

Conwy Local Development Plan 2007 – 2022



COMMUNITY INFRASTRUCTURE LEVY

CIL Background Paper 1 – Infrastructure Assessment and Draft Infrastructure List (Regulation 123)

October 2015

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1. What is the Community Infrastructure Levy?

The Community Infrastructure Levy (CIL) regulations came into force in England and Wales on 6th April 2010. CIL is a new levy that local authorities in England and Wales can choose to charge on new developments in their area. The money will be used to support development by funding infrastructure such as the provision of new roads, schools, public open space and new community facilities. Charges are based on the size and type of new development.

It is intended that the CIL supplements other funding streams to ensure that new community infrastructure can be provided to support local growth and to give councils and local communities more choice and flexibility in how they fund infrastructure.

The benefits of introducing a CIL include the following:

- ✓ Deliver additional funding for local authorities to carry out a wide range of infrastructure projects that support growth and benefit the local community.
- ✓ Provide developers with much more certainty 'upfront' about how much money they will be expected to contribute, which in turn encourages greater confidence and higher levels of inward investment.
- ✓ Ensure greater transparency for local people, because they will be able to understand how new development is contributing to their community.
- ✓ Enable local authorities to allocate a share of the levy raised in a town/community area to deliver infrastructure that the town/community area needs.

The existing system of Planning Obligations under Section 106 of the Town and Country Planning Act 1990 is being scaled back as a result of CIL and therefore it will not be possible to use Section 106 agreements in the way they may have been used previously to secure 'pooled' funds. For further guidance on this see; <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/other-developer-contributions/>

2. Local Planning Policy Context

The Conwy LDP (adopted October 2013) sets out a strategy for population and household growth up until 2022. The number of dwellings to be constructed during the plan period has been calculated at 6,520 (approximately 478 dwellings a year) with a contingency level up to 7,170 dwellings. The majority of this housing will be delivered

in the Urban Development Strategy Area, this being the most sustainable location within the plan area. Prior to the adoption of the LDP, sites that were proposed for allocation were assessed in terms of the impact they would have on the environment. This assessment (contained within LDP Background Paper 21) also identified some of the infrastructure necessary to deliver the site. Following consultation with internal (Council) and external stakeholders, a list of infrastructure projects have been collated and are shown in the tables in section 5.

3 How will CIL be implemented?

Work has been undertaken during the production of this background paper to collate the infrastructure requirements necessary to deliver the growth strategy as set out in the Conwy Local Development Plan (LDP), and establish whether or not there is a gap in funding. This has involved consultation with a number of external organisations including Dwr Cymru Welsh Water, North and Mid Wales Trunk Road Agency, North Wales Police, Natural Resources Wales and Welsh Government.

Councils (known as charging authorities) wishing to introduce a CIL have to produce and adopt a Charging Schedule. This sets out the rates of CIL that will be applicable to new development in the area. In deciding the appropriate rate(s) of CIL to apply, a charging authority must strike an appropriate balance between;

- The desirability of funding from CIL all, or part of, the estimated total cost of infrastructure required to support the development of its area and;
- The potential effects of the imposition of CIL on the economic viability of development across its area.

Conwy (CBC) has sourced expert advice in terms of whether a CIL would be viable to operate across the County Borough. It is this viability evidence base which has informed the draft preliminary charging schedule, setting out the developments that will be chargeable by the CIL, and the amount chargeable per square metre. For further information, see CIL Background Paper 2 on CIL Development Viability Assessment and the Preliminary Draft Charging Schedule.

4. What is infrastructure?

The Planning Act 2008 offers a wide definition of the infrastructure that can be funded by the levy, including transport, schools, hospitals, flood defences and other health and social care facilities, for example outdoor sports, playing fields, parks, police stations, libraries, clinics and youth / community centres. This broad definition gives flexibility at the local level to determine what infrastructure is necessary to deliver the growth as set out in the LDP. To accompany the draft preliminary charging schedule, Conwy CBC have produced a list of infrastructure types that will be eligible for CIL funding once the charging schedule is adopted. This is known as the 'Regulation 123

Infrastructure List' and is published as a result of the work undertaken within this Background Paper. Please see Table 1 below:

Table 1: Conwy Regulation 123 Draft Infrastructure List

Conwy Regulation 123 Draft Infrastructure List
<ul style="list-style-type: none"> • Strategic Transport Infrastructure including cycling and walking and public transport (excluding development specific mitigation works.)
<ul style="list-style-type: none"> • Community Infrastructure including social and community facilities.
<ul style="list-style-type: none"> • Strategic Waste Facilities.
<ul style="list-style-type: none"> • Strategic Flood Management Infrastructure (excluding on site provisions.)

5. Infrastructure assessment & links to LDP

Table 2 below lists the key requirements that have been identified to support growth associated with sites allocated in the LDP by area, however not all of these will be funded via the CIL as indicated. Further detail on infrastructure schemes, including information on the funding gap has been prepared as part of the evidence base that will be presented at the CIL Examination. Please see Appendix 1 for the type of schemes that will be charged under the s.106 system, and those that will be charged under the CIL, once adopted.

