

## Chapter 10 – Infrastructure

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## 10. INFRASTRUCTURE

### LOCAL PLAN OBJECTIVE:

Through careful planning and collaboration with other providers and users, ensure that development improves the provision of infrastructure and amenities where it is needed.

### 10.1 Introduction

- 10.1.1 It is important that the District Council ensures that development does not proceed in advance of the provision of necessary pre-requisite infrastructure, including highway and other transport infrastructure improvements (see Chapter 9 – Transport), utilities provision, and community facilities (such as public open space, schools and medical centres).
- 10.1.2 When infrastructure is not available, the District Council must either refuse permission on the grounds that it is premature, or ensure that the developer will provide the necessary infrastructure or make a financial contribution towards its provision that will enable the work to be undertaken within a specific timescale to facilitate development. In some circumstances, it may be appropriate for planning permission to be granted subject to a condition or planning obligation restricting or prohibiting development until the necessary infrastructure has been provided. Planning obligations must be "fairly and reasonably related in scale and kind to the proposed development, and are necessary as a result of the development"<sup>1</sup>.

### 10.2 Utilities

- 10.2.1 Development will need to be accompanied by provision of the necessary service infrastructure<sup>2</sup>. Such services may include energy supplies, water supplies, telecommunications, drainage, sewerage, and sewage treatment. They may need to be connected or provided before development takes place and, where necessary, providers of these services are consulted on planning applications to ensure that provision can be made. Where adequate capacity is not available within existing systems, the Local Planning Authority will need to be assured that the necessary infrastructure will be provided. Costs arising directly from the development will normally be met by the developer.
- 10.2.2 The supply of water to new development can be a critical factor, as development in areas where water is scarce may result in the water supplies for that area becoming less reliable, put existing abstractions at risk, and ultimately have a detrimental impact on amenity, water quality, fisheries, and nature conservation. The effect of water abstraction on streams and rivers in Dorset is a matter of concern, and the District Council will have regard to this in its consideration of planning applications. The availability of water resources will be kept under review and measures to reduce the demand for water will be encouraged.

<sup>1</sup> Circular 5/2005 Planning Obligations

<sup>2</sup> Implementation Policy E, Bournemouth, Dorset and Poole Structure Plan (CSP 28), 2001.

### POLICY IN1 SERVICE INFRASTRUCTURE

Development will not be permitted where the necessary service infrastructure, including energy supplies, drainage, sewerage, sewage treatment and water supply is not available, and the problems associated with the lack of such facilities cannot be overcome by a suitable legal planning agreement or condition.

## 10.3 Renewable Energy

- 10.3.1 The development of renewable energy sources can contribute to effective protection of the environment – by reductions in emissions of greenhouse gases and thereby reducing the potential for the environment to be affected by climate change<sup>3</sup>. With much of the industrial world's greenhouse gas emissions arising from energy production, there is increased interest in the ability of renewable sources of energy to provide electricity and heat with little or no emissions of CO<sub>2</sub>.
- 10.3.2 Renewable energy schemes encompass a range of different types of development including, for example: the generation of energy from wind turbines; the generation of both heat and energy from the burning of wood fuel from short rotation coppice (SRC) and forestry/landscape waste; solar energy technologies; wave and tidal technologies; and the generation of energy from agricultural waste<sup>4</sup>. The burning of wood fuel from SRC and/or forestry/landscape waste (bio-energy) may provide the greatest opportunity in the District for renewable energy.
- 10.3.3 The Government has set a target to generate 10% of UK electricity from renewable energy sources by 2010. The Energy White Paper sets out the Government's aspiration to double that figure to 20% by 2020, and suggests that still more renewable energy will be needed beyond that date<sup>5</sup>. The Regional Spatial Strategy for the South West will include the target for renewable energy capacity in the region.
- 10.3.4 A study<sup>6</sup> commissioned by the GOSW to provide an overview of the Region's renewable energy resources and advise on potential targets for their use concluded that it would be feasible, in principle, for the region to procure between 11% and 15% of its electricity from renewables by 2010. In both the Regional Planning Guidance (RPG10) and the 'Strategic Framework for the Development of Renewable Energy in the South West', which followed the above study, a target of upto 15% is stated. Specific targets for Dorset are considered within the Bournemouth, Dorset and Poole Renewable Energy Strategy and Action Plan, December 2005.

