

10 CHAPTER 10: IMPLEMENTATION

10.1 Monitoring and Review

10.1.1 This Local Plan is based on the principles of sustainable development and sets a number of objectives for planning within Broxbourne. Monitoring of this Local Plan is essential to measure progress towards sustainable development and assess the ongoing effectiveness of the policies set out in this Plan.

10.1.2 This Plan will provide the framework for the Council's land use related proposals and investment decisions. Many of the Council's other strategies such as Local Agenda 21 Strategy, Recycling Plan, Best Value Plan and Community Plan integrate with this Local Plan. Monitoring and review of the Local Plan will take advantage of the areas of common interest between these strategies and the Local Plan.

10.1.3 The policies and proposals set out in this Plan generally reflect the issues and availability of resources as at January 2003. It is important that the Plan is monitored and reviewed on a regular basis so that it is kept up to date and responds to change and new issues. In order to achieve this, the Council will:

- Develop in liaison with development control and other partner agencies performance indicators and targets, including sustainability indicators, which will be used to monitor progress;
- Publish the results of monitoring to highlight trends and issues and assess the ongoing effectiveness of the policies set out in this Plan.
- Review and up-date Supplementary Planning Guidance and add guidance on specific topics and issues as needs arise. This guidance will support the policies set out in this Plan, and will be subject to public consultation;
- Produce occasional alterations to policy where it is considered that areas of the Plan need urgent updating, or new policies have to be introduced to tackle emerging issues.
- Carry out a formal review of this Plan, or introduce limited alterations to part of the Plan, to ensure that it remains in conformity with government advice and the County Structure Plan, or to address issues of local concern.

IMP1 MONITORING AND REVIEW

AS PART OF THE CONTINUAL REVIEW OF THIS PLAN, POLICIES WILL BE MONITORED TO ASSESS WHETHER THE PLAN IS MEETING ITS AIMS AND OBJECTIVES, AND TO IDENTIFY ANY EMERGING NEW ISSUES.

POLICIES IN THIS PLAN WILL BE REVIEWED TO REFLECT:

- (a) ALTERATIONS TO NATIONAL, REGIONAL OR OTHER GUIDANCE,
- (b) REVISIONS TO THE STRUCTURE PLAN,
- (c) THE RESULTS OF MONITORING AND FURTHER TECHNICAL WORK BY OR ON BEHALF OF THE COUNCIL.

10.2 Implementation

- 10.2.1 The successful implementation of the Plan depends on the actions of a number of organisations and individuals. The Borough Council has a major role to play through the consideration of planning applications and the direct provision of services via its annual revenue budget and capital programme. However, it is recognised that the Council has limited resources and has to act within its statutory powers and have regard to government advice. The Council's role is increasingly as an enabler rather than a direct provider of services. Indeed, many services and proposals are the responsibility of other agencies.
- 10.2.2 Private sector investment will remain the most significant means by which the policies of this Plan are implemented, from small extensions and changes of use, through to major housing and employment developments. Success also depends on the involvement of the general public and the voluntary sector.
- 10.2.3 The Council will seek to co-ordinate the programmes of other agencies and will encourage investment in the Borough which will meet the needs of the community, and help achieve the aims and objectives of this Plan. The Council will expect other agencies' land use policies and proposals to be led by this Plan.
- 10.2.4 The Council will continue to explore avenues of support funding through sources such as the government's Single Regeneration Budget, National Lottery Funds or the European Commission. Increasingly success will depend on the development of ongoing partnerships between the public, private and voluntary sectors and local residents and businesses. It should be noted, however, that this Plan runs to 2011 and that some of the proposals will need to be phased over the life of the Plan. There will inevitably be conflicting views and priorities which may affect the implementation of some projects. It should also be remembered that this is a land use plan and that many services fall beyond its scope.

10.3 Planning Obligations

- 10.3.1 Some developments can result in social, environmental and infrastructure costs. Such costs should not involve additional expenditure by the public sector, or a burden on the existing community. In accordance with government policy, the Council considers it essential that developers contribute towards the infrastructure required to serve a development and make appropriate provision to mitigate any possible environmental impact.
- 10.3.2 It is frequently possible to mitigate any adverse effects of a development by means of a planning benefit agreement which addresses the circumstances of particular proposals. A detailed assessment of any contributions due from a development will be determined at the time an application is made in accordance with government advice. The table below gives examples of benefits secured through recent Section 106 agreements. This list is not definitive, and new issues may emerge over the life of this Local Plan. Whilst there is no simple prescribed method of assessment, reference should be made to the Community Plan and to Borough-wide Supplementary Planning Guidance as well as, in some specific cases, site based guidance provided through Development Briefs. The following

general policy will be implemented through the development control process, planning conditions and where appropriate, obligations entered into by the Council and developers under Section 106 of the Town and Country Planning Act 1990. Other public authorities may require developers to enter into agreements under other legislation.

10.3.3 Developers are expected to take into account the impact of their proposal not only in terms of on site facilities but also off site improvements, services and facilities. The following list of planning obligations secured through Section 106 agreements, gives an indication of community benefits which might be sought in accordance with the advice in DoE Circular 11/97, as necessary and fairly and reasonably related to a particular site and the proposed development thereon.

10.3.4 LIST OF ISSUES FOR WHICH A PLANNING OBLIGATION IS LIKELY TO BE SOUGHT

ALL CHAPTERS

- Special benefits e.g. buildings, open spaces, play space, pedestrian access and other facilities for the use of the public, related to the development or to the pedestrian movements which are generated or attracted.

