

CHAPTER 9 IMPLEMENTATION AND INFRASTRUCTURE DELIVERY

Plan Delivery and the Role of Developer Contributions

- 9.1. The need to bring forward substantial development across the District will put extra pressure on the District's existing infrastructure. To determine where additional infrastructure will be required to accommodate this planned development, the Council has prepared an Infrastructure Study, in cooperation with infrastructure providers, as part of the evidence base for this Plan. The Study has identified a series of infrastructure projects that are required to deliver sustainable communities and these are set out in the accompanying Infrastructure Delivery Plan.
- 9.2. In order to develop new infrastructure, developers and Local Authorities can enter into a legal agreement under Section 106 of the Planning Act called a Planning Obligation. In essence the developer undertakes to either pay in whole or part, or provide, the infrastructure required as part of the development, as part of the process of obtaining planning permission.
- 9.3. Such planning obligations are legally required to be:
 - a) necessary to make the development acceptable in planning terms
 - b) directly related to the development
 - c) fairly and reasonably related in scale and kind to the development.
- 9.4. Planning obligations are often used to address the additional burden placed on infrastructure such as the transport system, green infrastructure and green space, services like schools and doctors practices; and to meet policy objectives such as delivery of affordable housing and other community benefits like contributions to public art. Used appropriately planning obligations can ease planning problems, enhance the quality of development and make a development more sustainable.
- 9.5. The Council is keen to ensure that both the planned infrastructure is delivered in a timely fashion and that the need to secure planning obligations does not act as a deterrent to development coming forward. Developers are generally familiar with the requirement to provide planning obligations, but require certainty as to the type and scale of the obligations required. It is considered that a large proportion of this certainty will be provided by the Infrastructure Delivery Plan which identifies where additional infrastructure is and is not required and the policies within the Local Plan.
- 9.6. The Infrastructure Delivery Plan also categorises the importance of the various infrastructure projects to the delivery of the Local Plan to guide discussions where the need for infrastructure and other requirements arising from development is proven to exceed that which can be viably funded through the development.

- 9.7. It is recognised that Infrastructure requirements may change over time and some requirements identified now may not be needed and new requirements may be identified during the plan period. Therefore, the implementation of the Infrastructure Delivery Plan will be monitored, reviewed and updated at key stages during the plan period.
- 9.8. In order to maintain the flexibility of the Plan and the Development Management response to development opportunities, and due to viability considerations and the absence of large scale infrastructure requirements, the Council has decided not to introduce a Community Infrastructure Levy at this time. The Council will keep the desirability of establishing a Community Infrastructure Levy (CIL) under review and reassess the case for CIL as part of whole plan viability work. If a Levy is established then development will be expected to contribute towards provision of infrastructure considered to be a strategic need and included on a CIL Regulation 123 list. Liability and levy rates would be shown in the Council's CIL Charging Schedule. If a CIL Charging Schedule becomes effective, Section 106 contributions will not be sought for infrastructure that is included in the CIL Regulation 123 list. Policy II1 aims to ensure that necessary infrastructure is delivered where necessary in a timely fashion.

Policy II 1: PLAN DELIVERY AND THE ROLE OF DEVELOPER CONTRIBUTIONS

To aid plan delivery, planning obligations will be sought where the implementation of a development would create a need to provide additional or improved infrastructure, amenities or facilities or would exacerbate an existing deficiency. The identification of this need will be assessed on a case by case basis but will be guided by the latest version of the Council's Infrastructure Study and Delivery Plan. As a result, contributions will be sought towards the delivery of the following infrastructure types, where they are necessary and relevant:

A) Physical

transport (travel plans, cycling, walking, public transport and road networks)
utilities (electricity, gas and telecommunications)
municipal waste (waste collection and disposal)
water (flood risk, waste water and water supply and quality).

B) Social

education (primary, secondary and further phases);
health (primary and secondary care and pharmacy services);
emergency services (ambulance, fire and police);
community facilities (libraries, post offices and community halls);
leisure facilities (indoor facilities).

