

Community Infrastructure Levy

Raising funds for infrastructure delivery:

Regulation 19(b) Statement

Summary of Main Issues Raised in Representations
on the Draft Charging Schedule



Waveney District Council
Serving the Community



Purpose of this document

This document summarises main issues raised in the representations made in accordance with Regulation 17 of the Community Infrastructure Levy Regulations (2010 as amended) on the Waveney Draft Charging Schedule. This document fulfils the requirements of Regulation 19(b) of the Community Infrastructure Levy Regulations (2010 as amended).

1. Introduction

- 1.1 The Waveney Community Infrastructure Levy Draft Charging Schedule was published on the 5th October 2012. This was immediately followed by a six week period where representations could be made on the Draft Charging Schedule. This period ended at 4pm on the 16th November 2012.
- 1.2 In total, **18** representations were duly made within the representations period following publication. Of the 18 representations, **4** people requested to be heard by the independent examiner.

Summary of Main Issues Raised by the Representations

Reference	Respondent	Summary of Main Issues	Wish to be heard by the examiner?
1	Rous, Mr Hektor	<p>Mr Rous objected to the differential rates by area for residential development. He argued that the rates proposed on rural properties will have an impact on the delivery of accommodation for agricultural workers and for families who do not wish to live in a town. He also argued that the rates proposed should be based on the infrastructure needed rather than sales values.</p> <p>Mr Rous raised concern that CIL will make the purchase of a rural property unattractive for many. He stated that the differential rates will result in more development in some zones than others based on the rates. He proposed a charge of £45 per square metre for new residential property across the region.</p>	No
2	Brooks, Cllr Norman	Cllr Brooks raised concern that CIL will result in an increase in house prices of up to £20,000 and that this will also percolate through to second-hand homes. He raised concerns that a lack of suitable land for development will increase land prices. He suggested the Council adopts a zero rate for all residential development.	No
3	Carlton Colville Town Council	Carlton Colville Town Council raised concerns about how the money received will be distributed between different areas for community use.	No
4/5	Savills on behalf of Brooke House Group Ltd.	<p>Savills objected to the proposed levy on supermarkets, superstores and retail warehouses. They argued that an instalments policy should be introduced that establishes clear phasing triggers for each development type. They stated that a differential rate for different types of retail development should be applied based on the value generated. They argued that there is no evidence to confirm why the same rate should be charged for retail warehouses as supermarkets.</p> <p>Savills also state that charging for retail warehouses, supermarkets and superstores should start at 280sqm in line with advice in the Waveney CIL Viability Study (BNP Paribas Real Estate, 2012)</p>	Yes
6	Cossey, Mr	Mr Cossey raised concern that CIL funds would be spent on new offices for Council staff	No

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	Norman P.J	rather than on the wider community.	
7	Lawson, Mrs Judith	Mrs Lawson stated that she appreciated the clarity of the documents and that the proposals offer the best way forward for the District. She stated that she hoped that previously published infrastructure improvements for all areas as detailed in the 1996 Local Plan and the current Local Development Framework would not be lost.	No
8	Marine Management Organisation (MMO)	The MMO confirmed they had no comments.	No
9	Anglian Water	Anglian Water suggested that Table 1.1 in the Background Document should be amended to read; 'Site specific sewerage upgrades' rather than 'Site specific sewage upgrades'	No
10	Highways Agency	The Highways Agency confirmed they had no comments.	No
11	NATS Safeguarding	NATS Safeguarding confirmed they had no comments.	No
12/13	WM Morrison Supermarkets	<p>WM Morrison objected to the proposed rate for supermarkets, superstores and retail warehouses. They stated that the viability analysis did not take into account all costs associated with supermarket development. They argued that the proposed rates would put undue additional risk on the development of foodstores and in turn pose a significant threat to job creation and new investment in the District.</p> <p>WM Morrison also submitted a detailed critique of the viability study. They raised concerns about the build costs assumed, the allowance for section 106, the level of profit, professional fees assumption, lack of regard for costs of planning fees, the interest period and the existing use value calculation.</p>	No
14/15	Nathanial Lichfield and Partners (NLP) on behalf of Bourne Leisure	NLP supported the zero rate for Hotels but requested that recognition is given to the fact that a zero rate for hotel developments and other zero rated development will be applied in the long term.	No

