

Introduction

6.1 This chapter of the Draft Local Plan sets out the means by which the Council will implement the draft policies in the Plan through the use of its powers as Local Planning Authority as well as through joint working with public and private sector partners and, where relevant, its role as landowner. It covers infrastructure delivery plans (physical, social and green infrastructure) and the process by which the Council will seek to ensure that investment in infrastructure keeps pace with growth. It also sets out the role of Neighbourhood Plans in delivering the vision set out in this document and the process for monitoring and future review of this Plan.

Draft Policy D 1: Delivery of Infrastructure

The Issue

6.2 In order to deliver sustainable and balanced growth as outlined in this Plan, significant investment in infrastructure to meet the needs of residents and businesses will be required. This encompasses a wide range of provision including transport, utilities, flood and surface water management measures, open space and social and community infrastructure including education, health care facilities, leisure and other community facilities.

6.3 The Council is in the process of developing an Infrastructure Delivery Plan (IDP) which, when completed, will set out the infrastructure required to support growth over the Plan period. The IDP will identify:

- The organisation responsible for delivering each infrastructure item;
- The period over which the relevant investment will be required (including trigger points in relation to the planned phasing of housing and employment development); and
- The cost of each item and how it is to be funded.

6.4 This will help to ensure that new development is served by necessary infrastructure in a predictable, timely and effective fashion. The IDP is being developed iteratively in consultation and co-operation with infrastructure providers and other partner organisations and in relation to the impacts on the viability and therefore the deliverability of the development.

6.5 The Council will ensure, through the implementation of its draft policies outlined below and throughout the Plan, that the infrastructure identified in the IDP is delivered and phased appropriately.

What you told us?

6.6 Responses from the Community Choices consultation and stakeholder engagement included:

- concerns that growth might adversely affect the quality of life for local residents, due to lack of supporting infrastructure, particularly within smaller settlements;
- general agreement regarding the importance of the timing of infrastructure delivery, to ensure sufficient capacity in key services is brought forward as required;
- concern over the lack of clarity over how CIL contributions might be spent;
- concern over the lack of reference to guaranteed infrastructure funding from Central Government, as Section 106 would only be able to partly meet local infrastructure requirements; and
- concerns that significant investment would be required to support development on the proposed scale, which is unlikely to be achieved on the basis of the proposed CIL.

Preferred Approach

6.7 The Council will work with relevant partner organisations and infrastructure providers to ensure that the infrastructure needs of the District now and in the future are properly considered and planned for.

6.8 New development will be required to make best use of existing infrastructure and where necessary, provide or contribute towards the provision of additional services, facilities and infrastructure at a rate and scale which meets the needs and requirements that are expected to arise from that development.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies'

- 6.9 Proposals will be required to clearly demonstrate that infrastructure can be provided and phased to support the needs of the development. Proposals will need to take into account the relevant business plans and programmes produced by infrastructure and service providers to demonstrate how provision will be brought forward to ensure development is appropriately phased in relation to planned infrastructure improvements. In assessing infrastructure and service requirements, the Council will have regard to the cumulative impact of developments in the locality and across the District.
- 6.10 Whilst funding may be available from Central Government and other sources for strategic infrastructure including utilities and road improvements, a significant amount of new or enhanced infrastructure will need to be provided directly by developers as part of new developments, or funded through financial payments by developers. The IDP Schedule will identify who will be responsible for delivery of each item of infrastructure and where developer funding is likely to be required. The Council will secure such contributions through planning obligations and S278 Highways agreements (where appropriate). The council will be reviewing the potential that a Community Infrastructure Levy (CIL) could make on supporting the delivery between now and the submission of the Plan. This review will be informed by further detailed viability assessments.
- 6.11 Some infrastructure, such as improvements to the highways network are likely to be strategic in nature and will support and enable the development of a number of sites. In such instances, it is likely that contributions will need to be pooled and combined with other funding sources.
- 6.12 Development proposals within the Strategic Allocations as identified by Draft Policy SP 2 will be expected to contribute collectively and proportionally towards delivering the necessary infrastructure requirements which are related to each of the sites. The detailed infrastructure requirements for the allocations SP 3.1 – SP 3.4 have yet to be established but will include highways and transport infrastructure, schools, health, open space and green infrastructure provision. Once finalised, the IDP will set out the approach to the pooling of planning obligations, and the requirements for the strategic sites.

