

Community Infrastructure Levy Modifications consultation responses (June 2016)

1796321 **A Richards; Sherborne Road Residents Association**

This contribution is from Sherborne road residents association. Community Infrastructure Levy

Thank you for asking for us to comment on this proposal; what I have gathered the levy is being made against new build property from only the private sector, from this I believe you won't make additional funds in any significant way.

The losers are private developers and the public of which will pass this indirect tax increased cost on to the purchase of the property; then the public have to pay this increase as part of the house price and mortgage.

Doubling the debt on the house holder not very good economics and short sighted approach.

I feel it's easier to raise an income stream from the public re-introduce the council tax on garages for households it was always there before the debunked Poll tax took it away.

Plus it increasable and yearly as opposed to one off tax on square area of new build property.

regards

Ashley Richards

SRRA

9105953 **V Kirkham; Natural England**

Reference: Modifications to Community Infrastructure Levy Draft Charging Schedule

Our Ref: 186769

Dear Mr Wheatley,

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England does not consider that the Modifications to the Community Infrastructure Levy Draft Charging Schedule poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.

The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals

may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

Yours sincerely,

Victoria Kirkham

1223457 G Parsons; Sport England

Sport England has no comment to make on the modifications proposed to CIL.

Regards

Gary Parsons

5335681 P Gillman; Stoke Trister with Bayford Parish Council

Dear Mr Wheatley

My Chairman has asked me to write to you.

As we are such a small Parish Council do we really need this information.

Kind regards

Patricia Gillman

Clerk to Stoke Trister with Bayford Parish Council.

14670337 S Lewis; Tetlow King Planning (on behalf of South West HARP Planning Consortium)

Please find attached letter in respect of the above.

Regards.

(See attachment 1)



Spatial Policy
South Somerset District Council
Brympton Way
Yeovil
BA20 2HT

Date: 22 June 2016
Our Ref: SL M6/0405-11
Your Ref:

By email only:
planningpolicy@southsomerset.gov.uk

Dear Sir or Madam

RE: SOUTH SOMERSET COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE: PROPOSED MODIFICATIONS

We represent the **South West HARP Planning Consortium** which includes all the leading Housing Association Registered Providers (HARPs) across the South West. Our clients' principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the South West region.

These comments are made in relation to the proposed modifications; however it is important that we first comment on recent changes in planning which have an impact on the introduction of CIL.

Court of Appeal Judgement

In July 2015 West Berkshire and Reading Councils were successful in challenging the Written Ministerial Statement by CLG which required no affordable housing contributions on smaller developments of ten homes or fewer or on sites of 1,000 square metres or less (the "10-unit threshold"). Those sections of the Planning Practice Guidance (PPG) setting out guidance on this were subsequently quashed by that decision. However, CLG appealed this decision in the Court of Appeal and on 11 May 2016 the Court allowed all four grounds of the appeal. Following this judgement the PPG has been updated to reinstate the guidance, including:

- An exemption from providing affordable housing and other tariff-style contributions on schemes of 10-units or less;
- An optional exemption from affordable housing contributions on schemes of 5 units or less in designated rural areas – including National Parks and Areas of Outstanding Natural Beauty; and
- The *vacant building credit* offering financial credit for bringing a vacant building back into use.

The two Councils (West Berkshire and Reading Borough) have indicated that they may challenge the Court of Appeal's decision in the Supreme Court. In the interim it is important for local authorities, including South Somerset Council to consider the impact of the reinstatement of the PPG guidance on policy. The guidance is a material consideration to which decision makers must determine how much weight to give; whilst it ought normally to be considered inappropriate to require affordable housing, local thresholds may be given more weight where supported by up to date evidence.

In the case of the South Somerset Charging Schedule the Council has based its viability assessment (including the 2015 update) on the adopted Local Plan Policies HG3 and HG4 which set lower thresholds for affordable housing contributions than that reintroduced in the PPG.

We note a recent example in the Christchurch and East Dorset CIL where the charging rate has been significantly impacted upon whether or not the national affordable housing thresholds were in place. Figure 1 (below) is an extract from the now withdrawn Revised Draft Charging Schedule (December 2015), and shows that with the national affordable housing thresholds in place, the CIL charging rate (£150/sqm) was more than double that of the original CIL rate (£70/sqm). The latter rate has been assessed in accordance with the targets set out in the adopted Joint Core Strategy.

Figure 1: Extract from proposed Christchurch and East Dorset Revised CIL Charging Schedule (December 2015, now withdrawn)

East Dorset CIL Rate	
Development Type	Charge per sq m
Residential (more than 10 units) development (other than New Neighbourhoods or sites providing on-site SANG). This rate will also apply on sites of 10 units or less or less than 1000sqm floorspace, subject to the introduction of national legislation or guidance introducing this threshold for affordable housing provision)	£70
Residential <u>on sites of 10 units or less or less than 1000sqm floorspace (10 units or less or less than 1000sqm floorspace) (only applicable if there is a legislative change or change in national guidance requiring no affordable housing provision relating to small-scale schemes where no affordable housing provision is required on sites of 10 units or less or less than 1000sqm floorspace set at a national level).</u>	£150

Figure 1 shows that the national affordable housing threshold has a significant impact upon CIL charging rates. We urge the Council to consider assessing the viability impact of the reinstated *10-unit threshold* on its Community Infrastructure Levy. Failure to undertake this may seriously impact the future delivery of affordable housing.

Housing and Planning Act 2016: Starter Homes

The Council will also be aware that the Housing and Planning Act 2016 contains the introduction of Starter Homes; regulations are expected to be published this summer following the recent *Technical Consultation on Starter Homes Regulations* (March 2016). The consultation document proposed a uniform requirement of 20% provision on all sites of 10 units or more, or those above 0.5 hectares. The Council will need to respond to these Regulations, possibly through a review of the Local Plan, and commensurate changes to the CIL Charging Schedule once published as this is expected to impact on site viability.

CIL Draft Charging Schedule: Proposed Modifications

In line with our comments dated March 2016 (reference M6/0405-10), we support the removal of reference to C2 use development from the Charging Schedule.

(Attachment 1)

We do not wish to attend the examination but would like to be consulted on any further stages of the Community Infrastructure Levy, by email only to consultation@tetlow-king.co.uk. Please ensure that the **South West HARP Planning Consortium** is retained on the LDF database, with **Tetlow King Planning** listed as their agents.

Yours faithfully



SEAN LEWIS MPlan
ASSISTANT PLANNER
For and On Behalf Of
TETLOW KING PLANNING

sean.lewis@tetlow-king.co.uk

Cc: Aster Group
DCH Group
Knightstone Housing Association
Stonewater Limited
Yarlington Housing Group

Colin McDonald – Housing Department