

# Infrastructure Audit (Housing Development) Bill

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**B I L L**

TO

Require an audit of existing or planned infrastructure in areas of significant housing development.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Interpretation**

In this Act—

- “development” has the meaning given by section 55 of the Town and Country Planning Act 1990 (c. 8);
- “infrastructure audit” means an audit of existing or planned infrastructure in relation to a proposed significant housing development; 5
- “local planning authority” has the meaning given by section 1 of the Town and Country Planning Act 1990; and
- “significant housing development” means a development involving the construction of more than 150 houses or flats by the same developer on a single site or on contiguous sites within a period of five years. 10

**2 Infrastructure audit**

- (1) When an application is received by a local planning authority (“the authority”) for a significant housing development the authority shall conduct an infrastructure audit in relation to the proposed development to ensure that the following conditions are fulfilled. 15
- (2) Condition 1 is that the relevant health authority is satisfied that it will be able to provide adequate general practitioner and hospital services within its current capacity to meet the anticipated additional demand that will be created by the proposed development. 20
- (3) Condition 2 is that the relevant water company is satisfied that it will be able to provide sufficient water to meet the anticipated additional demand that will be created by the proposed development.

- (4) Condition 3 is that the relevant provider of sewage services is satisfied that it can facilitate the provision of sewage services to the proposed development within its current capacity.
- (5) Condition 4 is that the relevant provider of waste disposal services is satisfied that it can facilitate the disposal of waste generated by the proposed development within its current capacity. 5
- (6) Condition 5 is that the relevant education authority is satisfied that it will be able to provide sufficient educational services within its current capacity to meet the anticipated additional demand that will be created by the proposed development. 10
- (7) Condition 6 is that the local authority is satisfied –
- (a) that there is sufficient capacity on the existing road network within its area to sustain any increase in vehicular traffic that is likely to be generated by the proposed development or that such capacity will be provided within five years from the granting of planning permission for the development; and 15
  - (b) that there is sufficient capacity on the existing rail network within its area to sustain any increase in passenger numbers that is likely to be generated by the proposed development or that such capacity will be provided within ten years from the granting of planning permission for the development. 20
- 3 Consultation**
- (1) In conducting an infrastructure survey, the authority shall consult –
- (a) the relevant health authority;
  - (b) the relevant education authority; 25
  - (c) the relevant provider of sewage services;
  - (d) the relevant provider of waste disposal services;
  - (e) the relevant train operating company;
  - (f) the relevant water company; and
  - (g) the Environment Agency. 30
- (2) In conducting an infrastructure survey, the authority may consult
- (a) the local passenger transport authority;
  - (b) Network Rail; and
  - (c) any other body or person.
- 4 Grant of planning permission** 35
- A local planning authority may not grant planning permission for a significant housing development unless the conditions set out in section 2 have been fulfilled.
- 5 Expenses to be borne by applicant**
- Any expenses incurred by the authority in conducting an infrastructure survey shall be borne by the applicant for planning permission. 40

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**6 Short title, commencement and extent**

- (1) This Act may be cited as the Infrastructure Audit (Housing Development) Act 2007.
- (2) This Act shall come into force at the end of the period of six months beginning with the day on which it is passed.
- (3) This Act extends to England and Wales only.

# Infrastructure Audit (Housing Development) Bill

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## **B I L L**

To require an audit of existing or planned infrastructure in areas of significant housing development.

*Presented by Mr Francis Maude  
supported by  
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Charles Hendry, Nick Herbert,  
Tim Loughton, Mr Andrew Tyrie and  
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to be Printed, 13th December 2006.*

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