

South Worcestershire **Developer Contributions** Supplementary Planning Document

South Worcestershire
Development Plan Review 2021–2041

Adopted June 2026



South Worcestershire Developer Contributions Supplementary Planning Document

Malvern Hills District Council, Worcester City Council
and Wychavon District Council

June 2026



Contents

1. Introduction.....	5
Purpose and scope of this document	5
Part One: Securing Developer Contributions	7
2. Legislative Framework.....	8
Section 106 of the Town and Country Planning Act 1990 (as amended).....	8
CIL Regulations 2010 (as amended)	8
National Planning Policy	9
Local Plan Policy	10
South Worcestershire Infrastructure Delivery Plan (2024)	10
Supplementary Planning Documents	10
Other relevant documents	10
3. Types of Developer Contributions	11
Planning Obligations	11
Community Infrastructure Levy (CIL)	11
Section 38 / Section 278 Highway Act 1980.....	13
Planning Conditions	13
Planning Obligations	13
4. Process	15
Pre-Application Discussions.....	15
Planning Applications	15
Cross-Boundary Applications	15
Viability.....	16
Securing Timing of Payments and the delivery and completion of works	17
Fees 18	
Monitoring and Review.....	18
Enforcement	19
Indexation	19
Part Two: Planning Obligations Guidance	20
5. Planning Obligations Guidance	21
Introduction	21
Affordable Housing.....	21

6. Open Space and Playing Fields Contributions (SWDPR 49: Provision of Open Space and Outdoor Community Uses in New Development and SWDPR 50: Playing Fields) ..	22
Introduction	22
Playing Fields (SWDPR 50)	25
7. Malvern Hills SSSI Mitigation Strategy (SWDPR 07) and Areas of Informal Recreation (SWDPR 32)	27
Malvern Hills SSSI Mitigation Strategy (SWDPR 07).....	27
Areas of Informal Recreation (AIRs) (SWDPR 32)	27
8. Transport Contributions	29
Introduction	29
South Worcestershire Development Plan Infrastructure Delivery Plan (Transport)	29
Policies and Objectives	30
Approach to S106 Developer Contributions for Transport.....	30
Introduction	30
Contributions Methodology	31
9. Education Contributions	33
Introduction	33
Justification.....	33
Assessing Impact on Early Years Places in Worcestershire	33
Assessing Impact on State Funded School Places	34
Identifying Related Schools.....	35
Calculating the Level of Contribution at an Existing Provider	36
Exemptions	36
Calculating the Level of Contribution When a New School is required	37
Payment of contributions.....	37
Disbursement of Monies.....	38
10. Flood Risk and Surface Water Management Contributions.....	39
Introduction	39
Approach to Section 106 Agreements.....	39
Phasing of Drainage and Flood Risk Management Planning Obligations	40
Maintenance of flood risk management and drainage infrastructure.....	40
11. Health Contributions.....	42
Introduction	42
Primary Healthcare	43

Policy Framework for seeking Primary Health Contributions	43
Scale and Type of Contributions.....	43
Related GP Practices	44
Exemptions	46
Procedure for agreement and payment of contributions towards Primary Healthcare	46
Disbursement of Monies.....	47
Secondary Healthcare.....	47
Demand for Acute Hospital Services, Secondary and Tertiary Care	47
The role of the Local Planning Authority	48
Policy Framework for seeking Secondary Health Contributions	49
Scale of Contributions	50
Procedure for agreement and payment of contributions towards Secondary Healthcare	51
Disbursement of Monies.....	52
12. Built Community Facilities (SWDPR 47)	53
Indoor Built Facilities	53
Community Centres and Village Halls	53
13. Other Planning Obligations	56
Local Economic Benefits from Development	56
Biodiversity Net Gain	57
Other Areas.....	57
Annex A: Example of Commuted Sum Maintenance Costs	58
Annex B: Example Open Space Scenario Calculations	59
Annex C: Example Primary Healthcare Developer Contribution	61
Appendix 1: SWDPR Policies which are of relevance to this SPD	63

1. Introduction

- 1.1. Well planned development that provides physical, social and green/blue infrastructure offers great benefit to new and existing communities. Whilst development provides much-needed homes, workplaces and facilities and stimulates economic growth, development of all scales can increase demand for affordable housing, health and education, and put additional pressure on the highway network and can create additional demand at sports and recreational facilities. Developments can also create additional recreational pressure on important and valued ecological sites which needs to be mitigated appropriately to make the development acceptable in overall planning terms. It must be ensured that the impacts of new development in South Worcestershire are appropriately mitigated through the use of planning obligations and that such development provides the necessary physical, social, and green/blue infrastructure to the community as a whole and thereby create sustainable developments.
- 1.2. A commitment to ensuring that necessary infrastructure is provided to support development is a strong theme throughout the South Worcestershire Development Plan Review (SWDPR) (2026) and is embedded in the Vision, Objectives and many topic and site allocation policies. The SWDPR's Infrastructure Delivery Plan evidence base identifies the physical, social, and green/blue infrastructure required to support the planned growth in south Worcestershire.
- 1.3. Many developments in south Worcestershire are small-scale. Their cumulative effect is a gradual but potentially significant impact on the infrastructure requirements across urban and rural parts of south Worcestershire. A mechanism to share the burden fairly is therefore particularly important if development is to be accompanied by adequate additional infrastructure. Developer contributions can only be required to fund infrastructure whose need is generated by the proposed development. The purpose of developer contributions is to mitigate the direct impacts of new development, not to fix pre-existing infrastructure deficiencies.
- 1.4. In order to help ensure that future development is matched by the necessary infrastructure, policy SWDPR10: Infrastructure requires that all development either provides or makes a contribution towards the provision of infrastructure needed to support it. National planning policy exempts some types of development from paying developer contributions and this SPD cannot apply to development that is specifically excluded from contributing to off-site infrastructure by national planning policy.

Purpose and scope of this document

- 1.5. This Developer Contributions SPD is an update to the SPD adopted in 2018 and sets out the SWC's proposed approach to seeking developer contributions as required by SWDPR10: Infrastructure, generated by development proposals. This document is intended to help all interested parties including developers, planning agents and the

general public by providing clarification about when planning obligations will be expected and how developer contributions will be used.

- 1.6. All development has the potential to impact on the environment and put pressure on local infrastructure and services. Planning agreements include obligations on those that are party to the agreement, they are legally binding agreements secured through the granting of planning permission, with developers and the local planning authority working together to deliver positive benefits for communities, the local environment, mitigation measures or contributions towards directly related infrastructure improvements.
- 1.7. The introduction of the Community Infrastructure Levy (CIL) Charging Schedules by the South Worcestershire Councils (SWC) in 2017 means that some infrastructure contributions will now be made in the form of CIL payments.
- 1.8. Planning conditions can also be used by local planning authorities when granting planning permission to control, mitigate, or enhance a development's impact. Planning conditions allow development to proceed that might otherwise be unacceptable, mitigating adverse effects on the area, but a planning condition cannot be used to secure financial contributions.
- 1.9. This SPD therefore aims to provide:
 - An overview of the SWC planning policy approach to securing mitigation through planning conditions, planning obligations (Section 106, Section 278 and Section 38 agreements) and CIL;
 - Clarification about the relationship between planning conditions, planning obligations, and CIL;
 - Guidance on the type and nature of planning obligations that may be sought, and the basis for the sums sought (including policy basis and procedures, methodology of calculation, timing, and process of collection); and
 - A clear mechanism to help ensure the timely provision of infrastructure to support growth.
- 1.10. This SPD is split into two main sections. Part One sets out the overall approach to securing planning obligations. It explains how the SPD complies with national and local policy, and deals with procedural matters relating to securing planning obligations. Part Two sets out the specific types of obligations that the SWCs may seek to secure from development. It identifies the relevant policy basis, types of development to which the obligation may apply, any thresholds over which the obligation may be sought, and where possible, the basis on which the level of obligation will be calculated.

Part One: Securing Developer Contributions

2. Legislative Framework

Section 106 of the Town and Country Planning Act 1990 (as amended)

- 2.1. Section 106 of the Town and Country Planning Act 1990 (as amended) includes a power which allows any person with an interest in land to enter into a planning obligation which may:
- Restrict the development or use of land in a specific way;
 - Require specific operations to be carried out;
 - Require the land to be used in a specific way; and/or
 - Require a sum or sums of money to be paid to the local authority.
- 2.2. Section 106 agreements are legal agreements, typically made between the local planning authority and the landowner/developer (but may also include other interested parties) in order to require the landowner/developer to do something in connection with the development taking place on their land that could not be secured by imposing a planning condition or by using other statutory means. S106 planning obligations are an established and recognised part of the planning system. They can enhance the quality of a development and enable proposals to go ahead which might otherwise be unacceptable if such provision was not made.

CIL Regulations 2010 (as amended)

- 2.3. The CIL Regulations came into force on 6 April 2010. Regulation 122 of the Regulations sets out the statutory tests for planning obligations, namely that they should only be sought where they are:
- 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.
- 2.4. Local Authorities may decide whether to adopt CIL. All three of the SWCs have adopted CIL.

National Planning Policy

- 2.5. The principle that a development should bear a proportion of the cost of facilities, for which it creates a need, is supported in Government policy. The National Planning Policy Framework (NPPF) provides Government current policy on planning obligations. The NPPF is supported by Planning Practice Guidance which is regularly updated. This also includes guidance on planning obligations.
- 2.6. The NPPF (December 2024) requires local authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. It also reiterates the statutory tests as set out in the CIL Regulations, setting them out as policy tests.
- 2.7. Furthermore, the NPPF (December 2024) states at paragraph 59 that: *‘Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be 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. 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. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.’*
- 2.8. Planning Practice Guidance also sets out detailed guidance on planning obligations¹. It places emphasis on ensuring that the package of developer contributions, which includes the Community Infrastructure Levy, Section 106 contributions and planning conditions, does not adversely affect the viability of development.
- 2.9. The NPPF states that there should be a presumption in favour of sustainable development and, as such, the principal objective of the planning system is to deliver sustainable development. So as not to prevent sustainable development, policies seeking obligations must be grounded in an understanding of development viability. Local authorities must be willing to negotiate on planning obligations based on scheme viability evidence and specific site circumstances. Further details in respect of viability and deliverability can be found within the NPPF.
- 2.10. The SWC will only seek developer contributions where national planning regulations, policy or guidance are satisfied. Any attempt to negotiate, agree, collect or enforce any planning obligation which is contrary to this would be liable to challenge either via an appeal to the Planning Inspectorate or in the High Court.

¹ <https://www.gov.uk/guidance/planning-obligations>

Local Plan Policy

- 2.11. This SPD provides further information on the implementation of SWDPR policies which seek to ensure that development is sustainable and makes a proportionate contribution to the infrastructure requirements identified in the South Worcestershire Development Plan Infrastructure Delivery Plan (SWIDP). The SWDPR policies relating to infrastructure provision are set out in Appendix 2 of this SPD.

South Worcestershire Infrastructure Delivery Plan (2024)

- 2.12. The Infrastructure Delivery Plan (SWIDP) examines the physical, social and green/blue infrastructure provision that exists within south Worcestershire and then identifies any gaps or capacity issues within this existing provision. The latest IDP (2024) was produced to inform the preparation of the SWDPR, however it is a 'living' document that is periodically updated. Future updates to IDPs, where related to the adopted SWDPR, can be used as indicative guides to inform provision requirements, once produced.
- 2.13. In determining whether planning obligations are required to make a proposed development acceptable in planning terms, the SWC will have regard to the infrastructure requirements identified in the SWIDP.

