Worcester City Council

Community Infrastructure Levy

Charging Schedule

Adopted: 16 May 2017
Implementation Date: 4 September 2017

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1 Introduction

1.1 The South Worcestershire Councils (SWC) have drafted a joint development plan, the South Worcestershire Development Plan (SWDP), and viability and infrastructure evidence underpinning the SWDP, which have also been produced on a joint basis. Notwithstanding this, each of the SWC are charging authorities in their own right and so are required to prepare separate charging schedules for the Community Infrastructure Levy (CIL or "the Levy").

1.2 This document contains the CIL Charging Schedules for the charging authorities of South Worcestershire (Malvern Hills District Council, Wychavon District Council and Worcester City Council). The Worcester City CIL charging schedule was adopted on **16 May 2017** and came into force on **4 September 2017**, following formal submission to the Secretary of State in July 2016 and examination in November 2016. The production-related CIL content for South Worcestershire is available on the CIL page of the SWDP website, while the individual local authority websites contain the relevant CIL implementation material.

1.3 The document sets out the following information:

- what the Levy is;
- the benefits and reasons for implementing the Levy;
- relationship with Planning Obligations;
- setting the Levy;
- the South Worcestershire approach;
- CIL implementation and payment;
- exemptions and relief;
- the Charging Schedules; and
- the Regulation 123 List

1.4 The CIL Charging Schedules have been developed through the Draft Charging Schedule and the Preliminary Draft Charging Schedule stages, which were published for consultation between and April and May 2016 and February and March 2015, respectively.

1.5 Definitions for some of the more technical terms used in this report are available in **Appendix D.**

2 What the Levy is

2.1 The Levy is a planning charge that came into force on 6 April 2010 through the CIL Regulations 2010 (as amended).

2.2 The Levy allows charging authorities to raise funds from developers and land owners undertaking new developments in their area. The money can be used to fund a wide range of additional infrastructure (separate to Section106 (s.106) planning obligations – see section 4) that is needed to support development. For example, this can include roads and other transport-related facilities, flood defences, schools, medical facilities, sport and recreation facilities, open space and green infrastructure.

2.3 The Levy is the Government's preferred mechanism for securing developer contributions towards local and strategic infrastructure improvements. For South Worcestershire, these have been identified in the South Worcestershire Infrastructure Delivery Plan (SWIDP) (latest 'live' version of the document updated in July 2016), which underpins the development strategy set out in the SWDP, and is guided specifically by policy SWDP 7: Infrastructure.

2.4 The Levy is now considered to be the primary mechanism through which contributions towards infrastructure can be collected and pooled by the charging authorities. As such, the Levy will contribute economically to development across South Worcestershire by providing a valuable mechanism through which to fund infrastructure to support new development coming forward, as identified in the Development Plan. Additionally, contributions from the CIL can be pooled with and used to lever investment from other external funding sources, for example, through bids for devolved Regional Growth Funding for Worcestershire's Local Enterprise Partnership (LEP) to maximise the funding available for capital projects such as road improvements.

2.5 The Levy creates a system for development to contribute to the cost of necessary supporting infrastructure, with all but the smallest building projects potentially able to make a contribution towards infrastructure that is needed as a result of development, whilst allowing for mitigation of the cumulative impacts from development.

3 The Benefits and Reasons for Implementing the Levy

3.1 The following points outline the main reasons for implementing the Levy in South Worcestershire:

- The Levy will help to fund the infrastructure needed to deliver growth set out in the SWDP;
- The Levy increases the number and range of developments contributing to infrastructure funds including those previously exempt from s.106 Planning Obligations.
- The Levy is certain (non-negotiable) and transparent, so developers can factor it into a scheme from an early stage;
- The Levy offers greater flexibility on how and when funds are spent than s.106 agreements. It is also a reasonably predictable funding stream that allows local authorities and infrastructure providers to plan more effectively and deliver infrastructure that is required for the community; and
- The ability to pool s.106 agreements has been scaled back since April 2015, which makes collecting monies for certain types of infrastructure (for example school provision) more difficult, particularly as the pooling limitations are required to be back dated to April 2010 (the date CIL regulations came into force).

Neighbourhood Planning

3.2 Where CIL exists, 15% or 25% of levy receipts will be passed onto Parish or Town Councils, which will then have control over how it is spent (a 25% share is dependent on a neighbourhood plan being in place). In un-parished areas (applicable to some areas of Wychavon District and Worcester City), the 15% of the levy receipts will be held by the charging authority, who should then engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding. For areas with no neighbourhood plan, the 15% share is capped at £100 per existing council tax dwelling per year. For areas with an adopted neighbourhood plan, the 25% share of levy receipts is uncapped.

The diagram below provides a summary of the differing levy receipt permutations:

Figure: relationship between the levy and neighbourhood plans in England

Parish Council ✓ Neighbourhood Plan ✓ = 25% uncapped, paid to Parish	Parish Council ✓ Neighbourhood Plan ✗ = 15% capped at £100/dwelling, paid to Parish
Parish Council ✗ Neighbourhood Plan ✓ = 25% uncapped, local authority consults with community	Parish Council ✗ Neighbourhood Plan ✗ = 15% capped at £100/dwelling, local authority consults with community

Source: NPPG

3.3 Whilst levy receipts are generally required to be spent on infrastructure-specific items, NPPG for CIL (paragraph 78 'Spending the Levy') states that the neighbourhood portion of the levy (i.e. the 15% or 25%) can be spent on a wider range of things than the rest of the levy, provided that it meets the requirement to 'support the development of the area' (Regulation 59C). The wider definition means that the neighbourhood portion can be spent on things other than infrastructure (as defined in the CIL regulations). While Parish, Town and Community Councils are not required to spend their neighbourhood funding portion in accordance with the charging authority's priorities, Parish, Town and Community Councils should work closely with the charging authority to agree priorities for spending their neighbourhood funding element (NPPG paragraph 79 on the CIL page 'Spending the Levy').

4 Relationship with Section 106 Planning Obligations

4.1 Once the Levy is introduced, agreements under s.106 of the Town and Country Planning Act 1990 (as amended) will be scaled back to fund only those matters directly related to site-specific impacts. To encourage councils to adopt CIL, the Government has implemented restrictions on the use of s.106 agreements since April 2015 so that no more than five contributions can be pooled towards one project or type of infrastructure (back dated to April 2010, the date CIL regulations came into force). Further information relating to the approach being taken in South Worcestershire with regard to s.106 agreements can be found in the SWC Developer Contributions Supplementary Planning Document (SPD), adopted in October 2016.

4.2 Site-specific planning obligations should only be sought where they can be justified with reference to the underpinning evidence on infrastructure planning. Contributions must satisfy three tests (in accordance with Regulation 122); they must be:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.

4.3 CIL Regulations also prevent developers from being asked to fund the same infrastructure through both the Levy and s.106 agreements. This is achieved through the CIL Regulation 123 requirements, which requires charging authorities to set out a list of those projects or types of infrastructure they intend to fund through the Levy. The CIL Regulation 123 list will therefore set out a list of infrastructure projects or types of infrastructure that SWC intend to be, or which may be, wholly or partly funded by CIL.

4.4 Where a generic category (such as 'education' or 'transport') is included on the Regulation 123 list, s.106 should not be used to fund projects in that category, other than where projects have been stated as being for specific on-site developments. This is to ensure there is no duplication between the two types of developer contributions for the same items of infrastructure.

4.5 To produce the Regulation 123 list, the charging authorities must identify the infrastructure requirements for their administrative area, and understand how they relate

to the pattern of development across the whole of South Worcestershire, based on the SWIDP. This infrastructure delivery work is contained within a 'live document' (latest update July 2016) and has informed the current position on the relationship between the two collection methods, as set out in **Appendix A.** The charging authorities have worked with infrastructure providers and site promoters (where appropriate) to identify, for each site (or combination of sites), whether particular infrastructure (either specific or generic) should be funded by s.106 agreements or by CIL. As of January 2017, a number of the large strategic sites allocated within the SWDP either already have planning permission or have submitted planning applications, meaning that the required infrastructure has already been, or is in the process of being identified, along with the funding mechanisms. Where a strategic SWDP site has yet to enter into the formal planning application process, discussions will be held with the applicant/promoter as to what infrastructure is required (ideally at a pre-application stage), subject to viability evidence. The Regulation 123 list (and its accompaniment table) is a working document which will be reviewed periodically and published on the councils' website.

5 Setting the Levy

5.1 The Levy rates are set on the basis of evidence, in consultation with local communities, the development industry and other interested parties, and will provide a greater level of certainty from the outset concerning how much infrastructure funding will be expected from new development.

5.2 Levy rates are set at a level that balances the requirement for infrastructure to support development against the potential economic impact of imposing the Levy. The need for this balance is set out in Regulation 14(1)[1] of the CIL Regulations (as amended), which states that the charging authority must "strike an appropriate balance" between the desirability of funding infrastructure from the Levy and "the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area". Additionally, CIL Guidance states that councils should "show and explain how their proposed Levy rate (or rates) will contribute towards the implementation of their relevant Plan and support the development of their area."

5.3 The sections below provide a brief overview of the process the SWC have followed in setting the Levy rates (see Section 8 for the charging schedules). A full explanation of how the charging authorities met the requirements of the Regulations and Guidance up to formal submission for examination is set out in the 'Justifying the Levy' Background Document (April 2016).

Economic Viability

5.4 Charging authorities need to prepare evidence about the Levy's effect on economic viability in order to be able to demonstrate to an independent examiner that their proposed rates strike an appropriate balance. The Levy charge must only be set on the basis of viability and should not be used as a policy tool.

5.5 Charging Schedules may include differential rates but only where they can be justified on the basis of either economic viability in different parts of the area, or by economic viability of different types of development. A zero rate can also be set if

[1] Guidance on the Community Infrastructure Levy was added to the National Planning Practice Guidance (NPPG) website on 12 June 2014. This replaced the standalone guidance that was published in February 2014.

viability testing shows that it would be unviable for a particular use or area to pay the Levy.

