

Principle 10: Ensure the Local plan is deliverable, viable and supported by necessary infrastructure

Guide Questions

- Have the specific infrastructure requirements necessary to enable growth been identified?
- Are the policies feasible and viable?
- How have you dealt with uncertainty?

- 10.1 Local plans need to be deliverable over the plan period. You need to show in an implementation/delivery plan how the plan will be delivered. A key part of deliverability is identifying land. This has often been one of the hardest and most controversial aspects of plan-making, as the decisions involved can be difficult and unpopular. Your authority will often also have a role in helping to deliver another authority's plan, and vice versa.
- 10.2 Aspirational policies can be acceptable, but they still need to be deliverable over time. Plans shouldn't have policies that are so aspirational that the plan will not be delivered. One aspect of this is around identification of sites – for example identifying land for employment without any likelihood of development for employment purposes.

Viability

- 10.3 The National Planning Policy Framework (NPPF) has placed much stronger emphasis on viability in plan-making. It is clear that all policy requirements need to be considered together in assessing whether the plan can be delivered. This gives rise to the need for "whole-plan" viability testing. Two main points to remember are that this is about the cumulative cost of policies, and that full account has to be taken of relevant market and economic signals.
- 10.4 Under the NPPF, you will need to test the whole plan and all its policies together to show its impact on viability; however, separate viability testing of strategic sites is also recommended if they are key to the delivery of the plan. Taking into account the cumulative impact of policies on the viability of

development includes the impact of the Community Infrastructure Levy (CIL). CIL costs should come out of land values and should not have an adverse impact on the delivery of other policy objectives such as affordable housing. This point is reinforced in government guidance on preparing a CIL charging schedule.

- 10.5 Evidence for viability can be gathered from a variety of sources including local agents, mystery shopping exercises, the internet, previous planning applications (it can be helpful to record this information over time), and Inspectors' reports on plans and CIL. However, if you are relying on more than one set of viability evidence (perhaps commissioned for different purposes CIL or affordable housing and or by different consultancies). This can result in inconsistencies in methodology and assumptions. It is important to understand and to be able to reconcile these differences, through discussion with the consultants, to enable them to use the evidence in relation to whole-plan viability
- 10.6 There are several ways of testing viability but it needn't be over-complicated. In assessing viability, Inspectors will bear in mind the advice set out in the *Viability Testing local plans* document of June 2012 by the Local Housing Delivery Group. For the first 5 years of a plan period policies should be based on current market costs and values.
- 10.7 Engagement with appropriate stakeholders is vital: it can provide direct inputs from those with market/ business knowledge and allow other inputs to be tested in order to provide support for the authority's evidence. It can also help reduce objections at examination stage; such engagement should ideally be formalised and clearly documented in the plan.

Infrastructure planning

- 10.8 For infrastructure planning, you need to create a live schedule where the information is reviewed and updated on a regular basis. Ensure that this is a document which is owned corporately by the council. It is something which can be used to assist in asset management and delivering corporate priorities. Involvement of key partners, both within and outside the council will be important here. Infrastructure planning is part of the evidence base – prepare a draft infrastructure schedule at the outset, identifying gaps in the evidence base; and map existing infrastructure activity by the council and key partners.
- 10.9 The schedule should cover, for at least the first five years of the plan:
- needs and costs;
 - funding sources;
 - how it relates to the delivery/rate of development; and
 - responsibilities for delivery.

- 10.10 For the later stages of the plan period, detail these aspects if you can, but less detail is fine as understanding of infrastructure delivery is likely to be less certain. Having an in principle agreement from key partners is helpful in demonstrating the issues have at least been considered.
- 10.11 Many authorities find it difficult to effectively engage with some of the infrastructure providers, although not from lack of trying on the part of the authority. In these cases the Inspector should take a realistic view about what the authority can provide so long as it can demonstrate that it has made all reasonable attempts to engage with the infrastructure provider in question. Authorities and infrastructure providers should as a minimum come to the examination with a statement of common ground that includes consideration of the key infrastructure elements.
- 10.12 It is essential that the key infrastructure elements on which delivery of the plan is dependent are embedded in the plan itself. However, you should consider keeping the detailed infrastructure planning separate from the plan, rather than something that sits in the plan. In this way, when you wish to review the schedule, you will not be bound to review the plan. The plan should contain a strategy setting out how the schedule will be delivered, but this need not change when the contents of the schedule changes.
- 10.13 As part of the process of updating the schedule you could also extend it to support a wider range of planning and other documents for example, sub regional planning work, corporate plan, asset management plans, neighbourhood plans, local infrastructure plans and community infrastructure levy. Recording the data in Excel or Access as opposed to Word, gives greater flexibility when inputting future developments and can be used as a tool to bid for capital programmes for example, recent broadband/regional growth fund allocations. By giving each piece of identified infrastructure its own unique reference number, you can then use this to link to GIS map.
- 10.14 If possible, do local plan and Community Infrastructure Levy work at the same time so that the question of the provision of infrastructure can be dealt with in a comprehensive and coordinated way.

Monitoring delivery

- 10.15 The local plan should include a “Plan B” to show how you would deal with any difficulties or delays with the delivery of key infrastructure or housing. This is particularly important if you have a history of poor delivery.
- 10.16 Some degree of uncertainty will always exist. A plan will not be found unsound just because you can’t predict the future. But you do need to explicitly acknowledge and address uncertainty. The implications of the uncertainty should be taken into account and the “what if” situation considered. Some authorities have addressed this by referring to a range of possible outcomes. This should be fine if you can’t be more precise.

- 10.17 If the delivery of development, and consequently the proposed strategy, is jeopardised by uncertainties, you should include a contingency plan (alternatives which could be brought into play), with appropriate monitoring and trigger mechanisms. Uncertainties are not the same as 'unknowns'. You will need to show that you have had relevant conversations with key partners. Where possible, you should gain 'in principle' agreements or statements of support.
- 10.18 Provision also needs to be made to monitor the impacts of the plan and its sustainability effect. This should be used to identify whether and when the plan should be subject to review. Although Annual Monitoring Reports no longer have to be reported to central government, they remain a useful tool for you to review implementation of policies and report on the effectiveness to the public.

Further Information

[Viability Testing Local Plans: Advice for planning practitioners](#)

[Monitoring that matters: towards a better AMR](#) (although this was written in 2010-11 the content remains relevant)



Frequently Asked Questions

Q: If you have a Supplementary Planning Document (SPD) which covers financial contributions and S106, is this now contrary to NPPF paragraph 153 which states that SPD: should not be used to add unnecessarily to the financial burdens on development?

A: An SPD cannot introduce anything which is likely to increase the financial burden on development. What any obligations SPD is doing is adding clarity and detail to the policy already in place. So the SPD is not bringing in the idea of charging, which would perhaps be argued as increasing the financial burden, it is simply saying 'when we seek financial contributions, as set out in our policy (elsewhere), then this is the scale of those contributions we will seek'.