3 The Government's objectives, PPS22: Renewable Energy, ODPM, 2004.

4 "Energy from Waste" developments are not covered by this Local Plan policy, as this is dealt with separately in the Bournemouth, Dorset and Poole Waste Local Plan, adopted June 2006

5 Our energy future – creating a low carbon economy, February 2003.

6 "Renewable energy assessment and targets for the south west", a study commissioned by the GOSW, undertaken by Terence O'Rourke and ETSU, final report April 2001.

- 10.3.5 In considering schemes for renewable energy projects, the Council will consider their immediate impact on the local environment, including the impact on the landscape character and rural amenity of the countryside or resident population. Their wider contribution to reducing emissions of greenhouse gases will also be a consideration. Certain forms of renewable energy, most notably wind farms, will not generally be accepted in nationally designated landscapes and the most sensitive or vulnerable Landscape Character Areas<sup>7</sup> due to the visual impact. The Council will encourage the submission of smaller scale proposals in particular community, cooperative and/ or farm-based projects such as biomass and anaerobic digestion plants, small-scale ‘mini-hydro’ plants and solar panel installations. Some single, small wind turbines may also be acceptable although the landscape impact and impact on the amenity of nearby property may be prohibitive. Proposals will also be considered under policies in other sections of the Plan, including those on designated environmental and landscape sites (Chapter 3, Safeguarding Assets), energy efficiency (Policy SU1) and noise / vibration (Policy AH8a).

#### **POLICY IN2 RENEWABLE ENERGY DEVELOPMENT**

In considering proposals for the generation of energy from renewable sources, the Council will balance the wider economic and environmental benefits of renewable energy generation against the impact on the local environment.

Proposals will be permitted provided that the development, either individually or cumulatively, would not have an unacceptable impact on the landscape character and rural amenity of the countryside or the resident population.

Mitigation measures such as siting, layout, landscape treatment, design and colour should be included where appropriate.

### **10.4 Access for People with Disabilities**

- 10.4.1 Proposals for development provide the opportunity to secure a more accessible environment for everyone, including wheelchair users, other people with disabilities, elderly people, and those with young children. The arrangements for access to buildings by the disabled can be a material planning consideration and the Council may impose conditions requiring access provision for people with disabilities where this is necessary and reasonable. Disabled access into and within buildings is covered under the Building Regulations (Part M).
- 10.4.2 Providers of services or those responsible for the building of premises to which the public are admitted, including educational establishments, offices, shops and factories, have a duty to make appropriate access for the disabled<sup>8</sup> <sup>9</sup>. Where a physical feature of the design of the approach or access to the premises is such as to make the building impossible or unreasonably difficult for a disabled person to use, the provider of that service must either:
- remove that feature;
  - alter it so that it no longer has that effect;
  - provide a reasonable means of avoiding the feature; or
  - provide a reasonable alternative method of making the service in question available to disabled persons

<sup>7</sup> "West Dorset 2000, Survey of the Built and Natural Environment", adopted by WDDC as Supplementary Planning Guidance on 12 February 2002.

<sup>8</sup> The Town and Country Planning Act, 1990

<sup>9</sup> Section 21 of the Disability Discrimination Act, 1995

- 10.4.3 Any highway improvements or development proposals must take into account the difficulty experienced by the disabled and elderly in negotiating kerbs and steps. Care needs to be taken in the layout and materials used for pedestrian routes, and ramps of sufficient width and suitable gradients must be provided at key crossing points. There may be difficulties in providing access to listed buildings where the necessary alterations would have an adverse effect. For such cases English Heritage has published guidance as to how potential conflicts may be resolved<sup>10</sup>.
- 10.4.4 As part of the improvement of facilities and to assist those with a mobility handicap, adequate car parking should also be available for the use of people with disabilities, both on-street and in public car parks, and adjacent to public conveniences, as outlined in the parking guidelines (see Appendix 1). The location of disabled bays should be close to an accessible entrance, ideally under cover, and bays should be wide enough for wheelchair transfer to and from the car, clearly designated for use by disabled people and signposted at the car park entrance.

