Developer contributions technical guidance note





Cheshire West and Chester Council









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1 Introduction

1.1 The purpose of this note is to provide guidance on a wide range of infrastructure issues that may need to be considered by the Local Planning Authority (LPA) when determining development applications.

1.2 This guidance note has been produced to provide consistent guidelines on the types of planning obligations which may be sought by Cheshire West and Chester Council. This guide sets out the general approach to development and provides developers and other interested parties with information in advance of any planning application.

1.3 This document is not a Development Plan Document or a Supplementary Planning Document. It is intended to improve transparency and consistency in planning obligation requirements by providing guidance to statutory agencies, community organisations, developers and all stakeholders involved in the development process.

1.4 Negotiations with developers will start from the position set out in this guidance note which identifies the likely contribution that will be sought from the developer to meet policy requirements and mitigate the impact of the development.

1.5 This document is not prescriptive but a document to illustrate likely demands placed on new development proposals. Some of its content may not be relevant for all proposals and in certain circumstances additional or alternative elements may need to be addressed.

1.6 The contributions to local infrastructure are sought in line with the Local Plan (Part One) Strategic Policies, in particular STRAT 11 which ensures the delivery of infrastructure improvements, to secure the future of sustainable communities across the borough, Local Plan (Part Two) Land Allocations and Detailed Policies, the National Policy Planning Framework (NPPF), and the Community Infrastructure Levy (CIL) Regulations that requires planning obligations to be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

1.7 Further details relating to the specific policies requiring infrastructure contributions can be found at Appendix A 'Infrastructure contributions and policy mapping' It should be noted that the Council's reasonable professional fees/pre construction phase works are included within the financial contributions sought. These fees shall include consultant costs, internal officer recharges and site surveys & investigations required to deliver the relevant project.

1.8 The Council will update this document annually, upon the publication of April's Retail Price Index (RPI) figure to ensure the contributions sought reflect the increase of RPI. Contributions need to be indexed linked and S106 planning obligations will provide for indexation to be applied from the date that the contribution rate is set. Typically this will be a rate set each April, and indexation will be applied from that April until payment is due. Historically, indexation has been applied from the date of completion of a S106, but under this current guidance, indexation starts earlier to take into account the additional period from when the contribution rate in the Developer contributions technical guidance note was last

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established/updated. If a Heads of Terms has been agreed in one financial year but the Deed has not been signed and completed until a later financial year, the relevant indexation will be applied to the sums in the Heads of Terms to ensure full indexation is applied.

2 Infrastructure contributions

Affordable housing

2.1 The National Planning Policy Framework (NPPF) requires the planning system to provide for the supply of housing required to meet the needs of our present and future generations. The Council's Local Plan (Part One) Policy SOC 1 sets out the requirements for affordable housing delivery as part of new residential developments.