Draft Policy D 1 Delivery of Infrastructure

- A. New development must be served and supported by appropriate on- and off-site infrastructure and services as identified through the Infrastructure Delivery Plan. Planning permission will only be granted for developments where the infrastructure and services required to meet the needs of the new development and/or mitigate the impact of the new development is either already in place or will be provided to an agreed timescale.
- B. Infrastructure and services required as a consequence of development and provision for their maintenance, where appropriate, will be sought from developers and secured through planning obligations prior to the issue of planning permission.
- C. Proposals for development should clearly demonstrate that infrastructure can be provided and phased to support the requirements of proposed development.
- D. In negotiating planning obligations, the Council will take into account economic viability. Where relevant, development proposals should be supported by an independent viability assessment on terms agreed by the relevant parties including the District and County Council, and funded by the developer.
- E. Where viability constraints can be demonstrated by evidence, the Council may consider prioritising contributions in line with the IDP Schedule and phasing developer contributions appropriately.

Alternative Options - Delivery of Infrastructure

Retain existing policies	The existing policies were adopted prior to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
No policy	This would prevent the Council from setting out how it expects applicants to address the delivery of essential infrastructure, in order to support the creation of sustainable communities and mitigate against the impact of development.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies¹

Draft Policy D 2 - Essential Facilities and Services

The Issue

6.13 Over the Plan period, increased levels of provision of essential facilities and services will be required to support growth and development. These essential facilities and services include:

- Education – early years, primary, secondary and post 16 education; Health – primary care (including GPs), acute and mental health care and
- Emergency services – Fire, Police and Ambulance

6.14 The scale and range of this provision will need to be appropriate to the level of demand generated by development, and should address the specific needs of different groups of people. The timely delivery of services and facilities will be important to ensure the District can accommodate growth in a sustainable way.

Key evidence

- National Planning Policy Framework: Core planning principles;
- National Planning Policy Framework: Using a proportionate evidence base;
- Planning Practice Guidance: How can the local planning authority show that a Local Plan is capable of being delivered including provision for infrastructure;
- Essex County Council's Developers Guide to Infrastructure Contributions (2010); and Consultation with Essex County Council and West Essex Clinical Commissioning Group
- Draft Infrastructure Delivery Plan and schedule (Arup September 2016)

What you told us?

6.15 Responses from the Community Choices consultation and stakeholder engagement included:

- concerns that smaller parishes and rural villages lack sufficient health and education infrastructure, making them very reliant upon key service centres;
- worries regarding the relocation of schools from town centres, which would undermine community coherence and create unsustainable transport patterns;
- recognition that schools and doctors surgeries are operating at, or near to, capacity in certain parts of the District, including Waltham Abbey, Roydon and North Weald Bassett;
- NHS North Essex highlighted concerns that additional housing growth will exacerbate existing patient size capacity deficits at GP surgeries, and that would need to be met with increased floorspace provision;

- Acknowledgement that a flexible policy context is required to anticipate the redevelopment of the NHS North Essex Trust surplus land, to help fund additional healthcare infrastructure; and
- The importance of assessing the likely impacts on health infrastructure calls for Health Impact Assessments to be undertaken for all large proposals.

Preferred Approach

Education

6.16 Access to high quality education is an important element of building and supporting sustainable communities and promoting economic prosperity. The Draft Infrastructure Delivery Plan and Infrastructure Delivery Schedule set out the future requirements for education services over the Plan period.

6.17 Essex County Council is the Children's Services Authority, and has the statutory duty to secure sufficient places in state funded schools, Free Early Education and post-16 education for all children and young people. The Education Act 2011 represented a shift in the County Council's role from a direct provider to a commissioner of school places. The County Council and District Council will therefore work in partnership with a wide variety of education providers to ensure that the needs of the District are met.

6.18 Essex County Council seeks contributions, where appropriate, from developments of ten or more dwellings to mitigate the impact on education facilities. For large developments, where the need for a new school is identified it should be provided on site to meet the needs of the new population. For smaller developments which do not in themselves generate sufficient demand for a new school but which put pressure on existing establishments, financial contributions towards new, expanded or improved off-site facilities will be sought. Contributions will not be sought on sites smaller than ten dwellings, unless their co-location with other sites would have a cumulative impact. More information is provided in Essex County Council's Developers Guide to Infrastructure Contributions (2010) and the Draft Infrastructure Delivery Plan (2016).

6.19 Education facilities should be provided in accessible locations. The Council will support proposals for dual use of school facilities and the joint provision and co-location of compatible facilities (such as education campuses or co-located sports or community facilities).

