

WEST DORSET, WEYMOUTH & PORTLAND LOCAL PLAN

MATTER NO 7: COMMUNITY NEEDS AND INFRASTRUCTURE

ON BEHALF OF PERSIMMON HOMES SOUTH COAST

Pegasus Group

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7. MATTER 7 – COMMUNITY NEEDS AND INFRASTRUCTURE

7.1 Is there sufficient detail in the Local Plan covering the key areas of infrastructure provision including type, cost, funding sources and timescales for delivery?

7.1.1 Paragraphs 173 and 174 of the NPPF and the Viability Testing Locals Plans report by Sir John Harman stressed the need to ensure that site delivery is not subject to such a scale of obligations, standards and policy burdens that cumulatively threatens the ability of sites to be developed viably. Such a provision is provided in Policy COM 1 and this is supported.

7.1.2 Policy COM 1 is however unclear, as it does not identify how or indeed if a need for new or improved community infrastructure, other than that identified in the Infrastructure Delivery Plan or Community Infrastructure Levy (CIL) Charging Schedule 123 list, will be identified. Developers require certainty on the level of infrastructure proposed rather than being subject to ad-hoc additional requests.

7.1.3 The first bullet point of Policy COM 1 seems to suggest that any infrastructure requirement that is not provided for through CIL will be provided for through planning obligations, without any reference to the legal tests of a S106 agreement identified in paragraph 204 of the NPPF. These should be added in order to provide clarity and make the policy legally sound. The bullet point then references “larger developments” but fails to define what classifies as a larger development. The starting point should always be the Community Infrastructure Levy Regulation 122 which puts into law the need for planning obligations to be directly related to new development. As currently drafted there is a lack of clarity as to the application of CIL and other planning obligations. As such there is uncertainty as to whether developments are likely to be subject to the same requirements twice. Such ambiguity should be avoided in order to provide the certainty as to the scale of infrastructure to be provided.

7.1.4 The second bullet point proposes that infrastructure will be brought forward in advance of or at the same time as developments. However, this could present a barrier to development as some early development is often required in order to deliver the required infrastructure, and in many cases the infrastructure provider will not be the same body as the developer. The wording should be revised to allow infrastructure delivery according to a programme agreed with the local planning authority, such that flexibility can be provided in accordance with paragraph 205 of the NPPF.

7.1.5 Policy COM 1 should be redrafted to provide clarity and to conform to the legal tests and the requirements of the NPPF.

7.2 Should there be a better definition of cultural facilities? Should there, for instance, be reference to theatres?

7.2.1 Persimmon Homes have no comments on this question.

7.3 Does the policy framework provide an effective basis for assessing traffic issues?

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7.4 Does policy COM11 have regard to the cumulative impact of renewable energy schemes?

7.4.1 Persimmon Homes have no comments on this question.