

8 Infrastructure

Introduction

8.1 Making sure that development is supported by the necessary community facilities, utilities and transport infrastructure is essential to creating sustainable communities. The term ‘infrastructure’ covers a wide range of services and facilities provided by public and private organisations. The definition of infrastructure is outlined in Section 216(2) of the Planning Act 2008 (as amended), and NPPF Annexe 2. Key infrastructure is summarised below - this is not an exhaustive list:

- Physical infrastructure: Transport; utilities; water; and waste.
- Social infrastructure: Schools and other educational facilities; health; social well well-being and emergency services; and community (including libraries, allotments and community halls).
- Green infrastructure: ‘Designed landscapes’ (including Country Parks) and natural/ semi-natural green space.

8.2 This section of the Local Plan provides the overarching framework for the delivery of infrastructure to support growth in Uttlesford and specific infrastructure policies for: open space and sport, health and well-being, and electronic communications. Other sections of this Local Plan include policies that set out requirements for specific types of infrastructure including transport and the environment.

8.3 A combination of funding sources will be sought to bring forward the infrastructure required to support the implementation of this spatial strategy. The Council will work closely with infrastructure and service providers and other relevant partners including Essex County Council, Highways England, the West Essex Clinical Commissioning Group and NHS England to identify infrastructure needs and to make sure that those needs are met. It is important to identify viable solutions to delivering infrastructure, where appropriate through the use of phasing conditions, interim measures and the provision of co-located or multi-use facilities. The Council will have regard to studies such as the Open Space, Sports Facility Development Strategy (2016)¹, the Playing Pitch Strategy (2012)², Sports Study, detailed Water Cycle Study, Infrastructure Delivery Plan (2017)³, and the Local Plan Highway Study (2014)⁴ which identify infrastructure needs. A detailed WCS has been carried out for the Anglian Area finding that NUGC and West of Braintree are acceptable with no phasing restrictions necessary. For the Thames Area (Easton Park) viable solutions have been identified going forward. In considering the potential requirements from development on ECC

¹ Sports Facilities Development Strategy (PLC, 2016). Available: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5608&p=0> Water Cycle Study (Arcadis, 2017).

² Open Space, Sport Facility and Playing Pitch Strategy (The Landscape Partnership, 2012). Available: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=1718&p=0>

³ Infrastructure Development Plan (Troy Planning, 2017). Available: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=7052&p=0>

⁴ Highway Impact Assessment (ECC, 2014). Available: <https://www.uttlesford.gov.uk/article/4125/Transport>

services and infrastructure reference should be made to the ECC Developer's Guide to Infrastructure Contributions (2016)⁵ or amended versions

8.38.4

- 8.4**—Policy INF1 below sets out the broad requirements for the delivery of infrastructure to support development. The site allocation policies set out requirements for individual sites. Some infrastructure may need to be delivered by a number of sites. Phasing of development will need to be considered to take account of infrastructure. Some infrastructure will have benefits for residents beyond the development site such as off-site highway junction improvements; new sewerage treatment works; open space and sports facilities. Some infrastructure such as school halls, libraries and playing fields can be used by the wider community. Infrastructure will be funded through developer contributions payable by developers towards on and off-site infrastructure provision and through other funding sources including service providers and Government funding, where available. The Council will consider the potential for one or more local delivery vehicle/s to be established to assist with the delivery of the new garden communities including the related infrastructure.
- 8.5** In assessing new infrastructure requirements, developers are encouraged to provide evidence as to whether existing infrastructure can be used more efficiently, and/ or whether the impact of development can be reduced through promoting behavioural change.

Policy INF1 - Infrastructure Delivery

Development must take account of the needs of new and existing populations. It must be supported by the timely delivery of infrastructure, services and facilities necessary to meet the needs arising from the development. This is particularly important for the new garden communities.

Each development must address physical, community, social and green infrastructure.

In assessing capacity, developers will provide evidence as to whether existing infrastructure can be used more efficiently, or whether the impact of development can be reduced through promoting behavioural change.

New development will only be permitted if the necessary on and off-site infrastructure that is required to support it, and mitigate its impact, is either already in place, or there is a reliable mechanism in place to ensure that it will be delivered in a timely manner. Permission will only be granted if it can be demonstrated that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposal in a timely manner. It must further demonstrate that such required capacity will prove sustainable over time physically and financially.

