



St Edmundsbury
BOROUGH COUNCIL

A654

Cabinet 28 April 2010

Sustainable Development Panel: 20 April 2010 (May10/01)

*Cabinet Member: Cllr Terry
Clements*

*Chairman of the Working Party:
Cllr Richard Rout*

1. Local Development Framework: Core Strategy – Revised Infrastructure Delivery Plan (Report A632)

RECOMMENDED:- That

- (1) the revised Draft Infrastructure Delivery Plan, attached as Appendix B to Report A632 be approved; and***
- (2) the responses to the consultation contained in Appendix A to Report A632 be noted and that officers comments therein be agreed as the Council's response to comments.***

The Local Development Framework (LDF) Core Strategy is currently being examined by a Planning Inspector and provides a long-term vision for the management of growth in the Borough to 2031. It is supported by a range of policies that will ensure that growth is sustainable. A key requisite of the Core Strategy is the need for essential infrastructure to be in place before development is occupied (Policy CS15). The Government, in particular, is emphasising the need for spatial policies to be supported by plans that will give certainty about how and when this infrastructure is to be delivered. In November 2009 the Panel considered a draft Infrastructure Delivery Plan that had been prepared for consultation. It was based on the outcome of a number of studies and the proposed spatial strategy of the Core Strategy. Consultation is now complete and the revised Infrastructure Delivery Plan was considered by the Panel.

2. Introduction of the Community Infrastructure Levy (CIL) (Report A633)

RECOMMENDED:- That

- (1) the contents of Report A633 be noted and St Edmundsbury becoming a charging authority for the purposes of the Community Infrastructure Levy be recommended;***
- (2) an officer working group be established to plan for and identify the external, corporate and service specific requirements for the implementation of the CIL in St Edmundsbury; and***

- (3) *the work of the officer working group be reported back to the Sustainable Development Panel at intervals advising on progress, implications and arrangements to be put in place.***

The Government consulted on the Community Infrastructure Levy (CIL) Regulations in October 2009 and St Edmundsbury formally responded with comments. The Government has now introduced the Levy and at the same time amended how the s.106 system would continue to operate. The Community Infrastructure Levy would be linked to the delivery of the Local Development Framework Core Strategy and St Edmundsbury has to determine if it should become a charging authority under the new system. The introduction of the new system would require new procedures and practices to be established to secure infrastructure funding via the Levy.

3. Probity in Planning – Code of Good Practice (agenda item 9)

RECOMMENDED:- That

- (1) *the Sustainable Development Panel notes the overall guidance that has been prepared and suggests to the Development Control Committee that additional guidance covering the policy making process also be included in the Code of Good Practice; and***
- (2) *the Head of Planning and Economic Development be given delegated authority, in consultation with the Portfolio Holder for Transport and Planning, the Chairman of the Sustainable Development Panel and the Head of Legal and Democratic Services, to draft and finalise appropriate additional wording relating to planning policy making responsibilities for inclusion in the Code of Good Practice.***

The St Edmundsbury Planning Code was last reviewed in 2004. Planning decisions involve balancing the needs and interests of individual constituents and the community, with the need to maintain an ethic of impartial decision-making on what can be highly controversial proposals. The challenge of achieving the balance between these dual roles was the reasoning behind the Local Government Association (LGA) issuing its original Probity in Planning Guidance Note in 1997. A revised model Code for Conduct for Councillors was also introduced in 2007 as part of the new Ethical Framework for Local Government. In 2009 the LGA published an updated guidance document on probity issues, which provides revised advice on achieving the necessary balance. The new guidance: '*Probity in Planning: the Role of Councillors and Officers*', sets out advice on good planning practice for councillors and officers dealing with planning matters and was considered by the Development Control Committee in 2009. The need to review and update the St Edmundsbury code was identified at that time.

4. Local Development Framework: Rural Site Allocation (Report A665)

(The Chairman of the Committee agreed that this item could be considered as a matter of urgency, in accordance with Section 100 B(4) of the Local Government Act 1972, in order that this matter could be resolved within the necessary timescale).

RECOMMENDED:-

That the reasons for the rejection of previously submitted sites in Fornham St Martin and Westley as set out in paragraphs 3 and 4 of Report A665 be approved, excluding sites SS5, SS6, SS11, SS40, SS56, SS87, SS102, SS107, SS122 and WS56 which will be considered further as part of the preparation of the Bury St Edmunds Area Action Plan.

On 9 March 2010 the Sustainable Development Panel considered Paper A548 (St Edmundsbury Local Development Framework: Rural Site Allocations Preferred Options Document). Paragraph 4.11 of that report noted that a number of sites in the rural area proposed by landowners and developers had not been included in the Preferred Options document. The reasons for rejection were set out in Appendix E of the report. It has come to officers' attention that sites on the edge of Bury St Edmunds that are actually proposed extensions of villages have not been formally addressed, although the Core Strategy Settlement Policy (Policy CS4) would not allow them to proceed.

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