Supplementary Planning Documents

- 2.14. Several other SPDs are being produced/updated to give further guidance on implementing the SWDPR policies. Affordable Housing contributions are not included within this SPD as they are set out in the South Worcestershire Affordable Housing SPD.

Other relevant documents

- 2.15. Worcestershire County Council: Education Planning Obligations Policy - In determining whether a contribution is justified, the SWC will have regard to the most recently adopted policy document 'Education Planning Obligations Worcestershire' as a material consideration. Early engagement with Worcestershire County Council and the Local Planning Authority (LPA) should be undertaken to ensure that necessary education contributions are secured (See Chapter 9 for further guidance on Education Contributions).
- 2.16. Worcestershire County Council: Local Transport Plan (2018-2030) - This LTP represents an ambitious investment programme in Worcestershire's transport networks, including

infrastructure, technology and services which are essential to support planned growth, to ensure continued social and economic success as a highly desirable place to live, work and visit (please see Chapter 8 for further guidance on Transport contributions). The latest version of the Local Transport Plan should be taken into consideration where relevant.

3. Types of Developer Contributions

Planning Obligations

- 3.1. A planning obligation is secured by either a deed of agreement or a unilateral undertaking made under planning legislation (Section 106 of the Town and Country Planning Act 1990 (as amended)) in association with a planning permission for new development. It is normally applied to aspects of development that cannot be controlled by imposing a planning condition or by the use of other statutory controls.
- 3.2. Planning obligations are legally binding and enforceable if planning permission is granted. The obligations remain with the title holder of the land in question. They can cover almost any relevant issue such as the provision and funding of types of infrastructure or services and future maintenance.
- 3.3. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition (NPPF December 2024, paragraph 56).
- 3.4. In addition, CIL Regulation 122 states that the use of planning obligations should only be sought where they meet all of the following three tests:
 - They are necessary to make a development acceptable in planning terms;
 - They are directly related to a development; and
 - They are fairly and reasonably related in scale and kind to the development.
- 3.5. Planning obligations are linked to the land within the planning application, rather than the person or organisation that develops the land. It is, therefore, recorded as a land charge, and obligations under it run with the land ownership until they are fully complied with.
- 3.6. It should be noted that where Neighbourhood Plan policies apply, they are not expected to seek contributions in excess of the Local Plan policy requirements. Any policies that might seek to do so must be the subject of a Neighbourhood Plan viability assessment.

Community Infrastructure Levy (CIL)

- 3.7. CIL is a levy which allows local authorities to fund infrastructure by charging on new development in their area. The SWC have been charging CIL since 2017, with each

individual LPA being a separate charging authority. The contributions raised by CIL go towards the costs of infrastructure provision.

- 3.8. CIL was formally adopted by MHDC and WDC with effect from Monday 5th June 2017 and formally adopted by WCC with effect from Monday 4th September 2017.
- 3.9. Once adopted CIL is fixed, non-negotiable and enforceable. The principle is that all eligible developments must pay the CIL charge, alongside any S106 planning obligations; the CIL charging rates are based on viability testing, and an identified need for infrastructure. The process for securing CIL payments is set out in the Charging Schedule for each Council and is summarised in the table below. Further information can be found on each of the SWCs websites and in the CIL element of the Planning Practice Guidance.
- 3.10. A new CIL Charging Schedule has been consulted on in February and March 2026 and it is expected that this will be examined in Spring 2026 with adoption in mid-2026. This update aligns the draft CIL Charging Schedule with the South Worcestershire Development Plan Review (SWDPR) 2021–2041 and reflects new viability evidence and legislative changes.
- 3.11. The identification of infrastructure projects for the spending of CIL is now required to be set out in the Councils' Infrastructure Funding Statements (IFS). Each Council produces an Infrastructure Funding Statement annually in order to indicate its priority infrastructure projects to be financed from CIL income over a specified 12-month period, 1 April to 31 March the following year.
- 3.12. CIL monies are intended to provide for infrastructure support rather than specifically to make development proposals acceptable in planning terms. Government guidance specifies that site specific mitigation will still be sought through the use of planning obligations.
- 3.13. CIL is payable at the rates set out for the types of development in the Charging Schedule (index linked) once development has commenced. As of 31st March 2025, approximately £7.45 million of CIL had been collected by the SWCs since the charging schedules came into effect. Table 1 below provides a summary of the CIL and S106 collected for the latest monitoring year.

Table 1: CIL and S106 collected by the SWCs in 2024/25		
LPA	CIL Contributions	S106 Contributions
Malvern Hills District Council	£1,132,060.54	£1,609,314.86
Worcester City Council	£0	£207,011
Wychavon District Council	£642,288.22	£1,369,113.17
Total	£1,774,348.76	£3,185,439.03

Section 38 / Section 278 Highway Act 1980

- 3.14. Worcestershire County Council as the local Highway Authority may also use Section 38 or Section 278 of the Highway Act 1980 to secure developer funding for off-site highway works necessary to ensure adequate access arrangements are provided to the proposed development. Sections 38 and 278 of the Highways Act 1980 provide for legal agreements between developers and local highway authorities in England. Section 38 enables the adoption (taking over) of new, privately constructed roads as public highways. Section 278 covers developer-funded modifications or improvements to the existing public highway network. These agreements are an alternative form of planning obligation.

Planning Conditions

- 3.15. A planning condition may be attached to the approval of a planning application by an LPA. Planning conditions permit development to take place if certain circumstances are satisfied.
- 3.16. Planning conditions cannot require the transfer of land ownership or the payment of monies. They are attached to planning permission and set out details or required standards, timeframes and works which must be carried out at prescribed stages in the development process. They may also require further details to be submitted in order to make a proposal acceptable in planning terms.
- 3.17. The NPPF (2024) paragraph 57 states that planning conditions should only be attached to a planning permission where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
- 3.18. Where there is a choice between imposing planning conditions and entering into a planning obligation to manage the impacts of a new development, the use of planning conditions is always preferable. However, planning conditions:
- Cannot be used to secure financial contributions;
 - Cannot be used in relation to land outside the application site; and
 - Can be appealed by the applicant if they believe them to be unreasonable.
- 3.19. Where the above restrictions cause an issue in appropriately mitigating the impact of development; the LPA may use a planning obligation.

Planning Obligations

- 3.20. The relevant LPA will assess each application to determine if a planning obligation is needed and if so, what it should address. It will do this in consultation with other public

bodies responsible for infrastructure provision. Worcestershire County Council, for example, is a major provider of services and infrastructure.

3.21. The LPA, and other key agencies, will use planning obligations to:

- Secure general planning requirements that are necessary to allow the development to be permitted and where this cannot be achieved by way of planning conditions;
- Ensure that there is satisfactory infrastructure to allow the development to proceed and that the infrastructure provided will be maintained; and
- Offset relevant adverse impacts, for example, on the environment, education, social, emergency services, recreational and community facilities and transport that arise from the development where the impact might otherwise have been refused because of those adverse impacts.

4. Process

Pre-Application Discussions

- 4.1. Developers are advised to enter into discussions with the relevant LPA and other infrastructure providers including Worcestershire County Council as early as possible and in all cases prior to submitting a planning application.
- 4.2. Where planning applications and associated planning obligations are more complex, it is preferred that negotiations occur, and agreement on Heads of Terms is achieved, prior to the submission of a planning application. Pre-application discussions can help to resolve potential problems and issues which may otherwise delay the determination of a planning application.

Planning Applications

- 4.3. Development Management teams may be able to provide advice that will reduce the impact of proposed development and minimise the need for mitigation via planning obligations. On-site mitigation measures will in most cases offer the best solution and are the preferred option. Contributions to off-site mitigation will only be acceptable where it can be clearly demonstrated that on-site mitigation is impractical or impossible. The Development Management case officer will consider the requirements as outlined in this SPD, the South Worcestershire Affordable Housing SPD, any other applicable SPDs, and CIL Charging Schedule, as well as the infrastructure needs identified within the most recent IDP.
- 4.4. The Development Management case officer will seek advice from other council officers, other infrastructure providers and stakeholders in relation to the need and size of planning obligations. When dealing with outline applications the SWC may use the standard housing mix set out in the South Worcestershire Affordable Housing SPD as an indicator of the requirements for planning obligations.
- 4.5. In relation to planning obligations, Draft Heads of Terms for a Section 106 legal agreement should be submitted with the planning application, setting out the type and extent of necessary planning obligations.

Cross-Boundary Applications

- 4.6. Where a planning application site falls partly in another LPA area the Council will, as far as possible, work to coordinate proportionate planning obligation requirements with that

authority. If, however, agreement cannot be reached, the Council will seek obligations for the portion of the site that falls within that Councils boundary. There may also be occasions where the location and size of a proposed development will necessitate direct engagement with local authorities for neighbouring counties in order to identify cross-boundary impacts of new development on strategic infrastructure, and to agree the scope and cost of necessary mitigation requirements and delivery mechanisms.

Viability

- 4.7. Each Council will seek to secure a fair and reasonable developer contribution without adversely affecting the ability for new development to take place across south Worcestershire. Paragraph 59 of the NPPF (December 2024) emphasises the need for consideration of viability and costs in plan making and decision taking processes. It is recognised that some development proposals may be unable to meet all of the relevant policy and planning obligation requirements while remaining economically viable and deliverable, either in whole or part.
- 4.8. Where this is the case, the relevant Council will consider a request from the developer, applicant, or landowner to reduce the level of planning obligations on the basis that it is not financially viable to provide or pay (whether in part or full) of any Section 106 planning obligation requirements or charges deemed necessary and appropriate.
- 4.9. Planning Obligations are negotiated between the relevant Council and developers on a case-by-case basis. Where developers consider that planning obligations will make development unviable, they will need to make a submission to the case officer, which should include the following:
 1. A financial viability appraisal setting out how they are unable to meet the full planning policy requirements (including the number and tenure of affordable homes) deemed necessary to be secured through a Section 106 Agreement and any CIL charges. This appraisal should utilise the Homes England's Development Appraisal Tool², or another suitable model as agreed with the Council and should include:
 - a. A quantity surveyor's cost assessment;
 - b. Market evidence of sales rates and site values;
 - c. A development and sales programme (if relevant);
 - d. Details of any exceptional development costs; and

² <https://www.gov.uk/government/publications/development-appraisal-tool>

- e. The expected CIL charge showing payments required in accordance with the instalments policy.
 - 2. A statement outlining the benefits and risks of not meeting the policy requirements and the site not being delivered immediately.
- 4.10. Such requests must clearly demonstrate to the Council what the developer, applicant or landowner is prepared to fund in terms of planning obligations, the reasons why the development cannot support the full planning obligation requirements (such as high abnormal costs), including comprehensive evidence detailed above in order for the appropriate Council to take it into account as a material consideration.
- 4.11. Developers will be required to work on a fully 'open book' basis and the Economic Viability Assessment must contain prices, costs and assumptions that reflect the proposed development including anticipated sales prices supported by comparable market evidence and costs supported by tendered quotations or BCIS data.
- 4.12. The SWC are under no obligation to accept a reduction in the required level of planning obligations and may ultimately refuse the planning application if the applicant will not provide these. If it can be demonstrated that a scheme is unable to fund the required contributions and this is accepted by the appropriate Council, then the Council will consider the cumulative benefits of the scheme. The Council will also consider how the need for required obligations can/may be met from an alternative source than the developer with a view of negotiating a reduced requirement from the scheme.
- 4.13. Based on the independent financial viability advice and other evidence such as transport modelling or demand for school places, planning obligations may be deferred, phased or discounted, where this would not make the development unacceptable in planning terms. The applicant will be expected to pay the Council's costs for independent review of the applicant's viability assessment, or other impact assessments.

