

London Borough of Richmond upon Thames Local Plan

# Planning Obligations

Supplementary Planning Document

Adopted March 2026



## Richmond Planning Obligations SPD

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# I Introduction

## Purpose of the Planning Obligations SPD

- I.1** This Richmond Planning Obligations Supplementary Planning Document (SPD) sets out the Council's approach to securing planning obligations through the development management process. The SPD provides detailed guidance on how planning obligations will be determined and applied in relation to different types of development.
- I.2** This SPD is not itself part of the local development plan but is a local development document which guides the Council's decision making on planning applications. The SPD supports the implementation of the policies of the Richmond upon Thames Local Plan (2025-2040) and is a material consideration in the determination of planning applications. The planning obligations set out by London Plan Guidance will continue to apply alongside the local requirements defined in this SPD.
- I.3** The SPD provides consistency with the Council's [Infrastructure Delivery Plan](#), which identifies infrastructure requirements across the borough, setting out what infrastructure is needed, where, and when. The SPD also better reflects the Council's wider objectives, captured in the [Raising the Bar guidance](#) (2024), and reflected in its launch of a [Community Fund](#).
- I.4** This SPD is structured in a way that sets out, for each policy area, the relevant threshold or trigger which will define the need for a planning obligation, relevant policy context (including references to the relevant Local Plan and London Plan policies) and wider planning considerations, and the specific planning obligations required (whether financial or non-financial). A glossary of key terms is included at the end of the document. Requirements for affordable housing will be set out in the forthcoming Affordable Housing SPD.
- I.5** The Council has developed a range of resources to assist in the application of this SPD. Developers are particularly encouraged to use the Planning Obligations calculator to be published alongside this Planning Obligations SPD on the Council's website on adoption. The Planning Obligations calculator should be used as a starting point for discussions, although it should be recognised that

all final contributions and the need for site-specific obligations will need to be confirmed with the Council at the pre-application and/or application stage.

## What are Planning Obligations and why are they important?

- I.6** Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal and make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the three tests<sup>1</sup>. They must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- I.7** While planning obligations will always be negotiated individually on a site-by-site basis, this SPD aims to give developers, members of the public, and other stakeholders a clear indication of what obligations are likely to be required to make development acceptable in planning terms.
- I.8** The types of planning obligation addressed in this SPD are different to the Community Infrastructure Levy (CIL), which is a non-negotiable charge used to fund local infrastructure that will support future development. CIL is charged on most new developments involving the creation of one or more new dwellings, or 100sqm or more of new gross internal floorspace. The two types of CIL collected in Richmond are borough level Richmond CIL and Mayoral CIL. This SPD does not provide detailed guidance on CIL but acknowledges the relationship between CIL and the types of planning obligations addressed in this SPD where relevant. Information on Richmond and Mayoral CIL are set out on the Council's [website](#).
- I.9** Taken together, planning obligations (in the form of Unilateral Undertakings, Section 106 Agreements and Section 278 Agreements), CIL and certain planning conditions that secure infrastructure are called planning contributions. Importantly, planning obligations should only be used where it is not

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<sup>1</sup> These tests are set out as statutory tests in [regulation 122](#) (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework.

possible to address unacceptable impacts through a planning condition. Table I below outlines the different ways in which developers may be asked to contribute towards infrastructure.

**1.10** Further guidance on the role and function of planning obligations is set out in the [Planning Practice Guidance \(PPG\) section titled 'Planning Obligations'](#)

**Table I: Planning contributions towards infrastructure**

Planning Contribution	Type	Aim	Delivery Mechanism
Planning Obligations	S106 Agreement	Legal obligations to secure on-site infrastructure or financial contributions towards off-site infrastructure to mitigate the impacts of a development and make it acceptable in planning terms	S106 Agreements or Unilateral Undertaking
	S278 Agreement (highways contributions)	Legal obligations to make alterations or improvements to a public highway as part of a planning application	S106 Agreements, where no S106 is attached to the permission, S278 contributions can be secured via a negatively worded planning condition (Grampian condition)
Community Infrastructure Levy (CIL)	Richmond CIL	Fixed charge levied on new development to fund borough- wide infrastructure	CIL Regulations 2010 (as amended). Local Planning Authorities collect CIL payments when work on the new development commences
	Mayoral CIL	Fixed charge levied on new development to fund London- wide transport infrastructure	
Planning Conditions	Pre-commencement Pre-occupancy Post-occupancy management and monitoring	Requirements or restrictions applied to a planning permission to mitigate the adverse effects of development, enhance its quality, and enable development to proceed where it would otherwise have been necessary to refuse planning permission	Attached to the planning permission, pre-commencement conditions can only be imposed on the grant of permission with the written agreement of the applicant

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## Legal Context

- I.11** The main way in which planning obligations are secured is via an agreement under section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the local planning authority; or via a unilateral undertaking entered into by a person with an interest in the land without the local planning authority. Highways contributions pursuant to Section 278 of the Highways Act 1980 are also considered planning obligations and usually secured via S106 Agreements.
- I.12** [Section 106 of the Town and Country Planning Act 1990](#) outlines the law as it relates to applying, modifying, discharging and appealing planning obligations.
- I.13** Planning obligations secured under Section 106 agreements and Unilateral Undertakings are legally binding and enforceable.

## Policy Context

### National Policy

- I.14** The [National Planning Policy Framework \(NPPF, 2024\)](#) sets out the national policy position on the use and application of planning obligations. It identifies, at Paragraph 56, that:
- 56. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition*
- I.15** [Planning Practice Guidance \(PPG, 2019\)](#) provides detailed guidance on the use of planning obligations, and process for changing obligations, where relevant. This SPD has been prepared to align with the PPG.
- I.16** It is recognised that the planning system is likely to be subject to reform in the near future and that changes to legislation, regulations or national policy on the use of planning obligations may occur during the lifetime of this document and affect its reliability. Should such reform take place, the Council will look to advise applicants on any material changes and may bring forward a new SPD, if appropriate.

### Regional Policy

The [London Plan \(2021\)](#) forms part of the development plan for Richmond. Its policies, and those contained within any successor plan, will be used as the basis for planning decisions. The London Plan identifies a range of policy areas where planning obligations will need to be used to secure contributions towards infrastructure or to mitigate other impacts arising from development. The framework provided by the London Plan has informed the development of local policies, through the Local Plan, which specify the use of planning obligations in more detail.

### Local Policy

- I.17** The [Richmond upon Thames Local Plan \(2025\)](#) sets out a framework for managing growth and development in Richmond over the next 15 years. It contains a range of both area-based and more general policies which together identify how development will be expected to contribute to a wider vision and set of objectives.
- I.18** In relation to planning obligations, the Local Plan identifies a range of policy areas where planning obligations will be needed to make development acceptable in planning terms. In particular, it identifies, through Policy 55 (Delivery and Monitoring), that:
- E. 'The Council will also require planning obligations to mitigate any adverse impact from a development. In the first instance this mitigation should be on-site. If on-site mitigation is not feasible then a financial contribution will need to be secured towards appropriate off-site measures.'*

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## 2 Negotiating and monitoring Planning Obligations

### Use of Thresholds and Triggers

- 2.1** In accordance with the Local Plan, indicative thresholds have been set (where applicable) for each of the types of planning obligations to provide clarity as to when particular planning obligations are likely to be sought. In setting thresholds or triggers, the Council's intention is to balance the objective of ensuring that developments genuinely mitigate the impacts they will generate with the objective of not overburdening smaller developments which do not typically generate the economies of scale of larger developments.
- 2.2** The Council has sought to develop an approach that is not overly complex, and therefore whilst different thresholds are applied in relation to the various types of planning obligations, the Council has sought to align these with established thresholds wherever possible. Where the term 'dwelling' is used in a threshold, this typically also includes non-self-contained accommodation, adjusted in line with the ratios set out in the London Plan. The Planning Obligations calculator that sits alongside the SPD may not be applicable to all types of development.
- 2.3** It is noted that some planning obligations are very site- or circumstance-specific. In these cases, it may not be possible to define a simple or consistent threshold based on development size or scale. There may also be rare cases where planning obligations are required to address matters which, in most cases, are addressed in alternative ways, for example, complex amenity issues which cannot be fully controlled by condition. Within relevant sections, this SPD nevertheless seeks to provide clarity as to the types of circumstance which might require planning obligations, acknowledging that this is not exhaustive.
- 2.4** [12 Appendix I: Delivery Mechanisms for Planning Contributions](#) sets out examples of the likely delivery mechanism for securing contributions from different policy areas.

### Drafting of Planning Obligations

- 2.5** Applicants, agents and developers are encouraged to seek pre-application advice prior to the formal submission of major development proposals within the borough.

- 2.6** Applicants should use this SPD and the Planning Obligations Calculator to help assess the impacts of the proposed scheme and any planning obligations likely to be required to mitigate the impacts of the development. Applicants are encouraged to submit these details as a draft Heads of Terms document alongside the pre-application submission documentation to allow officers sufficient time to consider the details contained within the draft Heads of Terms.
- 2.7** Applicants may wish to use [3 Overview of Planning Obligations required](#) as the starting point for understanding whether their development is likely to require planning obligations. Applicants should, however, be mindful that some planning obligations will be highly site- or circumstance-specific and that further planning obligations may emerge as necessary once a specific proposal has been reviewed by the local planning authority.
- 2.8** There may be circumstances where the Council requests the applicant to provide and pay for an independent third-party review of specialist reports prior to determining an application. The Council may also request the applicant to provide further information or specialist reports in order to scrutinise policy requirements. In addition, where there are appraisals or updates required to reports, the review of these by a third-party will also need to be paid for by the applicant. Requests for further information by the Council will only be in circumstances where it is necessary in order to make a full assessment of an application.
- 2.9** Developers will be expected to meet all legal costs associated with drawing up planning obligations, together with reasonable costs incurred by the Council in drawing up s278 agreements. For developments that involve negotiations with the Mayor of London or Transport for London, and where they will require their own legal advice, the developer also needs to reimburse these costs for site specific S106 agreements.

### Monitoring Fees and Discharging Obligations

- 2.10** Developers entering into planning obligations will be required to pay a S106 monitoring fee, in order to mitigate the additional costs incurred by the Council in the administration and monitoring of S106 Obligations.

**2.11** The Community Infrastructure Levy Regulations 2010 (as amended) provides for application of a monitoring fee. The monitoring fee is not sought as a planning obligation, and the Council will use a tailored approach to setting the fee. Calculation of the S106 monitoring fee takes into account the type and scale of development and associated monitoring timescales, factoring in the number of obligations to be monitored and the number of payments expected for each category of financial obligation (e.g. phased payments on larger schemes). A set formula will be used to calculate monitoring fees due as detailed below.

**2.12** S106 monitoring fees will routinely be sought on completion of the S106 Agreement. For larger developments, instalments may be negotiated as detailed below, subject to indexation (by way of an increase only) on date of payment. All monitoring fee instalments are to be paid before practical completion of development.

**2.13** The Council charges a fee to confirm compliance with Planning Obligations. The current fee is kept updated on the Council's [website](#).

## Section 106 Monitoring Fee Calculation

**Table 2: Section 106 Monitoring Fee Calculation**

**Section 106 Monitoring fee due = Officer Time (in hours) x £149\***

Officer Time (in hours) = (A + (B x 1.5) + (C x 1.5) + (D x 4)) x (E/F)

**Where:**

A = Development type multiplier (see below).

B = Number of non-financial obligations.

C = Number of financial obligations.

D = Number of Demand Notices required for all financial obligation categories.

E = BCIS Index figure on the date when the S106 monitoring fee is paid.

F = BCIS Index figure on the date when the S106 Agreement is completed.

Development Size and Type	Delivery Timescale Years (G)	Hours per scheme and per year (H)	Development Type Multiplier (A = G x H)**	Maximum number of instalments
<10 proposed dwellings	1	2.5	2.5	1
10-49 proposed dwellings	1.5	10.0	15.0	1
50-99 proposed dwellings	2	12.5	25.0	2
100-149 proposed dwellings	3	15.0	45.0	3
150-199 proposed dwellings	4	20.0	80.0	4

<b>200+ proposed dwellings</b>	5	30.0	150.0	5
<b>&lt;1,000 m2 non-residential proposed floorspace</b>	1	5	5	1
<b>1,000 m<sup>2</sup> - 9,999 m<sup>2</sup> non-residential proposed floorspace</b>	2	10.0	20.0	2
<b>10,000 m<sup>2</sup> + non-residential proposed floorspace</b>	3	15.0	45.0	3

\* Hourly rate to be updated annually through Council fee setting.

\*\* For mixed use developments, the predominant use determines the Development Type Multiplier.

Number of financial obligations means all financial obligations where a contribution is secured by the S106 Agreement.

Number of non-financial obligations means all non-financial obligations stated in the clauses of the S106 Agreement that requires the Section 106 Officer's administration and/or monitoring in order to ensure compliance.