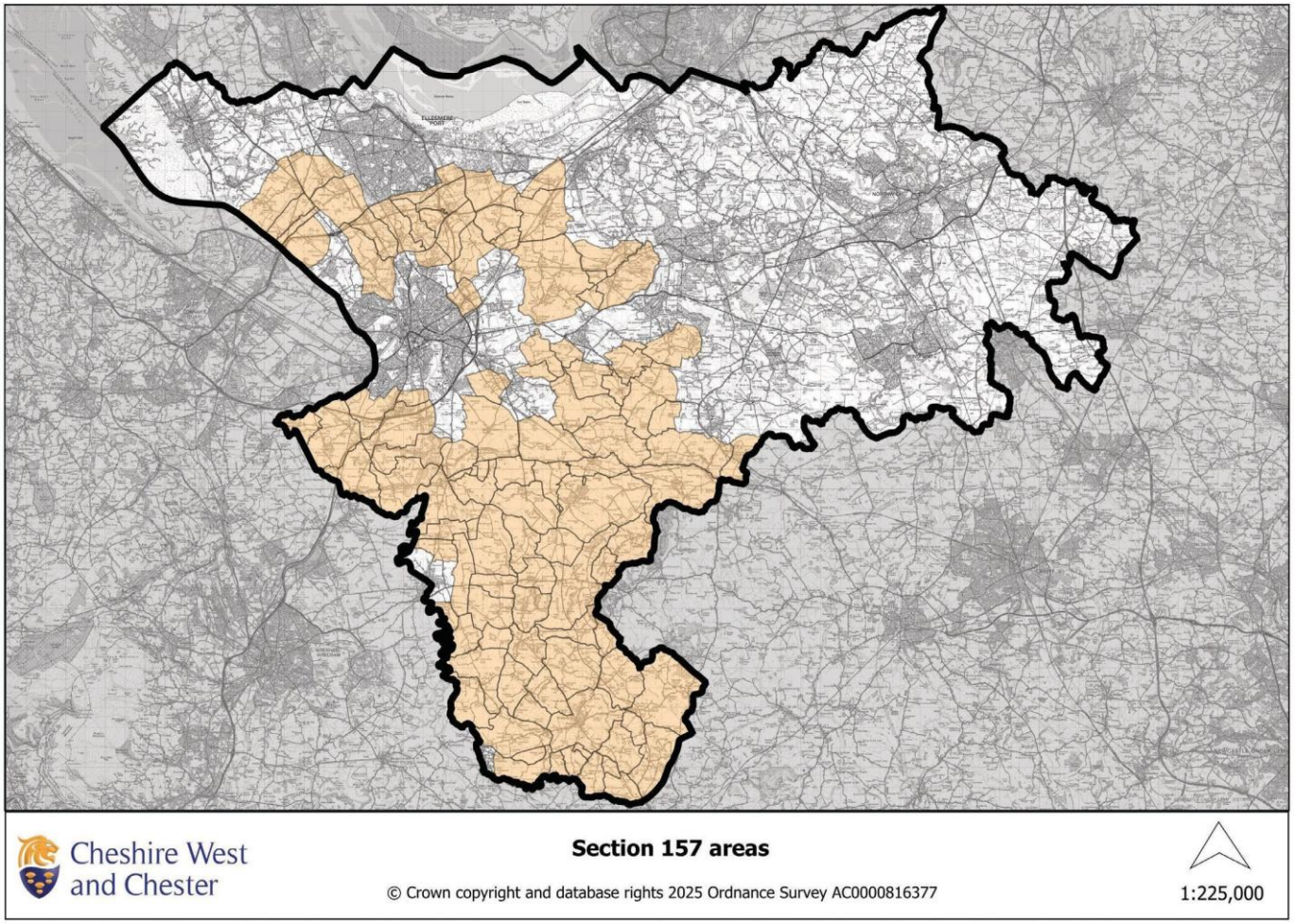
2.2 The Council will seek to maximise the proportion of affordable housing provided up to a target of 30%. Within this target, the proportion, type, tenure and size of affordable housing sought in each case will depend on site specific circumstances and the overall effect on the viability of the scheme. Affordable housing provision will be sought on site unless there are exceptional circumstances which can be demonstrated to justify off site contributions (Policy DM 23 Local Plan (Part Two).

When do we expect affordable houses to be provided?

2.3 *Affordable homes will be sought:*

- *for all major residential developments, including extra care and retirement schemes; and*
- *for minor residential developments in areas designated as 'rural' under Section 157 of the Housing Act 1985, where the proposal is for three or more dwellings or comprises an area of 0.1 hectares or more (see map below and the full list of parishes here:* The Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (England) (No.2) Order 2004*)and*
- *for minor residential developments where required by a Neighbourhood Plan (see Neighbourhood Planning).*

Map 2.1 Section 157 areas



Types of affordable housing

2.4 Annex 2 of the National Planning Policy Framework (NPPF) provides definitions of the types of affordable housing including low cost home ownership products. It defines affordable housing as; "Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

Affordable housing for rent:

2.5 meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to

be recycled for alternative affordable housing provision. For Build to Rent schemes, affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

Starter homes:

2.6 is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

Discounted market sales housing (DMS):

2.7 is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

2.8 There are many different types of affordable housing but properties under this scheme are offered for sale to eligible purchasers at a discounted price of the full market value.

2.9 For example, a £100,000 house with a 25% discount would be offered to eligible applicants for £75,000. This is not a shared ownership/equity scheme with additional rent charges, even though there is a discount on the sale price, the purchaser still owns 100% of the property.

2.10 The discount is tied to the property in perpetuity to ensure the unit stays affordable forever and continues to help those in affordable housing need. When owners want to sell their property, they must do so on the same terms, which means they must sell it with the same level of discount they received (a percentage of the open market value at the time) and to someone who meets the specific eligibility criteria issued for the affordable home when planning permission was granted.

