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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL LOCAL DEVELOPMENT PLAN UP TO 2021

Supplementary Planning Guidance (SPG) Representation Form

THANK YOU FOR YOUR COMMENTS ON THE SUPPLEMENTARY PLANNING GUIDANCE (SPG)

Completed forms should be returned by
5:00pm on Wednesday 7th August 2013:

Completed forms should be returned to:

The Spatial Development Team, Regeneration and Planning Division, Rhondda Cynon Taf County Borough Council, Floor 3, Sardis House, Sardis Road, Pontypridd, CF37 1DU.

The Spatial Development Team,
Regeneration and Planning Division
Rhondda Cynon Taf County Borough Council,
Floor 3
Sardis House
Sardis Road,
Pontypridd,
CF37 1DU.

**REPRESENTATIONS SHOULD BE RETURNED BY
5:00pm on the 7th August 2013**

**REPRESENTATIONS RECEIVED AFTER THIS DATE
WILL NOT BE CONSIDERED**

Contact Details

Personal Details

Title	Mr
First Name	Louis
Last Name	Chicot
Job Title (if applicable)	Principal
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Agents Details (if applicable)

Mr
Louis
Chicot
Principal
Louis Chicot Associates
1 Clewer Court Oakfield Road Newport
NP20 4LQ
LC@townplanning.org.uk
01633 264844

Q1. To which Supplementary Planning Guidance (SPG) does your representation refer? Please Tick

- Planning Obligations
- Shop-front Design

Q2. Do you support or object to this Supplementary Planning Guidance (SPG)? Please Tick

- Support
- Object

Q3. Please set out your representation below:

See attached.

1. It is appreciated that the consultations in respect of the CIL Draft Charging Schedule and the Draft SPG Planning Obligations are separate. However, as the Draft SPG explains how the council intends implementing the CIL regime, in practice the two are inseparable. Furthermore, changes in the application of the CIL regime via the SPG may well result in the council amending the Draft Charging Schedule. Therefore, I have prepared this single note to address both draft documents.
2. The Draft Infrastructure List (April 2013) specifies "*Education Projects including:*" before listing four such projects. It does not specifically exclude any education projects and therefore by virtue of s123 of the CIL regs., education being a "*type of infrastructure*", contributions towards education projects cannot be lawfully sought via a s106 contribution. Nevertheless, the paragraphs 4.16 and 4.17 of the Draft SPG specifically state that such contributions will be sought in the Northern Strategy Area.
3. It is accepted that s13 of the CIL regs specifically allows for the authority to set differential charging rates across different zones within its area. However, this provision does not provide for the exclusion of a type of infrastructure project, such as education, from the CIL regime. Specific schemes in certain circumstances may be so excluded¹, but these will be rare exceptions.
4. In addition, the scope of the contributions payable for transport, outdoor recreation facilities, environment, landscape, biodiversity and public health, as described in the Draft SPG, appear to extend beyond site specific infrastructure requirements. For example, once five contributions towards the provision of sports pitches (a "*type of infrastructure*") have been agreed in the council area, no further contributions can be lawfully required. Such implications do not appear to be reflected in the SPG and may therefore have an impact on the Draft Charging Schedule.

¹ See example following paragraph 18 of [Planning Officers Society doc s106 Obligations and CIL – an Advice Note April 2011](#)