Deeds of Variation will require recalculation of monitoring fee to reflect the uplift in the number and type of obligations from the original S106 Agreement. When there is no uplift, it is in the Council's discretion to seek a monitoring fee based on the hours needed to administer the Deed of Variation.

Indexation (E/F) applies by way of an increase only

## Highways inspection fee

**2.14** In addition to the monitoring fee, the Council will also seek a highways inspection fee of 5% of the cost of proposed highway works which will be secured in the highways agreement.

## Index linking

**2.15** In order to maintain the value of contributions from the date of resolution to grant permission until an appropriate trigger, they will be index linked. The index that is used may vary, particularly according to the type of contribution, and depending on any successor to current relevant inflationary indices as these may be changed by the Office for National Statistics (ONS). The Council

will use the most appropriate indices to provide a guide to the construction and other costs of new infrastructure and facilities that are required.

**2.16** Please note that the Mayor of London/Transport for London may use its own indexation for transport projects.

## Collection of financial contributions

**2.17** The Council will seek all monetary S106 contributions to be paid on completion of the S106 Agreement, or at an appropriate trigger point which is deemed necessary to ensure the harm is overcome.

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**2.18** In circumstances where evidence has been provided, the Council may consider payment up to 60 days before commencement of the development and the applicant will need to notify the Council of the date of intended commencement. On large payments of £250,000 or more, the Council may negotiate phased payments. Regard will be had to the impact of phasing of CIL payments and viability when a request to pay contributions is made. As a guide, a securitisation method in the form of a bond, charge on property or parent company guarantee may be required for large developments with contributions of £5 million or more.

**2.19** The Council may also secure planning obligations through performance bonds, in case of circumstances where it is reasonable for the Council to take steps to secure the delivery of mitigation. The value of any financial drawdown would be defined by the measures considered necessary by the Council to remedy any shortcomings.

## Reporting

**2.20** The Council makes publicly available information as to what planning obligation contributions are received and how these contributions are used, reported annually in the [Infrastructure Funding Statement](#).

### 3 Overview of Planning Obligations required

#### Summary table

- 3.1** Table 3 below provides a high-level overview of the planning obligations that may be required to address different policy requirements within the Local Plan.
- 3.2** Applicants are encouraged to use Table 3 as the starting point for considering whether their development is likely to require planning obligations. However, the information within Table 3 only provides a high-level summary and, wherever a development is likely to meet the relevant threshold, applicants are strongly encouraged to read the full guidance on those policy areas set out in the following chapters. This is particularly important given that the need for planning obligations will often apply only in certain locations or circumstances that may not be clear from Table 3 alone.

Policy Area	Local Plan Policy	Planning Obligations	Threshold	Trigger
Carbon Reduction	Policy 4 (Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency)	Committed sum to the Council's Carbon Offset Fund.	All developments	In exceptional circumstances where the carbon savings required by Policy 4 cannot be delivered on-site.
Decentralised Energy Networks (DEN)	Policy 5 (Energy Infrastructure)	On-site provision of DEN.	All major developments	<ul style="list-style-type: none"> <li>Where the development is proposed in an area that no DENs are planned, or</li> <li>In exceptional circumstances, where it is not technically feasible or viable to connect a development to an existing DEN.</li> </ul>
		Financial contribution towards establishing and expanding a DEN.	All major developments	Where it is necessary to fund the establishment or expansion of a DEN which the proposed development would connect.
Waste and the Circular Economy	Policy 7(Waste and the Circular Economy)	Securing compensatory capacity for any proposed loss of capacity at a safeguarded waste site.	All developments	Where the development results in the loss of capacity at any safeguarded waste site.
Flood Risk and Sustainable Drainage	Policy 8 (Flood Risk and Sustainable Drainage)	Provision of on-site flood alleviation or mitigation measures.	All developments	Where flooding measures are necessary to make the development acceptable in planning terms and the required measures cannot be secured

Policy Area	Local Plan Policy	Planning Obligations	Threshold	Trigger
				through other means, e.g. Design or planning condition, in accordance with Regulation 122 of the Community Infrastructure Levy Regulations. Planning obligations will not be used to make development acceptable where flood risk cannot be adequately mitigated on-site or off-site in accordance with the Local Plan and national planning policy.
		Financial contribution towards off-site flood alleviation or mitigation measures.	All developments	Where flooding measures are necessary to make the development acceptable in planning terms, but the required measures are not already covered by the Council's Infrastructure Delivery Plan.
Water Resources and Infrastructure	Policy 9 (Water Resources and Infrastructure)	Provision of wastewater infrastructure where additional capacity is needed or mitigation measures.	All developments	Where wastewater measures are necessary to make the development acceptable in planning terms and the required measures cannot be secured through other means.
Affordable Workspace	Policy 25 (Affordable, Flexible and Managed Workspace)	Provision of the relevant proportion of employment space as affordable workspace (see Policy 25).	Major developments with more than 1,000 sqm of gross employment floorspace.	For commuted sums, only in exceptional circumstances where the provision of affordable workspace on-site would not be feasible or appropriate.
Public Realm and Environmental Works	Policy 28 (Local character and design quality)	Works to the public realm and the environment within the vicinity of development sites.	All developments	Where a need has been identified for necessary on-site or adjacent public realm and/or environmental works.

Policy Area	Local Plan Policy	Planning Obligations	Threshold	Trigger
Historic Environment	Policy 29 (Designated Heritage Assets) Policy 30 (Non-designated Heritage Assets) Policy 31 (Views and Vistas) Policy 32 (Royal Botanic Gardens, Kew World Heritage Site) Policy 33 (Archaeology)	Contribution towards the conservation, restoration or enhancement of the historic environment, archaeological sites or monuments.	All developments	Where the development has a harmful impact on the historic environment that requires mitigation and this mitigation cannot be fully addressed through design or use of conditions.
CCTV	Policy 28 (Local character and design quality)	Provision of CCTV cameras (on-site or commuted sum).	All developments	Where a need has been identified for necessary infrastructure to be put in place to maintain a safe and secure environment and reduce the fear of crime.
Public Open Space	Policy 37 (Public Open Space, Play, Sport and Recreation)	On-site provision in areas of public open space deficiency. Outside these areas, on-site provision or if unfeasible, a commuted sum towards new or improved off-site open space.	All major developments	Outside areas of public open space deficiency, commuted sums may only be used in exceptional circumstances where the provision of on-site open space would not be feasible.
Play Space	Policy 37 (Public Open Space, Play, Sport and Recreation)	On-site provision equivalent to 10 sqm per child, or, if unfeasible, a commuted sum towards the provision of new play space or the enhancement of existing play space.	All major developments leading to a estimated child occupancy of ten children or more	For commuted sums, only in exceptional circumstances where the provision of on-site play space would not be feasible or appropriate.
Playing Fields and Sports Facilities	Policy 37 (Public Open Space, Play, Sport and Recreation) Policy 49 (Social and Community Infrastructure)	On-site provision of playing fields and ancillary sports facilities, or, if unfeasible, a commuted sum towards the improvement of existing facilities, and/or access to the facilities.	All major developments	For commuted sums, only in exceptional circumstances where provision of on-site facilities is not feasible or practical (including Community Use Agreements).

Policy Area	Local Plan Policy	Planning Obligations	Threshold	Trigger
Biodiversity	Policy 39 (Biodiversity and Geodiversity)	Securing contributions to mitigate or compensate for biodiversity impacts off-site.	All developments	In exceptional circumstances where the applicant has followed the mitigation hierarchy, it is not possible to avoid biodiversity impacts, and mitigation cannot be secured on-site through other means, e.g. design or conditions.
		Securing measures required for Biodiversity Net Gain (BNG) to secure the provision or maintenance of significant on-site enhancements or off-site gains.	All developments	In exceptional circumstances, where it is not possible to secure measures necessary for Biodiversity Net Gain (BNG) through other means e.g. design or conditions.
Rivers and River Corridors	Policy 40 (Rivers and River Corridors)	Measures to secure public access to, and alongside, the borough's rivers.	All developments	Where it is necessary to enhance existing public access to the riverside, or secure new access.
Trees	Policy 42 (Trees, Woodland and Landscape)	Financial contributions towards provision of off-site trees, in line with CAVAT methodology.	All developments	In exceptional circumstances, where the felling of a tree has been agreed for arboricultural reasons and it is not practical to replace it on site.
Sustainable Transport	Policy 47 (Sustainable Travel Choices) Policy 48 (Vehicular Parking Standards, Cycle Parking, Servicing and Construction Logistics Management)	Securing measures or contributions towards highways works and sustainable transport.	All developments	Where the development has a highways or transport impact that requires mitigation.
Social Infrastructure	Policy 49 (Social and Community Infrastructure)	On-site provision or contribution towards the delivery of new community infrastructure.	All major developments	Where the development generates a site-specific need for a new community or social infrastructure that cannot be addressed through other means, e.g. CIL.

Policy Area	Local Plan Policy	Planning Obligations	Threshold	Trigger
		On-site provision or contribution towards the delivery of replacement community and social infrastructure.	Developments that result in the loss of community or social infrastructure	In specific circumstances, where it is necessary to replace or re-provide community or social infrastructure proposed for loss and this is not possible to secure through other means, e.g. condition.
Education	Policy 50 (Education and Training)	Financial contributions towards the creation of additional capacity in schools.	All major developments	Where there is an increase in pupil demand arising from a development.
Employment and Skills Training	Policy 50 (Education and Training)	Local Employment Agreement.	Developments generating 20 FTE (full-time equivalent) jobs (construction and operation phases)	N/A
Health	Policy 51 (Health and Wellbeing)	On-site provision of health facilities or financial contributions towards the capital costs of increasing the capacity of local health services.	All major developments	Where there is a need to increase the capacity of local premises or services as a result of a development, and this cannot be addressed through other means (e.g. CIL).
Air Quality	Policy 53 (Local Environmental Impacts)	Committed sum to the borough's Air Quality Fund.	All major developments, and in some circumstances, minor developments in/next to an Air Quality Focus Area.	In exceptional circumstances where NO <sub>2</sub> and PM modelled concentrations exceed the Council's targets and where on- site mitigation measures are not feasible.
		Financial contribution towards monitoring air quality impacts and enforcement of air quality planning conditions.	All major developments.	N/A

## 4 Responding to the climate emergency and taking action

### Carbon reduction

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 3 Tackling the Climate Emergency Policy 4 Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency Policy 6 Sustainable Construction Standards	<ul style="list-style-type: none"> <li>London Plan Policy SI 2 Minimising greenhouse gas emissions</li> <li>Mayor’s Energy SPG (2020)</li> <li>GLA ‘Be Seen’ Building Regulations (2021)</li> </ul>

#### Threshold or Trigger for Planning Obligation

**4.1** Planning obligations towards carbon reduction will be required:

- To secure a financial contribution from **any development** which demonstrates, in exceptional circumstances, that it is not possible to fully achieve the on-site carbon emission standards set out in Part E of Policy 4.
- From all new-build residential development of 1 or more dwellings, and major residential development of 10 or more dwellings (including changes of use, conversions and major refurbishments), and non-residential development of 100sqm or more (including changes of use, conversions and refurbishments in order to provide or fund the provision of post-construction monitoring in line with Part D8 of Policy 4.

#### Policy Context

**4.2** The Local Plan supports the Council’s ambition to be carbon neutral by 2030 and zero carbon by 2043, at the latest. The London Plan and Local Plan both seek to ensure that new development proposals make the fullest contribution to minimising standards which are designed to lead to zero carbon residential buildings.

**4.3** Developments will be required to achieve the highest standards of design and construction to mitigate the effects of climate change. Policy 6 requires that developments of 1 dwelling unit or more complete the Sustainable Construction Checklist SPD, and thereby the Council ensures that developments are built to the highest standards of sustainable design, construction and operation. The Council is also producing further

guidance on retrofitting domestic properties to make them more efficient and reduce their environmental impacts. Normally, requirements for sustainable design and construction will be dealt with using conditions, but in some circumstances, a Section 106 agreement may be required to ensure the highest environmental standards of development.

**4.4** Policy 4 (Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency) requires all conversions and changes of use that result in the creation of 1 new dwelling to achieve zero carbon standards with a minimum on-site reduction of 35%, new build residential of 1 or more dwellings, and major residential of 10 or more dwellings to achieve a minimum on-site reduction of 60%.

#### Planning Considerations

**4.5** An Energy Assessment must set out how the application achieves the 35% or 60% reduction by Policy 4 and set out any remaining requirement for off-setting. For guidance on how to calculate this, follow the updated Energy Assessment Guidance and Carbon Emissions reporting spreadsheet to align with the London Plan and Part L 2021 building regulations.

#### Requirements

**4.6** In exceptional circumstances, where an applicant demonstrates that the carbon savings required by Policy 4 cannot be delivered on-site, the remaining regulated emissions will be off-set through a financial contribution to the Council’s Carbon Offset Fund which will need to be secured through a S106 legal agreement. At the time of publication, the price of carbon is £300/tonne over 30 years <sup>2</sup>.