Securing Timing of Payments and the delivery and completion of works

- 4.14. To ensure the occupants of new dwellings are able to access necessary infrastructure and/or are not inconvenienced by, for example, partially completed access roads, conditions will be attached to approved development that require completion of infrastructure to be operational no later than the appropriate phase of the development for which it is needed. This is in accordance with the requirements set out in policy SWDPR10. If these conditions are not adhered to during the construction phase of the development, it should be anticipated that enforcement action will be taken by the

relevant SWC which will have adverse implications for the sale of the remaining dwellings on the development.

- 4.15. With regard to the adoption of highways, any Section 106 or Section 38 or 278 (Highways Act 1980) agreement should seek to ensure that the road network is open for use by the public before first occupation.
- 4.16. Financial contributions (apart from legal costs, which are usually paid prior to the completion of the agreement), and standard administration charges will need to be paid prior to the implementation of planning permission or in accordance with a programme of agreed stage payments. The phasing and implementation of the infrastructure will normally be agreed during the course of pre-application discussions, or as part of the application process, and planning conditions will therefore be a formal means of recognising a mutually agreed timetable between the developer and the local planning authority.
- 4.17. Financial contributions paid to Worcestershire County Council (i.e. those relating to highways and education and relevant administration and monitoring fees) will be subject to a different process and developers are advised to refer to Worcestershire County Council's guidelines or contact the County Council for further information. Education and transport contributions should be sent directly to Worcestershire County Council. Open Space contributions should be sent to the relevant local planning authority, unless agreements state otherwise.

Fees

- 4.18. The relevant Council's legal costs of preparing a Planning Obligation will be borne by the applicant. These costs will be based on an hourly rate and will depend on the complexity of the agreement and the length of time taken to settle the draft and proceed to completion. The Council will therefore require developers to provide a 'cost undertaking' to pay for the Council's reasonable fees, prior to it being able to instruct its acting solicitors. It should be noted that the Council's reasonable fees will need to be met even if the planning obligation is not completed.
- 4.19. Standard unilateral undertakings will be subject to an administration charge covering legal costs and if necessary, the transfer of money to third parties.

Monitoring and Review

- 4.20. The SWC and Worcestershire County Council will monitor planning obligations to ensure they are complied with and delivered on time. Monitoring fees will be charged in order to undertake such work. The monitoring fee will be derived using a formula that considers

the complexity of the agreement (the number of obligations in a particular agreement), the number of officer hours required at the monitoring officer's salary rate and the number of years it is estimated that monitoring will be required for a particular development.

- 4.21. The SWC will publish information annually on the number and value of planning obligations and CIL receipts and how they have been spent. This information will be published on the Councils' websites through the Infrastructure Funding Statements.

Enforcement

- 4.22. Enforcement action will be taken where planning conditions or planning obligations are not complied with by the applicant or developer. Payment of financial contributions will be in accordance with the trigger points in Section 106 Agreements. Late payment will trigger a reminder letter and the relevant Council will consider pursuing appropriate legal action to recover unpaid amounts, including interest and legal fees.
- 4.23. Where there is evidence of non-compliance with a Planning Obligation (such as the non-payment of financial contributions, failure to comply with an obligation, or failure to notify the relevant Council of a due payment or event as required), the Council will seek to recover all reasonable administration costs incurred. This could include, for example, site visits, the recovery of any unpaid monies and / or correspondence.
- 4.24. If it is clear that matters within the planning obligation are not being complied with, the Councils Legal Team may be instructed to take appropriate action to secure compliance.

Indexation

- 4.25. Contributions are based upon the costs of infrastructure. Financial contributions will therefore be indexed (i.e. index-linked to inflation) to ensure that they retain their 'original' real value. The base date and appropriate index to be applied will be set out in the legal agreement.
- 4.26. Where a formula has been set for the calculation of contribution levels (e.g. contractor rates), any cost figures will be updated periodically to take account of inflation and are the sums required at the time of negotiation.
- 4.27. Retail Price Index (RPI) will normally be used to calculate any index linked increases to developer financial contributions.

Part Two: Planning Obligations Guidance

5. Planning Obligations Guidance

Introduction

- 5.1. This section provides details of the most common types of planning obligations the SWC are likely to secure from development and how it identifies with 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 sought. Contributions covered by this SPD relate primarily to residential developments. Non-residential development requirements, such as those associated with retail and commercial development will be considered on a case-by-case basis.
- 5.2. The following paragraphs provide information on infrastructure requirements and the proposed method of calculating planning obligations. Where tariff style contributions are proposed the explanation below sets out how the maximum possible contribution will be calculated. Any sums sought or secured will have to be in accordance with the nationally set tests for planning obligations and therefore the actual contributions required may be less (or zero) than that suggested by the calculations set out below.
- 5.3. The methodology used complies with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 58 of the National Planning Policy Framework (2024).

Affordable Housing

- 5.4. Affordable Housing contributions are not included here as they are set out in the South Worcestershire Affordable Housing SPD. There may be other types of infrastructure that may be sought through planning obligations on a case-by-case basis. There may also be applications where the full range of contributions may not be necessary, for example, where there is capacity in local infrastructure provision to match the needs arising from a development proposal.
- 5.5. Affordable housing units will be included in the total net number of dwellings to determine if a threshold for a developer contribution has been reached. Please refer to each section of the SPD for details of where affordable housing exemptions have been applied.

6. Open Space and Playing Fields Contributions (SWDPR 49: Provision of Open Space and Outdoor Community Uses in New Development and SWDPR 50: Playing Fields)

Introduction

- 6.1. In accordance with the standards set out in policy SWDPR49: Provision of Open Space and Outdoor Community Uses in New Development, residential and mixed-use development proposals of 10 dwellings or more should make provision for Open Space and outdoor community uses as set out in Table 2 below, together with secure arrangements for its long-term management and on-going maintenance.

Table 2: Open Space Quantity and Access Standards		
Typology	Open Space Quantity Standards (ha/1,000 population)	Access Standards
Allotments	0.3	720 metres or 15-minute walk time
Amenity Green Space (sites > 0.15ha)	0.7	600 metres or 12–13-minute walk time
Parks and Recreation Grounds (public and private)	0.5	600 metres or 12–13-minute walk time
Play Space (Children)	0.05	600 metres or 12–13-minute walk time
Play Space (Youth)	0.05	720 metres or 15-minute walk time
Natural Green Space	1.0	920 metres or 20-minute walk time
Playing Pitches	No prescribed quantity and accessibility standards.	Refer to SWDPR 50: Playing Fields
Total Provision	2.60ha/1,000 population	

- 6.2. Requirements for new and improved formal sports pitches will be assessed as per the requirements of SWDPR 50 – Playing Fields (see section below).
- 6.3. Where new provision of open space is made either within a development or elsewhere, developers will also be required to provide secure arrangements for its future management and maintenance. Future maintenance of new open space may be secured by a variety of means, including by a management company and estate management charges or by adoption of the land by a local authority. If a developer seeks the adoption of open space, then this will be negotiated with the relevant council service manager. In most cases the local authority will require a commuted sum to fund future maintenance

for at least 20 years from the date of adoption. An example of a commuted sum calculation is provided at **Annex A**. This is only an example as the characteristics of each new open space will vary as will the future maintenance costs and therefore each adoption agreement will be negotiated on the basis of the bespoke costs associated with the piece of open space to be adopted.

- 6.4. The requirements for types of new open space set out in policy SWDPR 49 can be provided within development sites and this may be a requirement for the approval of large housing developments. The total amount of Open Space / outdoor community uses will be provided within the overall quantum of green infrastructure required by SWDPR 07. Where it is not possible to provide open space within a development *and* there is no local surplus of a particular type of open space (as assessed against the Open Space Assessment Evidence Base), developer contributions for off-site provision will be calculated as informed by tables 3 to 5 below:

Table 3: Open Space Costs					
Typology	A: Standard per person (sq. m)	B: Cost of provision (£/sq. m)³	C: Contribution per person (£) (A x B = C)	D: Cost per 1,000 residents	E: Cost per dwelling⁴
Allotments	3	£26.81	£80.42	£80,420.00	£188.78
Parks and Recreation grounds	5	£111.53	£557.64	£557,640.00	£1,309.01
Play Space (Children)	0.5	£202.51	£101.26	£101,260.00	£237.70
Play Space (Youth)	0.5	£202.51	£101.26	£101,260.00	£237.70
Amenity green space	7	£24.29	£170.02	£170,020.00	£399.11
Natural Green Space	10	£24.29	£242.88	£242,880.00	£570.14
Playing Pitches	N/A – Refer to SWDPR 50: Playing Fields				
Total	26	N/A	£1,253.48	£1,253,480.00	£2,942.44
<i>*Costs are as of December 2024</i>					

³ Costs derived from the Open Space Assessment (2021), as updated for inflation (December 2024).

⁴ 426 homes per 1,000 residents - average across the three South Worcestershire Councils.

Table 4: Land Acquisition Costs

Land Acquisition Costs (Greenfield Sites)	Hectares per 1,000 resident population	Cost per 1,000 residents	Cost per dwelling ⁵
	2.60 x £28,416.50	£ 73,882.90	£173.43

**Costs are as of Q1 (Apr-Jun) 2025*

6.5. Land acquisition cost estimates (greenfield sites) have been calculated using average costs for arable farmland. In Q1 2025 (West Midlands)⁶, arable farmland was £11,500 per acre. With 2.471 acres in a hectare, this results in £28,416.50 a hectare, which results in £173.43 per dwelling when calculated against the open space provision standard (2.60 ha per 1,000 population). Where applicable, brownfield land acquisition costs will be assessed on a case-by-case basis. Land acquisition costs will not apply to all scenarios relating to open space contributions.

Table 5: Commuted Sums for adoption of Public Open Space

Maintenance costs per hectare per year	£16,626.03
Maintenance costs for 2.60 hectares x £16,626.03	£43,227.68
Maintenance costs over 20 years = 20 x £43,227.68	£865,553.60
Commuted sum per dwelling = £865,553.60 ÷ 426 ⁷	£2,031.82

**Costs are as of 2017, with CPI updates to 01/04/2025*

Total (maximum) open space cost per dwelling: **£5,147.69**

*(Open Space Costs **£2,942.44** + Land Acquisition Costs **£173.43** + Commuted Sums **£2,031.82**)*

Discounts applicable to the Open Space Costs (where off-site provision is required)

6.6. Where applicable, the following discounts can be applied to the open space costs set out above (on typology provision (Table 3), land acquisition costs (Table 4) and commuted sums (Table 5)):

- **Affordable Housing:** A 100% discount of can be applied to all affordable housing units associated with the relevant planning application in accordance with the percentage requirements set out in SWDPR 19 – Meeting Affordable Housing Needs.

⁵ 426 homes per 1,000 residents - average across the three South Worcestershire Councils.

⁶ [Carter Jonas \(2025\) Q1 2025 Farmland Market Update. Available at: FMU Q1 2025](#)

⁷ 426 homes per 1,000 residents - average across the three South Worcestershire Councils.

- **Market Housing:** A discount of 50% and 25%, can be applied to 1 and 2 bed market units, respectively.
 - **Site Thresholds:** Sites below 10 dwellings will not be subject to open space contributions as they are below the proposed policy threshold set out in SWDPR 49.
- 6.7. The SWCs will utilise a costs calculator to determine the required developer contribution where open space provision is required. Costs at the point of calculation will be updated to take account of inflation. Some example open space scenario calculations are set out in **Annex B**.

