in which contributions should be made	Target	30% affordable housing on all qualifying sites
	Tenure mix of affordable housing	60% Social or affordable rent 40% Affordable home ownership products
	In certain circumstances the Council may require a financial contribution of equivalent value to that which would have been secured by on-site contribution, taking into account the additional market housing that would be provided due to there being no on-site affordable units.	
Types of affordable homes required	Core Policy 3 in the Amended Core Strategy (2019) sets out that the District Council will seek to secure new housing development which adequately addresses the housing need of the District, namely: <ul style="list-style-type: none"> • Family housing of 3 bedrooms or more • Smaller houses of 2 bedrooms or less. • Housing for the elderly and disabled population 	
Contact	Assistant Director Housing Strategy & Service Development, Newark & Sherwood District Council	
Last Updated	2026	

10.0 COMMUNITY FACILITIES

- 10.1 In implementing this document community facilities are defined as including Community Halls; Village Halls; Indoor areas for sport, physical activity, leisure and cultural activity; and Halls related to places of worship (including all land and assets within their curtilage). It also includes infrastructure and ancillary facilities to support existing sport and recreational activities, including storage buildings; changing rooms, showers and toilets; spectator seating and covered areas; and improving accessibility for local residents.
- 10.2 In the interest of comprehensive development, the Council will seek, where necessary, the collective provision of new infrastructure from development proposals and the phasing of development to ensure the satisfactory achievement of objectives. This will apply to the Council's strategic objectives in relation to the urban area and in the rural areas where it is demonstrated that the best interests of the community can be met by the provision of facilities in recognised geographical areas.
- 10.3 Where existing infrastructure exists or where small-scale developments do not warrant new infrastructure, a contribution may be appropriate to support the existing infrastructure such as a village or community hall or other community asset.
- 10.4 It is further recognised that qualitative improvements to some community facilities would increase their ability to make a positive contribution to meeting the needs of the community. Accordingly, the Council will continuously monitor usage and capacity in order to assess and address supply and demand requirements of such facilities and remedy any deficiencies, but not deficiencies in unrelated sites within the District.
- 10.5 In rural areas, contributions from development in a particular village or parish can be taken to address the priorities identified in any relevant Neighbourhood Plan, by local residents or the Parish Council. In this respect, Parish Councils and other community interest groups will be requested to respond on the likely requirements for community infrastructure where development sites are known to be coming forward in rural areas.

Current Guidance, Local Strategy and Evidence	<ul style="list-style-type: none">• Planning Practice Guidance - Healthy and safe communities⁶• Planning Practice Guidance: Open space, sports and recreation facilities, public rights of way and local green space⁷• Newark & Sherwood Community Plan 2023-2027⁸• Newark & Sherwood Infrastructure Delivery Plan• Newark & Sherwood Sports and Recreation Facilities Strategy 2023-
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⁶ <https://www.gov.uk/guidance/health-and-wellbeing>

⁷ <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

⁸ <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/our-policies/policies-and-procedures/council-strategies/Revised-Community-Plan-23-27.pdf>

	2033 ⁹
Current planning policy	<ul style="list-style-type: none"> • National Planning Policy Framework • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP8 – Protecting and Promoting Leisure and Community Facilities • Newark & Sherwood Allocations & Development Management DPD, Policy DM3 – Developer Contributions and Planning Obligations
Type of facilities for which provision may be required	<p>Contributions may be sought for the following:</p> <ul style="list-style-type: none"> • The extension and/or improvement of existing halls or facilities; • A replacement facility to a specification agreed with the Council should be provided if a development would result in the loss of a recognised community facility / facilities; • New community facilities where the size of new residential development means that a new community facility is required; and • Provision of new and / or improved facilities or the purchase of equipment or the implementation of activity programmes within the area affected by the development. • Improvements to existing infrastructure that supports access to sport and recreation. <p>The Local Planning Authority will consult with the Parish and Town Councils in order to assess the need for community facilities and hold a list of proposals for reference.</p>
Type and size of development which may trigger need	<p>Residential - 10 dwellings or more</p> <p>Where development generates a need for new or improved community facilities, or makes additional demands on existing community facilities, the contribution will be as in the table below.</p> <p>Residential - 100 dwellings or more</p> <p>On schemes where an Outdoor Sports facilities contribution is secured, any community facilities contributions secured will not be spent on outdoor sports facilities to avoid double counting.</p>
Form in which contributions should be made	<p>Capacity issues are dependent on existing community facilities and the nature of the development. Contributions can be either provision of facilities or commuted sums as determined by the District Council.</p> <p>The financial contribution towards community facilities will take into consideration the following issues:</p> <ul style="list-style-type: none"> • Existing community facility provision; • The size of the residential development; • Current average build costs using figures aligned to the Building Cost Information Service; • The provision of floor space per dwelling;

⁹ <https://democracy.newark-sherwooddc.gov.uk/documents/b3308/Sports+Recreation+Facilities+Strategy+2023-2033+Appendix+20th-Feb-2024+18.00+Cabinet.pdf?T=9>

