

## Policy CS45 – Developer Contributions

Summary of Comments Received	Recommended Response
The second bullet point for the Community Infrastructure Levy of Policy CS45 should be altered to add “and other biodiversity/geodiversity assets” as well as Local Nature Reserves.	No change is recommended, as the second point is intended to refer to habitats of district-wide significance and “open spaces and green infrastructure”, which includes biodiversity, and geodiversity assets are already referred to.
A summary policy which cross-refers to other policy requirements elsewhere is helpful but all requirements need to be subject to a viability assessment on a site-by-site basis and follow the requirements of the Community Infrastructure Levy Regulations.	Not change is recommended to Policy CS45. A Community Infrastructure Levy would already be subject to statutory viability assessment and independent examination, as set out in paragraph 27.6. Reference to viability in relation to planning obligations would not be appropriate as the omission of elements that would be essential to make a development acceptable in planning terms may lead to the planning application being refused. It is, however, recommended that, for the avoidance of doubt, that the last sentence of paragraph 27.2 is amended to read: “Requirements will also <u>have regard for viability and be flexible to safeguard against substantial or unexpected changes in market conditions.</u> ”
Policy CS45 does not recognise proportionality or viability and does not reflect the spirit invoked by NPPF.	No change is recommended to Policy CS45. It has already been recommended to amend paragraph 27.2 to refer to viability. The first paragraph of Policy CS45 clearly states that the Council will only seek planning obligations that are necessary to make development acceptable in planning terms and paragraph 27.2 recognises that requirements must be flexible to safeguard against changes in market conditions. A Community Infrastructure Levy must be subject to viability assessment and independent public examination, which is already set out in paragraph 27.6. A reference to viability in relation to planning obligations would not be appropriate, as the omission of elements that would be essential to make a development acceptable in planning terms may lead to the planning application being refused.
Development in the Green Belt which will require new public transport or other sustainable mode infrastructure/services should be paid for by the development itself.	No change is recommended, as Policy CS45 already seeks to ensure that developers make reasonable provision to mitigate the impact of development and achieve the objectives of sustainable development. Policy CS40 – Transport Requirements sets out the requirements for new development proposals.

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More specific guidance relating to biodiversity is desirable. Contributions to biodiversity should go to an equivalent habitat, preferably in the same or an adjacent Settlement Area. When will a date be set for the introduction of a CIL and Biodiversity Offsetting?	No change is recommended, as the requirements for the provision of green infrastructure and biodiversity/geodiversity assets are already included in Policy CS30 – Requirements for Green Infrastructure and Policy CS33 – Biodiversity and Geodiversity, which are already referred to in Policy CS45. If viable, the introduction of a Community Infrastructure Levy will follow the completion of the Core Strategy Viability Study.