

## **SEVENOAKS DISTRICT INFRASTRUCTURE PLAN UPDATE**

### **Cabinet – 17 September 2015**

Report of Chief Planning Officer – Richard Morris

Status: For Consideration

Also considered by: Planning Advisory Committee – 7 July 2015

Key Decision: No

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#### **Executive Summary:**

A Sevenoaks Infrastructure Delivery Plan was first prepared in 2010 for the Core Strategy (adopted 2011). This is a “live” document which illustrates the infrastructure that is required to support development across the District. Following the adoption of the Community Infrastructure Levy (CIL) Charging Schedule in February 2014, the Council is currently updating its draft Infrastructure Plan. This will be used as evidence for the new Local Plan and provide up to date information for elaborating the Council’s Regulation 123 List (adopted November 2014) which sets out the infrastructure that can be funded through CIL receipts.

An update to Kent County Council’s response has been included in the report following the meeting of the Planning Advisory Committee held on 7<sup>th</sup> July.

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**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Simon Taylor Ext.7134

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#### **Recommendations to the Cabinet:**

To consider and note the report on the progress of the Infrastructure Plan as an important element of the evidence base for the new Local Plan and CIL Regulation 123 List.

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#### **Reason for recommendation:**

In order to consider an important element of the evidence base for the new Local Plan and CIL Regulation 123 List.

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#### **Introduction and Background**

- 1 The Planning Act 2008 defines infrastructure to include roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open space.

- 2 Further to this, the Sevenoaks Core Strategy defines “infrastructure” as “[...] the various services and facilities that are necessary to help sustainable communities” and that physical, social and green infrastructure should be applied to this definition (CS para. 5.5.1). The Core Strategy also states that “supporting development with adequate infrastructure is important for balanced communities and the need for community facilities is specifically recognised in the Sevenoaks District Community Plan”.
- 3 A draft Infrastructure Plan was submitted as evidence to the examination of the CIL Charging Schedule in October 2013. The plan outlines the potential strategic schemes for the District from infrastructure providers, as well as local schemes that could be eligible for CIL funding. This was prepared following consultation with different organisations (i.e. infrastructure providers, SDC, KCC and town/parish councils).
- 4 Recently, the Council has adopted the Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2014), CIL Regulation 123 List (adopted November 2014) and the Allocations and Development Management Plan (ADMP) (adopted February 2015). As a result the Infrastructure Plan must be reviewed to inform how infrastructure will be delivered during the period of the new Local Plan as well as the production of a detailed Regulation 123 List.
- 5 Once endorsed, the Infrastructure Plan will be treated as a “live” document that will inform the preparation of the new Local Plan. It will also be used to inform the preparation of the Council’s Regulation 123 List on the types of infrastructure that CIL can fund. The current List (adopted November 2014) is broad and states that CIL can fund (but is not limited to):
  - Transport schemes;
  - Flood defence and water quality schemes;
  - Education;
  - Health and social care facilities;
  - Police and emergency services facilities;
  - Community facilities; and
  - Green infrastructure

The current Regulation 123 List notes that CIL receipts will not be used to fund site-specific infrastructure that would be secured through a planning obligation (i.e. site-specific access improvements, on-site open space provision, site-specific green infrastructure etc.). Infrastructure projects that are detailed on the Regulation 123 List cannot be funded by planning obligations.

### **Current Position of the Infrastructure Plan**

- 6 Following the adoption of CIL and the ADMP, the Infrastructure Plan must be updated to reflect the planned future development of the District, as well as

supporting additional development that may come forward. This should be described as “critical” infrastructure to be delivered across the District. The Plan will also reflect the requirements for additional infrastructure from town and parish Councils.

- 7 A full list of infrastructure providers, town and parish councils that were consulted can be found in Appendix A.
- 8 Information packs requesting evidence were sent out April 2015, requesting evidence for infrastructure that would be required to support development in the District and an estimated cost. Town and parish councils were also asked to provide information on projects that they would like to see provided by infrastructure providers. Evidence submitted was based on a revised housing supply described in the ADMP (para. 3.8), which included all allocated sites in the ADMP and anticipated phasing of Land West of Enterprise Way, Edenbridge and Fort Halstead, Halstead.
- 9 Badgers Mount Parish Council was established in May 2015 and was not consulted at the time of the request for evidence was sent in April 2015.
- 10 At present, SDC have received 20 responses from different organisations:
  - 14 responses from town and parish councils:
    - Ash-cum-Ridley Parish Council
    - Brasted Parish Council
    - Chiddingstone Parish Council
    - Dunton Green Parish Council
    - Edenbridge Town Council
    - Hartley Parish Council
    - Horton Kirby and South Darenth Parish Council
    - Knockholt Parish Council
    - Leigh Parish Council
    - Otford Parish Council
    - Riverhead Parish Council
    - Sevenoaks Town Council
    - Swanley Town Council
    - Westerham Town Council
  - 6 responses from infrastructure providers:

- Environment Agency
  - Highways England (*formally know as Highways Agency*)
  - Kent Wildlife Trust
  - NHS Property
  - NHS West Kent Clinical Commissioning Group (CCG)
  - Sutton and East Surrey Water
- 11 16 organisations submitted evidence for new or improved infrastructure in conjunction with the Regulation 123 List. Three organisations (Environment Agency, Highways England, and Horton Kirby and South Darenth Parish Council) responded stating there was no requirement for new infrastructure as a result of the scale and distribution planned in the District.
- Sutton and East Surrey Water provided an update on its planned projects for the District but stated that these would be funded through customer bills, as part of their Price Review in 2019 and did not require CIL funding at this stage.
- 12 Queries were received by Arriva Southern Counties and Fawkham Parish Council in relation to the Infrastructure Plan. Currently, no formal submission has been received by either organisation.
- 13 Correspondence was received from Kent County Council stating that they would supply their submission by mid-June. At the time of this report, a response from KCC Public Health had been received. Currently, representations from other KCC departments have not been received.
- 14 Internal SDC departments including Direct Services and Economic and Community Development have been consulted on some elements of the Infrastructure Plan. No representations have been submitted at this time.

