



# East Northamptonshire Council

## Planning Policy Committee - 11 February 2010

### Update on North Northamptonshire Supplementary Planning Document on Developer Contributions

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#### Summary

This report provides a progress report on the development of a Joint North Northamptonshire Supplementary Planning Document (SPD) for developer contributions in the light of the uncertainty about the introduction of the Community Infrastructure Levy.

#### Attachment(s)

None

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#### 1.0 Introduction

1.1 On the 26 November 2009 the Joint Planning Committee received an update report on work by the Joint Planning Unit on the Community Infrastructure Levy (CIL) and the SPD on Developer Contributions. Given the uncertainty about whether the CIL arrangements will be implemented in the spring of 2010 the Joint Planning Committee agreed to shelve work on CIL. Instead the importance of bringing forward the Supplementary Planning Document (SPD) on Developer Contributions was recognised.

#### 2.0 Background

2.1 The purpose of the SPD will be to:

- Provide a more consistent and certain approach that will enable developers to factor in infrastructure costs when purchasing land and will give a firmer basis for forward funding of infrastructure
- Maximise the contributions that developments make to meeting identified infrastructure needs without prejudicing other policy aims or the viability of otherwise acceptable schemes
- Make best use of developer contributions, ensuring that they are targeted at identified infrastructure priorities and marry up with and maximise the potential of other sources of funding
- Provide a process that is as simple and cost effective as possible and is transparent in ensuring developer contributions are used to deliver infrastructure where and when it is required.

2.2 The SPD needs to:

- Comply with current legal and policy requirements
- Be based on robust evidence of infrastructure needs and costs
- Be acceptable to the four district planning authorities

#### 3.0 Discussion

3.1 The SPD will take forward Policy 6 of the Core Spatial Strategy which sets how development will contribute towards the infrastructure, services and facilities needed to provide balanced, more self-sufficient communities. Policy 6 anticipates a standard charging approach as a means of securing greater funding and of pooling contributions towards infrastructure necessitated by the overall scale of development proposed in North Northamptonshire. The SPD must comply with the guidance in

Government Circular 05/2005 'Planning Obligations', which requires that obligations must be:

- relevant to planning
- necessary to make the proposed development acceptable
- directly related to the proposed development
- fairly and reasonably related in scale and kind
- reasonable in all other respects.

In the North Northamptonshire context this requires an approach that makes more effective use of existing mechanisms to secure contributions. This will facilitate negotiation around a schedule of costed infrastructure categories, rather than the identification of uniform standard charges for strategic and local infrastructure.

- 3.2 Establishing a robust evidence base on infrastructure needs arising from growth is complex. North Northamptonshire starts from a reasonable position in that the NNDC Programme of Development (PoD) attempts to identify the infrastructure required to deliver the adopted Core Spatial Strategy. However, the PoD requires updating, not least to reflect the implications of the recession on rates of development and the availability of public and private sector investment. This review has been started early in order to provide the evidence base required for the Developer Contributions SPD.
- 3.3 It is envisaged that the SPD will cover the following infrastructure categories:
- Roads and Public Transport
  - Education including Further and Higher Education
  - Sport and Culture
  - Emergency Services
  - Green Infrastructure
  - Water Resources and Flooding
  - Energy and Waste including Climate Change
  - Health and Social Care
  - Economic Regeneration including Town Centres.
- 3.4 Each stakeholder/infrastructure provider/local authority (including East Northamptonshire Council) has been asked to provide evidence to support their stated infrastructure needs. In most instances this is based on evidenced standards of provision e.g. xxm2 of open space per 1000 population. In other instances a model has had to be developed based on assumptions of population growth and what is required to ensure that the increased population results in a sustainable community. For East Northamptonshire the areas of weakness in terms of evidence will need to be filled with further work. Only then can particular items of infrastructure be identified and added to the SPD schedule.
- 3.5 The Joint Planning Committee is responsible for progressing the draft SPD as a joint document but it is the district planning authorities who will ultimately decide whether to adopt it. The approach to progressing SPDs in this context was agreed by the Joint Committee at its meeting on 29 January 2009 and the first SPD to be produced in this way was the SPD on Sustainable Design.
- 3.6 The stages envisaged for the Developer Contributions SPD are as follows:
- Initial drafting of documents by JPU with input from officers from the constituent authorities - by end of January 2010
  - Joint Committee to agree draft document and sustainability appraisal for Consultation - March 2010
  - JPU to coordinate consultation, including seeking formal views from constituent planning authorities - April 2010
  - Joint Committee to consider consultation response and recommend changes to draft document - June 2010
  - Constituent planning authorities formally adopt draft document (JPU to publish

single notice of adoption) - By end of September 2010.

3.7 As part of the process for developing the SPD, the draft SPD will be presented to the Planning Policy Committee in the spring.

#### 4.0 Recommendation

4.1 That progress on the Developer Contributions Supplementary Planning Document be noted.

<b>Implications:</b>					
<b>Corporate Outcomes or Other Policy/Priority/Strategy</b>					
Good Quality of Life	<input checked="" type="checkbox"/>	Good Reputation	<input checked="" type="checkbox"/>		
Good Value for Money	<input type="checkbox"/>	High Quality Service Delivery	<input type="checkbox"/>		
Effective Partnership Working	<input checked="" type="checkbox"/>	Strong Community Leadership	<input checked="" type="checkbox"/>		
Effective Management	<input type="checkbox"/>	Knowledge of our Customers and Communities	<input type="checkbox"/>		
Employees and Members with the Right Knowledge, Skills and Behaviours			<input type="checkbox"/>		
<b>Other:</b>			<input type="checkbox"/>		
Decision(s) would be outside the budget or policy framework and require full Council approval			<input type="checkbox"/>		
<b>Financial</b>	There are no financial implications at this stage			<input checked="" type="checkbox"/>	
	There will be financial implications – see paragraph			<input type="checkbox"/>	
	There is provision within existing budget			<input type="checkbox"/>	
	Decisions may give rise to additional expenditure at a later date			<input type="checkbox"/>	
	Decisions may have potential for income generation			<input type="checkbox"/>	
<b>Risk Management</b>	An assessment has been carried out and there are no material risks			<input checked="" type="checkbox"/>	
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -			<input type="checkbox"/>	
<b>Staff</b>	There are no additional staffing implications			<input checked="" type="checkbox"/>	
	Additional staff will be required – see paragraph			<input type="checkbox"/>	
<b>Equalities and Human Rights</b>	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications			<input checked="" type="checkbox"/>	
	There will be an impact on equality (see categories above) or human rights implications – see paragraph			<input type="checkbox"/>	
<b>Legal</b>	Power: Planning and Compulsory Purchase Act 2004				
	Other considerations:				
<b>Background Papers:</b> North Northamptonshire Local development Scheme North Northamptonshire Joint Core Strategy 2008					
<b>Person Originating Report:</b> Elizabeth Wilson: Consultant-Interim Planning Policy and Conservation Manager					
<b>Date:</b> 25 <sup>th</sup> January 2010					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

(Committee Report Normal Rev. 19)