	<ul style="list-style-type: none"> • The projected population of the proposed development <p>The current average build costs of community facilities (based on BCIS indexation data) are set out in Appendix B. The approach takes a mean average across a range of typical community facility types—including community centres, recreational facilities, cafés, village halls, youth clubs, parish halls, faith buildings used for community activities, leisure centres, sports halls and changing rooms—using build costs drawn from BCIS rates.</p> <p>The figure will be regularly reviewed in order to reflect changes in capital costs of providing such community facilities in line with the Building Costs Information Service (BICS).</p> <p>The provision standard for community facilities is based on a provision of 0.75 square metres of floor space per dwelling, which is in line with recommended standards for the provision of community facilities.</p> <p>Calculation</p> <p>The calculation for community facility contributions per dwelling is based on the following formula:</p> <p>Build Cost per sq. Metre of floor space x standard community floor space per dwelling i.e. 0.75.</p> <p>All figures are subject to indexation.</p>
Contact details of relevant people	Sports, Community Facilities and Events Manager, Newark & Sherwood District Council
Last updated	2026

11.0 EDUCATION PROVISION

- 11.1 Funding for new school places in Nottinghamshire comes from two main sources: a government capital grant (to meet demand from the existing population) and developer contributions (to address pupil demand created by new housing). The County Council decides whether a developer must contribute based on projected pupil numbers compared with available school capacity in the relevant planning area. If a development would create demand exceeding the area's projected capacity, the developer must fund the number of additional school places required. Further details on requirements are included in Nottinghamshire County Council's Developer Contributions Strategy (2024).
- 11.2 Provision of education infrastructure is an integral part of new residential development and is a crucial element in achieving sustainable communities. It may be a requirement of any development to make an appropriate contribution towards enhancing existing education facilities where there is insufficient capacity to support the development. It should be noted that the CIL will be used to help fund secondary education whilst the primary education needs of new development will continue to be addressed through S106 contributions. To ensure that they are aware of what may be required in terms of contributions and new facilities developers should consult with the Local Authority (LA), in this instance Nottinghamshire County Council, at an early stage of the development process.
- 11.3 The DfE advise Local Authorities to seek developer contributions for expansions required to provision for pupils with special educational needs and disabilities (SEND), commensurate with the need arising from the development. At January 2024, the proportion of the Nottinghamshire pupil population that required a specialist placement was 1.3%. This gives an all-age SEND yield of 0.52 pupils per 100 dwellings. Meaning, of the 40 pupils expected to be generated for every 100 dwellings (across all education phases), 0.52 pupils would require a place in a non-mainstream setting.

Current Guidance, Local Strategy and Evidence	<ul style="list-style-type: none"> • National Planning Policy Framework • Planning Practice Guidance: Planning Obligations¹⁰ • Planning Practice Guidance: Healthy and Safe Communities¹¹ • Nottinghamshire County Council's Developer Contribution Strategy • Newark & Sherwood Infrastructure Delivery Plan
Planning Policies	<ul style="list-style-type: none"> • Newark & Sherwood Amended Core Strategy DPD (2019) Spatial Policy SP6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) Spatial Policy SP8 – Protecting and Promoting Leisure and Community Facilities • Newark & Sherwood Allocations & Development Management DPD, Policy DM3 – Developer Contributions and Planning Obligations
Type of facilities for which provision may be required	<p>Contributions may be sought for the following aspects of primary education:</p> <p>Sites for new schools (including pre-school AND send where necessary), construction costs of new schools, contributions towards additional classroom / other building provision at existing schools (including additional grass /</p>

¹⁰ <https://www.gov.uk/guidance/planning-obligations>

¹¹ <https://www.gov.uk/guidance/health-and-wellbeing>

	<p>artificial turf sports pitches), contributions to highway needs arising as a result of the development. Details are set out in Nottinghamshire County Council's Developer Contribution Strategy: https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy</p>						
<p>Type and size of development which may trigger need</p>	<p>Residential – 10 dwellings or more</p> <p>Where a development generates a need for additional places to be provided in existing primary schools, a contribution may be required. The County Council's consideration of whether a developer contribution towards education provision is required will be informed by the projected demand for places compared with the known capacity figures of schools in the relevant pupil planning area. Where a development is proposed in a planning area with insufficient projected capacity, or would result in insufficient projected capacity, a contribution will be required. A contribution is required for every pupil place needed in excess of the projected capacity.</p> <p>In some circumstances the size of new residential development will mean that a new school will need to be provided. Developers should contact the Local Authority early in the development process to ascertain whether this will be required. Where provision of a new school is required as the result of a new development, the developer will be expected to provide a site and construction costs including professional fees, furniture and equipment.</p> <p>The trigger point for payment of the contribution will be the commencement of the development generating the need. However, where a development is to take place in phases, it may be possible to phase the payments of contributions to reflect this. This may not be appropriate, however, in the case where a new school is required.</p> <p>Other</p> <p>Proposals to redevelop an existing school site by a developer would normally trigger need for a replacement school (where the existing school is not surplus to requirements).</p>						
<p>The numbers of children generated by new developments</p>	<table border="1"> <thead> <tr> <th>Education phase</th> <th>Pupil places generated per 100 dwellings</th> </tr> </thead> <tbody> <tr> <td>SEND</td> <td>0.52</td> </tr> <tr> <td>Primary</td> <td>21</td> </tr> </tbody> </table>	Education phase	Pupil places generated per 100 dwellings	SEND	0.52	Primary	21
Education phase	Pupil places generated per 100 dwellings						
SEND	0.52						
Primary	21						
<p>What if there is spare capacity at the existing catchment schools?</p>	<p>Contributions may be required for every pupil place required in excess of the projected capacity, so if the County Council calculate that spare places will exist in the catchment primary school by the time the development can reasonably be expected to generate new demand for places, their requirement will be adjusted accordingly.</p>						
<p>How are the costs calculated and what are they?</p>	<p>Details can be found in Nottinghamshire County Council's Developer Contributions Strategy Developer Contributions Strategy Nottinghamshire County Council</p>						
<p>Contact details of</p>	<p>Planning Policy, Place Department, Nottinghamshire County Council, County</p>						

