

Community Infrastructure Levy Consultation 2023

QUESTION SUMMARIES DATA TRENDS **INDIVIDUAL RESPONSES**

All Pages –

Respondent #47 –

“

”

COMPLETE

Started: Friday, March 24, 2023 10:53:55 AM
Last Modified: Monday, March 27, 2023 1:52:08 PM
Time Spent: Over a day
IP Address: [REDACTED]

Page 1: Survey Information

Q1

Do you confirm that you have read and understood the privacy notice? You must select 'Yes' in order to take the survey.

Yes

Page 2: Register for consultation

Q2

Your name:

Christopher Jones

Contact details:

Organisation (optional) Avison Young (on behalf of Homes England)
Address [REDACTED]
City/town [REDACTED]
Post code [REDACTED]
Email address [REDACTED]

Q4

Do you wish to notified of future updates to CIL by the council? If yes we will use contact details provided above

Yes

Q5

Do you wish to participate in the CIL examination? If yes we will use contact details provided above

Yes

Page 3: Your response

Q6

1a. The Community Infrastructure Levy (CIL) Viability Study informed the production of the proposed rates in the draft CIL Charging Schedule. Do you have any comments on the content of the CIL Viability Study?

See attached letter

Q8

2a. Do the proposed levy rates set out in the draft CIL Charging Schedule appropriately reflect the conclusions of the CIL Viability Study?

See attached letter

Q10

3a. Do the proposed levy rates set out in the draft CIL Charging Schedule provide an appropriate balance between securing infrastructure investment and supporting the financial viability of new development in the area?

See attached letter

Q12

4a. CIL rates should not be set at a level which could render new development financially unviable. To ensure the financial viability of new development in the area, and to take into account variations in land prices and development costs throughout the authority's area, the draft CIL Charging Schedule proposes variable rates for different kinds of development. Do you have any comments on the proposed CIL rates?

See attached letter

Q14

5a. Should any types of development be charged a different CIL rate, and if so, why? Where alternative rates are proposed, please provide evidence to demonstrate why a proposed rate should be changed.

See attached letter

Page 4: Your response

Q16

6a. To support the financial viability of new development in the area, the draft CIL Charging Schedule includes an Instalments Policy which allows specified levels of levy charges to be paid in instalments over a set period of time. Do you have any comments on the draft Instalments Policy?

N/A

Q18

7a. Part 6 of the CIL Regulations (as amended) allows the Council to give discretionary relief for certain types of development from paying the levy. The Council has not identified any types of development which may require this beyond the compulsory relief and exemptions outlined in the Regulations. Is there a need to provide discretionary relief from the levy to any types of

development, and if so, why?

N/A

Q20

8a. Do you have any other comments on the draft CIL Charging Schedule?

N/A

Q22

9a. Do you have any other comments on the CIL evidence base?

N/A

Our Ref: 05C100422

Your Ref: N/A

27 March 2023

City of York Council
Online

Dear Sir/Madam

City of York Council Community Infrastructure Levy Draft Charging Schedule Consultation 2023

I am instructed by Homes England, a major landowner of the York Central site ("the landowners"), to submit representations to the York Community Infrastructure Levy Draft Charging Schedule Consultation 2023.

As you will be aware, York Central is a major strategic development for the City of York and is allocated within the draft Local Plan (ST5) and subject of Policy SS4. It is the largest regeneration project in the city and one of the largest in the country, delivering up to 2,500 new homes and a new commercial quarter creating around 6,500 jobs and growing York's economy by over £1billion annually.

York Central benefits from an outline planning permission (OPP) (ref: 18/01884/OUTM) and a number of reserved matters permissions, covering the new road, cycle and pedestrian infrastructure (ref: 20/00710/REMM) and the extension to the National Railway Museum (ref: 21/02793/REMM).

On this basis, we provide below our comments on the Draft Charging Schedule, as set out in the consultation material

Draft Charging Schedule

The Schedule sets out that strategic sites such as York Central will be required to pay a levy of £100psqm for residential dwellings, except those sites which are expressly stated as zero-rated. York Central (strategic site ST5) is currently not included as a zero-rated site and therefore would be subject to the £100psqm charge.

In addition, the development would also be liable for payments on sheltered / retirement accommodation (£100psqm), extra care accommodation as a brownfield site (£100psqm) and convenience retail up to 450sqm (£100psqm).

CIL Viability Study

The Study, prepared by Porter Planning Economics, sets out the legislative basis for, and guidance relating to, the development of CIL charging schedules, noting that a "high-level" assessment is required to show that *"the proposed rate or rates would not undermine the deliverability of the plan"*.

The Study recognises that it should “*sample an appropriate range of types of sites across its area*” and “*take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or Brownfield land*”.

Some strategic sites have been individually tested including sites ST4, ST7, ST8, ST9, ST14, ST15, ST16, ST21, ST33 and ST36. However, it notes that where sites already benefit from planning permission, testing has not been undertaken, as is the case with York Central. There is no further explanation given as to why sites with planning permissions should not be tested.

Comments

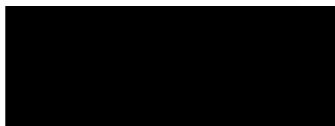
The York Central development is the largest and most significant strategic site in York, delivering a substantial number of new homes and delivering the majority of new economic development planned for York during the Local Plan period. Its ongoing viability is, therefore, a significant issue for both the emerging Local Plan and ensuring the benefits from wider development are realised.

Whilst it's recognised that the development benefits from a comprehensive planning permission, setting clear parameters, conditions and obligations for its implementation, the development is likely to take 10 to 15 years to be delivered in full, during which time market factors and development needs may change. Its not anticipated that the extant planning permission will need to be reconsidered but such a possibility exists, both for amendments to the permission under Section 73 of the Town and Country Planning Act (1990) or by applying in full or outline for all or part of the site.

In light of the above, it is requested that York Central (ST5) is included within the zero-rated strategic sites unless a site-specific viability assessment is undertaken, which proves otherwise. The assessment should be reasonably straight forward, in light of the definition provided by the planning permission on the development form and assumptions, including on the planning obligations secured through the Section 106 legal agreement. Homes England would be happy to support this assessment and provide reasonable and proportionate information where required.

Thank you for providing the opportunity to make these comments and I would be grateful if these could be taken into consideration when progressing the Levy for York.

Yours faithfully



Chris Jones MRTPI
Director
07903 802239
christopher.jones@avisonyoung.com
For and on behalf of Avison Young (UK) Limited