



Cabinet

Tuesday, 9 December 2025

Developer Contributions Supplementary Planning Document

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Planning and Housing, Councillor R Upton

1. Purpose of report

- 1.1. The purpose of the Developer Contributions Supplementary Planning Document (SPD) is to provide information about the provision of and/or contributions towards infrastructure required to support the delivery of new development. The SPD identifies when infrastructure provision (including contributions to provision) will be sought and secured through planning conditions and planning obligations.
- 1.2. The report recommends that the revised draft Developer Contributions SPD is adopted. Once adopted, it will provide guidance on the application of Local Plan Part 1: Core Strategy Policies 18 (Infrastructure) and 19 (Developer Contributions) in particular. The revised draft SPD is at Appendix 1.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) supports the proposed revisions to the draft Developer Contributions Supplementary Planning Document;
- b) approves the adoption of the Developer Contributions Supplementary Planning Document;
- c) delegates authority to the Director – Development and Economic Growth, in consultation with the Cabinet Portfolio Holder for Planning and Housing, to make any necessary final minor textual, graphical and presentational changes required to the SPD prior to publication; and
- d) revokes the Developer Requirements Supplementary Planning Guidance that was adopted in December 2003.

3. Reasons for Recommendation

- 3.1. If adopted, the Developer Contributions Supplementary Planning Document (SPD) will provide guidance on applying Local Plan Part 1: Core Strategy Policies 18 (Infrastructure) and 19 (Developer Contributions), as well as

relevant national policy and guidance in the National Planning Policy Framework and Planning Practice Guidance. Its key role is to set out the likely scope and scale of planning obligations for different types of development and explain the Council's general approach to securing them.

- 3.2. In order to replace the Developer Requirements Supplementary Planning Guidance, which was adopted in December 2003 and is now largely outdated.

4. Supporting Information

- 4.1. Funding for the infrastructure to support new development across the Borough can be sought in a variety of ways. The Council currently uses three main mechanisms for securing infrastructure contributions from developers:

- Planning conditions;
- Planning obligations (Section 106 Agreements and Unilateral Undertakings); and
- Community Infrastructure Levy.

- 4.2. The process of determining appropriate infrastructure contributions and finalising Section 106 agreements can take many months to complete. Consequently, this can cause delays in determining planning applications and allowing appropriate development to commence. The SPD aims to give developers a better understanding of the Council's expectations and priorities regarding planning obligation requirements from the outset, helping to reduce time taken to negotiate contributions.

- 4.3. The draft SPD supports the delivery of Local Plan policies, particularly Local Plan Part 1: Core Strategy Policies 18 (Infrastructure) and 19 (Developer Contributions) and provides clarity on the Council's approach to developer contributions. Other adopted policies, including those in Local Plan Part 2 Land and Planning Policies, are also relevant to the contributions set out in the draft SPD. The SPD will be used by planning officers, developers and the Planning Committee to inform decision making.

- 4.4. The SPD includes guidance on the different mechanisms the Council may use to secure developer contributions, how contributions will be negotiated during the planning process, and the different types of contributions that may be sought from a proposed development. Appendix 1 of the draft SPD sets out indicative financial contributions to inform planning applicants of the potential financial costs that may be sought from proposed developments.

- 4.5. While the SPD cannot cover every possible circumstance, it provides a clear indication of how the Council will meet policy requirements and regulations for the provision of infrastructure, community facilities, and services.

- 4.6. The SPD will help ensure the process is transparent and easily understood by all stakeholders involved in the planning contributions process.