### **POLICY IN3 ACCESS FOR PEOPLE WITH DISABILITIES**

New development to which the general public expects to have access, highway improvements, rights of way improvements, environmental improvement schemes, and traffic management schemes will only be permitted if they are designed to meet the needs of the people with impaired mobility. This should include accessible parking spaces, convenient movement along pathways and an unhindered approach to buildings, including disabled persons' lavatories.

Proposals for buildings which may be used as a dwelling, place of work, or visited by the general public will be expected to incorporate appropriate access facilities for people with disabilities.

## 10.5 Community Facilities

- 10.5.1 Section 8.1 in the Community Issues chapter refers to the need for, and provision of, community facilities. Additional facilities will be required within the plan period in locations where new development takes place. This need must be considered and planned for as an integral part of development proposals.

### **Recreational Space in New Housing Developments**

- 10.5.2 Public recreational open space is needed in all settlements. Table 10.1 shows the nationally recommended minimum standards for outdoor playing space in urban areas provided by the National Playing Fields Association (NPFA) with the objective of ensuring that every person has access to playing space within easy reach of their home<sup>11</sup>.

<sup>10</sup> Easy Access to Historic Properties, English Heritage, 1995

<sup>11</sup> The Six Acre Standard; Minimum Standards for Outdoor Playing Space, 2001, National Playing Fields Association

Table 10.1: Minimum Standards for Outdoor Playing Space Provision

Type of Use	Area per 1,000 population	Description of use
For outdoor sport – principally for adults and youths	1.6 hectares (4 acres)	<ul style="list-style-type: none"> <li>i) Facilities such as pitches, greens, courts, athletic tracks and miscellaneous sites owned by local authorities, at all tiers.</li> <li>ii) Facilities in i) within the education sector which are available for public use by written agreement.</li> <li>iii) Facilities in i) within the voluntary, private and industrial and commercial sectors, which serve the leisure time needs for outdoor recreation of their members, or the public.</li> </ul> <p>The standard includes a minimum requirement of 1.2 hectares for pitch sports.</p>
Children's Playing Space	0.8 hectare (2 acres)	<ul style="list-style-type: none"> <li>i) Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play.</li> <li>ii) Casual or informal children's play space within housing areas</li> </ul>
<b>Total</b>	<b>2.4 hectares (6 acres)</b>	

- 10.5.3 The Structure Plan contains policies to ensure a supply of playing fields adequate to meet local needs and to ensure that planning permission is not granted for residential development in advance of the provision, or agreement to provide, associated community facilities including recreational open space<sup>12</sup>.
- 10.5.4 The Adopted Sports Strategy for West Dorset<sup>13</sup> includes specific aims for the provision of new or upgraded facilities in various settlements. These requirements are taken into account when new open space and facilities are considered for provision in conjunction with development. In addition, the preparation of the Strategy included thorough surveys of facilities, including existing facilities and deficiencies perceived by Town and Parish Councils. This information is contained in the Strategy's appendices and is also a factor when the provision of new open space and facilities is being considered.
- 10.5.5 The District Council wishes to ensure that the recreational needs of the occupants of all new housing developments are met on or as close to the new development site as possible. The Council will, therefore, seek recreational space provision, or contributions towards that provision, from all new housing developments where the type of development generates a need for such space unless adequate and sufficiently maintained facilities are already available within reasonable distance of the development<sup>14</sup>.

<sup>12</sup> Housing Policy G and Community Facilities Policy B, Bournemouth, Dorset and Poole Structure Plan, (CSP28), 2001.

<sup>13</sup> "The Sporting Challenge: A Strategy for Sport in West Dorset", 2000 – 2010, adopted January 2000.

<sup>14</sup> The NPFA's document gives detailed guidance regarding the approaches to be taken in achieving the standard in both rural and urban areas, for example recommended minimum distances from dwellings for Local Areas for Play, Local Equipped Areas for Play and Neighbourhood Equipped Areas for Play.

