

Date: 9 October 2020

SOUTHWATER INFRASTRUCTURE DELIVERY PLAN

The provision of infrastructure is a very important issue for local communities affected by development. The delivery of the right levels and type of infrastructure is essential to support new homes, economic growth, and the creation of sustainable communities.

Infrastructure planning helps to ensure that there is a common understanding between all stakeholders as to the local infrastructure needs and what is planned to be delivered. It also ensures that local infrastructure is properly planned for, funded, and provided.

Policy SNP23 of the Southwater Neighbourhood Plan, which is currently awaiting referendum, refers to CIL monies being spent in accordance with the Southwater Infrastructure Delivery Plan. It states:

SNP23.1. Any CIL funds raised by development within the Plan Area and paid to Southwater Parish Council will be used to:

a) Support the delivery of projects identified in the 'Southwater Infrastructure Delivery Plan', a document maintained by the Parish Council.

b) Support any other projects identified as a priority by the Parish Council to address demands that development has placed on the area.

Whilst this policy has presented a need for a Southwater Infrastructure Delivery Plan (SIDP) to be prepared, it is also considered that such a public document would be beneficial. Southwater has expanded rapidly over the past 60 years, this development has placed considerable pressure on the infrastructure which supports the community. The preparation of a SIDP will enable the Parish Council to effectively prioritise and progress new/improved infrastructure in collaboration with the community.

It is noted that Southwater Parish Council's fiscal budget has been under considerable pressure in recent years. As a result, internal funding options for infrastructure are limited. However, there are a range of funding sources available to the Parish Council to deliver needed infrastructure.

This document provides an overview of potential funding sources, and then a suggested strategy to prepare the Southwater infrastructure Delivery Plan which will ensure that local infrastructure that is properly planned for, funded, and provided in consultation with the local community.

Overview of funding sources

The provision of new/improved infrastructure in the parish will require funding and there are several potential sources of this funding. These primarily include grants, loans, parish council reserves/funds and developer contributions.

The principle that development should be subject to a charge or levy has been an aspect of English planning since the inception of the '1947 planning system' of the post war era. Important legislative moments in this regard include the Town and Country Planning Act's Development Charge (1947), the Land Commission Act (1967), the Community Land Act (1975), the Development Land Tax Act (1976), the Town and Country Planning Act (1990) and the Planning Act (2008). Each of these Acts has had a bearing on the process by which the contributions the development industry makes are exacted and invested. It is important to remember that the National Planning Policy Framework (NPPF) provides the policy context on which developer contributions can be sought. Currently, there are two mechanisms by which developer contributions are secured. These are:

Planning obligations	The Local Planning Authority (LPA) negotiate obligatory contributions with developers on a case-by-case basis to mitigate the impacts of the development. These are secured by 'section 106 agreements' (S106).
Community Infrastructure Levy	The Planning Act 2008 and subsequent CIL regulations provide the legislative basis for the Community Infrastructure Levy (CIL). This is a locally determined fixed charge each square metre of new development. CIL is optional and Horsham District Council have chosen to adopt CIL ¹ .

In Horsham District, developer contributions are currently secured via both S106 and CIL. An update on the likely quantum of monies available via both these routes is set out below.

It should be noted that the current 'Planning for the future' consultation on proposals for reform of the planning system in England does contain proposals to change how developer contributions work and the possible introduction of a new national Infrastructure Levy. Currently however, these proposals are in draft format with little detail available. Published guidance urges all parties involved in the planning system to continue as normal until these new proposals are developed further.

Funds from S106

There is currently a range of S106 monies available to Southwater which cumulatively amount to circa £1m. These monies can only be spent on specific infrastructure or facilities as set out in the respective S106. Examples of what the monies can be spent on include:

- Provision or improvement of open space and recreation facilities including Skate park in Stakers Lane

¹ For more information please see <https://www.horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/what-is-cil>

- Provision or improvement of the changing facilities, replacement of windows and refurbishments and alterations to the upper floors at Southwater Leisure Centre.
- Provision of outdoor sports in particular to be used for the acquisition of land for or enhancements to outdoor sports pitches.
- Provision, retention, or improvement of community/leisure facilities.
- Public artwork.
- Provision or improvement of community/leisure facilities
- Provision of indoor and outdoor sports facilities and enhancements to the main hall at Southwater Leisure Centre.

Funds from CIL

CIL can be used to fund a wide range of infrastructure², from transport, flood defences, schools, hospitals, and other health and social care facilities to play areas, open spaces, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan. The levy cannot be used to fund affordable housing.

Importantly, the levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development.

In Horsham District, for 2020, the indexed CIL rates per square meter of new floorspace are:

Residential:	£ 157.66
Retail:	£ 116.78

CIL is collected by Horsham District Council but the amount that is passed to the Parish Council depends on whether the Parish Council has an adopted neighbourhood plan as set out below.