### **Reponses to the Request for Evidence**

- 15 While only 20 organisations responded to the “Request for Evidence” consultation, a total of 108 projects were submitted for consideration.
- 16 A majority of town and parish councils expressed a desire to develop community facilities and green infrastructure, which includes improvements to play areas and creation of a multi-use games area (MUGA). Town and parish councils also expressed a desire to see transport and traffic improvements. For infrastructure required by other providers, some town and parish councils indicated that health and education provision should be improved to accommodate future development.
- 17 NHS Property and NHS West Kent CCG submitted responses for improving health infrastructure across the District. NHS West Kent CCG outlined the general position for the District, while NHS Property outlined proposals for individual surgeries at particular locations.

- 18 Sevenoaks Town Council submitted its Community Investment Plan as their representation to the Request for Evidence. A majority of items have been added to the schedule of responses. However points 13 (Neighbourhood Plan Development) and 15 (Project Management and Contingency) of the Community Investment Plan were removed as these were not considered as infrastructure under the current Regulation 123 List.
- 19 Riverhead Parish Council and Otford Parish Council have requested projects to be provided by private developers. Riverhead Parish Council has requested that the developer of Fort Halstead take a lead role in providing a medical centre in the parish. While this request is to be considered infrastructure, it could be considered as site-specific as it subject to a private developer and therefore may not be eligible for CIL funding.
- Otford Parish Council has requested the provision of retirement homes for local residents. While considered important to meeting the local need, the development of retirement housing will most likely be undertaken by a private developer and may be profitable. As a result, this project is considered not to be an appropriate use of CIL receipts.
- 20 A summary schedule of responses received can be found in Appendix B.
- 21 Following the report's discussion by Members of the Planning Advisory Committee (7<sup>th</sup> July), officers received a response from Kent County Council (KCC). KCC stated that there were no significant projects identified in the District at this time. KCC recognised that education and library provision is a concern across Kent but no data has been provided to illustrate the situation for the Sevenoaks District in these two areas at present.

### **Moving the Infrastructure Plan Forward**

- 22 There are some infrastructure providers which are important to the preparation of the Infrastructure Plan as they provide the delivery of critical infrastructure throughout the District. Where responses were not received by important infrastructure providers at the time of this report will be followed up to ensure that they are engaged in the process. Important providers include (but not limited to) KCC, SDC and utility providers.
- 23 Where organisations have not responded, it could be assumed that additional infrastructure for the District is not required. Members may wish to extend the consultation to additional infrastructure providers, town and parish councils to ensure that their engagement is included in the Infrastructure Plan.
- 24 It is the intention that the Infrastructure Plan should be treated as a "live" document, as the need for infrastructure and priority of delivery can change over the plan period. It will also allow the Council greater opportunity to review and update the Plan regularly to ensure that infrastructure is being delivered to support development coming forward. Furthermore, the Infrastructure Plan will aid the preparation of a detailed Regulation 123 List, which will be used by the Council's CIL Spending Board, illustrating the types of infrastructure that CIL can fund as well as indicating the priority of delivery of local and district-wide infrastructure projects.

## **Other Options Considered and/or Rejected**

Members may not consider the Infrastructure Plan update. This option was rejected on the basis that the Infrastructure Plan is an important evidence base document, for the new Local Plan Review and update of the Council's current Regulation 123 List. The option was also rejected on the basis that the Infrastructure Plan is important to the Council's CIL Governance process.

## **Key Implications**

### Financial

The report does not have direct financial implications for the Council although once agreed a Regulation 123 List will help guide expenditure of CIL monies.

### Legal Implications and Risk Assessment Statement.

The report does not have legal implications for the Council.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **Conclusions**

It is important to update the Sevenoaks Infrastructure Plan so that it reflects the adoption of CIL and the allocated sites set out in the Allocations and Development Management Plan. Following the adoption of the CIL Charging Schedule, the Council is now obligated to pay out monies from CIL receipts received to fund infrastructure across the District. The Plan, once endorsed, will be used to prepare a detailed Regulation 123 List which can be used by the CIL Spending Board to inform the types of infrastructure that CIL can fund. The Infrastructure Plan will provide a valuable evidence base for the new Local Plan as well as illustrating "critical" local and district-wide infrastructure projects.

## **Appendices**

Appendix A – List of Organisations Consulted

Appendix B – Schedule of Infrastructure Plan Responses (May 2015)

## **Background Papers:**

[Draft Community Infrastructure Levy: Infrastructure Plan for Submission \(July 2013\)](#)

**Richard Morris**  
**Chief Officer for Planning**