

SOUTH WORCESTERSHIRE **DevelopmentPlan**

South Worcestershire Councils

Community Infrastructure Levy Draft Charging Schedule: Examination Submission Documentation

SWCIL03

South Worcestershire community Infrastructure Levy Draft Charging Schedule Statement of Consultation Regulation 19(1) (b) Statement.

**South Worcestershire Community Infrastructure
Levy
Draft Charging Schedule Statement of Consultation
Regulation 19 (1) (b) Statement**

Malvern Hills District Council

Worcester City Council

Wychavon District Council

July 2016



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1. Introduction

1.1 This report is prepared in accordance with Regulation 19 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) which requires that a local charging authority must submit a statement to the examiner setting out:

- If representations were made, the number of representations made in response to the consultation on the CIL Draft Charging Schedule (DCS);
- A summary of the main issues raised by the representations;
- Provide copies of the representations made in accordance with Regulation 17;
- Where the charging authority modified the draft charging schedule after it was published in accordance with Regulation 16, a statement of modifications; and
- Copies of the relevant evidence.

1.2 The South Worcestershire Councils (SWC) have produced this document to set out: the consultation methodology; the representations received to the consultation stages; a summary of the key issues and how the SWC have considered the representations, as required by CIL Regulation 19(b). As such this document complies with this regulatory requirement.

2. Draft Charging Schedule Consultation

2.1 The SWC has carried out public consultation on the Preliminary Draft Charging Schedule (PDCS) in September 2013, a revised PDCS in February 2015, and the DCS in March 2016. All the consultation stages were carried out in accordance with the CIL Regulations 2010 (as amended) and requirements set out in the Planning Act 2008 (as amended) at paragraph 211 and 212.

2.2 Consultation on the DCS along with its supporting evidence (Justifying the Levy, Viability Report 2016, and South Worcestershire Infrastructure Delivery Plan 2014) took place over 6 week period between 1 April and 16 May 2016. The consultation documents were subject to public participation in accordance with both regulatory requirements and the SWC Statement of Community Involvement. The consultation methodology included:

- E-mails and/or letters were sent to a wide range of stakeholders, including all those that were consulted on the revised Preliminary Draft Charging Schedule (PCDS) in 2015, those that submitted a response to the PDCS in 2013, and those held on the South Worcestershire Development Plan (SWDP) database.

- A press release was issued in advance of the consultation period.
- The consultation documents were made available for inspection at the SWC offices and community contact centres and at libraries across the SWC area.
- A public notice giving details of the consultation period and to whom comments should be sent together with copies of the consultation documents was provided on the SWDP website.
- All the documentation was made available in electronic format on the SWDP website and each of the council's own websites.
- Separate briefing sessions were held for agents/developers and parish and town councils at Worcestershire County Hall on 25 April 2016. A list of those organisations and interested parties who attended is provided at Appendix 2.

3. Reposes Received on the Draft Charging Schedule

3.1 The consultation posed six questions which focused on the implications of the proposed rate on viability; the clarity of the Regulation 123 list; the proposed rates; rates for the strategic sites; and the instalments policy. Representations also raised a number of specific points, either relating to sites or infrastructure needs. A total of 28 responses were received from the organisations listed below:

- Marine Management Organisation
- Blue Cedar Homes
- Carmel Southend Ltd
- Eckington Parish Council
- Natural England
- Worcestershire Wildlife Trust
- Malvern Town Council
- Worcester Diocesan Board
- Malvern Hills AONB Partnership
- Crown Packaging UK
- Worcestershire County Council
- Sport England
- Place Partnership on behalf of West Mercia Police and HW Fire and Rescue
- University of Worcester
- Canal and River Trust
- West Midlands HARP Planning Consortium
- Historic England
- Environment Agency
- Bovis Homes
- Barratt West
- Mactaggart and Mickel

- Hallam Land Management
- Glesson Developments and Wellbeck Strategic Land
- Bloor Homes Western
- St Modwen Developments
- Westleigh Partnerships Ltd
- Qinetiq
- Greenlight Developments/Brighthouse Property

3.2 The key points that arose from the consultation related to the following:

- Provision for emergency service infrastructure within Regulation 123 list.
- Spending of CIL monies relating to Duty to Cooperate and provision of strategic infrastructure cross boundaries.
- Objection to specific rate charges with respect to university accommodation, retail and retirement housing.
- Challenges to the delineation of certain strategic sites being identified as beyond the 'urban footprint' of the main towns identified in the SWDP, and inconsistencies between brownfield/greenfield viability rates.
- Challenge to identified infrastructure in Reg 123 list relating to strategic urban extensions to the south and west of Worcester.
- Specific challenge relating to the increase in rate from the Preliminary Draft Charging Schedule (PDCS) of nil to £40 per sq. metre in the DCS for the Qinetiq site (Malvern) based on a miscalculation of site area. The SWC have conceded this point and amended the DCS accordingly. This is being consulted upon (July 2016) as a minor modification on the basis that the rate was correctly identified in the 2015 PDCS consultation.

