

## **CHAPTER 9 – IMPLEMENTATION AND INFRASTRUCTURE DELIVERY**

### **INTRODUCTION**

- 9.1 The need to bring forward substantial development across the District will put extra pressure on the District's existing infrastructure, such as green infrastructure and green space, services like schools and doctor's practices and the transport system. This pressure needs to be carefully managed and additional capacity planned to ensure that growth truly represents sustainable development.

### **PLAN DELIVERY, COMMUNITY INFRASTRUCTURE LEVY AND THE ROLE OF DEVELOPER CONTRIBUTIONS**

- 9.2 The Infrastructure Study and Delivery Plan identifies that the infrastructure requirements directly relate to the levels of sites being allocated in the Local Plan, rather than to more strategic infrastructure projects. This, together with a number of other issues has led to the Council deciding to not to pursue a Community Infrastructure Levy. This decision is supported by the findings of the Whole Plan Viability Assessment (WPVA) for the Local Plan for Bolsover District (March 2018). It is also noted that the Community Infrastructure Levy is under review nationally and the Council will monitor this review and its own situation as necessary.
- 9.3 Therefore, to deliver the infrastructure projects identified in the Infrastructure Study and Delivery Plan, it is expected that developers and Local Authorities will enter into a legal agreement under Section 106 of the Planning Act as part of the process of obtaining planning permission. These Section 106 agreements, known as Planning Obligations, see the developer undertaking to either pay in whole or part, or provide, in whole or in part, the infrastructure required as part of the development.
- 9.4 Under the Community Infrastructure Levy Regulations 2010 (as amended), 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.
- 9.5 On this basis, planning obligations will be used to address the additional burden placed on infrastructure by developments, both those allocated within the Local Plan and those that come forward on unallocated sites.
- 9.6 Government policy is to ensure that planning policies requiring contributions should not make development unviable and that policies should be supported by evidence to demonstrate this. Plans should also set out any circumstances in which further viability assessment may be required in determining individual applications.

- 9.7 As a result, the Council's WPVA has taken account of the requirements for infrastructure projects, both those in the short term and those over a longer timeframe. In light of this, the WPVA concluded that based on current market conditions allocated sites are able to deliver their infrastructure requirements, particularly those critical in the short term.
- 9.8 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 Study and Delivery Plan will be monitored, reviewed and updated at key stages during the plan period. In addition, more details in relation to how this policy will be operated will be brought forward within a Supplementary Planning Document on Section 106 Planning Contributions.
- 9.9 Based on this evidence, policy II1 aims to ensure that the Council has a policy basis to secure planning obligations for required infrastructure and its delivery in a timely fashion. Policy II1 also covers the use of planning obligations for other policy objectives.

### **Policy II1: 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) Green**

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

#### **B) Social**

- education (2-11 and 11-18 year olds);
- 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) 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).

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 and / 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.

## **LOCAL EMPLOYMENT AND SKILLS INITIATIVES**

- 9.10 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.
- 9.11 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.
- 9.12 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.

- 9.13 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 m<sup>2</sup> or greater than 3 hectares, general industrial proposals of more than 3000 m<sup>2</sup> or 3 hectares, or retail applications of greater than 3000 m<sup>2</sup> or 3 hectares.
- 9.14 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.

Photograph of apprentices in action. Probably contact HR Apprentice co-ordinator to use their publicity photos.

- 9.15 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. 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 II2: 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 and, where appropriate, during first occupation of the development.