LONDON BOROUGH OF RICHMOND UPON THAMES

LOCAL PLAN INDEPENDENT EXAMINATION IN PUBLIC

WRITTEN STATEMENT

HEARING 7: TRANSPORT, INFRASTRUCTURE, MONITORING AND OTHER MATTERS

WEDNESDAY 11 OCTOBER, AFTERNOON

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Does the Plan address adequately transport issues and the provision of necessary infrastructure to support the delivery of the strategic objectives and the vision? Are the Plan's monitoring targets justified adequately and of a level of detail that is appropriate to a Local Plan? How will the effectiveness of the Plan be managed?

Yes, transport issues are adequately covered within policies LP 44 and LP 45. There is a clear link between the transport policies and the Plan's vision for 'Sustainable growth and transport' (as set out on page 13 of the Plan). In particular, the vision focusses on an improved transport network and interchanges as well as promoting sustainable modes of transport, including walking and cycling. The related objectives 6 and 7 under 'A Sustainable Future' (page 16 of the Plan) will be the means by which the vision will be achieved. The relevant aspect of the vision in relation to transport and the transport related objectives will be delivered in practice through the implementation of LP 44 as well as LP 45. See the Council's responses to Questions 1 to 3 within this Statement.

In relation to the provision of necessary infrastructure, it should be noted that the Plan is supported by an up-to-date and robust Infrastructure Delivery Plan (IDP), which sets out what is required, where, when and how it may be funded and delivered. The IDP is an essential part of delivering the Plan's spatial strategy, although it should be noted that there are no critical key infrastructure projects that are needed to be delivered to enable larger and more significant developments to progress. See the Council's responses to Questions 4 and 5 within this Statement.

The monitoring targets are adequately justified and of a level of detail that is appropriate to the Plan. The Council's comprehensive Monitoring Framework will ensure that the implementation as well as the effectiveness of the Plan, its policies and the Site Allocations are monitored and reviewed on a regular basis. See the Council's response to Question 6 within this Statement.

1. Is Policy LP 44 justified by the evidence base and in general conformity with the London Plan?

Policy LP 44 reflects the strategic approach to sustainable transport as set out within Policy 6.1 of the London Plan. The Policy also accords with Policy 6.2 and safeguards land required for proposed transport schemes as identified in the London Plan and requires transport assessments and travel plans in accordance with Criteria E of the Policy.

The Infrastructure Delivery Plan (IDP) (SD-021), in section 4.4, sets out the future transport requirements for the borough associated with the Local Plan Review. This includes details of Local Implementation Plan (LIP) funded transport schemes for the 2017/18 – 2020/21 period, which identifies a large number of transport schemes including cycle and pedestrian priority schemes, public realm enhancements and holistic road corridor programmes. The draft Mayoral Transport Strategy (MTS) has recently been published, to sit alongside the London Plan Review, and a third LIP will be produced for consultation by the Council in due course.

The Council considers this to be a well-balanced policy, which is in general conformity with the London Plan, but also addresses locally specific issues and provides the context for delivering the transport schemes identified in the IDP.

Richmond is affected by poor air quality; it was designated as an Air Quality Management Area in 2000. Along with Policy LP 45, this policy promotes sustainable transport choice as a package of policy measures with particular emphasis on addressing air quality within the borough. For example, it resists the proliferation of gated developments and their impact on the permeability of development for walking and cycling, and it protects existing fuel stations within the borough to discourage long trips.

It should be noted that Transport for London (TfL) (Representor ID 288, see page 192 of LBR-LP-002) overall supports Policy LP 44. See the Statement of Comment Ground agreed with TfL (on behalf of the Mayor of London and the Greater London Authority) (LBR-LP-010), which sets out a minor modification to LP 44 Part G.