relevant people	Hall, West Bridgford, Nottingham, NG2 7QP
Last updated	2026

12.0 HEALTH

12.1 The NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) is a clinically led statutory NHS body responsible for the planning and commissioning of health care services for Nottingham and Nottinghamshire and is a consultee for local authority development plans. The ICB is assisting the Council regarding its strategic policy to deliver health facilities as well as provide information on their current and future strategies to refurbish, expand, reduce or build new facilities to meet the health needs of the existing population as well as those arising because of new and future developments.

12.2 The possible requirement for the provision of new or improved health facilities is dependant, not only on the scale of the development, but also on the available capacity in health facilities serving the area, so consultations with the ICB may be necessary at an early stage of the development process. In terms of the ability to expand facilities to accommodate new growth, the ICB has outlined that all premises may require adaptation or extension and for at least two surgeries where there are no opportunities for further expansion, a new location is required.

Current Guidance, Local Strategy and Evidence	<ul style="list-style-type: none"> • National Planning Policy Framework • Planning Practice Guidance - Healthy and safe communities¹² • Nottingham and Nottinghamshire NHS Integrated Care Strategy and Joint Forward Plan¹³ • Newark & Sherwood Infrastructure Delivery Plan • The Nottinghamshire Spatial Planning & Health Framework 2025-30
Planning policies	<ul style="list-style-type: none"> • Newark & Sherwood Core Strategy DPD Policy SP6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP8 – Protecting and Promoting Leisure and Community Facilities • Newark & Sherwood Allocations & Development Management DPD – Policy DM3 - Developer Contributions and Planning Obligations
Type of facilities for which provision may be required	<p>Subject to an identified need in the locality, contributions may be sought for the following health infrastructure:</p> <ul style="list-style-type: none"> • New health facilities (these may be co-located with other health or social care providers) • Construction costs for additional facilities / extensions, adaptations or alterations.
Type and size of development which may trigger need	<p>The Council will consult NHS Nottingham and Nottinghamshire ICB on residential developments of 30 dwellings or more. Developer contributions will be required where development places extra demand on local health care provision.</p> <p>Applications for the development of concentrated / multi-tenant housing such as residential care homes, nursing homes, sheltered housing or student</p>

¹² <https://www.gov.uk/guidance/health-and-wellbeing>

¹³ <https://healthandcarenotts.co.uk/integrated-care-strategy/joint-forward-plan/#:~:text=The%20plan%20sets%20out%20the,made%20sustainable%20following%20the%20pandemic.>

	accommodation will need to be assessed for their impact on the local healthcare functions on a case-by-case basis
Form in which contributions should be made	Capital monies to provide new or enhanced facilities. Land or buildings may also form all or part of the contribution.
How are the costs calculated and what are they?	<p>The figure (see Appendix B) is based on the Statement of Financial Entitlements for GP services and a benchmark of local health developments in 2013. It has been updated (in 2024) in line with the Retail Price Index produced by ONS.</p> <p>To help meet health needs, GP practices work together with community, mental health, social care, pharmacy, hospital, and voluntary services in their local areas in groups of practices known as Primary Care Networks (PCNs). PCNs build on existing primary care services and enable greater provision of proactive, personalised, coordinated and more integrated health and social care for people close to home.</p> <p>The cost per dwelling is not a “tariff” on all new houses; it will only be applied where additional health provision is required as a result of the new housing development, and it will not be used to remedy deficiencies elsewhere within the District.</p>
Contact details of relevant people	Estates Department, NHS Nottingham and Nottinghamshire ICB
Last updated	2026

13.0 LIBRARIES

13.1 This section should be read in conjunction with NCC’s Developer Contributions Strategy¹⁴. Public library services in Nottinghamshire are delivered through a network of library buildings and mobile libraries. These libraries are at the heart of our communities. They provide access to books, CDs and DVDs; a wide range of information services; the internet; and opportunities for learning and leisure.

13.2 Libraries need to be flexible on a day-to-day basis to meet diverse needs and adaptable over time to new ways of learning. Access needs to be inclusive and holistic.

13.3 Therefore contributions from developments which place additional demand on library services may be required in order for the County Council to maintain this valuable community service at an appropriate level.

Current Guidance, Local Strategy and Evidence	<ul style="list-style-type: none"> • National Planning Policy Framework¹⁵ • Planning Practice Guidance: Planning Obligations • Planning Practice Guidance - Healthy and safe communities¹⁶ • Nottinghamshire County Council’s Developer Contribution Strategy • Newark & Sherwood Infrastructure Delivery Plan
Planning Policies	<ul style="list-style-type: none"> • Newark & Sherwood Amended Core Strategy DPD (2019) Policy Spatial Policy 6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP8 – Protecting and Promoting Leisure and Community Facilities • Newark & Sherwood Allocations & Development Management DPD, Policy DM3 – Developer Contributions and Planning Obligations
Type of facilities for which provision may be required	<p>Subject to an identified need in the locality, contributions may be sought for the following:</p> <ul style="list-style-type: none"> • Construction of new libraries (including fit-out costs) • Extensions / alternations to existing libraries • Increasing stock levels at existing libraries <p>(As identified in Nottinghamshire County Council’s Developer Contributions Strategy) *</p>
Type and size of development which may trigger need	<p>Contributions may be sought for any residential development (including student accommodation) of 50 dwellings and above (as identified in Nottinghamshire County Council’s Developer Contributions Strategy) *</p>
What are the costs?	<p>See Appendix B.</p>