Playing Fields (SWDPR 50)

- 6.8. Residential and mixed-use development proposals (excluding sheltered housing, extra care housing, and residential nursing homes) of 10 dwellings or more will contribute towards playing pitches and built form relating to formal sports pitches / courts (e.g. changing rooms, pavilions, toilets), where applicable.
- 6.9. Requirements will be guided by the Playing Pitch and Outdoor Sports Facilities Strategy (2021) or any successor strategy, together with secure arrangements for their long-term management and on-going maintenance.
- 6.10. For smaller-scale residential schemes (e.g., 10 to 49 dwellings), it is likely that on-site provision of playing fields will generally not be feasible. Accordingly, schemes within this size range will be expected to make a financial contribution towards off-site provision or enhancement of existing facilities.
- 6.11. For larger schemes (50 dwellings or more), provision will be made either on or off-site dependant on a number of factors including the size of the proposed development, existing provision within the area and existing access to facilities. Some of the larger strategic allocations in the SWDPR contain site-specific policy requirements relating to playing fields and associated facilities.
- 6.12. All costs will be proportionate to the size and potential occupancy of the development, as informed by the evidence in the Playing Pitch and Outdoor Sports Facilities Strategy (2021) (or any successor strategy). Provision requirements will be updated to reflect current costs⁸ and confirmed against Sport England's Playing Pitch Calculator tool⁹. All facilities will require a commuted sum (maintenance) contribution, which is required to cover the cost of maintenance for 20 years.
- 6.13. As an indicative guide, the South Worcestershire Infrastructure Delivery Plan, 2024¹⁰ (p185-187) sets out some indicative provision requirements and costs associated with playing fields and associated facilities as relates to growth in the SWDPR. Site-specific provision requirements and costs calculations are also set out for SWDPR 56: Rushwick

⁸ For example, by utilising Sport England's quarterly 'Facility Cost Updates' Reports.

⁹ <https://www.activeplacespower.com/pages/calculators>

¹⁰ [South Worcestershire Infrastructure Delivery Plan \(2024\)](#).

(p256-258) and SWDPR 57: Mitton (p275-277), with calculations for SWDPR 55: Worcestershire Parkway set out in a separate Worcestershire Parkway-specific IDP¹¹. When considering planning applications, new provision requirements will utilise in the latest available data (e.g., Sport England's 'Facility Cost Updates' Reports and Playing Pitch Calculator tool), as informed by the Playing Pitch and Outdoor Sports Facilities Strategy (2021) (or any successor strategy).

¹¹ [Worcestershire Parkway Infrastructure Delivery Plan \(2024\)](#).

7. Malvern Hills SSSI Mitigation Strategy (SWDPR 07) and Areas of Informal Recreation (SWDPR 32)

Malvern Hills SSSI Mitigation Strategy (SWDPR 07)

- 7.1. Work undertaken by Footprint Ecology relating to the recreational impacts on the Malvern Hills SSSI, including visitor surveys, established that there is a need to address recreational pressures on the Malvern Hills SSSI as a result of previous local plan growth and the growth planned in the SWDPR.
- 7.2. Accordingly, in accordance with part G of SWDPR 07, to address recreational pressures associated with housing growth, with the exception of sites located on previously developed land, developer contributions will be sought from all residential developments of five or more dwellings (including affordable housing) within the identified 25km zone of influence within south Worcestershire (as shown on the Policies Map) towards the delivery of the mitigation strategy for the Malvern Hills SSSI, subject to viability.
- 7.3. As informed by Footprint Ecology's 'Malvern Hills SSSI Mitigation Strategy' Report (2022), the total estimated cost of the mitigation proposed is £2,754,950, including a 10% contingency buffer. Estimated costs, based on 10,214 qualifying dwellings¹² within a 25km buffer zone of the Malvern Hills SSSI to be delivered between 2021-2041, results in £269.72 per dwelling. Costs will be adjusted for inflation at the point of calculation.

Areas of Informal Recreation (AIRs) (SWDPR 32)

- 7.4. AIRs are strategic, informal recreation sites that form part of a wider network of accessible greenspaces, providing additional recreational opportunities to alleviate pressures associated with growth in the plan and helping to take pressure off existing GI assets, including the Malvern Hills Site of Specific Scientific Interest (SSSI).
- 7.5. One AIR is allocated in the SWDPR at Land north-east of Blenheim Farm, Honeybourne (59.5ha) and is shown on the Policies Map. SWDPR 32 states that support will be given for further AIRs to come forward to provide attractive recreational green space to relieve pressure.
- 7.6. Part F of policy SWDPR 32 states that *“Major residential development proposals will be expected to provide a contribution towards the cost of delivering AIRs infrastructure, unless this would render the development unviable. Sites located on Previously Developed Land and strategic allocations providing a Community Park over 30ha will not*

¹² This is the estimated residual number of dwellings in the SWDPR still to be delivered at the time of the production of the report (2021). The figure excludes brownfield sites but factors in a small windfall allowance.

be required to provide a contribution towards delivery of AIRs” This contribution requirement includes affordable housing.

- 7.7. As per Footprint Ecology’s AIRs Report (2024), the estimated costs of delivering the allocated AIR site ‘Land north-east of Blenheim Farm, Honeybourne’ (59.5ha) is as follows:
- Establishment & Aftercare Commuted Budget: £688,140
 - 20-year Management Costs Commuted Budget: £2,766,643
 - Total estimated cost: £3,454,783
- 7.8. In the first instance, allocated and additional AIRs are intended to be funded through CIL for their set-up and implementation. In general, ongoing maintenance costs are expected to be met through onsite revenue streams established by the landowner, but there may be scenarios where maintenance costs and other infrastructure related costs permitted by law and identified as a local need could be funded by CIL and/or S106 contributions, subject to statutory processes and regulations.
- 7.9. S106 contributions towards AIRs will be collected from the time of adoption of the South Worcestershire Councils Community Infrastructure Levy Charging Schedule 2026 to comply with the Regulation 122 tests. Any major greenfield residential development (excluding strategic allocations, Extra Care, Student, and Build-to-Rent accommodation) which is not liable for CIL will be expected to pay a contribution towards the delivery and maintenance of AIRs.

8. Transport Contributions

Introduction

- 8.1. Full details of the requirements for transport can be found within the separate transport evidence base documents prepared for the SWDPR.
- 8.2. Development projected in the SWDPR will generate additional traffic, cumulatively causing unacceptable network performance deterioration, as shown by the results of the Worcestershire Strategic Transport Model (2024). Schemes have been included in the SWIDP to improve network performance and to mitigate development impacts resulting from this growth.
- 8.3. Developments will be required to ensure that measures are included within their development to encourage travel by sustainable modes and where appropriate provide an effective Travel Plan to mitigate their impact on the transport network. Appropriate mitigation through planning obligations will be required where necessary in order to make development acceptable in planning terms.
- 8.4. Contributions are proportionate to the amount of development traffic routing to areas and schemes of the south Worcestershire network and its surroundings, and as such, are reasonably related in scale. Contributions will be used to fund schemes along network routes most used by development generated traffic.

South Worcestershire Development Plan Infrastructure Delivery Plan (Transport)

- 8.5. The SWIDP Transport Package in line with the Worcester Transport Strategy and Local Transport Plan 4 (LTP4), addresses issues relating to the performance of the transport network by investment in the following deliverable packages:
 - improvements to infrastructure;
 - information systems; and
 - all services across all modes of transport
- 8.6. The implementation of the Worcester Transport Strategy will:
 - a) Support the growth of the Worcestershire economy by reducing travel times and costs imposed on businesses, transport operators and other network users by the current and forecast traffic congestion on the Worcester Transport Network.
 - b) Improve the transport performance for users of the key bypass of Worcester City Centre, thereby helping to better manage traffic conditions.

- c) Improve access to the Strategic Road Network from areas to the West and North West of Worcester, including Malvern Hills District and Herefordshire.
- d) Improve access to national and international hubs and regional train stations.
- e) Provide provision of economic benefit to ensure 'High Value for Money'.
- f) Contribute to environmental objectives, particularly through encouraging use of walk, cycle and public transport modes.

Policies and Objectives

- 8.7. Key to achieving the Transport Strategy goals is the need to have a transport network in place that will be able to accommodate the future level of growth without imposing unacceptable costs on businesses and other transport users and operators arising from increasing traffic congestion and variable and increasing journey times.
- 8.8. It is apparent that without investment in Worcester's (and south Worcestershire's) transport infrastructure and services, Worcester City and the wider area's ability to grow, accommodate planned development, and remain a key centre in Worcestershire and the wider West Midlands region will be significantly constrained. There are forecast to be severe impacts in terms of traffic congestion and access to key services with consequent negative impacts on the environment due to reduced air quality, resulting in a decline in the quality of life for residents and a reduction in the overall attractiveness of the City for businesses and visitors.

Approach to S106 Developer Contributions for Transport

Introduction

- 8.9. All development proposals must be in accordance with the requirements and policies of SWDPR 06.
- 8.10. The transport assessment will be underpinned by the results of development assessments. The results of the assessments will provide the basis for identifying the appropriate planning obligation towards the SWIDP.
- 8.11. In addition to bespoke transport infrastructure costs towards the SWIDP, developer contributions will be sought to reduce the impact of developments through Smarter Choices measures such as the "Choose How You Move" programme or to support and monitor measures of the developments Travel Plan. This could include active travel and sustainable transport route provision, where required.
- 8.12. Provision for on-site facilities and site-specific off-site highway works can be made through planning conditions, a Section 38 or Section 278 Agreement under the Highways

Act 1980 and may also be secured through a Section 106 agreement. Transport mitigation may therefore include both contributions toward strategic infrastructure identified in the IDP and site-specific highway works necessary to make development acceptable in planning terms.

Contributions Methodology

8.13. The South Worcestershire Transport Strategy Developer Contributions approach allows for:

- a) Calculation of the numbers of trips that each proposed development site will generate.
- b) Assessment of the way in which those trips will route on the network and identifying the proportion of development-generated trips with origins or destinations within the Worcester Transport Network (WTN) Area.
- c) Assessment of the way in which those trips with origins and destinations within the South Worcestershire Transport Network (Non WTN) Area will route.
- d) Schemes will be identified based on the impact development will generate within both the WTN and the wider South Worcestershire Transport Network.
- e) Apportionment of the costs of mitigating infrastructure against each development allocation.
- f) Delivery of a transparent method for financially contributing toward the mitigation of the impacts of planned development on the performance of the Worcestershire Transport Network.

8.14. The approach quantifies the number of trips generated by planned development. The model applies a distribution factor based on census data which is bespoke to each site to quantify the proportion of trips which will use the Worcester Transport Network and a distribution factor for the non WTN area on a site-by-site basis. This allows the costs of the strategy schemes to be fairly and reasonably apportioned against each of the planned development sites based on their proportional impact. In summary the methodology is as follows:

- a) Confirm the total costs of the core Worcester Transport Strategy measures, excluding committed funding such as Worcester Transport Strategy Major Scheme Bid, i.e. £145.5million.
- b) Confirm the total costs of the core Non-Worcester Transport Strategy measures, excluding committed funding.
- c) The development management process will quantify the contribution toward a specific programme of Worcester Transport Strategy projects per development based on the IDP.

- d) The development management process will quantify the contributions toward a specific programme of Non-Worcester Transport Strategy projects per development.