2. Is the Local Plan's approach to transport related matters accepted by Transport for London?

Transport for London (TfL) have not raised any specific points with regard to Policy LP 44 in their representations, although they have submitted representations relating to Policy LP 45 on Parking Standards (see question 3 below). The Council has agreed within the Statement of Common Ground with TfL (on behalf of the Mayor of London and the Greater London Authority) (LBR-LP-010) that the overall policy approach to Sustainable Travel Choices is acceptable and notes that TfL will engage with regard to the specific transport projects and schemes to be brought forward under this policy.

TfL have recommended as part of their Regulation 19 response that the IDP and Infrastructure Delivery Schedule (IDS) should be kept under review and updated in accordance with the emerging London Plan, the Mayor's Transport Strategy and TfL's Business Plan. The Richmond IDP has been kept under review and was last updated in April 2017. The IDP is a living document and will be further reviewed and updated to take account of the emerging London Plan (anticipated to be published by the GLA later in autumn 2017), the Mayor's Transport Strategy (draft is currently out for public consultation until 2 October) and TfL's Business Plans. In addition, IDP updates generally seek to reflect the latest positions on the borough's infrastructure needs, service delivery changes as well as any changing needs of the borough due to growth and demographic changes.

3. Are the standards of LP 45 justified and consistent with national policy? Are they in general conformity with the London Plan?

Yes. The Council considers LP 45 to be justified by strong and robust evidence. Alternatives have been duly considered and appraised as part of the Sustainability Appraisal as well as the Parking Standards research (SD-039).

The Inspector should note that on 25 August 2017, the Council received a letter from Transport for London (PS-093) with further detailed comments on the Publication Local Plan and the research carried out by AECOM (SD-039). AECOM has responded to this letter on 8 September 2017 (PS-094), drawing on the research and evidence set out within the AECOM Study (SD-039). The Council considers that these additional letters (i.e. by TfL and AECOM), together with this Statement for Hearing 7, provide useful context for the Inspector to consider further the issue of the proposed parking standards, and they will provide a useful basis for discussion at the hearing session.

Paragraph 39 of the NPPF advises Local Authorities to take into account accessibility, type, mix and use of development, availability of public transport, local car ownership levels and the need to reduce the use of high emission vehicles when setting local parking standards. The Council has taken account of these criteria when setting the local standards, and therefore they are consistent with national policy.

Paragraph 6.42 of the supporting text to Policy 6.13 (Parking) of the London Plan advises: "Boroughs wishing to develop their own standards should take the standards in this Plan as their policy context but it is recognised that London is a diverse city that requires a flexible approach to identifying appropriate levels of car parking provision across boundaries. *This means ensuring a level of accessibility by private car consistent with the overall balance of the transport system at the local level.*" (Council's emphasis in italics)

The 2011 Census evidenced that Richmond borough continues to have high levels of car ownership, with 75% of households owning a car in the borough as opposed to London levels of 58%. Many of the borough's residential areas are suburban in character and family households in particular are dependent on car use for many journeys, as these areas have generally limited public transport services in both their frequency as well as destination. This is particularly the case at evenings and weekends when bus and rail services are limited. It should also be noted that these areas are generally not within Controlled Parking Zones (CPZs) and hence rather than discouraging car ownership, any underprovision of parking will lead to overspill parking in local streets, which detracts from the appearance of local streets and can cause traffic problems. The Council's transport policies and approach overall help to

reduce car usage and maintain highway performance whilst recognising the realities of car ownership in the borough.

The River Thames and the Royal Parks act as barriers to through routes for traffic in the borough (note that Richmond borough is the only London borough split into two by the river) and high volumes of traffic are channelled on to a smaller number of local roads. The transport network is a particular barrier in the north of the borough, which has adverse impacts on the residential areas of Sheen, Mortlake and Barnes, as well as within Ham and Petersham. Amenity and safety issues are easily exacerbated in these residential areas through increased levels of on street parking.

