

## **Development Plan Panel**

**Monday, 14th January, 2013**

**PRESENT:** Councillor N Taggart in the Chair

Councillors B Anderson, C Campbell,  
M Coulson, C Fox, R Harington, T Leadley,  
J Lewis, K Mitchell and N Walshaw

### **65 Chair's Opening Remarks**

The Chair wished everyone a happy new year.

### **66 Late Items**

Although there were no formal late items, the Panel was in receipt of the following additional information:

- a press release by Nick Boles MP, Department for Communities and Local Government dated 10<sup>th</sup> January 2013 (Minute No. 70 refers).

### **67 Declaration of Disclosable Pecuniary and Other Interests**

There were no declarations of disclosable pecuniary interests or other interests made at the meeting.

### **68 Apologies for Absence**

An apology for absence was submitted by Councillor P Gruen.

### **69 Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the Development Plan Panel meeting held on 19<sup>th</sup> December 2012 be approved.

### **70 Matters Arising from the Minutes**

With reference to Minute No. 52 of the Development Plan Panel meeting held on 26<sup>th</sup> September 2012, regarding the LDF Core Strategy – Publication Draft, Analysis of Consultation Responses: Housing Policies H1, H2, H3, H4 and H8, the Head of Forward Planning and Implementation stated that following clarification from Cllr Leadley that with regard to density, the wording of the Core Strategy glossary and Policy H3 would be checked for consistency. If necessary, there was some scope of clarify as part of the Core Strategy Housing Background paper, prior to submission.

With reference to Minute No. 48 of the Development Plan Panel meeting held on 26<sup>th</sup> September 2012, regarding the Affordable Housing Threshold, it was also noted that the Director of City Development had been asked to provide an update on the wording of Policy H5 (Affordable Housing). It was agreed that an update would be provided at the next meeting.

### **71 Leeds Community Infrastructure Levy - Preliminary Draft Charging Schedule**

With reference to Minute No. 63 of the Development Plan Panel meeting held on 19<sup>th</sup> December 2012, where Members considered a report on the development of the

Community Infrastructure Levy (CIL) for Leeds, the Director of City Development provided a further report.

Appended to the report was The Leeds Community Infrastructure Levy Economic Viability Study which had been carried out for the Authority by GVA.

A representative of GVA was in attendance at the meeting to respond to queries and comments from the Panel.

The Chief Planning Officer referred to recent articles in the local press about the introduction of the CIL by Central Government and stated that its purpose was to raise money from developments (for 'gap' funding) to help Councils to deliver infrastructure which arose from new growth.

Whilst the report contained figures for a draft charging schedule, it was proposed that agreement of the charging figure for office development be deferred. This would allow further discussions to take place and consideration of the approaches to this being taken by other Councils.

Members were informed that the charging rate set by some South West Authorities varied between Bristol which had set a zero charging rate for offices, whereas Birmingham had set a rate of £68 per sq metre. As it was felt that Manchester City Council, which had yet to publish its proposed charging rate and Leeds were the most critical in this area in terms of office accommodation, further consideration of this matter was therefore necessary. Members agreed to this approach and that a further meeting should be arranged to consider this element.

Officers then presented the report and outlined the key areas which related to:

- the Economic Viability Study (EVS); the proposed maximum CIL charges for a range of uses and in different areas of the city
- other evidence to balance against the recommendations in the EVS
- the Infrastructure Funding Gap, with details of this being appended to the report
- the historic S106 data which would be used to support the CIL levies
- the Instalments Policy
- the Exceptional Circumstances Policy.

The latest guidance which was issued in December 2012 in respect of the statutory requirement to prepare a Regulation '123 List', was outlined and reference was also made to a recent press statement from the Department for Communities and Local Government regarding the share of the CIL which could be made to neighbourhoods, with this being stated as being 25% of the revenues from the CIL arising from the development which was accepted for those neighbourhoods with a Neighbourhood Plan and 15% for those without such a Plan.

In terms of the draft charging schedule as set out in the EVS, Members were informed that Officers were suggesting lower figures in most cases, with these being included in the submitted report. Members were informed of a typing error on page 11 and that the CIL charge for Residential – Outer Southern, should be £45 per sq

metre and not £48, as stated. In terms of Residential – Inner Area; Residential City Centre; Retail smaller than 500sqm and other publicly funded or not for profit organisations, although the EVS recommended these rates be set at zero, a £5 per sq metre charging rate was being proposed

Members discussed the report, with the main areas of debate being around:

- the funding gap, with concerns being raised that a more ambitious charging schedule should be considered and the difficulties of complying with the National Planning Policy Framework which stated development should be sustainable, when there was such a funding gap between the infrastructure which was needed and the likely amount obtained from the CIL
- city centre residential development which was stated in the report as being unviable and the different views being expressed at a recent housing consortium meeting where city centre residential use was being considered
- issues of viability
- the map indicating the CIL charging zones with concerns about the boundaries between zones, particularly the Cookridge area of the city which contained many greenfield sites but was not included in the highest charging zone, with concerns that large scale development would occur and have a huge impact on the area
- that housing demand should be considered; that it was well known that developers wished to build in the north of the city and the Garforth area but that this did not seem to have been reflected in the CIL charging map
- the proposals not to charge the maximum rates suggested by the EVS, with mixed views on this
- that more information was needed on the other funding streams which would supplement the CIL
- the exceptional circumstances clause; how this would work and who would decide if exceptional circumstances applied
- the need for further information on the amount of CIL to be available to Town and Parish Councils and neighbourhoods, including the need for a definition of 'neighbourhood'
- the mixed charging rates for retail and whether this could be extended further for big box retail development in out of town centres.

In response to the comments raised, the Chief Planning Officer emphasised that within the context of national legislation, CIL was concerned with 'gap' funding, rather than being a basis to cover all infrastructure costs. It was advised also that it is not intended that CIL should be a substitute for existing mainstream funding and that the City Council is also actively exploring a range of opportunities to secure infrastructure funding via the Leeds City Region Growth Fund and through Infrastructure UK. With regard to the viability of residential development within the City Centre, the Chief Planning Officer commented that the residential market is still very weak but that growth would help stimulate viability. Reference was also made

to the New Homes Bonus, which would be generated through new residential development, which would be in excess of CIL.

In considering the recommendations set out in the submitted report, concerns remained about the boundary of the Outer Northern and Outer Southern Housing zones. In particular this related to the inner boundary of the Outer Northern zone and the logic of the Outer Southern boundary around Middleton Park.

Concerns were expressed that all Councillors had not received the larger scale plan showing the proposed charging zones and may not have been able to make representations on the proposals. Members were informed that larger plans had been made available and that a presentation on the proposals had been made to all of the Council's political groups. The Chair stated that the responsibility for considering the CIL draft charging schedule rested with Development Plan Panel which would then make a recommendation to Executive Board.

It was noted that there were recurring typing errors in what would become a public document and that these should be corrected. In view of the concerns which had been expressed it was proposed that, along with further work on the suggested rates for office accommodation, that a further meeting be arranged to consider these matters and agree a recommendation which would be presented to the February meeting of Executive Board

**RESOLVED** – To note the report and the comments now made and that the charging rates for offices and targeted revisions to the Charging Zones (as raised at the meeting), should be reconsidered by officers to reflect members concerns, with a view to further consideration by Development Plan Panel.

## **72 Date and Time of Next Meeting**

Tuesday, 29<sup>th</sup> January 2013 at 1.30pm in the Civic Hall, Leeds.