9. Education Contributions

Introduction

Worcestershire County Council's Education Planning Obligations Policy and associated technical guidance are the primary source for detailed education forecasting assumptions, pupil yield methodologies and calculation approaches used in the assessment of planning applications. Accordingly, any planning applications should use the latest policy, figures and guidance published by the County Council. Full details of the requirements for education can be found on the Worcestershire County Council website ([School Planning Obligations | Worcestershire County Council](#)).

Justification

- 9.1. In line with the statutory duties for the sufficiency of education provision, Worcestershire County Council, as Local Education Authority, needs to ensure that sufficient places are provided to meet education needs arising from new housing developments.
- 9.2. Worcestershire County Council has a duty to provide sufficient school places for all children (aged 4-18) resident in Worcestershire who wish to attend a publicly funded school – this includes post-16 provision in secondary and high schools with sixth forms. Provision for children and young people with Special Educational Needs and Disabilities (SEND) covers the ages of 2 – 19. Worcestershire County Council also has a duty to ensure all eligible under-fives have access to high quality funded early education places. The Childcare Act 2006 also places a duty on local authorities to have sufficient childcare in their area for working parents.
- 9.3. New residential development will be required to contribute towards the provision of early years (0-5) and statutory school age (5-16) places unless there is sufficient capacity in existing education infrastructure to mitigate any additional demand forecast to arise from new housing development.

Assessing Impact on Early Years Places in Worcestershire

- 9.3. Worcestershire County Council is responsible for ensuring that all eligible two- to four-year-olds can access free early years education¹³. When a development site comes forward, Worcestershire County Council will assess whether current related early years provision is sufficient to support families living on the new development to access their

¹³ Children 9 months plus will be eligible from September 2025 and more two year olds from September 2024. The County Council's Education Obligations Policy will be updated to reflect this.

entitlement. Where additional demand from the development is required above that which can currently be supported by the market, a contribution will be sought.

- 9.4. Worcestershire County Council will conduct a detailed assessment on all planning applications of 10 dwellings or greater. In line with the current National Planning Practice Guidance paragraph 23, education planning obligations will not be sought on developments of fewer than 10 dwellings.
- 9.5. The detailed assessment will firstly consider the number of 15 hour places that will likely be required for children living on the development. All three and four year olds are entitled to 15 hours free early year's education for 38 weeks of the year (a place). However, only a certain percentage of eligible two year olds are entitled to a free early education place. From September 2017, a percentage of eligible three and four year olds also became entitled to an additional 15 hours (for a total of 30 hours) of early education for 38 weeks of the year.
- 9.6. For four year old funding requirements, 40% of the anticipated yield of 4 year olds will be discounted as they will be expected to enter straight into reception (summer born children) and will therefore be accounted for within the mainstream pupil cost multiplier.
- 9.7. Average pupil yields as set out in Table 9 below show that each additional dwelling generates an average of 0.07 extra pre-school children per year group. This yield is compared to the average eligibility rates for two year old funding and 30 hours funding for three and four year olds.
- 9.8. This is then compared to the number of dwellings on the development to create an estimate of the impact of a new development on the demand for early years childcare places.
- 9.9. When relevant, other factors such as the location of the development and other extant planning permissions in the area will be factored in to determine the likely impact of the new development.
- 9.10. Where the impact of a development is judged to be of a level which cannot be supported within existing provision, a contribution will be required.

Assessing Impact on State Funded School Places

- 9.11. Worcestershire County Council will initially assess the anticipated number of school places required from a new development. Assessments are dealt with on an individual basis with relevant evidence provided to the local planning authority and developer.
- 9.12. The detailed assessment will firstly consider the number of dwellings proposed as part of the application. Average pupil yields as set out below show the average expected Pupil Product Ratio (PPR) expected from additional dwellings.

- 9.13. The mainstream PPR is based on evidence from recent housing developments, matching school census data and known children numbers to housing developments to determine average pupil numbers and characteristics over time.
- 9.14. The SEND PPR is based on the average percentage of pupils in Worcestershire requiring specialist education provision. This is based on the average percentage of pupils in Worcestershire with an Education Healthcare plan over the last 5 years, which as of January 2025 is 5.3% (figure will be updated annually by Worcestershire County Council). This percentage is significantly lower for children under the age of 5, therefore SEND provision will not be sought for early education places.¹⁴

Table 6: Pupil Yield Ratios	
School	Pupil Yield
Pre-school PPR Early Years Places Product ratio (15 hour places)	0.074
Early Years Places Product ratio (30 hour places)	0.18
Primary PPR	0.05
Secondary PPR	0.04

- 9.15. The assessment will also consider additional factors such as:
- the location of the development, including the proximity to existing educational infrastructure, existing tier structure and proximity to other local authorities;
 - known trends in parental preference and expected characteristics of the development;
 - the full extent of the development site area, neighbouring sites and any other planning applications approved or expected in the area, particularly where developments come forward as a result of subdivision of larger development areas.

Identifying Related Schools

- 9.16. When a development site comes forward Worcestershire County Council will identify schools that are directly related to the development. Related schools are usually:

¹⁴ This is correct at the time of adoption of the SPD and up to date figures will be published by the County Council.

- Schools that operate a catchment area as part of their admission criteria which covers the area in which the development is situated or;
 - Schools that are located within a two-mile safe walking route that offer education for children who are eight years or younger or;
 - Schools that are located within a three-mile safe walking route that offer education for children who are nine years or older only or;
 - Schools that can demonstrate a likely demand from families moving on to the development or;
 - Where a development is of sufficient scale a new school is considered.
- 9.17. The relevant school place planning area should form the principal basis for assessment, consistent with national guidance and the Department for Education's guidance on securing developer contributions for education. The Councils consider it appropriate for the methodology to retain flexibility to consider nearby schools and local circumstances where justified, including cross-boundary relationships, accessibility considerations and demonstrated parental preference patterns.
- 9.18. If the schools initially identified as related to the development have no scope to expand, consideration will be given to investing in an alternative related school which does have scope to expand.

Calculating the Level of Contribution at an Existing Provider

- 9.19. Where a financial contribution towards an existing provider is judged to be the appropriate mitigation for a development, the amounts sought will be calculated based on the cost of a new place at the existing provider. The formula for calculating this comprises the following elements:
- Requirements for mainstream provision
 - Requirements for early years provision
 - Requirements for special education needs and disability provision
 - Building Cost Multiplier

Exemptions

- 9.20. In consideration of the higher level of household recirculation, Worcestershire County Council will exempt those properties deemed to be social rent or affordable rent, where the landlord is a registered housing provider and the provision is to meet local need from those families already resident in the area and, the property will remain at an affordable price for future eligible households. Build to rent schemes are not exempt.

9.21. Worcestershire County Council also seeks to exempt:

- developments that are 100% for commercial use;
- all houses and flats with a maximum of one bedroom;
- homes for older people as defined in the National Planning Policy Framework (NPPF) 2024 Annexe 2;
- flats or apartments, specifically designed as student accommodation; and
- specialist housing for people with disabilities

Calculating the Level of Contribution When a New School is required

9.22. Typically, a new primary or first school may be required where a development will contribute 300 or more new dwellings, or in areas where no potential school expansions can be identified. When a large-scale development in excess of 100 dwellings is proposed we recommend developers and district councils engage with Worcestershire County Council at an early stage to allow for appropriate planning and feasibility work to be undertaken.

9.23. A new secondary or special school is only likely to be required on very large sites or in an area where there is a significant amount of new housing across several developments. A new school may also be required when an expansion at an existing provider is not possible.

Payment of contributions

9.24. Where Section 106 education planning obligations are required, a legal agreement will be completed. If the application is in outline, without detailed breakdown of the types of affordable dwellings an estimated cost based on the total number of dwellings will be provided until a breakdown of house types is available.

9.25. Payment of agreed financial contributions will usually be sought on or before occupation of one third of the total number of dwellings on the development. On larger scale developments of 100+ dwellings trigger for payment will be subject to negotiation. Worcestershire County Council will consider payment by instalments so long as the final balance is received prior to occupation of 90% of the total number of dwellings. The trigger points for payment will usually be expressed as a percentage of the proposed number of dwellings.

Disbursement of Monies

- 9.26. The completed legal agreement will specify the infrastructure projects to be funded from education planning obligations. Contributions will always be used to fund capital projects to deliver permanent facilities and will not be used for providing temporary accommodation unless this is a necessary short-term measure as part of the delivery of a permanent building.
- 9.27. It may be necessary for Worcestershire County Council or its partners, to deliver education infrastructure projects ahead of the related development. This ensures that schools are able to manage the impact in time for occupations on the development or to take advantage of other funding opportunities which may be time limited. Such circumstances are only likely to occur where the infrastructure is intended to manage the cumulative impact of several sites, a single large site or is to be partially funded from other funding sources such as Government grants.

10. Flood Risk and Surface Water Management Contributions

Introduction

- 10.1. Where a development requires the provision of defences or other works to mitigate residual flood risk, the developer will be expected to provide these directly or pay for the timely completion of the necessary works. In all cases, the type and location of the defences should be justified and agreed with the appropriate Risk Management Authority (either the Environment Agency or Worcestershire County Council as the Lead Local Flood Authority or the relevant second-tier local authority), as defined in the Flood and Water Management Act 2010, prior to any works or funding being implemented.
- 10.2. With smaller developments it may be more appropriate to consider on-site mitigation measures, such as the raising of floor levels, positioning of electrical sockets at a higher level or using more water-resistant materials. The use of such measures will normally be secured through planning conditions rather than a planning obligation.
- 10.3. Existing flood alleviation schemes have been constructed to protect existing properties and will not be used to enable additional development. In any cases where a development is approved that is reliant on an existing flood alleviation scheme, developer contributions towards the maintaining, operating and/or storage would be justified. If new development is dependent on existing flood warning systems, then a developer contribution will be sought towards the maintenance of this infrastructure.

Approach to Section 106 Agreements

- 10.4. It is expected that developers will deliver -and thus meet the cost of- any measures necessary to obviate any direct and in-direct (off-site) increased flood risk that might arise from their development, and this would normally be managed through the imposition of planning conditions. Planning obligations will be sought where the development requires:
 - Any off-site management of surface water run-off; and/or
 - Any off-site works associated with fluvial flows or fluvial storage.
- 10.5. Section 106 Agreements will require agreement by the appropriate Risk Management Authority on the nature of the works to be undertaken, and appropriate contracts to be in place to secure the delivery of off-site work, before the development can commence. Ahead of commencement, the agreement of the relevant landowner(s) will need to be secured, as will any other agreement or formal permission necessitated by the proposed off-site works.

- 10.6. On-site infrastructure may also be provided to alleviate the risk of flooding and reduce impacts on drainage infrastructure. This will normally form part of the detailed matters submitted and agreed through the planning application process and the delivery can therefore be secured through a planning condition. The on-going maintenance of on-site infrastructure may however need to be subject to a Section 106 Agreement.

Phasing of Drainage and Flood Risk Management Planning Obligations

- 10.7. To ensure delivery of drainage and flood risk management infrastructure in line with the delivery of development, any financial planning obligations must be paid when development commences or according to a timetable agreed between the relevant SWC and the developer.
- 10.8. If the developer is undertaking the physical work themselves, this work must be completed to a timetable or phasing plan agreed with the Local Planning Authority. The Section 106 Agreement will set out the phasing requirements for planning obligations related to drainage and flood risk management infrastructure.