¹⁴ <https://www.nottinghamshire.gov.uk/media/4317640/nccdevelopercontributionsstrategy.pdf>

¹⁵ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁶ <https://www.gov.uk/guidance/health-and-wellbeing>

How are the costs calculated?	Details are included in Nottinghamshire County Council's Developer Contributions Strategy
Form in which contributions should be made	Please see the guidance set out in Nottinghamshire County Council's Developer Contributions Strategy. The NSDC Infrastructure Delivery Plan Update identifies the areas of greatest need in the District.
Contact details of relevant people	Planning Policy, Place Department, Nottinghamshire County Council, County Hall, West Bridgford, Nottingham, NG2 7QP
Last updated	2026

14.0 OPEN SPACE AND GREEN INFRASTRUCTURE

14.1 Open Space is an essential part of the urban fabric and is a vital resource for our local communities. It plays a pivotal role in the quality of life for people from determining a person’s health and well-being, contributing to the character of our townscapes, and providing habitats for wildlife, and supporting community recreational activities.

14.2 Open space/Green Infrastructure, as referred to in this document, relates to open spaces that may or may not be publicly accessible which are of community, economic, recreational, educational, amenity, health or biodiversity value. This encompasses:

- Recreational and sporting value: equipped, children’s/youth play spaces (including skateboard/BMX areas and kick-about areas); formal sports pitches (including greens, courts and ancillary facilities);
- Educational value: sites used primarily in conjunction with schools and colleges;
- Amenity value: sites which provide for informal recreation such as dog walking, or seating areas and/or which are of visual importance, making a positive contribution to the character of the settlement / locality;
- Biodiversity value: open spaces provide a habitat for wildlife, corridors and links for movement between habitats and enhancement/management will encourage greater biodiversity which is an indicator of a healthy environment;
- Health value: allotments and community gardens which provide space for food growing and community involvement; and
- Wider community and economic value: formal parks and gardens with a range of facilities and which may attract tourism visitors

<p>Current Guidance, Local Strategy and Evidence</p>	<ul style="list-style-type: none"> • National Planning Policy Framework¹⁷ • Planning Practice Guidance: Open space, sports and recreation facilities, public rights of way and local green space¹⁸ • Planning Practice Guidance - Healthy and safe communities¹⁹ • Government Guidance on BNG²⁰ • Newark & Sherwood Infrastructure Delivery Plan • Newark & Sherwood Playing Pitch Strategy (2023-2033)²¹ • Newark & Sherwood Sports and Recreation Facilities Strategy 2023-2033²²
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¹⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁸ <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

¹⁹ <https://www.gov.uk/guidance/health-and-wellbeing>

²⁰ <https://www.gov.uk/government/collections/biodiversity-net-gain>

²¹ <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/our-policies/policies-and-procedures/council-strategies/Playing-Pitch-and-Outdoor-Sports-Strategy-2023.pdf>

	<ul style="list-style-type: none"> • Newark & Sherwood Habitats Regulation Assessment • Newark and Sherwood Open Space Assessment and Strategy (2022)²³ 												
Planning Policies	<ul style="list-style-type: none"> • Newark & Sherwood Amended Core Strategy DPD (2019) Policy Spatial Policy 6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP8 – Protecting and Promoting Leisure and Community Facilities • Newark & Sherwood Allocations & Development Management DPD – Policy DM3 												
Types of facilities for which provision may be required	<p>New, improved or extended:</p> <ul style="list-style-type: none"> • Provision for children & young people (PCYP) • Outdoor sports facilities (OSF); • Amenity Green Space (AGS) • Natural & semi natural green spaces (NSN); • Allotments & community gardens (ACG). <p>Full definitions of these types of open space are set out in the Newark & Sherwood District Open Spaces Assessment & Strategy²⁴</p> <p>Alternatively commuted sums for off-site provision may be appropriate.</p>												
Local Standards for Open Space	<p>The Newark & Sherwood Open Space Assessment & Strategy (2022) has set local provision standards for a number of different types of open space. Those of relevance to new housing developments are as follows:</p> <table border="1"> <thead> <tr> <th>Typology</th> <th>Threshold for Requirement (No. of Dwellings)</th> <th>Standards (Ha Per 1,000 population)</th> </tr> </thead> <tbody> <tr> <td>Parks & Gardens</td> <td></td> <td>0.60</td> </tr> <tr> <td>Amenity Greenspace</td> <td>30+ dwellings</td> <td>0.60</td> </tr> <tr> <td>Natural & Semi-</td> <td>10+ dwellings</td> <td>10.00</td> </tr> </tbody> </table>	Typology	Threshold for Requirement (No. of Dwellings)	Standards (Ha Per 1,000 population)	Parks & Gardens		0.60	Amenity Greenspace	30+ dwellings	0.60	Natural & Semi-	10+ dwellings	10.00
Typology	Threshold for Requirement (No. of Dwellings)	Standards (Ha Per 1,000 population)											
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Natural & Semi-	10+ dwellings	10.00											

