

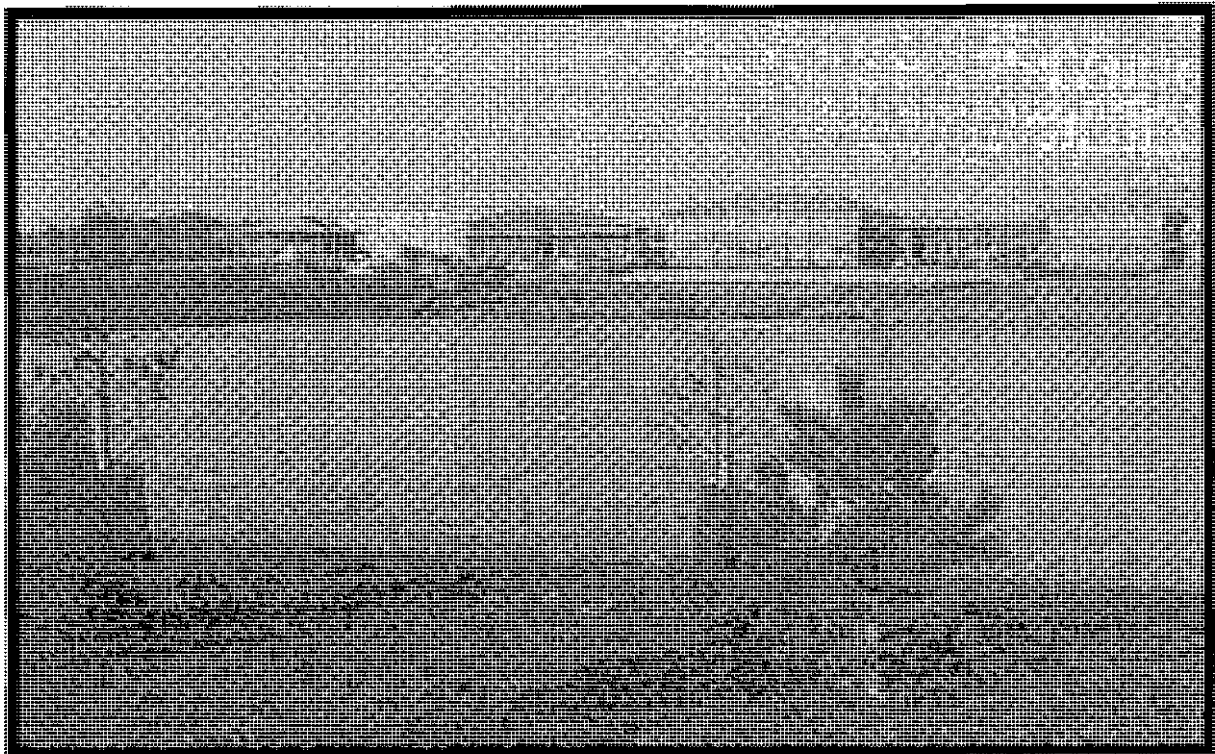
# IMPLEMENTATION AND MONITORING

## POLICIES AND PROPOSALS

Where appropriate, policies from the approved Leicestershire Structure Plan (1994) are included in this Local Plan. These appear in *italics*.

The Local Plan policies and proposals are in **UPPER CASE BOLD TYPE**.

All of the policies must be considered together before a view can be determined on a particular proposal.



Grove Park, Enderby.

## IMPLEMENTATION AND MONITORING

### IMPLEMENTATION AND MONITORING - POLICIES AND PROPOSALS

#### PLANWIDE POLICY

##### Planning Obligations

- 12.7 Government guidance on the use of Planning Obligations is set out in Circular 1/97 and PPG 12. The Structure Plan includes Strategy Policy 5 which sets out the requirements for providing relevant infrastructure to serve major new developments; this states:-

*"Major new housing development (usually more than 100 dwellings), major new employment development (usually more than 5 hectares) and other major new development should meet most or all of the requirements for, and costs of, relevant infrastructure, including such public highway, public transport, public services, utilities, off site landscaping and community facilities required to support the development, with contributions being expected from developers for these costs."*

- 12.8 PPG 12 indicates that where a Local Authority intends to seek an obligation to implement policies in a Local Plan then these requirements should be set out in the Plan. The policy below outlines the types of requirements that planning obligations will be used to secure in relation to new development proposals, where planning objections cannot be overcome by means of a condition.