Maintenance of flood risk management and drainage infrastructure

- 10.9. Any flood risk management and / or drainage infrastructure, whether on or off-site, that is required in support of a development must be properly inspected and maintained for the lifetime of that development.
- 10.10. The developer may be able to get this infrastructure adopted by an appropriate authority if it meets their specifications. Where this cannot be achieved, the developer will need to put in place mechanisms to ensure the on-going maintenance and effective operation of the infrastructure for the lifetime of the development.
- 10.11. Due to the time-limited nature of planning conditions, it is considered appropriate for a clause within a Section 106 Agreement to be used to secure the on-going maintenance of flood risk management and drainage infrastructure for both off-site and on-site provision.
- 10.12. Where there is a Section 106 Agreement the developer will enter into an agreement with the local drainage company to adopt the flood risk management or drainage infrastructure before any part of the development is occupied / used for the first time.
- 10.13. Where there is not a Section 106 Agreement the developer will prepare a management plan for the flood risk management or drainage infrastructure, to be agreed by the local planning authority; and to put in place the mechanisms to deliver on-going management

of the infrastructure as per an agreed timetable or phasing schedule or similar before any part of the development is occupied/used for the first time.

- 10.14. Due to the unpredictable nature of flood risk and drainage issues which mean an incident of flooding could occur at any time, later implementation of such maintenance is not considered acceptable, and it is essential that proper maintenance is secured for the lifetime of the development.

11. Health Contributions

Introduction

- 11.1 The provision of healthcare is the responsibility of a number of different service providers within Worcestershire, Table 7 shows the responsibilities of each provider.

Table 7 Responsibilities for Delivery	
Service Provider	Responsibility
NHS England	NHS England (NHSE) currently has a range of statutory functions, responsibilities and regulatory powers, which are focused on supporting and overseeing the wider NHS to deliver effective and high-quality care. However, NHSE is in the process of being dissolved and its functions subsumed into the Department of Health and Social Care.
NHS Herefordshire and Worcestershire Integrated Care Board (ICB)	The ICB currently has commissioning and oversight functions for healthcare in Worcestershire and is responsible for improving health outcomes for patients and reducing health inequalities. Their core role within the lifespan of this IDP is to improve population health and healthcare; tackle inequalities in health outcomes; enhance productivity and value for money; and support social and economic development.
Worcestershire Acute Hospitals NHS Trust (WAHT)	WAHT is responsible for the provision of local secondary acute care services within hospitals across Worcestershire. Worcestershire Royal Hospital is physically located in South Worcestershire. Its other sites, in Redditch and Kidderminster are physically located outside the SWDP area. However, each site provides healthcare services to the local community of the SWDP area.
Herefordshire and Worcestershire Health and Care NHS Trust (HWHCT)	The HWHCT is responsible for the provision of community and mental health services. The Trust runs Community Hospital services at Worcester City Inpatient Unit, Evesham, Pershore, Malvern and Tenbury Wells as well as a number of clinics throughout the Plan area.

- 11.2 New residential development may be required to contribute towards the provision of additional secondary care physical infrastructure (e.g. additional ward space, operating theatres, scanners, consulting rooms, car parking etc.) or new GP surgeries unless there is sufficient capacity at existing surgeries to cope with the needs arising from the new development.

Primary Healthcare

Policy Framework for seeking Primary Health Contributions

- 11.3 A range of factors will be considered when calculating primary healthcare contributions, these factors are explained below.
- 11.4 Health Impact Assessments (HIA) are required by Policy SWDPR 11 for qualifying development to demonstrate how a tool that helps to predict the health implications on a population from planning proposals and can help inform stakeholders when developing schemes or making decisions on planning applications. Whilst this section of the Developer Contributions SPD primarily deals with contributions relating to GP practice expansion, the ICB, in conjunction with the Directorate of Public Health at Worcestershire County Council will use any submitted HIAs as an additional identifier of infrastructure deficiencies that relate to health and make recommendations on planning applications as a result of the findings.
- 11.5 A cost multiplier is used as the basis for the calculations. The cost multiplier is the cost per patient/resident for building new accommodation. The cost multiplier is based on original figures produced by the Department of Health. These figures will be updated annually in line with inflation using the Royal Institution of Chartered Surveyors Building Costs Information Service All Tender Index.
- 11.6 As set out elsewhere in this SPD the office of national statistics household size data will be used to calculate the number of new residents likely to be seeking to register with local GPs that will arise because of new homes.
- 11.7 When calculating developer contributions for primary healthcare facilities a 2 or 3 bedroomed dwelling is considered the standard (and so has no effect on the basic calculation). A dwelling with four or more bedrooms requires a 50% increase on the calculated standard contribution to take account of the likely additional residents in larger properties. A one-bedroomed dwelling will be required to pay 50% of the standard contribution to take account of the reduced number of residents in smaller properties.

Scale and Type of Contributions

- 11.8 The starting point for determining the threshold for contributions will be to establish existing capacity or level of over subscription of local GP lists at the nearest primary healthcare facility to the development.
- 11.9 The size of the development being considered is determined by the net gain in dwellings. For example, a project involving the demolition of two existing dwellings and the construction of 55 new dwellings will be considered to be a development of 53 dwellings for the purposes of assessing the Section 106 health contribution.

- 11.10 Contributions for developments of 50 dwellings or less will only be sought where there is significant existing over subscription of GP lists, i.e. GPs with over 110% of the recommended maximum number of patients.
- 11.11 For developments of between 50 and 100 dwellings the ICB will consider the current surplus places, if any, at the relevant health centres and how this compares to the expected impact of the development.
- 11.12 Developments of over 100 dwellings will normally be expected to contribute to the provision of additional primary healthcare infrastructure unless there is more than enough spare capacity at the nearest GP surgery to accommodate the additional number of residents likely to require primary healthcare registration arising because of the development.
- 11.13 It should be noted that calculations are looking at settlements as a whole i.e. the spare capacity in each settlement but exclude the impact of rural growth sites. At application stage depending on the location of the proposed development the overall sum requested may be different to those suggested within this SPD and will reflect the list size of the relevant practice at that particular time

Related GP Practices

- 11.14 When a development site comes forward the ICB will identify which GP practices are related to the development. This will usually be where the practice operates a catchment area as part of its criteria to admit new patients on a GP's list. Where GP practices are near the proposed development but do not include the development site within their catchment area they may still be considered as related primary healthcare facilities if they meet the criteria on lack of surplus capacity and can demonstrate a likely demand from families moving onto the development.

Table 8: Current GP Capacity				
Practice	Weighted List Size ¹	NIA (m ²) ²	Capacity ³ needed for current weighted list size	Spare Capacity (NIA m ²) ⁴
Existing floorspace excess/ deficit (m ²)				

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula; this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice
3. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP). Space requirement aligned to DH guidance within “Health Building Note 11-01: facilities for Primary and Community Care Services”
4. Based on existing weighted list size

Table 9: Capital Cost calculation of additional health services arising from the development proposal

Proposed Number of New Dwellings (A)	Population increase using CCG method (B) $B = (A \times 2.4)^5$	No. of GPs required using CCG updated calculator (C) $C = (B \div 1750)^6$	Additional floorspace required using CCG updated calculator (D) $D = (C \times 120m^2)^7$	Capital required to create additional floor space (E) $E = (D \times £2300)^8$
---	---	--	---	--

Notes:

5. Calculated using the National average household size of 2.4 taken from the ONS Families and Households 2017.
6. Based on 120m² per 1,750 patients (this is an optimal list size for a single GP). Space requirement aligned to DH guidance within “Health Building Note 11-01: facilities for Primary and Community Care Services”
7. Existing capacity within premises (NIA m²) 2 as shown in first table.
8. Based on standard m² cost multiplier for primary healthcare in the Midlands and East from the BCIS Public Sector Q3 2015 price & cost Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m²), rounded to nearest £100.

An example calculation is provided at **Annex C**.

- 11.15 Where the ICB decides to request a developer contribution it will be matched to a suitable primary healthcare extension project. Contributions will always be for permanent facilities and will not be used for providing temporary accommodation. An identified project may not be fully funded by one developer contribution and may be identified in several separate agreements. Projects may also draw in funds from other sources where these are available.
- 11.16 In the event the ICB deems it necessary to provide the primary healthcare facilities prior to receipt of the health contribution, the ICB shall be entitled to use the health contribution to pay back to the ICB any sum so expended.

Exemptions

- 11.17 Where a developer contribution is required to meet an identified shortfall in primary healthcare facilities new residential development will be required to pay a proportionate contribution towards the new or extended surgery, based on the proposed number of dwellings.
- 11.18 Developer contributions for primary healthcare infrastructure will not be sought from affordable housing developments or from those affordable housing units within mixed tenure schemes.
- 11.19 Specialist housing for the elderly or people with disabilities will be subject to health contributions as it is considered likely that residents will place additional pressure on the services of local GP practices.
- 11.20 Any exempt dwellings will be included in the calculation of the size of the development but will be zero rated in the calculation of the primary healthcare developer contribution.

Procedure for agreement and payment of contributions towards Primary Healthcare

- 11.21 The Council will prepare a standard Section 106 agreement in consultation with the ICB in respect of primary healthcare provision to accompany each planning application.
- 11.22 The level of contribution per dwelling will be agreed at this stage. For outline planning applications, an amount per dwelling will be agreed with the developer which will then allow a final contribution to be calculated at the detailed planning application stage. Applicants will be advised of the range and scale of developer contributions likely to be required at the pre-application stage and if possible, a draft heads of terms with costs for a Section 106 agreement should be agreed before an application is submitted.
- 11.23 Expected payment dates and instalments, indexation and late payment charges will be considered during the agreement process. Monies from Section 106 primary healthcare contributions should be sent directly to the ICB.
- 11.24 The ICB will carefully monitor and commit to spending the contributions within the period specified in the planning agreement. This will usually be 10 years. Sufficient information will be provided annually to the relevant District Council for inclusion in the Authorities Monitoring Report.

Disbursement of Monies

- 11.25 Section 106 primary healthcare contributions, together with any accrued interest, shall be spent on the project(s) named in the S106 agreement for that development. The ICB retains the statutory duty to ensure that there are sufficient GP places. Contributions may therefore be spent on any category of state-maintained primary healthcare facility.
- 11.26 Unspent monies will be returned to the developer at the end of any period specified in the Section 106 agreement.

Secondary Healthcare

Demand for Acute Hospital Services, Secondary and Tertiary Care

- 11.27 Secondary healthcare in South Worcestershire is provided by Worcestershire Acute Hospitals NHS Trust and Herefordshire and Worcestershire Health and Care NHS Trust. Much of the care is provided from the existing acute hospitals (Worcestershire Royal Hospital, Alexandra General Hospital and Kidderminster Hospital and Treatment Centre), community hospitals (Malvern, Pershore, Tenbury, Evesham and Princess of Wales Community Hospitals), along with other secondary care services based in the community.
- 11.28 The ICB, working with colleagues at Worcestershire Acute Hospitals NHS Trust and Herefordshire and Worcestershire Health and Care NHS Trust, continue to assess current and forecast capacity to understand what new or expanded infrastructure will be needed to accommodate demand from new housing development in South Worcestershire.
- 11.29 This section relates to developments of 10 dwellings or more, that are non-strategic in scale. Planned sites identified in policies SWDPR 55-57, and windfall sites which exceed 1,000 dwellings in size are not subject to guidance in this section of the SPD. Any strategic scale development of 1,000 dwellings or more, will be considered on a case-by-case basis, and subject to bespoke requests for primary and secondary healthcare infrastructure contributions.

