



Allerdale Borough Council

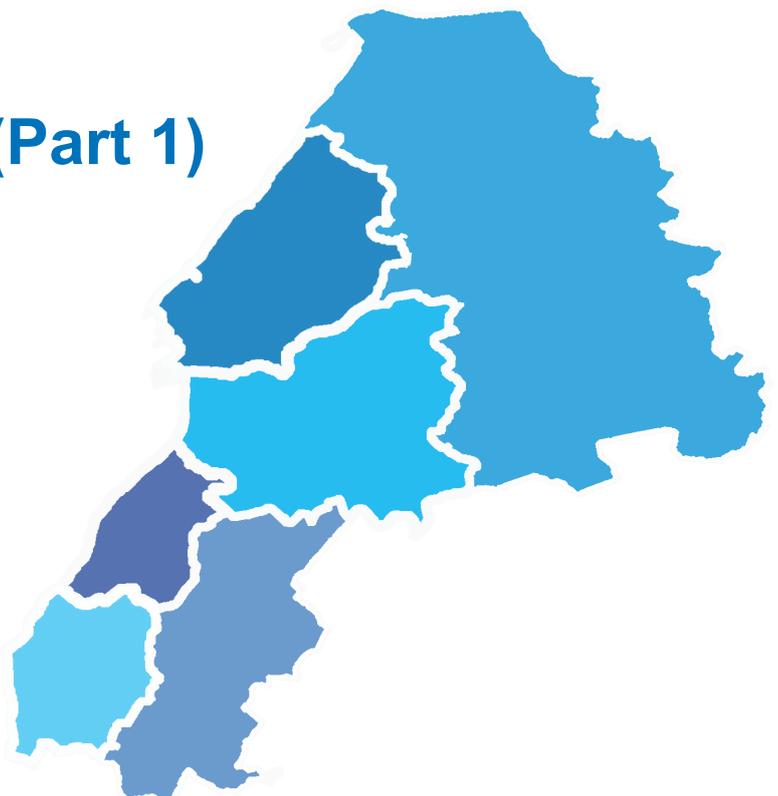


Allerdale Local Plan (Part 1)

Position Statement Main Matter 9:

Developer contributions

January 2014



Allerdale Local Plan (Part 1) Examination – Allerdale Borough Council Position Statement January 2014

Matter 9 – Developer Contributions

Introduction

1. This Statement has been produced by Allerdale Borough Council to outline its response to the matters raised by the Inspector for the Hearings into the Submitted Allerdale Local Plan (Part 1) Development Plan Document (DPD) **[CD1]**.
2. These Statements form the main basis for the Council's submission to the Hearings. They relate to the elements of the DPD that have been raised by the Inspector as matters to be discussed. Where appropriate the Statements draw upon and cross-refer to the main sources of information used in the preparation of the DPD such as the outcomes of public consultation, the Sustainability Appraisal, the evidence base and the supporting Topic Papers. Core Document numbers are given where appropriate.

Position of the Council regarding Matter 9

3. The Council considers that Policy S21 'Developer Contributions', including the proposed modifications, has been drafted in a way that is fully in accordance with the tests identified in the National Planning Policy Framework and is included in the DPD for clear and valid reasons. It provides an appropriate, effective, justified and soundly based framework for securing developer contributions for infrastructure. The fair and consistent application of the policy, where appropriate, will contribute significantly to the objective of achieving sustainable development throughout the Borough.

Justification for approach taken

4. The National Planning Policy Framework (NPPF) states that the local planning authorities should consider the use of planning obligations to address

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unacceptable impacts that would make otherwise unacceptable development acceptable. Hence, the NPPF confirms the validity of including policies within local plans to allow local planning authorities to secure the developer contributions where necessary, directly related to the development and fairly and reasonably related in scale and kind.

5. Policy S21 supports the strategy set out in the Local Plan **[CD2]** by seeking to ensure that, where appropriate, developers contribute towards the provision of necessary infrastructure to enable sustainable development proposals to proceed. Paragraphs 234-238 of the Local Plan **[CD2]** set out the approach to securing developer contributions. Major modification **MM66 [CD4]** provides greater clarity regarding the application of the policy.