**IM1 WHEN GRANTING PLANNING PERMISSION FOR NEW DEVELOPMENT THE DISTRICT COUNCIL WILL, WHERE APPROPRIATE, SEEK A PLANNING OBLIGATION FROM APPLICANTS TO SECURE PARTICULAR OBJECTIVES WHERE THEIR NEED ARISES FROM THE PROPOSED DEVELOPMENT, INCLUDING:**

- (i) PROVISIONS OF, OR CONTRIBUTIONS TOWARDS, NEW HIGHWAY OR PUBLIC TRANSPORT INFRASTRUCTURE AND/OR PUBLIC TRANSPORT SERVICES.**

- 12.9 Applicants for new developments that would otherwise be acceptable but would give rise to traffic problems on the existing highway system of the type referred to in Structure Plan

## **IMPLEMENTATION AND MONITORING**

Transport Policy 4 (described earlier) will be encouraged to enter into a planning obligation to secure satisfactory improvements to the local road system.

- 12.10 In the implementation of the Transport Choice Strategy the District Council will encourage developers to contribute towards the improvement of public infrastructure (such as a new railway station, a rail service or an improved bus service) where these are required to meet the Transport Choice criteria. In the case of revenue support for public transport services this will be for a limited period in the short term only and with a maximum cost specified.

**(ii) PROVISION OF, OR CONTRIBUTIONS TOWARDS, NEW STORM DRAINAGE INFRASTRUCTURE.**

- 12.11 Where new developments would overload the capacity of the existing surface or storm water drainage system the applicant will be encouraged to enter into planning obligations to provide an enhanced system including, where appropriate, balancing lagoons or flood water retention measures where planning objections cannot be overcome by means of a condition. This will be implemented in accordance with policies CF5 and CF6.

**(iii) PROVISION OF, OR CONTRIBUTIONS TOWARDS, CHILDRENS PLAY AREAS OR OPEN SPACE FOR FORMAL RECREATION.**

- 12.12 Where open space cannot be provided on-site in accordance with the standards set out in Policies R13 and R14 the Council will encourage applicants to enter into a planning obligation so that satisfactory provision may be achieved off-site.

**(iv) PROVISION OF, OR CONTRIBUTIONS TOWARDS, NEW EDUCATIONAL OR COMMUNITY FACILITIES.**

- 12.13 Where a new development would generate the need for new educational or community facilities within or near the development area then applicants will be encouraged to enter into a planning obligation to secure or enable the provision of these facilities.

## IMPLEMENTATION AND MONITORING

**(v) CONTROL OVER THE OCCUPATION OF AFFORDABLE AND SPECIALIST HOUSING.**

- 12.14 Policy R5 allows, under exceptional circumstances, the development of affordable housing outside the limits to built development. Where the Council grants planning permission for such schemes applicants will be encouraged to enter into a planning obligation to ensure that the housing remains available as affordable housing in perpetuity.

**(vi) TO SECURE THE REMOVAL OF AN EXISTING BUILDING OR STRUCTURE OR THE REVOCATION OF A PREVIOUS PLANNING PERMISSION THAT IS REQUIRED AS A RESULT OF GRANTING PLANNING PERMISSION FOR THE NEW PROPOSAL.**

- 12.15 In cases where the granting of planning permission would only be satisfactory if an existing building or structure is removed, or where it would be undesirable to allow the proposal in addition to development which already has planning permission, applicants will be encouraged to enter into a planning obligation to achieve this aim.
- 12.16 Policy CF2 requires the removal of any structures that are made redundant by the granting of permission for a new telecommunications mast and applicants will be encouraged to enter into a planning obligation to secure this objective.
- 12.17 Policy IM1 contains the main situations where the Council would be likely to encourage applicants to enter into a planning obligation. The list of examples included in this policy is not intended to be comprehensive and other situations may arise where the Council will require the use of planning obligations as part of the development control process.