

Shropshire Levy Draft Charging Schedule: Representations Form



Community Infrastructure Levy
Draft Charging Schedule

Representations Form

Please return to:

Planning Policy Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND, preferably by email to

BY 21st April 2011

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title	Mr	
First Name	Edward	
Last Name	Nicholas	
Job Title (where relevant)	ACTING CLERK	
Organisation (where relevant)	WEST FELTON PARISH COUNCIL	
Address Line 1		
Line 2		
Line 3		
Post Code		
Telephone Number		
E-mail Address (where relevant)	westfeltonpc@googlemail.com	

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Matters on which representations may be made

The purpose of the examination is to consider whether the Draft Charging Schedule meets the following statutory tests in accordance with sections 212(4) and 221 of the Planning Act 2008:

- (a) That the charging authority has complied with the requirements of the Planning Act 2008 and the CIL Regulations;
- (b) That the charging authority has used appropriate available evidence to inform the draft charging schedule;
- (c) That the charging authority has had regard to the Statutory Guidance, "Charging setting and charging schedule procedure guidance" (March 2010).

Representations must relate to these matters. Other matters may be outside the scope of the examination and will be subject to the Inspector's judgement as to their relevance.

All representations will be considered by the Inspector as written representations. In addition, any persons or organisations making representations have the right to be heard in person at the examination, should they choose to appear. The examination will take the format of a hearing, using an informal 'round table' format under the direction of the Inspector.

Q1. Please indicate whether you wish to be present at the Hearing

a) Yes	
b) Possibly: to be decided at a later date and confirmed with the Council in May / June (we will write to you to confirm)	B – Possibly
c) No: please treat my representation as a Written Representation (note that equal weight will be given by the Inspector to written representations)	

(a) Procedural and Legal Points

Q2. Do you wish to make representations regarding matters of technical compliance with the Planning Act 2008 or the CIL Regulations?

a) No	No
b) Yes <i>(please detail using continuation sheets if necessary)</i>	

(b) Appropriate Available Evidence

Q3. Do you have any representations regarding the evidence that has been used to inform the Draft Charging Schedule?

(please detail using continuation sheets if necessary)

The council estimates that small scale developments of 1-5 dwellings account for 60% of development in Shropshire, despite this an insufficient evidence base to accurately measure the viability of small schemes and set an appropriate charge has been produced and subsequently used as the basis for the charge schedule.

The whole of the CIL charging policy has been produced from evidence of a large housing development in South Shropshire and a **single** dwelling barn conversion in Tibberton – how can this in any way reflect,

- The increased cost of building plots on small sites that lack economy of scale and therefore affect viability,
- The affect of the CIL on the potential sale price of resulting properties, making properties even less affordable.

This study is **totally inadequate** for policy formulation, given that there has previously been so much development on small sites – why has this evidence not been used to inform the CIL?, assess viability, and inform a proper charging schedule based on an appropriate threshold.

Q4. Do you have any representations regarding the Council's interpretation or use of the evidence?

(please detail using continuation sheets if necessary)

The council seems to have been, and continues to be very selective in what it chooses to use as an evidence base, with no proper evaluation of viable thresholds. One single barn conversion dwelling site in the middle of the countryside, used as the evidence base can not in any way represent the whole of Shropshire or indeed West Felton.

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A proper study of the effects of the CIL on the affordability of properties, particularly in Rural Villages combined with a proper evaluation of viability of small schemes needs to be undertaken before a charge is formulated.

Q5. Do you have any other representations regarding the statutory test, "That the charging authority has used appropriate available evidence to inform the draft charging schedule"?

(please detail using continuation sheets if necessary)

It is clear from Q3 and 4 that the Council has not used appropriate available evidence to inform the draft charging schedule in relation to single dwelling and small development sites and has not undertaken a study of whether applying the charge will increase house prices.

There is too much reliance on the assumption that landowners are likely to sell land at lower prices but this is not supported by any evidence in any way whatsoever in any of the studies.

The assumptions therefore can be drawn that the CIL combined with the Affordable Housing Contribution of circa 28K on a band D rural property will simply be added to the asking price for dwellings - this assumption is not challenged anywhere and no evidence is provided to counter it.

Ultimately this will lead to higher house prices particularly in rural areas where property is already expensive.

(c) Regard to the Statutory Guidance

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Q6. Do you have any comments on the proposed Levy rates for residential development, of £40/m² in Shrewsbury, the towns and key centres and £80/m² in the rural area?

(NB. Comments relating to charging zones should be addressed in Q7 and comments relating to affordable housing should be addressed in Q8)

(please detail using continuation sheets if necessary)

Depending on your view point the rates are either acceptable or not acceptable, depending on whether you are trying to attract or restrict development in the locality, it is the threshold of **every dwelling contributing that is fundamentally flawed.**

Q7. Do you have any comments on the boundary line between the two Charging Zones?

(please detail using continuation sheets if necessary)

No

Q8. Do you have any comments on the proposed nil Levy rate for affordable housing?

(please detail using continuation sheets if necessary)

Yes – in effect this is not a **nil rate** as it will be sought by a section 106 package for Affordable Housing Contributions.

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Q9. Do you have any comments on the proposed Levy rates for any other type of development (commercial, industrial, employment, retail, hotels, residential institutions, assembly and leisure, agricultural or other uses)?

(please detail using continuation sheets if necessary)

No

Q10. Do you have any other comments relating the Council's Charging Schedule?

(please detail using continuation sheets if necessary)

The charging schedule needs to be clear, with reference to domestic extensions over 100square metres, the council needs to clearly state if the charge applies or not and not just simply quote legislation.

If it is to be introduced, a proper consultation exercise needs to be undertaken to give people a chance to comment, this so far has not happened and the final consultation process is now closing.

Comments on other matters

Please note that comments on the Accompanying Notes or any other matters that do not form part of the Charging Schedule will not be considered in the examination, but will be included as part of the responses to the concurrent consultation on the Developer Contributions Supplementary Planning Document. This includes comments on the types of infrastructure on which the CIL may be spent in the future.