A combination of funding sources will be sought to deliver the infrastructure

⁵ The Essex County Council Developers' Guide to Infrastructure Contributions (2016). Available: <https://www.essex.gov.uk/Environment%20Planning/Development-in-Essex/Documents/Developers-guide.pdf>

required to deliver the spatial strategy. Developers will either make direct provision or contribute towards the provision of infrastructure required by the development either alone or cumulatively with other developments. Where a development proposal requires additional infrastructure capacity, to be deemed acceptable, mitigation measures must be agreed with the Council and the appropriate infrastructure provider. Such measures include (but not exclusively):

Financial contributions towards new or expanded facilities/their maintenance;

Direct provision or construction of new provision;

Off-site capacity improvement works; and/or

The provision of land.

Developers and land owners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with their published policies and guidance.

Planning obligations and phasing conditions will be required where necessary to ensure that development meets the principles of this policy.

The council may consider introducing a Community Infrastructure Levy (CIL) and would implement such for areas and/or development types where a viable charging schedule would best mitigate the impacts of growth. Section 106 will remain the appropriate mechanism for securing land and works along with financial contributions where a sum for the necessary infrastructure is not secured via CIL.

For the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. Exemplar types of infrastructure are provided in the glossary appended to this Plan.

Exceptions to this policy will only be considered whereby:

- It is proven that the benefit of the development proceeding without full mitigation outweighs the collective harm;
- A fully transparent open book viability assessment has proven that full mitigation cannot be afforded, allowing only for the minimum level of developer profit and land owner receipt necessary for the development to proceed;
- Full and thorough investigation has been undertaken to find innovative solutions to issues and all possible steps have been taken to minimise the residual level of unmitigated impacts; and
- Obligations are entered into by the developer that provide for review at appropriate interval(s) and appropriate additional mitigation in the event that viability improves prior to completion of the development.

Planning obligations and phasing conditions will be required where necessary to ensure that development meets the principles of this policy.

Protection, **Enhancement** and Provision of Open Space, Sports Facilities and Playing Pitches

8.6 The protection, enhancement and provision of recreational public open space, indoor and outdoor sports facilities and playing pitches can contribute to healthy and active lifestyles. Making sure there is enough recreational open space and indoor and outdoor community sports facilities ~~for sport to~~ meet current needs and the additional requirements arising from any new development is one of the key aims of the Local Plan. The needs of the District have been assessed in the Uttlesford Open Space, Sport Facility and Playing Pitch Strategy (2012) and the Sports Facilities Development Strategy (2016) which has identified a deficiency in the amount of public open space and the number of playing pitches, sports facilities and allotments. The Council has commissioned a Sports Facilities and Recreation Strategy (incorporating a Playing Pitch Strategy) which will be completed in April 2019.

8.7 The 2012 strategy found that there are only three public parks and gardens within Uttlesford - Bridge End Gardens, Jubilee Gardens and The Common. These are all in Saffron Walden. The District also contains a number of natural & semi natural green spaces, and amenity green spaces. Most settlements are within 400 metres of an amenity greenspace. There is an irregular pattern of natural and semi-natural greenspace across the District and there is a poor level of provision in many parishes. There is a dispersed pattern of provision for children and young people and the majority of parishes contain at least one play area. A large proportion of the District is within 4 kilometres of the nearest allotment site. There are areas in the north-west, north-east and small areas along the south-east and south-west boundaries of the District which have no allotment provision. There is also a deficiency of allotments around Takeley and the Priors Green development.

To meet the needs of the current and projected increase in population arising from the development, additional sports facilities are required as set out ~~in~~ the most up to date Strategy and open space standards

~~8.8 the Uttlesford Open Space, Sport Facility and Playing Pitch Strategy and the Sports Facilities Development Strategy.~~

~~8.9.8~~ Policy INF2 below is concerned with protecting and enhancing the playing fields, open spaces, allotments and sports facilities which already exist and making sure that enough amenities and facilities are provided in the future. The policy protects not only facilities which are still in active use but also those which are not in active use, for example due to ownership. It also applies to development that would prejudice the use of land as playing fields, open space, allotments or sports facilities.