- 4.7. A draft of the SPD was considered by the Local Development Framework (LDF) Group in April and May 2025. It was then published for consultation, which finished on 24 September 2025. In total, 17 consultees submitted representations. A summary of the comments and proposed responses to the issues raised is provided in Appendix 2.
- 4.8. In response to several comments, modifications to the SPD are considered justified. Other modifications are also proposed for reasons of clarity, particularly in respect of the various legal related and other processes and requirements for securing planning obligations. The proposed changes related to consultee comments are detailed in Appendix 2, and the revised draft SPD at Appendix 1 shows all proposed changes. These are highlighted as track changes – new text appears in blue and underlined, while deleted text is shown in red with strikethrough.
- 4.9. The main proposed revisions to the draft SPD include:
- The addition, amendment or deletion of text within Section 2 and Appendix 1 for clarity purposes in relation to the various legal and other processes and requirements involved in securing planning obligations,
 - To clarify that Nottinghamshire County Council will also recharge developers for reasonable legal costs incurred in agreeing planning obligations for its services and planning obligations may attract a monitoring fee;
 - Additional text relating to provision of public transport services as this matter merits more explicit mention within the document;
 - Additional text to help ensure parish/town councils are better able to influence the design and specification of recreational open space that they may adopt;
 - Clarification of where funding for secondary school provision may be funded via planning obligations rather than CIL; and
 - Further text to clarify the approach where developers may be asked to contribute to library stock improvements.
- 4.10. The proposed revisions to the draft SPD were considered by the LDF Group on 26 November 2025. Subject to minor additional changes, the Group supported the revisions and recommended to Cabinet that the draft SPD be adopted.
- 4.11. The draft SPD is accompanied by a Strategic Environmental Assessment and Appropriate Assessment Screening Report, provided at Appendix 3.
- 4.12. Once adopted, the SPD will replace the Developer Requirements Supplementary Planning Guidance, which was adopted in December 2003 and is now largely outdated.

5. Alternative options considered and reasons for rejection

The Cabinet could decide not to adopt the draft SPD. This is not recommended as the SPD will better support the implementation of Local Plan policies that seek to deliver supporting infrastructure for new development.

6. Risks and Uncertainties

The SPD is intended to support the implementation of Local Plan Part 1: Core Strategy Policies 18 (Infrastructure) and 19 (Developer Contributions) in particular and form a key material planning consideration in the determination of relevant planning applications. In so doing, the risk that such matters relating to developer contributions are overlooked or not adequately addressed should be reduced.

7. Implications

7.1. Financial Implications

There are no direct financial implications for the Council arising from this report other than the officer time in preparing the relevant documents and the costs associated with any consultation process, which should not be significant.

7.2. Legal Implications

The 2004 Planning and Compensation Act empowers Local Planning Authorities to prepare Local Plans and Supplementary Planning Documents (SPD). SPDs are not part of the Local Plan but are capable of being a material consideration in planning application decisions. There is a requirement for public consultation to be undertaken on the draft SPD and for any representations received to be taken into account before it can be adopted by the Council.

7.3. Equalities Implications

There are no direct equalities implications arising from matters covered in this report. Equalities Impact Assessments were undertaken in preparing the Local Plan. The draft SPD would not put in place new policies but would supplement relevant policies from the Local Plan.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no direct community safety implications arising from matters covered in this report.

7.5. Biodiversity Net Gain Implications

The draft SPD supports existing policies on biodiversity net gain and advises on the appropriate contribution mechanisms to be used to secure the delivery of biodiversity net gain.

8. Link to Corporate Priorities

Quality of Life	The draft SPD helps to ensure new developments positively affect Rushcliffe residents' quality of life through the delivery of adequate infrastructure.
Efficient Services	The recommendations in this report do not impact on or contribute to the Council's Efficient Services priority.
Sustainable Growth	The draft SPD helps to ensure new developments are delivered in a way that supports sustainable growth.
The Environment	The draft SPD helps to ensure new developments positively affect Rushcliffe's environment through the delivery of adequate infrastructure.

9. Recommendation

It is RECOMMENDED that Cabinet

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- d) revokes the Developer Requirements Supplementary Planning Guidance that was adopted in December 2003.

For more information contact:	Richard Mapletoft Planning Policy Manager 0115 914 8457 rmapletoft@rushcliffe.gov.uk
Background papers available for inspection:	Developer Requirements Supplementary Planning Guidance, December 2003: https://www.rushcliffe.gov.uk/media/b1ehnafn/supplementary_planning_guidance_development_requirements.pdf
List of appendices:	Appendix 1: Revised Draft Developer Contributions Supplementary Planning Document Appendix 2: Draft Developer Contributions Supplementary Planning Document – summary of consultation responses

	Appendix 3: Draft Developer Contributions Supplementary Planning Document – Sustainability Appraisal and Appropriate Assessment Screening Opinion Report
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