

Illustrative Draft Regulation 123 List – Preliminary Draft Charging Schedule Consultation

N.B. produced as information to support the Community Infrastructure Levy Preliminary Draft Charging Schedule Consultation.

The following list sets out the type of infrastructure or projects, the Council may fund, wholly or in part, through Community Infrastructure Levy receipts once a charging schedule is adopted. **The inclusion of a type of infrastructure or project on the Regulation 123 list does not represent a commitment by the Council to fund that infrastructure through Community Infrastructure Levy receipts. The order does not imply a priority or preference for funding. The list will be reviewed following consultation on the Preliminary Draft Charging Schedule / Draft Charging Schedule and periodically, once CIL is adopted, taking into account emerging infrastructure requirements to support the timely delivery of new development within the Borough.**

The list is based upon the infrastructure projects or types set out in the Infrastructure Delivery Plan (July 2016 Update) to include items that will support growth identified in the emerging Local Plan Strategy for the period (2010-2030).

The Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations secured through S106 agreements for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy. This is to ensure there is no duplication between CIL and planning obligations in funding the same infrastructure projects. In addition, a development should not have to contribute twice towards the same piece of highways infrastructure through works carried out under Section 278 of the Highways Act 1980, and monies or land provided through CIL.

The relationship between CIL and planning obligations are explained in the Planning Practice Guidance where it notes that it is possible that site specific mitigation may still be necessary subject to certain limits, namely:

- The application of the statutory test with respect to planning obligations (regulation 122) namely - necessary to make the development acceptable in planning terms, directly relevant to the development and fairly and reasonably related in scale and kind;
- Ensuring no overlap between CIL and Planning Obligations;
- Imposing a 5 limit pooled contribution from planning obligations towards infrastructure that may be funded by the levy.

In accordance with the CIL Regulations, the Council will pass 15% of relevant CIL receipts to the Town/Parish Council for that area, capped at £100 per dwelling on existing dwellings. If the town/parish council adopts a neighbourhood plan, this percentage will be increased to 25% (uncapped).

The list below sets out those infrastructure projects that Cheshire East Council may wholly or partly fund by CIL for the purposes of initial consultation, with clarification notes and S106 requirements. This list will be reviewed following the consultation on the Preliminary Draft Charging Schedule.

Infrastructure Type or Project that could potentially be funded through CIL	Exclusions – to be secured potentially through Section 106, Section 278 or other funding means
<p>Transport (Roads and other transport facilities including public transport provision)</p> <p>Alsager</p> <ul style="list-style-type: none"> • B5077 Crewe Road/B5078 Sandbach Road North junction improvements <p>Congleton</p> <ul style="list-style-type: none"> • A536 to A534 Congleton Link Road <p>Crewe</p> <ul style="list-style-type: none"> • North West Crewe Strategy • Improvements to the A5020 Weston Gate Roundabout • Crewe Railway Station wider enhancement scheme • Crewe Bus Station relocation • Sydney Road Bridge – Construction of an additional bridge for northwest bound traffic to allow two way running • Improvements to Crewe Green Roundabout <p>Knutsford</p> <ul style="list-style-type: none"> • A537 Adams Hill junction improvements • Brook Street / Hollow Lane Junction Improvements 	<p>Transport assessments, Travel Plans and Travel Plan monitoring in line with Policy C04 (Travel Plans and Travel Assessments) of the Local Plan Strategy.</p> <p>Highway works to mitigate the direct impact of development including site access, junction improvements and enabling safe and convenient access by all modes of transport.</p> <p>Site related pedestrian, cycle or bus facilities / service provision.</p> <p>N.B Improvements may include works directly within or related to the development site, where the needs for such works are identified in a transport assessment.</p>

<p>Macclesfield</p> <ul style="list-style-type: none"> • Macclesfield Town Centre Movement Strategy <p>Nantwich</p> <ul style="list-style-type: none"> • Burford junction improvements, to include complementary improvements on surrounding network • Alvaston roundabout junction improvements • Peacock roundabout junction improvements <p>Sandbach</p> <ul style="list-style-type: none"> • A534 Old Mill Road / The Hill Junction and Old Mill Road / Middlewich Road Junction Improvements <p>Wilmslow</p> <ul style="list-style-type: none"> • A34/A538 West junction improvements • A34/ Alderley Road / Wilmslow Road <p>General</p> <ul style="list-style-type: none"> • Strategic public transport / non-car links, facilities and service provision (i.e. rail, bus, cycling & pedestrian) • Canal towpath improvements 	
<p>Energy (electricity and gas suppliers)</p> <p>No CIL Funding</p>	<p>Overall requirement identified in the Infrastructure Delivery Plan as being dependent on demand from individual schemes, phased completion and short term supply, secured through s.106 agreement as required.</p>

<p>Water (water supply and wastewater treatment, flood risk management)</p> <p>No CIL Funding</p>	<p>Any site specific mitigation measures required to facilitate the alleviation of flood risk / water efficiency measures in relation to the site (or in vicinity of the site) to avoid / mitigate the impacts arising from the development of the site, in line with policy SE13 Flood Risk and Water Management of the Local Plan Strategy.</p>
<p>ICT / Digital (broadband / wireless)</p> <p>No CIL Funding</p>	<p>Developers will be required to work with appropriate providers to deliver the necessary physical infrastructure to accommodate ICT related hard infrastructure and networks in line with Policy CO3 (Digital Connections) of the Local Plan Strategy.</p>
<p>Education (primary and secondary schools)</p> <p>Funding for Primary Education to deliver the Local Plan Strategy will be generated through S106 agreements apart from the following projects that may benefit from CIL funds:</p> <ul style="list-style-type: none"> • CS 8: South Macclesfield Development Area • CS44: Back Lane / Radnor Park • CS46: Giantswood Lane to Manchester Road, Congleton • CS30: North Cheshire Growth Village, Handforth East 	<ul style="list-style-type: none"> • Early Years Education • Primary Education • Secondary Education
<p>Health</p> <p>The provision, improvement, replacement, operation or maintenance of new and existing primary and secondary health care facilities and services, except where the requirement can be attributed to five or fewer developments.</p>	<p>Provision of health care facilities that are directly related to an individual site and are to be provided either on site or in the vicinity of the site to meet the needs arising .Please also refer to policy SC3 (Health and Wellbeing) of the Local Plan Strategy.</p>

Community Facilities (libraries, cemeteries and crematoria) No CIL Funding	On site or nearby provision of community facilities identified by site specific measures / requirements.
Recreation and sporting facilities (indoor sports facilities and sports pitches) <ul style="list-style-type: none"> • Sports and recreation hub on the north west side of Crewe to support Policy CS3 (Leighton West) identified in the Infrastructure Delivery Plan • Investment in Leisure centre and athletics stadium at Macclesfield identified in the Infrastructure Delivery Plan 	Any site specific measures identified – reference should also be made to policy SC1 (Leisure and Recreation), SC 2 (Indoor and Outdoor Sports Facilities) and SE6 (Green Infrastructure) of the Local Plan Strategy.
Green Infrastructure (allotments, open space and amenity open space) No CIL Funding	On site or nearby provision of green infrastructure as a result of development sites. Please also refer to policy SE6 (Green Infrastructure) of the Local Plan Strategy.