8.9 Planning permission will only be granted for a development or a change of use of existing open space, sports and recreational buildings and land including playing fields/ ~~sports pitches~~ when it can be demonstrated that the land or buildings are surplus to requirements. there is no longer a need for the facility or where equivalent or better suitable replacement facilities are provided. The Sports Strategy will be used to determine whether a site or facility is surplus to assessed need. In the absence of an up to date Sports Strategy a robust assessment of local need for the local catchment will need to be submitted In order to establish whether the need for a facility still exists or not an assessment of current and future needs will need to be

~~submitted~~ demonstrating that there is ~~an excess of playing fields a surplus to the requirements~~ in a locality and the catchment of the facility ~~or and~~ that the site has no special significance to sport or recreation.

8.10 If replacement facilities are proposed these must be at least as good as those lost in terms of location, quantity, quality and management arrangements. They must also be made available before development of the existing site begins.

8.11 All new residential development will need to provide formal and informal play space and sports facilities ~~which meet open space standards and sports facilities (Indoor and outdoor) as set out in the Sports Strategy. in accordance with adopted standards or make a financial contribution towards joint provision.~~ All provision needs to be ~~in an~~ accessible ~~location to the users.~~

8.11.12 The provision of open space, sports facilities and playing pitches should be considered in consultation with the local community. This should include the approach to the ownership and maintenance of the open space and facilities in the longer term to ensure they remain viable and continue to meet their intended function. In addition, formal and informal green space should be provided in new development and existing areas maintained and where possible improved. Where possible green spaces should be linked to each other and to the countryside beyond development boundaries to maximise biodiversity benefits. Exceptionally open space can be provided within floodplains and can assist in minimising flooding of more vulnerable developments.

Policy INF2 – Protection, Enhancement and Provision of Open Space, Sports Facilities and Playing Pitches

Existing facilities for recreation, sport and play together with formal and informal open space will be safeguarded and enhanced.

Development will only be permitted if it would not involve the loss of open space for recreation, including allotments, playing pitches or sports facilities, except if:

- a. An up to date Sports Strategy or an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b. Replacement facilities will be provided of an equivalent or **better provision in terms of quality and quantity and in a suitable increased size and quality** to serve the needs of the area; and which will be made available before development of the existing site begins; or
 - a.c. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss
- ~~It can be demonstrated that disposal will facilitate alternative investment in sports or leisure related activity~~
- b.d. In the case of school and college grounds, the loss through development may be permitted where the development meets a demonstrable educational need and protects playing fields in accordance with Sport England policy

Uttlesford District Council has, working with Sport England, commissioned a Sports Strategy. Development proposals will take into account the findings of this study and provide new sports facilities in line with the recommendations from this study.

Where the Sports Strategy identifies a community need which can be met through existing school and college sports facilities, this will be encouraged.

In accordance with the most up to date Sport Strategy new ~~New~~ development will be required to make appropriate on-site provision or financial contributions to off-site provision of indoor and outdoor sports facilities ~~financial contributions (taking into consideration surpluses and deficiencies and condition of the different types of open space within the vicinity of the site).~~

Unless specified in the relevant site allocation policy, publicly accessible **green open** space or improvement to existing accessible **green open** space provision will be in accordance with the following standards. Financial support for the continued maintenance of the facility will be secured by planning obligation.

Open Space Requirements <u>or based on the most up to date standards</u>			
Type of Provision	Level of Provision (Square metres per person)	Threshold for On-Site Provision	Threshold for Off-Site Provision
Amenity Greenspace	10	All development of 10 dwellings or over	All developments under 10 dwellings and development of 10 dwellings or over where on-site provision is not possible
Provision for children and young people (LAPS, LEAPS and NEAPS)	2	All development of 10 dwellings or over	All development under 10 dwellings and development of 10 dwellings or over where on-site provision is not possible
Allotments	2	All development of 10 dwellings of over	All development under 10 dwellings and where no on site provision is not possible

Health and Well-being

8.13 A person's health and well-being is inextricably linked to socio-economic and environmental factors such as the quality, accessibility and sustainability of the physical environment. The way in which an area is planned and managed can have a significant impact on an individual's quality of life, health and well-being.

8.128.14 The Council is committed to improving the health of its communities, as highlighted within the Corporate Plan 2016-2021. The Council has prepared the Uttlesford Health and Wellbeing Strategy 2017-22⁶. ~~(x)~~ A healthy community is a good place to grow up and grow old. It is one which supports healthy behaviours and supports reductions in health inequalities. It should enhance the physical and mental health of the community and, where appropriate, encourage:

- Active healthy lifestyles that are made easy through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and is accessible by walking and

⁶ Uttlesford Health and Wellbeing Strategy (2017-22)
Available:<https://www.uttlesford.gov.uk/CHttpHandler.ashx?id=6953&p=0>

cycling and public transport.

