

Suggested amendments to supporting text in chapter 18. Development and infrastructure.

18.6 Viability is an important part of the plan making process as set out in the NPPF. The council needs to take into account economic viability and has prepared a Local Plan viability assessment to ensure that the cumulative impact of planning policy, standards, and infrastructure requirements do not render the sites and development identified in the Local Plan unviable and therefore undeliverable. ~~The Viability Assessment has been prepared in accordance with the~~ When assessing the viability of schemes the starting point should be the guidance as set out in the NPPF and Planning Practice Guidance on Viability and Plan Making ~~and associated guidance as set out by RICS where appropriate. Only where development is proven to be unable to sustain developer contributions via viability assessment process will the council potentially choose not seek or partly seek contributions to identified infrastructure.~~

18.9 The council currently seeks the provision of infrastructure required as a result of development in accordance with the current planning guidance and regulations. These are Section 106 of the Town and Country Planning Act (1990), and the Community Infrastructure Levy - CIL Regulations 2010 (as amended). Any requests for developer contributions would be required meet the following as set out within the CIL regulations : -

a. necessary to make the development acceptable in planning terms;

b. directly related to the development; and

c. fairly and reasonably related in scale and kind to the development.

The government has also stated that they will introduce a new infrastructure levy which will partly replace the existing developer contributions regime as part of the changes to the planning system. The council will provide additional guidance in due course when the new levy is introduced.

18.10 The council will continue to secure development-specific infrastructure through the existing regulatory framework in mitigating the site-specific impacts of development and the provision of affordable housing. In general, site-specific mitigation measures such as access roads and highways works providing a safe and acceptable means of access, sustainable energy and flooding requirements, on site public realm and open space will continue be secured through planning obligations. The required infrastructure to support the plan is set out in detail within Appendix 4 ~~provides some of the detail. However,~~ It is the intention of the council to produce a developer contributions and infrastructure supplementary planning document following the adoption of this plan however this guidance will not increase the expected developers costs beyond what is already set out within this plan.

Replacement Policy DI01. Developer Contributions and Infrastructure

1. Development will be expected to provide or contribute towards the provision of the infrastructure needed to support it as set out in appendix 4.

2. The Council will seek developer contributions where development creates a requirement for additional or improved services and infrastructure and/or to address the off-site impact of development so as to satisfy other policy requirements. Planning contributions may be sought to fund a single item of infrastructure or to fund part of an infrastructure item or service, subject to statutory processes and regulations.

3. Where new infrastructure is needed to support development, the infrastructure must be operational no later than the appropriate phase of development for which it is needed.

4. Obligations will be negotiated on a site-by-site basis and will only be sought where these meet the current CIL tests as set out the most recent legislation.

5. As set out in appendix 4, appropriate matters which could be funded by planning contributions include -:

- Affordable housing.
- Transport improvements, including walking and cycling facilities.
- Education (primary and secondary)
- Primary and Secondary Health Care
- Outdoor and indoor sports provision and leisure.
- Burial facilities
- Community facilities
- Gypsy and Traveller provision
- Emergency services including police and fire & rescue
- Flood defence and alleviation schemes, including SuDS.
- Biodiversity enhancements.
- Open space, including green infrastructure and allotments.

6. The Council will only consider the viability of development proposals at the planning applications stage where it can clearly be demonstrated, through a robust site-specific Financial Viability Assessment, that development would not be financially viable if full planning obligations were sought. The Council will then be able to balance the benefits of the proposals against any harm arising from not securing the full or part of the planning obligation requirements.

Structure of future developer contributions supplementary planning document.

Introduction

- Purpose of the document
- What is meant by developer contributions.

Policy context

- The national and local policy position include the importance of the adopted local plan for setting costs for developer contributions.
- Provides a summary of the legal framework that developer contributions will be expected to work within
- Summary of other relevant plans related to developer contributions e.g. local transport plan, relevant NHS improvement plans, affordable housing strategy, Biodiversity strategies/Local Nature Recovery Strategies etc.

Approach to developer contributions.

- Sets out relevant policy requirements for development contributions as set out in the adopted local plan.
- Defines how the council will negotiate, collect and monitor developer contributions.
- Defines the role of viability will in regard to negotiations around developer contributions.

Planning obligation requirements by type

- Will give specific advice for various types of infrastructure commonly required by the Council to support new development.
- Will provide more details around the requirements set out in DI01 and appendix 4 of the adopted local plan.

Appendices

Various appendices setting out things such as the formulas required for developer contributions as well as various relevant council standards and other relevant adopted approaches such as commuted sums for affordable housing and metrics for BNG.