

STAGE 1

Matter 9 - Infrastructure and Community Facilities

(Main Evidence Base : CD20, CD21 and CD22 / CD34 and CD35 / EX/04 / EX/02 / EX/05 / EX/08)

Issue

1. **The effect of infrastructure requirements / developer contributions on development viability**

*Will Policy S11 ensure that necessary infrastructure is delivered and in a timely fashion?
Have the implications of the policy for the viability of developments been taken into account?*

Response

1. It is considered that the provisions of Policy S11 will ensure that the necessary infrastructure is delivered in a timely fashion.

The implications of Policy S11 have been taken into account in assessing the viability of developments (CD19 - Table 2.1, Pages 6-10). The viability evidence base tested a wide range of development typologies based on research of the actual sites which are anticipated to come forward through the SHLAA. The evidence base included both area wide and site specific viability modelling which tested residential development sites on a broad range of size, housing mix and density.

Within the viability modelling, an allowance of £1,000 per unit was made for Section 106 costs for each residential development scheme. This figure was based on analysis of Section 106 contributions across Derbyshire Dales since 2010 and taking into account the draft policies in the Local Plan. Abnormal development costs have also been accounted for in the viability evidence base through setting appropriate land value benchmarks and including abnormal costs in the site specific viability modelling.

It should also be noted that additional “viability cushions” are included in the viability evidence base such as 20% developers’ profit on all market units and a contingency allowance on construction costs which means that there is adequate provision to ensure that infrastructure requirements do not adversely impact on the development viability.

Issue

2. **Pooling of Contributions**

Are there any implications arising from the pooling restrictions with the CIL Regulations for the delivery of infrastructure?

Response

2. The District Council is mindful that Regulation 123(3) of the CIL Regulations restricts the use of planning obligations such that no more than five planning obligations can be entered into after 6th April 2010 which are funding the same infrastructure project or type of infrastructure. Under the provisions of the Regulations, the charging authority has the ability to choose between listing types of infrastructure or infrastructure projects or

combining the two. Before a planning obligation can be entered into to fund an infrastructure project or a type of infrastructure, it is necessary to carry out an investigation to ascertain whether the pooling restriction will be infringed by the new planning obligation. The District Council has reviewed s.106 agreements entered into since 6th April 2010 and at the present time there is no conflict with Regulation 123(3). Further details of all s.106 agreements completed since 6th April 2010 can be provided to the Inspector should these be required. Prior to the introduction of CIL, the District Council will continue to monitor this situation.

In the period prior to the introduction of CIL, it is the Council's understanding that legally, the pooling limitation operates separately as regards types of infrastructure and infrastructure projects. Therefore, if five planning obligations providing for a type of infrastructure have been entered into since 6th April 2010 then no more can be imposed as the limit has been reached. However, it is still possible to impose planning obligations in relation to a specific infrastructure project within that type of infrastructure, provided that the separate limit in relation to the specific project has not been breached and the project does not appear on the reg. 123 list.

Issue

3. **The introduction of a CIL Charging Schedule**

Are there any implications from the introduction of CIL for the delivery of infrastructure?

Response

3. The District Council has undertaken a supplementary update of the Infrastructure Delivery Plan (CD20). The updated evidence indicates that transport and education infrastructure will form the majority of the "essential" projects required to support future growth that would be eligible for CIL. These are the main infrastructure needs that are known at the present time, and where existing funding sources are unlikely to fully cover the costs of the improvements.

In the case of education, the development of the estimated costs of the infrastructure to date is robust, given Derbyshire County Council's formula for developer contributions and the level of work already undertaken on the improvements required to support growth. In addition, significant s.106 contributions have already been secured towards improved education provision, particularly in Ashbourne.

For transport and green infrastructure improvements, it is more difficult to put an exact figure on the current funding 'gap' as some of the schemes listed in the updated IDP require further detailed assessment work to be undertaken by the respective bodies.

In terms of funding for healthcare facilities, the Clinical Commissioning Groups that cover the Derbyshire Dales area both have working arrangements in place with Derbyshire County Council to ensure that the necessary improvements are made across the area. North Derbyshire CCG is leading work with partner organisations to ensure that the health and wellbeing needs in the community are taken into account, whilst South Derbyshire CCG is working with Derbyshire Carers. All CCGs are in the process of producing Strategic Estates Strategies which will set out the need for future facilities in detail. The production of these strategies is expected to coincide with the timescale for the implementation of a Derbyshire Dales CIL.

A comprehensive assessment has been undertaken of both the deliverability and viability of sites allocated in the Derbyshire Dales Local Plan, and the extent to which there is

	<p>viability headroom for the introduction of a Derbyshire Dales CIL for a wide range of development types including both residential and commercial developments (CD19).</p> <p>The evidence indicates the diversity of development viability across Derbyshire Dales and concludes that residential and retail development are, in general, the only development types considered to be capable of bearing CIL at the current time.</p> <p>At the present time, the aggregate funding ‘gap’ is assessed as £22 million, with the following infrastructure improvements forming the draft Regulation 123 list for any CIL scheme:</p> <ul style="list-style-type: none"> • Junction/highway capacity and traffic management improvements in Ashbourne, Matlock and Wirksworth (£1 million in each location); • Ashbourne Bypass (£12 million); • Additional primary school capacity in Ashbourne and Wirksworth – (£6 million in total); • Delivery of green infrastructure improvements on County Council Countryside Sites (£1 million over a 10 year period). <p>In January 2017, the District Council approved in principle the introduction of a Derbyshire Dales Community Infrastructure Levy and set the timetable for its implementation (Document EX/04). Due to unforeseen circumstances, there has been a delay in the commencement of the public consultation on a preliminary charging schedule, however this delay is anticipated to be no more than 8 weeks.</p>
Issue	
4.	<p>Open Space and Recreation Facilities</p> <p><i>Is Policy HC14 (as proposed to be modified) clear as to the delivery of open space and recreation facilities related to new development?</i></p>
Response	
4.	<p>It is the District Council’s intention that the Open Space Requirements outlined in Table 6 of the Pre-Submission Draft Derbyshire Dales Local Plan SD01 – Page 95-96), are applied through Policy HC14.</p> <p>In order to clarify this matter, the District Council has proposed a modification to Policy HC14.</p>