

Report for: Regulatory Committee

Title: Planning Obligations SPD

Report Authorised by: Lyn Garner –Strategic Director of Planning, Regeneration and Development

Lead Officer: Matthew Patterson, Head of Strategic Planning, Transport and Infrastructure

Ward(s) affected: All

Report for Key/ Non Key Decision: Key

1 Describe the issue under consideration

- 1.1. This report introduces a revised draft Planning Obligations Supplementary Planning Document (SPD) which updates the extant 2014 version in light of the adoption of the Haringey Local Plan documents in July 2017, and to provide up to date guidance on when the Council will seek Planning Obligations from development. It is intended, subject to Cabinet approval, that this SPD is publicised for public consultation.

2 Recommendations

- 2.1 That Regulatory Committee recommends that Cabinet approve publication of the Draft Revised Planning Obligations Supplementary Planning Document (provided at Appendix A) for public consultation in accordance with the Haringey Statement of Community Involvement (2016).

3 Reasons for decision

- 3.1 The revised Planning Obligations Supplementary Planning Document (SPD) will give greater clarity to the Council's approach to the functioning of the planning application process and procedures for securing planning obligations.

4 Alternative options considered

- 4.1 That the SPD is not revised, and the extant version remains in place. This option has been discounted because the extant version gives guidance on Policy that has now been superseded, and does not reflect recent legal decisions and government guidance on the seeking of Planning Obligations. It is therefore likely that relying on the extant guidance would lead to appeals that may result in the loss of Planning Obligations as they would not be supported by up to date Policy and guidance. This option has therefore been discounted.

5 Background information

Revisions to the Planning Obligations SPD

5.1 The Planning Obligations SPD is being updated to reflect the changes to the Local Plan, CIL and other central government regulations and guidance, and Mayoral guidance, since its adoption in 2014. While most of the document remains unchanged, some significant changes include:

- Further details on how the Council intends to assess applicable obligations, and negotiate and secure these through the consideration and determination of planning applications;
- Referencing the new Local Plan policies and changes therein, specifically on affordable housing (targets, tenure split and application to different forms of housing development) and on securing affordable workspace;
- Updating the section on how development viability will be assessed, including triggers for further re-appraisals prior to development commencing, during construction, and post completion, ensuring increased opportunity to capture on site provision or off-site contributions should new development exceeds values set out in initial viability assessments, in accordance with the Mayors new Affordable Housing and Viability SPG.
- Greater clarity on when, and how off-site contributions towards ensuring new developments meet their zero carbon commitments will be accepted including an increase in rate to £90 per tonne; and
- Introducing new planning obligations for telecommunications (broadband) to deliver on Council's priorities around economic growth.
- Clarifying the Council's approach to collecting employment and training obligations and the importance of the Tottenham Regeneration Charter

6 Next Steps

6.1 The table below outlines the proposed timeframes for progressing the SPD to adoption.

Table 2: Milestones in preparation of amendments to the Haringey CIL	
Task	Completion Date
Draft updated Planning Obligations SPD approved by Cabinet	October 2017
Draft Planning Obligations SPD consultation	Oct-Nov 2017
Final Planning Obligations SPD adopted by Cabinet	Jan 2018

7 Contribution to strategic outcomes

7.1 Priority 4: Drive Growth from which everyone can benefit. By updating the SPD the Council will be able to give certainty to developers as to what obligations may be sought, and to ensure that those obligations are justified and collected to help provide funding for local infrastructure projects made necessary as a result of those developments.

7.2 Priority 5: Create homes and communities where people choose to live and are able to thrive. By giving clear guidance on affordable housing and viability calculations will ensure the Council has robust guidance to help secure

appropriate affordable housing contributions from relevant developments and thus increase the supply of affordable homes in the Borough thus benefiting the community and Haringey's places

8 Comments of Chief Financial Officer

- 8.1 Corporate Finance has been consulted on the drafting of this report and has reviewed the modelling of anticipated CIL revenue receipts. These receipts will be available to be spent on new physical infrastructure and the maintenance of existing physical infrastructure within the borough. It is anticipated that the estimated receipts will be included as part of the annual capital budget making process which determines the relative priorities for allocation of all capital resources. The budget setting process will also provide the opportunity to ensure that the CIL Regulation 123 list properly reflects the most update infrastructure investment priorities for the use of CIL receipts.

9 Comments of Chief Legal Officer

- 9.1 The Planning department and the legal team are still discussing the detail of the Planning Obligations SPD. Comments will be provided once this process is complete, in time for submission of the Cabinet Report.

10 Use of Appendices

- Appendix A – Draft revised Planning Obligations Supplementary Planning Document

11 Local Government (Access to Information) Act 1985