- 10.5.6 Government guidance<sup>15</sup> now requires that local standards are developed for the provision of open space and recreational facilities. The District Council has, therefore, commissioned an audit and assessment of open space, sport and recreational facilities in accordance with the requirements of this guidance. This study will develop local standards, taking account of existing provision and identified needs. Once this work is completed, these local standards will be used as the basis for the negotiation of recreational space provision under this policy, and will inform future policy development. Until this time, however, the Council will use a standard based on national standards as the basis for negotiation. It is possible that in some situations it may be considered more appropriate for built recreation facilities or amenity open space to be provided instead of outdoor playing space.
- 10.5.7 In addition to recreational space, landscaping, informal amenity open space areas or nature conservation areas may also be required on development sites (cross-refer Policy DA2, Landscape Schemes; Policy C5, New Local Community Facilities; and nature conservation policies in Chapter 3).
- 10.5.8 The policy applies to all housing development that generates a need for play space. In addition to the larger sites, many new housing developments take place on smaller sites and on individual plots. Regarding the standard for children's playing space, it is designed to operate down to a minimum of 15 dwelling units or 0.4 hectares. However, smaller developments, including infill plots, may also need the provision of a Local Area for Play for young children or a contribution to the provision, depending on the existing provision and the nature of the development. Larger development sites will be needed for the provision of playing fields to be feasible. Where it is difficult to provide pitches for team games at an adequate level in urban areas, priority is likely to be given to the provision of play areas for children and facilities for short period activities such as tennis and bowls, depending on the PPG17 study findings.
- 10.5.9 Where the development site is not of sufficient size in itself to make the appropriate provision feasible; or where it is preferable to have contributions towards a specific larger facility in the locality rather than a number of smaller areas on development sites, provision may be made either off-site or by a developer contribution in the form of a payment towards the provision of an equivalent area of outdoor playing space where it can be conveniently used by the population of the new housing. In this respect, the District Council will seek to enter into a Section 106 legal agreement with the developer. The District Council published draft supplementary planning guidance: "Public Open Space and Recreational Facilities – Developer Contributions" in September 2004. This states a level of contribution sought per dwelling.
- 10.5.10 The District Council will expect the relevant Town or Parish Council to be involved in negotiations from an early stage, as the latter authorities will normally take over the responsibility for these areas. In all cases, the future management of the open spaces provided should be ensured, either through agreements with developers or by other arrangements agreed with the District Council.

<sup>15</sup> PPG17: Planning for Open Space, Sport and Recreation, ODPM, 2002 and "Assessing Needs and Opportunities: a Companion Guide to PPG 17, ODOM 2002

**POLICY IN4 RECREATIONAL SPACE IN NEW HOUSING DEVELOPMENTS**

Where new development will generate a need for play space, this should be provided on site or by means of a financial contribution to the enhancement of an existing facility or the provision of a new facility which is related to the needs of the development and is reasonably accessible from it.

**Other contributions for the provision of community infrastructure**

- 10.5.11 Planning obligations are intended to make acceptable development which would otherwise be unacceptable in planning terms<sup>16</sup>. They are considered to be a means of ensuring that new development is more sustainable and makes a positive contribution by providing social, economic and environmental benefits to the community as a whole. Development should also help to provide an increased supply of affordable housing, include the provision of public spaces and facilities and make provision for necessary infrastructure to facilitate growth.
- 10.5.12 The Government has published Circular 5/2005 Planning Obligations. It sets out some of the reforms to the planning obligations system proposed in the consultation paper ‘Contributing to Sustainable Communities: a new approach to planning obligations’.<sup>17</sup> However it does not introduce an optional planning charge as proposed in the consultation paper. The Circular, therefore, relates to the improvements to the current system which the Government would like to make in the interim period before further reforms are brought forward.
- 10.5.13 Circular 5/2005 requires that planning obligations are only sought where they meet all of the following tests. A planning obligation must be:
- i) relevant to planning;
  - ii) necessary to make the proposed development acceptable in planning terms;
  - iii) directly related to the proposed development;
  - iv) fairly and reasonable related in scale and kind to the proposed development; and
  - v) reasonable in all other aspects.
- 10.5.14 It is not legitimate for unacceptable development to be permitted because of inducements or benefits offered by a developer which are not necessary to make the development acceptable in planning terms. Nor should planning obligations be used purely as a means of securing for the local community a share in the profits of development i.e. they must not be used as a means of securing a “betterment levy”.