5.6 In 2012, Worcestershire County Council (WCC) in liaison with the six district councils, commissioned consultants HDH Planning and Development (HDH) to undertake an independent CIL viability analysis of the county to provide the evidence required to develop Charging Schedules across Worcestershire. This analysis used a recognised valuation methodology to identify the maximum amount of CIL that a range of modelled sites from the development plan could bear whilst still sustaining a sufficient land price to provide the landowner and the developer with a 'competitive return'. This was published in early 2013. In addition, HDH undertook a viability study for the SWC in November 2012. Further viability work was undertaken for the SWC in 2013 and this formed the evidence base for the CIL rates consulted upon in September 2013. Additional viability work was undertaken by HDH in September and December 2014 as a result of the outcome of the SWDP Stage 1 Examination. Following the PDCS consultation, further viability update work was carried out by HDH during late 2015/early 2016 and it is this update (January 2016) which has informed the CIL rates. All of the viability reports are available on the SWDP website.

5.7 An important part of the process has been engagement with the development industry and other key stakeholders. Events were held in 2012, as well as during the original first PDCS consultation in the autumn of 2013, at which local and national developers, land owners, agents, registered providers and other consultees commented on the proposed approach to developing the Charging Schedules. An update of this engagement process, in the form of workshops for land agents/consultants and Parish/Town Council members (including a viability update), was held in March 2015 as part of the revised PDCS consultation stage, and also for the Draft Charging Schedule stage in April 2016.

Funding Infrastructure

5.8 The Planning Act 2008 includes a wide definition of infrastructure that can be funded from the Levy. Such infrastructure includes:

- Education Facilities and Schools;
- Open Spaces and Green Infrastructure;
- Roads and other sustainable transport facilities and schemes;
- Flood Defences; and
- Community and health facilities.

5.9 The Levy is intended to be spent on the provision of new infrastructure to support additional growth identified in the SWDP, rather than to remedy existing infrastructure deficiencies, unless those deficiencies will be made more severe by new development.

5.10 In South Worcestershire, infrastructure requirements resulting from development in the SWDP have been assessed and are set out in the SWIDP, which is the accompaniment to policy SWDP 7: Infrastructure. The SWIDP ("live document", latest update July 2016) identified an estimated funding gap of £259.27m for the 'main' infrastructure typologies (i.e. transport, education and sport and recreation). Update work undertaken as part of the CIL examination (October 2016) revised the funding gap for the main infrastructure typologies to £205.45m. The updated funding gap figure is based on a main infrastructure typologies requirement of £399.4m, minus £191.9m for the known funding that has been obtained or is available. An updated breakdown of the updated funding gap can be found in **Appendix G**.

5.11 It is fully recognised that the Levy will not deliver all of the infrastructure required, and the SWC, together with infrastructure providers (including Worcestershire County Council), are continually working to identify other funding streams needed to facilitate delivery. Please see the SWIDP for further details on this matter.

5.12 Despite working to identify such alternative funding, there is still a substantial funding gap, which demonstrates the need to introduce CIL.

6 The South Worcestershire Approach

1. Set the Levy at a cautious level

6.1 The performance of the national economy remains mixed and increases in house prices are not guaranteed. Build costs have risen significantly since 2012 and show no signs of decline. It can be concluded therefore that confidence has not fully returned to the market.

6.2 Setting the Levy close to the limits of viability could have an adverse impact on development coming forward. Setting the Levy at a cautious level will allow the SWC to (subject to site specific viability issues):

- Continue to deal with site-specific issues via s.106 agreements in a complementary manner;
- Continue to deliver affordable housing requirements in line with SWDP policy (also see the SWC Affordable Housing SPD, adopted October 2016);
- Meet policy aspirations on design and environmental standards; and
- Establish the principle of the Levy within the development industry in South Worcestershire.

2. Consideration of different rates on strategic sites

6.3 Charging authorities are permitted to treat major strategic sites as a separate geographical zone, where this can be supported by robust economic viability evidence.

6.4 The September 2013 PDCS, the revised 2015 PDCS and the 2016 Draft Charging Schedule all considered the idea of different Levy rates for strategic sites. Such sites result in substantial infrastructure requirements in their own right which are more likely to be delivered by the developers or via s.106 agreements. This affects the economic viability of their delivery in a different way to smaller sites. Work undertaken by HDH to update the economic viability assessment of the strategic SWDP development site allocations across South Worcestershire (January 2016, with further targeted updates in May 2016) identified that none of the strategic

SWDP allocation sites without planning permission that were tested could justify a separate CIL charging rate on economic viability grounds. Furthermore, the majority of the strategic sites have already been determined through the planning process or are current submitted applications awaiting determination. The updated viability work also recommended a lower rate of £60m^2 for Food Retail (including both large and small Supermarkets) and Retail Warehouses (previously £100m^2 in the PDCS).

6.5 Where there is a CIL charge, and the standard district-wide rate is considered to be too high in terms of economic viability considerations, developers will need to work in collaboration with the SWC and infrastructure delivery partners to provide evidence of exceptional circumstances as per NPPG paragraph 129. A clear delivery strategy must also be demonstrated to ensure any difference in rate is justified by reference to the economic viability of the development. Landowners and site promoters will be expected to provide sufficient, good quality information to allow the charging authority to make an informed judgement.

3. Look to revise the CIL at an appropriate time

6.6 Over the coming years, values and costs of development could change significantly and the market could become more certain. It is difficult to predict how these may change and when. It will therefore be important to monitor the market and review the Levy at an appropriate time.

7 CIL Implementation and Payment

7.1 The Levy rate is expressed as a £ per m^2 charge (gross internal area) within South Worcestershire. The Levy **will be** applied to:

- Buildings into which people normally go;
- New build floor space of at least 100 square metres;
- The creation of a new dwelling (even if the floor space is less than 100 square metres); and
- The conversion or change of use of a building that is no longer in lawful use[2].

Development still needs to include 100 square metres or more new floorspace or the creation of a new dwelling. If a building is still in lawful use, CIL is only payable on the additional new floorspace after factoring in the existing floorspace that can be offset against the new floorspace (even if the total is under 100 square metres).

The Levy may also apply to development permitted by a 'general consent' (including permitted development) commenced on or after 6 April 2013.

Development **will not be** liable for CIL if it:

- Involves only change of use, conversion or subdivision of, or creation of mezzanine floors within a building which has been in lawful use for at least six months in the 3 years prior to the development being permitted and does not create any new build floorspace; or
- Is for a building into which people do not normally go, or go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery; or
- Is for a structure which is not a building, such as pylons or wind turbines; or
- Is for a use which benefits from a zero or nil charge (£0/m^2) as set out in a CIL Charging Schedule.

Where buildings are demolished to make way for new buildings, the Levy charge will be based on the floorspace of new buildings less the floorspace of the demolished buildings (provided the buildings were in lawful use prior to demolition).

[2] The definition of lawful use is contained in Regulation 40(11) of the Community Infrastructure Levy Regulations 2010 (as amended).

Exemptions and Relief

7.2 Certain types of development are exempt from paying the Levy. CIL regulations state that affordable housing and charitable developments (development by a registered charity for charitable purposes), as well as self-build residential properties, are exempt from CIL. Additional exemption/relief claim forms may be required by the SWC. Paragraph 3 of the NPPG on CIL provides further details of development which does not pay the levy. Affordable housing will continue to be secured via s.106 agreements (also see the SWC Affordable Housing SPD). Please see the local authority CIL webpages for further information relating to CIL liability, exemptions and relief.

Instalments Policy

7.3 The Levy is non-negotiable and is payable to the relevant charging authority on commencement of development or, for large developments, over an agreed phased period as set out in an instalments policy (**Appendix E**).

7.4 Under CIL Regulation 70 (as amended by the 2012 and 2013 Regulations) payment by instalment is provided for where an instalments policy is in place, provided this is published on the charging authorities' website (under Regulation 69B). An instalment policy can assist the viability and delivery of development by taking account of financial restrictions, such as may be encountered in the development of homes within the buy-to-let sector. Few, if any, developments generate value until they are completed either in whole or in phases. The SWC may revise or withdraw the instalments policy if they consider this to be necessary.

Indexation of the Levy

7.5 In order to ensure the charging schedule stays responsive to market conditions, indexing of the charging schedule will be applied at the beginning of each year on 1 January by SWC based on the index figure of 1 November of the preceding year. Paragraph 49 of the NPPG and CIL Regulation 40 (as amended by the 2014 Regulations) state the requirement to index should be completed to take account of inflation using the national All-In Tender Price Index of construction costs published by

the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors.

Implementation Material

7.6 For all the relevant information relating to the implementation of CIL, including 'how to' guides, Frequently Asked Questions, potential development scenarios and forms, please see the CIL websites of the Local Authorities.

8 The Charging Schedules

8.1 The level of the tariff outlined below by each charging authority is based on the viability evidence undertaken for development across South Worcestershire as a whole (latest update January 2016) and is further justified by the needs identified in the SWIDP.

8.2 The rates by reference to which CIL will be charged are set out in Tables 1 and 2 below.

Table 1 – CIL Rates (£/m^2) for each Charging Authority			
Use Type	**Malvern Hills**	**Worcester City**	**Wychavon**
Residential – Main Urban Areas	**£0 (Malvern, Upton upon Severn and Tenbury Wells)**	**£0**	**£0 (Droitwich, Evesham and Pershore)**
Residential – All other Areas except for the Strategic Sites listed in Table 2	**£40**	**£0**	**£40**
Student Accommodation	**£100**	**£100**	**£100**
Food Retail (Supermarkets)	**£60**	**£60**	**£60**
Retail Warehouses	**£60**	**£60**	**£60**
Shops	**£0**	**£0**	**£0**
Hotels	**£0**	**£0**	**£0**
Industrial and Office	**£0**	**£0**	**£0**
All Other Uses (including Education, Health and Community uses)	**£0**	**£0**	**£0**

Table 2 – Residential CIL Rates (£/m^2) for Strategic Sites		
Site	**CIL Rate (£/m^2)**	**Charging Authority**
SWDP 45/1 Worcester South Urban Extension	**£0**	**Malvern Hills/ Wychavon/ Worcester City**
SWDP 45/2 Worcester West Urban Extension	**£0**	**Malvern Hills**
SWDP 45/4 Gwillam's Farm	**£0**	**Wychavon**
WO135 & WO136 Crown Packaging, Worcester	**£0**	**Worcester City**
SWDP 45/3 Kilbury Drive, Worcester	**£0**	**Wychavon**
SWDP 45/5 Swinesherd Way	**£0**	**Wychavon**
SWDP 48/1 Vines Lane, Droitwich	**£0**	**Wychavon**
SWDP 51/1 Cheltenham Road, Evesham	**£0**	**Wychavon**
SWDP 47/1 Pershore Urban Extension	**£0**	**Wychavon**
SWDP 53 QinetiQ, Malvern	**£0**	**Malvern Hills**
SWDP 56 North East Malvern Urban Extension	**£0**	**Malvern Hills**

8.3 The boundaries for each CIL rate follow the administrative district boundaries (or an urban area or site delineation where specified) and can be viewed on the maps in **Appendix B.**

8.4 **Appendix C** displays the planned improvement phases of the A4440 Southern Link Road, a key infrastructure requirement for south Worcestershire, as referred to in the Regulation 123 list.