2.11 The Council is responsible for ensuring Discounted Market Sale schemes are administered in accordance with the restrictions on occupation required by planning permission for the development.

Other affordable routes to home ownership:

2.12 is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

2.13 All other intermediate affordable housing is dealt with by Help to Buy North West or they can contact the individual Registered Provider.

2 Infrastructure contributions

2.14 Affordable rent or social housing is administered by West Cheshire Homes. Details can be found at What is affordable housing?

2.15 Where scheme viability may be affected and where proposals do not meet the identified proportion, mix and type of affordable housing, then applicants will be expected to justify any alternative proposals through the submission of a full open book viability appraisal.

Open spaces

2.16 In line with Cheshire West and Chester Council's Local Plan (Part One) policy SOC6 and DM35 (Part Two), proposals for new residential development will be required to provide open space where:

1. there are existing deficiencies in quantity, quality or access to open space; or
2. the development generates a need that cannot be met by existing provision

2.17 The Council's Open Space Study (2016-2030) has identified five different types of open space which developers will have to contribute towards, these are:

Amenity Green Space	The category is considered to include those spaces open to free and spontaneous use by the public, but neither laid out nor managed for a specific function such as a park, public playing field or recreation ground; nor managed as a natural or semi-natural habitat. These areas of open space will be of varied size, but are likely to share the following characteristics: • Unlikely to be physically demarcated by walls or fences. • Predominantly lain down to (mown) grass. • Unlikely to have identifiable entrance points (unlike parks). • They may have shrub and tree planting, and occasionally formal planted flower beds
Parks and Recreation	This category is considered to include parks, gardens and recreation grounds that can include a wide variety of uses: • Provision of outdoor gyms and fitness trails • Informal recreation and sport • Providing attractive walks and cycling routes • Offering landscape and amenity features • Areas of formal planting • Providing areas for 'wilding' • Providing habitats for wildlife • Dog walking
Allotments	Allotments provide areas for people to grow their own produce and plants.
Play Child(i)	Areas of play that cater for the needs of children up to and around 12 years. Play Areas are an essential way of creating safe but adventurous places for children of varying ages to play and learn. The emphasis in play area management is shifting away from straightforward and formal equipment such as slides and swings towards creating areas where imagination and natural learning can flourish through the use of landscaping and natural building materials and the creation of areas that need exploring
Play Youth(ii)	Informal recreation opportunities for, broadly, the 13 to 16/17 age group, and which might include facilities like skateboard parks, basketball courts and 'free access' Multi Use Games Areas (MUGAs).

2.18 The Open Space Study assessed the quantity of and the access standards for the various types of open spaces across the borough. The study identified where shortfalls in each of these typologies existed and is used to inform an assessment against the total number of residential units and assessing the access standard whether the council would seek a contribution towards local open space. Where one or more typologies are required, a proposed development would be asked to contribute to mitigating the need for that typology either via on-site provision, or a financial contribution as outlined in the table on the following page.

2.19 It is the Council's preference that open space is provided on site, in line with the scales of development in the following table, however, where on-site provision in accordance with the standards is not practical, a financial contribution will be sought to secure open space provision elsewhere, or to fund an enhancement to an existing site or sites.

2.20 The open space standards apply to all new residential developments (including through conversions and changes of use) including open market dwellings, affordable housing, extra-care developments, student accommodation, one-bed residential units and flats (as set out in Local Plan (Part Two) policy DM 35).

2.21 If the open space typologies are delivered on site, the applicant must make provision for its management and maintenance in perpetuity. The applicant's/developer's maintenance arrangements should ensure that areas of open space remain high quality whilst ensuring costs imposed on residents are reasonable and remain so for the lifetime of the development'

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i We request developers adopt Play England guidance 'Designed for play' http://www.playengland.org.uk/media/70684/design-for-play.pdfand Kids Inclusive Design for play to ensure accessibility for all http://www.kids.org.uk/News/new-play-space-assessment-tool

ii Informal recreation opportunities for youth play might include facilities such as skateboard parks, basketball courts and 'free access' Multi Use Games Areas (MUGAs). The council's Play Strategy has highlighted a need for more youth provision generally across the borough.

2.22 Information on the open space and playing pitch methodology is available here: Open Space Study and Playing Pitch Strategy - March 2017.