<sup>2</sup> The price for offsetting carbon is regularly reviewed. Any changes to Richmond’s suggested carbon offset price will be updated in future guidance.

**4.7** Any off-set payments are calculated at the planning application stage and will be required to be recalculated at the detailed design stage prior to occupation. This is to ensure that undertaking assessments following completion to review the development emissions is possible and appropriate. Assessing the payment in line with evolving design and construction of the development ensures accuracy.

**4.8** Off-setting payment and projects contributions to the Council's Carbon Offset Fund will be spent on measures that will reduce carbon emissions in the borough, such as the retrofitting of Council buildings, funding of renewable energy generation on existing public buildings, or enhancing the Council's vehicle fleet to improve carbon emission standards. These contributions can be reduced where a developer can implement mitigation measures off-site, where the shortfall of the

proposed development can be saved. Developers can also mitigate against carbon dioxide by directly funding or installing community energy projects or retrofitting initiatives, or habitat restoration projects. Any future review would be paid for by the applicant.

**4.9** For new-build residential development of 1 or more dwellings, and major residential development of 10 or more dwellings (including changes of use, conversions and major refurbishments), and non-residential development of 100sqm or more (including changes of use, conversions and refurbishments), in line with Part D8 from Policy 4 and Paragraph 16.20 of the Local Plan, the Council may also use planning obligations to require the developer to provide or contribute towards the cost of monitoring the building's energy efficiency over a five-year period, using smart meters and a web-based platform.

## Energy infrastructure

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 5 Energy Infrastructure	<ul style="list-style-type: none"> <li>● London Plan Policy SI 3 Energy Infrastructure</li> <li>● London Plan Energy Hierarchy</li> </ul>

### Threshold or Trigger for Planning Obligation

**4.10** Planning obligations may be used to secure an on-site Decentralised Energy Network (DEN), where a major development is proposed in an area where no DENs are present or planned, or in exceptional circumstances where it can be sufficiently demonstrated that it is not technically feasible and/or economically viable to connect to an existing network in line with the GLA's latest Energy Assessment Guidance.

**4.11** On a site-specific basis, developments may also be required to make financial contributions where necessary to fund the establishment or expansion of a network which it is proposed the development would connect to.

### Policy Context

**4.12** Policy 5 expects major residential developments of 10 or more dwellings, and non – residential developments of 500sqm or more to connect to any existing DEN or to adhere to an alternative energy strategy where this can be demonstrated as being more efficient, clean and decarbonised

than the DEN (in accordance with the London Plan Energy Hierarchy). Where networks do not exist, Policy 5 expects developments to make provision to connect to any future network that may be developed, having regard to the possibility for this to come forward.

### Planning Considerations

**4.13** For small-scale developments, the cost and technical complexity of achieving a DEN connection may, in some cases, outweigh the potential benefits. In such instances, a proportionate approach will be applied, provided it is justified by evidence.

**4.14** Where applicants consider full compliance to be unfeasible, applicants are encouraged to provide clear and robust evidence to demonstrate this. This may include financial appraisals, technical assessments, or site-specific constraints. Where justified, alternative or reduced measures may be considered acceptable, provided they align with the overarching objectives of the policy.

## Requirements

**4.15** Planning obligations may be used to secure connection to existing or future decentralised energy networks, the delivery or extension of on-site energy infrastructure, and contributions towards low-carbon energy systems or upgrades to existing networks. Where appropriate, obligations may also support the long-term decarbonisation of energy infrastructure and ensure developments are future-proofed for connection to wider energy networks. To support the development of strategic sustainable energy infrastructure, developers may be required to identify land and access for Energy Centres, District Energy Network (DEN) plants, and district heating connections. Planning obligations will also be used,

where appropriate, to secure the proper installation, maintenance, and long-term responsibility for any proposed decentralised heat network and associated sustainable measures. Financial contributions may be sought to establish or expand networks, particularly where on-site or nearby works are necessary to mitigate the impact of development or facilitate site delivery. Developers will be expected to contribute to DEN costs based on the avoided expense of installing their own energy plant. Early engagement with the Council and relevant energy providers is strongly encouraged to identify opportunities for connection and infrastructure delivery. Measures to mitigate air quality impacts associated with energy generation may also be secured through planning obligations where relevant.

## Waste and the circular economy

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 7 Waste and the Circular Economy	<ul style="list-style-type: none"> <li>● London Plan Policy SI 9 Safeguarded waste sites</li> <li>● London Environment Strategy London Plan</li> <li>● Richmond Reuse, Recycling and Waste SPD</li> </ul>

### Threshold or Trigger for Planning Obligation

**4.16** Planning obligations relating to waste may be sought from any development which would result in the loss of capacity at any safeguarded waste site.

### Policy Context

**4.17** Richmond's safeguarded waste sites contribute to the borough's capacity to manage Local Authority Collected Waste (LACW), Commercial & Industrial (C&I), and Construction & Demolition (C&D) waste streams, in line with the London Plan and the West London Waste Plan (review currently underway). The Council will only support the release of safeguarded waste sites for other uses where compensatory waste management capacity is provided, within London, at or above the same level of the waste hierarchy, and meet or exceed the maximum throughput of the site being lost

**4.18** The Council is committed to managing waste in accordance with the principles of the circular economy, which aim to keep resources in use for as long as possible, extract maximum value during use, and regenerate materials at the end of their life.

### Requirements

**4.19** A safeguarded waste site will only be released for other uses if an applicant demonstrates, to the satisfaction of the Council, that compensatory capacity has been or will be provided. Planning obligations may be used to secure this compensatory capacity in perpetuity. As set out in the West London Waste Plan, any compensatory capacity proposed should be provided within the WLWP area unless it can be demonstrated that the borough's waste apportionment has been met.

**4.20** Compensatory provision will be required to meet or exceed the same level of the waste hierarchy of that which is lost and meet or exceed the maximum achievable throughput of the site over the last five years. The maximum throughput achieved on the site over the last five years can be identified through the Environment Agency's Waste Data Interrogators. Where this information is not available, for example if a waste site has been vacant for a number of years, the potential capacity of the site should be calculated using an appropriate and evidenced throughput per hectare.

## Flood risk and sustainable drainage

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 8 Flood Risk and Sustainable Drainage Policy 9 Water Resources and Infrastructure Policy 40 Rivers and River Corridors	<ul style="list-style-type: none"> <li>● London Plan Policy SI 12 Flood Risk Management</li> <li>● London Plan Drainage Hierarchy</li> <li>● Richmond Infrastructure Delivery Plan</li> </ul>

### Threshold or Trigger for Planning Obligation

**4.21** Planning obligations relating to flooding and sustainable drainage will be required on a site-specific basis.

### Policy Context

**4.22** Policy 8 requires developments to demonstrate that they will avoid or reduce the risk of fluvial, tidal, surface water and other types of flooding and manage residual risks through appropriate flood risk measures, including the use of a range of Sustainable Drainage Systems (SUDS) appropriate to the various parts of the Borough.

**4.23** Flood defences should be maintained and, where necessary, enhanced or raised for the lifetime of the development.

### Planning Considerations

**4.24** Flooding mitigation measures that are not already covered by the Council's Infrastructure Funding Statement and are deemed necessary to mitigate the specific impacts of a proposed development will be secured by planning condition, or where this is not possible, by financial and/or non-financial planning obligation.

**4.25** Flood alleviation schemes may require funding through planning obligations or Community Infrastructure Levy (CIL), particularly where development contributes to increased flood risk or places pressure on existing infrastructure. Developers are encouraged to engage directly with the Environment Agency for the most current information on flood risk projects and priorities.

**4.26** Opportunities to increase available flood storage may also be achievable through planning obligations where directly related to the development's impact. This may include measures such as increasing the capacity of existing infrastructure such as river channels or designated storage areas that could provide wider flood-risk benefits.

**4.27** Contributions may support a range of measures including river infrastructure improvements, Natural Flood Management, Sustainable Drainage Systems (SuDS), Property Flood Resilience, and other catchment-wide interventions.

### Flood Infrastructure

**4.28** Developments may be required to provide environmental infrastructure, including flood prevention measures, secured through planning obligations, and will be considered where justified by appropriate evidence. Where development increases pressure on wider infrastructure, contributions may also be sought to enhance or upgrade existing systems.

**4.29** This may include flood defences, drainage, and surface water management. Developments near the River Thames should consider improvements in line with the Thames Estuary 2100 Plan, such as raising tidal defences or river restoration. Planning obligations and CIL should be used in a complementary way to secure necessary infrastructure.

### Requirements

**4.30** Planning obligations relating to flood risk will be sought where necessary to secure flood alleviation or mitigation measures required under Policy 8, including SUDS, unless these can be secured by planning condition.

**4.31** On a site-specific basis, a planning obligation in the form of a financial or non-financial contribution may also be required towards off-site flood risk mitigation works where a flood alleviation project directly mitigates flood risk on-site

## Water resources and infrastructure

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 9 Water Resources and Infrastructure Policy 53 Local Environmental Impacts	<ul style="list-style-type: none"> <li>● London Plan Policy SI 5</li> <li>● London Environment Strategy</li> </ul>

### Threshold or Trigger for Planning Obligation

**4.32** Planning obligations relating to wastewater infrastructure will be required on a site-specific basis, particularly for major developments where additional capacity is needed, or to mitigate environmental impacts

### Policy Context

**4.33** In line with Local Plan Policy 9 (Water Resources and Infrastructure) development proposals must demonstrate that adequate water supply, surface water drainage, foul drainage, and wastewater treatment capacity is either already available or can be delivered in time.

**4.34** New infrastructure must avoid adverse environmental or amenity impacts and protect water quality, especially where water bodies fail to meet 'good' status. Proposals should also address sewer flooding risks, which can occur even outside floodplains if off-site infrastructure is insufficient or not delivered ahead of occupation.

### Planning Considerations

**4.35** Major residential and non-residential developments must provide evidence, as part of the planning application, that sufficient capacity exists in the public water and sewerage networks. This should include written confirmation from the relevant utility provider.

**4.36** The Council will seek to ensure that adequate infrastructure is in place to serve all new developments. Developers are encouraged to contact the water/wastewater company early in the planning process to discuss their proposals and delivery programme, helping to identify any network reinforcement requirements.

**4.37** Surface water must be drained to ground, watercourses, or surface water sewers—not to foul sewers, which is a major contributor to sewer flooding. Where capacity constraints exist, the Council may apply phasing conditions to ensure infrastructure upgrades are delivered ahead of occupation.

**4.38** Thames Water offers a pre-planning service to confirm whether capacity exists or upgrades are needed for potable water, wastewater, and surface water systems. Details are available on Thames Water's website.

### Requirements

**4.39** Planning obligations will be sought where necessary to ensure that appropriate water and wastewater infrastructure is in place to support new development. This may include funding or delivering new water supply, sewerage, or wastewater treatment infrastructure, securing off-site improvements required to serve the development, and ensuring that all necessary infrastructure is operational prior to the occupation of the site.

### Wastewater/Sewerage and Water Supply Infrastructure

**4.40** The Council will ensure developers address whether there is adequate water and wastewater infrastructure for all new development through working with infrastructure providers. Where off-site upgrades are required, planning permission may include conditions or obligations to phase occupation in line with infrastructure delivery.

**4.41** Developers should engage early with the relevant water/wastewater company to identify any reinforcement needs. Where capacity constraints exist, the Council may apply phasing conditions or seek contributions to secure timely upgrades before occupation. Where capacity is insufficient, planning obligations may also be used to secure financial contributions towards infrastructure upgrades or new provision, ensure timely delivery of infrastructure before occupation, and support improvements to water quality while reducing the risk of misconnections between foul and surface water networks.

## 5 Increasing jobs and helping business to grow and bounce back following the pandemic

### Affordable workspace

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 25 Affordable, Flexible and Managed Workspace	<ul style="list-style-type: none"> <li>London Plan Policy E3 Affordable workspace</li> </ul>

#### Threshold or Trigger for Planning Obligation

**5.1** Planning obligations towards affordable workspace will be sought from major developments with more than 1,000 sqm of (gross) employment floorspace. This may include extensions to existing floorspace where the total floorspace would be over 1,000sqm.

#### Policy Context

**5.2** In line with London Plan Policy E3, Local Plan Policy 25 requires all major developments with over 1,000 sqm of gross employment floorspace to contribute affordable workspace in perpetuity. This will be secured through a Section 106 agreement and/or planning conditions, with details set out in an Affordable Workspace Management Plan.

#### Planning Considerations

**5.3** Richmond's local economy is driven by a high proportion of small businesses that depend on affordable, flexible, and managed workspace to support new and not-for-profit enterprises. Redevelopment and intensification of employment sites present key opportunities to deliver such provision. As set out in the Local Plan, 'affordable workspace' may comprise:

- Workspace at a discounted market rent (affordable rent), typically provided by a public, private, charitable, or other supporting body for a specific social, cultural, or economic purpose.
- Flexible and/or managed workspace, offering open, adaptable environments with shared facilities and support services. These spaces help small and growing businesses thrive through collaborative use, flexible leasing, and sector-specific management. Examples include co-working spaces, incubators, accelerators, creative studios, and makerspaces.

