

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND  
TRANSPORT**

**30 July 2013**

Report of the Acting Strategic Director – Environmental Services

**CHESTERFIELD PRELIMINARY DRAFT COMMUNITY  
INFRASTRUCTURE LEVY CHARGING SCHEDULE**

(1) **Purpose of the Report** To agree the County Council's response to Chesterfield Borough Council on the Chesterfield Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule consultation.

(2) **Information and Analysis** The County Council has been consulted by Chesterfield Borough Council on the Chesterfield CIL Preliminary Draft Charging Schedule. The Charging Schedule and associated documents can be accessed by following the link below.

<http://www.chesterfield.gov.uk/CIL>

CIL allows local planning authorities to raise funds from development in their area. The money raised can be used to fund a wide range of infrastructure that is required as a result of development.

CIL is a levy based on £ per square metre that is charged when planning permission is granted. Chesterfield's Preliminary Draft Charging Schedule proposes CIL rates of:

- £80 per square metre for food supermarket and other retail.
- £0 (nil rate) for all other commercial development.
- £0 for residential development in the Staveley Corridor.
- £20 per square metre for residential development in zones of 'low' property and land values (see map in Annex A).
- £50 per square metre for residential development in zones of 'medium' property and land values (see map in Annex A).
- £80 per square metre for residential development in zones of 'high' property and land values (see map in Annex A).

It is anticipated that Chesterfield Borough Council could raise £17.5 million from CIL over the Local Plan period to 2031. The Charging Schedule is

accompanied by a draft Infrastructure Schedule which sets out how Chesterfield Borough Council proposes to spend any funds raised through CIL.

### **Local Member Comments**

Derbyshire County Council Members with electoral divisions in Chesterfield have been consulted, including Councillors Allen, Blank, Brittain, Burrows, Collins, Innes, Milhaly, Morgan and Williams. Members' comments, which, in view of the tight deadline for responses, are not included in this report, will form part of the County Council's formal response along with Technical Officer comments.

Through consultations on Local Plans, the County Council has encouraged Local Planning Authorities to include both local and strategic infrastructure in their Infrastructure Plans and Schedules to help ensure the delivery of the wide range of services and infrastructure that will be required as a result of development.

Chesterfield's draft Infrastructure Schedule includes 62 schemes. All of the Strategic Priority Projects identified in the current Derbyshire Infrastructure Plan are included in Chesterfield's Infrastructure Schedule and this alignment is welcomed. The County Council will keep the Borough Council fully informed about any resultant changes.

Authorisation was given to carry out public consultation on a refreshed Derbyshire Infrastructure Plan on 9 July 2013 (Minute No. xxx/13 refers).

(3) **Financial Considerations** It is anticipated that Chesterfield Borough Council could raise £17.5 million from CIL over the Local Plan period to 2031. It is the intention of the Borough Council that a proportion of this will be available to spend on strategic infrastructure delivered by the County Council, where it is required to support development. Currently, this includes highway schemes for Chesterfield and Staveley, additional primary and secondary school capacity, broadband, and green infrastructure. The absence of a precise mechanism for determining the share of any CIL payment received by the County Council will mean negotiations will need to take place on individual schemes.

(4) **Legal Considerations** The Community Infrastructure Levy was introduced under the Planning Act 2008 and enables local planning authorities to raise funds for infrastructure to support new development by placing a charge on new building above a certain size. It is designed to help fund local and sub-regional infrastructure identified in development plans. Chesterfield's CIL Charging Schedule has been prepared to support the growth proposed in its Local Plan Core Strategy and has been informed by the Derbyshire Infrastructure Plan.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** The Charging Schedule has been informed by the Derbyshire Infrastructure Plan which can be accessed by following the link below.