Appendix A1 - South Worcestershire Council's CIL Regulation 123 List

Types of infrastructure that may be funded, in whole or in part, by CIL	
Education Facilities	The provision, expansion, improvement, or replacement of new and existing state education facilities. This excludes those items of infrastructure stated as to be provided through Section 106 obligations.
Transport	The provision, expansion, improvement, or replacement of roads, highways, traffic management, public transportation, cycling and pedestrian and other transport facilities. This excludes those items of infrastructure stated as to be provided through Section 106 obligations and/or Section 278 (Highways Act 1980) obligations.
Open Space / Green Infrastructure	The provision, expansion, improvement, or replacement of new or existing strategic green and blue infrastructure and biodiversity measures. Excludes those items of green infrastructure stated as to be provided through section 106 obligations.
Sport and Recreation	The provision, expansion, improvement, or replacement of new and existing sports and recreation facilities both formal and informal. Excludes those items of infrastructure stated as to be provided through Section 106 obligations.
Flood Mitigation Measures	The provision, expansion, improvement, or replacement of new and existing flood mitigation measures (including flood risk management infrastructure). Excludes those items of infrastructure stated as to be provided through Section 106 obligations.
Community and Cultural Facilities	The provision, expansion, improvement, or replacement of new and existing community and cultural facilities. Excludes those items of infrastructure stated as to be provided through Section 106 obligations.
Emergency Services	The provision, expansion, improvement, or replacement of new and existing emergency service facilities. Excludes those items of infrastructure stated as to be provided through Section 106 obligations.
Health Facilities	The provision, expansion, improvement, or replacement of new and existing health facilities. Excludes those items of infrastructure stated as to be provided through Section 106 obligations.

Appendix A1 above, the Regulation 123 list, sets out the types of infrastructure that the SWC including Worcestershire County Council intends could be, wholly or partly funded by CIL. The inclusion of an infrastructure type on the list does not signify a commitment from any council to fund (either in whole or part) the listed project or type of infrastructure. The list order above does not imply any preference or priority.

The SWC may seek planning obligations through section 106 agreements for infrastructure projects specifically related to a site. The planning obligation will be subject to the pooling limitations and the three legal tests outlined in Regulation 122 of the CIL Regulations 2010 (as amended).

Appendix A2 sets out in more detail how the Regulation 123 List will be applied. This accompaniment table has been informed by the detailed infrastructure requirements as set out in the SWIDP (updated July 2016), which accompanies policy SWDP 7: Infrastructure, and the viability update report January 2016.

Appendix A2 – Regulation 123 List Accompaniment

This list sets out how the South Worcestershire Councils will seek to apply CIL and Section 106 Planning Obligations in practice (the Regulation 123 List and this accompaniment can be amended as changes to spending / infrastructure priorities arise).

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
Affordable Housing	• See the Affordable Housing Supplementary Planning Document (SPD) October 2016			SWDP 15	✓	×
Education Facilities (FE = Form of Entry[3])	• 1 X 2FE Primary School	South Worcester Urban Extension (SWDP 45/1)	On site	SWDP 7[4]	✓	×
	• 1 X 2FE Primary School	West Worcester Urban Extension (SWDP 45/2)	On site	SWDP 7	✓	×
	• 1 x 1FE Primary Expansion of Somers Park Primary School	Malvern North East Urban Extension (SWDP 56)	Schools directly related to site	SWDP 7	✓	×
	• 2 X 1FE Expansions Secondary Schools	South Worcester	Schools	SWDP 7	✓	×

[3] Form of Entry – normally equates to 1 class of 30 pupils

[4] No singular policy for education exists within the SWDP. Education is covered in part five of the generic infrastructure policy SWDP 7.

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
	- 1 X FE Expansion of Nunnery Wood High School - 1 X FE Expansion of Tudor Grange Academy	Urban Extension (SWDP45/1)	directly related to site			
	• 2 X 1FE Expansions Secondary Schools - 1 X FE Expansion of Christopher Whitehead Language College - 1 X FE Expansion of The Chantry High School	West Worcester Urban Extension (SWDP 45/2)	Schools directly related to site	SWDP 7	✓	×
	• 1 X FE Expansion to a Primary School; Either Whittington CE Primary School or Redhill CE Primary School	Swinesherd Way (SWDP 45/5)	School(s) directly related to site	SWDP 7	✓	×
	• Primary or Secondary school(s) expansions directly related to the site in the Worcester education pyramid[5]	Crown Packaging	School(s) directly related	SWDP 7	✓	×

[5] All schools in Worcestershire are organised in to school pyramids based around major settlements and areas of Worcestershire. Currently Worcestershire is organised into 16 school pyramids.

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
		(W0135 & W0136)	to site			
	• Primary or Secondary school(s) expansions directly related to the site in the Evesham education pyramid.	Cheltenham Road, Evesham (SWDP 51/1)	School(s) directly related to site	SWDP 7	✓	×
	• Primary or Secondary school(s) expansions directly related to the site in the Malvern education pyramid.	Qinetiq, Malvern (SWDP 53)	School(s) directly related to site	SWDP 7	✓	×
	• Housing sites of a sufficient number of dwellings which in themselves generate the need for either a new school (primary or secondary) or expansion to an existing school(s) by 0.5 X FE or greater.	All qualifying sites	School(s) directly related to site	SWDP 7	✓	×
	• Other cumulative impacts of development on nursery provision, school age provision and special education facilities.			SWDP 7	×	✓

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106 / S278	CIL
Transport	• A4440 Dualling Broomhall Way - Norton Roundabout – Whittington Roundabout. • Bath Rd / Sidbury / College St / City Walls Road Corridor (Junction, Highways Works and Bus Infrastructure). • A44 London Road (Bus Infrastructure). • Real Time Information Systems & Variable Message Signs (for A38 Bath Rd & A44 London Road). • A4440 Eastern & Northern Orbital Corridor (Junction Capacity Works) • Parkway Railway Station.	South Worcester Urban Extension (SWDP 45/1)	See Specific Requirements column	SWDP 4	✓	×
	• A4440 Dualling of Temeside Way from Ketch Island to Powick Island-Ketch Island – Powick Island. • Improvements to bus infrastructure to include new shelters and raised kerbs on A44. • Real Time Information Systems and Variable Message Signs on A44 Bromyard Road.	West Worcester Urban Extension (SWDP 45/2)	See Specific Requirements column	SWDP 4	✓	×
	• A4440 Dualling of Temeside Way from Ketch Island to – Powick Island. • A449 Improvements.	Malvern North East Urban Extension	See Specific Requirements	SWDP 4	✓	×

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106 / S278	CIL
	• Improvements to signalised junction at A449 Lower Howsell Road. • Malvern Town Centre Bus Service. • Malvern to Worcester Cycle Route.	(SWDP 56)	column			
	• Improvements to the A4440 corridor to include capacity enhancements at the A4440/A44 (Stratford Road Roundabout and A4440 to A44 London Road/Whittington Road Roundabout). • Public Transport provision of bus shelter for new bus stop adjacent to Whittington Hall. • New shelter, raised kerbs and pole/flag on outbound bus stop west of Whittington Roundabout. • Contributions to upgrade the 550 bus service.	Swinesherd Way (SWDP 45/5)	See Specific Requirements column	SWDP 4	✓	×
	• Shrub Hill Station improvements. • Advanced stop line at Shrub Hill Road/Midland Road.	Crown Packaging (W0135 & W0136)		SWDP 4	✓	×
	• Introduction of MOVA signal control at the A4184 junction with Davis Road. • Junction improvements at Vine Street / High Street / Bridge Street. • Sustainable schemes improvements	Cheltenham Road, Evesham (SWDP 51/1)		SWDP 4	✓	×

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106 / S278	CIL
	including bus stops, crossing facilities (Cheltenham Road) and cycle signage to town centre). • Capacity enhancement of A46/A4184 Roundabout. • Capacity enhancement of A46/The Link/Millennium Way Roundabout.					
	• Junction improvement at B4211 Barnards Green Road / B4208 Pickersleigh Road / Upper Chase Road / Court Rd / Avenue Road. • Junction improvements at B4208 Barnards Green Road / B4211/Poolbrook Road.	Qinetiq, Malvern (SWDP 53)		SWDP 4	✓	×
	• Site specific projects and off site directly related transport projects designed to mitigate for specific transport infrastructure and services required to make development acceptable in planning terms (e.g. site specific highway works, including localised safety improvement, reinstatement of highways and site specific works to amenity land, access roads for the specific development).	All qualifying sites		SWDP 4	✓	×
	• Site Specific Travel Plans.	All qualifying sites		SWDP 4	✓	×

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106 / S278	CIL
	• Strategic, county wide sustainable transport improvements for walking, cycling, public transport and highways.			SWDP 4	×	✓