#### Requirements

**5.4** Planning obligations will be applied to developments with more than 1,000 sqm of gross employment floorspace to ensure they:

- Provide affordable workspace that constitutes at least a minimum of 10% of the proposed employment floorspace;
- Provide affordable workspace that must have rent and service charges set at no more than 80% of comparable local market rates;
- Provide affordable workspace in perpetuity. Where a developer can demonstrate there are strong reasons for not providing the affordable workspace in perpetuity, the Council will require the provision to be secured for a minimum period of 15 years.

**5.5** The discounted rental value of no more than 80% of comparable local market rates is a minimum target. This will be achieved through S106 negotiations, and the Council recognises there will be site-specific considerations such as the location, size and type of premises, and the viability of the scheme. As part of a proposal, to justify the proposed discount there will need to be an assessment of local evidence relating to the specific location of the proposal and its target market, with a focus on rents or charges which are accessible for early-stage businesses. Where appropriate and feasible to do so, developers should seek to go beyond the minimum discount required by policy (which would be a material planning consideration weighing in favour of a development proposal) to ensure that workspace provision is genuinely affordable and meets the specific needs of the borough's locally significant and diverse sectors, particularly those set out at Policy 22 A (Promoting Jobs and our Local Economy).

**5.6** Discounted rental rates should be derived from existing comparable market rents and not the market rental values a developer / site owner may be seeking from the proposed development. The

Council will review the evidence of comparable market rents for both on-site provision and in calculating payments in lieu. In the case of dispute, the Council and the developer will jointly appoint an independent surveyor at the cost of the developer to confirm market rent (value) and maximum service charge levels.

## **Affordable Workspace Management Plan**

**5.7** Where an applicant is complying with Policy 25 through the provision of affordable workspace on-site, the submission of a draft Affordable Workspace Management Plan (AWMP) is required at planning submission stage, and a final version will be secured by way of S106 planning obligation and/or conditions.

**5.8** The AWMP will need to set out how the development will operate for SMEs and will meet the provisions of Policy 25. The AWMP should be developed in liaison with the Council's Economic Development Office (EDO) and based on the guidance available on the Council's website. The AWMP shall include specific details showing how the employment floorspace will be provided and then managed for micro-, small- or medium-sized businesses at all stages of their development and shall include, but is not limited to, the following:

- The floor plans showing the location of the Affordable Workspace and the subdivision and the size of individual units;
- Details of the leasing or charging arrangements (including security of tenure under the Landlord and Tenant Act 1954 and the Code for Leasing and Business Premises in England and Wales 2020), that will ensure space is accessible to priority tenants;
- How priority shall be given to tenants (or possibly owner occupiers) whose current premises are due for redevelopment;
- Details for building management;
- Details of the landlord's fit-out including as a minimum power and basic lighting, floor finishes and WC and kitchenette facilities;
- Nomination rights and eligibility requirements; and
- Reporting requirements – this will set out information the developer / owner will be required to provide to the Council on an annual basis for monitoring purposes.

**5.9** Early engagement with the Council's EDO to discuss the content of the AWMP, preferably at pre-application stage, is strongly encouraged. If some of the specified information is unavailable or incomplete at planning submission stage, as much information as possible should be included in the draft AWMP submitted with the planning application to inform its determination before it is finalised by way of S106 planning obligation and/or conditions.

## **Commuted Sum**

**5.10** In exceptional circumstances, where it can be demonstrated robustly that it is not appropriate or feasible to deliver new affordable workspace on-site, the Council may consider alternative interventions that will achieve equivalent value and impact which may take the form of an off-site financial contribution. It will be the responsibility of the developer to robustly demonstrate why delivery of on-site provision is not viable or feasible and/or how a greater economic impact could be achieved through a payment in lieu.

**5.11** Any commuted sum will be calculated using the formula at Table 4. The variables used in the formula (for example, market rent and investment yield) will need to be evidenced and agreed with the Council. The yield applied in the calculation should align with the yield assumptions used in the latest Richmond upon Thames Local Plan Viability Assessment for the relevant type of use, unless it can be demonstrated that an alternative yield is justified based on site-specific evidence or market conditions. Payments will be used by the Council to support the provision of affordable workspace anywhere in Richmond upon Thames.

**Table 4: Affordable Workspace Commuted Sum Calculation**

	<b>Factor</b>
<b>A</b>	Total gross employment floorspace (square metres)
<b>B</b>	Percentage of floorspace to be discounted
<b>C</b>	Amount of floorspace subject to discount (square metres)
<b>D</b>	Market rent per square metre
<b>E</b>	Market rent for discounted floorspace before discount
<b>F</b>	Percentage discount (20%)
<b>G</b>	Rent after discount
<b>H</b>	Value of discount
<b>I</b>	Investment Yield
<b>J</b>	Income Multiplier
<b>K</b>	Capital value of discount

Using the factors above, the following formula will be used to calculate the fee:

**Step 1:**  $C = A \times B$

**Step 2:**  $E = D \times C$

**Step 3:**  $G = E \times F$

**Step 4:**  $H = E - G$

**Step 5:**  $J = (I/I)$

**Step 6:**  $K = H \times J$

## 6 Protecting what is special and improving our areas

### Public realm and environmental works

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy I Living Locally and the 20-minute neighbourhood Policy 28 Local character and design quality	<ul style="list-style-type: none"> <li>London Plan Policy D5 Inclusive Design</li> <li>London Plan Policy D8 Public Realm</li> <li>Urban Design Study (2023)</li> </ul>

#### Threshold or Trigger for Planning Obligation

**6.1** Planning obligations will be used to secure works to the public realm and environment on, or in the immediate vicinity of, development sites.

#### Policy Context

**6.2** Policy 28 requires development to be of high architectural and design quality, and to take opportunities to improve the quality and character of buildings, space and the local area. Developments are expected to achieve the highest standards of accessible and inclusive design and public realm, and positively integrate with their surroundings.

#### Planning Considerations

**6.3** The Spatial Strategy of the Local Plan is based on the concept of creating a borough where everything a resident needs can be reached within 20 minutes by foot or bike. It is set out in Policy I that the Council will use planning obligations to

secure works to facilities and the local environment and public realm, as well as daily service provision, that create or reinforce successful 20 minute neighbourhoods. The need for on-site or adjacent public realm and environmental works may arise in residential, commercial and mixed-use schemes.

#### Requirements

**6.4** Planning obligations, whether on-site or in the immediate vicinity, could relate to: site-specific highways and restoration works to make the development acceptable; environmental enhancements, such as tree planting or enabling public access; and securing environmental improvements to the River Thames and other rivers in the borough (also see section 7 Rivers and Rivers Corridors of this SPD); enhancements to biodiversity and nature conservation; and works to civic spaces and associated facilities.

### CCTV

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 28 Local character and design quality	<ul style="list-style-type: none"> <li>London Plan Policy D11 Safety, security and resilience to emergency</li> <li><a href="#">Richmond CCTV Strategy 2024-2029</a></li> </ul>

#### Threshold or Trigger for Planning Obligation

**6.5** The Council may use planning obligations to secure the provision of CCTV cameras and other crime prevention measures to mitigate factors that are known to increase the risk of crime and disorder in the local surrounding area, unless it is possible to secure the necessary provision through other means (e.g. a condition).

#### Policy Context

**6.6** Policy 28 requires measures to minimise opportunities for crime and anti-social behaviour to be integral to the design of a development. All

major developments are expected to meet the standards and objectives of the Secured by Design initiative, with applicants encouraged to consult with the Metropolitan Police designing out crime officers at the earliest opportunity and include details of security and Secured by Design compliance within Design and Access Statements.

#### Planning Considerations

**6.7** CCTV is used by the Council for multiple reasons including the detection of crimes, deterring offenders, assisting the police, managing traffic flow and regulations, managing council-owned property

and effective management of large events. The Council's Joint Control Centre (JCC) is responsible for monitoring CCTV coverage across Wandsworth and Richmond. The Council's CCTV Strategy seeks to maximise the effectiveness of the Council's CCTV and ensure there is growth and sustainability in the network. The Strategy encourages exploring options for bringing new areas into the Council's network for monitoring through the JCC.

## Requirements

- 6.8** The exact siting, location and specification for CCTV will be site-specific and will need to be agreed as part of any planning application. The need to provide CCTV may, in some circumstances, be met through the provision of private CCTV as part of a development but there may be instances where a planning obligation in the form of a commuted sum would still be charged. This commuted sum would be required to fund the installation or transmission of the new camera system, or connections to the Council's existing network.

## Historic environment

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 29 Designated Heritage Assets Policy 30 Non-designated Heritage Assets Policy 31 Views and Vistas Policy 32 Royal Botanic Gardens, Kew World Heritage Site Policy 33 Archaeology	<ul style="list-style-type: none"> <li>● London Plan policy HC1 Heritage conservation and growth</li> <li>● London Plan policy HC2 World Heritage Sites</li> <li>● London Plan policy HC3 Strategic and Local Views</li> <li>● Urban Design Study (2023)</li> <li>● Conservation Area Appraisals</li> <li>● <a href="#">London Borough of Richmond Archaeological Priority Areas Appraisal (2022)</a></li> </ul>

### Threshold or Trigger for Planning Obligation

- 6.9** Planning obligations relating to the historic environment will be site-specific.

### Policy Context

- 6.10** Local Plan policies recognise the borough's exceptional historic character and seek to protect its designated and non-designated heritage assets.

### Planning Considerations

- 6.11** Planning obligations may be required to make proposals acceptable in planning terms, where impacts cannot be fully addressed through design or planning conditions. This could include contributions towards the conservation, restoration and enhancement of the historic environment and archaeological sites and monuments. These will be sought where an impact is directly or indirectly linked as a consequence of a development site and requires mitigation.

### Requirements

- 6.12** Where identified as necessary to address impacts on the historic environment, planning obligations may be applied to achieve the following:

### Heritage Assets

- The repair, restoration or maintenance of a heritage asset(s) and their setting including listed buildings, conservation areas and locally listed buildings and landscapes;
- Increased public access and improved signage to and from heritage assets;
- Interpretation panels/historical information and public open days;
- The production and implementation of Conservation Management Plans particularly for Historic Parks and Gardens and important listed buildings and the updating of existing Management Plans;
- The repair and reinstatement of historic street signs as identified on Council lists;
- The dissemination of historic environment information for public/school education and research; and
- Sustainability improvements for historic buildings.

- 6.13** It is essential that heritage works are provided in a timescale commensurate with the proposed phasing of the development and the Council will seek to approve trigger points in the S106 agreement. The

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obligation will be secured through developer provision of identified works. Where appropriate, the obligation may include provision for the long-term maintenance of the heritage asset or historic environment. Where the proposal involves enabling development to secure the repair, restoration and maintenance of the heritage asset, the Council will require any identified funds raised through provision of the enabling development to be held in an account, and appropriate arrangements put in place to manage spending of such funds.

### **Archaeological sites and remains**

**6.14** Consideration of archaeological remains will need to be addressed at an early stage. Where a proposal is identified as having an impact on archaeological remains, it will need to be recorded, and its findings published appropriately and placed on the Greater London Historic Environment Record (GLHER) and the archive deposited with an appropriate repository.

**6.15** In some instances, where the Council deems archaeological assets to be of sufficient value, those assets will need to be preserved in situ. In other instances, archaeological assets may need to be excavated. Developers are expected to meet any cost associated with these activities or other relevant recommendations from the Greater London Archaeological Advisory Service (GLAAS) required by the Council. In such cases, planning obligations within S106 agreements might need to cover the following:

- Measures for preservation or investigation, recording and recovery of archaeological remains and sites;
- The display of archaeological sites; and
- Appropriate public engagement, both on and off site, during and following completion of the site work.

## 7 Increasing biodiversity and the quality of our green and blue spaces, and greening the borough

### Public open space

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 37 Public Open Space, Play, Sport and Recreation	<ul style="list-style-type: none"> <li>London Plan policy G4 Open Space</li> <li>Open Space Assessment</li> </ul>

#### Threshold or Trigger for Planning Obligation

**7.1** Where necessary, planning obligations will be used to secure the provision of open space from major developments. New open space is expected to be provided on-site in areas of public open space deficiency, with access open to all and not just occupants of the development.

#### Policy Context

**7.2** Policy 37 requires major developments to provide new open space. This is expected to be on-site in areas of Public Open Space Deficiency on the Local Plan Policies Map.

#### Planning Considerations

**7.3** Outside of areas of Public Open Space Deficiency, on-site open space will need to be provided where feasible. Should such provision not be feasible, policy 37 allows for a commuted sum to enable the provision of new off-site open space, or improvements to the accessibility or quality of existing public open space in the vicinity of the development.

**7.4** The Council's Parks team should be engaged at the earliest opportunity to discuss the requirements for open space arising from the development.

