**BOROUGH OF KETTERING**

**PLANNING POLICY COMMITTEE**

**Meeting held: 28th January 2015**

**Present:** Councillor Mike Tebbutt (Chair)

Councillors Freer, Groome, Marks, Moreton and Smith.

**14.PP.22 APOLOGIES**

Apologies for absence were received from Councillors Dearing, Edwards, Manns and Mills.

The following substitute was noted:-

Councillor Marks for Councillor Dearing.

**14.PP.23 MINUTES**

**RESOLVED** that the minutes of the meeting of the Committee held on 5th November 2014 be approved and signed as a correct record.

**14.PP.24 COMMUNITY INFRASTRUCTURE LEVY**

A report was submitted which updated Members of the current position with regards to the Community Infrastructure Levy (CIL), and sought agreement on the best way forward for Kettering Borough.

During debate the following issues were raised:-

Neighbourhood Plans

Members queried whether a Parish Plan would have the same status under CIL as a Neighbourhood Plan. It was noted that any value to be gained via a Neighbourhood Plan to Town and Parish Councils would not apply if the town had a Parish Plan instead. Neighbourhood Plans were covered by statute, whilst Parish Plans were not. Section 106 funding would largely be spent in a local area.

Regulation 123

Whilst recognising that S106 is a pragmatic system with recognised weaknesses, it was noted that CIL would limit the obligations which could be secured to five for any infrastructure project or type of infrastructure. The South East Midlands Local Enterprise Partnership has written to the Housing and Planning Minister asking that constraints on pooling be delayed. There is scepticism within the development industry and local government that CIL is the best way forward, although it is recognised there would be some areas of the country where CIL would be beneficial. Further work was planned in this respect after the General Election in May.

It was noted that Regulation 123 placed greater emphasis on how items of infrastructure were described, and a Regulation 123 List would be required to be drawn up. Pooling would act as an incentive to adopt CIL, but the Council would be required to change its approach. The Committee felt that it would be important for development to be developed in the best way possible, whichever system was used.

Members noted that the Government could change the current rules and any assumptions the Council may have made could be subject to future change, with CIL rates being eroded. Much of the Borough’s housing requirement has already been granted planning permission, with contributions towards infrastructure secured through S106.

Estimated CIL Receipts and Costs of Implementing CIL

It was noted that CIL cannot be charged on affordable dwellings and self-build units and conversions would be exempt from CIL. In addition, higher sums were also currently being secured through S106. Consideration was given to the estimated maximum and minimum CIL available for Kettering Borough Council during the period 2015-2031 based on the number of dwellings both with a 20% reduction for affordable housing and a 30% reduction for affordable housing. Additionally, estimates of running costs suggested that costs could be as high as £100,000 per local authority, which was likely to be greater than the amount that could be reclaimed from CIL receipts. Members felt that, given there was little room for negotiation, and affordable housing and self-build/smaller developments would be exempt, CIL would not promote managed growth in the Borough.

Alternative to CIL

There was some discussion concerning the benefits of joint lobbying through the proposed North Northamptonshire Joint Delivery Unit to suggest an alternative approach to CIL. However, it was noted that if an attempt was made to introduce an alternative as a four authority collective, there would be a range of differential charging structures and a very large list of Regulation 123 infrastructure projects. This could introduce problems of prioritisation between the four local authorities. However, it was noted there was some merit in adopting a collective lobbying approach, but not through the Joint Delivery Unit.

In conclusion, it was felt that the issues should continue to be explored by officers before any decision to progress was taken, as more funds were likely to be generated through S106 agreements than by going forward with CIL.

**RESOLVED** that the Council put a Community Infrastructure Levy (CIL) for the Borough on hold, and review the implications of this decision in light of further changes in regulations; the results of any case law on pooling; or following adoption of the Joint Core Strategy.

**14.PP.25 BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT FOR NORTHAMPTONSHIRE - CONSULTATION**

A report was submitted which informed Members of the draft Biodiversity Supplementary Planning Document (SPD) for Northamptonshire, and asked Members to endorse the document for consultation.

It was noted that any prohibition on development would be through the planning application process, which would look at the findings of any specialist reports in relation to biodiversity.

Members welcomed the document, and suggested that practical issues of wildlife habitat should be considered when choosing planting for areas of new development.

In addition, the following points were made:-

* The Biodiversity SPD should supplement policies adopted in the emerging Joint Core Strategy
* Habitat corridors (A & B) on page 4 should be properly annotated, rather than being described T and R
* There should be an adopted Biodiversity Action Plan properly referenced (page 5)
* The map on page 13 (Nene Valley Nature Improvement Area) is difficult to read and should be more usable with the rivers marked
* The SPD talks only about the Nene Valley and ought to make some reference to Revitalise
* How can the Council influence what goes into the Nene Valley Nature Improvement Area and how this impacts on the whole planning regime?
* Annex 2 needs to be updated in respect of the adoption of the West Northamptonshire Joint Core Strategy

**RESOLVED** that the contents of the draft Biodiversity SPD be noted and endorsed for public consultation.

**14.PP.26 SITE SPECIFIC PROPOSALS LOCAL DEVELOPMENT DOCUMENT - UPDATE**

A report was submitted which informed Members of the proposed timetable and tasks for the preparation of the Site Specific Proposals Local Development Document.

Mr King of Desborough addressed the Committee under the Council's Right to Speak Policy on the subject of public consultation.

It was noted that the document was still at an informal stage in the plan-making process, the stage will be a six-week consultation to consider the pre-submission document, before Submission to the Secretary of State. Previous consultations had flagged up issues which required further consideration, before recommendations on allocations could be made. All elements would be fed back for further discussion with members, and the stage had not yet been reached where a final decision would be made.

Discussion was held on the timetable for the Neighbourhood Planning process in Desborough and it was noted there was nothing in the legislation that dictated which came forward first. The Local Development Document was a Borough-wide policy, with various Neighbourhood Plans at differing stages of development.

**RESOLVED** that the report be noted.

**14.PP.27 NEIGHBOURHOOD PLANNING PROCESS**

A report was submitted which informed Members of progress of Neighbourhood Planning in the Borough.

It was noted that Neighbourhood plans had been designated in Rothwell, Desborough and Broughton, with a Neighbourhood Forum being formed in the Headlands area in the west of Kettering.

*(The meeting started at 7.00 pm and ended at 8.45 pm)*

*Signed ……………………………………………….*

*Chair*

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