C) Green

strategic green infrastructure (greenways and wildlife corridors);
green spaces (formal and semi-natural green spaces).

Alongside infrastructure delivery, planning obligations will also be sought where the implementation of a development would necessitate the delivery of other policy objectives, such as the provision of starter homes &/or affordable housing, lifetime homes and public art, or to mitigate site based considerations, such as environmental mitigation or maintenance works for nature conservation, landscaping, treatment of contamination, measures to improve land stability, energy conservation and heritage conservation.

The examples listed above are not necessarily exhaustive. In some cases the obligation will take the form of a financial contribution. In all cases they will be directly, fairly and reasonably related in scale and kind to the proposed development.

The identification of this need will be assessed on a case by case basis but will be guided by the requirements of specific policies elsewhere in the Council's Local Plan. Where the need for infrastructure and other requirements arising from development is proven to exceed that which can be viably funded through the development, priority will be determined by the District Council based on the importance of the infrastructure and other requirements to the delivery of the Local Plan.

Key Evidence Base

National Planning Policy Framework (NPPF)
Planning Practice Guidance

You told us that...

New infrastructure needed to be sought and delivered as part of proposals for new development.

Alternative Options considered but not selected...

None.

The NPPF tells us that...

Pursuing sustainable development requires careful attention to viability and costs. Plans should be deliverable, and planning obligations should not threaten viability. However, it is also important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion.

Policy Implements Local Plan Objectives

Objective E: Regeneration
Objective G: Infrastructure

How will the Policy be monitored?

Indicator: The number of successful appeals against requirement to deliver necessary infrastructure.

Target: None.

Trigger for review: Trend of successful appeals against developer contributions.

Local employment and skills initiatives

- 9.9. Two of the key issues recognised by the Council within the Spatial Portrait are the need to:
- a) improve employment opportunities in the district by increasing the number and range of jobs in the district
 - b) provide significantly greater local job opportunities
- 9.10. The spatial portrait also recognises that the district also has relatively fewer people with academic qualifications than the regional or national average. This makes the up-skilling of the population an important aspect of supporting the development of the district.
- 9.11. This policy sets out the council's commitment to ensuring that local employment and skills initiatives are provided through significant new developments. These will be delivered through an Employment and Skills Plan (ESP) which should be in accordance with construction industry standard benchmarks and will be expected to positively address the following criteria:
- a) ensuring local people are properly prepared for work
 - b) enabling employers to access the skilled workers
 - c) supporting local people, including our most disadvantaged individuals, to develop their skills
 - d) creating opportunities that enhance employability skills of young people
 - e) providing direct local apprenticeship and training opportunities
- 9.12. Significant developments are considered to be sites which provide, over 30 dwellings or 1.5 hectares of residential land, office / light industrial developments of more than 3000 m² or greater than 3 ha., general industrial proposals of more than 3000 m² or 3 ha., or retail applications of greater than 3000 m² or 3ha.
- 9.13. The Council will look to provide further advice and guidance in relation to this policy in order to help and support applicants in meeting the policy requirements.
- 9.14. This policy is needed in order to ensure that significant developments provide opportunities for local people to develop skills and gain valuable experience within the construction industry.

9.15. It will ensure that maximum benefit is gained from new development by ensuring that local people are provided with important training and employment opportunities.

Policy II 2: Employment and Skills

On significant development sites, developers will be required to submit for approval an 'Employment and Skills Plan' (ESP) which will set out opportunities for, and enable access to, employment and up-skilling of local people through the construction phase of the development.

Key Evidence Base

D2N2 Skills for Growth Strategy

You told us that...

This is the first time this policy has been consulted on in the local plan process

Alternative Options considered but not selected...

None.

The NPPF tells us that...

The NPPF does not specifically address this issue.

Policy Implements Local Plan Objectives

Objective L: Economic Prosperity

Objective M: Employment Opportunities

How will the Policy be monitored?

Indicator: The number of people benefitting from an employment and skills plan.

Target: 10.

Trigger for review: Significant deviation from the target.