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		<p>NLP requested that clarification is provided that ‘holiday lets’ do not include other types of visitor accommodation such as chalets and caravans sited in holiday villages and resorts.</p> <p>NLP requested that the Council introduced a policy of exceptional relief.</p>	
16	AKA Planning on behalf of Care UK Community Partnerships Ltd.	<p>AKA Planning objected to the rate proposed for residential care homes and nursing homes of £65 per square metre. AKA Planning stated that the rate applied would put care home development at risk as the viability evidence justifying the rate was only based on a care home development in the higher value area of Southwold and Reydon. They argued that the evidence ignored the fact that care home development would mostly satisfy local authority referrals and that most development would probably occur in Lowestoft rather than Southwold and Reydon. AKA Planning also stated it was wrong to base sales values for residential care home provision on residential sales values in the CIL Viability Study.</p> <p>AKA Planning suggested either a zero rate for care home development across the District or a differential rate with areas such as Lowestoft having a zero or reduced rate. They also suggested a zero rate for schemes where residents are placed through local authority referrals.</p>	Yes
17	Suffolk County Council (SCC)	<p>SCC requested that the Waveney Infrastructure Study (March 2012) is updated to reflect recent changes regarding education, including increases in costs and increases in need following the reorganisation of schools.</p> <p>SCC also requested clarification about the interrelationship of CIL and Section 106. They queried whether the level of CIL had taken into account the level of affordable housing and on-site section 106 contributions, Section 278 and Section 38 matters and planning conditions. They questioned whether the margin of £1000 per unit would be sufficient.</p>	Yes

Reference	Respondent	Summary of Main Issues	Wish to be heard by the examiner?
		SCC suggested that there needs to be a clear and transparent mechanism for CIL collected to be passed to the County Council for provision of infrastructure that they are responsible for. They suggested that an Infrastructure Delivery Plan should be produced that is agreed between various stakeholders.	
18	Barton Willmore on behalf of Sanyo Industries (UK) Limited	Barton Willmore on behalf of Sanyo supported the zero rate proposed for Zone 1.	No
19	Environment Agency	The Environment Agency confirmed they had no comments on the Draft Charging Schedule. However, they stated that, with respect to the Waveney Infrastructure Study (March 2012), flood risk applies to settlements other than Lowestoft and that any new developments in these flood risk areas will dependant on an ongoing agreement that defences will be maintained. The Environment Agency stated that with changes in grant aid funding they may have to approach the authority in the future for assistance in delivering flood risk mitigation schemes.	No
20	Indigo Planning on behalf of Sainsburys	<p>Indigo Planning objected to the proposed rate for supermarkets, superstores and retail warehouse development. Indigo Planning stated that the differentiation proposed between supermarkets, superstores and retail warehouses and other types of retail development is not allowed for by the Regulations.</p> <p>Indigo Planning stated that there was a lack of evidence to support the proposed differentiation and that not enough scenarios were tested in the CIL Viability Study.</p> <p>Indigo Planning also raised concerns about the definitions provided for supermarkets, superstores and retail warehouses and whether they could be robustly applied.</p> <p>Indigo Planning also raised concern that no consideration has been given to the issue of State Aid.</p> <p>Indigo Planning suggested that a zero rate should be applied to all retail development.</p>	Yes

Reference	Respondent	Summary of Main Issues	Wish to be heard by the examiner?
		They also requested that the Council introduces an instalments policy and an exceptional circumstances policy.	
21	Barton Willmore	Barton Willmore stated that the £60 per square metre rate for residential development in Beccles was unjustified by the Council's viability evidence. Barton Willmore claimed there was no evidence to suggest why the rate for Halesworth and Bungay were reduced and that sales values for Beccles were more in line with Inner Lowestoft. They argued that given the future reliance on Beccles to deliver the housing needs of the District, the rate of £60 per square metre could put future development at risk. They suggested that the rate for Beccles and Outer Lowestoft should be the same as Inner Lowestoft at a rate of £45 per square metre.	No

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