- The creation of healthy living environments for people of all ages which supports social interaction. It meets the needs of children and young people to grow and develop, as well as being adaptable to the needs of an increasingly elderly population and those with dementia and other sensory or mobility impairments.

8.138.15 Public Health England's Health Profile for the District⁷, which was updated in 2016, indicates a rise in levels of overweight and obesity. More than half of adults living in Uttlesford are either overweight or obese, which is attributable to a range of factors, including low levels of physical activity, and access and availability of unhealthy and energy dense foods, including hot food takeaways. This trend is similarly correlated with increasing levels among children.

8.14 The Foresight Obesity System Atlas (2007)⁸ (x) indicates that physical activity can be categorised as recreational, domestic, occupational and as a means of transportation; the more opportunities there are to be active in each of these categories, the more likely it is for activity to occur. Furthermore, the exposure, abundance, convenience and energy density of food offerings similarly contributes to the wider determinants of overweight and obesity^{yy}.

8.158.16

In 2008, the Children's Food Trust produced a 'temptation town' measure of the ratio of 'junk food' outlets (including hot food takeaways and confectionery shops) to secondary schools. Whilst temptation to eat fast food is only partly influenced by the availability and accessibility of fast food outlets, it may also be influenced by other factors which influence eating behaviour, such as advertising, marketing, economics, and peer group pressure. Nevertheless, reports indicate that some takeaways located near schools may target school children by selling foods within their price range and offer special deals.

8.168.17

The Council and its partners will create opportunities to provide safe, healthy, active lifestyles by requiring a Health Impact Assessment (HIA) to seek contributions towards new or enhanced provision of infrastructure, ensuring developments are designed to encourage safe walking and cycling, and provide consciously-designed open space, sport, recreational facilities and services and facilities to create opportunities and reduce barriers associated with healthy living.

8.178.18

Healthy living can be promoted through the design of a development and the facilities provided. Most new housing developments and large scale non-residential developments will have a potential impact on the capacity of health services and facilities that are provided in the District. Some types of development, e.g. residential care homes, are likely to place higher demands on local health services. The extent of these impacts needs to be assessed to make sure that an adequate level of health and other related

⁷ Uttlesford's Health Profile (Public Health England, 2016). Available: <http://fingertips.phe.org.uk/profile/healthprofiles/data#page/1/gid/1938132694/pat/6/par/E12000006/ati/101/are/E07000077>

⁸ (x) Tackling Obesities: Future Choices- Obesity System Atlas (Foresight, 2007). Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/295153/07-1177-obesity-system-atlas.pdf

services is provided for new development and the community as a whole.

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The Council will liaise with the West Essex Clinical Commissioning Group or any successor body when assessing the scope and scale of likely impacts and the nature of mitigation required.

8.198.20 Development and infrastructure which supports the improvement of physical and mental health in the Uttlesford District is strongly encouraged. On strategic sites, the Council, developers, health care providers and other relevant partners will work in partnership to integrate planning, transport, housing, environmental and health provision to promote healthy lifestyles and support and enhance health care provision.

8.20—The Council will request a HIA to be prepared where appropriate to accompany new development proposals in accordance with the advice and best practice for such assessments as published by the Department of Health and other agencies, such as the West Essex Clinical Commissioning Group and other NHS organisations across Essex. Negative impacts should be avoided and the opportunities for positive impacts to be maximised should be factored in early to the design stages of development, where applicable.:-

8.21—The Council will require a HIA to be prepared for all Use Class A5 developments

8.21 —Hot Food ~~Takeaways~~**Takeaways**. Subject to the findings of the HIA restrictions may need to be applied through conditions to proposals of new hot food takeaways within 200 metres of primary or secondary schools in order to reduce exposure to energy dense foods and promote the health and well-being of school pupils. Hours of opening may be limited to after 5 pm on school days and lunch time opening may only be permitted where schools within 200 metres do not allow pupils to freely leave the school premises during lunch breaks

Policy INF3 - Health Impact Assessments

New developments which are designed, constructed and managed in ways that improve health and promote healthy lifestyles and help to reduce health inequalities in the District will be supported.

