



Unit 2 Eclipse Office Park Staple Hill Bristol BS16 5EL

T: 0117 956 1916
F: 0117 970 1293

E: all@tetlow-king.co.uk
W: www.tetlow-king.co.uk

Strategy and Policy
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

28 March 2011

MR M8/0814-08

FAO: MR ANDY MORTIMER

By Email and Post:
planning.policy@shropshire.gov.uk

Dear Mr Mortimer

RE: SHROPSHIRE COUNCIL COMMUNITY INFRASTRUCTURE LEVY: FINAL DRAFT CHARGING SCHEDULE

We represent the **West Midlands HARP Planning Consortium** which includes all the leading Housing Association Registered Providers (HARPs) of affordable housing across the West Midlands. Our clients' principal concerns are to optimise the provision of social / affordable housing and to ensure the evolution and preparation of consistent planning policy documents.

Our representations take into account both the CIL Regulations 2010 and the draft Amendment Regulations 2011 as proposed in February of this year.

Question 4

We are concerned that the Council has allowed for an affordable housing contribution of just 20% (as indicated in the *Levy Rationale Background Paper*) in assessing the viability of the Levy. Whilst the prevailing target rate for affordable housing for 2011/2012 is just 13% we are concerned that once the market allows for a target rate of affordable housing delivery closer to that sought in the Core Strategy that the imposition of CIL may cause affordable housing provision to be reduced to offset development costs. The Council should ensure that CIL is kept under review, with input from developers to ensure that contributions remain fair and consistent. This is supported by the guidance at paragraphs 75-76 of '*Charge setting and charging schedule procedures*'.

Question 8

We are wholly supportive of the proposed nil Levy rate for affordable housing, being in compliance with both the 2010 Regulations and the proposed 2011 Amendment. We consider it supports the prioritisation of affordable housing contributions and delivery in Shropshire in line with the Council's adopted Core Strategy.

In support of this nil rate we strongly recommend that maximising affordable housing provision continues to be prioritised through planning obligations so that CIL is not favoured instead. Affordable housing has

'strategic' as well as 'local' benefit as without housing to meet local needs, social mobility is likely to be stifled, forcing those in need to move elsewhere to meet housing and employment needs.

Though affordable housing is prioritised in the Core Strategy we are concerned that without explicit support in seeking Planning Obligations and CIL, that insufficient affordable housing will be delivered and the shortfall in meeting need will deepen further. We therefore strongly recommend that affordable housing is identified as Strategic Infrastructure in the LDF Implementation Plan, as per the definition set out in the accompanying Code of Practice and as described in the Core Strategy (CS9: Infrastructure Contributions and supporting text). As affordable housing is singled out in the Core Strategy text as a priority for infrastructure contributions we strongly support this principle being carried forward in the CIL Charging Schedule and any future documents.

In ensuring that affordable housing continues to be prioritised with the addition of CIL, the Council will be in conformity with Guidance '*Charge setting and charging schedule procedures*' (March 2010) which requires LAs to take into account: "*other development costs arising from existing regulatory requirements, including taking account of any policies on planning obligations in the Development Plan (in particular those for affordable housing).*"

Question 9

We support the setting of a nil grant rate for C2 Residential Institutions, as including housing and care schemes for the elderly.

We trust that these comments will be formally considered as part of the consultation process. Please ensure that the **West Midlands HARP Planning Consortium** is retained on the LDF database, with **Tetlow King Planning** listed as their agents. We would appreciate notification of when the Examination of this document is scheduled to take place and each further stage until it is adopted.

Yours sincerely




MEGHAN ROSSITER
For and On Behalf Of
TETLOW KING PLANNING

Enc.: CIL Representations Form

Cc: Accord Housing Association
Bromford Housing Group
Marches Housing Association
Mercian Housing Association
Midland Heart Limited
South Shropshire Housing Association
South Staffordshire Housing Association
West Mercia Housing Group

Shropshire Levy Draft Charging Schedule: Representations Form

 <p style="font-size: 24pt; font-weight: bold; margin: 0;">Shropshire</p> <p style="font-weight: bold; margin: 0;">Council</p>	<p style="font-weight: bold; font-size: 18pt;">Community Infrastructure Levy Draft Charging Schedule</p> <p style="font-weight: bold; font-size: 18pt;">Representations Form</p>
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Please return to:

Planning Policy Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND, preferably by email to planning.policy@shropshire.gov.uk

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	WEST MIDLANDS	MRS
First Name	HARP PLANNING	MEGHAN
Last Name	CONSORTIUM	ROSSITER
Job Title (where relevant)		ASSISTANT PLANNER
Organisation (where relevant)		TETLOW KING PLANNING
Address Line 1	c/o :	UNIT 2, ECLIPSE
Line 2		OFFICE PARK, HIGH STREET, STAPLE
Line 3		HILL, BRISTOL
Post Code		BS16 5EL
Telephone Number		0117 9561916
E-mail Address (where relevant)		meghan.rossiter@tallow-king.co.uk

Shropshire Levy Draft Charging Schedule: Representations Form

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)	✓
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	✓
b) Yes (please detail using continuation sheets if necessary)	

Shropshire Levy Draft Charging Schedule: Representations Form

(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)

Please see attached
letter

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

(please detail using continuation sheets if necessary)

As above.

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)

As above.

Shropshire Levy Draft Charging Schedule: Representations Form

(c) Regard to the Statutory Guidance

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)

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

(please detail using continuation sheets if necessary)

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

(please detail using continuation sheets if necessary)

Please see attached
letter.

Shropshire Levy Draft Charging Schedule: Representations Form

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)

Please see attached
letter.

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

(please detail using continuation sheets if necessary)

As above.

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.

