

**EXETER CITY COUNCIL**

**EXECUTIVE  
29 JUNE 2009**

**DRAFT SUPPLEMENTARY PLANNING DOCUMENT  
PLANNING OBLIGATIONS**

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek support for the appended draft Planning Obligations Supplementary Planning Document (SPD) to be reported to Executive for approval for public consultation.
- 1.2 The SPD offers guidance on the planning obligations that may be required to satisfy planning policies and ensure that development results in sustainable outcomes.

**2. BACKGROUND**

- 2.1 In the form of a section 106 legal agreement, planning obligations are secured to ensure that developers mitigate the impacts of development and provide for the infrastructural requirements arising from it in a sustainable manner.
- 2.2 Office of the Deputy Prime Minister Circular 05/2005 advocates that planning authorities introduce their own SPDs on planning obligations. In view of this guidance and an evident need to clarify and regularise the process by which planning obligations are secured the draft SPD has been prepared.
- 2.3 It is intended that the guidance contained in the SPD will increase the efficiency with which section 106 agreements are negotiated. In doing so, it will help to avoid instances of planning applications being determined later than their 8 or 13 week statutory deadlines for reasons associated with agreeing planning obligations.
- 2.4 The SPD has also been drafted to enable the authority to fund the design and tendering costs for providing infrastructure which is delivered by the City or County Councils.

**3. PROPOSED CONSULTATION**

- 3.1 The consultation period will be 6 weeks. The results of the consultation and the proposed response will be reported to Planning Member Working Group and Executive with a view to adoption later in the year.
- 3.2 The consultation will be publicised through the web site, press releases and letters to agents, interested organisations and other parties that have already expressed interest in response to advanced publicity.

**4. PLANNING MEMBER WORKING GROUP COMMENTS**

- 4.1 Planning Member Working Group discussed the draft document and supported its submission to Executive.

**5. RECOMMENDATION**

5.1 It is recommended that Executive approve this document.

**RICHARD SHORT  
HEAD OF PLANNING AND BUILDING CONTROL**

**ECONOMY AND DEVELOPMENT DIRECTORATE**