

# Community Infrastructure Levy Regulation 123 List

November 2016



- 1.** Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy (CIL), to ensure S106 developer contributions and CIL do not fund the same items of infrastructure.
- 2.** This revised Regulation 123 list is intended to support the adopted CIL Charging Schedule and the projects listed within will support the level of development identified in the adopted Local Plan.
- 3.** The Council commenced charging CIL on 1st August 2016.
- 4.** In accordance with Regulation 123 of the CIL Regulations 2010 (as amended), developer contributions to the projects listed in this revised Regulation 123 List will not be sought through planning obligations.
- 5.** The Council operates an Infrastructure and Developer Contributions SPD seeking contributions through S106 obligations. On this basis, the Regulation 123 list contains specific descriptions of projects for generic types of infrastructure that may be funded using CIL receipts, subject to exclusions for specific on-site infrastructure, or for direct mitigation measures required as a direct result of any large scale development.
- 6.** Strategic development allocations known as Whitenap, Hoe Lane, Park Farm (Stoneham), George Yard/Black Swan Yard, Picket Piece and Picket Twenty extension have a nil rate of CIL applied in the adopted CIL Charging Schedule and therefore, infrastructure will be sought through S106 developer contributions and S278 Highways agreements.
- 7.** Future updates of the list will take place on a periodic basis, and will have regard to (a) updates to the Infrastructure Delivery Plan and Infrastructure and Developer Contributions SPD (b) review of the Council's adopted Local Plan and (c) changes to the CIL Regulations 2010 (as amended).
- 8.** The inclusion of a project or type of infrastructure in this list does not signify a commitment from the Council to fund (either in whole or in part) the listed project or type of infrastructure through CIL. The order of the list does not imply any preference or priority.
- 9.** It is anticipated that CIL receipts will be limited in the first 2-3 years after charging of CIL commences, given that contributions are not payable until commencement of development. On this basis, it is likely that CIL receipts will be retained for future allocation and implementation.
- 10.** In accordance with CIL Regulation 59A, the Council will pass 15% of CIL receipts to the Parish or Town Council for development within the Parish, capped at £100 per existing Parish dwelling in each year. This will be passed onto the Parish and Town Councils on a regular basis in accordance with the Regulations. Regulation 59A also allowed for 25% of CIL receipts to be passed to Parish Councils if they have an adopted Neighbourhood Development Plan.

CIL infrastructure type or project		Exclusions
<b>Ecological Mitigation</b>		
Suitable Alternative Natural Greenspace (SANGS)	<p>Provision and ongoing maintenance in perpetuity of Suitable Alternative Natural Greenspace (SANG) (Part of the New Forest National Park Special Protection Area Avoidance and Mitigation Measures).</p> <p>This is necessary to meet Article 6 (3) of the Habitats Directive.</p>	Excluding the provision and future maintenance of that part of Luzborough Plantation to be provided in accordance with Policy COM03 and Policy COM04 which is to be secured by way of a Section 106 legal agreement.
Strategic Access Management and Monitoring (SAMM)		Strategic Access Management and Monitoring (SAMM). These measures are not deemed to be infrastructure and will be secured via separate legal agreements.
<b>Roads and other transport facilities</b>		
Highways Improvements	<p>Highways schemes relating to ‘Measures to reduce the impact of additional traffic’ as identified in:</p> <ul style="list-style-type: none"> <li>• Andover Town Access Plan SPD 2015</li> <li>• Romsey Town Access Plan SPD 2015</li> <li>• Test Valley Access Plan SPD 2015</li> </ul> <p>Have not been identified for funding from CIL at this time.</p>	<p>“Measures to reduce the impact of additional traffic” as identified in:</p> <ul style="list-style-type: none"> <li>• Andover Town Access Plan SPD 2015</li> <li>• Romsey Town Access Plan SPD 2015</li> <li>• Test Valley Access Plan SPD 2015</li> </ul> <p>and subsequent updated versions as published from time to time.</p> <p>Provision of infrastructure directly related to an individual site to be provided to avoid/mitigate the impacts arising from development as identified by a Transport Assessment.</p> <p>Infrastructure as required to meet the needs of the Strategic Allocations<sup>1</sup> as outlined in the Local Plan Policies in addition to:</p> <p>COM 3 Whitenap – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Capacity at Winchester Road/Southampton Road – Plaza roundabout</li> </ul>

<sup>1</sup> Local Plan allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM5), Picket Piece (COM6), Picket Twenty extension (COM6A) and George Yard/Black Swan Yard (LE14)