As a result of the relatively high car ownership levels and the borough's unique characteristics, the Council commissioned consultants AECOM to produce a transparent analysis of options on potential parking standards (SD-039), which was carried out in line with paragraph 39 of the NPPF. The analysis confirmed that the borough experiences high levels of on street parking stress in certain areas and has above average car ownership levels for Outer London. Consequently the report recommended the need to have a well-balanced set of local parking standards, which cater for all user types and are able to be flexible to reflect local characteristics so that on street parking pressures are not further exacerbated.

AECOM (add Library ref to 7 Sep letter) considers that the Local Plan parking standards as set out in Appendix 3 of the Plan are in general conformity with the London Plan as they specify maximum standards; they only allow flexibility in certain areas and continue the requirement for developers to demonstrate that their proposals would not have any adverse highway impacts.

The standards associated with Policy LP 45 are intended to be maxima (as referred to in paragraph 11.2.1), although the supporting text does clarify that the Council would usually expect these maximum standards to also be minima unless there are site specific circumstances, and this is generally assessed on a case by case basis. The London Plan standards by definition support parking at the maximum standard where this can be justified. (i.e. paragraph 6.42i of Policy 6.13 states that 'Where appropriate in these locations [*referring to 'generally PTALs 0-1*] Boroughs should consider revised standards (which could include minima) and permitting higher levels of provision there than is indicated in Table 6.2, particularly to avoid generating unacceptable pressure for on-street parking. This may be especially important in 'suburban' areas and for areas with family housing.'

As supported by the evidence base, the Council believes that its policy approach is justified; various options and alternatives for parking standards have been tested; and it has been demonstrated that the borough has high levels of car ownership within fairly densely populated residential areas, where many streets are narrow and many properties do not have off street parking. Richmond has a long established village planning strategy within the borough, benefitting from the highly attractive visual appearance of streets, which is more commonly found in rural market towns and villages, and the Council is keen to preserve this environment.

In relation to the Council applying a flexible approach to the parking standards, the Inspector should note the [Parking Standards AMR](#) (covering 2012/13 – 2015/16) (PS-092), which indicates that whilst approximately half of residential developments provided parking at the current DMP (SD-016) maximum standards, nearly half of the residential developments were completed below the maximum standards, and these were agreed to be acceptable due to local characteristics such as public transport provision and the availability of on-street parking.

Policy LP 45 serves to ensure that sufficient on site car parking is provided to meet the needs of occupiers whilst ensuring on street parking demand is not created that could then adversely impact on the amenity, safety and highway network of the local area. The Council operates a sustainable transport strategy and parking standards that enhance the quality of its environment and helps makes the borough such an attractive home to its residents as well as an attractive place to work and visit.

Overall, the Council's standards are in 'general conformity' with the London Plan. It is emphasised that the test is one of 'general conformity' rather than absolute submissiveness with the London Plan. Indeed, the London Plan (Policy 6.13) states that 'In outer London areas with low PTAL (*generally* PTALs 0-1), boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures' (*italics is Council's emphasis*). It also states that the maximum standards should be 'the basis for considering planning applications' for housing in parts of outer London with low PTALs. Criterion e of Part E of 6.13 specifically states that 'outer London boroughs should demonstrate that they have actively considered more generous standards for housing development in areas with low public transport accessibility (generally PTALs 0 -1) and take into account current and projected pressures for on-street parking and their bearing on all road users, as well as the criteria set out in NPPF (Para 39).' Paragraph 6.42j of Policy 6.13 takes this even further and states that a more flexible approach may also be acceptable in some limited parts of areas

within PTAL 2, in locations where the orientation or levels of public transport mean that a development is particularly dependent on car travel.

As the Council has followed the advice set out in the London Plan as well as the NPPF and produced strong and robust evidence and local justification, as set out within the AECOM study (SD-039), it can be concluded that the proposed parking standards are in 'general conformity'.

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The Inspector should also note that the Council and TfL (on behalf of the Mayor of London and the Greater London Authority) have agreed a Statement of Common Ground (LBR-LP-010), which sets out the areas of agreement as well as disagreement.

