

## **SOUTH WORCESTERSHIRE CIL DRAFT CHARGING SCHEDULE (SWCIL01)**

**(as amended by Statement of Modifications SWCIL04)**

### **EXAMINER'S FURTHER INITIAL QUERIES AND COMMENTS**

*These queries and comments are addressed to the South Worcestershire Councils (SWC). They have been asked to respond by Tuesday 1 November 2016 and their response will be posted on the CIL examination webpage.*

- 1. Is it intended that the Student Accommodation, Food Retail (Supermarkets) and Retail Warehouses charging rates shown in Table 1 will not apply to the Strategic Sites?**

No. The rates for Student Accommodation, Food Retail (Supermarkets) and Retail Warehouses are to apply in all areas, including the strategic sites. No evidence has been presented to support any other zones. However, where non-residential development occurs within the strategic sites and an applicant can demonstrate its charitable status beyond doubt, e.g. in terms of student accommodation, and then there would be an exemption from CIL.

- 2. Are the Residential CIL rates shown in Table 1 and the CIL rates shown in Table 2 intended to apply to Residential development within use class C3 only?**

The viability evidence (from 6.19 of the CIL Viability Update January 2016) found that housing for older people was generally unable to bear CIL. It was recommended that older people's housing is zero rated (3.31 of the CIL Viability Update January 2016).

However the viability testing was based on 'uses' whilst the question specifically relates to use classes. Therefore for clarity the SWC position is that CIL would not be sought on C2 development, or for sheltered/extra care accommodation classed as C3.

- 3. In Table 2, what is the purpose of the column headed "Comments"? Could it be deleted?**

The purpose of the information in this column sets out where the sites are in the Development Management process and in that sense they are more relevant to the consultation draft. Therefore the SWC agree that the column can be deleted from the final CIL DCS document.

- 4. On the Evesham Main Urban Area map, is it intended that site SWDP50/7 (Land off Abbey Road, Evesham) should lie outside the Evesham Main Urban Area and thus be subject to a proposed £40psm CIL charge?**

The SWC officers are of the view that the site lies outside the Main Urban Area of Evesham. The site was not assessed for viability as one of the sample 'strategic

sites', mainly due to Evesham already being covered by the inclusion of the Cheltenham Road site. The argument put forward by the representatives of the allocation is that the site should be dealt with as zero rated since it lies within the SWDP 2 development boundary. But this is not supported for CIL purposes as this is a policy demarcation which is different to the Office of National Statistics built up areas data of the town used for the Main Urban Area boundary for Evesham.

5. **It appears that PM9 (in SWCIL04) should refer to Table 2, not Table 1.**

Yes the SWC agree. The CIL DCS document is correct (SWCIL01), it is just the proposed modifications (schedule 1) that contains the error.

**The changes to the titles of Tables 1 & 2 do not appear in the Statements of Modifications.**

The SWC ask for the Examiner to accept the changes to the titles of Tables 1 and 2 as per the post consultation tracked changes version (July 2016).

6. **In Table 2, there appears to be no need for the rates in each row of column 2 to have the suffix "m<sup>2</sup>".**

Yes the SWC agree. The document can be amended accordingly.

7. **CIL Regulation 12(2)(c) states that where differential rates are set, the draft charging schedule must contain a map which: –**

- (i) **identifies the location and boundaries of the zones,**
- (ii) **is reproduced from, or based on, an Ordnance Survey map,**
- (iii) **shows National Grid lines and reference numbers, and**
- (iv) **includes an explanation of any symbol or notation which it uses.**

The maps, hereto attached to this response, have been amended to meet all of the above requirements.

9. **The published draft charging schedule contains a single map which is at too small a scale to identify accurately the boundaries of the charging zones. Nor does it show National Grid reference numbers. In addition, the SWDP reference numbers for the strategic sites are not shown, whereas they are used in the draft charging schedule.**

The SWC have added National Grid reference numbers to this map. The SWC only intended to use this map to demonstrate the extent of the CIL coverage area for South Worcestershire. Larger-scale maps will be available to show the Main Urban Areas and the Strategic Sites boundaries.

10. **Larger-scale maps for the main urban areas are provided on the CIL webpage. These also lack National Grid reference numbers. In addition, the SWDP reference numbers for the strategic sites are not shown, whereas they are used in the draft charging schedule.**

National Grid reference numbers and SWDP reference numbers have been added to these maps.

11. **On the Worcester City map:**

- **the zone outlined in black is referred to as “Worcester City Administrative Boundary”, whereas “Worcester City Main Urban Area” is the description used in the draft charging schedule.**
- **there is an overlap between the Main Urban Area boundary and the Worcester South Strategic site boundary. Thus it is not clear which zone the area of overlap falls into.**

The title of the key for the Worcester City map is proposed to be changed from ‘Worcester City Administrative Boundary’ to ‘Worcester City - Main Urban Area’.

The boundary lines for Worcester City have been amended to show a clear delineation between the strategic sites and the Worcester City Main Urban Area boundary.

12. **On each of the other maps:**

- **presumably due to the method used to produce the map, the outlines of the main urban areas are shown as a series of straight lines that appear not to align exactly with the “true” boundaries. In accordance with the CIL Regulations, the boundaries shown on the map, rather than the “true” boundaries, will be taken as definitive in assessing which sites (or parts of sites) are and are not liable for CIL.**
- **as with the Worcester City map, in some cases there are overlaps between a Main Urban Area boundary and a Strategic Site boundary. Thus it is not clear which zone the areas of overlap fall into.**

Correct. The boundary lines for the Main Urban Areas (except for Worcester City) have been derived from the Office for National Statistics’ ‘Built up Areas’ data from the 2011 census (published in 2013). The boundary for Worcester City differs slightly as there is no difference in CIL zones within the administrative boundary, except for on the Strategic Sites, where slight amendments to the Worcester City boundary have now been made where there were overlaps between the two zones.

For all other maps (where required), the boundary lines have been amended to show a clear delineation between the strategic sites and the Main Urban Area boundaries.