Table of open space requirements

Proposed number of residential units	Open space typology	On site provision m^2 per unit	Developer contribution per unit as of 1 April 2026
1 – 10 units	No contribution due		
11 – 19 units	Amenity greenspace	0	£546.93
	Play children	0	£309.93
	Play youth	0	£185.96
	Allotment	0	£164.08
	Parks and recreation	0	£1,312.64
20 – 49 units	Amenity greenspace	23(1)	£0
	Play children	0	£309.93
	Play youth	0	£185.96
	Allotment	0	£164.08
	Parks and recreation	0	£1,312.64
50 - 65 units	Amenity greenspace	23(1)	£0
	Play children	1.15	£0
	Play youth	0	£185.96
	Allotment	0	£164.08
	Parks and recreation	0	£1,312.64
66 – 99 units	Amenity greenspace	23	£0
	Play children	1.15	£0
	Play youth	0	£185.96
	Allotment	0	£164.08
	Parks and recreation	0	£1,312.64
100 - 199 units	Amenity greenspace	23	£0
	Play children	1.15	£0

Proposed number of residential units	Open space typology	On site provision m^2 per unit	Developer contribution per unit as of 1 April 2026
	Play youth	0	£185.96
	Allotment	3.45	£0
	Parks and recreation	0	£1,312.64
200+ units	Amenity greenspace	23	£0
	Play children	1.15	£0
	Play youth	0.69	£0
	Allotment	3.45	£0
	Parks and recreation	11.5	£0

1. For developments of between 20-49 & 50-65 residential units there is a requirement for a minimum of 1500sqm to be classed as amenity greenspace in order to be policy compliant.

Sports pitch methodology

2.23 To help meet the identified needs for sport and recreation, as set out in the most up to date evidence base, development affecting indoor and outdoor facilities will be supported where it meets Local Plan (Part One) policy SOC6 and (Part Two) policy DM36, outlined below:

1. Loss or replacement of sport and recreation facilities

2.24 Development that would result in the loss of an indoor sport and recreation facility or lapsed or disused playing pitch must meet the tests in Local Plan (Part One) policy SOC 6.

2.25 Proposals to locate an artificial sports surface on an existing playing field will be supported where there is evidence that it meets a strategic need and the sporting benefits are clearly demonstrated. Conversion of an existing artificial sports surface to a different type of surface will only be supported where the up-to-date evidence base supports the conversion and there will be no detrimental impact to existing sports users.

2. Enhancing and providing sport and recreation facilities

2.26 Developer contributions will be required to enhance existing provision of playing pitches, based on additional demand generated by the new residential development and the sufficiency of existing provision to meet current and projected need. The Council will have regard to Sport England's strategic planning tools and findings of the Playing Pitch Strategy to determine an appropriate amount and type of contribution or provision with new development.

2.27 Where it is agreed by the Council that on-site pitch provision is appropriate to meet identified demand, the applicant is required to provide the new pitch(es) and make provision for its management and maintenance in perpetuity and clarify these arrangements within a management plan to be agreed by the Council.

2.28 Provision of new sport and recreation facilities will be supported in line with the priorities of the Draft Sports Facilities Strategy, subject to relevant development plan policies.

2.29 Cheshire West and Chester Council's Playing Pitch Strategy 2021 provides a strategic framework for the maintenance and improvement of existing outdoor sports pitches and ancillary facilities e.g. changing facilities. It also provides planning guidance to assess pitch needs triggered by new development proposals or development proposals which affect playing fields. Further information on the Playing Pitch Strategy is available here: Open Space Study and Playing Pitch Strategy - March 2017.

2.30 Sport England's sport pitch calculator is utilised in conjunction with the Playing Pitch Strategy findings, to determine pitch, ancillary and maintenance developer contributions based on the population generated by a development or where need is identified, new pitch provision to be secured from development. This calculator is available here: Playing Pitch Calculator.

2.31 The pitch sports covered by the Playing Pitch Strategy includes:

- Cricket pitches
- Football pitches
- Rugby Union pitches
- Rugby League pitches
- Hockey / artificial pitches
- Artificial turf pitches AGP/3G
- Other grass sports pitch provision e.g. walking football, Gaelic football, lacrosse, American football, polo etc.

2.32 Generally, the Council would not request a contribution towards pitches for proposed developments of 10 residential units or less. For large-scale residential development, it may be considered appropriate to seek on site provision of sports pitches.