3.3 A detailed summary and officer response is provided in a separate schedule of representations and statement of modifications. Redacted copies of the original representations are available to view on the SWDP website

www.swdevelopmentplan.org

3.4 The SWC have not proposed any main modifications to the DCS after it was published in accordance with Regulation 16 of the Community Infrastructure Levy Regulation 2010 (as amended). There are a number of minor modifications included in a track changed DCS that has been submitted alongside the other documentation to The Planning Inspectorate. A four week consultation period to allow interested parties to put comments on the minor modifications before the examiner for consideration commenced on 25 July 2016. Notification of this was emailed or via letter to the above respondents as well as those on the SWDP database.

4. Right to be Heard

4.1 In accordance with Regulation 16 (2) respondents to the consultation on the DCS were invited to request further notifications of the stages of the charging schedule and the right to be heard by the examiner. Accordingly all parties will be kept informed of matters relating to the examination beforehand.

4.2 A request to attend the CIL hearing sessions under Regulation 21 of the CIL Regulations 2010 (as amended) have been received from the 13 following individuals and organisations:

Name	Title/Organisation	Rep Ref.
Anna Holloway	Optimis Consulting Ltd on behalf of Carmel Southend Ltd	3
Charles Porter	Operations Manager - Malvern Town Council	7
Emily Barker	Strategic Planning & Environment Policy Manager - Worcestershire County Council	11
Andrew Morgan	Strategic Planning Manager - Place Partnership Limited Warwickshire Police, West Mercia Police and Hereford & Worcester Fire and Rescue Service	13
Jason Tait	Planning Prospects on behalf of the University of Worcester	14
Michael Robson	Cerde Planning on behalf of Bovis Homes	19
Tim Watton	Technical Director - RPS on behalf of Barratt West in respect of land at Mitton, Wychavon	20
Ian Gillespie	Carter Jonas LLP on behalf of Mactaggart and Mickel	21
Nick Freer	David Lock on behalf of Hallam Land Management	22
Paul Hill	Senior Director - RPS on behalf of Gleeson Developments and Welbeck Strategic Land	23

Paul Williams	Associate Director - Savills on behalf of Barratt and Bloor Homes Western	24
Nigel Simkin	JLL on behalf of St Modwen Developments	25
Matthew Fox	Bilfinger GVA on behalf of QinetiQ	27

Appendix 1: Attendance list to briefing sessions 25 April 2016

SWDP - Community Infrastructure Levy and Developer Contributions Seminar

Session 1 - Agents and Developers Workshop Groups

Group 1:

Does the DCS strike an appropriate balance between funding infrastructure via the Levy and the possible effects of imposition of CIL on development viability?

Officers: Andrew Ford and Reiss Sadler

Name	Job Title/Organisation	Workshop Group
Matthew Fox	Bilfinger GVA	1
Ruth Bray	Worcestershire Acute Hospitals NHS Trust	1
Fred Carter	Thomas Vale Construction	1
Jo Hall	South Worcestershire Clinical Commissioning Group	1
Chris Hunt	Purcell	1
Mark Ramdehal	Fortis Living	1
Simon Fidoe	Firlands Developments Ltd	1

Group 2:

Does the Regulation 123 list clearly and effectively set out the types of infrastructure that will, or may be wholly or partly funded by CIL?

Officers: Mike Martin-White and Henry Primarolo

Name	Job Title/Organisation	Workshop Group
Kevin Foreman	Bridgehouse Property Consultants	2
Tessa Jones	Environment Agency	2
Yaneet Patel	Thomas Vale Construction	2
Nick Rawlings	Bloor Homes (Western) Ltd	2
Louise Steele	Framptons	2
John Kendrick	JLB Kendrick Consultant	2
Chris Bate	Highways England	2

Group 3:

Is there agreement with the proposed CIL rates for each South Worcestershire Council?

Officers: Adrian Becker and Gary Williams

Name	Job Title/Organisation	Workshop Group
Robert Csondor	RCA Regeneration Limited	3
Sean Lewis	Tetlow King Planning	3
Richard Williams	Worcestershire Regulatory Services	3
Stephen Marchant	Masefields Architects & Surveyors	3
Henry Harbord	Sustrans	3
Mark Maxted	Merrington Project Services Ltd	3
Andrew Mottram	Worcester Diocesan Board of Finance Ltd	3

Group 4:

Is there agreement with the proposed CIL rates for the specific strategic site areas?

