



# **Policy LP12 Infrastructure to Support Growth Evidence Report**

**Proposed Submission  
April 2016**

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# 1. Introduction and Policy Context

## Introduction

- 1.1 A joint Local Plan for the Central Lincolnshire area is being produced which will set the framework for how development will be considered across the districts of the City of Lincoln, North Kesteven and West Lindsey to 2036.
- 1.2 This Evidence Report (which is one of a collection) provides background information and justification for policy LP12, which relates to the provision of infrastructure to support growth.

## National policy

- 1.3 The National Planning Policy Framework (NPPF) was published in March 2012 and the National Planning Practice Guidance (NPPG) was introduced in 2014 which offers 'live' government guidance.
- 1.4 The need to plan for and take account of infrastructure is referenced extensively throughout the NPPF. The following points are particularly relevant:
  - Paragraph 7 - In achieving sustainable development, the need to identify and coordinate development requirements, including the provision of infrastructure.
  - Paragraph 17 lists the 12 core land-use planning principles, one of which is to "*proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.*"
  - Paragraph 21 states that "*planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing*" and that in drawing up Local Plans, local planning authorities should, amongst other things: "*identify priority areas for economic regeneration, infrastructure provision and environmental enhancement*".
  - Paragraph 31 and 41, in promoting sustainable transport, advises local authorities to work with neighbouring authorities and transport providers to "*develop strategies for the provision of viable infrastructure necessary to support sustainable development*" and "*identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.*"
  - The whole of section 5 is concerned with ensuring that high quality communications infrastructure is supported and states that in "*preparing Local Plans, local planning authorities should support the expansion of electronic communications networks*".
  - Paragraphs 93 and 99 say that planning plays a key role in "*supporting the delivery of renewable and low carbon energy and associated infrastructure*" and, in taking account of climate change over the longer term, Local Plans should ensure new development avoids increased vulnerability to the range of climate change impacts, through measures, including the planning of green infrastructure.

- Paragraph 114 states that local planning authorities should “*set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure*”.
- Paragraphs 150 to 157 concern “plan-making” and include the following points that are particularly relevant:  
“*Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver: ... the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*” and  
“*the provision of health, security, community and cultural infrastructure and other local facilities*”.  
“*Crucially, Local Plans should: ... plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework*”...
- Paragraphs 158 to 177 provide guidance on the proportionate evidence base on which Local Plans should be based. Within this section paragraph 160 states that local planning authorities should “*work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability.*”  
While paragraph 162 states that “*local planning authorities should work with other authorities and providers to:*”
  - *Assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and*
  - *Take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.*”
- Paragraph 173 requires plan making to take account of viability and deliverability when taking development infrastructure contributions into consideration and paragraph 175 advises that “*where practical, Community Infrastructure Levy charges should be worked up and tested alongside the Local Plan*” where used.
- Paragraph 177 states that “*it is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan. Any affordable housing or local standards requirements that may be applied to development should be assessed at the plan-making stage, where possible, and kept under review.*”
- Paragraph 179 references the need to consider collaborative working with adjacent authorities, private sector bodies, utility and infrastructure providers and producing joint infrastructure and investment plans across local boundaries where necessary.

1.5 The above NPPF policy has been taken into account in preparing the Local Plan as a whole, and policy LP12 in particular.