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
Open Space / Green Infrastructure	• Site specific projects and off site, directly related green infrastructure projects and small areas of open space or on-site play provision (e.g. parks, green areas, children's play space). • Smaller sites may be asked to provide Local Equipped Areas of Play (LEAPs) within 400m • Larger sites may be asked to provide Neighbourhood Equipped Areas of Play (NEAPs) within 1KM	All qualifying sites		SWDP 5, 22, 23, 25, 29, 38 & 39	✓	×
	• Site specific ecological impacts of development.	All qualifying sites		SWDP 5, 22, 23, 25, 29, 38 & 39	✓	×

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
	• Strategic (off site) open space / green infrastructure, including parks and open spaces, local green network, biodiversity protection / enhancements and water quality projects.			SWDP 5, 22, 23, 25, 29, 38 & 39	×	✓
Sport and Recreation	• Four outdoor tennis courts • Multi-Use Games Area • Seven senior Football Pitches • Cricket Pitch • Four Court Indoor Sports Hall	South Worcester Urban Extension (SWDP 45/1)	On site	SWDP 5, 38, 37 & 39	✓	×
	• Multi-Use Games Area • Community Centre / Pavilion • Six senior football pitches	West Worcester Urban Extension (SWDP 45/2)	On site	SWDP 5, 38, SWDP 37 & 39	✓	×
	• Multi-Use Games Area • Community Centre / Pavilion • Football Pitches • One New Cricket Pitch	Malvern North East Urban Extension (SWDP 56)	On site	SWDP 5, 38, SWDP 37 & 39	✓	×
	• Strategic provision of built leisure and other sports facilities.			SWDP 37 & 39	×	✓
	• Site specific projects and off site directly related provision of playing fields and pavilion-style ancillary buildings to meet the sports and recreation needs of the development.	All qualifying sites		SWDP 5, 38, SWDP 37 & 39	✓	×

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
Flood Mitigation Measures	• Specific on site flood defences / mitigation required as a result of a site specific FRA (e.g. drainage systems, flood risk management).	All qualifying sites	On site	SWDP 28, 29 & 30	✓	×
	• Strategic flood defences / mitigation required to support development across the area.			SWDP 28, 29 & 30	×	✓
	• Flood Warning Service provision (maintenance, forecasting, warning, and modelling).			SWDP 28, 29 & 30	×	✓
Community and Cultural Facilities	• Specific community and cultural requirements associated with the development to be delivered on an appropriate site (e.g. village hall).	All qualifying sites		SWDP 37	✓	×
	• Strategic provision of community and cultural facilities such as leisure centres, libraries and cultural facilities.			SWDP 37	×	✓
Emergency Services	• Police Posts	South Worcester Urban Extension (SWDP 45/1) West Worcester Urban Extension (SWDP45/2) Malvern North East Urban Extension	On site	SWDP 37	✓	×

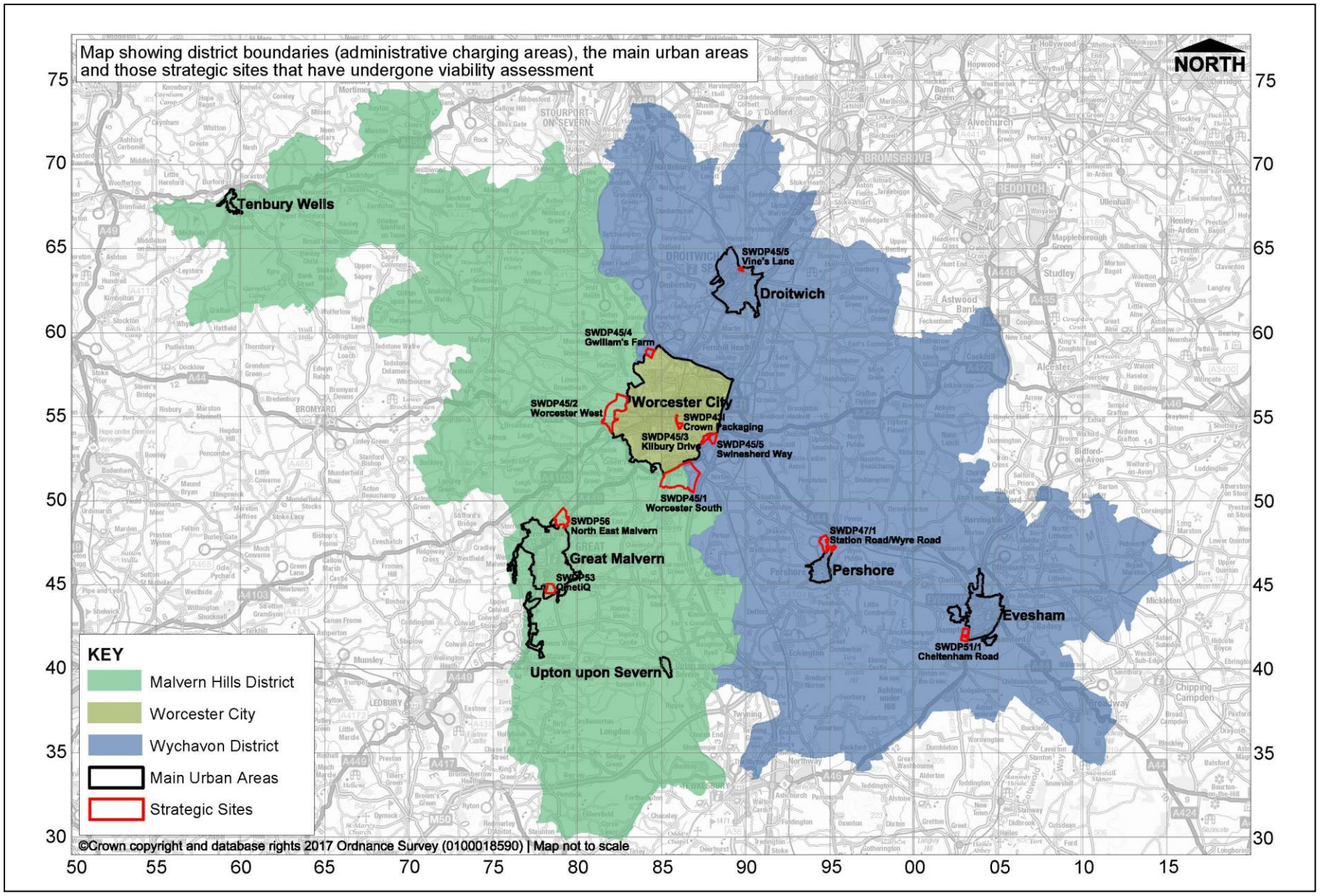
Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
		(SWDP 56)				
	• Site specific emergency service provision to ensure an acceptable level of cover commensurate with the growth proposed.	All qualifying sites		SWDP 37	✓	×
	• Strategic provision of police service infrastructure to support development growth.			SWDP 37	×	✓
	• Strategic provision of fire and rescue infrastructure to support development growth.			SWDP 37	×	✓
	• Strategic provision of ambulance services and other emergency care infrastructure to support development growth, carried out in consultation with the Clinical Commissioning Group for south Worcestershire.			SWDP 37	×	✓
Health Facilities	• Directly related health provision and related infrastructure to meet the needs of development carried out in consultation with the Clinical Commissioning Group for South Worcestershire.	All qualifying sites		SWDP 37	✓	×
	• Strategic provision of health facilities and related infrastructure to support development growth, carried out in consultation with the Clinical Commissioning Group for South			SWDP 37	×	✓

Infrastructure Type	Specific Requirements	Development Site	Infrastructure Location	SWDP Policy Reference	Delivery Mechanism	
					S106	CIL
	Worcestershire.					
Public Realm	• Site specific public realm infrastructure and assets.	All qualifying sites		SWDP 21	✓	×
Historic Environment	• Site specific historic environment infrastructure and assets.	All qualifying sites		SWDP 6 & 24	✓	×

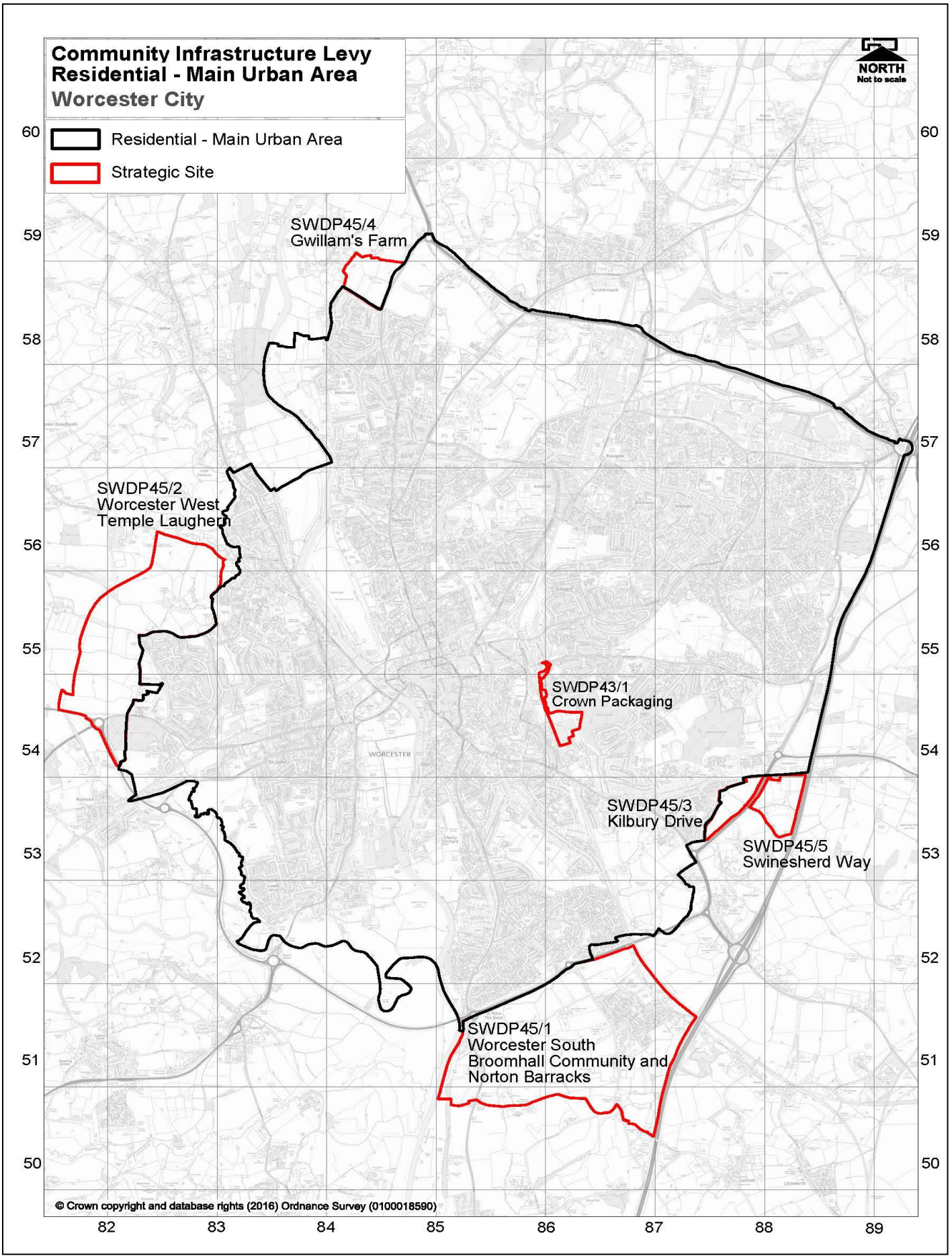
Section 106 agreements should not normally be sought on any specific projects unless identified in this appendix. Such site-specific contributions should only be sought where this can be justified through compliance with Regulation 122 and the associated pooling limitations. For further information in relation to S106 contributions, please refer to the South Worcestershire Developer Contributions SPD (October 2016).

