

Chichester Community Infrastructure Levy Examination

Examiner: Mr Mike Hayden BSc (Hons) Dip TP MRTPI

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Ms Karen Dower
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14 April 2015

Dear Ms Dower,

Chichester Community Infrastructure Levy Examination

Thank you for supplying copies of the Chichester Local Plan documents and the maps of the strategic development sites.

I have now completed initial examination reading on the Draft Charging Schedule, the submitted evidence and the representations. Based on what I have read and the requests from interested parties to be heard, I confirm that there will be a need for a hearing. The date of Tuesday 9 June has been provisionally reserved for the hearing. I will forward via the PO a draft programme and a list of the main issues and questions (MIQs) to be examined for the Council's comments before notification of the hearing is issued at the end of the month.

In the meantime, I have a number of factual questions arising from the evidence on which I would be grateful for clarification. They are as follows:

Draft Charging Schedule (DCS)

1. Paragraph 4.1 of the Regulation 19(1) Statement refers to a proposed schedule of minor amendments to the DCS included for the Examiner's consideration. Whilst I note the reference to various modifications throughout the schedule of representations and the suggested amendments to the Payment by Instalments policy at the end of the schedule, I have not been able to find a schedule of minor amendments in the submitted evidence. I would be grateful if you would either point me to this schedule or provide me with a copy and clarify how you wish me to treat any such amendments or modifications.
2. In the DCS, Map 1.1 showing the charging areas for differential rates for residential development does not contain National Grid reference numbers as required by Regulation 12(2)(c)(iii) of the CIL Regulations 2010 (as amended). Whilst this is a detailed point, which has not been

raised in representations, it is non-compliant and therefore I would be grateful if the Council would advise how they intend to remedy this point.

3. Table 7.2 of the DCS and page 11 of the Infrastructure Delivery Plan (IDP) refer to figures of £5,682,406 and £13,455,276 of available and anticipated S106 funding. Where is the evidence to support these figures and how do they break down for the infrastructure categories shown in the Reg. 123 list and on page 11 of the IDP?

Viability Study (VS)

4. Please clarify the distinction between 'threshold land value' used in Sections 5 and 14 of the VS and 'benchmark land value' used in the viability summary tables in sections 8 and 9 and the summary viability assessment tables in sections 10 to 14 of the VS.
5. On what evidence are the respective figures of £1,000, £5,000 and £10,000 for site specific S106 costs for residential, smaller retail and larger retail developments based, referred to in paragraphs 6.9 and 6.11 of the VS?
6. Please explain the calculations and evidence supporting the benchmark land values of £310,000 per ha (gross) and £700,000 per ha (net) for residential land at the strategic development locations (SDLs) (in paragraph 8.45 and Table 8.6 of the VS) compared to the figure of £2.55m per ha as the generic benchmark land value for residential land in the southern part of the district.
7. On what evidence is the figure of £600,000 per ha for the SDL servicing costs based in paragraph 8.48 of the VS? How are these costs distinct from the abnormal development and servicing costs referred to in paragraph 8.44 which are already factored into benchmark land values for the SDLs?
8. In paragraph 8.41 of the VS a generic S106 contribution of £8,000 per unit is assumed for three of the four SDLs. How does this figure compare with the cost of the respective S106 packages for the three sites in section 15 of the IDP?
9. What is the basis for the selection of the unit sizes of 465sqm and 4000sqm for the viability assessment of convenience retail development and 465sqm and 929sqm for comparison retail development in section 14 of the VS?
10. Table 18.1 in Appendix C to the VS provides an appraisal of off-site affordable housing. Please provide a step by step calculation to demonstrate how the policy overage figure is arrived at and to demonstrate that there is sufficient surplus between benchmark and policy off residual land value to fund the policy costs of S106, affordable housing and CIL.
11. What are the implications for the residential viability appraisals in the VS of the following changes to national policy introduced since the DCS and VS were published:
 - a. The increase in the threshold at which affordable housing contributions can be sought announced on 28 November 2014?

- b. The withdrawal of the Code for Sustainable Homes confirmed on 25 March 2015?

Regulation 19 (1) Statement (CIL-03)

12. The Council's response to representation 25 under the 'Who Will Pay' section of CIL-03 refers to viability testing which shows that other types of retirement housing (than Class C2) can bear the proposed CIL charge. Where is the evidence for this viability testing of other forms retirement housing?

Reg. 123 list and S106 contributions

13. Whilst it is not the purpose of the examination to challenge the Reg 123 list, to test the evidence for the infrastructure funding gap I need to understand more clearly the elements of infrastructure that are proposed to be funded from CIL and those which would be funded from site specific S106/S278 agreements, as follows:

- a. With reference to the known figures in the table at paragraph 7.2 of the IDP, please provide a breakdown of the projects that make up those figures and, based on the draft Reg 123 list, whether each project will be delivered via S106/S278 agreements or require pooled funding from CIL.
- b. In section 16 of the IDP, from the lists of Plan Area Wide Infrastructure projects to be funded from developer contributions, please indicate in an annotated list whether each would be funded via S106/S278 agreements (and if so from which site) or from pooled CIL funding.

I would be grateful if you could provide me with a response to these questions by Tuesday 28 April to enable me to complete the hearing programme and list of MIQs for issue at the end of the month.

I look forward to hearing from you.

Yours sincerely,

Mike Hayden

EXAMINER