

# Crawley Community Infrastructure Levy:

Regulation 123 List

July 2016



## **Crawley Regulation 123 List**

Regulation 123 of the CIL Regulations requires the council to publish a list of infrastructure that it intends to fund wholly or partly through CIL money. The purpose of the list is to distinguish between those types of infrastructure that the council intends to fund through CIL and those areas where a Section 106 Planning Agreement or S278 Highways Agreement will be sought. This will ensure that a developer/landowner is not charged twice for the same piece of infrastructure.

Once introduced, CIL will become the main mechanism for collecting infrastructure contributions from a development. S106 agreements will continue to be used for affordable housing as well as site specific mitigation from a development that may be required in order for a development to come forward (e.g. a new road junction).

The council's Regulation 123 List is set out in the table below. The first column provides those types of infrastructure that the council intends to fund through CIL. The council will use CIL money to mitigate the cumulative impact of development taking place across the borough.

The second column shows the types of infrastructure which will be provided or funded by a developer through a planning obligation (s106 agreement) and relate to site specific infrastructure requirements. In accordance with Regulation 122, the use of planning obligations will only be used when they meet the following tests:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

In partnership with infrastructure providers the council will be developing a list of identified projects and improvements, taking into account the potential location of developments.

This list will be updated and evolve over time and will aid discussions with developers at a pre-application stage. To reflect this list and changing circumstances, the Regulation 123 List will be reviewed annually and can be amended at any time as deemed appropriate by the council, subject to appropriate local consultation.

A s106 and CIL guidance note is also being prepared to support the Regulation 123 List. This will explain in more detail how CIL and s106 will work together to ensure there is no double charging for the developer.

Infrastructure Provision	CIL	S106/s278 Agreements
<p><b>Transport &amp; Sustainable Access</b></p> <ul style="list-style-type: none"> <li>• Strategic Road Network</li> <li>• Local Road Network</li> <li>• Public Transport</li> <li>• Pedestrian &amp; Cycle Facilities</li> <li>• Smarter Choices/behavioural change measures</li> <li>• Transport Related Public Realm Improvements</li> </ul>	<p>To mitigate the cumulative impacts of development taking place across the borough.</p> <p>Schemes to be identified in liaison with WSCC.</p>	<p>Transport and sustainable access measures including transport related public realm improvements necessary to make the development acceptable in planning terms, and any improvements which are required directly as a result of a development.</p>
<p><b>Education</b></p> <ul style="list-style-type: none"> <li>• Pre-school</li> <li>• Primary</li> <li>• Secondary</li> <li>• Sixth form</li> <li>• Special Education Needs,</li> <li>• Tertiary and Adult Education</li> </ul>	<p>To mitigate the cumulative impacts of development taking place-across the borough.</p> <p>Schemes to be identified in liaison with WSCC in line with their annual Planning for School Places document, this includes:-</p> <ul style="list-style-type: none"> <li>• Expansion of existing Primary School Places at Desmond Anderson Primary, Maidenbower Infant &amp; Junior, Northgate Primary, Our Lady Queen of Heaven Primary, Waterfield Primary &amp; Three Bridges Primary.</li> </ul>	<p>Provision which is required as a result of a neighbourhood scale development.</p>

Infrastructure Provision	CIL	S106/s278 Agreements
	<ul style="list-style-type: none"> <li>Expansion of existing Secondary School Places in Crawley from 44FE to 54FE.</li> </ul>	
<p><b>Open Space, Sport and Recreation</b></p> <ul style="list-style-type: none"> <li>Play Areas Amenity Green Space</li> <li>Outdoor sport Parks &amp; Recreation Grounds</li> <li>Natural Green Space</li> <li>Allotments</li> </ul>	<p>To mitigate the cumulative impacts of development taking place across the borough.</p> <p>Schemes to be identified in liaison with the council's Community Services team, this includes those in the council's Open Space Sport and Recreation Study and/or Playing Pitch Strategy:-</p> <ul style="list-style-type: none"> <li>Improvements to drainage on playing fields and sports pitches at Bewbush the Green, Bewbush West, Rathlin Rd, Ashburnhan Rd &amp; Rusper Rd.</li> <li>Improvements to ancillary facilities at Loppets Rd and Rusper Rd Playing Fields</li> <li>Provision of a 3G senior Pitch</li> </ul>	<p>In line with the council's Green Infrastructure Supplementary Planning Document and Open Space, Sport and Recreation Study, provision will be sought which is directly required as part of a development, to make it acceptable in planning terms.</p> <p>In line with Policy ENV4 and ENV5, a S106 Agreement will be sought to secure replacement/enhanced provision of any non-surplus open space lost as a result of development. This includes the following development sites in Policy H2 of the Local Plan and any subsequent proposals on open space:-</p> <ul style="list-style-type: none"> <li>Henty Close</li> <li>Breezehurst Drive Playing Fields</li> <li>Tinsley Lane Playing Fields</li> </ul>