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies'

Health

- 6.20 Over the Plan period it is anticipated that models of health service delivery in the District will change, with increased emphasis on providing primary care ‘hubs’ delivering a range of services in the community, including GPs, dentists, optometrists, pharmacists, district nurses, therapists, mental health nurses, health care assistants, palliative care nurses and health visitors. These facilities will offer new, innovative ways of providing care and reducing the need to attend hospitals.
- 6.21 As such, opportunities for the co-location of compatible services and facilities will be supported where this is practical and cost efficient to service and facility providers.
- 6.22 Developers will be expected, where appropriate, to make contributions towards new, expanded or improved health facilities to meet the needs of additional residents. These facilities may be provided on-site (in the case of large development proposals) or contributions may be required to improve or expand off-site facilities.
- 6.23 The Princess Alexandra Hospital NHS Trust is currently considering options for relocating the Princess Alexandra Hospital from its current site within Harlow and two potential options are under consideration for it to relocate to the Gilston site to the North of Harlow within East Herts District Council or to the East of Harlow to a site within Epping Forest District (see Draft Policy SP 3). The relocation of the Princess Alexandra Hospital may have impacts on the provision of care across the District, including the rationalisation of primary care.
- 6.24 Most housing development has a potential impact upon the capacity of health services and facilities that are provided in the District. However, through the design of new development, healthy living can be promoted thus helping to reduce some of these impacts. For large housing applications, the extent of these impacts should be assessed through a Health Impact Assessment to ensure that an adequate level of healthcare services continue to be provided for the new development and community as a whole. Where significant impacts are identified, planning permission will be refused unless infrastructure provision and/or funding to meet the health requirements of the development are provided. Health Impact Assessments should be prepared in accordance with advice and best practice as published by the Department of Health and other agencies such as NHS North Essex and in line with the Council’s Planning Application Validation Requirements Checklist.

Draft Policy D 2 Essential Facilities and Services

- A. Development proposals will only be permitted where they provide or improve essential facilities and services required to serve the scale of development proposed.
- B. Development proposals which would be detrimental to or result in the loss of essential facilities and services that meet community needs and support well-being will only be permitted where it can be clearly demonstrated that:
- i) The service or facility is no longer needed; or
 - ii) It is demonstrated that it is no longer practical, desirable or viable to retain them; or
 - iii) The proposals will provide sufficient community benefit to outweigh the loss of the existing facility or service
- C. Proposals for new facilities will be supported where they will meet an identified local need. The Council will work positively with local communities and support proposals to retain, improve or re-use essential facilities and services, including those set out in Neighbourhood Plans or Development Orders including Community Right to Build Orders, along with appropriate supporting development which may make such provision economically viable.
- D. All Use Class C2 developments and Use Class C3 residential development in excess of 50 units will be required to prepare a Health Impact Assessment, which will measure wider impact upon healthy living and the demands that are placed upon the capacity of health services and facilities arising from the development.

Alternative Options

Retain existing policies	The existing policies were adopted prior to the NPPF and PPG.
No policy	This would prevent the Council from setting out how it expects applicants to address matters in respect of essential facilities and services, and working positively with local communities to support facilities and services.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies’

Draft Policy D 3 - Utilities

The Issue

6.25 Utilities infrastructure includes water supply, waste water and sewage treatment, electricity and gas. In order to bring forward development, sufficient capacity in these utilities is required to meet the needs of the development.

What you told us?

- 6.26 Responses from the Community Choices consultation and stakeholder engagement included:
- infrastructure requirements should be considered in the context of the dispersed settlement pattern, particularly in relation to smaller villages and hamlets of the District, which will affect how infrastructure is distributed;
 - the adequacy of sewage infrastructure in certain parts of the District was questioned, with areas such as Nazeing, North Weald Bassett, Roydon and Theydon Bois operating at capacity. Comments were made in regards to inadequate sewage infrastructure dating back to the nineteenth century in some areas; and
 - that the Council should make reference to the provision of adequate water and sewage infrastructure to service development.

Key evidence

- National Planning Policy Framework: Core planning principles;
- National Planning Policy Framework: Using a proportionate evidence base;
- Planning Practice Guidance: How can the local planning authority show that a Local Plan is capable of being delivered including provision for infrastructure;
- Essex County Council's Developers Guide to Infrastructure Contributions (2010); and
- Consultation with utility service providers.