²² <https://democracy.newark-sherwooddc.gov.uk/documents/b3308/Sports+Recreation+Facilities+Strategy+2023-2033+Appendix+20th-Feb-2024+18.00+Cabinet.pdf?T=9>

²³ <https://www.newark-sherwooddc.gov.uk/your-council/planning-policy/other-planning-policy-information/open-space-strategy/>

²⁴ <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/other-planning-policy-information/open-space-strategy/Open-Space-Strategy.pdf>

	Natural Greenspace		
	Outdoor Sports Facilities	100+ dwellings	n/a ²⁵
	Provision for children and young people	10+ dwellings ²⁶ or 5+ dwellings in all other areas of the District	0.75
	Allotments	400+ dwellings	0.50
	<p>Based on an average household size for the District of 2.4 persons per household the local provision levels per dwelling would be as follows:</p> <p>Amenity green spaces – 14.4m²/dwelling</p> <p>Provision for children and young people – 18m²/dwelling</p> <p>Outdoor sports facilities – Requirements for developer contributions will be informed by the Newark & Sherwood Playing Pitch Strategy Action Plan recommendations</p> <p>Allotments and community gardens – 12m²/dwelling</p> <p>Natural and Semi-Natural Green Space - all residents should live within 300m of an area of between 0.2 ha and 1ha in size.</p>		
Type and size of development which may trigger need	<p>New housing developments as set out below:</p> <p>Provision for Children and Young People: 10 or more dwellings in settlements central to delivering the Spatial Strategy²⁷ or 5 or more dwellings in all other areas of the District</p> <p>Amenity Greenspaces – 30 or more dwellings</p> <p>Outdoor Sports Facilities – 100 or more dwellings</p> <p>Allotments and Community Gardens – 400 or more dwellings</p> <p>Natural and Semi-natural Greenspace – 10 or more dwellings</p>		

²⁵ Standards are explained in the Newark & Sherwood Playing Pitch Strategy: <https://democracy.newark-sherwooddc.gov.uk/documents/s19253/Playing+Pitch+and+Outdoor+Sports+Strategy+2023-2033.pdf>

²⁶ Newark Urban Area, Southwell, Ollerton & Boughton, Clipstone, Rainworth, Collingham, Sutton-on-Trent, Farnsfield, Lowdham, Bilsthorpe, Edwinstowe and Blidworth.

²⁷ Newark Urban Area, Southwell, Ollerton & Boughton, Clipstone, Rainworth, Collingham, Sutton-on-Trent, Farnsfield, Lowdham, Bilsthorpe, Edwinstowe and Blidworth.

	<p>In respect of the above, smaller developments may be required to make a contribution where the development creates or exacerbates a deficiency of open space in the area.</p> <p>NB. On schemes where an Outdoor Sports facilities contribution is secured, any community facilities contributions secured will not be spent on outdoor sports facilities to avoid double counting.</p>
<p>Form in which contributions should be made</p>	<p>On-site contributions</p> <p>The open space requirement should aim to be provided onsite in the first instance (giving consideration to the accessibility standards in accordance with Table 1 below). Where this is not possible, consideration will be given in the following order of priority:</p> <ol style="list-style-type: none"> 1) If the development site is well connected, consideration will be given as to whether an off-site contribution could be sought to enhance the quality and value of neighbouring open spaces 2) If the development site is not well connected, undertaking a prioritisation exercise to address the areas of open space with the greatest deficits first onsite. <p>Off-site contributions</p> <p>The open space requirement should be provided on or adjacent to the proposed development. Where a new development is not of a size to require all categories of open space on-site it will generally be necessary for it to provide the relevant parts of the standard with a commuted sum covering the off-site elements.</p> <p>The financial contribution will be based on a calculated standard cost for making the necessary on-site provision of the full 3.888ha required for 400 dwellings / 960 people.</p> <p>The financial contribution will take into consideration the following issues:</p> <ul style="list-style-type: none"> • Provision of equipped play areas, including activity and buffer zones; • Provision of surfaced areas for informal ball games and wheeled play; • Seating, including a teenage meeting area; • Provision of levelled and drained grass pitches; • Provision of artificially surfaced areas for formal sport; • Ancillary services for sports pitches such as changing rooms and parking provision; • Provision of natural and semi-natural areas, including wildlife habitats and nature reserves; • Provision of allotments and community gardens including fencing, water supply and cultivation; and • Provision of landscaped areas of amenity open space.

	<p>In calculating the Commuted Sums payable, the cost per square metre and per dwelling at 2024 prices are set out in Appendix B</p> <p>These costs will be revised annually in line with the index for the soft landscaping work category of the Building Cost Information Service published by the Royal Institute of Chartered Surveyors.</p>
Maintenance of open space	<p>Following the agreement of on-site provision, the District Council will need to satisfy itself that the open space has been properly laid out and completed and that suitable contractual arrangements for its long-term maintenance have been put in place.</p> <p>Unless there is a valid reason, this will involve the land being dedicated to the Local Authority (the District Council / Parish Council) and a commuted sum being paid to cover its future maintenance. Council policy requires that the commuted sum cover maintenance for 20 years. This is considered an appropriate balance between the maintenance costs being covered by both the new development and ultimately the local authority. If developers do not wish to dedicate the open space to the Local Authority, then the District Council may agree but will want to be assured that the alternative arrangements will guarantee the maintenance of the land for a minimum of 20 years.</p> <p>The costs for maintenance of the various areas are set out in Appendix B.</p> <p>The full 20-year commuted sum is calculated by multiplying the relevant open space area(s) by the cost per square metre or by multiplying the cost per dwelling by 20.</p> <p>These costs will be revised annually in line with the index for the soft landscaping work category of the Building Cost Information Service published by the Royal Institute of Chartered Surveyors.</p>
Contact	Environmental Services Business Unit, Newark and Sherwood District Council.
Last updated	2026

- 14.3 Accessibility catchments for different types of provision are a tool to identify communities currently not served by existing facilities. It is recognised that factors that underpin catchment areas vary from person to person, day to day and hour to hour. For the purposes of this process this problem is overcome by accepting the concept of ‘effective catchments’, defined as the distance that would be travelled by most users.