Infrastructure Provision	CIL	S106/s278 Agreements
<p><b>Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Bio-diversity and habitat protection</li> <li>• Public Rights of Way</li> <li>• Trees</li> <li>• Rivers and Waterways</li> </ul>	<p>To mitigate the cumulative impacts of development taking place across the borough. Schemes to be identified in liaison with the Environment Agency and River Mole Catchment Partnership.</p>	<p>Provision, mitigation and management which is required as part of a development and any on or off site provision necessary to make the development acceptable in planning terms.</p> <p>This includes the development site Land east of Street Hill in Policy H2 and any sites requiring off site provision, and/or replacement of trees under Policy CH6 of the Local Plan 2030.</p>
<p><b>Health Care</b></p> <ul style="list-style-type: none"> <li>• Primary Care</li> <li>• Secondary Care</li> <li>• Acute care</li> <li>• Healthy Living &amp; well being</li> <li>• Mental Health services</li> </ul>	<p>To mitigate the cumulative impacts of development taking place across the borough.</p> <p>Schemes to be identified in liaison with the CCCG.</p>	<p>Provision which is required as a result of a neighbourhood scale development.</p>
<p><b>Community and Library</b></p> <ul style="list-style-type: none"> <li>• Community Buildings</li> <li>• Libraries</li> </ul>	<p>To mitigate the cumulative impacts of development taking place across the borough.</p> <p>Schemes to be identified by WSCC and the council's Community Services team.</p>	<p>Provision which is required as a result of a neighbourhood scale development.</p>

Infrastructure Provision	CIL	S106/s278 Agreements
<b>Emergency Services</b> <ul style="list-style-type: none"> <li>• Policing</li> <li>• Fire &amp; rescue</li> <li>• Ambulance</li> </ul>	<p>To mitigate the cumulative impacts of development taking place across the borough.</p> <p>Schemes to be identified in liaison with WSCC, Sussex Police and SECAMB.</p>	<p>The provision of CCTV and/or Fire Hydrants to make the development acceptable in planning terms.</p>
<b>Flood Risk Management and Flood Defence</b>	<p>To mitigate the cumulative impacts of development taking place across the borough.</p> <p>Strategic Flood Risk Management and Strategic Flood Risk Infrastructure</p> <p>Schemes to be identified in liaison with the Environment Agency and West Sussex County Council as Lead Local Flood Authority.</p>	<p>Flood mitigation and environmental improvements which are required directly as a result of development and any provision necessary to make the development acceptable in planning terms.</p>
<b>Public Realm Improvements- Town Centre and Manor Royal</b> <ul style="list-style-type: none"> <li>• Signage</li> <li>• Street scene</li> <li>• Public Art</li> </ul>		<p>Site specific improvements to the public realm on development sites within the Town Centre and Manor Royal, including contributions to public art and the street scene required as part of a development in line with Policies CH3 &amp; EC3 of the Local Plan 2015-30.</p>

Infrastructure Provision	CIL	S106/s278 Agreements
<b>District Energy Networks</b>	To mitigate the cumulative impacts of development taking place across the borough. <ul style="list-style-type: none"> <li>- K2 Leisure Centre Heat Network</li> <li>- Town Centre Heat Network</li> <li>- Manor Royal Heat Network</li> </ul>	

Other:	CIL	S106 /S278 Agreement
<b>Affordable Housing</b>		Provision of Affordable Housing necessary to make the development acceptable in planning terms in line with Policy H4 of the Local Plan.
<b>Infrastructure supporting Gatwick Airport</b>		Infrastructure improvements required directly as a result of development within the airport boundary.