CIL infrastructure type or project		Exclusions
		<p>COM 4 Hoe Lane – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Measures to ease traffic congestion at Baddesley Crossroads</li> </ul> <p>COM 6 Picket Piece – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Junctions of the A3093/A3057/A303(T)</li> <li>• Traffic management measures along Ox Drove</li> </ul> <p>COM 6A Picket Twenty – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Junctions and links of the A3093/A3057/A303(T)</li> </ul> <p>Implemented schemes or those with sufficient funding in the Access Plans are excluded.</p>
Public Transport	<p>“Public and Community Transport” as identified in:</p> <ul style="list-style-type: none"> <li>• Andover Town Access Plan SPD 2015</li> <li>• Romsey Town Access Plan SPD 2015</li> </ul> <p>and subsequent updated versions as published from time to time.</p> <p>Towards upgrading, improving or redeveloping Romsey Bus Station, including suitable provision of bus stop facilities.</p> <p>Improvements to Romsey Railway Station to facilitate better access and encourage use of sustainable modes of transport.</p>	<p>“Smarter Choices” as identified in:</p> <ul style="list-style-type: none"> <li>• Andover Town Access Plan SPD 2015</li> <li>• Romsey Town Access Plan SPD 2015</li> </ul> <p>and subsequent updated versions as published from time to time.</p> <p>Provision of infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from development.</p> <p>Infrastructure required to meet the needs of the Strategic Allocations<sup>2</sup> as outlined in the Local Plan Policies in addition to:</p> <p>COM 3 Whitenap – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Bus infrastructure along routes servicing the development</li> </ul> <p>COM 4 Hoe Lane – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Bus infrastructure along routes servicing the development</li> </ul> <p>COM 6 Picket Piece – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Bus infrastructure along routes servicing the development</li> </ul>

<sup>2</sup> Local Plan allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM5), Picket Piece (COM6), Picket Twenty extension (COM6A) and George Yard/Black Swan Yard (LE14)

CIL infrastructure type or project		Exclusions
		<p>COM 6A Picket Twenty – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Bus infrastructure along routes servicing the development</li> </ul> <p>Implemented schemes or those with sufficient funding in the Access Plans are excluded.</p>
<p>Cycle schemes and pedestrian links</p>	<p>“Cycling, walking and accessibility” as identified in:</p> <ul style="list-style-type: none"> <li>• Andover Town Access Plan SPD 2015</li> <li>• Romsey Town Access Plan SPD 2015</li> <li>• Test Valley Access Plan SPD 2015</li> <li>• Cycle Strategy and Network SPD 2015</li> </ul> <p>and subsequent updated versions as published from time to time.</p>	<p>Provision of infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from development.</p> <p>Excludes infrastructure required to meet the needs of the Strategic Allocations<sup>3</sup> as outlined in the Local Plan Policies in addition to:</p> <p>COM 3 Whitenap – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Pedestrian and cyclist facilities along Whitenap Lane</li> <li>• Safety of cyclists along Lee Lane</li> <li>• Reduce conflict of vehicles, cyclists and pedestrians at Rapids roundabout – Southampton Road/Romsey bypass</li> </ul> <p>COM 4 Hoe Lane – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Off-road cycle route along Firgrove Road</li> <li>• On-road cycle route along Sylvan Drive linking Hoe Lane to Rownhams Lane</li> <li>• On-road cycle route and widening of footways along A3057 to Rownhams Lane and/or reduce traffic speeds along Hoe Lane</li> <li>• Cycle route from Romsey to Redbridge</li> </ul> <p>COM 6 Picket Piece – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Pedestrian and cycle links along Ox Drove</li> </ul> <p>COM 6A Picket Twenty – Provision of/improvements to:</p> <ul style="list-style-type: none"> <li>• Footway along Andover Down to Picket Twenty Urban Park</li> </ul> <p>Implemented schemes or those with sufficient funding in the Access Plans are excluded.</p>

<sup>3</sup> Local Plan allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM5), Picket Piece (COM6), Picket Twenty extension (COM6A) and George Yard/Black Swan Yard (LE14)