Ecology Requirements: Open Space - Suitable Alternative Natural Green Space (SANGS)

- 14.4 The Habitats Regulations Assessment (HRA) of allocated sites identified that further housing development in Edwinstowe and Ollerton would most likely impact on The Birklands &

Bilhaugh Special Area of Conservation (SAC) by increasing recreational pressure on it. It recommends that this could be most appropriately remedied by the provision of Suitable Alternative Natural Green Spaces (SANGS), on site and within the surrounding area.

- 14.5 As set out in the latest evidence for the LDF, the Birklands & Bilhaugh SAC Recreational Impact Assessment)²⁸, public open space provided in connection with allocations in settlements within an 8.9km radius of Birklands & Bilhaugh Special Area of Conservation, should be designed to reflect the need to provide SANGS in perpetuity to relieve pressure on the SAC. Where SANGS are proposed, their quantity and quality shall be developed and agreed in conjunction with the District Council and Natural England.

<p>Current Guidance and Local Strategy</p>	<ul style="list-style-type: none"> • National Planning Policy Framework • Habitats Regulations Assessment of the Newark and Sherwood Local Plan Review (HRA) • Clumber Park SSSI Recreational Impact Assessment (2022) • Birkland & Bilhaugh SAC Recreational Impact Assessment (2022)
<p>Planning Policy</p>	<ul style="list-style-type: none"> • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP8 – Protecting and Promoting Leisure and Community Facilities • Newark & Sherwood Amended Core Strategy DPD (2019) Policy CP12 – Biodiversity & Green Infrastructure • Newark & Sherwood Allocations & Development Management DPD, Policy DM3 – Developer Contributions and Planning Obligations • Newark & Sherwood Allocations & Development Management DPD – Policy DM7 Biodiversity & Green Infrastructure
<p>Type of facilities for which provision may be required</p>	<p><u>SANGS</u></p> <p>In the context of Newark & Sherwood District the term ‘Suitable Alternative Natural Green Space (SANGS)’ refers to sites that provide a suitable alternative to the Birklands and Bilhaugh SAC for people in the local area wishing to regularly access natural open space for walking, including dog walking.</p> <p>The definition of natural space development by Natural England in the context of Accessible Natural Greenspace (ANGSt) is “places where human control and activities are not intensive so that a feeling of naturalness is allowed to predominate”.</p> <p>In the context of the Birklands and Bilhaugh SAC the terms SANGS refers to:</p> <ul style="list-style-type: none"> • Sites that are freely accessible to people living within 5km of the SAC that provide an alternative to the SAC for regular (i.e. more than once a week) walking and dog walking; • Sites that provide natural space (using the definition above); • Sites should include some provision for car parking but also be accessible

²⁸ <https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/planning-policy/local-development-framework/amended-allocations-and-development-management-dpd/ENV-4-Final-Birklands-&-Bilhaugh-SAC-RIA.pdf>

	<p>on foot.</p> <p>Such sites provide the opportunity for multi-functional sites that also enhance Biodiversity. Wherever possible emphasis will be placed on the provision of such open space within the development site.</p>
Type and size of development which may trigger need	<p><u>SANGS</u></p> <p>This will be applied to above developments within a 5km radius of Birklands & Bilhaugh SAC</p> <p>The District Council will work with Natural England to determine whether contributions are appropriate as result of the impacts of the development.</p>
How are the costs calculated and what are they?	<p>SANGS could be provided as part of new development or through the improvement and management of existing sites.</p>
Form in which contributions should be made	<p><u>SANGS</u></p> <ul style="list-style-type: none"> • Provision of land either on or off site; • Commuted sum towards the provision of facilities including car parking, pedestrian access arrangements. <p>It is the Council's expectation that such provision will be provided in perpetuity, and this will be set out within the legal agreement.</p>
Contact details of relevant people	<p>Planning Policy and Infrastructure, Newark & Sherwood District Council</p>
Last updated	<p>2026</p>

15.0 TRANSPORT

- 15.1 This section should be read in conjunction with NCC’s Developer Contributions Strategy²⁹ and NSDC’s most recent Infrastructure Delivery Plan. One of the core planning principles in the National Planning Policy Framework (NPPF) is to actively manage patterns of development growth to make the fullest possible use of public transport, walking and cycling, and to focus significant development in locations which are, or can be made, sustainable. The transport system should be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.
- 15.2 From February 1, 2026, the [East Midlands Combined County Authority](#) (EMCCA) assumed strategic transport, bus, and regional infrastructure planning responsibilities from Nottinghamshire County Council. However, Nottinghamshire County Council remains the local highway authority, retaining responsibility for road maintenance, traffic management, and highway services.
- 15.2 Nottinghamshire County Council will assess the submitted Transport Statement / Transport Assessment to determine whether a development is acceptable in terms of offering opportunities for sustainable transport modes, thereby reducing the need for major transport infrastructure. This will take into account the nature and location of the site concerned.