The role of the Local Planning Authority

- 11.30 Both Trusts manage and plan the volume and type of healthcare services that are needed to meet the secondary healthcare needs of the population of Worcestershire. The LPA is a member of the Herefordshire and Worcestershire Integrated Care Partnership as created under the Health and Social Care Act (2022) amended from Local Government and Public Involvement in Health Act 2007. The LPA has participated in developing, agreeing, supporting and delivering the shared and agreed health and care priorities as defined in the jointly developed and agreed Integrated Care Strategy. The LPA has a role is to ensure that, in granting planning permission, adverse impacts of new development on infrastructure capacity are appropriately mitigated and financial contributions or contributions in kind are secured in accordance with relevant policy and regulations.
- 11.31 The Infrastructure Delivery Plan identifies known additional secondary healthcare infrastructure required to accommodate an increased population arising from the SWDPR. However, for applications that are windfall development i.e. not SWDPR site allocations, further additional expansion of existing healthcare infrastructure may be required.
- 11.32 It is the role of the relevant LPA to secure contributions from developers to support the provision of additional secondary healthcare physical infrastructure. This includes, but is not confined to, new buildings, extensions to existing buildings, digital infrastructure and additional equipment required so that healthcare infrastructure capacity and delivery is able to meet increased demand arising from population new to Worcestershire arising from new housing development within south Worcestershire. This is usually done through a Section 106 agreement.
- 11.33 In July 2025, the NHS published its ten-year health plan for England called Fit for the Future. The plan described how the NHS will deliver three big shifts in how healthcare is provided:
- from hospital to community: more care will be available on people's doorsteps and in their homes.
 - from analogue to digital: new technology will liberate staff from admin and allow people to manage their care as easily as they bank or shop online.
 - from sickness to prevention: reaching patients earlier and make the healthy choice the easy choice.
- 11.34 Put simply, the Healthcare of the future will rely more on prevention, community diagnostic centres and outpatient hubs in towns and neighbourhood centres. It will also make greater use of remote monitoring of people at home where safe to do so (known as virtual wards), and place greater emphasis on prevention rather than cure. Stays in hospital should be shorter and more specialised care will be provided at dedicated hospital sites.

- 11.35 For the planning system this means making sure there is the space and right type of buildings to create the right mix of primary and secondary healthcare infrastructure in community and hospital settings to support the vision of the 10 Year Health Plan. Good road and rail links so people can access healthcare infrastructure will also be important, as will ensuring the digital infrastructure is in place (high speed broadband pre-fitted as standard, 5G or equivalent at the time etc) to support technological innovation in healthcare provision.
- 11.36 This shift will take time and in the short-term, some additional capacity at existing hospitals will be needed which the ICB and the Trusts will factor into their strategic planning.

Policy Framework for seeking Secondary Health Contributions

- 11.37 The Trust's calculation ascertains the additional impact that the new development will impose on the Trust's infrastructure capacity because of demand for secondary care from incoming population which is new to Worcestershire. The S106 calculation will be based on the following factors:
- The total number of proposed dwellings will be used as the basis for the calculation
 - The tenure of the proposed development (based on the proposed affordable housing contribution and breakdown of affordable housing tenures) will be modelled to generate a figure for total development population based on official subnational population and household projections (based on total number of dwellings).
 - The split of future residents (firstly by persons by age and sex and then by household tenure) likely to move to the new development from within and beyond Worcestershire will be estimated.
 - Any relevant adjustments will be made to estimate sources of population from inside or outside the Trust's operational area. This step will address any plan-led assumptions for migration and adjusts for the proportion of full-time student households. Therefore, only the impact of those people who are new to the Trust's operational area will be estimated. The calculation avoids counting the impact from residents who are moving from an address within Worcestershire and whose demands are therefore already anticipated in the Trust's infrastructure plans.
 - The calculation will use the council's average household size figure published in their Housing and Economic Needs Assessment.
- 11.38 The estimates produced by the model will then be used to populate the secondary care impact calculation as follows:

- The calculation will be based on the different types of activity undertaken by the Trust (e.g. emergency department attendances, outpatient appointments, maternity care).
 - The Trust's total activity in a 12 month period and the percentage of the county's population who have accessed the trust's services are known (and is publicly available).
 - The amount of activity undertaken by the Trust in a 12 month period that originating from the Lower Super Output Area (LSOA)/ward in which the new development is being constructed is also known, along with the percentage of the LSOA's population accessing these services.
 - The additional activity anticipated as a result of the new population will be derived from a multiplication of the development's new population by the percentage rate of activity for that LSOA.
 - The additional impact that will result from the new population is a product of multiplying the delivery cost by the additional activity.
- 11.39 When a development site comes forward the Trusts will identify which healthcare infrastructure is impacted most by the development. This will normally be infrastructure at the hospital site closest to the development. However, the Trusts operate some services from one site only where patients are treated from all areas of Worcestershire irrespective of their place of residence. Therefore, healthcare infrastructure will be impacted at a hospital site which is not at the hospital closest to the patient's home.
- 11.40 Contributions will always be for provision of additional infrastructure capacity arising from demand generated from the development population which is new to Worcestershire. However, an infrastructure project may not be funded fully by one development, and contributions may be sought from a number of developments.
- 11.41 In the event the Trust deems it necessary to provide the healthcare infrastructure prior to receipt of the health contribution, the Trust shall be entitled to use the health contribution to pay back any sum so expended.
- 11.42 Specialist housing for the elderly or people with disabilities will be subject to secondary health contributions for the proportion of population new to Worcestershire as such residents will place additional pressure on secondary care services.

Scale of Contributions

- 11.43 Developers can expect to make a \$106 contribution towards acute hospital infrastructure, on a per dwelling basis. A specific calculation will be provided by Worcestershire Acute Hospitals Trust for each individual development.

- 11.44 Developments differ in contribution based on factors such as dwelling numbers, average household size, the proportion of residents who will be new to Worcestershire and forecast demand for secondary care services.
- 11.45 However, developments with similar housing characteristics may generate different demand for secondary healthcare (and, therefore, different value of contribution) for the following reasons:
- The distance of the development from a hospital site
 - The configuration of road infrastructure or public transport routes impacts travel time and accessibility
 - Differences in disease severity
 - Differences in health literacy and self-management capacity of the resident
 - Local differences in accessibility to and availability of primary care services
 - Patient behaviours (driven, for example, by cultural norms around seeking help, perception of urgency, trust in/past experience of different services).

Procedure for agreement and payment of contributions towards Secondary Healthcare

- 11.46 The Council will prepare a standard Section 106 agreement in consultation with the Trusts in respect of secondary healthcare provision to accompany each planning application.
- 11.47 The level of contribution for the development will be agreed at this stage. For outline planning applications, an indicative amount will be confirmed with the developer which will then be finalised at the detailed planning application stage. Applicants will be advised of the scale of developer contributions likely to be required at the pre-application stage and if possible, a draft head of terms with costs for a Section 106 agreement should be agreed before an application is submitted.
- 11.48 Expected payment dates and instalments, indexation (at the time any S106 agreement is completed and between completion and payment of monies) and late payment charges will be considered during the agreement process.
- 11.49 Contributions towards acute healthcare infrastructure will be secured by and paid to the Local Planning Authority and transferred to the Trust when requested. This will be subject to a separate funding agreement. The Trusts will carefully monitor and commit to spending the contributions within the period specified in the planning agreement. This will usually be 10 years. Sufficient information will be provided annually to the relevant District Council for inclusion in the Authorities Monitoring Report.

Disbursement of Monies

- 11.50 Section 106 secondary healthcare contributions, together with any accrued interest, shall be spent on the infrastructure project(s) or similar infrastructure named in the S106 agreement for that development.
- 11.51 Unspent monies will be returned to the developer at the end of any period specified in the Section 106 agreement.

12. Built Community Facilities (SWDPR 47)

Indoor Built Facilities

- 12.1. Provision requirements for Indoor Built Facilities (i.e., leisure, sport and recreational facilities) will be informed by the Indoor and Built Sports Facilities Strategy evidence base reports (2021) (or any successor strategy) produced as part of the SWDPR. Provision requirements will be updated to reflect current costs¹⁵ and confirmed against Sport England's Sports Facility Calculator tool¹⁶.
- 12.2. Some of the larger strategic allocations in the SWDPR contain site-specific policy requirements relating to indoor built facilities. For all other scenarios, contributions towards indoor built facilities will be considered on a case-by-case basis in accordance with SWDPR 10: Infrastructure, as informed by the Indoor and Built Sports Facilities Strategy evidence base reports.
- 12.3. As an indicative guide, the South Worcestershire Infrastructure Delivery Plan, 2024¹⁷ (p185-187) sets out some indicative provision requirements and costs associated with Indoor Built Facilities as relates to growth in the SWDPR. Site-specific provision requirements and costs calculations are also set out for SWDPR 56: Rushwick (p258) and SWDPR 57: Mitton (p277), with calculations for SWDPR 55: Worcestershire Parkway set out in a separate Worcestershire Parkway-specific IDP¹⁸. When considering planning applications, provision requirements will utilise the latest available data in Sport England's Sports Facility Calculator, as informed by the Indoor and Built Sports Facilities Strategy.

Community Centres and Village Halls

- 12.4. With specific regard to Community Centres and Village Halls, to ensure the required level of provision is met, and in accordance with the relevant policy tests, all new residential development of 10 dwellings or more will be required to make a financial contribution to the off-site provision or enhancement of community centres and village halls. Large strategic sites may need to provide for on-site community centres and halls (or contribute to existing provision), details of which is set out in the site-specific policies of the SWDPR.

¹⁵ For example, by utilising Sport England's quarterly 'Facility Cost Updates' Reports.

¹⁶ <https://www.activeplacespower.com/pages/calculators>

¹⁷ [South Worcestershire Infrastructure Delivery Plan \(2024\)](#)

¹⁸ [Worcestershire Parkway Infrastructure Delivery Plan \(2024\)](#)

12.5. The provision requirements are set out as follows (with additional information added to the 'provision (per 1,000 people) column as sourced from the Community Buildings and Halls Report (2019)):

Table 10: Provision Requirements for Community Centres and Village Halls		
Hierarchy Category	Settlement (related wards)	Provision (per 1,000 people)
Urban Areas – City and Main Towns	• Worcester City • Droitwich Spa • Evesham • Malvern	1 facility per 5,000 people With: • 200 sqm main hall • 100 sqm secondary hall • meeting rooms, a kitchen, storage, parking and DDA compliant Within: • A 10 min walk of development
Urban Areas – Other Towns and Rural Areas	• Pershore • Tenbury Wells • Upton-upon-Severn • Category 1, 2, 3 villages	1 facility per 1,500 people With: • 100 sqm main hall • Kitchen, meeting room/ ancillary space, parking and DDA compliant. Within: • A 10 min drive of development
All other areas	No set provision requirement – to be considered on a case-by-case basis.	

12.6. Off-site developer contributions towards new provision, or improvements to existing provision should be directed in the first instance toward the community buildings and village halls as listed by Table 7a of the Community Buildings and Halls Report (2019), unless updated evidence justifies an alternative location.

12.7. The South Worcestershire Infrastructure Delivery Plan, 2024¹⁹ (Table 11.6, p170) sets out some indicative provision requirements and costs associated with growth in the SWDPR. The indicative cost per dwelling ranges from £278.82 to £330.86. The cost fluctuates depending on the geographical location, the number of dwellings proposed and the number of people this would generate. Site-specific provision requirements and costs calculations are also set out for SWDPR 56: Rushwick (p255) and SWDPR 57: Mitton (p275), with calculations for SWDPR 55: Worcestershire Parkway set out in a separate Worcestershire Parkway-specific IDP²⁰. The per dwelling costs should be used as a guide

¹⁹ [South Worcestershire Infrastructure Delivery Plan \(2024\)](#).