Preferred Approach

6.27 The Council will work with utility service providers to secure the provision of utilities infrastructure (including water supply, waste water and sewage treatment, gas and electricity) needed to serve existing and new communities. Once complete, the Infrastructure Delivery Plan and Infrastructure Delivery Schedule will set out the future requirements for new and upgraded utilities over the Plan period.

6.28 Development will only be granted for proposals where there is sufficient capacity within the utilities infrastructure or where it has been demonstrated that capacity is capable of being provided in a timely manner in order to meet the needs of the development; developers should consult with utilities providers to ensure this is the case. In order to bring forward large allocations, in particular the strategic sites around Harlow, development may need to be phased to ensure utilities infrastructure is in place.

Draft Policy D 3 Utilities

- A. Development will only be granted for proposals where there is sufficient capacity within the utilities infrastructure to meet the needs of the development. Developers should consult with utilities providers to ensure this is the case, and may be required to undertake assessments to demonstrate sufficient capacity.
- B. Where there is a capacity problem and no improvements are programmed by the utility provider, the Council will require the developer to fund appropriate improvements which must be completed prior to occupation of the development.
- C. Large developments may need to be phased to ensure there is sufficient capacity, and that any required upgrades can take place prior to occupation.

Alternative Options

Retain existing policies	The existing policies were adopted prior to the NPPF and PPG.
No policy	This would prevent the Council from ensuring there is sufficient capacity within the utilities infrastructure to meet the needs of the development.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies¹

Draft Policy D 4 - Community, Leisure and Cultural Facilities

The Issue

- 6.29 National policy emphasises the need for local authorities to plan for healthy and inclusive communities. (NPPF Section 8: Promoting healthy communities)
- 6.30 Community, leisure and cultural facilities make a vital contribution to the social and economic life of a community, particularly in rural areas. They are often especially important to elderly people and those who do not have easy access to transport. Access to a range of community facilities provides significant benefits including promoting health and wellbeing, facilitating social inclusion and encouraging education and learning. The loss of such facilities through redevelopment and change of use is detrimental to the fabric of communities and should be resisted. Population growth and demographic change places additional demands on provision and the needs associated with growth need to be planned for.

Key evidence

- National Planning Policy Framework: Section 8 Promoting healthy communities;
- Planning Practice Guidance: Open space, sports and recreation facilities, public right of way and local green space;
- Epping Forest Open Space, Sport, and Recreation Assessment (2012);
- Active Places Epping Forest Area Profile, Sport England.

What you told us?

- 6.31 Responses from the Community Choices consultation and stakeholder engagement included:
- recommendations made for a more clear, consistent and succinct definition of the term 'community facilities';
 - suggestions that part of the relevant policy contains a section to protect existing community facilities from loss or change of use, unless replacement facilities are provided through new development;
 - concerns that open spaces will not be used most effectively for sports facilities;
 - concerns that there is not enough reference to the protection of sports facilities and playing fields in the emerging Plan policy;

- the importance of protecting traditional public houses is such that it requires a specific Plan policy;
- acknowledgements for the need for community facilities in urban centres;
- suggestions that community hall facilities could be refurbished, or built for joint use between schools and the community;
- concerns about the insufficient provision of services for young people;
- the potential role of North Weald Airfield for sports and recreational uses was recognised, and promoted as a development opportunity;
- recognition that an increase in population within villages will improve the viability of community halls, leisure clubs and public houses; and
- concern regarding the overall decline in community facilities since the last Local Plan was produced.

Preferred Approach

- 6.32 The Council will safeguard against the unnecessary loss of valued facilities and services. It will also plan positively for the improvement of existing facilities and the provision of new shared spaces and community facilities. The Council will work with partners in the public, private and voluntary sector to achieve this.
- 6.33 Community, leisure and cultural facilities encompasses a wide range of facilities and services including library provision, community halls, cultural facilities such as arts centres and museums as well as pubs, leisure centres and other sports facilities.
- 6.34 The District and County Council are moving towards a more integrated model for the provision of many types of community facilities. The Council will encourage more flexible use of community space and maximise opportunities to co-locate activities and services where possible. This makes most efficient use of buildings as well as providing a better and more integrated service to residents. As part of this approach there may be potential to co-locate a range of services including for example library provision, some forms of early years' provision, youth services as well as general multi-purpose community space within one building or facility. Digital technologies and innovative ways of providing library services can engage and encourage new users, including by operating satellite or mobile libraries. This will make village and community halls more valuable to a broader spectrum of the community.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies'

- 6.35 Access to a range of indoor sports and leisure facilities is also vital for healthy communities. The Council will ensure existing facilities are maintained and improved where possible. The Council supports dual use of school sports facilities by the community.
- 6.36 Development proposals should make provision for community, cultural and leisure facilities in a way which is proportionate to the scale of development proposed. Larger and strategic developments will be expected to include on-site provision where feasible. For smaller developments financial contributions may be sought in line any standards to be set in the IDP and Essex County Council's Developer Guide.
- 6.37 In some instances, it may be necessary to consolidate or relocate facilities to better serve the growing population and provide more accessible facilities. Where this is appropriate there should be no net loss of community, leisure or cultural facilities.