Appendix B - Maps

Map 1 – South Worcestershire's Administrative Charging Areas

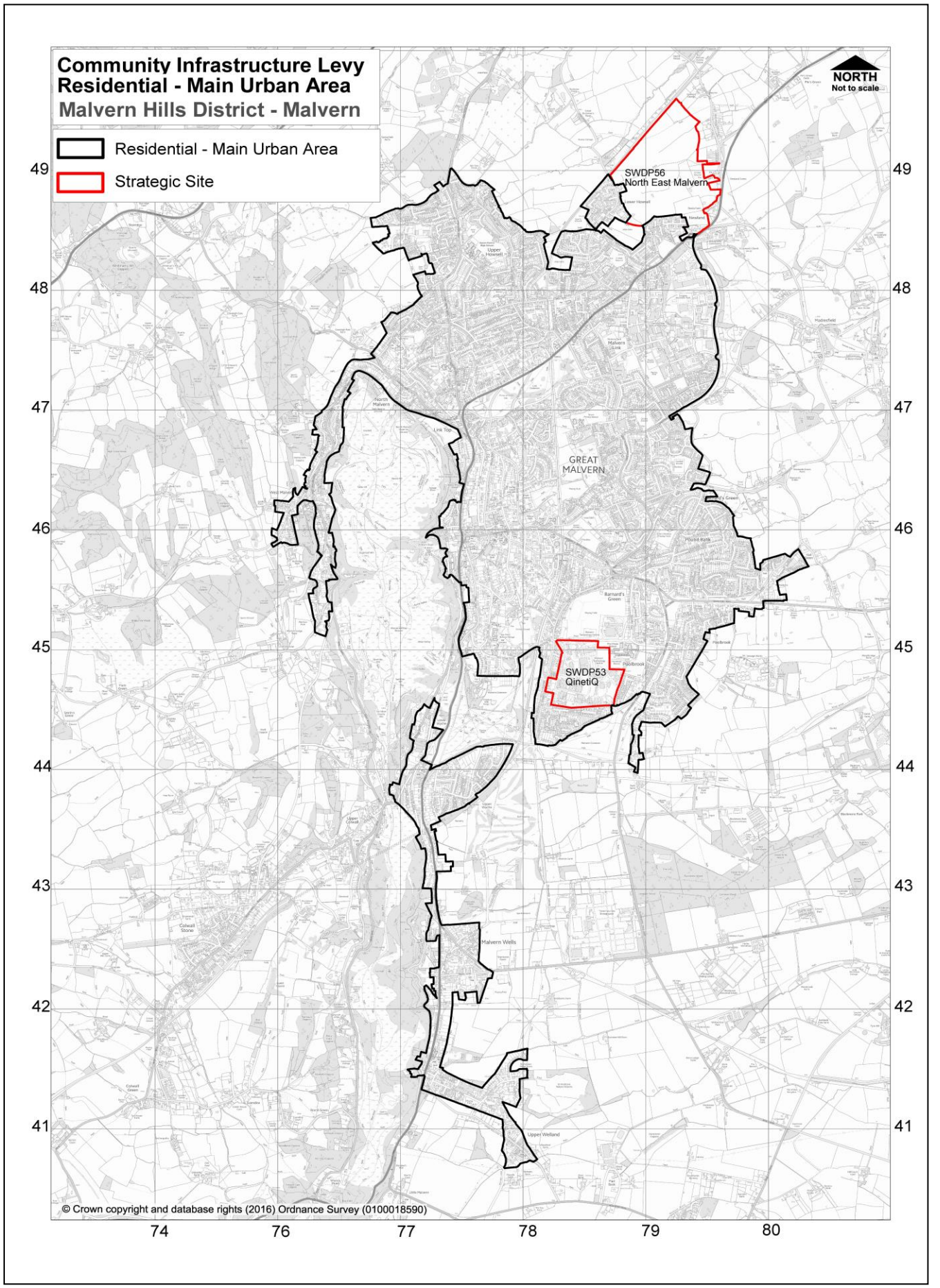


Map 2 - Worcester City

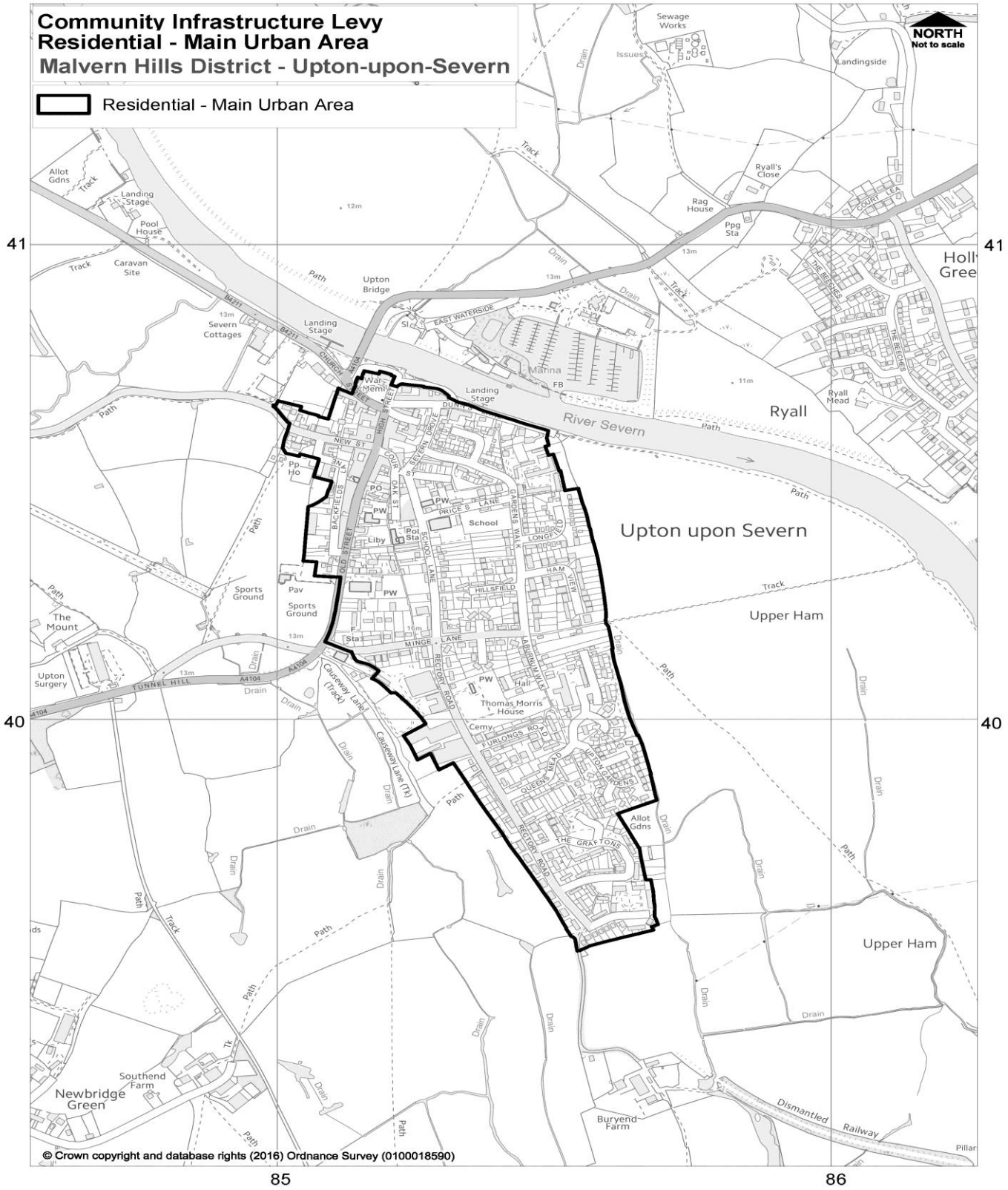