4. With due regard to all infrastructure (transport, resources, services etc) is the Infrastructure Delivery Plan up to date? Does it specify clearly what is required, where, when and how it may be funded and delivered?

The Infrastructure Delivery Plan (IDP) (SD-021A) has been kept under review and was last updated in April 2017. This latest review of the IDP assessed current provision and needs for each type of infrastructure through consulting with relevant infrastructure providers. In addition, it identified future requirements stemming from the spatial strategy contained in the Local Plan as well as any changing needs of the borough due to growth and demographic changes. The purpose of the IDP is also to identify any anticipated shortfalls, and where relevant and possible, potential means of remedying anticipated shortfalls in infrastructure provision. An important element of the IDP is to set out the cost of new facilities that are considered to be required to support the spatial strategy as well as sources of funding.

The IDP is a living document and provides a snap shot in time. It is based on the latest available information at the time of its production. The Council is committed to continuing regular monitoring and if required updating the IDP, especially as funding sources and infrastructure costs can change over short periods of time. It is anticipated that for example the emerging London Plan (to be published by the GLA later in autumn 2017), the Mayor's Transport Strategy (which is currently out for public consultation until 2 October) and other strategies produced by partner organisation and infrastructure providers, will trigger a further review and update. For this purpose, it contains a monitoring framework for reviewing the IDP whereby updates generally seek to reflect the latest positions on the borough's infrastructure needs and service delivery changes.

Section 5 of the IDP set out the summary of infrastructure assessments and requirements within a schedule for the overall requirements for new infrastructure facilities, broken down into infrastructure types and categories, such as on transport, education, community facilities etc. This includes and sets out clearly for each infrastructure category the project details including status and commitment, delivery time and phasing, capital costs and funding gaps (where these are known) as well as funding sources and delivery partners.

The IDP, including its infrastructure assessment and requirements, should be considered alongside the Council's Regulation 123 List (SD-023). This identifies the infrastructure projects that the Council intends to fund from CIL revenue. These include strategic transport, education facilities, community facilities, strategic parks and open spaces projects, waste facilities and sport and leisure provision.

The IDP and the Regulation 123 List clearly specify what infrastructure is required across the borough for the plan period and how it is to be delivered and funded.

5. How have risks and contingency been robustly addressed in the production of the Plan? Where is the supporting evidence?

The Council's approach towards ensuring that the strategy of the Plan is delivered, what the risks to it are and how they will be minimised is considered to be robust and is supported by evidence.

The Council has incorporated risk and contingency planning into all stages of the Plan's development. The Plan is based on robust and up to date evidence, which has taken account of future population and household projections and jobs growth forecasts as for example contained within the SHMA (SD-025) and Employment Land Studies (SD-034 and SD-035). In addition, the Sustainability Appraisal process, which was central to the Plan's production and development, included a detailed analysis of the key sustainability issues, challenges and opportunities for the borough (PS-007).

Given the nature and characteristics of this borough and its Site Allocations as well as general patterns of development, there are no delivery elements with critical timing in the Plan, for example there is no critical key infrastructure project that is needed to be delivered up front to enable certain development sites to progress. In addition, unlike many other parts of London, this borough does not have any regeneration areas with set housing and job numbers to be achieved, nor does the Plan rely on the delivery of a particular site or regeneration area to deliver its spatial strategy.

For the purpose of infrastructure planning, which is linked to reviews and updates of the IDP, the Council has taken account of the extent to which growth and patterns of developments are expected to come forward or change over the period of the Plan. The IDP also sets outs the key service providers and partner organisations, thereby recognising the various bodies' roles and responsibilities. The Council works closely with other service providers to address infrastructure delivery and to deliver the levels of growth envisaged. For example, close working relationships have been established with 'Achieving for Children', who provide the borough's children's services and in particular educational provision on behalf of the Council. Council officers work closely with 'Achieving for Children' when considering updates to the School Place Planning Strategy, which could in turn lead to a review and update of the IDP. In this context, the Council has also established close links with the Education and Skills Funding Agency to ensure that the necessary education infrastructure and facilities are provided in line with the anticipated growth and population / pupil forecasts for the borough.