Implications for viability and deliverability

6. Representations received in relation to Policy S21 raise concerns that the list of infrastructure, facilities or services identified within it and their required provision may preclude the development of housing and employment sites in terms of site viability, which would have implications for the delivery of the Plan.
7. A key aspect of soundness is the ability for the Plan to meet its objectively assessed needs and the Council recognise that infrastructure requirements sit fundamentally alongside that. It is essential that infrastructure required to support and mitigate development impacts is deliverable over the Plan Period.
8. In line with the National Planning Policy Framework (Paragraph 173) the Council has carefully considered the cumulative impact of policy requirements, including developer contributions, on the economic viability of sites and scale of development identified within the local plan

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9. The infrastructure implications of delivering the strategy set out in the Local Plan has been fully considered in the Strategy for Infrastructure (SFI) **[DSE4]**. The Strategy for Infrastructure concludes that the delivery of the Local Plan will not be compromised by critical infrastructure deficits and as such the level of proposed growth is not dependent on major infrastructure projects for delivery. The Council considers that the SFI clearly demonstrates that the strategy is deliverable.

10. The Housing Viability Study July 2010 **[EB3a]** and Housing Viability Study Update January 2012 **[EB3b]** indicate viability issues in the low market areas. The scenario testing within the Cumulative Viability Assessment Topic Paper **[TP2]** concludes that policy requirements, such as developer contributions, would have an effect on economic viability of sites within low-market areas. However these results are not unexpected given that the assessments within both viability studies were undertaken during an economic recession and housing market crash. The Developer Contributions Policy S21 was developed with the future improvement in the conditions of the economy and housing market in mind. Recently published statistics confirm nationwide economic and housing market recovery and therefore, the results of ‘uplift’ scenarios set out in the Cumulative Viability Topic Paper **[TP2]** must be taken into account.

11. Whilst the scenario testing within the Cumulative Viability Assessment Topic Paper **[TP2]** concludes that policy requirements could have an effect on economic viability of sites within low-market areas, the Cumulative Viability Assessment Topic Paper Update **[TP2a]** highlights that, contrary to the results of the scenario testing, sites within low-market areas have consistently been able to provide affordable housing and other S106 developer contributions. This sustains the Council’s position that it is important to recognise that level of economic viability of

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sites according to strategic plan-level assessments can differ significantly from the results of site specific assessments.

12. The Council considered that the Cumulative Viability Topic Paper **[TP2]** and Cumulative Viability Assessment Topic Paper Update **[TP2a]** provide the Council with a summary of evidence that demonstrates that the policy requirements for development set out within the Allerdale Local plan are compatible with the economic viability related to the development land within the plan area. The issue of the economic viability of the Plan and the deliverability of the strategy, including the provision of housing in low-market areas, is addressed in greater detail within the Statement covering Main Matter 6.

Application of the policy

13. Policy S21 clearly specifies that contributions will only be sought which are necessary to make the development acceptable and whenever there is a need generated by new development.
14. The list of infrastructure types within the policy is indicative and merely aims to establish the range of contributions which may be sought from development proposals. It is not the intention that every proposal will be required to contribute to all of the infrastructure, facilities or services listed. An indicative list is considered to be both reasonable and essential in order to provide developers with some indication of the potential range of circumstances where contributions may be required.
15. The Council maintains that Policy S21 allows negotiation on the type of developer contribution and the level of obligation sought in circumstances where the development is unable to deliver all the policy requirements for reasons of viability.

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The Council considers that the policy strikes an appropriate balance between the requirement to secure sustainable development and ensuring that the scale and costs of contributions sought do not compromise viability and deliverability.

Implementation of the policy

16. More detail on site specific developer contributions will be provided in a Supplementary Planning Document (SPD). The preparation of this SPD will be a priority following the successful examination and adoption of the Allerdale Local Plan (Part 1) DPD. The Council consider this to be both a typical and appropriate approach.