CIL infrastructure type or project		Exclusions
Parking	<p>“Parking control and management” as identified in:</p> <ul style="list-style-type: none"> <li>• Andover Town Access Plan SPD 2015</li> <li>• Romsey Town Access Plan SPD 2015</li> </ul> <p>and subsequent updated versions as published from time to time.</p>	<p>Provision of infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from development.</p> <p>Excludes infrastructure required to meet the needs of the Strategic Allocations<sup>4</sup> as outlined in the Local Plan Policies.</p>
<b>Schools and other educational facilities</b>		
Further and higher education	Andover College, Andover Town Centre Campus.	
	Provision or improvement of community resource and learning centres accommodating a range of public services.	
<b>Community resource, learning and cultural facilities</b>		
Provision and improvement of multi-purpose community resource facilities and recreational spaces including proposals for new health, wellbeing and leisure facilities, and a hub for learning, arts, drama and culture.	Improvement, refurbishment or replacement of Crosfield Hall in Romsey.	<p>Excludes site-specific provision or site-specific infrastructure associated with the Strategic Allocations<sup>5</sup> as outlined in the Local Plan Policies of COM3/4/5/6 &amp; 6A.</p> <p>Excludes provision of community and education facilities at Picket Twenty and Picket Piece.</p> <p>Excluding provision of or contributions towards infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from development.</p>

<sup>4</sup> Local Plan allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM5), Picket Piece (COM6), Picket Twenty extension (COM6A) and George Yard/Black Swan Yard (LE14)

<sup>5</sup> As above

CIL infrastructure type or project		
Sporting and recreational facilities		
Sports facilities and pitches	Provision, replacement and enhancement of existing sports pitches and facilities including: <ul style="list-style-type: none"> <li>Swimming pools</li> <li>Redevelopment of or new Leisure Centre for Andover</li> <li>Increasing the capacity of dry side and wet side provision at the Romsey Rapids</li> <li>Increasing the capacity for extreme sports across the borough, both indoor and outdoor (including climbing/ bouldering, skate boarding, BMX and free running)</li> </ul>	Excludes site-specific provision or site-specific infrastructure associated with the Strategic Allocations <sup>6</sup> as outlined in the Local Plan Policies of COM 3/4/5/6 & 6A.  Excludes provision of sports facilities and pitches at the Urban Park at Picket Twenty and at Picket Piece.  Excluding provision of or contributions towards infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from development.
Open Spaces		
Parks, public gardens, informal recreation areas, provision for children and teenagers and allotments	Provision and enhancement of existing open spaces including parks and public gardens, informal recreation areas, provision for children and teenagers and allotments including: <ul style="list-style-type: none"> <li>The purchase of land to offset the deficit of public open space in wards across the borough</li> </ul>	Excludes site-specific provision or site-specific infrastructure associated with the Strategic Allocations <sup>7</sup> as outlined in the Local Plan Policies of COM 3/4/5/6/& 6A.  Excludes provision of parks, public gardens, informal recreation areas and provision for children and teenagers at Picket Twenty and Picket Piece.  Excluding provision of open space infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from development of the site in accordance with the policy requirements of LHW1 (including Annex F) of the adopted Local Plan (January 2016) and in the interests of securing sustainable high quality development. Space for the provision for children and teenagers can be incorporated within areas set aside for Informal Recreation.

<sup>6</sup> Local Plan allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM5), Picket Piece (COM6), Picket Twenty extension (COM6A) and George Yard/Black Swan Yard (LE14)

<sup>7</sup> As above

CIL infrastructure type or project		Exclusions
Green infrastructure, and waterways enhancement	<p>Provision and enhancement of the Green Infrastructure Network and areas of sensitive biodiversity identified in the Green Infrastructure Strategy and Biodiversity Action Plan including:</p> <ul style="list-style-type: none"> <li>• Improving the ecological condition of rivers and wetlands across Test Valley</li> <li>• Forest Park</li> </ul>	<p>Excludes site-specific provision or site-specific infrastructure associated with the Strategic Allocations<sup>8</sup> as outlined in the Local Plan Policies of COM 3/4/5/6/ &amp; 6A.</p> <p>Excludes provision of green infrastructure at Picket Twenty and Picket Piece.</p> <p>Excluding provision of green infrastructure and facilities which are directly related to an individual site to be provided to avoid/mitigate the impacts arising from the development.</p>
<b>Flood Defences</b>		
Flood defences and flood prevention measures	<p>Romsey Flood Defence Scheme Reduce the risk of flooding from the River Test and surface water sources which has a funding gap of approximately £1.7m.</p> <p>Bourne Valley Flood Alleviation Scheme Flood alleviation works to prevent flooding to villages, particularly Vernham Dean, Upton and Hurstbourne Tarrant which has a funding gap of approximately £400,000.</p>	

<sup>8</sup> Local Plan allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM5), Picket Piece (COM6), Picket Twenty extension (COM6A) and George Yard/Black Swan Yard (LE14)



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