Table 2: Known Infrastructure Requirements for LDP Sites*

Infrastructure Requirement and Proposed Source of Funding				
	Transport	Community	Waste Facilities	Water Treatment / supply & Flood risk mitigation
Urban				
Strategy Area:				
Abergele	Abergele Link Road (s.106)	Replacement & new playing fields (S.106)	Site specific waste facilities (S106)	Improvement to Abergele / Pensarn Sewage pumping station (funded via DCWW AMP system/site specific S106).
Strategic Sites – Abergele South East 79,80,81,	Town Centre Traffic Light remodelling (s.106)	Allotments (S.106) Outdoor sports (CIL)		
82 E3 (E28) and 481 Abergele Business Park	Town Centre Traffic Improvement Scheme (CIL) Site specific highways (S106)	Major amenity open space (CIL) Burial grounds (CIL) Library improvements (CIL) Town Centre Regeneration (CIL) Welsh Language (S.106) Education (CIL)		
Colwyn Bay & Rhos on Sea	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL) Town Centre Regeneration (CIL) Education (CIL)	Site specific waste facilities (S106)	
Sites 217, 494,488,67, 247, 71/348				
Llandudno Conwy, Llandudno Junction	Site specific highways (S106)	Playing fields (CIL) Allotments (S.106) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL) Town Centre Regeneration (CIL)	Site specific waste facilities (S106)	Improvements to local sewerage network (funded via DCWW AMP system / site specific S106).
Sites 14, 434, 449, 176, 449, 452, CR16, CR34				
Penmaenmawr & Llanfairfechan	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL)		n/a
Sites 31,429,521				

Infrastructure Requirement and Proposed Source of Funding

	Transport	Community	Waste Facilities	Water Treatment / supply & Flood risk mitigation
Llanrwst Sites 287,455,458,459	Site specific highways (S106)	Library improvements (CIL)		
		Town Centre Regeneration (CIL)		
		Education (CIL)		
		Playing fields (CIL)	Site specific waste facilities (S106)	Site specific flood risk mitigation (S106).
		Allotments (S.106)		
		Outdoor sports (CIL)		
		Major amenity open space (CIL)		
		Burial grounds (CIL)		
		Library improvements (CIL)		
		Town Centre Regeneration (CIL)		
Welsh Language (S.106)				
Education (CIL)				
Rural Strategy Area:				
Dwygyfylchi Sites 56,53,MS9	Site specific highways (S106)	Playing fields (CIL)	Site specific waste facilities (S106)	n/a
		Allotments (S.106)		
		Outdoor sports (CIL)		
		Major amenity open space (CIL)		
		Library improvements (CIL)		
		Town Centre Regeneration (CIL)		
		Education (CIL)		
Glan Conwy Site 270	Access improvements from A470 (S106)	Major open space on site (S106)	Site specific waste facilities (S106)	n/a
		Playing fields (CIL)		
		Outdoor sports (CIL)		
		Major amenity open space (CIL)		
		Library improvements (CIL)		
		Town Centre Regeneration (CIL)		

Infrastructure Requirement and Proposed Source of Funding

	Transport	Community	Waste Facilities	Water Treatment / supply & Flood risk mitigation
Llanddulas sites 403,406	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL)	Site specific waste facilities (S106)	n/a
Llysfaen sites 87, 160	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL)	Site specific waste facilities (S106)	n/a
Betws yn Rhos sites 92/274, 91/284	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL)	Site specific waste facilities (S106)	Improvements to local sewerage treatment works (funded via DCWW AMP system/ site specific S106).
Cerrigydrudion site 453, R5	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL)	Site specific waste facilities (S106)	n/a
Dolgarrog sites 470, MS25, R47	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL) Major amenity open space (CIL) Library improvements (CIL)	Site specific waste facilities (S106)	n/a
Llanfair TH site 454	Site specific highways (S106)	Playing fields (CIL) Outdoor sports (CIL)	Site specific waste facilities (S106)	n/a

Infrastructure Requirement and Proposed Source of Funding

	Transport	Community	Waste Facilities	Water Treatment / supply & Flood risk mitigation
		Major amenity open space (CIL)		
		Library improvements (CIL)		
Llangernyw Sites 277, R44	Site specific highways (S106)	Playing fields (CIL)	Site specific waste facilities (S106)	n/a
		Outdoor sports (CIL)		
		Major amenity open space (CIL)		
		Library improvements (CIL)		
Llansannan sites 289,R30	Site specific highways (S106)	Playing fields (CIL)	Site specific waste facilities (S106)	n/a
		Outdoor sports (CIL)		
		Major amenity open space (CIL)		
		Library improvements (CIL)		

*The table refers to *known* infrastructure at the time of production of the LDP. The list is not exhaustive as other infrastructure needs may arise at the pre- planning application or planning application stages.

6. Next steps

The next stage in the process will be to review all the comments received to this consultation and where necessary make changes to the evidence base / Preliminary Draft Charging Schedule. The Council will then publish a Draft Charging Schedule for further six weeks consultation prior to submitting this to the Planning Inspector for public enquiry. Please check the Council's website for updates regarding the timetable for the adoption of the CIL.

Appendix 1: Schemes identified as payable as part of S.106 agreements or CIL

	CIL	S106
Highways	Strategic transport infrastructure works.	Works on-site or directly related to the site.
Natural & built environment	Strategic management e.g. flood risk, countryside.	On-site or near to, e.g. listed buildings, archaeology, ecology
Waste management	Strategic waste management sites.	Bins and recycling boxes.
Affordable housing	Exempt.	All
Open space	Major provision (usually off site) i.e. playing pitches, outdoor sports, parks, major amenity.	Neighbourhood provision on-site i.e. play space, on site amenity space.
Education	Strategic education infrastructure works.	None
Allotments	None	To deliver allotment allocations on site or directly related to the site.
Leisure	All	None
Libraries	All	None
Health	All	None
Employment & training	None	All – site specific
Welsh language	None	All – site specific
Colwyn Bay Masterplan	All	None
Community safety	Strategic infrastructure works e.g. police stations	Works on-site or nearby, e.g. street lighting improvements, CCTV, pedestrian improvements
Streetscape & public art	All	None