²⁰ [Worcestershire Parkway Infrastructure Delivery Plan \(2024\)](#).

when calculating off-site contributions. Costs will be updated to take account of current build costs at the point of calculation²¹.

- 12.8. The indicative figures do not factor in windfall development. Therefore, there will be scenarios where some geographical areas provide more housing than set out in the SWDPR. Windfall developments (over the required policy threshold) will therefore also be required to contribute towards community buildings and village halls, as informed by Table 11.6, p170 of the IDP (applying the figures closest locational area, e.g., 'Persnore'), as updated to take account of current build costs at the point of calculation²².

²¹ For example, via [Costmodelling - Typical building costs](#).

²² For example, via [Costmodelling - Typical building costs](#).

13. Other Planning Obligations

- 13.1. While the following matters will not be relevant to many applications and are not detailed SWDPR policy infrastructure requirements, there may be material considerations relating to some applications that will result in the need for a planning obligation. For example, larger residential developments may require some additional built recreational or community facilities. The general need for development to mitigate any adverse impacts on infrastructure is supported by policy SWDPR 10 which states '*Development will be required to provide or contribute toward the provision of infrastructure necessary for the development.*' Any developer contribution for bespoke infrastructure provision can only be required if it is in accordance with the CIL Regulations and the NPPF tests for planning obligations.
- 13.2. Promoters of larger developments are encouraged to contact the relevant Development Management Team at the earliest opportunity to discuss the potential impacts of their development proposals which may require site specific mitigation and non-standard developer contributions.

Local Economic Benefits from Development

- 13.3. The SWCs will seek to secure in-kind planning obligations to ensure that south Worcestershire residents and businesses can access the employment, skills and economic opportunities generated by major development.
- 13.4. Agreements will be on a site-specific basis, in keeping with the scale, size and type of planned development through a negotiation process
- 13.5. The targeted outcomes that will be sought include –
- Employment, training and apprenticeships opportunities from both construction and end use phases
 - School engagement including offering work experience to students
 - Development of local supply chains
- 13.6. The South Worcestershire Councils will look to in-kind delivery, either through contractors' own programmes and / or in partnership with the Worcestershire Local Enterprise Partnerships approved delivery agents such as Jobcentre Plus, Worcestershire Apprenticeships, Worcestershire Business Central and Connecting Schools and Business and any other appropriate provider.

Biodiversity Net Gain

- 13.7. The NPPF, together with DEFRA Circular 06/005, provides guidance on how local authorities should protect and enhance biodiversity. Section 40 of the Natural Environment and Rural Communities Act 2006 placed a duty on local authorities to conserve biodiversity so far as it is consistent with the proper exercise of its functions. It defines conserving biodiversity as including the restoration or enhancement of populations of a living organism or type of habitat.
- 13.8. Developers should engage with the LPA early in the planning process to ensure BNG measures are effectively designed, implemented, maintained, and secured through appropriate planning obligations or planning conditions.

Other Areas

- 13.9. There may be occasions where developments generate the requirement for infrastructure requirements not mentioned elsewhere in this SPD. The general need for development to mitigate any adverse impacts on infrastructure is supported by policy SWDPR 10 of the SWDPR.
- 13.10. Whilst evidence and calculations provided by infrastructure providers will normally inform requests for developer contributions, the Councils will assess each request on a case-by-case basis to ensure that any planning obligation sought complies with the statutory tests for planning obligations and is necessary, directly related to the development, and fairly and reasonably related in scale and kind.
- 13.11. Development at Wychavon Town (Policy SWDPR 55 - Worcestershire Parkway) should have regard to the requirements set out in the Wychavon Town SPD and the Worcestershire Parkway IDP (including any updates).

Annex A: Example of Commuted Sum Maintenance Costs

The costs listed below have been derived in consultation with Council's Client Services and Parks and Greenspace team.

Table 11: Guideline Commuted costs 2025/26 for 1 hectare of Public Open Space. FOR URBAN AREAS					
Landscape Element.	Area	Rate Effective 01/04/2017	Item	Consumer Price Index adjustment to 1/4/2025	Updated Annual Cost (£)
Grass cutting x 17 cuts per annum	6700 M ²	0.0153 per M ²	17	1.5112413	2,633.59
Shrub bed maintenance	3300 M ²	0.391 per M ²	3	1.5112413	5,849.86
Mature Hedges cut one side and top	500 lin M	1.05 per lin M	3	1.5112413	2,380.21
New trees check ties and stakes	30 No.	15.00 each	1	1.5112413	680.06
Existing mature trees	15 No.	85.00 each	15	1.5112413	1,926.83
Allowance for fly tip removal		100	1	1.5112413	151.12
Emptying litter bins - weekly	3 No.	0.50 per occasion per bin	52	1.5112413	117.88
Allowance for fortnightly litter collection. i.e. 26 times a year	10,000 M ²	£17.60 per 100 M ² per annum	1	1.5112413	2,659.78
Fence/ boundary maintenance		150	1	1.5112413	226.69
Annual Commuted Sums Cost for 1 Hectare Public Open Space					£16,626.03
Commuted Sums Cost for 1 Hectare Public Open Space x 20 Years					£332,520.60
N.B. - These costs assume approx. 2/3rds grass 1/3 shrubs. For different splits use the m ² rates as shown above.					
These prices are for guidance only. Individual landscapes may have other features such as woodland, wildflower meadows, orchards, etc. and will need to be calculated when the final landscape plan has been approved. Costs also exclude any associated monitoring fees.					
N.B. for rural sites the grass cutting rate is 0.025 per M² per cut (17 cuts per annum)	6700 M ²	0.025	17	1.5112413	4,303.26

Annex B: Example Open Space Scenario Calculations

All figures set out in the table below are subject to inflation updates at the point of calculation.

Table 12: Example Open Space Calculations			
Category/ Typology	Strategic Green Infrastructure Requirements (SWDPR 07)	Indicative Open Space Requirements (SWDPR 49)	Indicative cost per dwelling (after any applicable discounts)
9 dwellings or less (brownfield or greenfield)	For brownfield land, no specific Green Infrastructure Requirements. For greenfield land, under 0.2 ha (gross) no specific requirements, 0.2 to 0.99 ha (gross) 20% Green Infrastructure, over 1 ha (gross) 40% Green Infrastructure.	Below threshold - No policy- specific Open Space Requirements.	£0.00
Brownfield site 40 dwellings Note: This typology assumption has not factored in any considerations relating to CIL requirements or vacant building credit.	No specific Green Infrastructure Requirements.	Assumption that all Open Space requirements are provided off site , with the exception of amenity green space. Totals (per dwelling) - Open Space: £2,942.44. Discount amenity green space (£399.11) = £2,543.33. Maintenance (per dwelling): £2,031.82. Land acquisition Costs: Assume none. £0.00 Sub-total: £4,575.15 (per dwelling) X 40 = £183,006.00 30% Affordable Housing (x12) 100% Discount = £54,901.80 5x 1 bed market dwellings (50% discount) = £11,437.88	£2,773.68

		5x 2 bed market dwellings (25% discount) = £5,718.94 Total discount: £72,058.62 Total revised cost x 40 dwellings: £110,947.38	
Greenfield site 100 dwellings and with a gross site area of 5ha and above Note: This typology assumption has not factored in any considerations relating to CIL requirements.	Sites over 1 ha (gross) would require 40% Green Infrastructure.	Assumption that all Open Space Requirements are provided on site . Totals (per dwelling): Open Space: £0.00 Maintenance: £2,031.82 Land acquisition Costs: Assume none. £0.00 Sub-total: £2,031.82 100 x dwellings = £203,182.00 40% Affordable Housing (x40 dwellings) Discount: £81,272.80 10x 1 bed market dwellings (50% discount) = £10,159.10 10x 2 bed market dwellings (25% discount) = £5,079.55 Total discount: £96,511.45 Total revised cost x 100 dwellings: £106,670.55	£1,066.71

Annex C: Example Primary Healthcare Developer Contribution

Table 13: Example Current GP Capacity Calculations				
Practice	Weighted List Size¹	NIA (m²)²	Capacity³ needed for current weighted list size	Spare Capacity (NIA m²)⁴
Surgery A	3295	81	225.9	-144.9
Surgery B	12521	553	858.6	-305.6
Existing floorspace excess/ deficit (m²)		-450.5		

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice
3. Based on 120m² per 1,750 patients (this is an optimal list size for a single GP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
4. Based on existing weighted list size, negative numbers show capacity shortfall.

Table 14: Capital Cost calculation of additional health services arising from the development proposal				
Proposed Number of New Dwellings (A)	Population increase using CCG method (B) B = (A x 2.4)⁵	No. of GPs required using CCG updated calculator (C) C = (B ÷ 1750)⁶	Additional floorspace required using CCG updated calculator (D) D = (C x 120m²)⁷	Capital required to create additional floor space (E) E = (D x £2300)⁸

Notes:

5. Calculated using the National average household size of 2.4 taken from the ONS Families and Households 2017.
6. Based on 120m² per 1,750 patients (this is an optimal list size for a single GP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
7. Existing capacity within premises (NIA m²)² as shown in first table.
8. Based on standard m² cost multiplier for primary healthcare in the Midlands and East from the BCIS Public Sector Q3 2015 price & cost Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m²), rounded to nearest £100.

Table 15: Worked Example of a Capital Cost calculation of additional health services arising from the development proposal

Additional Population Growth (46 dwellings)⁵	Additional floorspace required to meet growth (m²)⁶	Capital required to create additional floor space (£)⁸
110	7.5	£17,300
46 dwellings *2.4 National Household average= 110 estimated residents	110 estimated residents /1750 patients per GP = 0.063 GPs required 0.063 new GPs *120 m² floorspace requirement per GP = 7.5 m² additional floorspace required	7.5 m² * £2300 = £17,348.57 Rounded to nearest £100 = £17,300)

Appendix 1: SWDPR Policies which are of relevance to this SPD

- SWDPR 02: Employment and Housing Requirements
- SWDPR 05: Design and Sustainable Construction)
- SWDPR 06: Transport
- SWDPR 07: Green Infrastructure
- SWDPR 09: Historic Environment
- SWDPR 10: Infrastructure
- SWDPR 11: Health and Wellbeing
- SWDPR 17: Housing Mix and Standards
- SWDPR 19: Meeting Affordable Housing Needs
- SWDPR 20: Rural Exception Sites
- SWDPR 29: Biodiversity and Geodiversity
- SWDPR 30: Biodiversity Net Gain
- SWDPR 31: The Cotswolds National Landscape and Malvern Hills National Landscape
- SWDPR 32: Areas of Informal Recreation (AIRS)
- SWDPR 33: Management of the Historic Environment
- SWDPR 34: Landscape Character
- SWDPR 37: Renewable and Low Carbon Energy
- SWDPR 38: Management of Flood Risk
- SWDPR 39: Sustainable Drainage Systems
- SWDPR 40: Water Resources, Efficiency, and Wastewater Treatment
- SWDPR 41: Air Quality
- SWDPR 47: Built Community Facilities
- SWDPR 48: Open Space
- SWDPR 49: Provision of Open Space and Outdoor Community Uses in New Development
- SWDPR 50: Playing Fields; and
- SWDPR 55 to SWDPR 71 with regard to specific infrastructure requirements associated with site allocations policies.