

A Community Infrastructure Levy for Swindon

Swindon Borough Council Examination Statement

Issue 3 Levy Rates on Other Uses

In accordance with:

The Planning Act 2008 (Part 11) (as amended)

The Localism Act 2011 (Part 6)

**The Community Infrastructure Levy England and Wales
Regulations 2010 (as amended)**

Dated 16th October 2014

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Issue 3 Qu. (i)

Are the rates for other uses in the schedule **reasonable and realistic** in relation to an appropriate balance between helping to fund new infrastructure and the potential impacts on economic viability?

1. Response:

- 1.1. The Council is satisfied that the rates proposed for other uses are 'reasonable and realistic', and in accordance with Regulation 14 strike the *appropriate balance* between the desirability of part funding, from CIL receipts, infrastructure required to support development of the Swindon area, having taken other funding sources into account and the potential effects of CIL on the viability of development, other than residential that is required to support the delivery of the objectives of the Local Plan to 2026 (**ED3-01a**).
- 1.2. As set out in Document **ED 2-13 (pages 9-10)** and **ED2-22 (pages 3-4)** the Council has viability tested the following key types of development in addition to residential that will come forward under the Local Plan contained within the New communities, existing communities and in the Town Centre and Central Action Plan Area:
 - Employment uses including:
 - Office (B1)
 - Industrial (B2)
 - Warehousing (B8)
 - Retail uses including
 - Convenience of different sizes (extension and new build)
 - Traditional small units
 - Comparison
 - Supermarkets
 - Hotels
 - Leisure
 - Residential Care Home
 - Health
 - Education
 - Community Facilities
- 1.3. The additional retail testing that took place in **ED2-22** fully supported and justified the revised approach to retail charging set out in the Schedule for zoning by geographical area.

Issue 3 Qu. (ii)

Is there sufficient evidence to demonstrate that a **zero charge** is appropriate in relation to all uses other than housing and retail? (Many CILs cover uses such as offices, research and development and light industry (Use Classes B1 a, b and c); general industry (Use Class B2); storage and distribution (Use Class B8); hotels and guest houses (Use Class C1). For example, is the Council confident that all the necessary increased water supply and waste water treatment capacity can be secured through S106 Agreements or other means?

2. Response:

- 2.1. Whilst evidence set out in **Appendix 3 of SBC Statement Issue 1** indicates early signs of recovery in the Employment, Retail and Leisure sector, the local information in the same statement under question 6 reflects that this is not sufficient to justify applying a rate to any other uses than as set out in the submitted Schedule.
- 2.2. With respect to the issue of water supply and waste water treatment specifically, issues of concern in respect of this point were explored in detail throughout the Local Plan examination from the Exploratory Meeting through to Statements to the Examination Issue 17 Infrastructure, Statement of Common Ground with Thames Water and the Council Clarification Statement MF7 (including in Core Documents CD25.4, CD 8.2, and CD25.9).
- 2.3. The outcome of all of this debate and justification is informed by The Swindon Water Cycle Study (CD8.36)¹. The Council is satisfied that the increased demand in water supply and waste water treatment capacity will be delivered at the time, if not in advance of when it is required.
- 2.4. With respect to water supply specifically, the Council's Response to MF7 (CD25.67)² that confirms that Thames Water Utilities Ltd (the primary water resources provider for the Swindon area) 'TWUL' and the Environment Agency 'EA' are satisfied that the demand for water can be met for the planned growth under the Local Plan through a combination of demand management measures and planned water infrastructure schemes. This is supported by the Council and TWUL comments in the Statement of Common

¹ [http://www.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/localplanexamination/Documents/CD%208.36%20-%20Swindon%20Water%20Cycle%20Study%20\(CH2MHILL\).pdf](http://www.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/localplanexamination/Documents/CD%208.36%20-%20Swindon%20Water%20Cycle%20Study%20(CH2MHILL).pdf)

² [http://www.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/localplanexamination/Documents/CD%2025.67%20-%20Council%20Statement%20CS19%20Resposne%20to%20MF7%20\(water%20resources\).pdf](http://www.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/localplanexamination/Documents/CD%2025.67%20-%20Council%20Statement%20CS19%20Resposne%20to%20MF7%20(water%20resources).pdf)

Ground³ 'SoCG' where at paragraph 7 it is confirmed that Thames water has sufficient water resources within the Swindon & Oxford Water Resource Zone to accommodate current forecasted growth in demand within the Local Plan to 2028. This is supported by the content of TWULs Water Resources Management Plan (CD8.42)⁴.

- 2.5. With respect to waste water, the SoCG goes on to confirm at paragraph 9 that all known waste water treatment works relating to capacity and known consent changes have been, or are being planned for up to and including 2026, through improvements set out in their Asset Management Plan 6 (that contains proposals to deliver those improvements by 2020). TWUL is expecting a determination of AMP6 by OFWAT by December 2014, having submitted the draft Business Plan in December 2013. AMP 6 would cover the period of the Plan 2015-2020, however under its AMP5 covering the period 2010-2015 delivery of its improvements is nearing completion.
- 2.6. Planning obligations in respect of s106 of the Town & Country Planning Act will not be used to fund the improvements. TWULs plan will be delivered through a mixture of funding directly by TWUL and by the developers managed by the Water Industry Act. Where site-specific connections are required this forms a direct development cost to the developer that is catered for under the development costs (set out under the Harman Review for residential development) and to a much lesser extent a direct impact on land value for non-residential uses, as a significant proportion of these uses will be located on previously developed land where utilities connections are already in place.