The delivery of borough-wide housing numbers will be monitored on an annual basis (see the Council's response to Question 6 below). Policy LP 34 A sets out the relevant strategic

housing target for the borough, which is derived from the London Plan and based on both need as well as land supply/constraints. This target is a minimum and the Housing AMR (PS-045) demonstrates how the remaining London Plan target can be exceeded. Therefore, it can be considered a flexibly managed delivery target as it allows for delivery above the target. LP 34 B sets out the indicative ranges for housing numbers to be delivered in the broad areas of the borough, whereby the totals for the broad locations reflect the overall pattern of future housing land supply. This is clearly set out in the Housing AMR (PS-045), which contains the five year housing land supply. The AMR includes the housing trajectory, which illustrates the expected rate of housing delivery and which is an important element of managing a flexible delivery target. The Housing AMR, incorporating the housing trajectory and five year housing land supply, has been undertaken in accordance with the NPPF and PPG; its production requires relevant engagement with stakeholders to ensure it presents an accurate picture with respect of timing of delivery.

In addition to the flexibility and contingencies incorporated as part of infrastructure planning and housing delivery, the Plan incorporates flexibility in the application of a number of policies, for example:

- Standards for housing development, such as for amenity space (LP 35) or separation distances (LP 8), the parking standards (LP 45) as well as general design considerations (LP 1, LP 2 etc.) allow for flexibility by taking into account site-specific circumstances, the surrounding area and local character.
- The policies seeking protection of existing non-residential uses, such as employment, including offices and industrial (LP 41 and 42), social infrastructure (LP 28) and retail (LP 26) as well as local shops, services and public houses (LP 27) allow for a sequential approach to redevelopment to be adopted provided that certain criterial can be demonstrated, such as that the existing use is no longer viable through proper and robust marketing.
- The provision of affordable housing (LP 36) and other requirements such as zero carbon standards (LP 22) or the incorporation of green roofs (LP 17) are subject to viability and will be assessed and considered on a site-by-site basis.

Furthermore, the Site Allocations are considered to strike the appropriate balance between providing the necessary detail against which developers and landowners can bring forward schemes, without being overly prescriptive in terms of the exact amount of development (such as unit numbers or sqm of floorspace) to be delivered. This allows for detailed discussions to take place with the relevant landowners on a site-by-site basis, informed by site specific circumstances, local needs and viability, to ensure flexibility and effective

delivery. This helps to minimise the risk of non-delivery during the plan period. The Council's Statement for Hearing 4 (question 1) sets out further details in this regard.

Overall, the Council considers that the Plan strikes an appropriate and reasonable balance between setting out a clear direction for future development to ensure that these challenges are not exacerbated whilst enabling flexibility in the event of unforeseen circumstances.

6. How will the effectiveness of the Plan and its individual policies be measured/assessed? Should there be monitoring indicators for each policy/objective?

Are the arrangements for managing and monitoring the delivery of the Plan clear and will they be effective?

Should the Plan include clearer timescales to assist monitoring, thereby providing milestones to assess policy effectiveness?

The Council has a well-established and comprehensive monitoring framework, which provides a consistent approach that allows comparison over previous years to assess trends. Data on a wide variety of policy areas has been recorded using the Council's decisions analysis system since the 1980s. The Council captures considerably more data than is required by the London Development Database (LDD). The Council's monitoring reports are published online as a series of topics, as and when they become available.

Table 2A in the Local Plan Monitoring Framework (SD-013) sets out proposed monitoring of the Plan Policies. The indicators and targets will assess the effectiveness of policies and how the implementation of policies is progressing. This, along with Table 4, which sets out the significant effects indicators, covers the strategic objectives as well as meeting requirements for monitoring the significant effects indicators in line with the Sustainability Appraisal process. It is a comprehensive framework which includes both indicators and targets where possible.