Neighbourhood Plan?	Amount of CIL for parish
'Made' Plan	25% uncapped, paid to parish each year
No plan	15% capped at £100/dwelling (indexed for inflation), paid to parish each year

Table 1 – Distribution of CIL monies based on whether a neighbourhood plan is 'made' or not in a parish.

The Southwater Neighbourhood Plan (SNP) has passed examination and is currently awaiting referendum. Due to the ongoing COVID-19 pandemic The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulation 2020 was introduced which prevents any referendum on neighbourhood plans being held until 5 May 2021. Only once the plan passes referendum and is 'made' does the increased percentage of CIL apply and the CIL cap removed.

That said, a recent update to guidance confirms that where a plan is awaiting referendum (and the referendum is delayed due to COVID-19) LPA's are encouraged to work with parish councils wherever possible, to consider whether an additional sum, equal to the shortfall in expected CIL receipts can be agreed. An appropriate starting point for when to consider an additional sum, could

² For further details please see [section 216\(2\) of the Planning Act 2008](#), and [regulation 59](#), as amended by the [2012](#) and [2013 Regulations](#)

be 6 weeks from when the local planning authority issues a decision statement detailing its intention to send a neighbourhood plan to referendum – with this in mind Southwater Parish Council could seek an increased % of CIL monies for development approved after 1 October 2020.

One element of the SNP is the provision of 422 - 450 new homes, of which a minimum of 350 homes falling in Use Class C3 (Dwellinghouse) and a minimum of 72 units falling in Use Class C2 (Residential institutions, such as a care home). Alongside the provision of new homes, the site will also provide a minimum of 8 hectares of public open space for the benefit of the wider community.

Regardless, if the development as set out in the neighbourhood plan were to come forward in the coming years, we estimate that the parish council could expect to receive the following amount of CIL monies to spend on local infrastructure.

Neighbourhood Plan?	Estimated amount of CIL for parish
'Made' Plan	£ 582,000 - £ 734,000 ³
No plan	£ 34,000 ⁴

Table 2 – Estimated CIL monies Southwater Parish Council may receive based on whether a neighbourhood plan is 'made' or not.

It should be noted that the above estimate only refers to development specifically allocated in the Southwater Neighbourhood Plan and not windfall or any other development that may come forward. Should any further development come forward, the parish would receive a % of the CIL monies generated in line with Table 1.

Preparation of the Southwater Infrastructure Delivery Plan

In accordance with Policy SNP23, it is proposed that a Southwater Infrastructure Delivery Plan (SIDP) is prepared. The focus of such a document will be to establish existing infrastructure provision, identify required infrastructure, or infrastructure improvements, and then set out how such improvements can be funded and delivered. It is likely that much of the funding will come from developer contributions, but other funding options will also be considered.

The preparation of the SIDP will consist of five stages, these are:

Stage 1 – Identification & Assessment

In consultation with local groups and organisations, undertake a review to identify current infrastructure provision in the parish. Infrastructure will be assessed in terms of quality, quantity and accessibility and highlight potential gaps in existing infrastructure provision.

Stage 2 – Community Engagement

Engage with the local community and residents to confirm whether the existing situation and possible gaps in provision has been correctly identified and assessed. Seek feedback on whether

³ Based on 350 units being provided in line with neighbourhood plan. Affordable housing (35%) excluded from calculation as exempt from CIL. Housing mix's used from [Chilmark Consulting report](#). Lower range utilises minimum nationally described space standards and housing mix for rental tenure (more smaller units). Higher range utilises likely m² for each dwelling and ownership tenure mix (more larger units).

⁴ Based on 350 units being provided. Affordable housing (35%) excluded from calculation as exempt from CIL. Current indexed cap is £149.11 per dwelling.

we have correctly identified the local infrastructure and gain an insight into local infrastructure concerns which the Parish Council could look to address.

Stage 3 – Updated Identification & Assessment

Update the list of new/improved infrastructure required and their assessments in light of feedback from the community.

Stage 4 – Prepare SIDP

For each identified new/improved infrastructure required, identify:

- Likely timescale or phasing of infrastructure provision;
- Organisation responsible for delivering infrastructure;
- Estimated costs of infrastructure;
- Funding arrangements for infrastructure; and
- Any funding gaps for infrastructure provision.

Once this is complete, it will be compiled into a document titled the Southwater Infrastructure Delivery Plan (SIDP).

Stage 5 – Adopt

Once completed, the SIDP will be presented to the Parish Council for approval and adoption.

Stage 6 – Review

At least every 12 months, the SIDP will be reviewed, and updated as necessary by the Parish Council.