Health infrastructure

2.33 In order to meet the health and well-being needs of our residents STRAT 11 of the Local Plan (Part One) ensures that the Council, in seeking health facilities contributions, will be supporting measures to protect, enhance or improve access to existing facilities, services and amenities that contribute to the quality of life of residents.

2.34 New proposals are discussed with the Clinical Commissioning Group (CCG) during the planning application process to assess whether there is sufficient GP capacity in the local area. If the development proposal's forecast population increase exceeds the capacity at the local GP surgery the CCG will seek a contribution to extend or improve the capacity at the current practice.

2.35 The NHS Project Initiation Document Cost Estimator is used to assesses the current gross internal area of the GP Practice, patient list size and calculates the cost of a 'refurbishment/extension/new build' would be, inclusive of legal, architect and building works required to accommodate new residents from proposed developments. The table below provides a breakdown of the financial contribution sought per unit, dependent on the number of bedrooms:

Size of Residential Unit	Occupancy Assumptions Based on Size of residential unit	Health Need/Sum Requested per residential unit as of April 2026
1 bed unit	1.4 persons	£792.93 per 1 bed unit
2 bed unit	2.0 persons	£1,132.76 per 2 bed unit
3 bed unit	2.8 persons	£1,585.86 per 3 bed unit
4 bed unit	3.5 persons	£1,982.32 per 4 bed unit
5 bed unit	4.8 persons	£2,718.62 per 5 bed unit

Education

2.36 Local Plan (Part One) STRAT 11 ensures that the Local Authority, as the strategic commissioner of maintained sector school places, can seek contributions towards educational facilities within an appropriate distance from the proposed development.

2.37 The Council will use a child yield calculator to predict how many pre-school, primary, secondary, sixth form and special educational needs and disability pupils are likely to come from the residential development. Retirement units are not included in the calculation. The child yield factors have been calculated from data gathered from the latest Census.

2.38 For detailed guidance relating to how education contributions are calculated please read the Children And Young People's Service education contribution guidance note.

Biodiversity net gain

2.39 Biodiversity Net Gain (BNG) Requirements and Monitoring Fee – Cheshire West and Chester Council

2.40 Introduction to Biodiversity Net Gain

2.41 Biodiversity Net Gain (BNG) is a mandatory requirement under the Environment Act 2021, designed to ensure that development leaves the natural environment in a measurably better state than before. BNG applies to all planning applications for major developments (submitted on or after 12 February 2024) and minor developments (submitted on or after 2 April 2024), unless they meet specific exemptions. For applications that are not exempt, a minimum 10% increase in biodiversity is required, calculated using the Statutory Biodiversity Metric or Small Sites Metric delivered via one or a combination of the following (in hierarchical order):

- on-site habitat creation/enhancement
- off-site provision (either on land under the applicant's ownership or buy purchasing units from a habitat bank)
- the purchase of statutory biodiversity credits.

2.42 Exemptions from BNG Requirements

2.43 Certain developments are exempt from the mandatory 10% BNG requirement, as outlined in the Biodiversity Gain Requirements (Exemptions) Regulations 2024. These include:

- De Minimis Exemption: Developments that do not impact priority habitats and affect less than 25 square metres of on-site habitat (e.g., 5m x 5m) or less than 5 metres of linear habitats (e.g., hedgerows or watercourses).
- Householder Applications: Developments such as home extensions, conservatories, or loft conversions.
- Self-Build and Custom Housebuilding: Developments of 9 or fewer dwellings on sites no larger than 0.5 hectares, consisting exclusively of self-build or custom-build dwellings as defined in the Self-build and Custom Housebuilding Act 2015.
- Biodiversity Gain Sites: Developments specifically created to deliver BNG for other projects.
- Pre-Commencement Applications: Applications submitted before 12 February 2024 (for major developments) or 2 April 2024 (for minor developments).
- Permitted Development: Developments granted permission under a development order.

2.44 If it is not clear, applicants claiming an exemption must submit a statement with their planning application, supported by evidence (e.g., photos or habitat surveys), to justify why the development is exempt.

2.45 Local Significance Threshold

2.46 The GOV PPG defines significant enhancements as areas of habitat enhancement which contribute significantly to the proposed development's BNG, relative to the biodiversity value before development. As per the PPG, the maintenance of these significant enhancements must be secured with a legal agreement or planning condition for 30 years.