³ <http://www.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/localplanexamination/Documents/Statement%20of%20Common%20Ground%20-%20Thames%20Water.pdf>

⁴ <http://www.swindon.gov.uk/ep/ep-planning/planningpolicy/ep-planning-localdev/localplanexamination/Documents/CD%208.42%20Thames%20Water%20Revised%20Draft%20Resources%20Management%20Plan%202015-2040.pdf>

Issue 3 Qu. (iii)

Is the CIL's 'high level' approach valid for the small number of sites/projects outside the main expansion areas/town centre that are **critical to the delivery of key targets** in the development plan?

3. Response:

- 3.1. The Council has interpreted this question to relate to development sites for other uses outside the New Communities areas/town centre. The scale of development substantially reduces so for example e.g. 1 new employment allocation exists at the satellite town of Highworth (5ha) (Local Plan policy RA1 p.285), with a further focus on completion of development on existing employment allocations, and the redevelopment of existing employment sites. In addition there is a strategic Leisure allocation just north of the Town Centre. The majority of these sites are already well served by existing infrastructure, thus CILs 'high level' approach is valid.
- 3.2. With respect to transport infrastructure identified in the Infrastructure Delivery Plan (**ED3-02a**) 'IDP' falling outside the main development areas e.g. road junctions and Rapid Transit 'RT', the mechanisms for delivering this infrastructure are explained below. For ease these items have been extracted into **Appendix 1**.
- 3.3. Firstly significant progress is already being made with respect to the delivery of substantial highway schemes of the key local road network, particularly focused in the Great Western Way transport corridor. The first scheme for delivery is associated with Bruce Street Bridges and Newcombe Drive that commenced in September 2014 with a completion date of October 2015. This will help improve cumulative impact traffic flow and support the unlocking of the CAAP strategic leisure site. The schemes moving eastward along Great Western Way will follow and are fully funded based on current known costs.
- 3.4. With respect to the Rapid Transit Projects the evidence in the in principal LEP funding allocation to Swindon (**Appendix 1 of SBC statement Issue 1**) identifies a specific funding allocation of £9.9million specifically for Rapid Transit as a grant. This will direct cover the funding gap costs for all three Rapid Transit schemes within the IDP. The West of A419 improvements works (for which a current 100% funding gap is identified) is also a project contained within the LEP funding allocation that is subject to phase 2 submission, providing the opportunity to cover the funding of the project by

grant. Until such time as it is confirmed to the Council that the LEP funding allocation to the Eastern Villages is secure the Council will continue to secure the infrastructure provision via the Framework Agreement as detailed in SBC Statement Issue 1 question vii response.

- 3.5. With respect to Urban Traffic Management Control Projects on the existing highway network CIL receipts have the ability to plug this funding gap. These projects fall under the definition of Intelligent Transport Systems as set out on the Draft Regulation 123 list (**ED2-08**). In addition CIL receipts could be used to fund the remaining gap in existing cycle network improvements.
- 3.6. The one project not currently covered is the Bridge over the Railway. The Council will continue to work to access funding to secure the delivery of this project through both negotiations with the landowners/developers of the relevant CAAP sites.
- 3.7. The evidence clearly demonstrates that CIL's high level approach is valid, and the Council has the ability to continue to build on its current successes in respect of securing funding through appropriate means to support infrastructure delivery relating to transport infrastructure improvements to manage the highway network as a whole for all development proposed under the Local Plan.

Appendix 1

IDP Transport Project Extract (From ED 3-02a)

Urban Traffic Management Control Projects	Implementation of a suite of measures to maintain journey time reliability and reduce congestion on strategic road network resulting from cumulative impact of development. Includes Real Time Passenger Information.
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(Specifies a £550k project with a £550k funding gap. Funding arrangement by Local Growth Fund/CIL)

Improvements to existing Cycle Network	Extension of and improvements to Boroughwide cycle network for 5 year period to 2019 (excludes site specific new or extended cycleways) £400K a year
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(Specifies a £2million project with a funding gap of £800,000 Funding arrangement by LTP/LSTF/CIL)

Rapid Transit 1 Wichelsowe	Sustainable transport links that integrate with the existing urban area (cost includes land purchase)
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(Specifies a £4,447,867 fully funded by s106)

Rapid Transit 2 Tadpole Farm	Sustainable transport links that integrate with the existing urban area (cost includes land purchase)
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(Specifies a project value of £3,900,000 with a £3,450,000 funding gap. Funding arrangement S106 (the current £450k from Tadpole) /LGF)

Rapid Transit 3 Eastern Villages (Express Bus Network)	Sustainable transport links that integrate with the existing urban area
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(Specifies a project value of £3,295,000 with a full 100% £3,295,000 funding gap. Funding arrangement Developers/S106/Local Growth Fund)

West of A419 Highway Works	Junctions improvements to mitigate growth to the east of Swindon including works to Oxford Road, Coate, Piccadilly and Greenbridge Roundabouts
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(Specifies a project value of £4,060,000 with a full 100% funding gap of £4,060,000. Funding arrangement Developers/ S106/Local Growth Fund)

Appendix 1 Cont'd
IDP Transport Project Extract
(From ED 3-02a)

Railway Crossing	Railway Crossing for pedestrians and cyclists linking Town Centre and North Star Regional Leisure Destination
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Specifies a project value of £6.2 million with a 100% £6.2million funding gap.
Funding arrangements S106/Local Growth Fund /Private Investment

