



# Ross-on-Wye Town Council

## Planning Obligations Policy

---

### Context:

The Town Council notes that Planning Obligations can be used to enhance the infrastructure of the Town but that clear priorities need to be in place to ensure that income streams are used effectively. It notes the current legal requirement that POs should be both necessary, and fairly and reasonably related to the relevant development. It also notes that current arrangements are under review nationally and may be subject to change.

### Aim:

To promote the effective use of Planning Obligations to enhance the built environment and community of the Town

### Objectives:

- To establish a process by which the Council decides its priorities when recommending projects for Planning Obligations support
- As appropriate, to use Planning Obligations to support the implementation of the Town Plan process, including the production, implementation and review stages of the Plan
- As appropriate, to publicise its priorities via the website, newsletter, and press
- To review the implementation of this policy annually

### Process

1. The Planning & Development Committee produce a list of projects which are not part of the council's current budgeted expenditure but which could be potentially funded by Planning Obligations. In doing this, they should bear in mind the Town Plan priorities and the Neighbourhood Plan priorities as they emerge.  
The list should indicate the priority attached to each project, the organisations responsible, the area(s) of the town most likely to benefit, and estimated costs.
2. The list should be presented at Full Council, which will either note the contents or refer it back to the Planning & Development Committee.
3. Once noted by Full Council, the list will be communicated to the Planning Obligations Officer at Herefordshire Council.
4. The list will be reviewed and updated by the Planning & Development Committee annually, followed by reference to Full Council as per 2. above.
5. The Planning & Development Committee to scrutinise planning applications and heads of terms agreement documentation to ensure that Town Council priorities are being recognised as Planning Obligations are negotiated.

## **Planning Obligations (Section 106)**

The purpose of planning obligations is to ensure that any new development does not put a strain on existing services and facilities such as roads, schools, open space or other community facilities and/or services.

They are used to mitigate the impacts of the development.

The Planning Obligation should make the proposed development accord with local, regional and national planning policies.

They must be:

- Necessary i.e. without the Planning Obligation there would be sufficient reason to refuse planning permission for the development

- Relevant to planning and to the development and/or use of the land to which they relate

- Related directly to the proposed development and not to other planning related issues in the area

- Fairly and reasonably related in scale and kind to the proposed development

- Reasonable in all other respects

Developers may contribute to existing problems, only if the proposed development, would make thing worse.

### **PLANNING OBLIGATIONS POLICY**

The following list (which may be reviewed every six months) was agreed by the Planning & Development Committee of the Ross-on-Wye Town Council at a meeting on Tuesday 14 March 2017 for consideration when deciding on how Section 106 Planning Obligations monies should be spent on developments in Ross-on-Wye:

- To improve the traffic congestion problems and traffic through the town

- Update traffic and other signage

- To improve sporting and leisure facilities, including playgrounds, particularly within the town centre

- Ensure new housing has easy access to broadband and digital services as part of any planning consent

- Provide street seating

*March 2018*