Current Guidance	<ul style="list-style-type: none"> • National Planning Policy Framework³⁰ • Planning Policy Guidance: Transport evidence bases in plan making and decision taking³¹ • Nottinghamshire County Council’s Developer Contributions Strategy • Newark & Sherwood Infrastructure Delivery Plan
Planning policies	<ul style="list-style-type: none"> • Newark & Sherwood Amended Core Strategy DPD (2019) Policy SP6 – Infrastructure for Growth • Newark & Sherwood Amended Core Strategy DPD (2019) - Policy SP7 Sustainable Transport • Newark & Sherwood Allocations & Development Management DPD, Policy DM3 – Developer Contributions and Planning Obligations
Type of facilities for which provision may be required	<p>Contributions may be sought for the following to improve a site’s sustainability in terms of integrated transport measures:</p> <ul style="list-style-type: none"> • Public transport infrastructure and services; • Active Travel schemes, including cycling and walking measures; • Intelligent transport systems (e.g. “Next Bus” information at bus stops); • Bus priority measures; • Highway capacity improvements to reduce journey delays

²⁹ <https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy>

³⁰ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

³¹ <https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>

	<p>Subject to any restrictions within CIL regulations, this may be pooled along with similar contributions from other nearby developments. The type of measures supported by such contributions could include:</p> <ul style="list-style-type: none"> • Nearby junction improvements • Enhancements to bus services <p>Where appropriate, a separate fee may also be sought to cover the County Council's travel plan monitoring costs which would be negotiated as part of the S106 agreement.</p>
Type and size of development which may trigger need	<p>All major development (as defined by the NPPF).</p> <p>Planning applications that propose development that would generate significant amounts of movement must be supported by a Transport Statement or Transport Assessment prepared in accordance with current Government and County Council guidance. Information on the thresholds for these requirements is set out in Nottinghamshire County Council's Road Network Policy³²</p>
Form in which contributions should be made	<p>The majority of highways improvements and modifications will be secured by planning condition, which require the developer to commission or carry out specified highway works. In such cases, the developer will be required to enter into an agreement with the Highway Authority pursuant to Section 278 of the Highways Act 1980 to secure the provision of the specified works.</p> <p>Financial contributions may be secured through a planning obligation towards the delivery public transport infrastructure and services, walking and cycling facilities (including public rights of way) and highway capacity enhancements where they are necessary to mitigate the cumulative impact of more than one development. These will be negotiated on a site-by-site basis to improve sustainable links both within and between settlements linked to the site where opportunities exist and the need for such improvements as a result of the development can be demonstrated. Financial contributions in relation to larger scale strategic transportation schemes may be secured through the CIL, as set out in the District Council's Infrastructure Delivery Plan and Infrastructure Funding Statement.</p>
Contact details of relevant people	<p>Planning Policy, Place Department, Nottinghamshire County Council, County Hall, West Bridgford, Nottingham, NG2 7QP</p>
Last updated	<p>2026</p>

15.3 These minimum thresholds (detailed above) required prior to a contribution being sought is based on Planning Practice Guidance which is referred to above. However, there is no suggestion that developments which fall below these thresholds are exempt from providing appropriate sustainable transport measures should they be reasonably required, particularly if the development is to form part of a larger site.

Appendix A – Schedules for Development

³² [Developer Contributions Strategy | Nottinghamshire County Council](#)

It should be noted that contributions will not be requested as a per dwelling payment as a matter of course. It is the impact of each individual proposal that will need to be assessed on a site-by-site basis to identify what contributions may be needed to make development acceptable.

Schedule for Residential Schemes

Whilst it is unlikely that the majority of development will trigger all of the requirements indicated in the schedule below, they reflect the widest range of common contributions which may be sought. It is therefore important that developers liaise / engage with the LPA through the pre-app and application stages to understand the specific impacts in the location of their proposed development.

Number of Dwelling Units	Site Area (hectares)	Potential areas for inclusion that may be required where need is demonstrated
10 or more		Affordable Housing Community Facilities Education – Primary Only Libraries Open Space – Provision for children and young people Open Space - Natural and Semi-Natural Green Space Open Space – SANGS (within 8.9km radius of Birklands and Bilhaugh SAC
30 or more		Affordable Housing Community Facilities Education – Primary Only Health Libraries Open Space – Provision for children and young people Open Space - Natural and Semi-Natural Green Space Open Space - Amenity green spaces Open Space – SANGS (within 8.9km radius of Birklands and Bilhaugh SAC
50 or more		Affordable Housing Community Facilities Education – Primary Only Libraries Open Space – Provision for children and young people Open Space - Natural and Semi-Natural Green Space Open Space - Amenity green spaces Open Space – SANGS (within 8.9km radius of Birklands and Bilhaugh SAC Transport
100 or more		Affordable Housing

		Community Facilities Education – Primary Only Health Libraries Open Space – Provision for children and young people Open Space - Natural and Semi-Natural Green Space Open Space - Amenity green spaces Open Space - Outdoor sports facilities Open Space – SANGS (within 8.9km radius of Birklands and Bilhaugh SAC) Transport
400 or more		Affordable Housing Community Facilities Education – Primary Only Health Libraries Open Space – Provision for children and young people Open Space - Natural and Semi-Natural Green Space Open Space - Amenity green spaces Open Space - Outdoor sports facilities Open Space - Allotments and community gardens Open Space – SANGS (within 8.9km radius of Birklands and Bilhaugh SAC) Transport
Development of concentrated / multi-tenant housing such as residential care homes, nursing homes, sheltered housing or student accommodation		Health SANGS (within 8.9km radius of Birklands and Bilhaugh SAC)