#### Requirements

**7.5** Outside of areas of Public Open Space Deficiency, where it has been accepted by the Council that on-site provision of public open space cannot be made due to site constraints, existing surrounding open spaces will be expected to be improved to cater for the uplift arising from the development, and where appropriate made more accessible to the users and occupiers of the new development. Financial contributions may be required to either fund new off-site provision and necessary maintenance, or improvements and enhancements of existing facilities, including access arrangements, in order to mitigate the impacts of new development.

**7.6** As set out in the supporting text to Policy 37, there is no formula for calculating the provision of on-site public open space. Applicants should provide an analysis of existing open space provision relevant to the development site, using the accessibility standards set out in paragraph 21.35 of the Local Plan. This will inform the level of the financial contribution that may be required to mitigate the impacts of the new development on the existing provision, in circumstances where the open space requirements are not being fully met on-site. The financial contribution will be proportionate to the size and type of the development.

### Play space

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 37 Public Open Space, Play, Sport and Recreation	<ul style="list-style-type: none"> <li>London Plan policy S4 Play and informal recreation</li> <li>Mayor of London 'Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012)</li> </ul>

#### Threshold or Trigger for Planning Obligation

**7.7** Planning obligations will be used to secure the provision of play space in major developments where a proposal will lead to an estimated child occupancy of ten children or more.

#### Policy Context

**7.8** In line with Policy 37, for major developments, applicants are required to submit a play and child occupancy assessment to determine estimated child

occupancy, by using the GLA's child yield calculator, along with an assessment of existing play facilities in the surrounding area.

## Planning Considerations

**7.9** Play space needs arising from a scheme should be assessed following the benchmark standards in the Mayor of London 'Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012).

**7.10** Where play space is likely to be required as part of a development applicants should set out at an early stage how this will be addressed through the application. As set out in Policy 37, new play space should be well-located within a site, away from sources of pollution, be of sustainable construction, and cater for a range of different ages and abilities. The local community, in particular local children, should be engaged in the design of the play space.

## Requirements

**7.11** Major developments will be required to deliver on site provision of dedicated play space based on the London Plan requirement of 10 sqm per child. Where the assessment of existing play facilities within the surrounding area demonstrates sufficient and high-quality provision, on-site provision of play facilities may not be necessary, but this will be assessed on a case-by-case basis.

**7.12** Section 4 of the Mayor's SPG sets a range of sizes of play space, as well as including further details on good design, which should be considered when making the above assessment. All children and young people should have access to places for play within reasonable and safe walking distance of new residential developments. As set out in Appendix I of the SPG, the following benchmark standards are applied:

- For children aged under 5, development proposals should provide communal play space facilities on-site, particularly where provision does not already exist within actual walking distance of 100 metres. If this is in the form of communal outdoor amenity space, it may be counted towards the play space provision requirement only if it is genuinely 'playable'. If a development includes residential units with private outdoor amenity space (i.e. gardens), the requirement for play provision for under-fives can be discounted.

- For older children (5–11-year-olds), there should be access to acceptable play space provision within 400 metres actual walking distance, however where there is more scope on larger development sites it is expected that provision will be made onsite.
- For young people (aged 12+ years), accessible facilities should be within 800m metres actual walking distance.
- It may be more appropriate to meet the need for older children and young people off-site, where a suitably sized facility could be provided either as a new provision or through a pooled contribution (e.g. for improvements or expansions of an existing facility, including the creation of or improvements to accessing the facility).

**7.13** Although the expectation is that the identified requirement of play space is to be provided on-site, there may be exceptional circumstances in which it is not possible to do so. If on-site provision cannot be met due to specific constraints of the site, the Council may seek an equivalent financial contribution to fund off-site provision of, or improvements to an existing adjacent or nearby playground. These could include uplift, expansion or improvements to access arrangements from the site to the playground.

**7.14** Where an off-site contribution is required, it should cover the costs associated with developing the same facility on-site. A planning contribution could also identify the delivery of specific pieces of equipment or features in a specific location. Site specific proposals will be assessed based on a costed price for the proposal or using average values from recent comparable associated capital costs which can be used as a reference point for negotiations for off-site contributions.

## Transfer and maintenance of open space and play space

**7.15** Planning obligations will also be sought in relation to management and maintenance of new or improved open space or play space. The Council may be prepared to adopt and maintain new open space or play space in exceptional circumstances, for both on- and off-site, but if agreed it would be subject to payment of a commuted sum to cover costs. Transfer of open space or play space will normally take place once it has been laid out, fully equipped and maintained for a minimum period of

12 months to the satisfaction of the Council and the payment will be payable on the transfer of the land.

- 7.16** The figure will be calculated using the current contract prices for maintaining open space of comparable characteristics and features over at least a 10-year period (to ensure that the open space can become established) and will be index linked from the date the agreement is signed. Commuted payments will not be used for general purposes to cover existing maintenance or running costs of unimproved facilities, however will be sought for maintenance of new facilities or space based on current maintenance contracts per sqm.
- 7.17** If as a result of development new playground equipment or other equipment is provided, a similar commuted maintenance payment based on

current costings will be sought. This is to cover the typical costs of repair and replacement of items that would not otherwise have been required were it not for the direct impact of a scheme on local facilities and the increased burden on local authority budgets. This would also be the case where major applications may be assessed, due to their particular use and scale, as having significant impacts on the use of nearby spaces.

- 7.18** If developers do not intend to seek adoption, the Council will still need to be satisfied through the submission of a management plan that adequate alternative arrangements are put in place for long-term management and maintenance by, for example, the establishment of a sufficiently resourced management company or trust.

## Playing fields and sport facilities

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 37 Public Open Space, Play, Sport and Recreation Policy 49 Social and Community Infrastructure	<ul style="list-style-type: none"> <li>● London Plan policy S5 Sports and recreation facilities</li> <li>● Playing Pitch and Outdoor Sports Strategy Indoor Sports Facility Needs Assessment</li> </ul>

### Threshold or Trigger for Planning Obligation

- 7.19** Planning obligations will be used to secure the provision of playing fields and ancillary sport facilities from major developments.

### Policy Context

- 7.20** Policy 37 seeks to protect all public and private sports grounds and facilities, along with their supporting ancillary facilities. Applicants are required to assess the playing fields and ancillary sport facilities needs arising from major developments. If on-site provision to meet these needs is not feasible, existing surrounding facilities are expected to be improved and made accessible to users and occupiers of the development. The policy refers to the use of Community Use Agreements to secure wider access to facilities, to address impacts arising where relevant.
- 7.21** It is set out in Policy 49 that the Council will work with service providers and developers to ensure the adequate provision of community services and facilities, especially in areas where there is an identified need or shortage. This includes indoor sport and recreation facilities.

### Planning Considerations

- 7.22** For major developments, applicants should assess the need and feasibility for on-site provision of new playing fields, artificial grass pitches (AGP) and ancillary sport facilities in line with the borough's Playing Pitch Strategy. There is an expectation that overall, a development will deliver an increase and enhancement of sports facilities, as well as the provision of wider public benefits, including public access.
- 7.23** Proposals that could affect the loss or the quality of a playing field will be assessed against the borough-wide Playing Pitch Strategy, the criteria as set out in the NPPF as well as the Sport England Policy on planning applications for development on playing fields. Early engagement with Sport
- 7.24** England will be required where a proposal affects a playing field or sports pitch.

### Requirements

- 7.25** Where on-site provision of new playing fields and ancillary facilities is not feasible or practicable, the Council will expect existing surrounding facilities and spaces to be improved to accommodate

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additional pressure arising from the uplift in population and made more accessible to the users and occupiers of the new development through, for example, improved walking and cycling links or enhancements of play space or existing playing fields and associated sport facilities. Financial contributions will be required to either fund off-site provision, or improvements and enhancements of existing facilities, including access arrangements, to mitigate the impacts of new development.

## **Community Use Agreements**

- 7.26** Where relevant, and to address impacts arising from a development, a Community Use Agreement may be required to secure wider community access to new facilities. There should be early discussions with the Council's sports and fitness services to ensure community use will achieve sporting and public health outcomes. Engagement with the appropriate national governing bodies of sport, along with Sport England, may also be appropriate depending on the nature of the proposal and sports involved.
- 7.27** Further guidance on Community Use Agreements for Sports and Education Facilities including a model template will be made available alongside the adopted SPD. This will include details about how opportunities for wider community access will be managed and maintained, including the following:
- Details of the facilities available (including ancillary provision e.g. changing rooms)
  - How access will be managed (for both clubs and/or individuals)
  - The hours and days available/unavailable
  - Any particular needs the proposal will be catering for (e.g. women's or juniors)
  - Affordable pricing
  - Whether the proposal is floodlit (if applicable to the site)
- 7.28** The Community Use Agreement will also set out an appropriate monitoring and review mechanism to enable needs and priorities to be assessed over time and ensure that benefits continued to be maintained in the future.

## Biodiversity

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 39 Biodiversity and Geodiversity	<ul style="list-style-type: none"> <li>• London Plan policy G6 Biodiversity and access to nature</li> <li>• Richmond Biodiversity Action Plan</li> <li>• <i>Forthcoming Biodiversity SPD</i></li> </ul>

### Threshold or Trigger for Planning Obligation

**7.29** Planning obligations may be required in specific circumstances where it is necessary to secure the provision of biodiversity enhancements to make development acceptable in planning terms.

### Policy Context

**7.30** Local Plan Policy 39 requires development proposals to deliver measurable net gains for biodiversity. This includes protecting and enhancing designated sites, ecological corridors and priority habitats, and incorporating biodiversity features on development sites such as green roofs, tree planting, and wildlife habitats.

**7.31** The biodiversity mitigation hierarchy is set out in the NPPF. This requires developers to address potential harm to biodiversity. Avoidance should be prioritised, before mitigation measures, and finally compensation.

**7.32** Biodiversity Net Gain is now a mandatory requirement for applicable developments, although subject to certain prescribed exemptions. Development in Richmond is subject to the national minimum expectation of 10% net gain. Further details on BNG requirements are provided on the Council's [website](#).

### Planning Considerations

**7.33** Each new development site will need to demonstrate that it can meet the required biodiversity provision on-site to a standard to be agreed with the Council. The works should be guided by a report from a qualified member of Chartered Institute of Ecology and Environmental Management (CIEEM) and agreed by the Council.

**7.34** Development proposals will be expected to deliver biodiversity requirements on site.

**7.35** Whilst measures to satisfy national Biodiversity Net Gain (BNG) requirements will typically be secured through the application of conditions relating to Biodiversity Gain Plans, applicants should be mindful that planning obligations may

nevertheless be necessary to secure the maintenance of significant on-site habitat enhancements for the necessary period (e.g. for at least 30 years), to register sites for off-site gains or to secure the use of statutory credits. Further information is included in the PPG section titled 'Biodiversity Net Gain'.

**7.36** The Biodiversity SPD provides further guidance on requirements for incorporating ecological enhancements in development proposals. Applicants should engage with the Council at an early stage through the pre-app process to discuss biodiversity requirements arising on a specific site.

### Requirements

**7.37** In exceptional circumstances, where a development has robustly demonstrated that it has followed the biodiversity mitigation hierarchy in the NPPF to the satisfaction of the Council, planning obligations in the form of a commuted sum for off-site mitigation may be considered. The Council will seek an equivalent financial contribution to off-site projects which will be secured for enhancements which help to deliver the Richmond Biodiversity Action Plan, and other relevant documents.

**7.38** A financial contribution may be requested where additional monitoring or survey work is considered necessary to confirm that relevant environmental measures have been implemented successfully as part of a scheme.

**7.39** In relation to Biodiversity Net Gain (BNG) specifically, planning obligations may be used in some circumstances where necessary to secure the provision or maintenance of significant on-site enhancements or off-site gains and where the application of planning conditions is insufficient. Matters that could be covered in planning obligations relating to BNG include management and monitoring arrangements, dealing with excess net gains to be used for other developments, offsite gains and circumstances where credits can be used as a last resort.

## Rivers and river corridors

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 40 Rivers and River Corridors	<ul style="list-style-type: none"> <li>London Plan policy S 16 Waterways - use and enjoyment</li> </ul>

### Threshold or Trigger for Planning Obligation

**7.40** Planning obligations will be used to secure public access to, and alongside, the borough's rivers from all developments.

### Policy Context

**7.41** Policy 40 sets out that all developments alongside or adjacent to the borough's river corridors should incorporate improvements to existing public access and provide new public access to the riverside where possible.

### Planning Considerations

**7.42** There are parts of the borough where public access to rivers is limited, such as the north riverbank from Kingston Bridge to Twickenham. There is a long-standing strategy and aim to provide a continuous public riverside walk along both sides of the River Thames.