2.47 CWAC have developed thresholds for significant onsite biodiversity net gain. These aim to qualify the wide-ranging PPG guidance by applying unit thresholds the five different elements of the significance definition in the PPG. This ensures that the significance threshold is applied proportionally and secures those habitats that are of value to the ecological network in CWAC.

2.48 Further information on the significance threshold is available in the onsite significant enhancement guidance note.

2.49 Once an application is confirmed as having significant onsite BNG, there are further securing thresholds. This means that a HMMP condition is applied, or if the habitats are of a higher value, a HMMP condition and a Unilateral Undertaking agreement to secure a BNG Regulation and Reporting fee is required.

2.50 BNG Regulation and Reporting fee

2.51 To ensure the effective delivery and long-term management of BNG, Cheshire West and Chester Council requires a monitoring fee for significant on-site and all off-site BNG provisions. This fee covers the costs of:

- Reviewing and approving Biodiversity Gain Plans and Habitat Management and Monitoring Plans (HMMPs) over the 30 year period.
- Monitoring habitat creation or enhancement over a minimum of 30 years, typically through surveys in years 1, 2, 5, 10, 15, 20, 25, and 30.
- Registering off-site BNG provisions on the National Biodiversity Gain Sites Register.
- Enforcing compliance if habitat delivery does not meet the approved Biodiversity Gain Plan.
- Reporting on the on-site gains to DEFRA annually.

2.52 The monitoring fee is calculated based on the size and complexity of the habitat bank or off-site land parcel, as well as local monitoring requirements. The council's fee structure is detailed below:

Table 2.1 BNG regulation and reporting matrix

	Habitat Distinctiveness	Micro sites	Small sites <1ha	Medium Sites 1-<10ha	Large sites 10-<20ha	Very Large Sites 20-<40ha	Strategic Sites 40+ha
On-site BNG	Low Distinctiveness	N/A	£5,203.46	£10,852.81	£23,258.45	£39,920.21	£50,451.62
	Moderate Distinctiveness	N/A	£8,123.28	£15,430.63	£27,934.46	£44,596.22	£55,201.47
	High Distinctiveness	N/A	£11,039.79	£20,008.45	£32,610.47	£49,272.23	£59,951.32
	Very High Distinctiveness	N/A	£13,956.30	£24,586.26	£37,286.48	£53,948.24	£64,701.16

	Habitat Distinctiveness	Micro sites	Small sites <1ha	Medium Sites 1-<10ha	Large sites 10-<20ha	Very Large Sites 20-<40ha	Strategic Sites 40+ha
Hybrid: On-site and Off-site BNG	Low Distinctiveness	N/A	£8,378.92	£15,289.12	£28,645.04	£47,453.38	£50,451.62 + bespoke due diligence
	Moderate Distinctiveness	N/A	£12,402.97	£21,017.04	£34,868.18	£53,236.93	£55,201.47 + bespoke due diligence
	High Distinctiveness	N/A	£16,427.02	£27,190.14	£40,731.66	£59,020.48	£59,951.30 + bespoke due diligence
	Very High Distinctiveness	N/A	£20,451.07	£32,707.45	£47,034.73	£64,804.02	£64,701.16 + bespoke due diligence

	Habitat Distinctiveness	Micro sites <0.4ha	Small sites 0.4<1ha	Medium Sites 1-<10ha	Large sites 10-<20ha	Very Large Sites 20-<40ha	Strategic Sites 40+ha
Off-site BNG	Low Distinctiveness	£1,479.71	£8,378.92	£15,289.12	£28,645.04	£47,453.38	£50,451.62 + bespoke due diligence
	Moderate Distinctiveness	£1,599.60	£12,402.97	£21,017.04	£34,868.18	£53,236.93	£55,201.47 + bespoke due diligence
	High Distinctiveness	£1,719.49	£16,427.02	£27,190.14	£40,731.66	£59,020.48	£59,951.30 + bespoke due diligence
	Very High Distinctiveness	£1,839.38	£20,451.07	£32,707.45	£47,034.73	£64,804.02	£64,701.16 + bespoke due diligence

