

5.0 How can the community be involved in the allocation of planning obligation funds?

- 5.1 In certain circumstances a planning application will need to be supported by the provision of on site and/or off site infrastructure or financial contributions to make it acceptable in planning terms. An applicant will be required to enter into a planning obligation also known as S106 Agreement. Guidance on S106 Agreements is available on the Councils [Youtube page](#). This is a legal agreement between the applicant or the landowner of the application site and the Councils. These legal agreements normally deal with how a development will be carried out or the provision of new or improved infrastructure, community services or facilities.
- 5.2 Major or strategic developments generally have more complex obligations attached, but obligations may also be applied to small scale developments to achieve, for example, provision of affordable housing or sustainable travel measures.
- 5.3 Through consultations at pre-application stage and as part of the consideration of planning applications, the local community, key partners and stakeholders are invited to give their views on the content of any likely planning obligations. This may be considered in line with previously identified projects and the priorities of both Councils (such as the Open Space and Recreation Strategy). These will also be taken into consideration when the Council determines the planning application and any required obligations, in accordance with [Regulation 122 of the Community Infrastructure Levy \(CIL\) Regulations](#) and in compliance with the three 'CIL' tests.

- 5.4 The Councils have a track record of engaging with local communities where received developer contributions need to be spent on specific off-site infrastructure projects (for example public art or the refurbishment of a children's play space). These types of projects are usually overseen by other Council service areas where information on the scope of the project, funds available and geographically where the funds can be spent is set out on the relevant Council website.

Biodiversity

- 5.5 The GCSP Biodiversity Supplementary Planning Document was adopted in February 2022. It provides clear guidance on how developments should consider biodiversity at the start of the planning process to make sure Biodiversity Net Gain is integrated, increased and enhances development proposals. This is in line with the Government's 25 Year Environment Plan and the Environment Act 2021, which requires new development to provide biodiversity net gain. The Councils will seek to require developers to deliver 20% BNG and under the scheme developers who are unable to meet BNG on site in the South Cambridgeshire area will be able to secure biodiversity off site from the Lower Farm BNG scheme in Fulbourn. Habitats will be secured for at least 30 years via obligations and/or conservation covenant and can be delivered on-site, off-site or via statutory biodiversity credits.