

Matter 11: Transport and accessibility; telecommunications and broadband; renewable and low carbon energy; viability; monitoring; strategic policies (Policies 13, 18A, 24A, 24B and supporting text, appendices to document SD11)



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11.1 (i) Does the Plan and particularly Policy 13 accord with national planning policy's objectives to promote sustainable transport and actively manage patterns of growth in support of these objectives?

11.1.1 Taylor Wimpey UK Ltd (TW) considers Policy 13 and the spatial development strategy identified within the Local Plan accord with paragraph 104 of the NPPF.

(ii) Are the Plan's provisions for transport and accessibility measures informed by adequate evidence of the needs of the District and the wider area?

11.1.2 TW recognises that a range of evidence has been prepared in respect of transport and accessibility measures. In addition, the transport schemes identified within Policy 13 correspond to the Worcestershire Local Transport Plan 4 (LTV4).

11.1.3 The evidence has regard to the wider area, including the impact of development outside the District and is considered adequate.

(iii) Is there a reasonable prospect that the proposed measures and improvement schemes will be provided in a timely manner and will be effective?

11.1.4 It should be noted that over £13m of S106 contributions in respect of off-site transport infrastructure costs have been factored into the Kidderminster Eastern Extension Financial Viability Appraisal (FVA). The FVA assumes transport contributions in respect of OC/6 and OC/13N will be front loaded over the course of development [ED9A para. 3.40] to ensure necessary mitigation is provided in a timely manner.

11.1.5 A Statement of Common Ground **[SD10N]** commits TW and WFDC to working with WCC to ascertain the scale of appropriate developer contributions, progressing best estimates contained within the IDP and to seek alternative funding opportunities aligned to the delivery of strategic infrastructure.

11.1.6 A Transport Assessment will accompany a future hybrid application and this is in the process of being scoped and agreed with WCC. Cumulative effects will be considered.

11.2 Bearing in mind the modifications suggested by the Council, are the provisions and requirements of Policy 24A on telecommunications and broadband development justified, effective and consistent with national planning policy?

11.2.1 No comment

11.3 (i) Is Policy 24B on renewable and low carbon energy justified, effective and consistent with national planning policy? (ii) have areas within the District that may be suitable for wind energy development been explored by the Council?

11.3.1 No further comment

11.4 Does Policy 18A and the supporting text on financial viability require modification to better reflect the approach in the national Planning Practice Guidance and take account of caselaw?

11.4.1 The NPPF states that *"all viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available"* **[NPPF – para 57]**. This is further expanded upon in Viability chapter of the PPG, which states that *"any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstance. Even in those circumstances an executive summary should be made publicly available"* **[PPG - 10-021]**. This approach has been endorsed by recent case law (Holburn Studios) and also in the RICS Professional Statement Financial Viability in Planning (2019). Professional Statements are mandatory for RICS members who carry out viability assessments (and who are suitably qualified practitioners). This states:

"Although certain information may need to remain confidential, FVAs should in general be based around market- rather than client-specific information. Where information may compromise delivery of the proposed application scheme or infringe other statutory and regulatory requirements, these exceptions must be discussed and agreed with the LPA and documented early in the process. Commercially sensitive information can be presented in aggregate form following these discussions. Any sensitive personal information should not be made public." **[para 2.4, RICS PS, 2019]**

11.4.2 Therefore, paragraph 18.6 of the submitted Local Plan, which states "*All information submitted by the applicant will remain confidential*" *Is contrary to national planning policy, and should be amended to state that "all information will be publicly available other than in exceptional circumstances."*

11.5 Does the proposed monitoring framework set out in document SD11 provide an adequate range of indicators? Should targets be added to the monitoring framework as appropriate?

11.5.1 No comment

11.6 Is the classification of strategic policies set out in Annex 1 of document SD11 consistent with national planning policy's advice about the nature of strategic policies (NPPF 2019, paragraph 21)?

11.6.1 No comment