

Neighbourhood Plan Working Party

Meeting, Brunel Room

Monday July 25th 2016

7.30pm

Minutes

Those in attendance: L.Dupre (from around 8.15pm), R. Hughes, M. Inskip, S. Smith, L. Stubbs, R. Wisdom

Apologies: J. Megginson, K. Osborne, S Partington

1. The process for CIL – Sally Bonnett, ECDC

- It was confirmed that for Sutton, CIL is calculated at the rate of £90 per sq m.
- It was confirmed that CIL is not triggered by an Outline Plan.
- Sutton Parish Council will receive CIL at 25% if the Neighbourhood Plan is approved prior to Linden Homes gaining 'Reserved Matters' approval.
- Sally Bonnett is to come back to us to state whether or not the Parish Council would receive CIL at the 25% level for the remaining area in the event that Linden Homes only gain Reserved Matters approval for the initial 50 houses prior to the approval of our Neighbourhood Plan.

2. Website Review

The meeting reviewed the site construction to date. It was decided to add a section for documents, to add pictures and to take steps to make it interactive. The site has already been promoted via Pepperpot and via a leaflet handed out on Gault Day. It will now also be promoted in the forthcoming Newsletter.

3. May 19th Business Forum Review

The meeting discussed the input received on the day to determine the necessary actions. Interest in developing small business units was deemed as the only requirement for inclusion in the Neighbourhood Plan. The remaining requirements will be progressed separately via the Parish Council.

4. Linden Homes – Way forward

After some discussion it was decided that Linden Homes will continue by reporting back to the Parish Council prior to a meeting for residents. It was confirmed that the Parish Council would ensure that resident requirements as identified in the Neighbourhood Plan would be taken into consideration when liaising with Linden Homes.

5. Call for Sites – Way forward

It was confirmed that at the last Parish Council meeting it was agreed that the Linden Homes site was the preferred option for extensive development followed by the Mepal site, followed by the one East of Lawn Lane and that the other four residential sites in the Call for Sites list were rejected. It was stated that by October 2016 the Local Plan update will be available which will outline which sites have been rejected. The Parish Council will be monitoring this progress.

It was agreed that the topics of Linden Homes, Call for Sites and the Local Plan should all be included as agenda items for future meetings in order to facilitate communication of updates on each topic.

6. Ian Poole's report – Review of actions and discussion on issues not resolved at the previous meeting

It was confirmed that the draft policies had all been examined in the light of Ian Poole's report and that further development of these will follow the forthcoming questionnaire with Ian Poole.

In response to item 4.3 in Ian Poole's report it was agreed that information from for example the 2011 Census or school capacity and other infrastructure capacity records should be included. This will include information on the population structure, dwelling types and sizes, household sizes and economic activity for the parish with comparators with neighbouring parishes and the district as a whole.

Action: R Wisdom to examine information via Cambridge Insight

In item 4.4 of Ian Poole's report it states that 'Given the presence of the Ouse Washes SPA, SSSI and NNR, it is clear that development will need to have due regard to potential impact on these designations. However, we would also recommend that close attention is given to the environment and setting of the village itself. There are a number of listed buildings within the heart of the village, which is also a conservation area. It will be necessary to have regard to these designations and ensure that the Neighbourhood Plan does not harm the character and setting of designations. With this in mind we consider that it is important to undertake a visual assessment of the village and its environs to identify areas that should be protected from development due to the potential impact on the setting and character of the village as a whole. We would point to Long Compton or Ardingly or the work undertaken in Longwick in Buckinghamshire to identify village capacity.

Action: J. Megginson to comment

7. Way forward with Ian Poole

It was proposed that we take up the option for a Policy Development workshop with Ian Poole on either the morning of October 1st or 8th. Members of the Working party to arrive half an hour earlier to agree on our current position on this topic.

We should have the results of the forthcoming resident questionnaire in time for this workshop, with the closing date for the questionnaire being Sunday September 11th.

Action: R. Wisdom to arrange date and programme content with I. Poole

8. Working Party – The way we work

Discussion was held to confirm Working Party processes and procedures.

9. Any other business – The Questionnaire

It was agreed that steps should be taken to enable residents to respond via the parish council website.

Action: L. Dupre to include URL and closing date on the printed form, M. Inskip to enable online response.

Date of Next Meeting: Thursday 25th August: Agenda item – Coming up with a Plan

Appendix: Information from Sally Bonnett, ECDC following the meeting

To be eligible for 25% CIL ‘Meaningful Proportion’ the Sutton Neighbourhood Plan must have been adopted before a development gets Reserved Matters planning approval.

Once the Neighbourhood Plan is adopted Sutton Parish Council will receive 25 % of the CIL income from all developments in the Parish.

Please note that some types of development are exempt from CIL:

- Affordable/social housing (this will include Starter Homes)
- Charitable development provided by a charity
- Self build developments (people building a dwelling to live in themselves and not sell for at least 3 years) and self build annexes and extensions.

Also any existing floor space can be used to offset CIL liability. So if a building is demolished and replaced by a new one, CIL will only be charged on the additional Floorspace created.

The developer doesn’t pay additional CIL in areas that have an adopted Neighbourhood Plan – the District Council will transfer the higher amount to the Parish Council from the amount it receives from the developer.

Each Reserved Matters planning application is independent. So if the Sutton Neighbourhood Plan is not adopted before phase 1 of a development gets Reserved Matters planning permission, but is adopted before phase 2 gets Reserved Matters planning permission, then 25% of the CIL from phase 2 and any subsequent phases will be passed to Sutton Parish Council.

The CIL legislation caps CIL payments to Parish Councils without a Neighbourhood Plan to £100 per council tax dwelling per year – for Sutton this is £166,800 per annum. In areas that have an adopted Neighbourhood Plan and receive 25% CIL there is no cap.

As ECDC is a CIL charging authority Section 106 Agreements are only used to deal with site specific infrastructure, for example, affordable housing on-site, public open space on-site and highway improvements required as a direct result of the development. Section 106 agreements are negotiated on a site by site basis and will be informed by consultees and policies relevant to the development. On large scale developments, the NHS would be consulted and CCC and other relevant bodies.

The Planning Department is responsible for negotiating S106 agreements to secure site specific infrastructure and are guided by the Councils Supplementary Planning Document on Developer Contributions -

http://www.eastcambs.gov.uk/sites/default/files/SPD%20Developer%20Contributions%20-%20Adopted%20Version_0.pdf

However, as I mentioned at the meeting, the development at Sutton is unlikely to have sufficient impact to require a S106 agreement.

The Council also have to be mindful of scheme viability and a developer could seek to reduce a Section 106 package should the scheme be proven to be unviable. So if for example the scheme required 30% Affordable Housing and a new road improvement costing £3 million and the developer could successfully argue the development could not pay for both they would seek to reduce the level of affordable housing provision on-site (as the road improvement would be necessary and you couldn't have the development without it). The Council would of course ensure to put review mechanisms in place to capture any uplift in the market which improves the developers position and therefore could deliver more affordable housing on-site.

When negotiating Section 106 Agreements the Council must comply with the tests set out in Regulation 122 of the CIL Regs:

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.