	Habitat Distinctiveness	Micro sites	Small sites <1ha	Medium Sites 1-<10ha	Large sites 10-<20ha	Very Large Sites 20-<40ha	Strategic Sites 40+ha
Standalone BNG	Low Distinctiveness	N/A	£8,378.92	£15,289.12	£28,645.04	£47,453.38	£50,451.62 + bespoke due diligence
	Moderate Distinctiveness	N/A	£12,402.97	£21,017.04	£34,868.18	£53,236.93	£55,201.47 + bespoke due diligence
	High Distinctiveness	N/A	£16,427.02	£27,190.14	£40,731.66	£59,020.48	£59,951.30 + bespoke due diligence
	Very High Distinctiveness	N/A	£20,451.07	£32,707.45	£47,034.73	£64,804.02	£64,701.16 + bespoke due diligence

Highways / transport

2.53 Each proposed development will undergo an individual assessment to determine whether a contribution towards improving the highway network or local public transport services will be required. These can include a commuted sum provided through a Section 106 agreement and/or a:

- Section 38 agreement, a voluntary agreement between the housebuilder and the Council to ensure the adoption and completion of new roads on a development
- Section 278 agreement, a legal agreement that allows developers to make alterations of improvements to the public highways as part of a planning approval.

2.54 In accordance with STRAT 10 of the Local Plan (Part One) and Local Plan (Part Two) policies T1-T5 new proposals will be supported where they can demonstrate that:

- Additional traffic can be accommodated safely and satisfactorily within the existing, or proposed, highway network
- Satisfactory arrangements can be made to accommodate the additional traffic before the development is brought into use
- Appropriate provision is made for access to public transport and other alternative means of transport to the car
- Measures have been incorporated to improve physical accessibility and remove barriers to mobility, especially for disabled and older people. The safety of all road users should be taken into account in the design and layout of new developments.

2.55 Where a proposal may generate significant traffic movements a travel plan may be required (note, a travel plan monitoring fee may also be required if this is the case). The Council has produced a Travel Planning Guidance which sets out the standard required for travel plans developed and implemented through the planning process, available here: Adopted Travel Planning Guidance SPD.

2.56 The Council would also expect that new developments will provide adequate levels of car and cycle parking in accordance with the Council's Parking Standards SPD available here: Adopted Parking Standards SPD. Proposals should take account of:

- The accessibility of the development
- The type, mix and use of the development
- The availability of, and opportunities for, public transport Local car ownership levels

Air quality

2.57 Development must not give rise to significant adverse impacts on health and quality of life, from air pollution. In particular, development proposals within or adjacent to an Air Quality Management Area (AQMA) will be expected to be designed to mitigate the impact of poor air quality on future occupiers. An interactive map to our AQMAs is available here: AQMA mapping and monitoring.

2.58 An air quality assessment will be required for development proposals that have the potential for significant air quality impacts, including those which:

- are classed as major development and have the potential, either individually or cumulatively, for significant emissions; or
- are likely to result in an increase in pollution levels in an AQMA; or
- are likely to expose people to existing sources of air pollutants.

2.59 Where an air quality assessment identifies an unacceptable impact on or from air quality, an appropriate scheme of mitigation must be submitted, which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. Financial contributions will be assessed using DEFRA's Air quality appraisal: damage cost guidance, available here: Air quality appraisal: damage cost guidance - GOV.UK (www.gov.uk).

Police infrastructure

2.60 In line with Local Plan (Part One) STRAT 11 the Council may seek a financial contribution towards police infrastructure on behalf of Cheshire Constabulary if it is deemed appropriate to do so. Proposed developments may have to provide an adequate contribution towards the additional infrastructure costs will arise as a direct result of the development proposed. Securing modest contributions for the police under Section 106 to mitigate identified impacts is both necessary and justified so that the same level of service can be provided to residents of new developments as to existing residents.

2.61 This contribution will be used for, but not limited to:

- Improving and/or expanding existing police premises
- Staff and officer set up costs (uniform and personal equipment, workstation, training etc.)
- Premises (adaptation or refurbishment)
- Mobility (police vehicles)
- Control room telephony and database capacity, communications (CCTV, ANPR, radio systems and IT infrastructure)
- Support functions (crime recording, strategic planning, public protection, judicial services, HR, finance, fleet management, forensics and others)

2.62 In line with many other police forces across the country, Cheshire Constabulary has adopted the nationally recognised methodology for infrastructure requests developing the formula so that it accurately reflects the Constabulary's operational policing model, current infrastructure levels and deployment capacity in the borough. It also aligns with national best practice recommended by the National Police Chiefs' Council (NPCC).

