

# Monitoring of Planning Obligations and Community Infrastructure Levy

2015/16 – 2016/17

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Planning

*October 2017*

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## **Local Plan - Authority Monitoring Report**

# **Monitoring of Planning Obligations and Community Infrastructure Levy**

**Financial years 2015/16 and 2016/17**

## 1. Introduction

- 1.1 This document is part of a series of documents which make up the Council's Authority's Monitoring Report (AMR) 2016/17. It is a statutory duty to produce an AMR (previously known as the Annual Monitoring Report). In subsection 113 of the Localism Act 2011 there is a requirement for local authorities to prepare a report which should include information on the implementation of the local development scheme and the extent to which the policies set out in the local development documents are being achieved, and to make it publicly available as soon as available.
- 1.2 Section 106 of the 1990 Town and Country Planning Act gives the Council the power to enter into legal agreements with developers to make acceptable development that would otherwise be unacceptable in planning terms. This may include a requirement for the developer to pay financial contributions to compensate for any loss or damage caused by the development, or to mitigate a development's wider impact. The following sets out the financial contributions to the Council under S106 planning obligations for the financial years of 2015/16 and 2016/17.
- 1.3 Local Authorities are required by Part 8 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Regulation 62 of the Community Infrastructure Levy Regulations 2010 (as amended) to report on the Community Infrastructure Levy contributions. Regulation 62 of the CIL Regulations requires a Charging Authority to:

Prepare a report for any financial year ("the reported year") in which:

- a) it collects CIL, or CIL is collected on its behalf; or
- b) an amount of CIL collected by it or another person on its behalf (whether in the reported year or any other) has not been spent."

## 2. Planning obligation monies

2.1 Planning obligations agreed between a developer and the Council are set out legally in an agreement under S106 of the Town and Country Planning Act 1990 and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms.

**Table 1: Monies received from planning applications in year 2016/17**

Type of obligation	Number of heads of terms	Money received
Affordable Housing	21	£1,692,587.31
Community	1	£70,105.90
Education	12	£766,939.42
Environment	1	£13,464.00
Health	9	£52,806.67
Monitoring	36	£61,693.19
Public Realm	9	£94,119.74
Transport	11	£373,241.09
<b>TOTAL</b>	<b>100</b>	<b>£3,124,957.33</b>

The following obligations were contributions of £100,000 or more for any particular element.

- £965,000.00 received from Ancaster House, Richmond for Affordable Housing
- £305,199.00 received from Royal Star And Garter Home, Richmond for Education
- £261,383.28 received from Brewery Wharf (former sorting office), Twickenham for Education
- £145,883.14 received from Former Waterside Business Centre, Twickenham for Transport
- £119,410.33 received from 71 Richmond Road, Twickenham for Affordable Housing
- £101,267.00 received from 351 Richmond Road, Twickenham for Affordable Housing

**Table 2: Monies received from planning applications in year 2015/16**

Type of obligation	Number of heads of terms	Money received
Affordable Housing	21	£1,446,023.73
Education	19	£477,990.03
Health	12	£42,622.95
Monitoring	29	£82,276.44
Public Realm	14	£259,055.08
Transport	22	£840,882.86
<b>TOTAL</b>	<b>117</b>	<b>£3,148,851.09</b>

The following obligations were contributions of £100,000 or more for any particular element.

- £650,000.00 received from Brewery Wharf, Twickenham for Affordable Housing
- £462,536.00 received from Royal Star And Garter Home, Richmond for Transport
- £255,572.00 received from Brewery Wharf, Twickenham for Education
- £185,000.00 received from 37 Hamilton Road, Twickenham for Affordable Housing
- £104,672.40 received from Royal Star And Garter Home, Richmond for Public Realm
- £100,000.00 received from Whistle Stop, Hampton Court Road for Affordable Housing

## 3. Mayoral Community Infrastructure Levy

- 3.1 The Mayor of London Community Infrastructure Levy (CIL) applies to most new developments across Greater London that are granted planning permission on or after 1 April 2012. The Levy raises money towards Crossrail and is collected by the London boroughs on behalf of the Mayor.
- 3.2 The Mayoral CIL charge is **£50 per square metre (indexed)** in the London Borough of Richmond upon Thames. CIL is calculated according to the amount of net additional floorspace a new development will produce. The Council collects the payments on behalf of the Mayor once development commences. Further information on the Mayoral CIL can be found on the Council's website<sup>1</sup>.
- 3.3 The Mayor publishes details of CIL Receipts by London borough in his [Biennial Review](#).

## 4. Borough Community Infrastructure Levy

- 4.1 The Borough's CIL Charging Schedule came into effect from 1 November 2014. The Borough CIL charges apply to relevant development approved after this date and it allows the Council to raise funds from developers undertaking new building projects in the borough to support and fund new infrastructure that the Council and local communities want. The Borough CIL operates in conjunction with the Council's Planning Obligations SPD<sup>2</sup> and the Affordable Housing SPD<sup>3</sup>. More information can be found on the Council's website<sup>4</sup> including the Regulation 123 List<sup>5</sup> which lists the projects that the Council may intend to spend Borough CIL monies on.

## 5. CIL Income and Expenditure

- 5.1 The Council is required to publish reports on the amount of Borough CIL collected and spent annually before 31 December following the end of the relevant financial year. These stand-alone reports are available for download on the Council's website at:  
[https://www.richmond.gov.uk/borough\\_cil\\_and\\_planning\\_obligations](https://www.richmond.gov.uk/borough_cil_and_planning_obligations)

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<sup>1</sup> [www.richmond.gov.uk/community\\_infrastructure\\_levy/mayoral\\_cil.htm](http://www.richmond.gov.uk/community_infrastructure_levy/mayoral_cil.htm)

<sup>2</sup> [www.richmond.gov.uk/planning\\_obligations\\_spd\\_july\\_2014.pdf](http://www.richmond.gov.uk/planning_obligations_spd_july_2014.pdf)

<sup>3</sup> [www.richmond.gov.uk/affordable\\_housing\\_spd.htm](http://www.richmond.gov.uk/affordable_housing_spd.htm)

<sup>4</sup> [www.richmond.gov.uk/borough\\_cil\\_and\\_planning\\_obligations](http://www.richmond.gov.uk/borough_cil_and_planning_obligations)

<sup>5</sup> [www.richmond.gov.uk/regulation\\_123\\_list.pdf](http://www.richmond.gov.uk/regulation_123_list.pdf)