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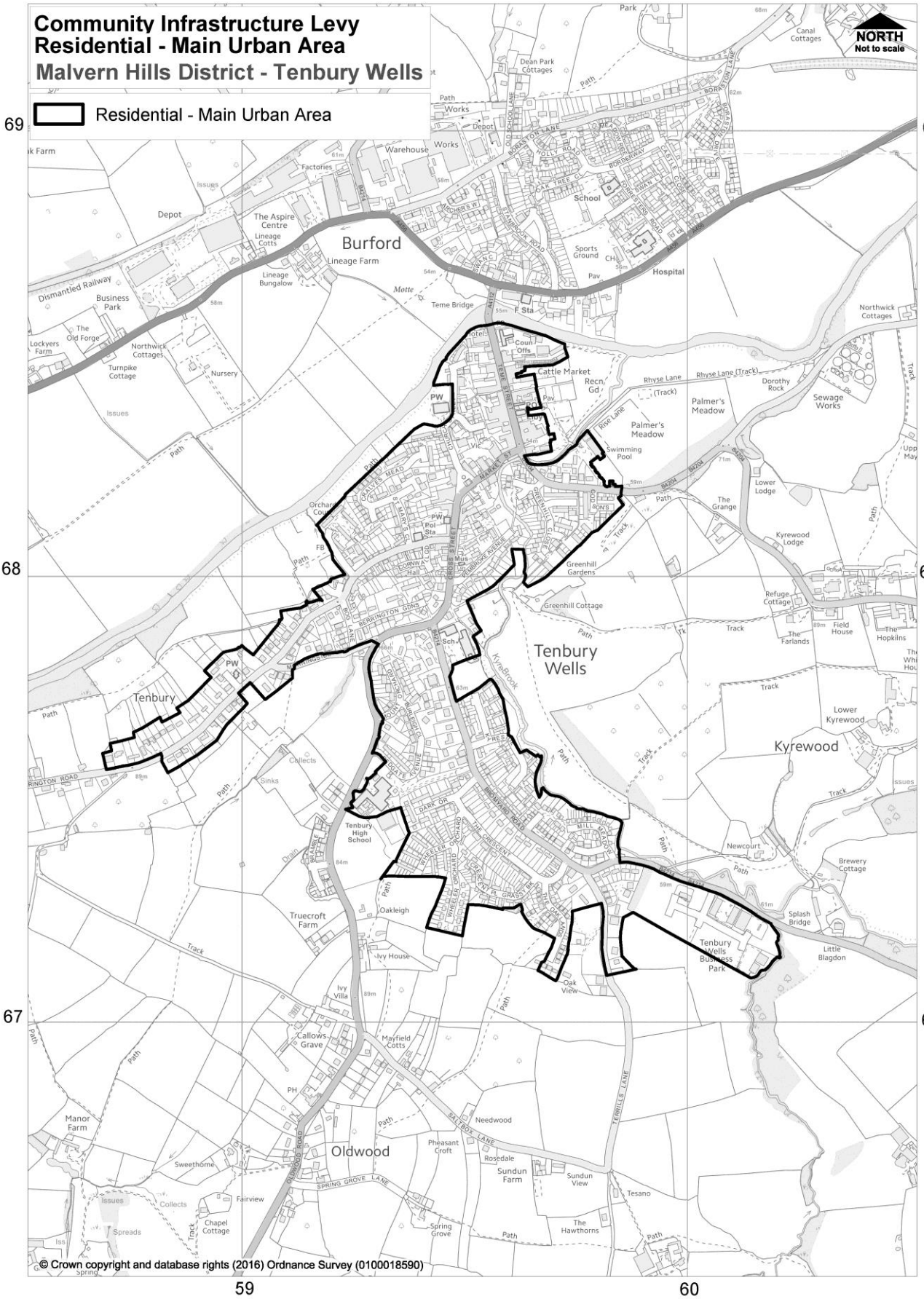
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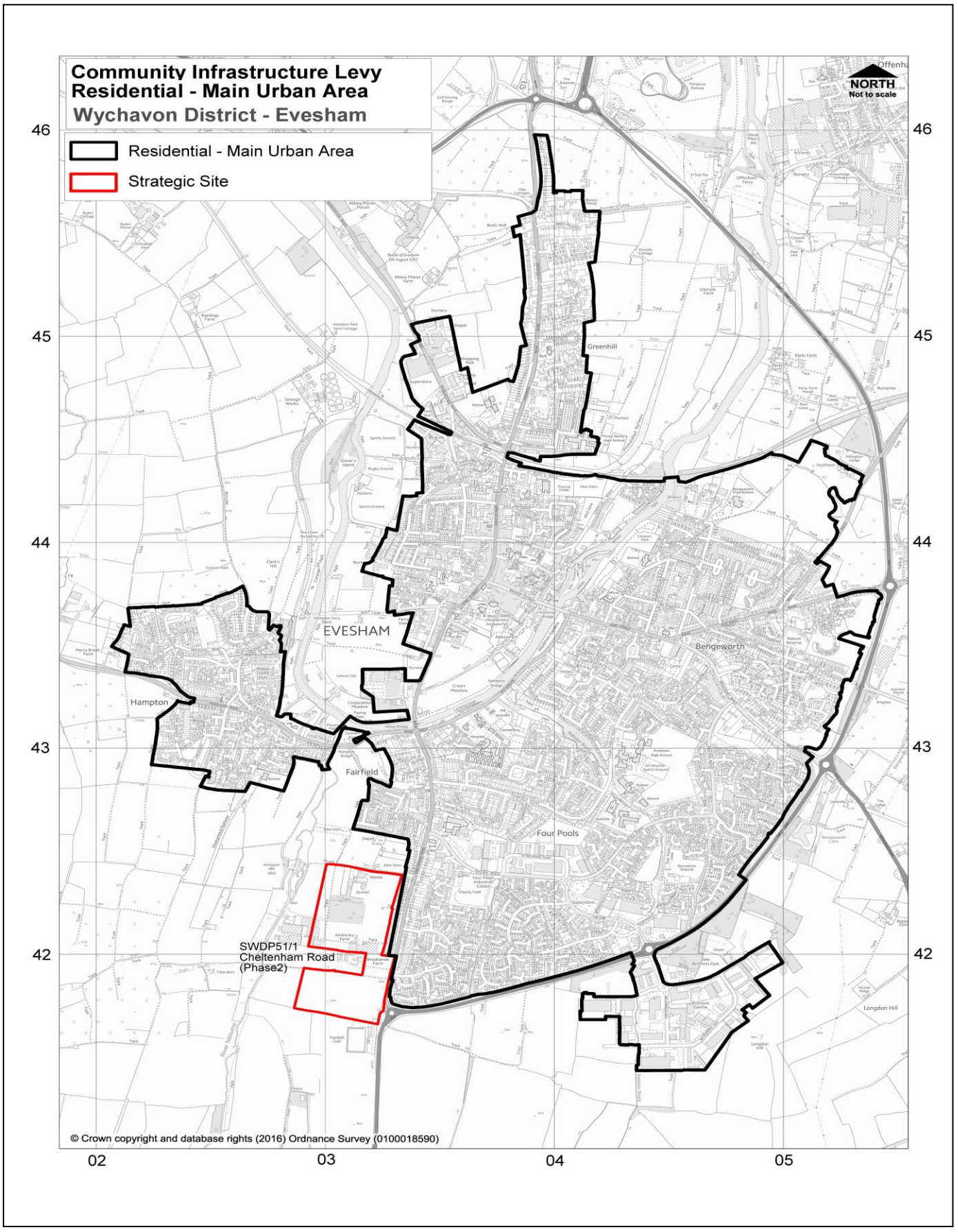
Map 4 - Upton-upon-Severn