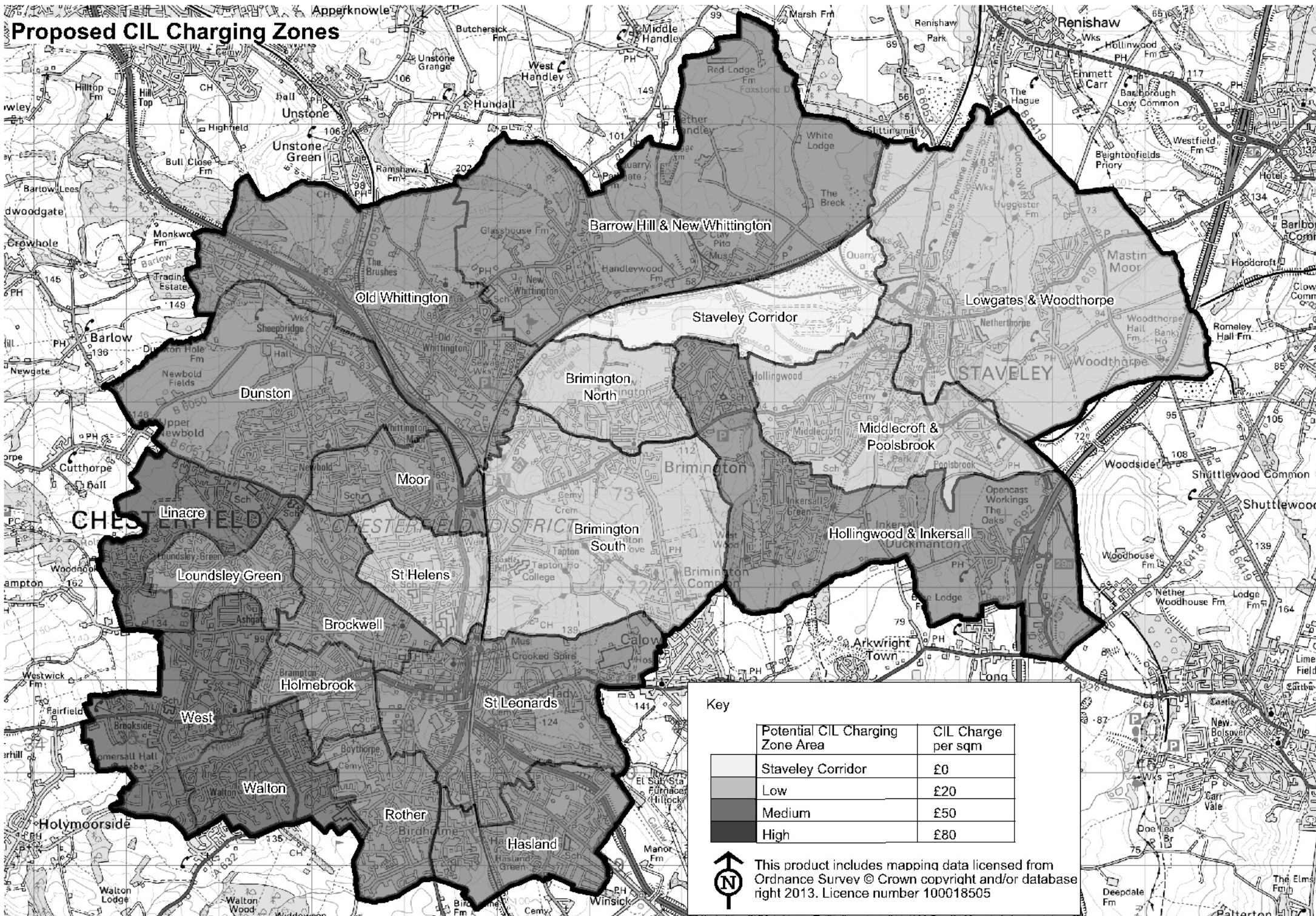
[http://www.derbyshire.gov.uk/images/2012%2009%2010%20Derbyshire%20Infrastructure%20Plan%20web%20version\\_tcm44-211206.pdf](http://www.derbyshire.gov.uk/images/2012%2009%2010%20Derbyshire%20Infrastructure%20Plan%20web%20version_tcm44-211206.pdf)

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member approves the County Council's response based on the answers to the consultation questions, as set out at Annex B.

**Mike Ashworth**  
**Acting Strategic Director – Environmental Services**



# Proposed CIL Charging Zones





## **Annex B – Proposed Response to the Consultation**

The County Council supports the introduction of a Community Infrastructure Levy (CIL) in Chesterfield. CIL will provide additional funding to help ensure the delivery of critical infrastructure and services required as a result of additional development in the Borough. It is crucial that funding is secured for both local and strategic infrastructure to support existing and future populations.

The County Council welcomes the inclusion of table 4 that helps to clarify which infrastructure will continue to be secured via Section 106 Planning Obligations and which infrastructure will be funded via CIL.

The County Council supports the inclusion of the draft Infrastructure Schedule. The County Council notes that the Derbyshire Infrastructure Plan Strategic Priority Projects are included in this Schedule and this is welcomed. Following any revisions to the Derbyshire Infrastructure Plan, the County Council will provide further information on the Strategic Infrastructure Projects to the Borough Council to reflect any changes.

### **1. Do you agree that the proposed residential charging zones and rates are appropriate and viable?**

Yes. Based on the viability evidence provided to accompany the Charging Schedule, the County Council agrees that the proposed residential charging zones and rates are appropriate and viable.

### **2. Is a single borough-wide charge for A1-A5 retail appropriate and viable?**

Yes. Based on the viability evidence provided to accompany the Charging Schedule, the County Council agrees that the proposed borough-wide charge for A1-A5 retail is appropriate and viable.

The County Council is of the view that, based on the viability evidence provided, it is not appropriate to set a charge for other commercial (non-residential) uses at this time.

The County Council requests clarification that the decision to exclude all other non-residential uses includes Extra Care facilities and that no charge will be levied for the development of Extra Care facilities.

### **3. Should the council consider making relief available for exceptional circumstances in the Borough?**

Yes. It would be appropriate and helpful for the Borough Council to set out in a separate policy when relief for exceptional circumstances could apply.

#### **4. What would be the best mechanism to monitor the market to indicate a review of the Charging Schedule?**

Chesterfield Borough Council has not suggested an approach to monitoring in the consultation. A CIL and Affordable Housing Viability Assessment, a Land Appraisal Study and a Construction Cost Study have been prepared as evidence to inform the CIL Charging Schedule. Keeping these studies up to date would be a useful way of monitoring market conditions. The overall rate of development in the Borough and the Borough Council's five year land supply and housing trajectory will also be useful mechanisms for monitoring the market and understanding whether a review of the CIL Charging Schedule is required.

#### **5. How would an instalment policy best work?**

The CIL Regulations require Charging Authorities to set out an instalment policy when setting their CIL. This policy is intended to assist developers with bringing forward their development schemes by offering deferred payments. An instalment policy could be particularly helpful for those schemes with marginal viability or for smaller developers who may have restricted access to finance. The CIL Regulations allow Charging Authorities to withdraw the right to deferred payments under their instalment policy for those developers who do not notify the Council of their CIL liability or for those who repeatedly fail to pay. An instalment policy as part of the CIL Charging Schedule could therefore be very useful.