Draft Policy D 4 Community, Leisure and Cultural Facilities

- A. Development proposals will be permitted where they:
 - i) Retain and maintain existing facilities which are valued by the community;
 - ii) Improve the quality and capacity of facilities valued by the community;
- B. Proposed developments should contribute to the provision of new or improved community, leisure and cultural facilities in a way which is proportionate to the scale of the proposed development and in accordance with the standards in the Infrastructure Delivery Plan and Essex Developers Guide. Larger and strategic developments will be expected to make on site provision where feasible. For smaller developments a financial contribution will be sought. Financial contributions will be sought for on-going maintenance of community facilities, where appropriate. The provision of new facilities will be appropriately phased to meet the needs of the community they are provided for.
- C. Where opportunities exist, the Council will support the co-location of community, leisure and culture facilities and other local services.
- D. Proposals that would result in the loss of valued facilities currently or last used for the provision of community, leisure and cultural activities will only be permitted if it is demonstrated that:
 - i) The facility is no longer needed for any of the functions that it can perform; or

- ii) It is demonstrated that it is no longer practical, desirable or viable to retain them; and
 - iii) Any proposed replacement or improved facilities will be equivalent or better in terms of quality, quantity and accessibility and there will be no overall reduction in the level of facilities in the area in which the existing development is located; or
 - iv) The proposal will clearly provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.
- E. Other than proposals which involve the comprehensive relocation of facilities, any development proposals that would result in the loss of community, leisure and cultural facilities must be accompanied by an assessment which demonstrates that the facility or land is surplus to requirements and that it has been unsuccessfully marketed for a minimum of 2 years. The assessment must also evaluate the quantity and quality of existing facilities in the locality and assess the need and value to the community. The views of the local community on any loss must be sought as part of this assessment.
 - F. The Council will work positively with communities, including local voluntary organisations, and support proposals to develop, retain, improve or re-use community, leisure or cultural facilities, including those set out in Neighbourhood Plan or Development Orders including Community Right to Build Orders, along with the appropriate supporting development which may make such provision economically viable.

Alternative Options

Retain existing policies	The existing policies were adopted prior to the NPPF and PPG.
No policy	This would prevent the Council from setting out how it expects applicants to address matters in respect of essential facilities and services, and working positively with local communities to support facilities and services.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies'

Draft Policy D 5 - Communications infrastructure

The Issue

6.38 The NPPF requires local authorities to facilitate telecommunications development, including high speed broadband technology. An effective telecommunications network is essential to sustain sustainable economic growth and development and to provide services to local communities. Visual impacts should be minimised as far as possible.

What you told us?

6.39 Comments from the Community Choices consultation and stakeholder comments included:

- High speed broadband should be encouraged, including in order to support the rural economy; and
- The lack of access to broadband in more rural areas, but also the additional strain on the existing broadband network, is an issue for local residents and businesses.

Key evidence

- National Planning Policy Framework: Section 5 Supporting high quality communications infrastructure;
- National Planning Policy Framework: Section 7 Requiring good design; and
- Superfast Essex Broadband programme.

Preferred Approach

6.40 There are currently parts of the District that have slow speeds of internet connectivity. The Council will seek to ensure that all new development and wherever possible all residents and business have superfast speeds of internet connectivity in line with the Superfast Essex programme objective that 95 per cent of Essex should have access to fibre broadband (with the potential to provide superfast speeds of 24 Mbps and above) by 2019. The Council addresses this matter in the Draft Infrastructure Delivery Plan accompanying this Local Plan.

Draft Policy D 5 Communications infrastructure

A. The Council will promote enhanced connectivity of the District through supporting infrastructure for high speed broadband and telecommunications. In particular applicants submitting major development proposals should demonstrate how high speed broadband infrastructure will be accommodated within the development.