## 2 Central Lincolnshire Context in Relation to Policy LP12

- 2.1 Central Lincolnshire is expected to be the focus for significant levels of development over the plan period to meet its identified need for homes, jobs, services and facilities. In order to ensure that this growth is delivered sustainably, the timely delivery of infrastructure, vital to people's daily lives, social well-being and the creation of jobs needs to be coordinated as far as possible within the financial and other constraints that face both the public and private sectors.
- 2.2 Infrastructure requirements vary from settlement to settlement and from site to site. To set out what, where and how infrastructure will be needed and delivered, an Infrastructure Delivery Plan (IDP) has been prepared alongside this Local Plan – E010 in the Planning Policy Library – and will be regularly kept up to date. The IDP identifies the type, scale and distribution of physical, social and green infrastructure required to support the level, location and phasing of development identified in the Local Plan. The IDP identifies the cost of infrastructure required to support the growth, proposed sources of infrastructure funding, known funding gaps, proposed delivery mechanisms and proposed delivery partners.
- 2.3 Infrastructure policies in the Local Plan are also expected to be supplemented by the anticipated adoption of a Community Infrastructure Levy (CIL) alongside, or shortly after, the adoption of the Local Plan and supported by a Developer Contributions Supplementary Planning Document (SPD) which sets out the Central Lincolnshire Authorities' approach to developer contributions. The SPD (a draft of which was consulted upon between 15 October and 25 November 2015 alongside the Further Draft Local Plan – E012 in the Planning Policy Library) explains how developer contributions which are not provided for through CIL may be sought through the use of planning obligations, the types of contributions which may be sought and the basis for the charges. It also clarifies the relationship between planning conditions, planning obligations and the CIL.
- 2.4 Where known, infrastructure required as part of the development of specific sites is set out in the relevant site allocation policies and supporting evidence.
- 2.5 Whilst every effort has and will continue to be made to ensure the timely provision of infrastructure, national guidance makes it clear that viability implications of all policy requirements should be considered as a whole. Therefore it is important to ensure that the right balance is reached between meeting infrastructure and other needs whilst ensuring that central Lincolnshire continues to be an attractive and viable place to build and invest. To help inform this decision, a whole plan viability evidence report ("*Central Lincolnshire Plan Viability and Community Infrastructure Levy Study*" Ref E011 in the Planning Policy Library) has been produced to support the Local Plan.
- 2.6 Much of the infrastructure necessary for the planned development for Central Lincolnshire is provided by partner agencies and service providers. The Central Lincolnshire Authorities through the IDP, SPD, working closely with other public sector organisations, utility companies and the private sector and through development management decisions will continue to ensure that Central Lincolnshire's needs are reflected in investment cycles, strategies and investment plans and provision is coordinated. The Central Lincolnshire Authorities, working with agencies, such as the GLLEP and HCA, will also continue to secure direct funding and recoverable finance for infrastructure projects as appropriate.

### 3 Local Plan Policy: Preliminary Draft

- 3.1 The Preliminary Draft version of the Local Plan (published for consultation in October – November 2014) included a policy on Infrastructure to Support Growth.
- 3.2 Most comments received during the consultation on the Preliminary Draft Local Plan were supportive of the Infrastructure policy although some expressed concerns about its deliverability, potentially negative cumulative impact, smaller schemes not being required to contribute, existing infrastructure inadequacies and the effect on viability. These comments and concerns are largely addressed in the IDP, SPD, CIL and Whole Plan Viability supporting documents.
- 3.3 Some representations made to the Preliminary Draft Local Plan suggested wording changes to strengthen the policy by making its meaning clearer.

### 4 Local Plan Policy: Further Draft

- 4.1 The policy's supporting text in the Further Draft Local Plan was amended in response to the comments received.
- 4.2 Various comments were received during the Further Draft consultation strongly supporting or broadly supporting the policy or broadly supporting elements of the policy in order to ensure strong, sustainable and cohesive communities and to provide for new and existing residents. Some particularly supported Green Infrastructure for people and wildlife, increased education and medical services, the need for an eastern and southern bypass for Lincoln and other road improvements and expressed support for para 4.6.9.
- 4.3 Others suggested that more roads and parking were not the answer. There was a suggestion of a parking levy to fund public transport and cycling infrastructure improvements, park and ride and bus lanes for Lincoln following a Cambridge or Dutch model. A suggestion that more development should be focused close to existing rail links. There was a suggestion that land should be specifically safeguarded or allocated for future key infrastructure, comments regarding CIL charging levels, and that infrastructure provision needs to be coordinated consistently beyond authority boundaries and noting the importance of monitoring.
- 4.4 There were various detailed wording suggestions made, including: adding 'locally' to the policy text and providing an explanation of what is meant by 'local'; a suggestion by many that policy wording needed to be strengthened in requiring no development before infrastructure was provided as promises of later delivery had proved unreliable in the past or to specify a clearer phasing of infrastructure development and to include para 4.6.9 in the policy wording. It was considered by some to be 'outrageous' to suggest infrastructure should 'follow on from development' and some felt that no more houses should be built as the existing infrastructure could not cope.
- 4.5 Many listed existing infrastructure constraints and listed existing as well as proposed infrastructure needs including better roads, public transport, broadband, employment, medical facilities and sewage capacity. There was also concern that there was insufficient clarity on how and when infrastructure would be provided or whether provision would be enough to meet needs and fear that Govt cuts/ 'austerity measures' would exacerbate the problem. It was also felt that the evidence base for sports facilities was not sufficiently up to date or robust.