The following development proposals should undertake a Health Impact Assessment (HIA):

Residential development (Class C3) proposals of more than of 50 units

Non-residential development of more than 1,000 sqm

Residential care homes and nursing homes (Class C2)

Hot food takeaways (Class A5)

- [Any application requiring an EIA due to the incorporation of Human Health and Populations from May 2017.](#)

The HIA should set out the impact on health and well-being resulting from a proposal and any demands that are placed on the capacity of health facilities arising from the development.

Where significant impacts are identified, planning permission will be granted where infrastructure provision and/ or funding to meet the health service requirements of the development is provided and/ or secured by planning obligations.

The Council will require HIAs to be prepared in accordance with the advice and best practice for such assessments as published by the Department of Health, [Public Health](#) and other agencies, such as the West Essex Clinical Commissioning Group and other NHS organisations across Essex.

Restrictions may need to be applied through appropriate planning conditions to reduce any negative impacts occurring in relation to hot food takeaways (Class A5) subject to HIA findings.

[Early discussion with the Planning team is strongly advised around any HIA. Advice and guidance is available from Public Health and other Health Partners on these.](#)

High Quality Communications Infrastructure

- 8.22** Advanced, high quality communications infrastructure such as superfast broadband supports sustainable growth. This type of infrastructure has evolved considerably and forms an important part of a communities' access to services and facilities. It also can assist businesses to remain competitive, attract new companies to an area and promote flexible ways of working and living. This is particularly important in a largely rural area such as Uttlesford.
- 8.23** Upgrades to existing and new communications infrastructure, including superfast broadband will be strongly supported, including masts, buildings and other related structures, to harness the opportunities arising from new high quality communications.
- 8.24** Superfast broadband consists wholly or partially of optical fibre elements and can be referred to as 'fibre-based' broadband. The technology for broadband is constantly developing. The best and most up to date broadband infrastructure should be used in new developments.
- 8.25** The Government has committed to improving broadband access. As part of this commitment the Superfast Essex Programme aims to extend the fibre broadband network as far as possible in Essex. The objectives of the programme are to ensure that at least 2_Mb/s download speed is available across Essex and to achieve 'superfast' speeds of 24 Mb/s or more where possible. The Programme aims to extend superfast broadband coverage to 97 percent of the County by 2020. The superfast broadband target for Uttlesford is that 95% of business premises should be able to access fibre based superfast broadband by the end of 2019.
- 8.26** The purpose of Policy INF4 below is to ensure that new developments are provided with superfast broadband but it is recognised that due to the District's rural nature there will be some properties and areas where it may be uneconomic to provide superfast broadband via fibre to serve small numbers of properties. In these circumstances, alternative technologies to provide broadband such as fixed wireless technology or radio broadband should be considered.

Policy INF4 - High Quality Communications Infrastructure and Superfast Broadband

New development proposals should demonstrate that they are served by up to date communications infrastructure. As a minimum, new proposals should be directly served by up to date superfast broadband.

All new dwellings and non-residential buildings must be served by a Superfast ~~—~~ broadband⁹⁽⁷⁾ connection, installed on an open access basis. Where this service is fibre based it is anticipated that it will be directly accessed from the nearest BT exchange and threaded through resistant tubing to enable easy access to the fibre for future repair, replacement or upgrading, unless the applicant can demonstrate that this would not be possible, practical or economically viable. In those cases, the developer will ensure that a superfast broadband service is made available via an alternative technology provider, such as fixed wireless or radio broadband.

Applications for new or the expansion of existing communications infrastructure (including telecommunications and superfast broadband) are supported subject to the following criteria:

- a. Opportunities for sharing sites and/ or combining the proposal with existing or committed masts, buildings or related structures have been explored.**
- b. The proposal has been sympathetically designed, sited, landscaped and camouflaged to minimise its visual impact on the surrounding area.**
- c. The proposal has been designed to minimise disruption should the need for maintenance, adaption or future upgrades arise.**

The proposal meets International Commission guidelines.¹⁰⁽⁸⁾

The Council will support investment in high quality communications infrastructure and superfast broadband, including community based networks, particularly where alternative technologies need to be used due to the rural nature of Uttlesford.

⁹ As new versions of broadband (such as Ultrafast) become available, provision must be made for the best possible speed and using the latest technology

¹⁰ The International Commission on Non-Ionising Radiation Protection is an independent organisation which provides scientific advice and guidance on the health and environmental effects of non-ionising radiation to protect people and the environment. More information is available here: <http://www.icnirp.org/en/home/index.html>