<sup>16</sup> Circular 5/2005 Planning Obligations, ODPM, 2005

<sup>17</sup> Contributing to Sustainable Communities: a new approach to planning obligations, ODPM, November 2003

10.5.15 In terms of infrastructure requirements, the areas covered by policies contained in the previous Adopted Local Plan (1998) did not address the wider social needs such as health facilities, education provision and libraries. New development, particularly new residential development, inevitably results in an increased demand for such facilities. In line with Government thinking on this matter<sup>18</sup>, the Council will seek for new development to contribute towards the provision of not just recreational facilities and social housing but other community services and facilities. In some cases it may be possible to secure the required provision within the application site or on other land under the control of the applicant. However, where this is not possible or is impractical, contributions towards the provision of facilities and services will be sought in the form of developer contributions.

10.5.16 The Council may in future prepare a supplementary planning document, or documents, on planning obligations as part of the Local Development Framework. Such guidance would address: -

- affordable housing;
- community facilities eg village halls, youth clubs;
- public open space and long term maintenance of hard and soft landscaping;
- recreational facilities;
- educational facilities;
- libraries;
- public transport;
- highway improvements;
- walking/cycling facilities and/or improvements;
- health care facilities;
- social services provision;
- environmental improvements.

The guidance would also include formulae and standard charges and could cover issues such as securing maintenance payments when open space is provided. Revised Government guidance on planning obligations is, however, awaited. Until this is received, a supplementary planning document is unlikely to be progressed. The policy approach to obligations will be revised in the core strategy, taking account of revised guidance, and at this time it will also be appropriate to review whether there is still a need for a supplementary planning document.

<sup>18</sup> Planning: Delivering a fundamental change (December 2001) Appendix – Reforming Planning Obligations: a consultation paper and Sustainable Communities – Delivering through Planning, ODP, July 2002.

**POLICY IN5 PLANNING OBLIGATIONS FOR THE PROVISION OF COMMUNITY INFRASTRUCTURE**

Where new development will generate a need, or add significantly to an existing need, for local community infrastructure, provision will be sought on site as part of the development or, where appropriate, developer contributions will be sought and secured by means of a legal agreement, as a contribution towards the cost of alternative provision in the locality.

**10.6 Public Art**

- 10.6.1 Public art can bring a sense of place/local identity to public buildings, commercial developments, streets and open spaces, particularly where the local community has been involved in the project from its early stages, and where the artist draws on local tradition, history or association. Key sites such as those in gateway locations, town centre sites and sites that have a prominent public face will provide opportunities for works of art. The inclusion of works of art in developments has been promoted by the Arts Council through a “per cent for Art” scheme, which encourages developers to set aside a proportion of the capital budget of a development (up to 1%) for public art.

**POLICY IN6 PUBLIC ART**

The District Council will seek to negotiate with developers for the provision of works of art at gateway locations or other appropriate landmarks.

**10.7 Telecommunications**

- 10.7.1 Telecommunications are becoming increasingly important both in business and domestic lives. Government policy aims to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum<sup>19</sup>, and local authorities are encouraged to respond positively to telecommunications development proposals<sup>20</sup>. The Government advises that high priority should be given to protecting high quality landscapes, and in Areas of Outstanding Natural Beauty proposals should be sensitively designed and sited and the developer must demonstrate that there are no suitable alternative locations<sup>21</sup>.
- 10.7.2 The District Council wishes to ensure the continued improvement of the telecommunications network in West Dorset, provided that this does not have an adverse impact on those features that contribute to the attractiveness and amenity of the area, in particular the AONB, Heritage Coast and buildings of architectural or historic importance. Due to the nature of the telecommunications network and the limitations of the technology, equipment often requires location on high ground remote from interference from buildings or trees. However, such areas are often extremely visible and of high landscape quality. The visual effect of telecommunications development can be minimised in several ways, including: sharing masts (though in some cases a number of smaller masts may be less intrusive than one large mast), or the installation of equipment on existing structures (such as buildings or electricity pylons).