Transport Statements, Transport Assessments, and Travel Plans – Required evidence in support of planning applications

Type of Development	Transport Statement	Transport Assessment and Travel Plan
Residential	>50 units<80 units	>80 units
Food retail	>250sqm<800sqm	>800sqm
Non-food retail	>800sqm<1500sqm	>1500sqm
Business: Offices other than financial and professional services, research and development – laboratories, studios, light industry	>1500sqm<2500sqm	>2500sqm

General Industry: General industry other than 'Business'.	>2,500sqm<4000sqm	>4000sqm
Storage & Distribution	>3000sqm<5000sqm	>5000sqm
Mixed Development/Sui Generis	Discuss with highway authority	
Financial and professional services	>1000sqm<2,500sqm	>2500sqm
Restaurants and cafes	>300sqm<2500sqm	>2500sqm
Drinking establishments	>300sqm<600sqm	>600sqm
Hot food takeaways	>250sqm<500sqm	>500sqm
Drive-thru restaurants and coffee shops		All cases
Hotels	>75<100 bedrooms	>100 bedrooms
Residential institutions - hospitals, nursing homes	>30<50beds	>50 beds
Residential institutions - residential education: Boarding schools and training centres	>50<150 students	>150 students
Residential institutions – hostels: Homeless shelters, accommodation for people with learning difficulties and people on probation.	>250<400 residents	>400 residents
Non-residential institution: Medical and health services – clinics and health centres, crèches, day nurseries, day centres, consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, training centres, places of worship, religious instruction and church halls.	>500sqm<1000sqm	>1000sqm
Assembly and leisure: Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos, other indoor and	>500sqm<1500sqm	>1500sqm

outdoor sports and leisure uses not involving motorised vehicles or firearms		
Schools: Primary and secondary schools with or without a nursery	Discuss with highway authority	

Source: Nottinghamshire County Council Road Network Policy:

<https://www.nottinghamshire.gov.uk/media/4suhf4wz/12-road-network-policy-3.pdf>

Appendix B – Developer Contributions Calculations (2026)

Contribution Type	Indexation Method	Area within which monies should be spent	Requirement at 2026
Affordable Housing	Calculated on a site-by-site basis		Calculated on a site-by-site basis
Community Facilities	BCIS ³³	Within the vicinity of the development	£2017.21 per dwelling
Education Provision - Primary	See NCC Developer Contributions Strategy	To be agreed in consultation with Nottinghamshire County Council	See: NCC Developer Contributions Strategy: https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy
SEND	See NCC Developer Contributions Strategy	To be agreed in consultation with Nottinghamshire County Council	See: NCC Developer Contributions Strategy: https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy
Health	RPI (ONS)	To be agreed in consultation with the NHS	£1531.48 per dwelling
Libraries (Building costs)	See NCC Developer Contributions Strategy	To be agreed in consultation with Nottinghamshire County Council	Where a contribution is required to increase building capacity the cost will be determined at the time of the planning application and will include both building costs (linked to the BCIS Tender Price Index) and fitting-out costs, including furniture and technology, based upon current fitting-out costs of new provision in Nottinghamshire. See: NCC Developer Contributions Strategy:

³³ The approach takes a mean average across a range of typical community facility types—including community centres, recreational facilities, cafés, village halls, youth clubs, parish halls, faith buildings used for community activities, leisure centres, sports halls and changing rooms—using benchmark build costs drawn from BCIS data.

			https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy
Libraries (Stock)	See NCC Developer Contributions Strategy	To be agreed in consultation with Nottinghamshire County Council	£44.64 per dwelling See: NCC Developer Contributions Strategy: https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/developer-contributions-strategy
Offsite Open Space – Commuted sums			
Allotments and Community Gardens	Index for soft landscaping work category of the BCIS	Within the vicinity of the development	£199.60 per dwelling
Amenity Green Space	Index for soft landscaping work category of the BCIS	Within the vicinity of the development	£458.70 per dwelling
Open Space for Children and Young People	Index for soft landscaping work category of the BCIS	Within the vicinity of the development	£1503.27 per dwelling
Natural and Semi Natural Green Space	Index for soft landscaping work category of the BCIS	Within the vicinity of the development	£166.43 per dwelling
Outdoor Sports Facilities	Index for soft landscaping work category of the BCIS	Within the vicinity of the development	£1195.99 per dwelling
Maintenance of Open Spaces – Commuted sums			
Maintenance of Allotments and	Index for soft landscaping work category		£239.66 per dwelling

Community Gardens	of the BCIS		
Maintenance of Amenity Green Space	Index for soft landscaping work category of the BCIS		£458.46 per dwelling
Maintenance of Public Open Space for Children and Young People	Index for soft landscaping work category of the BCIS		£1671.94 per dwelling
Maintenance of Natural and Semi Natural Green Space	Index for soft landscaping work category of the BCIS		£166.43 per dwelling
Maintenance of Outdoor Sports Facilities	Index for soft landscaping work category of the BCIS		£1861.21 per dwelling

Source: 2013 Figures have, and will continue to be, updated annually in line with indexation using data from the Building Cost Information Service - BCIS