2.63 Precise costs associated with police infrastructure will be provided via consultation with Cheshire Constabulary once the planning application has been submitted.

Monitoring fees

2.64 On the 1 September 2019 the regulations regarding developer contribution regulations changed to allow local authorities to charge monitoring fees. This is specified in The CIL (Amendment) (England) (No. 2) Regulations 2019, part 10, which means that the legal tests that restrict planning obligations do not apply to sums paid for the annual cost of monitoring and reporting planning obligations.

2.65 In September 2026 Cheshire West and Chester amended its Section 106 monitoring fees in line with the table below.

2.66 For Biodiversity Net Gain (BNG) Regulation and Reporting Fees, these are applicable when BNG is secured by HMMP condition or S106:

Table 2.2

Trigger	Section 106 Monitoring Fee
BNG Regulation and Reporting Fee for on site delivery to be paid on completion of the Deed when secured via a Unilateral Undertaking	No S106 Monitoring Fee
BNG Regulation and Reporting Fee for on site delivery to be paid prior to commencement of the development via a Unilateral Undertaking	£250 S106 Monitoring Fee payable on completion of the Deed
BNG being delivered off-site (within the blue line) via a bi-lateral Section 106 agreement	£414 S106 Monitoring Fee payable on completion of the Deed

2.67 In all other cases, the following will apply:

Type of development	Number (if applicable)	Section 106 Monitoring Fee
Residential	Less than 10 dwellings	£400 per non-financial obligation plus a monitoring fee on financial contributions secured through the S106 Agreement (valued at the date of signing): • 2.5% of the first £500,000; • 1% of £500,001 to £2 million; and • 0.5% above £2 million.

Type of development	Number (if applicable)	Section 106 Monitoring Fee
	10+ dwellings	£700 per non-financial obligation plus a monitoring fee on financial contributions secured through the S106 Agreement (valued at the date of signing): • 2.5% of the first £500,000; • 1% of £500,001 to £2 million; and • 0.5% above £2 million.
Mixed use scheme that involves an element of residential development	N/A	£700 per non-financial obligation plus a monitoring fee on financial contributions secured through the S106 Agreement (valued at the date of signing): • 2.5% of the first £500,000; • 1% of £500,001 to £2 million; and • 0.5% above £2 million.
All other uses	N/A	£400 per non-financial obligation plus a monitoring fee on financial contributions secured through the S106 Agreement (valued at the date of signing): • 2.5% of the first £500,000; • 1% of £500,001 to £2 million; and • 0.5% above £2 million.

2.68 The monitoring fee is to be paid at completion of the S106 legal Deed, to enable the council to monitor the commencement of development. Section 106 monitoring fees will be capped at a maximum of £30,000.

2.69 The monitoring fee includes the following activities:

- Data entry and maintenance of planning obligations database;
- Chasing outstanding payments;
- Contacting developer for confirmation of compliance;
- Site visits where necessary;
- Arranging invoices for of financial obligations;
- Contacting service teams;
- Reviewing projects to comply with legal obligations;
- Monitoring obligations spent to ensure money is spent within time limits; and,
- Regular reporting which will contribute to the council's Infrastructure Funding Statement.

A Infrastructure contributions and policy mapping

Infrastructure	National Policy and Guidance	Local Plan Policy
Affordable/Social Housing	NPPF para 62-64	SOC1 (LP1) and DM23 (LP2)
Education infrastructure	Securing Developer Contributions for Education for Education	STRAT11 (Infrastructure)
Health	Planning practice guidance (planning obligations)	STRAT 11 (Infrastructure)
Open space	NPPF para 96 -101	SOC6 (LP1) and DM35 (LP2)
Play pitches	Planning Practice Guidance (Planning Obligations) and (Open Space)	SOC6 (LP1) and DM36 (LP2)
Biodiversity Net Gain	Biodiversity Net Gain Guidance for Developers	DM44 (LP2)
Air Quality	NPPF para 170 (e), 180-181 and PPG (Air Quality)	SOC 5 (LP1), DM 31
Highways and transport		STRAT11,, T1 (LP2), EP1 (LP2) but only relevant for Ellesmere Port)
Police Infrastructure		STRAT11