Officers: Corin Beames and Fred Davies

Name	Job Title/Organisation	Workshop Group
Jack Barnes	RCA Regeneration Limited	4
Rachael Bibby	Planning Prospects Ltd	4
Nicola Malyon	South Worcestershire Clinical Commissioning Group	4
Steve Brain	Worcestershire County Council	4
Simon Vick	Fortis Living	4
Neil Baldwin	Firlands Developments Ltd	4
Tony Rowland	Timothy Lea and Griffiths Estate Agents Ltd.	4

SWDP - Community Infrastructure Levy and Developer Contributions Seminar

Session 2 – Parish, Town & District Councils Attendance Sheet

No.	Name	Parish/Town/District Council	Council	Sign In
Wychavon District				
1	Alastair Adams	Honeybourne and Pebworth Ward	Wychavon	
2	Ann Dobbins	Pershore Town Council	Wychavon	
3	Barbara Meddings	Hindlip, Martin Hussingtree & Salwarpe Parish Council	Wychavon	
4	Gerry O'Donnell	Evesham Little Hampton Ward	Wychavon	
5	Andy McManus	North Claines Parish Council	Wychavon	
6	Sam Routledge	North Claines Parish Council	Wychavon	
7	Mark Sainsbury	North Claines Parish Council	Wychavon	
8	Melvyn Shore	South Lenches Parish Council	Wychavon	
9	Clive Holt	Morton Parish Council	Wychavon	
10	David Ernest	Morton Parish Council	Wychavon	
11	Andrew Thomas	Sedgeberrow Parish Council	Wychavon	
12	John Colebrook	Harvington Parish Council	Wychavon	
13	Glyn Hughes	Rous Lench Parish Council	Wychavon	
14	George Glaze	Eckington Parish Council	Wychavon	
15	Geoff Ransted	Eckington Parish Council	Wychavon	
16	Chris MacKenzie-Rowan	Ombersley and Doverdale Parish Council	Wychavon	
17	Doug Ingram	Ombersley and Doverdale Parish Council	Wychavon	
Malvern Hills District				
18	Cynthia Palmer	Malvern Town Council	Malvern Hills	
19	Roger Yates	Malvern Town Council	Malvern Hills	
20	Ann Patrick	Kempsey Parish Council	Malvern Hills	
21	Mike Biddle	Kempsey Parish Council	Malvern Hills	
22	Mick Davies	Morton Ward	Malvern Hills	
23	David Sharp	Little Malvern & Welland Parish Council	Malvern Hills	
24	Andrew Lamb	Powick Parish Council	Malvern Hills	
25	John Humphreys	Pendock Parish Council	Malvern Hills	
26	Duane Hubbard	Knighton-on-Teme Parish Council	Malvern	

			Hills	
27	David Chambers	Broadheath Ward	Malvern Hills	
28	Robert Lamb	Hanley Castle Parish Council	Malvern Hills	
29	Rebecca Abunassar	Hanley Castle Parish Council	Malvern Hills	
Worcester City				
30	Chris Cawthorne	St John's Ward	Worcester City	

EMBARGO – Not for publication before: 00:01, 1 April 2016

Have your say on new guidelines for infrastructure contributions in south Worcestershire

South Worcestershire residents can now have their say on two vital issues connected with the South Worcestershire Development Plan (SWDP) in consultations that have opened today (April 1).

Residents and other interested parties are being asked for their views on how the vital infrastructure needed to support the delivery of the SWDP will be provided. This will cover funding for essentials such as transport schemes, flood defences, community facilities, green spaces and leisure centres.

The consultations run for six weeks at www.swdevelopmentplan.org while printed copies of the consultation documents and forms will be available at libraries and council contact centres. Briefing sessions are being organised for parish councils and developers.

The SWDP has recently been adopted by Malvern Hills District Council, Worcester City Council and Wychavon District Council and includes policies aimed at boosting the local economy and delivering sustainable development up to the year 2030.

The consultations will cover two important areas.

Developer contributions

A Supplementary Planning Document has been prepared setting out how and when developers will need to make financial and direct contributions towards local infrastructure in order to ensure their proposals are acceptable in planning terms, in line with the new SWDP policies. This new document builds upon existing guidance which has been in operation for some time. Opinions are being sought on the new guidance document for South Worcestershire as a whole.

