

Warwick District Council Plan

DRAFT CIL CHARGING SCHEDULE

July 2013

Representations submitted on behalf of Mr H E Johnson in respect of land
at [REDACTED]

Prepared by:

Kevin Gibbs
Bond Dickinson LLP
3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

1. REPRESENTATIONS TO WARWICK DISTRICT COUNCIL CIL DRAFT CHARGING SCHEDULE

- 1.1 The table below contains the representations on behalf of Mr Harry Johnson and in respect of land at [REDACTED]
- 1.2 The paragraph numbers referenced refer to the corresponding paragraphs in the Draft CIL Charging Schedule (unless stated otherwise).

Paragraph 4.4 and Table 1	<p>It is unclear which sites are included in the 'Strategic Sites' category. The Community Infrastructure Levy Viability Study June 2013 (CIL Viability Study) tests the viability of 5 no. strategic sites (Table 5.2.1 of the CIL Viability Study) but does not state whether these sites represent a sample or a comprehensive list of all such sites to be considered for CIL purposes. Clarification of the categories is needed.</p> <p>The list of 5 no sites referred to does not include the land at Red House Farm which is allocated at paragraph 5.3 of Warwick District Council's (WDC) Revised Development Strategy (RDS). Bruton Knowles has submitted representations to the RDS on behalf of our mutual client Harry Johnson (Bruton Knowles Representation). Those representations support the allocation of the site referred to at paragraph 5.3 of the RDS but object to the omission of additional land at Red House Farm. The allocated and extension site (RHF site) which is shown edged with a broken and solid red line at Figure 1 of Appendix 1 to the Bruton Knowles Representation comprises 29 ha with an approximate capacity of 400 housing units and is therefore considered to be of strategic importance in terms of realistic delivery of WDC's housing and regeneration framework. Indeed, the capacity and planning merits of the site perform well against sites identified in Appendix 2 of the CIL Viability Study as strategic.</p> <p>Therefore, if the RHF site is to be considered as 'Residential' within Zone A with a higher proposed CIL charge of £50/sqm, rather than strategic with a lower charge of £30, we would object because when defining development proposals for the RHF site, the issue of affordable housing and infrastructure delivery will be a consideration. Notwithstanding the content of paragraph 5.1 of the Draft Charging Schedule (see below) it is vital that the RHF site is included within the lower proposed charging level of Zone A (£30/sqm) to ensure it is viable and can deliver appropriate regeneration for the Lillington area.</p> <p>We also note that paragraph 6.17 of the CIL Viability Study states that where a scheme is unviable before application of CIL, it will need to be the Section 106 requirement that changes in order to make the development viable. Where this is the intended approach (rather than exemption from CIL), it should be made express in the explanatory text to the Charging Schedule and cross referenced to Local Plan policy.</p>
Para 5.1	<p>We welcome the proposed exemption from CIL of the parts of a development which are to be used for affordable housing but suggest that where such a high proportion as 40% affordable housing is required, this exemption may not go far enough, and consideration should be given to exempting the whole RHF site from CIL</p>
Para 5.3	<p>The paragraph states that the proposed charge is considered by the Council to be viable 'based on available evidence'. We would highlight that the Local Plan and Infrastructure Delivery Plan are to be revisited following the updates to the SHMA and that at this time neither the cost of infrastructure nor the gap in funding is known or defined. As such, we would formally reserve our right</p>

	to make further representations on the Draft CIL Charging Schedule when these critical elements are known.
Appendix A	The Residential Zones plan shows land between Lillington and Cubbington as Zone A and the extended RHF site shown by a broken red line at Figure 1 to Appendix 1 of the Bruton Knowles Representations, in Zone D for the purposes of the Draft Charging Schedule. We object to this categorisation and submit that it is necessary to categorise the whole of the RHF site in zone A and define it as a Strategic Site with the lower charging level for regeneration purposes and that the land between Lillington and Cubbinton, which the SHLAA identifies as not suitable for development, is categorised at the higher level Zone D.

2. SUMMARY

It is unclear which sites are included in the 'Strategic Sites' category of Table 1 of the Draft CIL Charging Schedule. The RHF site should be included as a Strategic Site in Zone A at Table 1 with a lower charge of £30/sqm. Consideration should also be given to exemption of the RHF site from CIL.

At Appendix 1 the whole RHF site should be shown in Zone A as a Strategic Site and land between Lillington and Cubbinton, which the SHLAA identifies as not suitable for development, should be shown in Zone D.