

## **Part 2 Section 5**

### **Transport/Highways Infrastructure and Facilities and Drainage Infrastructure**

<b>Contents</b>	<i>Page No</i>
<b>Introduction</b>	
Justification, Land Use and Thresholds	111
Methodology	112

Blank Page

## **Transport/Highways Infrastructure and Facilities and Drainage Infrastructure**

### **Justification**

- 2.5.1 The detailed policy basis and justification for seeking developer provision or contributions in respect of Transport/Highways Infrastructure and Facilities and Drainage Infrastructure is set out in national planning policy guidance (e.g. PPS1, PPS3, PPG13, PPG23 and PPS25), and the current development plan (Regional Spatial Strategy (see Policy S6 c) and the saved SDLP, particularly Policies ENV1 and CS6).
- 2.5.2 Developers will often be required to make contributions in respect of highways and drainage infrastructure under statutory provisions outside the planning system; for example Section 278 of the Highways Act, for off-site highway works such as junction improvements. However, such infrastructure improvement works may also be secured through conditions attached to planning permissions and/or through Section 106 Planning Obligation Agreements or Undertakings (under the Town and Country Planning Act).
- 2.5.3 In addition to the basic physical infrastructure for highway and drainage provision and improvements, it is justified in connection with larger developments to seek contributions or provision relating to a wide range of matters, including public transport facilities, for example bus stops/shelters, parking and passenger facilities at nearby railway and bus stations, financing the establishment of new bus routes and Travel Plans.

### **Land Use**

- 2.5.4 In the cases where provision is sought through the planning process, new development for any type of land use could justify developer contributions to be sought towards transport/highways infrastructure and facilities and drainage infrastructure.

### **Thresholds**

- 2.5.5 No specific threshold is set here in respect of seeking developer contributions towards transport/highway or drainage infrastructure or facilities. In principle, any size of development could lead to negotiations to seek developer contributions for such infrastructure or facilities. In practice, it will usually be larger scale developments, or more complex 'brownfield' sites (previously developed land) that would involve negotiations being initiated by the District Council. The evaluation of when and at what scale developer contributions are to be sought will be carried out on a case-by-case basis.

2.5.6 Transport Assessments will normally be required to be submitted in connection with planning applications for larger developments and will often be the basis for identifying and justifying whether, what, where, how and when transport/highways infrastructure, facilities and measures should be provided by or contributed to by developers. In the case of drainage infrastructure various forms of technical study will help to assess and determine what developments require what provisions/contributions; for surface water drainage, in some circumstances it will be a Flood Risk Assessment that forms the basis for such evaluations and decisions.

## **Methodology**

2.5.7 With regard to physical improvements directly attributable to the identified impacts of a development, for example, improvements to an access road, or the need for a new surface water drain, almost any type or scale of development may require off-site works requiring developer contributions. Such provision and the securing of contributions may often be dealt with through planning conditions and agreements with Highway or Drainage Authorities under statutory provision other than the Planning Acts.

2.5.8 More complex arrangements and requirements resulting from larger developments are more likely to require the negotiation of developer contributions, secured through a Section 106 Agreement or Undertaking. Such contributions could be sought in respect of significant off-site highway or drainage improvements and/or, in terms of sustainable travel. Examples of the latter are provision for pedestrians and cyclists (including dedicated and designated routes), 'public transport' (e.g. funding towards new/extensions to bus services - together with necessary road improvements and furniture, parking at railway stations). Such provision would usually accord with Travel Plans submitted with planning applications or required by condition/Section 106. Contributions may be sought in connection with a development that would result in a significant increase in passenger numbers or where there would be reliance by many residents upon existing public transport facilities.

2.5.9 The methodologies for assessing whether developer contributions will be sought for the transport/highways infrastructure and facilities and drainage infrastructure, will be based on technical studies, such as: Transport Assessments (in accordance with PPG13 – Planning and Transport), Travel Plans and Flood Risk Assessments (in accordance with PPS25). Thus the assessment of whether developer contributions are necessary will be carried out on a case-by-case basis. The negotiations on what proportion of the costs of a particular infrastructure project should be the subject of a contribution, will be based on a specific and transparent methodology agreed between the parties involved (e.g. Highway/Drainage Authority, other infrastructure, facility or service provider, developer and the District Council).