19 Para 1, PPG8, Telecommunications, August 2001.

20 Para 4, PPG8, Telecommunications, August 2001

21 Para 64, PPG8, Telecommunications, August 2001

10.7.3 Wherever possible, the design, positioning, landscape treatment and screening of masts and associated buildings should aim to minimise the visual impact of telecommunications development by consideration of:

- making careful use of colour and materials.
- keeping mast plus antennae height to a minimum.
- positioning masts in such a way as to avoid projecting above the skyline when viewed from publicly accessible locations.
- positioning masts and cabins next to, in, or amongst existing agricultural buildings.
- avoiding the positioning of masts and cabins next to footpaths and bridleways in the open countryside.
- using pole masts in preference to tower or lattice masts (taking into account site sharing considerations).
- arranging for the erection of temporary rigs to enable full assessment of landscape impacts and any necessary amendments for proposals within the AONB, Heritage Coast and the most sensitive Landscape Character Areas<sup>22</sup>.
- appropriate landscape enhancement to help screen or integrate equipment including protection of existing trees, fencing, and planting proposals in line with an agreed Landscape Management Plan (cross refer to Policies DA1 and DA2).

The District Council will seek to ensure that any trees/woodland that help screen and/or integrate any proposed telecommunications infrastructure are retained and managed to ensure this function continues for the expected life of the infrastructure.

10.7.4 The technical and operational requirements of the telecommunications network operators, and the need to allow the efficient development of the network, will be taken into account in assessing any applications<sup>23</sup>. Operators will be encouraged to consult and discuss their network requirements and the siting of telecommunications equipment with the Council and local communities before applications are submitted. Independent technical assessments of requirements may be sought in connection with specific proposals.

10.7.5 The telecommunications industry has a voluntary code of practice<sup>24</sup>. The code applies to all mast and antenna development by mobile phone network operators in England. The guide encourages better communication between operators, local authorities and local people and sets out minimum levels of consultation that operators should undertake. The code also aims to explain the technical features of mobile systems and provide good practice guidance on the siting and design of telecommunications development.

10.7.6 As part of any planning application, operators will be expected to provide certification to demonstrate that emissions from the proposed development will meet the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines on public exposure to electromagnetic fields<sup>25</sup> as recommended by the Government<sup>26</sup>.

<sup>22</sup> West Dorset 2000 Landscape Character Area document identifies Chalk Valley Uplands, Chalk Valley Slopes, Chalk Escarpment, Escarpment Foothills, Marshwood Vale Slopes, Powerstock Hills and West Dorset Cliffs and Undercliffs as being of an undeveloped character and therefore sensitive to the visual impact of new development.

<sup>23</sup> PPG8, Telecommunications, August 2001, para 5: "Material Considerations include the significance of the proposed development as part of a national network."

<sup>24</sup> Code of Best Practice on Mobile Phone Network Development, ODPM, 2002.

<sup>25</sup> As expressed in the EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz). Off J Eur Commun, L199, 59 (1999/519/EC).

<sup>26</sup> PPG8, Telecommunications, August 2001, para 30.

**POLICY IN7 TELECOMMUNICATIONS DEVELOPMENT**

Telecommunications development will only be permitted where:

- i) applicants have demonstrated that they have explored the possibility of sharing masts and using existing buildings, structures and sites;
- ii) the visual impact of the equipment (including associated buildings and infrastructure) is minimised by siting, design and, where appropriate, by adequate and appropriate landscape treatment and screening;
- iii) the operational and technical considerations of the proposal outweigh any conflict with the other landscape and conservation policies in the Local Plan;
- iv) the proposal will not have a significant adverse impact on the amenities of surrounding areas;
- v) applicants have demonstrated that emissions from the proposed development will not exceed Government recommended guidelines; and
- vi) for sites within the AONB, applicants will be required to demonstrate that no suitable alternative locations are available.