### Requirements

**7.43** All developments alongside or adjacent to the borough's river corridors should enhance existing public access and provide new public access where possible. This should be accessible at all times and maintain existing points of access to the foreshore and ensure that there is appropriate riparian lifesaving infrastructure (such as life buoys) where required and necessary to make the development acceptable, subject to health and safety considerations. All major development proposals adjacent to the borough's rivers are expected to provide public access to the riverside, even if there is currently no public access to the route on either side of the development site.

**7.44** All development proposals adjoining the River Thames are required to provide a public riverside walk, including for pedestrians and cyclists, which will contribute to the overarching aim of providing a continuous publicly accessible riverside walk.

## Trees

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 42 Trees, Woodland and Landscape	<ul style="list-style-type: none"> <li>London Plan policy G7 Trees and Woodlands</li> <li>London Tree and Woodland Framework</li> <li><i>Forthcoming Trees SPD</i></li> </ul>

### Threshold or Trigger for Planning Obligation

**7.45** Planning obligations in the form of financial contributions will be sought where the Council accepts it is not practical to replace a felled tree on-site.

### Policy Context

**7.46** As set out in Policy 42, the Council requires development proposals to retain and protect existing trees and landscape features, including veteran trees.

### Planning Considerations

**7.47** The Council's tree officers will assess site-specific proposals using the CAVAT methodology to calculate the contribution required when a tree is

felled or damaged as part of development. The CAVAT methodology is a modern assessment system that ensures trees are replaced with ones of equal quality through managing trees as public assets. It includes a calculation of the monetary value of a single tree to reflect the degree of benefit that it provides for the local population. For veteran or ancient trees, a financial contribution can never be considered, and thus CAVAT does not apply.

### Requirements

**7.48** Where the Council accepts the loss of a tree, and agrees that on-site replacement of the tree to be felled is not practical, planning obligations in the form of a financial contribution will be applied towards the provision of off-site tree(s) in line with

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the monetary value of the existing tree(s) to be felled, calculated using the CAVAT methodology. The Council requires that the 'Full Method' as specified within the published guidance is used to form a valuation: [CAVAT Full Method – A guide for Practitioners \(Itoa.org.uk\)](https://www.itoa.org.uk/resources/cavat-full-method-a-guide-for-practitioners/).

- 7.49** Where the Council accepts the on-site replacement of lesser CAVAT value than the felled tree, then a commuted sum equivalent to the difference between the removed tree and the on-site replacement tree will be required. This commuted sum will be applied towards the provision of off-site tree(s).
- 7.50** The Council's tree officers are certified in the use of CAVAT and their assessment will be the final value where applicants' own assessments are significantly lower. Where necessary, the Council and the developer will need to enter a tree bond as part of a Section 106 Agreement. In developments where a CAVAT is used, it is still expected that the development provides for the maximum amount of replacement planting on site where there is any loss or damage of trees.

## 8 Reducing the need to travel and improving the choices for more sustainable travel

### Sustainable transport

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
<p>Policy 47 Sustainable Travel Choices                      Policy 48 Vehicular Parking Standards, Cycle Parking, Servicing and Construction Logistics Management.</p>	<ul style="list-style-type: none"> <li>● London Plan Policy T1 Strategic approach to transport</li> <li>● London Plan Policy T3 Transport capacity, connectivity and safeguarding</li> <li>● London Plan Policy T4 Assessing and Mitigating Transport Impacts</li> <li>● London Plan Policy T5 Cycling</li> <li>● London Plan Policies T6-T6.5 Parking</li> <li>● London Plan Policies T7 Deliveries, Servicing, and Construction</li> <li>● Transport SPD (review forthcoming)</li> <li>● Local Implementation Plan</li> <li>● Richmond Infrastructure Delivery Plan</li> </ul>

#### Threshold or Trigger for Planning Obligations

**8.1** The need for planning obligations will be assessed on a site-specific basis, having regard to the location, scale and use of the proposed development, and its impact on the transport network.

#### Policy Context

**8.2** Policy 47 (Sustainable Transport Choices (Strategic Policy) supports proposals that reduce the need to travel and promote safe, sustainable and accessible transport solutions for all users, which minimise the impacts of development.

**8.3** Under Policy 47 and Policy 48 (Vehicular Parking Standards, Cycle Parking, Servicing and Construction Logistics Management), Transport Assessments and Travel Plans are required to demonstrate the effect of a development proposal on traffic and transport. Policy 48 sets out standards for parking, servicing and car free development. Policy 47 refers to circumstances where financial contributions to specific off-site improvements to public transport may be required.

#### Planning Considerations

**8.4** CIL will be used to contribute to the provision of strategic infrastructure as identified in the Council's Infrastructure Delivery Plan and Local Implementation Plan. However, delivery of the larger infrastructure projects will be heavily

dependent on the actions and investment of third parties such as rail companies, Government and TfL, as well as site specific section 106 agreements.

**8.5** Planning obligations may be sought where interventions on-site or in the vicinity are necessary to mitigate the impact of development, or to enable the delivery of the site. This may include measures identified in the Transport Assessment and/or Travel Plan, site specific highways improvements, pedestrian and cycle improvement works to encourage Active Travel, or financial contributions towards public transport improvements and car club operation and membership for residents.

**8.6** Where the site-specific impacts of a development are more appropriately mitigated by a S38/278 agreement, this will be used to secure the measures required. This may include alterations or improvements to the local highway network, necessary to promote a safe, efficient or sustainable relationship between development and the public highway, and to ensure safe and suitable access to a development site for all road users.

**8.7** It should also be noted that for referable schemes, the Greater London Authority and TfL may require planning obligations such as public transport access and/or capacity improvements, Healthy Streets improvements or highways works on the strategic road network. TfL may need to be included as a party in the legal agreement for works funded on the strategic transport network, and where TfL

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legal input is required in drafting and preparing a S106 agreement, TfL legal fees will also need to be met by developers.

- 8.8** The Council's Transport team will normally advise on the requirement for individual applications and/or such works will be identified through the pre-application advice service, if sought, and through submitted Transport Statements and/or Assessments. TfL also operates a pre-application service to ensure that planning applications align with the London Plan and Mayor's Transport Strategy. Further information can be accessed on the TfL website.

### Requirements

- 8.9** Specific examples of how planning obligations may be used in relation to sustainable transport are set out below.

### Measures within Construction Logistics Plans/ Construction Management Plans

- 8.10** A Construction Management Plan (CMP) is required for major developments involving external works, or site specific cases, for example, where there is significant demolition, basements or sites in confined locations. Applicants should refer to the Transport SPD for more details on when a CMP and/or CLP is required.
- 8.11** Applicants should use the Council's latest CMP template and are strongly encouraged to seek pre-application transport advice.
- 8.12** For basement schemes within 3m of the highway boundary, approval from the Council's Highway Structures Engineer is required to protect the structural integrity of the highway.
- 8.13** Applicants will be expected to fund any necessary highway works—such as temporary traffic management orders, parking bay suspensions, or new/reinforced crossovers—to ensure safe construction access. These requirements, including any financial contributions, will be secured through a Section 106 agreement or a pre-commencement planning condition. All relevant licences must be obtained prior to the start of works. The Council may also require that there is an identified Construction Management Plan community liaison officer.

### Measures within Delivery and Servicing Plans

- 8.14** Where there is a Delivery and Servicing Plan for a new development, Planning Obligations may be used to secure measures such as provision of off-street loading, pick-up or drop facilities and facilities for cargo bike deliveries.

### Measures within Travel Plans

- 8.15** A Travel Plan is a package of practical measures to reduce car travel to and from a proposed site, and to encourage the promotion of more sustainable forms of transport by increasing the awareness of travel options, such as walking, cycling and public transport and through provision of facilities to support such options, such as shower facilities and secure cycle parking.
- 8.16** Travel Plans serve as mitigation measures, outlining targets for reducing single-occupancy vehicle trips and increasing journeys made via sustainable transport modes. To ensure effective implementation of the Travel Plans, the Council will also use planning obligations to secure funding from developers towards monitoring and review, this will be proportionate to the size of the development and based on the Travel Plan Monitoring Fee which is kept up-to-date on the Council's website (currently £149).

### Site-specific highways improvements

- 8.17** Planning obligations may be used to secure site-specific highways improvements necessary to make a development acceptable. Examples of works that may be required include: traffic calming measures; new road alignments, junction improvements, cycle infrastructure improvements; and footway or crossing improvements.
- 8.18** Such contributions may take the form of a financial payment towards the delivery of mitigation works, the safeguarding of land to provide the works in the future, or an obligation to deliver the mitigation as part of the on-site works.

### Improvements to active travel infrastructure

- 8.19** Planning obligations will be used to provide a high-quality walking and cycling infrastructure environment to encourage active travel. This may include paying for and completing off-site pedestrian and cycle improvement works to mitigate the impact of their development including measures identified through an Active Travel Zone Assessment, where appropriate.

**8.20** The Council will, where necessary, seek to secure works to ensure acceptable pedestrian access to a site of any size or type, utilising existing routes or providing new ones.

**8.21** All development proposals are required to make appropriate provision for cyclists. Whilst this should generally be agreed as part of the planning application, the Council may, where necessary, seek to enter into a planning obligation with developers to secure the provision of, or contributions towards the provision or improvement of an on-/off-site cycle way, cycle hire and cycle parking or storage facilities, including any linkages and appropriate signage from the development site to existing cycle and highway networks. Plans for an initial strategic cycle network in the borough have been adopted in the Richmond Active Travel Strategy.

### **Financial contributions towards public transport improvements**

**8.22** In some cases, improvements, amendments or additions to public transport services or infrastructure which are directly related to a development site and necessary to make the proposed development acceptable in planning terms, may also be required, particularly where new transport, traffic, pedestrian, or cyclist demand is generated or if there are significant transport impacts.

**8.23** Site-specific requirements may include the provision of new and improved facilities such as bus shelters and stops, improvements in bus capacity or frequency, bus priority measures, altered routes, station improvements including step free access and other improvements to transport interchanges to cater for the needs of the development.

### **Parking Controls**

**8.24** Where a scheme is likely to generate unacceptable on-street parking, either within the development or in the vicinity, a planning obligation may be used for consultation and to bring forward the introduction or extension of parking or waiting controls to mitigate the impact of the new development.

### **Car-free development**

**8.25** In car-free schemes, planning obligations may be used to prevent new occupants/tenants from being granted residential or business parking permits

(including visitor permits) or limit the overall number of permits issued to new occupants to reduce the impact of the new development on the on-street parking regime. Where a development scheme is approved in an area where on street parking is known to be an issue but no Controlled Parking Zone (CPZ) is in force, a planning obligation may be used to ensure that the development occupiers will not have access to a resident and/or business permit parking scheme if a CPZ is brought into force within 5 years of first occupation of the development. This restriction would be secured by excluding the address from the schedule of streets in the relevant road traffic order that created or creates the Controlled Parking Zone in which the property is situated, by restricting in the Section 106 agreement the disposal of an interest in relevant properties unless a person disposing advises the person acquiring of the non-availability of residents or business on-street parking permits and/or through Section 16 of the Greater London Council (General Powers) Act 1974 (or any statute revoking or re-enacting that Act).

**8.26** To assess and mitigate parking impacts, developers may be required (via a Section 106 agreement) to:

- Undertake local parking surveys to demonstrate on street parking capacity;
- Contribute financially to the review of on-street parking; and/or
- Fund the design or redesign of a Controlled Parking Zone (CPZ).

### **Car Club Bay and Membership provision**

**8.27** For developments of 100 dwellings or more, applicants are expected to provide one off-street car club space per 100 dwellings (and one per 200 thereafter), secure an accredited operator (subject to viability), and fund three years' membership for all first occupants. For developments with fewer than 100 dwellings, applicants are expected to fund three years' membership in a nearby car club for all first occupants. All requirements will be secured through a Section 106 agreement. It is expected that car club initiatives will be promoted and integrated into Travel Plans to support sustainable transport.

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## **Provision of Vehicular and Cycle Parking Infrastructure**

- 8.28** Due to limited availability of on-street parking and the inability to reserve highway spaces for specific users, disabled parking and cycle parking should be provided off-street within developments wherever feasible, in accordance with the parking standards set out in the Local Plan.
- 8.29** Where off-street cycle parking cannot be provided in line with standards, applicants will be required to contribute towards the cost of installing bicycle hangars or Sheffield stands on the highway. This will be secured via a Section 106 agreement, subject to local support for the necessary Traffic Management Order.

# 9 Securing new social and community infrastructure to support a growing population

## Social and community infrastructure

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 49 Social and Community Infrastructure	<ul style="list-style-type: none"> <li>London Plan Policy SI 1 Developing London's Social Infrastructure</li> <li><a href="#">Local Plan Infrastructure Delivery Plan - Detailed Assessment (2023)</a> and <a href="#">Infrastructure Delivery Plan Addendum</a></li> </ul>

### Threshold or Trigger for Planning Obligation

**9.1** Planning obligations may be used on a site-specific basis where necessary to mitigate the impacts of development on existing services. Improvements to community facilities will generally be funded as part of the standard CIL charge, but there may be instances where a site-specific impact requires mitigation through direct delivery of infrastructure, or a financial contribution secured through a Section 106 agreement. Development proposals for 10 or more residential units should assess the potential impacts on existing social and community infrastructure.

