

**Agenda**  
**Session 9 – 13.30 11 May 2017**  
**Matter 9**  
**Infrastructure and Community Facilities**

This matter considers infrastructure provision and its implications for viability and deliverability.

Policy S11 of the Plan seeks to ensure that infrastructure is delivered in the right place and at the right time. The Council advises that it is working towards the adoption of a Community Infrastructure Levy (CIL) by early 2018 but in the meantime will rely on obligations under Section 106 of the Planning Act for key infrastructure.

Open space and recreational facilities are protected by Policy HC14. The policy also requires open space and recreational facilities to be provided with new developments.

The infrastructure requirements for individual sites and the implications for their viability will be discussed at the Stage 2 hearings, albeit that the County Council have requested that infrastructure within its remit (education and transport) is dealt with at this session to make effective use of officer time.

Main Modifications MM75-77 are relevant to this matter.

**Issues**

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

The Council suggest that the viability evidence has taken into account the implications of Policy S11. An allowance of £1000 per unit has been included in the viability modelling. Abnormal development costs have been accounted for in site specific viability modelling. Developer profit and construction contingencies have also been taken into account.

*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?*

*What mechanisms are in place to ensure that Section 106 contributions are used in a timely fashion to deliver the necessary infrastructure, including school places, health services and transport improvements?*

*Will the strategies for the provision of health care facilities be in place in a timely fashion, including capacity in GP practices?*

*What education and transport infrastructure will be required to*

*support the LP allocations, particularly in Matlock, Ashbourne, Wirksworth (County Council Officer inputs)? Are the mechanisms in place to ensure that the infrastructure will be delivered in a timely fashion?*

**2. Pooling of Contributions**

The Council indicates that for the S106 obligations already entered into there is no issue with the pooling limitations. The Council point out that the limitations relate to a type of infrastructure or specific project. Therefore, even if the limit in terms of a type of infrastructure were to be reached, there would be scope to target S106 obligations towards specific infrastructure projects.

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

*For example, in view of the reference to significant S106 contributions to education provision, particularly in Ashbourne, are further contributions likely to be caught by the limitations until such time as a CIL Charging Schedule is adopted?*

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

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

An update of the Infrastructure Delivery Plan (CD20) indicates that the main projects necessary to support growth that would be eligible for CIL are those related to transport and education. Residential and retail development are capable of bearing CIL. The main projects that would be funded by CIL are junction/highway capacity/traffic management improvements in Ashbourne, Matlock and Wirksworth; the 2<sup>nd</sup> Ashbourne bypass; primary school capacity in Ashbourne and Wirksworth; and green infrastructure improvements on DCC Countryside Sites.

**4. Open Space and Recreation Facilities**

*Is Policy HC14 (as proposed to be modified) clear as to the delivery of open space and recreation facilities related to new development?*

The Council propose a modification to Policy HC14 to clarify that the open space requirements outlined in Table 6 on pages 95-96 of the LP are applied through the policy.

*What are the implications of applying the open space and indoor sports requirements for residential developments in terms of the proportion of open space within developments and the need for off-site contributions?*

*Have the effects of such contributions on the viability of developments been taken into account?*

*Would such contributions be caught by the pooling limitations?  
Does Policy HC14 need to be amended to take into account  
Government policy on tariff-style contributions for sites of 10  
dwelling units or less?*

**Main Evidence Base**

CD19 – Update of the Viability Assessment and Infrastructure Delivery Plan  
CD20, 21 and 22 – Viability and Community Infrastructure Levy Reports  
CD34 and 35 – Transport Evidence Base Reports  
EX/04 – CIL Report to Council  
EX/02 - Council response to Inspector's Preliminary questions of 7 February  
EX/05 - Council response to Inspector's Preliminary questions of 14  
February  
EX/08 - Council response to Inspector's Preliminary questions of 15  
February  
EX/13 – Schedule of proposed main modifications

**Participants**

DDDC  
Ashbourne Town Council (1137)  
Derbyshire County Council (2745)  
Tansley Parish Council (3358)  
Gladman Developments Ltd (3752)  
Arcus for Longcliffe Quarries Limited (5975)  
Mr D Elsworth (6001)

**Statements**

DDDC  
Derbyshire County Council (DCC)  
Ashbourne Town Council