The framework, whilst it sits alongside the Plan, was produced as a standalone document as it is an overall framework, which also relates to other plans and monitoring programmes (e.g. it monitors the effectiveness of the adopted Twickenham Area Action Plan). This approach allows the Council to regularly review the framework independently, so there is flexibility to adapt to changes in monitoring requirements, which are often required over the lifetime of a Plan.

A limited number of policies do not have a specific indicator, either because it is not practical or feasible (for example due to constrained availability of data or impracticalities in monitoring certain policies, such as LP 1 on character and design). This is considered justified as some policies are either covered by broader monitoring carried out by other organisations / Council departments or through other methods. Where a target has not been set for an indicator it may simply be impractical to do so. For example, some indicators do not have sufficient time series information to set a meaningful target at present. Overall, this

framework sets out a realistic and meaningful way of monitoring the effectiveness of the Plan, taking account of availability of data, practicalities of monitoring arrangements such as resources available within the Council, and it is flexible as it allows for inclusion / review of targets when relevant.

The arrangements for monitoring the delivery of the Plan are clear and will be effective. As set out above, the Monitoring Framework commits the Council to review the effectiveness of the policies in line with the indicators and where relevant targets, as set out in Table 2a of the Framework. This Framework also includes an indicator on the implementation for Site Allocations (i.e. the percentage of Site Allocations developed each year).

In addition, there is also a London Plan Annual Monitoring Report (AMR) for assessing the effectiveness of the London Plan policies. This uses the GLA's LDD, which uses data supplied by the boroughs to monitor planning permissions and completions. This provides good quality data on key indicators, allowing for comparison between boroughs, including for housing, employment, transport, environment and heritage.

This regular monitoring would be one of the signals to suggest policy implementation is not effective, along with IDP reviews, or other feedback such as through appeal decisions. As the Council is committed to regularly reviewing and monitoring the indicators in line with the framework, whereby key policies / aspects are monitored annually, it is considered that this establishes an appropriate time period for assessing the policies' effectiveness.

Given the nature and characteristics of this borough and its Site Allocations as well as general patterns of development, there are no delivery elements with critical timing in the Plan, for example there is no critical key infrastructure project that is needed to be delivered up front to enable certain development sites to progress. The Plan is considered sufficiently clear to show what is intended to happen in the area over the lifetime of the Plan, where and when this will occur and how it will be delivered. As referred to above, the completion of Site Allocations is monitored as part of the framework. Monitoring on an ongoing and regular basis, without milestones and with key areas reported on annually, is therefore considered appropriate in this borough.

7. Do the changes to the policies map reflect the Plan adequately? Are the changes proposed to the Policies Map sufficiently clear and comprehensive?

Is the Policies Map informed by the evidence adequately?

Changes to the currently adopted 2015 Local Plan Proposals Map (SD-020) have been collated and set out within the Proposals Map Changes document (SD-002). The changes are considered to be clear and comprehensive, and have been subject to public consultation at the Regulation 19 stage.

SD-002 provides a schedule of all changes to the Proposals Map, including a description of the change and whether it is an amendment, addition or deletion to the map. The document contains supporting maps and figures, which clearly indicate the change proposed. Subject to the outcome of this independent examination in public into the Plan, the existing 2015 Proposals Map will be amended with the changes set out in SD-002. In addition, all the site allocations set out within the Plan (SA 1 to SA 28) will be shown on the Proposals Map.