- B. Applications for telecommunications development (including for prior approval under Part 16 of the General Permitted Development Order, or any other such future Order) will be considered in accordance with national policy guidance and the following:
- i) The applicant will need to submit evidence to demonstrate that all options for sharing of existing equipment, including with other operators, and erecting masts on existing tall buildings or structures, have been fully explored before considering the provision of new structures or facilities.
 - ii) The visual impacts of telecommunications proposals should be minimised, in line with policies on High Quality Design in Policy DM 9 particularly on roof tops.
 - iii) The applicant has demonstrated that the development will operate within the International Commission on Non-Ionizing Radiation Protection Guidelines for public exposure.

Alternative Options

Retain existing policies	The existing policies do not refer to the provision of high speed broadband as referred to in the NPPF. Furthermore, the criteria for consideration for masts and aerials are similar and therefore there is an opportunity to consolidate/streamline these policies.
No policy	Would not provide the opportunity to take account of the NPPF, PPG or set out what the Council expects to be addressed by applicants, include high speed broadband requirements and to make more user friendly.

Draft Policy D 6 - Neighbourhood Planning

The Issue

- 6.41 Neighbourhood Plans provide a mechanism for communities to bring forward development and to have a say in the location of development.
- 6.42 The final Local Plan will set out the strategic policies to provide the framework for delivery of homes, jobs and infrastructure in the District. Neighbourhood Plans must be in general conformity to the strategic policies of the Local Plan. 'Made' (i.e. adopted) Neighbourhood Plans will work alongside, and where appropriate replace, the non-strategic policies in the Local Plan where they overlap.

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies¹

Key evidence

- National Planning Policy Framework: Paragraphs 183-185
- Planning Practice Guidance Neighbourhood Planning

Preferred Approach

6.43 The Council will support the relevant representatives from local communities to identify the most appropriate means of meeting local community needs through Neighbourhood Planning and through rural exception schemes. Collaboration between the community and the Council is critical to ensure strategic requirements are met.

Draft Policy D 6 Neighbourhood Planning

The Council will support the preparation and production of Neighbourhood Plans. Neighbourhood Plans should:

- Show how they are contributing towards the strategic objectives of the Local Plan and that they are in general conformity with its strategic approach and policies; and
- Clearly set out how they will promote sustainable development at the same level or above that which would be delivered through the Local Plan, and Neighbourhood Plan policies are supported by evidence on local need for new homes, jobs and facilities, for their Plan area.

Alternative Option

No Policy

This would not accord with the NPPF and PPG

Draft Policy D 7 – Monitoring and Enforcement

The Issue

- 6.44 Local Plans need to be reviewed regularly to assess how well their policies and proposals are being implemented and to ensure that they are up to date. Monitoring provides the objective basis necessary for such reviews.
- 6.45 On occasion there are breaches of planning controls in the District as a result of development being undertaken without the required planning permission or a failure to comply with conditions or limitations on planning permissions. The Council, as Local Planning Authority, has the discretion to take whatever enforcement action is considered necessary in the public interest, when considered expedient to do so having regard to the Development Plan and any other material considerations. This process should be transparent so that people understand what action the Council is likely to take in response to alleged breaches of planning control.

Key evidence

- National Planning Policy Framework paragraph 207
- Planning Practice Guidance: Enforcement
- Local Enforcement Plan, December 2013

Preferred Approach

6.46 The indicators against which policies will be monitored are listed in Appendix 3. This information will be collected as part of the preparation of the Authority's Monitoring Report. Where it would appear through monitoring that targets are not being met, it may be necessary to review the policies within the Local Plan to establish whether they need to be amended in order to secure delivery of the spatial vision. The need to review policies will be identified in the Authority's Monitoring Report.

6.47 A database will be maintained in relation to planning obligations and unilateral undertakings including details of the development site, relevant dates for receipt of funds, the purpose of the obligation, level of funding received and the timescale for delivery of the infrastructure.

6.48 The Council will keep up to date the Local Enforcement Plan adopted in December 2013 to manage enforcement proactively in a way considered appropriate to the District, and in line with paragraph 207 of the NPPF. The Local Enforcement Plan sets out how the Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take appropriate action as considered necessary.

Draft Policy D 7 Monitoring and Enforcement

The Council will monitor the implementation of the Local Plan policies and infrastructure provision and report the results on an annual basis. It will deal with the enforcement of planning controls in accordance with the Local Enforcement Plan.

Alternative Option

No Policy

This would not accord with the NPPF and PPG

The Local Plan should be read as a whole. Proposals will be judged against all relevant policies'