- 4.6 There was some concern that the policy could add cost burdens on developers which could make development unviable, particularly if there was any double counting, and that to comply with the NPPF requirements it should meet legal and policy tests – i.e. should be necessary, directly relate to the development and fairly and reasonably related in scale. It was felt that the soundness of the plan may be brought into question if a clear indication of how the funding gap will be overcome is not included or if the shortfall were to be placed on developers. Developers also expressed the view that they should not provide public facilities such as schools and surgeries and that biodiversity requirements were onerous for a small developer.

## 5 Local Plan Policy: Proposed Submission

- 5.1 Overall, the Policy and its supporting text have been predominantly carried forward from the Further Draft to the Proposed Submission.
- 5.2 In response to the issues raised at the Further Draft stage, all of which were carefully considered, Policy LP12 aims to provide a balanced approach to ensuring the timely delivery of the infrastructure to support the development required to meet Central Lincolnshire's identified need whilst ensuring that development remains viable and deliverable as far as possible within the financial and other constraints that face both the public and private sectors. It is supported in this by other policies in the Local Plan, the IDP, Developer Contributions SPD, Community Infrastructure Levy and Whole Plan Viability assessment (as detailed in section 2 above). Developers cannot be expected to counter existing deficiencies, or to meet all demands or to provide services and facilities ahead of development. However, the policies and supporting documents aim to identify the reasonable expectations of investment needed to ensure that development is sustainable and acceptable and ensuring coordination wherever possible with partner agencies, services providers and developers' investment cycles, strategies and investment plans.
- 5.3 Where known, infrastructure required as part of the development of specific sites is set out in the relevant site allocation policies and supporting evidence.
- 5.4 As stated above, as well as the IDP, SPD, CIL and Whole Plan Viability documents, policy LP12 is supported by several other policies in the Proposed Submission Local Plan, which deal with more specific types of infrastructure, as listed below:
- LP9 – Health and Wellbeing states that, where appropriate, developers will be expected to consult with health care commissioners at an early stage in order to understand the need for new or enhanced health care infrastructure and improved access;
  - LP11 – Affordable Housing sets out Central Lincolnshire's approach to securing affordable housing to meet identified needs;
  - LP13 – Accessibility and Transport sets out the approach to meeting transport infrastructure needs;
  - LP14 – Managing Water Resources and Flood Risk requires flood risk and water resources and any necessary mitigation and infrastructure to be considered as early on in the development process as possible;
  - LP15 – Community Facilities sets out the approach to community facilities such as recreational and leisure facilities, libraries and community halls;
  - LP20 – Green Infrastructure Network requires the need to protect and enhance the green infrastructure network and ensure that it is considered early in the development design process;
  - LP24 – Creation of New Open Space, Sports and Recreation Facilities requires development to provide new or enhanced provision of public open space, sports

and recreation facilities and is supported by open space provision standards set out in Appendix C;

- LP28 – Sustainable Urban Extensions provides the overarching policy that details what all SUE's will be expected to provide, including infrastructure requirements;
- Lincoln, Gainsborough and Sleaford Area chapters detail specific infrastructure expectations for each of the main settlements as well as specific policies covering each of the proposed SUEs.

## 6 Alternative Reasonable Options

- 6.1 The following alternative options have been considered for this policy (**Option 1** is the preferred policy approach which has been included in the Proposed Submission version of the Local Plan):
- 6.2 **Option 2:** To have no local policy (or associated evidence) on infrastructure but to rely on national policy. However, considering the importance of infrastructure to the delivery of sustainable development, this approach is felt to provide insufficient policy framework to provide guidance to developers. Equally, no local policy would risk the delivery of the right infrastructure, at the right time and in the right location. Indeed the NPPF states that Local Plan policies should identify and coordinate provision of infrastructure.
- 6.3 **Option 3:** To have no specific infrastructure policy, but rely on infrastructure requirements for each site covered through allocation policies. This would ensure that infrastructure is identified and provision coordinated, however, this option on its own would restrict identification and provision to only those site recommended for allocation in the Local Plan. The Local Plan only seeks to allocate sites for 25 or more dwellings, therefore all sites below this threshold would not be referenced nor any settlements that would not be expected to accommodate larger development sites. It would also not allow for windfall sites or the cumulative impact of smaller sites. In addition, this option would be extremely resource intensive, as a full appraisal of all development sites and their infrastructure needs would be necessary. This is inappropriate for a strategic policy document such as a Local Plan. As such, this option is rejected.

## 7 Conclusion

- 7.1 This Evidence Report demonstrates the rationale for the proposed policy as contained in the Proposed Submission Local Plan April 2016. We hope this helps demonstrate how we have responded to comments received during the Preliminary Draft and Further Draft consultation, as well as how the latest evidence and national guidance has been taken into account.