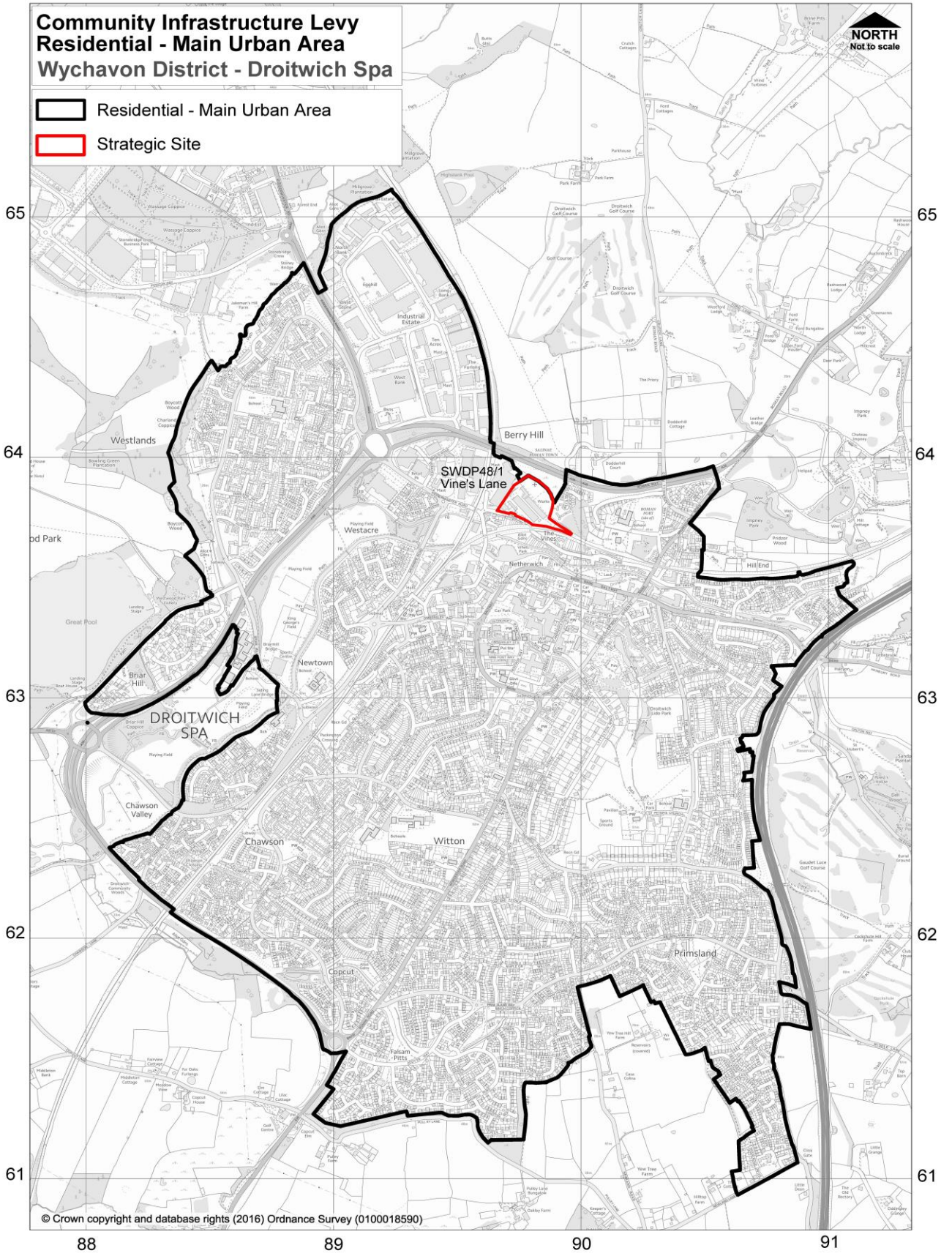
Map 5 – Tenbury Wells



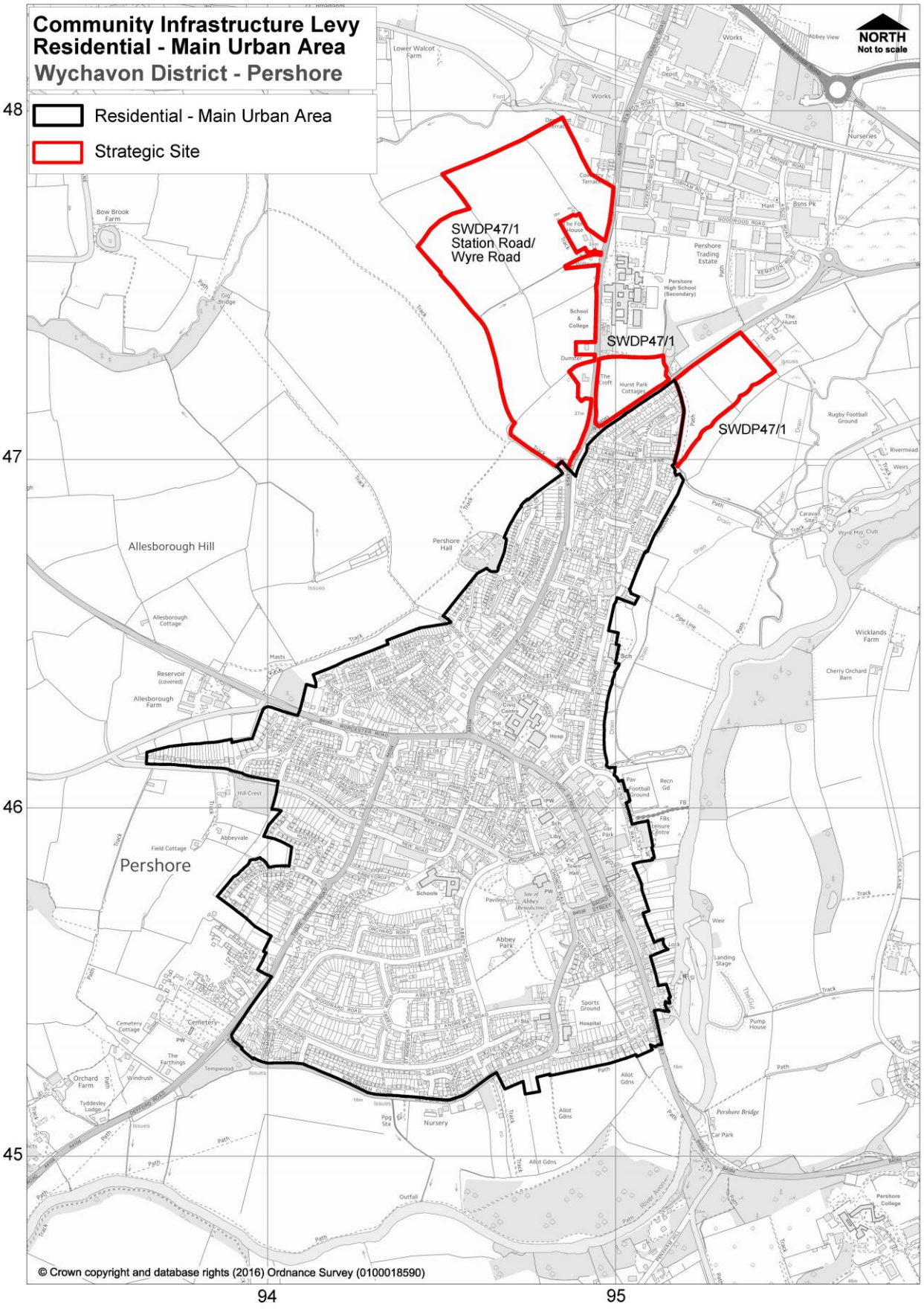
Map 6 - Evesham



Map 7 - Droitwich Spa

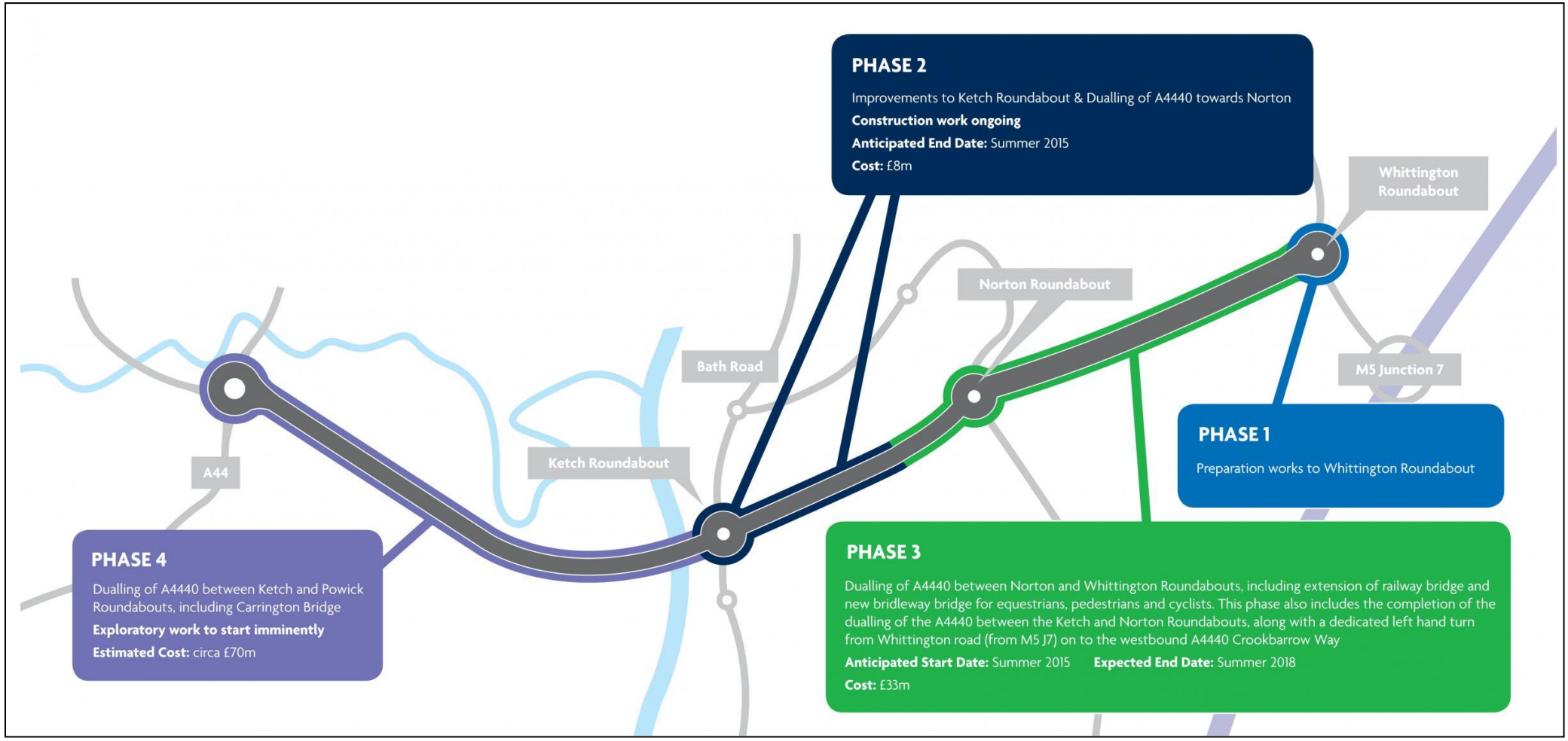


Map 8 - Pershore



Appendix C

Diagram of the A4440 Southern Link Road Planned Improvement Phases



Source: Worcestershire County Council

Appendix D

Glossary of Terms

Affordable Housing

Has the same meaning as defined in the National Planning Policy Framework:

"Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable). Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as "low cost market" housing, may not be considered as affordable housing for planning purposes."

Appendix D

Education, health, community and other uses

This includes buildings that are often provided by the public sector, not for profit and charitable sectors and include the following classes within the Town and Country Planning (Use Classes) Order 1987 (as amended): residential institutions (C2, C2a), non-residential institutions (D1) and assembly and leisure uses (D2).

Emergency Services Infrastructure

The following list provides examples of emergency services Infrastructure:

- Equipping and set-up costs for officers
- Vehicles
- Premises
- Automatic Number Plate Recognition (ANPR) Cameras
- Fire and Rescue Infrastructure e.g. hydrants
- Ambulance service infrastructure

Extra Care/Sheltered Accommodation

Extra Care / Sheltered Accommodation consists of self-contained homes for older people, with access to on-site care and/or other on-site facilities.

Food Retail (Supermarkets)

A supermarket is a retail shop selling food and household items on a self-service basis with the products usually, but not necessarily, arranged in aisles. It may also, but not necessarily, include a range of comparison goods in the overall retail mix. Customers may use a supermarket for their main weekly shop.

Gross internal floor space

Includes everything within the external walls of the buildings, including lifts, stairwell and internal circulation areas, but not the thickness of the external walls themselves or any external balconies. The total sum will be calculated as the cumulative sum of the floor space of each floor (storey). Also sometimes referred to as ‘useable area’.

Industrial and Office

Development defined as B1, B2 and B8 uses as per the Town and Country Planning (Use Classes) Order 1987 (as amended).