Community Infrastructure Levy

A Community Infrastructure Levy will be applied when planning permission is granted for certain forms of new development, including new housing and large scale retail development. This will help fund essential strategic infrastructure, such as new or safer transport schemes; flood defences; education, community, health and social care facilities; park improvements; green spaces and leisure centres. The three councils have developed the levy jointly but each authority

has to have its own charging schedule and, because of the different land and development values across the area, the rates across south Worcestershire will vary. Views are now being sought on whether the scope of the levy and the level of those charges are appropriate.

Developer Contributions and the Community Infrastructure Levy will be among a wide range of funding sources for the infrastructure necessary to deliver the vision of the SWDP. Others are expected to include central Government and infrastructure providers such as Highways England, Severn Trent Water and the Environment Agency.

These two consultations run until May 16.

Two other consultations, covering affordable housing and sites for travellers and travelling showpeople, are also currently underway at www.swdevelopmentplan.org and run until April 25.

- ENDS -

Notes to Editors

The consultations on Developer Contributions and the Community Infrastructure Levy run from April 1 to May 16 and can be completed online at www.swdevelopmentplan.org.

Printed copies of the consultation forms are also available at the following locations:

- The Hive, Worcester
- St John's Library, Worcester
- Warndon Library, Worcester
- Pershore Community Centre, Queen Elizabeth Drive
- Pershore Library
- Evesham Community Contact Centre
- Droitwich Spa Community Contract Centre & Library
- Broadway Library
- Malvern Customer Service Centre & Library
- Tenbury Wells Customer Service Centre & Library
- Upton-upon-Severn Customer Service Centre & Library

The South Worcestershire Development Plan (SWDP) provides a long term vision up to 2030 for south Worcestershire, with the emphasis on boosting the local economy and delivering sustainable development.

It is based on extensive evidence and previous consultations and has been jointly prepared by the three partner councils – Malvern Hills, Worcester City and Wychavon.

The SWDP includes policies for dealing with four broad areas:

- Creating jobs and economic prosperity
- Meeting housing needs
- Transportation
- The environment.

Full details of the Plan are available at www.swdevelopmentplan.org.

The proposals build on the work done between 2007 and 2010 on the South Worcestershire Joint Core Strategy.

The SWDP covers the period 2006 to 2030. Of the 28,400 new homes allocated in the plan, 8,623 had already been built by 31 March 2015 and 8,084 already have planning permission.

Further Information

- South Worcestershire Development Plan website

www.swdevelopmentplan.org

- Worcester City Council

Rob Byrne - 01905 722 409 / rob.byrne@worcester.gov.uk

www.worcester.gov.uk

- Wychavon District Council and Malvern Hills District Council

Ian Dipple – 01386 565102 / ian.dipple@wychavon.gov.uk

www.wychavon.gov.uk

www.malvern hills.gov.uk



Appendix 3: Legal Notice placed on SWDP website

South Worcestershire Councils

NOTICE OF REPRESENTATION ON THE SOUTH WORCESTERSHIRE COMMUNITY INFRASTRUCTURE LEVEL (DRAFT CHARGING SCHEDULE) COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED) REGULATIONS 16 & 17

Under Section 212 of the Planning Act 2008 (as amended by Section 144 of the Localism Act 2011) the South Worcestershire Councils of Malvern Hills, Worcester City and Wychavon intend to submit a Community Infrastructure Levy (CIL) draft Charging Schedule for joint Examination.

The South Worcestershire Councils are inviting representations on the Draft Charging Schedule between Friday 1 April 2016 and Monday 16 May 2016. This is in accordance with Regulations 16 & 17 of the CIL Regulations 2010 (as amended). The CIL Levy allows local authorities to raise funds from developers who undertake new building projects in the local area. The money can be used to pay for infrastructure that is required to support growth.

The South Worcestershire Councils intend to introduce a separate CIL for each local authority area but have agreed to produce the CIL on a joint basis. In doing so background work to determine the relevant charging rates is based on an assessment of viability and the infrastructure required. The Draft Charging Schedule sets out the proposed rates, which will vary depending on the type, size, and location of development.

Comments are invited on the content of the Draft Charging Schedule to be made by 5:00pm on Monday 16 May 2016. Such comments should be made on the Response Form, which is available along with the Draft Charging Schedule, and other supporting documentation, on the South Worcestershire Development Plan website at www.swdevelopmentplan.org. Hard copies of the documentation can be viewed at the customer contact centres of the South Worcestershire Councils and at the public libraries in Malvern, Upton-upon-Severn, Tenbury Wells, Droitwich Spa, Evesham, Pershore, Broadway, and The Hive in Worcester.

Comments can be submitted via email to contact@swdevelopmentplan.org or by post to: South Worcestershire Development Plan, Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT.

Representations received during the consultation period will be considered by an independent Examiner as part of the Examination into the CIL Charging Schedule.