

Local Plan Committee

Wednesday 8 January 2014 at 7.00pm
in the Council Chamber, The Cube, Corby

Councillors present: Councillors Dady, Rahman, Elliston, Kettle and Bromhall

21. Apologies for Absence

Apologies for absence were received from Councillors Brown & Hegg.

22. Declarations of Interest

Members were asked to declare any interest they might have in the business to be discussed and/or indicate whether these were prejudicial or non-prejudicial, the nature of the interest and whether they intend to participate in the relevant agenda item. No declarations were made.

23. Minutes of Previous Meeting

RESOLVED that:

The minutes of the meeting held on 30 October 2013, copies of which had been circulated to Members, be agreed as a correct record.

24. Community Infrastructure Levy – Draft Charging Schedule

A report was brought to Committee to update on progress in developing the Community Infrastructure Levy (CIL) and was seeking approval for the consultation and submission of the Draft Charging Schedule.

CIL was introduced under the Planning Act 2008 and defined within the CIL Regulations 2010 (as amended) as a new funding mechanism to support planned growth. The levy would take the form of a charge per square metre of additional floorspace and could be charged on most new development.

Local Authorities could choose whether or not to adopt a CIL, however, pooling restrictions for S106's were due to be introduced which would limit the scope for local authorities to pool more than five S106 contributions from individual developments towards a single development project or type of infrastructure.

Verbal update given to paragraph 2.2 of report explaining there are limitations on when the five agreements were entered into; the pooling restrictions are effective from 6th April 2010.

There were advantages and disadvantages but local authorities wishing to charge the levy must produce a CIL charging schedule setting out the rates for their area, these must undergo two stages of public consultation followed by an independent examination.

When setting the rates the Council as the charging authority were required to strike an appropriate balance between desirability of funding infrastructure from CIL and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across the Borough.

Consultation of the PDCS was carried out from 9 November 2012 to 21 December 2012 and a total of 227 individual representations were received from 17 respondents including NCC, development industry representatives, members of the public and other infrastructure providers, organisations and public bodies.

During the consultation further statutory guidance was published, therefore officers and the viability consultants had considered the consultation responses and also collected further evidence to meet the new requirements.

Based on both the viability evidence and consultation responses the following proposed CIL rates were included within the DCS:

Corby Borough Council	
Development Type	Proposed CIL Rate (per m²)
Residential*	
Gretton, Rockingham, Middleton, Cottingham, East Carlton	£100
All other areas	£50
Retail	
Comparison and all other retail (A1-A5)	Nil
Convenience based supermarkets and superstores* and retail warehousing* (net retailing space of over 280 square metres)	£100
All other development	Nil

*Definitions of these development use types are provided within the DCS

Infrastructure projects to be funded in whole or part by CIL were collectively referred to as the Regulation 123 (R123) list. The draft R123 list must be prepared for the CIL Charging Schedule examination stage and published following Council approval of the schedule.

The Council could amend the schedule over time, however, any changes must be the subject of consultation that was proportional to the changes proposed.

The CIL Regulations require that the local authority pass on a proportion of the CIL receipts to the neighbourhood where the development has taken place. The development strategy of urban concentration and rural restraint within the adopted CSS meant that the planned growth in Corby to 2021 was mostly expected to be provided on sites where there is no parish or community council in place.

The Developer Contributions SPD was currently being prepared to outline the Council's approach to planning obligations and provide details of the interaction between CIL and the use of S106 agreements.

The Council would have to decide how to spend the CIL money accrued, therefore, the Council would need to agree a governance strategy to prioritise items on the R123 to receive CIL funds.

The table below details the work required in order to adopt a CIL, these stages were set out in the CIL Regulations.

Date/Timescale	Details of Process
March to April 2014	Six week statutory consultation on the DCS
May 2014	Submit DCS for Examination
Summer 2014	Public Examination
Expected by end of 2014	Examiners report received
Early 2015	Examiners report and adoption of CIL to Members (dependent on the timing of the Examination and subsequent receipt of the Inspectors Report)

Following examination the Inspector would issue a report determining the soundness of the DCS and whether any modifications were required prior to adoption, at which stage a report would be brought to Local Plan Committee.

A balance must be struck between funding infrastructure and the impact on development, which could be made unviable by high CIL rates or insufficient funds would be raised to deliver the required infrastructure if rates were too low. CIL would only provide part of the funding mechanism for development.

Members discussed the levels of CIL and how the money would be used; officers explained that some projects would not be viable as there would be insufficient funding.

RESOLVED that:-

Approve the publication of the CIL Draft Charging Schedule and associated documentation for public consultation and formal submission to the Secretary of State.

Authorise the Head of Planning and Environmental Services to make non-material amendments to the Draft Charging Schedule and associated documentation prior to consultation in agreement with the Chair of Local Plan Committee.

Authorise the Head of Planning and Environmental Services, in agreement with the Chair of Local Plan Committee, to decide whether the consultation raises substantive new issues requiring Local Plan Committee to review the proposed charging rates prior to submission of the CIL Schedule.

25. North Northamptonshire Statement of Community Involvement

The report was brought to Committee to provide an overview of the comments received in response to the consultation and to adopt the Statement of Community Involvement (SCI) for North Northamptonshire in relation to plans prepared by Corby Borough Council.

The Nth. Northamptonshire Joint Planning Committee had co-ordinated the production of the new SCI on behalf of partner Councils. Officers were therefore recommending that the SCI be adopted by the partner LPAs in relation to their responsibilities.

The revised SCI was significantly streamlined compared to the previously adopted version, it was considered that by streamlining the SCI it would make the document more usable.

The proposed changes to the SCI were agreed by the Nth. Northamptonshire Joint Planning Committee in November 2013 together with a recommendation that the partner authorities adopt the SCI in relation to their responsibilities. A further charge was being recommended by all partner authorities to clarify the requirements for pre-application consultation.

Members discussed with officers about making the public aware, this was something that Councillors could do, it would be seen as good democracy and giving the public an opportunity to get involved with the developers.

RESOLVED that:-

The Local Plan Committee adopt the revised Statement of Community Involvement as a statutory planning policy for Corby Borough Council subject to the additional amendment at paragraph 5.12 as detailed in paragraph 3.6 of the officers report.

26. Close of Meeting

The meeting closed at 7.45 pm.