

**DERBYSHIRE COUNTY COUNCIL**

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

**4 March 2014**

Report of the Strategic Director – Economy, Transport and Environment

**CHESTERFIELD 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) Draft Charging Schedule consultation.

(2) **Information and Analysis** The County Council has been consulted by Chesterfield Borough Council on the Chesterfield CIL Draft Charging Schedule. The Charging Schedule and associated documents can be accessed by following the link [www.chesterfield.gov.uk/CIL](http://www.chesterfield.gov.uk/CIL).

The Cabinet Member previously approved a response to the Chesterfield Preliminary Draft Charging Schedule on 30 July 2013 (Minute No. 32/13 refers). In its response, the County Council supported the CIL rates proposed in the Preliminary Draft Charging Schedule and suggested that it would be helpful to include policies on relief from paying CIL and payment instalments. The Draft Charging Schedule rates are broadly the same and policies on relief and instalments have been included.

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 Borough Council's 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 (nil rate) for residential development in the Staveley Corridor.
- £20 per square metre for residential development in zones of 'low' property and land values.

## **Public**

- £50 per square metre for residential development in zones of 'medium' property and land values.
- £80 per square metre for residential development in zones of 'high' property and land values.

The proposed zones and rates are set out on pages 20-22 of the Draft Charging Schedule which can be accessed by following the link <http://www.chesterfield.gov.uk/Branches/Chesterfield/Website/Files/Documents/Environment/Local%20Development%20Framework/CIL/DCS2.pdf>.

### **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. Councillor Blank has declined to comment as she is also a Chesterfield Borough Councillor. Any comments received will be reported at the meeting.

### **Officer Comments**

Based on the viability evidence provided to accompany the Draft Charging Schedule, officers are of the view that the proposed residential charging zones and rates are appropriate and viable.

The Draft Charging Schedule states that development up to 100 square metres in scale (for example residential property extensions) will be exempt from CIL. Social housing and charity landowners who would use the proposed development for charitable purposes have full relief from CIL. In line with Government proposals, self-build and residential annexes will also be granted relief from CIL. The proposed approach to relief and discretionary relief from liability to pay CIL is welcomed.

The Draft Charging Schedule includes an instalment policy which, depending on the scale of development, will enable developers to make staged payments on CIL over time. This policy is welcomed because, for smaller developers or for those developments with marginal viability, it will provide much needed flexibility regarding finance and cash flow.

Through consultations on Local Plans, the County Council has encouraged local planning authorities to include both local and strategic infrastructure in their Infrastructure Plans. Cabinet approved publication of a refreshed Derbyshire Infrastructure Plan on 12 November 2013 (Minute No. 305/13 refers). The Derbyshire Infrastructure Plan can be accessed by following the link [http://www.derbyshire.gov.uk/images/2013%2011%2020%20Derbyshire%20Infrastructure%20Plan\\_tcm44-234715.pdf](http://www.derbyshire.gov.uk/images/2013%2011%2020%20Derbyshire%20Infrastructure%20Plan_tcm44-234715.pdf)

## Public

It is anticipated that Chesterfield Borough Council could raise £17.5 million from CIL over the Local Plan period to 2031. Inevitably, there will be a funding gap between the total cost of infrastructure required and income that CIL will generate, and the Borough Council will need to balance competing infrastructure requirements. Table 4 in the Draft Charging Schedule sets out the types of infrastructure that are to be funded by CIL and the types of infrastructure that are to be funded via Section 106 planning obligations.

It is Chesterfield Borough Council's intention to use CIL to fund strategic infrastructure, including increased road capacity to minimise the impact of future development, green infrastructure and the Chesterfield Canal, flood mitigation, land remediation, new schools, sustainable transport measures including walking and cycling, and other large-scale community facilities such as libraries. Chesterfield Borough Council intends to continue to use Section 106 planning obligations to fund affordable housing, on-site infrastructure and improvements to existing infrastructure facilities, including open space and play areas, minor road, on-site footpaths and cycle ways, expansions to existing schools, sustainable design and energy efficiency measures, on-site CCTV, and on-site public art.

There is generally good alignment between the Derbyshire Infrastructure Plan and Chesterfield's Infrastructure Plan and Draft Charging Schedule. However, the Derbyshire Infrastructure Plan identifies a need to provide an additional household waste recycling centre (HWRC) to service new residential development in Chesterfield. This Strategic Priority Project is omitted from Chesterfield's Infrastructure Plan. Waste management should be added to the list of infrastructure types to be funded via CIL.

Charging authorities are required to pass a proportion of CIL receipts to Town and Parish Councils. Town and Parish Councils will receive a 15% share of CIL revenue from development in their area, subject to a cap of £100 per household. Where a neighbourhood has a Neighbourhood Plan, this share would increase to 25%. Whilst it is recognised that this is consistent with national legislation, there is concern that any transfer of funds down to neighbourhoods will result in less funding available for strategic infrastructure and services delivered by the County Council.

**(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.

**(4) Legal Considerations** CIL 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

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building above a certain size. Chesterfield Borough Council's Draft 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** Held on file Developer Contributions by the Planning Services Manager. The Draft Charging Schedule has been informed by the Derbyshire Infrastructure Plan which can be accessed by following the link [http://www.derbyshire.gov.uk/images/2013%2011%2020%20Derbyshire%20Infrastructure%20Plan\\_tcm44-234715.pdf](http://www.derbyshire.gov.uk/images/2013%2011%2020%20Derbyshire%20Infrastructure%20Plan_tcm44-234715.pdf) Officer contact details – Harriet Fisher, extension 39551.

(8) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves the County Council's response based on the comments in this report.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**