

20348/A3/BT/ac

## **MATTER 10**

### **Statement on behalf of St. Modwen**

#### **INFRASTRUCTURE (POLICIES I1)**

##### ***Key issue:***

***Does the Plan provide an appropriate, effective and soundly based framework for the delivery of infrastructure, including the costing, funding, viability, deliverability and timing of critical infrastructure required to deliver the strategy, which is fully justified with evidence and consistent with national policy?***

#### **10.1 INFRASTRUCTURE DELIVERY POLICY (Policies I1).**

- a) ***Has the Plan fully considered the infrastructure implications of delivering the Development Strategy, including identifying the critical elements of physical, environmental and social infrastructure required, such as highways, public transport and accessibility, water, power and other utilities, flooding, drainage and flood risk mitigation, and health, education, social, community and other facilities, including costing, means of funding, viability, timescale and delivery, and reflecting the views of infrastructure and utility providers?***

- 1.1 We do not consider the Plan has fully considered the infrastructure implications of delivering the Development Strategy as Policy I1 does not currently make any reference to new Nationally Significant Infrastructure Projects (NSIPs), which are set out in the relevant designated and draft NPSs. The letter issued to Chief Planning Officers by the Department for Communities and Local Government (CLG) on 9<sup>th</sup> November 2009 stipulates (copy attached to this statement at Appendix 1) at Paragraph 14:

**‘NPSs are not part of the statutory development plan for the purposes of the town and country planning regime but are statements of national policy on nationally significant infrastructure. Regional planning bodies (or new style responsible regional authorities when in place) and local planning authorities (LPAs) must therefore have regard to NPSs when preparing their plans at regional and local level. Emerging policy in a published draft NPS may also be relevant.’**

- 1.2 The Development Plan, therefore, is the legal starting point for the consideration of energy and waste related planning applications, as it provides the statutory planning framework for local planning decisions. However, following the 2008 Planning Act, and the creation of the Infrastructure Planning Commission (IPC) for all nationally significant infrastructure projects (now replaced by the Planning

Inspectorate and the Secretary of State), together with the introduction of the NPSs on energy, all energy proposals, regardless of their scale, must have regard to national as well as local energy policy criteria. It is important that Policy I1 includes a reference to NPSs to ensure a co-ordinated and harmonious approach to both national and local priorities to minimise any conflict. Paragraph 162 of the NPPF relates to plan making and requires:

**'Local planning authorities and providers should work with other authorities and providers to...take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.'**

- 1.3 The overarching National Policy Statement EN-1 sets out the principal policy framework for new energy infrastructure, which in combination with the relevant technology-specific NPS's, provides the primary basis for all decisions made by PINs. EN-1 outlines the policy context for the development of nationally significant energy infrastructure in line with the Government's overall energy and climate change objectives for the power sector.

#### **Requested Change**

- 1.4 We request that Policy I1 is expanded to include a new paragraph making reference to the national guidance, as per below.

**'New Nationally Significant Infrastructure Projects (NSIPs) will be supported in line with the provisions of the relevant designated and draft National Policy Statements applicable to the proposal.'**

New development that provides additional residential or commercial development will be supported by appropriate levels of physical, social and environmental infrastructure at a timely stage, as identified in the Infrastructure Delivery Plan.

The appropriate levels of contributions for infrastructure will be secured in a variety of ways, including the Community Infrastructure Levy (CIL) charging schedule, Section 106 agreements, and legal agreements to ensure new developments contribute to new and / or improved infrastructure and services (including community needs). In assessing such requirements, the viability of developments will also be considered when determining the extent and priority of development contributions.'

- 1.5 There is currently only a single reference to NPSs in the Local Plan for Stafford at Paragraph 12.14, and this is considered to be insufficient. Therefore, we also

request Paragraph 12.14 is expanded as set out below as the interplay with national guidance needs to be more firmly embedded in local planning policy.

'Climate change is a key priority area for government at the national level, articulated through The Climate Change Act, 2008, which sets out a legally binding framework to reduce carbon emissions. Existing policy direction is provided by The UK Sustainable Development Strategy, 2005 and the Planning and Energy Act, 2008 as well as recently introduced National Planning Policy Statements (NPS). **The Overarching National Policy Statement for Energy (EN-1) sets out the need for new nationally significant electricity infrastructure projects at section 3.3, highlighting the benefits of a diverse mix of all types of energy generation. The Government is committed to the diversification and decarbonisation of electricity generation and confirms that the need for new renewable and other electricity generation is urgent. EN-1 also emphasises the importance of fossil fuel generation in enabling security of supply and responding to peaks in energy demand.** At the local level, the Council is seeking to fulfil its commitment under the Staffordshire Declaration on climate change to reduce carbon dioxide emissions in the Borough. To achieve this, the Plan for Stafford Borough will provide an effective platform that promotes resilience against climate change by implementing sustainable development, enhanced building design, increasing energy self sufficiency and minimising development in areas that flood.'

- 1.6 We consider the above represent Minor Changes that are necessary to ensure accordance with the CLG guidance and Paragraph 162 of the NPPF.

**Barton Willmore**  
**10<sup>th</sup> October 2013**