Lawful Use

The definition of lawful use is contained in Regulation 40(11) of The Community Infrastructure Levy (Amendment) Regulations 2014, which states the following: *"in-use building means a building which contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development".*

Residential

Includes buildings classed as 'dwellinghouses' within class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) but excludes Extra Care / Sheltered Accommodation (see separate definition above).

Retail Warehouses

Retail warehousing includes all non-food retail units without restriction to size, specialising in the sale of household goods (for example: carpets, furniture, electrical goods), DIY items and other ranges of goods. Generally their construction shows a much greater visual similarity to warehousing than to that of standard shop units. Retail warehouses usually occupy a single floor, the majority of which is devoted to sales, with some ancillary storage and office use.

They may be sited singly or grouped together, most frequently in fringe or out of town locations and cater mainly for car borne customers.

Appendix E - Instalments Policy

In accordance with Regulation 69B of the CIL Regulations 2010 (as amended) the charging authorities have produced a CIL Instalments Policy. This allows persons liable to pay CIL to do so by instalments provided they have complied with the relevant regulations. The time that the first instalment payment is due is calculated from the date the development is commenced.

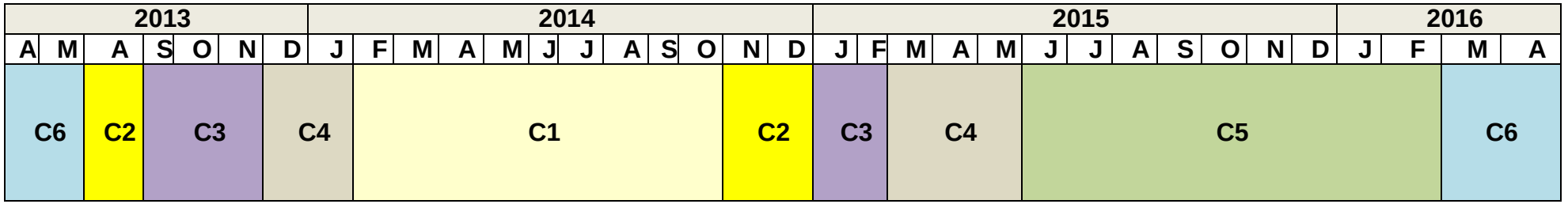
This Instalments Policy is effective from: 4 September 2017

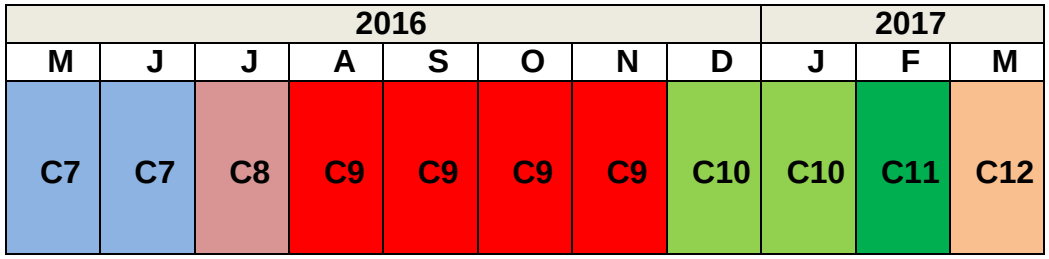
Total Amount of CIL Liability	Number of Instalments	Payment Periods and Proportion of CIL due			
Any amount less than £50,000	None	Total amount payable within 60 days of commencement of development			
		1st instalment	**2nd instalment**	**3rd instalment**	**4th instalment**
Amounts from £50,000 to £249,999	Two	50% payable within 60 days of commencement of development	50% payable within 6 months of commencement of development		
Amounts from £250,000 to £1,000,000	Three	30% payable within 60 days of commencement of development	30% payable within 6 months of commencement of development	40% payable within 9 months of commencement of development	
Any amount greater than £1,000,000 **In principle CIL can be paid in 4 instalments for any amount greater than £1,000,000. However instalments will be open to negotiation on an individual basis.**	Four	25% payable within 60 days of commencement of development	25% payable within 6 months of commencement of development	25% payable within 9 months of commencement of development	25% payable within 18 months of commencement of development

Under Regulation 74(4) of the CIL Regulation 2010 (as amended) an instalment may be paid by way of a land payment, an infrastructure payment or in money, or a combination of the three; and more than one instalment may be paid by way of a given land or infrastructure payment. Days should be interpreted as calendar days, as opposed to working days.

Appendix F

SWC Timeline for CIL updated as per Local Development Scheme (2016-2019)





Key

C1 - Preparatory work including compiling evidence base
C2 - Preparation of Preliminary Draft Charging Schedule and draft Regulation 123 List
C3 - Public Consultation on PDCS and draft Regulation 123 List (Regulation 15) – **Please note two PDCS consultations have been undertaken.*
C4 - Consideration of representations
C5 - Preparation of Draft Charging Schedule and final Regulation 123 List
C6 - Consultation on DCS and Regulation 123 List (Regulation 16)
C7 - Consideration of representations
C8 - Submission of DCS (Regulation 19)
C9 - CIL Examination
C10 - Receipt of CIL Examiner's recommendations (Regulation 23)
C11 - Approval and publication (Regulation 25)
C12 - Final preparatory work prior to the Charging Schedule taking effect 01/04/17 (Regulation 28)

Regulation references relate to The Community Infrastructure Levy Regulations 2010 (as amended)

Appendix G – Updated Infrastructure Delivery Plan
Funding Gap (October 2016)

Total amount of infrastructure required: Circa £550m (Source: IDP 2012)

Table 1: Key Infrastructure (Transport, Education, Sport and Recreation) – approximately 73% of total infrastructure requirement costs

Infrastructure Type	Funding Required	Funding Obtained or Available	Funding Gap	Date of last update	Notes
Transport	£228m	£108m	£120m	September 2016	IDP 2016 states: *"Excludes improvements to Townsend Way/A449 Junction associated with the proposed Newlands development"* (Appendix Y pages 113 to 114)
Education	£115.6m	£83.9m	£31.7m	September 2016	
Sport and Recreation	Required = £53.75m (down from £76.35m)	£0m (at least £20.5m discounted as delivered)	£53.75m	October 2014 (Partial updates Sept/Oct 2016)	**£2,050,000 for Children's Social Care removed from this funding area.** 'Community Facilities' of the IDP) University of Worcester Arena (£10m) and new swimming pool at Perdiswell (£10.5m) have been discounted (£20.5m) **The revised total is £53.75m**
Total	**£399.4m**	**£191.9m**	**£205.45m**	**October 2016**	

Table 2: Other Infrastructure - approximately 27% of total infrastructure requirement costs

Infrastructure Type	Funding Required	Funding Obtained or Available	Funding Gap	Date of last update	Notes
Utilities	At least £165m (delivered by utility companies)	£165m (i.e. Hartlebury Energy from Waste Plant)	£0m	October 2016	Hartlebury Energy from Waste Plant now delivered.
Flood Risk and Drainage	Unknown	Unknown	Unknown	October 2016	
Communications Infrastructure	Unknown	Unknown	Unknown	October 2016	
Waste Infrastructure	See Utilities Above	See Utilities Above	See Utilities Above	October 2016	
Health and Public Health	Unknown	Unknown	Unknown	October 2016	
Social Care	£0m	£0m	£0m	October 2016	Worcestershire County Council has no plans for new facilities.
Children's Social Care	£2.05m	Unknown	£2.05m	October 2016	**This amount has been removed from the Sport and Recreation funding row above.**
Community Facilities (other than sport and recreation e.g. libraries)	Unknown	Unknown	Unknown	October 2016	
Emergency Infrastructure	£4.4m to £6.5m	Unknown (£0m)	£4.4m to £6.5m	October 2016	
Green Infrastructure	Unknown	Unknown	Unknown	October 2016	
Total	**At least £150.6m**	**Unknown**	**Unknown**	**October 2016**	

Total Infrastructure Required and Funding Gap Totals

The tables above demonstrate that for approximately 73% of the known main infrastructure costs, there is a substantive funding gap exceeding £200m. Although it is not possible to identify the funding gap for the remaining infrastructure costs (i.e. the other 27%), it is virtually certain that there will be one.

The revised October 2016 infrastructure figures are therefore:

Funding required (excluding other infrastructure): £399.4m

Funding obtained or available: £191.9m

Funding gap: £205.45m

Approximate projected CIL receipts residential only (October 2016): £5,828,000 (down from £13,502,160 in the April 2016 – 'Justifying the Levy' Background Paper). At portion of this could also be passed onto Parish and Town Councils (or Community Forums where no Parish or Town Council) and/or Neighbourhood Planning Areas.

The updated October 2016 projection is based on estimated residential takings on the greenfield typologies 1 to 5 and green medium typology 10 of the viability study, reflecting the approximate number of remaining SWDP sites in the rural areas of Malvern and Wychavon still liable for CIL, plus an element of projected windfall allowance (taken from delivery averages), and other SWDP sites that could still be liable for CIL that are not in the typologies above but fall in the £40m^2 zones.

This is collected from Malvern Hills and Wychavon outside of the main urban areas at £40m^2 as these are the only areas where a residential charge is proposed. The total is based on an average English household usable floor area average of 94m^2 and a reduction of 40% on the dwellings total for affordable housing provision[6].

The amount projected through CIL receipts has dropped significantly since April 2016. This is mainly due to two the strategic sites now no longer being subject to CIL (SWDP 53 - QinetiQ, Malvern and SWDP 51/1 - Cheltenham Road, Evesham) and a large number of SWDP sites that were part of the viability study typology updates that now have the benefit of planning permission and so are no longer eligible for CIL either.

Overall, based on the updated figure for October 2016, it is estimated that projected CIL receipts will account for approximately 3 per cent of the amount required to meet the infrastructure costs identified in the funding gap (NB this figure does not factor in the percentage of the receipts that will be allocated to neighbourhood funds).

[6] The useable floor area average is based on private rented (78m^2) and owner occupied (109m^2) homes only. Social rented homes (66m^2) have not been included in the average floor area calculation as these dwellings have already been discounted under the affordable housing portion. Source: English Housing Survey – Profile of English Housing 2013-14 Department for Communities and Local Government (DCLG) Published July 2015