### Policy Context

**9.2** Policy 49 in the Local Plan resists the loss of existing social and community infrastructure and seeks to ensure the adequate provision of community facilities, especially in areas where there is an identified need or shortage.

**9.3** The Council's infrastructure provision and needs have been identified with the relevant partner organisations and are set out in the Local Plan Infrastructure Delivery Plan (see above).

### Planning Considerations

**9.4** Developments of 10 or more residential dwellings are required under Policy 49 to demonstrate sufficient capacity within existing social and community infrastructure, in particular education and healthcare. Where there is a site-specific impact identified, applicants should plan for this to be addressed through planning obligations, having due regard to this SPD.

### Requirements

#### Community facilities

**9.5** The need to provide community facilities will be assessed on a case-by-case basis, proportionate to the scale of the development and will have regard to existing local provision. This includes local evidence and/or population needs as identified via needs assessments in terms of community facilities in the local area. Where necessary, measures will need to be put in place to mitigate the impacts of development on existing services, which may be secured through planning obligations.

**9.6** Co-location and multi-use of community facilities is encouraged and promoted in the Local Plan, to increase public access and help minimise costs to community groups. Community use agreements may be used to secure wider access to new facilities, including those in private developments.

#### Police Services

**9.7** The impact of large-scale developments may require contributions towards additional policing infrastructure. The Metropolitan Police may identify additional infrastructure requirements linked to the development to be secured through planning obligations.

#### Other Emergency Services

**9.8** The need for emergency services facilities should be discussed with providers, and developers will be expected to make appropriate provision to meet these needs.

## Education

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 50 Education and Training	<ul style="list-style-type: none"> <li>London Plan Policy S3 Education and childcare facilities</li> <li><a href="#">Department for Education Securing developer contributions for education, August 2023</a></li> </ul>

### Threshold or Trigger for Planning Obligation

**9.9** Planning obligations towards education will be sought where a development generates an impact on education services, through an increase in pupil demand, to create the capacity necessary to meet this demand.

### Policy Context

**9.10** It is set out in Policy 50 that the Council will work with partners to encourage the provision of facilities to meet education needs in the borough, through safeguarding sites in educational use and supporting the provision of additional facilities to ensure sufficient spaces can be provided for children aged 0-25, including special educational needs and disabilities (SEND) provision.

### Planning Considerations

**9.11** The Council has a statutory duty to ensure the provision of sufficient state-funded school places for all those residents who want them for their children. The School Place Planning Strategy for the borough, which is reviewed regularly, sets out the anticipated likely demand for school places and how this will be met over the next ten years, within this context. The Council uses the DfE methodology for estimating pupil yield from housing development (see above). The Department of Education has published [guidance](#) on securing developer contributions for education (see above).

**9.12** As set out in the Local Plan, there should be early engagement with the Council (Achieving for Children) where there is likely to be a loss or proposed gain in pre-school, primary and secondary places to establish how education needs will be met, and evidence of these discussions should be submitted with the planning application.

**9.13** The Council will seek to ensure multi-use and community use of new school facilities, particularly those for indoor and outdoor sport, where this forms part of a development proposal. This may be secured through a Community Use Agreement as part of the legal agreement. Further guidance on Community Use Agreements for Sports and Education Facilities including a model template will be made available alongside the adopted SPD.

### Requirements

**9.14** Where a development generates an impact on education services, through an increase in pupil demand, planning obligations will be used to create the capacity necessary to meet this demand. The DfE will only provide formula funding where there is a net increase in actual pupil numbers (taking into account existing provision and the underlying forecast demand), but this will not cover the full cost of assembling land and building a school. Planning obligations may be used to provide new places either by enlarging existing schools or making a contribution to new schools as appropriate.

## Employment and skills training

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 50 Education and Training Policy 21 Protecting the Local Economy Policy 22 Promoting Jobs and our Local Economy	<ul style="list-style-type: none"> <li>London Plan Policy EI I Skills and opportunities for all</li> </ul>

### Threshold or Trigger for Planning Obligation

**9.15** Planning obligations towards employment and skills training through a Local Employment Agreement (LEA) will be sought from all development

proposals generating 20 FTE (full-time equivalent) jobs. The thresholds that will be used to determine if an LEA is required are:

- All residential developments providing 50 units or more; and
- All non-residential developments consisting of 400 sqm or more of employment space.

### Policy Context

**9.16** As set out in Policy 50, the Council will promote local employment and training programmes in accordance with the London Plan. Where employment opportunities generated by construction as well as the end use of the development create more than 20 FTE jobs an LEA will be required to demonstrate how employment, training and skills development opportunities associated with the development will be secured for local people.

### Planning Considerations

**9.17** Implementation of the LEA will be fulfilled through the agreement of an Employment and Skills Plan (ESP) with the Council's Economic Development

Office (EDO) at least three months before the commencement of the development. The LEA sets out the purpose and provisions for local employment and enterprise benefit, while the role of the ESP is to set out the detailed delivery of the LEA through agreed targets and an associated method statement once construction programmes and end-uses are more clearly identified.

**9.18** If there is likely to be a requirement for an LEA, developers should seek early contact with the EDO to discuss the circumstances specific to the development.

**9.19** Where a planning application generates a requirement for a LEA, this will include jobs, training and apprenticeship places during the construction and operational phases of the development. Developments will vary in scale and nature, and Table 5 below provides an indicative assessment of the targets for the provision of employment opportunities for Richmond residents for a given level of development.

**Table 5 Approach to Calculating Employment Opportunities for Richmond Residents**

Type of use	(A) Jobs, training and apprenticeship places in construction phase	(B) Jobs, training and apprenticeship places in end-use phase
Non-residential uses	6 local jobs and 3 apprentice starts per 15,000 sqm of non-residential floorspace	Estimated employee yield of development* x 33% (proportion of all jobs in Richmond taken by Richmond residents)**
Residential/mixed-use development	10 local jobs and 6 apprentice starts per 100 dwellings	1 local employee/training start per 60 sqm
<b>Total number of jobs</b>	<b>A) Jobs, training and apprenticeship places in construction phase + B) Jobs, training and apprenticeship places in the end-use phase</b>	

\*Employee yield should be calculated by dividing the gross internal floor area created by average employee density values (based on the HCA employment density guide 2015 or similar recognised employment density metrics). Employee yields for schemes that are calculated separately within planning applications may also be used as long as the calculation is based upon a recognised methodology.

*Employee yield of a development = gross internal floor area ÷ employee density*

\*\*The percentage of jobs in Richmond taken by Richmond residents is estimated to be 33% based on the 2011 census.

The developer should contact the Council's Economic Development Office to agree the employment yield figures for both construction and end-use phases.

**9.20** Developers are expected to deliver the ESP on site, in particular for larger developments. If there are circumstances specific to the scheme (e.g. specialised labour requirements from the end user,

limited size or scale of development or length of the construction period) that make direct provision not feasible, or that alternative means of delivery would result in a more effective outcome,

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developers are able to work with Richmond Work Match who provide employment support, advice and guidance and training for residents to meet the requirements of the ESP.

**9.21** If a developer is responsible for direct delivery of the ESP the Council will require this to be effectively monitored and reported to Richmond Work Match, for which there will need to be a financial contribution to cover the Council's costs of compliance and monitoring. In certain limited circumstances where there is considered to be a risk of non-compliance with the ESP, the Council may also request a financial payment in the form of a bond to ensure compliance that will be reimbursed following successful delivery of the ESP, less a fee for administration or called upon by the Council if the monitoring shows any shortcomings in delivery to take remedial action (this will enable Richmond Work Match to pursue alternative local employment training schemes, job brokerage services or other business support activities).

**9.22** Richmond Work Match offer a service to help landowners deliver the ESP provisions. This option is available subject to payment of a fee to cover the costs of the Richmond Work Match service, which can provide wide ranging employment and training brokerage services, advice, guidance and comprehensive monitoring support to help a developer to meet the requirements of the ESP, tailored to reflect the local context. In these circumstances an employment, skills and training fee shall be agreed with the developer, based on the scale and scope of the development and officer time necessary for Richmond Work Match to broker, record and verify the validity of employment outputs at the development. Where such an arrangement is in place, Richmond Work Match will provide suitable wording to meet the requirements of the ESP Method Statement (see below.)

**9.23** The role of Richmond Work Match in the delivery of the ESP will vary depending on the site circumstances and what is agreed with the Council as the most suitable method of achieving the desired outcomes for a particular development.

## Requirements

### Employment and Skills Plan

**9.24** The developer shall be responsible for delivery of the ESP on their site (ensuring that new opportunities are created for Richmond residents

and not limited to apprentices transferring from other developments). The ESP will need to provide a named representative of the landowner who will be accountable for demonstrating delivery. The Council will require the ESP to be effectively monitored throughout the lifecycle of the proposed development and reported to the Council at sufficient intervals to be agreed with Richmond Work Match.

**9.25** In agreeing an ESP, developers will be expected to outline, via a comprehensive **method statement**, how they will work with contractors, end users and local agencies to deliver employment, skills and training opportunities for the residents of Richmond upon Thames during both the construction and end use phases of the development. The quality and validity of any employment, skills and training outputs shall be subjected to sufficient audit trails and the Council reserves the right to conduct sample audits to satisfy itself that a developer has undertaken reasonable endeavours to discharge the terms of the LEA and ESP.

**9.26** The method statement must set out how they and any agents, contractors and sub-contractors, working on their behalf, during the construction phase; and any end-users within the operational phase of the development; will verify and evidence their compliance with the following requirements:

- that those receiving employment outputs are residents of Richmond upon Thames and have a right to work in the United Kingdom;
- that any employment outputs provided via the development meet the Council's definitions for those outputs (e.g. job starts, apprenticeships, graduate job starts, work experience placements, curriculum support activities and community events);
- that resident data will be kept secure and retained within the principles of the General Data Protection Regulation (GDPR);
- how they will advertise employment and training opportunities, work with residents and screen candidates to deliver the requirements of the ESP;
- how they will engage with local employment agencies including (Jobs Centre Plus, Community Development Groups, primary, secondary, further and higher education establishments, pupil referral units, children

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services and local apprenticeship and training providers);

- how they will deliver local procurement opportunities to ensure that local businesses benefit from the construction and end use of developments.

**9.27** An ESP template and supporting guidance documents are kept up to date by the EDO and available from the Council on request.

### **Local procurement**

**9.28** The Council will seek opportunities to ensure that local businesses benefit from the construction and end use of developments. As part of the Employment and Skills Plan, developers will be expected to work with the Council to promote and advertise tender opportunities and to achieve the procurement of construction contracts and goods and services from companies and organisations based in the borough.

**9.29** As part of the local supply chain obligations, the Council will expect developers to brief sub-contractors on the requirements for local procurement and ensure that cooperation is agreed as a prerequisite to accepting sub-contract tenders and include a written statement in contracts with sub-contractors encouraging them to work with local businesses. The Council will support this process by advertising opportunities to local business networks and engaging any relevant support and advisory services.

# 10 Creating safe, healthy and inclusive communities

## Health

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 51 Health and Wellbeing	<ul style="list-style-type: none"> <li>London Plan policy S1 Developing London’s social infrastructure</li> <li>London Plan Policy S3 Education and childcare facilities</li> <li><a href="#">Local Plan Infrastructure Delivery Plan - Detailed Assessment (2023)</a> and <a href="#">Infrastructure Delivery Plan Addendum</a></li> </ul>

### Threshold or Trigger for Planning Obligation

**10.1** Planning obligations may be used on a site-specific basis where necessary to mitigate the impacts of development on existing health services. Improvements to facilities will generally be funded as part of the standard CIL charge, but there may be instances where a site-specific impact requires mitigation through direct delivery of infrastructure, or a financial contribution secured through a Section 106 agreement.

**10.2** Thresholds relevant to determining site-specific impacts are:

- Development proposals for 10 or more residential units should assess the potential impacts on existing social and community infrastructure (also see Section 9 of this SPD)
- A Health Impact Assessment must be submitted with all major development proposals

### Policy Context

**10.3** Applicants are expected to meet the increased health demand arising from new developments, in line with Local Plan Policy 51.

**10.4** The Council’s infrastructure provision and needs have been identified with the relevant partner organisations and are set out in the Local Plan Infrastructure Delivery Plan (see above).

### Planning Considerations

**10.5** The South West London Integrated Care System is the partnership responsible for planning, commissioning and buying health services for the borough. The ICS for South West London came into effect in July 2022. This is seeking to remove barriers that prevented an integrated system, to remove traditional divisions between hospitals and family doctors, between physical and mental health, and between NHS and council services. A

Richmond Health and Care Estates Strategy has been prepared during 2021. Overall, this is to support new models of care and integrated working, developing flexible spaces and optimising use of the estate. The South West London Integrated Care System are also preparing an estates strategy.