The Council considers that the changes to the Proposals Map are sufficiently clear and comprehensive, and they are based on and informed by adequate evidence, as follows

- The change to the MOL boundary at Harrodian School was [approved by Full Council in March 2014](#), where it was agreed that the cluster of buildings in the south western corner of the site can be clearly distinguished from the predominately open character of the remainder of the site, and therefore the identified small parcel of the site can be removed from MOL. This change was supported and agreed by the Mayor of London.
- The new Local Green Space designation for Udney Park Playing Fields is fully justified and based on a detailed assessment of the application and site against criteria set out in Policy LP 13 as well as national policy and guidance. The Council considers that all criteria are met, as set out within the Council's Statement for Hearing 5, Question 8 and Appendix 1.
- The new Other Open Land of Townscape Importance (OOLTI) designation of the gardens of St Michaels Convent, Ham (SA 17) meets the criteria as set out in Policy LP 14. For further information see the Council's Statement for Hearing 4, Question 9 and Appendix 2.
- Five new sites (Meadway Orchard, Twickenham; Mereway Nature Park, Twickenham; St Michaels Convent, Ham; parts of St Margaret's Residential Grounds, Twickenham; Rifle Range, Twickenham) for designation as Other Site of Nature Importance (OSNI) are based on strong and robust evidence produced by Salix

Ecology (PS-065) on behalf of the Council, following desktop studies, analysis of species records and habitat surveys where possible. For further information see the Council's Statement for Hearing 4, Question 9 and Appendix 3.

- The designation of new Key Office Areas (KOAs) is required to ensure the successful implementation of policy LP 41. The KOAs have been derived from detailed borough-wide studies and evidence base (SD-035), including the relevant implemented Article 4 Direction areas (SD-038), and they reflect the areas/sites of the borough with particular importance for office employment space.

These changes are considered to be sufficiently clear and comprehensive and SD-002 included the reason for these changes and maps identifying the proposed areas for changes. It should be noted that SD-002, for the purposes of the public consultation, did not include the Site Allocations as these are included in the main Publication Local Plan (SD-001). However, SD-002 (within paragraph 1.0.3) makes it clear that these Site Allocations will be shown in the final version of the Proposals Map (when the Plan is adopted, subject to the outcomes of the Examination in Public).

The Council is not proposing any further changes to the Proposals Map, but it should be noted that the Archaeological Priority Areas (APAs), subject to their review being completed prior to the adoption of the Plan, will either be included within the Proposals Map or alternatively a separate / stand-alone map will be incorporated within LP 7. See the Statement of Common Ground with Historic England (LBR-LP-008) for further information.

8. Is the approach of the Plan towards S106 Obligations consistent with national policy?

The Council considers that the approach of the Plan towards Section 106 obligations is consistent with national policy and guidance.

The NPPF, at paragraphs 203 – 206, sets out guidance on planning conditions and obligations. In particular, the NPPF states that planning obligations should only be sought if they are necessary to make the development acceptable, are directly related, and related in scale and kind to the development.

Paragraph 13.3.2 of the Local Plan reflects the national guidance and sets out the three statutory tests for the use of Planning Obligations, prescribed by the CIL Regulations 2010 (as amended). This also reflects advice contained within the PPG on planning obligations (paragraph 1). Furthermore, the Plan specifies at paragraph 13.3.7 that viability will be taken into account with regard to Planning Obligations. This is particularly relevant for affordable housing contributions, which may be shown to be unviable through due regard to viability for individual schemes. Further guidance and advice is also set out in the Council's Planning Obligations SPD (PS-043) and the Affordable Housing SPD (PS-026), both of which include the detailed procedures for securing site specific developer contributions alongside the Borough's CIL.

The Local Plan Policies that seek Planning Obligations towards 'infrastructure' provision comply with national policy as they are site specific, would not require pooling to be used and can be shown as required to make the development acceptable in planning terms.

The Council considers that the Local Plan strikes a balance between the need to ensure that planning obligations comply with the three tests specified in national policy and that the impact of new development in the borough on local communities is addressed and supports the provision of local infrastructure. It should be noted that the Council's approach to securing developer contributions is fully transparent and open to public scrutiny. The Council reports annually on Planning Obligation and CIL monies received in line with paragraph 24 of the PPG.