SUSTAINABILITY

- Provision of measures to mitigate any possible environmental impact caused by the development, such as air quality and all forms of pollution, energy conservation, water conservation and surface water drainage, and ongoing maintenance.
- Provision of recycling facilities including both 'bring' systems, on and/or off site and facilities for storage prior to collection.

GREEN BELT AND COUNTRYSIDE

- Conservation, creation and enhancement of areas of plant and wildlife habitat and/or improvements to the appearance of the landscape.

HOUSING

- Affordable housing, including restricting occupation of affordable housing to people within specified categories of need.
- Construction, improvement, adaptation or repair of housing for persons nominated by the Council or to meet the needs of people with special housing needs.

EMPLOYMENT AND EDUCATION

- Providing education and training projects which will improve accessibility to jobs for the local labour force by equipping people with skills for jobs likely to be available at the development.
- Educational, childcare, social and other community facilities related to the development.
- Provision of business units or workshops to support economic development.
- Provision of industrial sites or units for rent to firms displaced by the development

IMPLEMENTATION

- Securing financial contributions towards the Essex Road Improvement Scheme in North East Hoddesdon.

RETAILING AND TOWN CENTRES

- Securing environmental enhancements and community safety measures, including their ongoing maintenance.
- Measures to assist implementation of Town Centre Frameworks.

TRANSPORT

- Provision of transport infrastructure including financial contributions for off-site highway works.
- Improvement of vehicular, pedestrian and cyclist access to development including links with the existing pedestrian and cycle network.
- Funding measures to enable the full implications of the development on the transport network as a whole to be addressed.
- Provision of facilities to encourage use of modes of travel other than the car, for example, bus shelters, and cycle storage areas.
- Improvements to the public transport system, particularly at stations, interchanges and termini, when the development will generate journeys to work using these facilities.
- Provision of new or improved bus services or financial contributions towards such provision.
- Securing the benefits of Green Travel Plans.

BUILT ENVIRONMENT

- Securing the implementation of environmental enhancement schemes.
- Redevelopment of areas of poor layout or design related to the development.
- Conservation of buildings or places of historic or architectural interest. Archaeological investigations and excavations, including preservation, recording and publishing the results of studies.
- Provision of new or enhanced landscaping, including its ongoing maintenance.

COMMUNITY, LEISURE AND TOURISM

- Provision of on and off site recreational and community facilities related to the development including open space and children's play areas, and ongoing maintenance and/or financial contributions.
- Financial contributions towards enhancing/improving existing community facilities.
- Alternative provision when recreational land, open space, allotments or other community facilities are lost.

IMPLEMENTATION

10.3.5 The Council will negotiate with developers the provision of or financial contribution to community benefits which are fairly and reasonably related to the development. This might include, as appropriate, on-site and/or off-site facilities and

improvements directly related to the proposed development which would mitigate any adverse environmental impact arising from the development. This will be implemented through planning conditions and obligations entered into by the Council and developers under Section 106 of the Town & Country Planning Act 1990 and any related or subsequent legislation securing full implementation of comprehensive mixed developments. Any other matter related to a proposal which could overcome a planning objection to the development.

IMP2 COMMUNITY AND INFRASTRUCTURE NEEDS LINKED TO NEW DEVELOPMENT

WHERE APPROPRIATE, THE BOROUGH COUNCIL WILL SEEK THE PROVISION OF COMMUNITY BENEFITS, FACILITIES AND INFRASTRUCTURE FROM RESIDENTIAL AND EMPLOYMENT DEVELOPMENT PROPOSALS, EITHER THROUGH ON-SITE PROVISION OR FINANCIAL CONTRIBUTIONS TOWARDS OFF-SITE PROVISION.

THE LEVEL OF PROVISION AND/OR CONTRIBUTIONS SOUGHT BY THE COUNCIL WILL BE BASED ON:

- THE IMPACT OF THE LIKELY DEMAND GENERATED BY THE PROPOSED DEVELOPMENT ON COMMUNITY AND OTHER INFRASTRUCTURE;
- THE EXISTING LEVEL OF PROVISION AND PRIORITIES OUTLINED IN THE COMMUNITY PLAN, AND
- THE GUIDELINES FOR CALCULATING APPROPRIATE PROVISION AND COMMUNITY CONTRIBUTIONS IN SUPPLEMENTARY PLANNING GUIDANCE.

10.4 Supplementary Planning Guidance

10.4.1 Supplementary Planning Guidance to this Local Plan is intended to play a valuable role in supplementing Plan policies and proposals. The guidance has been prepared to be consistent with national and regional planning guidance, as well as the policies set out in this Plan. It includes Borough-wide standards and guidance as well as site specific development briefs. Supplementary Planning Guidance will be reviewed on a regular basis to further development and explain the application of policies in this Plan. New guidance will be subject to public consultation before being adopted by the Council as a material consideration in the determination of applications.

10.5 Enforcement

10.5.1 The Council is committed to taking enforcement action where it is considered expedient so to do, having regard to the degree of harm caused by unauthorised development. In some cases it may not be expedient to take enforcement action because the development does not cause any demonstrable harm and accords with the policies in this Plan. However, the Council recognises the need to apply the policies of this Plan consistently and effectively and will not hesitate to use its legal powers when it is considered appropriate.

IMP3 ENFORCEMENT

WHERE IT IS CONSIDERED EXPEDIENT, THE BOROUGH COUNCIL WILL TAKE ALL NECESSARY APPROPRIATE ACTION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 AND OTHER ASSOCIATED LEGISLATION TO ENSURE COMPLIANCE WITH THE POLICIES SET OUT IN THIS PLAN.