**10.6** Contributions towards additional healthcare capacity may be required from developments, having regard to the current provision and capacity of services and premises, the cumulative demand for services in the wider area and NHS service and estate strategies. Developers should engage with the ICB, NHS London Healthy Development Unit (HUDU) and partners, and the Council at pre-application stage to understand the capacity of existing healthcare.

### Requirements

**10.7** Where a development generates a site-specific impact that cannot be fully addressed through CIL, the Council may use other planning obligations to secure the provision of facilities on-site as part of the development proposal, or in the form of a financial contribution to increase the capacity of premises and services within the local area. Any on-site facilities should normally be secured as ‘shell and core’ space within a building, which may be fitted out for healthcare purposes and/or a discounted rent to ensure sufficient mitigation.

**10.8** The Healthy Urban Development Unit (HUDU) guidance and HUDU Planning Contributions Model is a method of calculating the capital cost of the additional health facilities required to meet the increased demand which arises from new developments or calculate a financial contribution. Given the long timescales involved in large-scale development, the requirement for a new on-site facility may change. In this case, if a new facility is not required or able to be delivered, then a

commuted financial contribution could be secured through the S106 legal agreement to contribute to

alternative provision.

## Air quality

Relevant Local Plan Policies	Other Relevant Strategies and Guidance
Policy 53 Local Environmental Impacts	<ul style="list-style-type: none"> <li>• London Plan Policy SI I</li> <li>• Richmond Air Quality Action Plan (2025 – 2030)</li> <li>• Richmond Air Quality SPD</li> <li>• Air Quality Neutral London Plan Guidance, GLA (2023)</li> <li>• Air Quality Positive London Plan Guidance, GLA (2023)</li> <li>• Sustainable Design and Construction Supplementary Planning Guidance, GLA (2014)</li> <li>• The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance, GLA (2014).</li> </ul>

### Threshold or Trigger for Planning Obligation

**10.9** Planning obligations to mitigate the impacts of development on air quality may be required, in exceptional circumstances, where schemes fail to meet policy standards, modelled concentrations exceed the targets set out in policies and it is not feasible to mitigate impacts on-site, and where mitigation measures are required to reduce the impact of transport.

**10.10** To understand the impact of a development on air quality, and to inform potential mitigation, Air Quality Assessments (AQAs) are required for:

- All major developments, in accordance with London Plan Policy SII; and
- In some circumstances, minor developments within or adjacent to an Air Quality Focus Area (AQFA). These are areas the GLA has identified where there are both high concentrations of air pollution and high public exposure.

### Policy context

**10.11** Air pollution has a significant impact on climate and on people’s quality of life and health. The whole of Richmond borough has been declared as an Air Quality Management Area (AQMA) and operates under the London Local Air Quality Management regime. Policy 53 sets out development proposals must be at least ‘Air Quality Neutral’ and should not contribute to worsening of air quality during the construction or operation stage, in accordance

with Policy SII of the London Plan. Developments subject to an Environmental Impact Assessment (EIA) are required to achieve ‘air quality positive’.

**10.12** The Council has recently produced a new more ambitious Air Quality Action Plan (AQAP) for 2025 to 2030 which includes further measures to improve air quality across the borough by reducing the key pollutant emissions from vehicles, buildings and homes. The Richmond AQAP sets ambitious targets that align with the World Health Organization progressive guidelines for air quality. Specifically, through the AQAP the Council aims to reduce annual averages targets for nitrogen dioxide (NO<sub>2</sub>) to the interim target of 20µg/m<sup>3</sup> and of PM<sub>2.5</sub> to 10µg/m<sup>3</sup> in the first instance, proceeding to the tighter standards once achieved. These ambitious targets go beyond the new Local Plan, however developers are encouraged to exceed the policy requirements in the Local Plan due to the wider benefits of meeting the latest AQAP targets.

### Planning considerations

**10.13** The consideration of existing air quality and mitigation should be first considered at the design and pre-application stage. Development should not negatively impact local air quality and measures to reduce the impact should be implemented on site. Where it can be demonstrated that on-site provision is not feasible, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be

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demonstrated to off-set emissions. In this case, a financial contribution will be sought for the off-site air quality measures or towards the Council's Air Quality Fund.

detrimental impact on air quality is carefully managed. This fee will be proportionate to the type and size of development.

**10.14** A proposed development can be air quality neutral but also have an adverse impact on local air quality. Developers should seek to mitigate these impacts and provide local measures to deal with any adverse impacts associated with development proposals during the construction and operational phases.

**10.15** The GLA have produced further guidance on how to reduce construction and demolition impacts, and applicants should have regard to this guidance, as well as the stipulations of the London Plan Policy S11. The Control of Dust and Emissions During Construction and Demolition SPG requires developers to produce an Air Quality and Dust Risk Assessment (AQDRA) and sets out minimum emission requirements for Non-Road Mobile Machinery (NRMM).

**10.16** Where NO<sub>2</sub> and PM modelled concentrations are exceeded, the developer shall need to mitigate the impact of poor air quality on future occupants through agreed measures including the design and ventilation strategy. Developments are encouraged to meet the borough air quality targets as set out in the Air Quality Action Plan (or future updates).

## Requirements

**10.17** Planning obligations in the form of a commuted sum will be used in exceptional circumstances where it is demonstrated that it is not feasible to deliver appropriate and adequate mitigation measures on-site as required by Policy 53, and that off-site measures would deliver equivalent or better air quality benefits to off-set emissions. If an off-site payment is agreed, this will be through a contribution to the borough's Air Quality Fund. The Air Quality Fund will be used to implement measures in the Borough's Air Quality Action Plan, relevant to the development and its impacts. Further details are set out in the Council's Air Quality SPD, including the rates for calculating contributions and how funds will be spent.

**10.18** Financial contributions may also be required to cover the Council's costs of monitoring and regulating the air quality impacts of new development and additional enforcement of air quality planning conditions to ensure that

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## 11 Glossary

**Fuller glossaries, including terms used within planning policies, are contained in the Richmond Local Plan (2025) and London Plan (2021)**

**Affordable Housing** – Social rented and affordable rented housing, as well as intermediate housing when delivered in compliance with the Council’s Intermediate Housing Policy Statement 2019 or any further update, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing must include provisions to remain at an affordable price in perpetuity for future eligible households or in special circumstances for the subsidy to be recycled for alternative affordable housing provision. Policy 11 sets out the types of housing that the Council considers to be genuinely affordable housing, in the context of the Local Plan. The NPPF sets the definition of affordable housing in Appendix 2.

**Affordable Workspace** – Workspace that is provided at rents maintained below the market rate for that space for a specific social, cultural, or economic development purpose.

**Community Infrastructure Levy (CIL) – Richmond** – Levies on development to fund the infrastructure necessary to support the development set out in the Council’s Local Plan(s) and Crossrail. Also known as Developer Contributions.

**Community Infrastructure Levy Regulations** – Regulations approved by the House of Commons in accordance with section 222(2)(b) of the Planning Act 2008.

**Commutated Sum** – A payment made to a Local Authority where it is not appropriate or feasible to provide a particular item of infrastructure on a development site. The payment is made to ensure that equivalent or enhanced provision is made elsewhere, often within the vicinity of a development (e.g. public open space or play space).

**Financial Contribution** – A payment made to a Local Authority to fund infrastructure improvements or other mitigation required to make a development acceptable. This may include commuted sums but also other payments where there is no expectation of delivery of infrastructure or mitigation on-site.

**Grampian Condition** – negatively worded planning condition that prevents development from starting or being occupied until a specific action has been completed.

**Heads of Terms** – The different topic areas under which planning obligations might be identified in a Section 106 Agreement, identified using the Planning Obligations SPD and the Planning Obligations Calculator. Applicants are encouraged to submit a draft Heads of Terms document alongside the pre-application submission documentation to allow officers sufficient time to consider the details contained within the draft Heads of Terms.

**Infrastructure** – The Planning Act 2008 (Section 216(2)) defines infrastructure to include ‘roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces’.

**Infrastructure Delivery Plan (IDP)** – The IDP sets out the borough’s infrastructure requirements over the lifetime of the Local Plan. It covers a range of social and community infrastructure, emergency services, green infrastructure, utilities and physical infrastructure, transport infrastructure as well as heritage assets.

**Infrastructure Delivery Schedule (IDS)** – The IDS sets out the where, what, why, who and when key infrastructure that is required in the borough will be delivered.

**Infrastructure Funding Statement (IFS)** – A report detailing revenue from CIL and Section 106 contributions and the infrastructure projects to be funded wholly or in part by this income.

**Local Plan** – A Local Development Document which includes policies encouraging development, allocating sites or including development management policies as set out in Regulation 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

**London Plan** – The plan is a spatial development strategy for the Greater London area, to deal with matters of strategic importance to the area. The current London Plan was published by the GLA in 2021.

**Major Development** – A development of more than 10 or more residential units (gross) or developments of 1,000 sqms or more of non-residential floorspace.

**Mayoral CIL** – Levy charged by the Mayor of London on new development in London, in addition to the borough’s CIL.

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**Mitigation** – Any measure which is required to reduce or resolve a negative impact arising from a development. For example, additional infrastructure capacity needed to address the additional demand from the occupiers of planned housing.

**Planning Condition** – A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990).

**Planning Contributions** – Taken together, planning obligations (in the form of Unilateral Undertakings, Section 106 Agreements and Section 278 Agreements), CIL and certain planning conditions that secure infrastructure are called planning contributions.

**Planning Obligation** – A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal. A Planning Obligation places a charge on the land to which it relates. May form part of Developer Contributions.

Planning obligations can also be used to:

- restrict the development or use of the land in any specified way;
- require specified operations or activities to be carried out in, on, under or over the land;
- require the land to be used in any specified way; or
- require a sum or sums to be paid to the authority on a specified date or dates or periodically.

**Planning Obligations Calculator** – Can be used alongside the Planning Obligations SPD to help calculate the contributions required for a proposed development.

**Pre-application Advice** – A chargeable service provided by the Council to provide applicants with detailed advice on a proposed development before a full application is submitted.

**Section 106 Agreement (S106)** – Refers to Section 106 (S106) of the Town and Country Planning Act 1990 allows a local planning authority to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. The obligation is termed a Section 106 Agreement.

**Section 278 Agreement** – A legal agreement completed between the developer and the Local Planning Authority, under section 278 of the Highways Act 1980, where a development requires works to be carried out on the existing adopted highway. These agreements provide a

financial mechanism for ensuring delivery of mitigation works identified and determined as necessary for planning permission to be granted.

**Threshold** – The minimum size of development to which the need for a particular planning obligation may apply (this may be all developments).

**Trigger** – Particular features of a development that may require planning obligations to mitigate negative impacts.

**Unilateral Undertaking** – Legal agreement where developers covenant to undertake planning obligations. Unlike Section 106 Agreements, Unilateral Undertakings do not have to be entered into by the Local Authority.

**Viability Assessment** – An assessment of the financial viability of a development, taking into account a range of different factors such as location, type of site, size of scheme, and scale of contributions to infrastructure and facilities.

## I2 Appendix I: Delivery Mechanisms for Planning Contributions

*This table is intended to be used as general guidance only on how different infrastructure may be funded and there may be circumstances relating to specific developments where the application of Planning Obligations/Borough CIL is different to how it is set out below.*

Infrastructure theme	Specific requirement	Planning Obligations	Borough CIL
Affordable housing	See Local Plan policy	Yes	No
Sustainability	Works required to mitigate impact on sustainability and make the development acceptable in planning terms and directly related to a new development scheme	Yes	No
	Borough-wide sustainability projects (if infrastructure)	No	Yes
Employment	Affordable workspace	Yes	No
Historic environment	Repair, restoration or maintenance of a heritage asset and its setting	Yes	No
CCTV	To upgrade the borough's CCTV transmission and recording system	No	Yes
	The development has a negative impact on public safety or transport such that CCTV is required to mitigate the impact and make the development acceptable	Yes	No
Open space and play space	Green infrastructure required to mitigate impact and make the development acceptable in planning terms and directly related to a new development scheme	Yes	No
	Improvements to Council sports facilities Borough-wide green infrastructure projects	No	Yes
Non-strategic transport	Measures identified in Transport Assessments and Travel Plans	Yes	No
	Transport infrastructure required to make the development acceptable in planning terms and directly related to a new development scheme	Yes	No
Strategic Transport improvements	Strategic transport infrastructure projects	No (unless contributions are pooled with other developments and/or identified as necessary by TfL)	Yes
Education	Primary and secondary schools – on-site provision (e.g. extensions for classrooms) State education facility (may be borough-wide)	Yes	Yes
Employment and skills	Contributions towards training, skills and employment initiatives as a direct result of new development	Yes	No

	Local procurement		
Healthcare	On-site provision or off-site contributions to increase capacity of existing primary healthcare facilities as a direct result of new development	Yes	No
	Area-wide healthcare infrastructure, such as larger primary and community healthcare facilities	No	Yes

For more information write to:  
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