Andrew Hunt

From: Steve Chapman (Devaplan Ltd) <devaplan@netscape.net>
Sent: 10 June 2016 17:42
To: CIL
Subject: Re: initial coments on proposed CIL charging regime

Hi Ian

Thanks for your response.

New build food and drink development is not very common as you know and of course they pay business rates which is intended to fund the cost of normal local authority services and facilities. Anything which is needed to make it acceptable can still be required via S106 If it can be justified. CIL is not intended to be a local development tax.

Although viability or lack of it can be a reason to avoid the levy this should not be the reason for levying it or not. Its about the number of new residents and what infrastructure provision or improvement is necessary to accommodate them.

Steve

Steve Chapman MRTPI
Devaplan Ltd
223 Queens Dock Business Centre
Norfolk Street
Liverpool
L1 0BG
[redacted]

devaplan@netscape.net

www.devaplan.co.uk

-----Original Message-----
From: CIL <CIL@sefton.gov.uk>
To: Steve Chapman (Devaplan Ltd) <devaplan@netscape.net>
Sent: Fri, Jun 10, 2016 04:19 PM
Subject: RE: initial coments on proposed CIL charging regime

Thanks Steve

I will await your full comments in due course.

In relation to your initial comments. I agree most food and drink uses are conversions. Unless they add an extension of over 100m2 they are unlikely to incur the levy. It's really just the new build units that this will apply to

In terms of having a differential rate for residential in different parts of the borough this is perfectly acceptable if based on viability grounds. This is how we have derived the different rates across Sefton and not as a means to encourage development in one area over another. Sefton has very diverse areas with huge variations in house

prices. A single rate is not feasible in Sefton. For example, West Lancs have an adopted CIL rate that includes a zero rate in Skelmersdale and a charge elsewhere.

Hope this assists

Regards

Ian Loughlin
Senior Planner - Local Plan Team
Sefton Council
Magdalen House
Trinity Road
Bootle L20 3NJ

[redacted]

The Local Plan examination hearings have now closed, and we have received the Inspector's Initial findings. This can be viewed at http://www.sefton.gov.uk/media/914339/EX102-SeftonLP_InspectorsInitial-Findings.pdf

From: Steve Chapman (Devaplan Ltd) [mailto:devaplan@netscape.net]
Sent: 10 June 2016 11:42
To: CIL
Subject: initial coments on proposed CIL charging regime

Dear Sir

Thank you for your consultation letter.

I may have other comments in due course but my initial reaction is I have the following objections.

1) The proposal to levy a blanket charge on food and drink uses is invalid. The purpose of a CIL levy is to raise funds for **necessary** off site infrastructure works / improvements brought about by increased activity / population growth in the CIL area. There is no justification for assuming that all food and drink uses will result in this. Most food and drink permissions relate to changes of use of existing premises so the net impact on the existing infrastructure is usually nil or even minus. Any off site work or improvements which are requested must be necessary to make such uses acceptable or they will not comply with the CIL Regulations and will be unlawful. There is no reason why such of site works which are necessary to make proposed food and drink uses acceptable cannot be enforced by S106 obligations determined on a case by case basis.

2) CIL levies for additional housing is often justified in principle. There is no reason why residential development in some areas should be liable and some not. The purpose of CIL is not to discourage or encourage residential development in certain identified areas of the borough by way of a local "Development tax" The proposed charging levy is therefore unlawful.

Yours faithfully

Steve Chapman MRTPI
Devaplan Ltd
223 Queens Dock Business Centre
Norfolk Street
Liverpool
L1 0BG
[redacted]

devaplan@netscape.net

www.devaplan.co.uk

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