

SOUTH LAKELAND DISTRICT COUNCIL

COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE EXAMINATION

EXAMINER'S MAIN MATTERS AND ISSUES FOR THE EXAMINATION

Examiner – Sarah Housden BA (Hons) BPI MRTPI

Hearing to be held on 10 February 2015

at
Town Council Chamber
Kendal Town Hall
Highgate
Kendal
LA9 4DL

The draft Hearing Timetable should be read in conjunction with
the Examiner's Briefing Note

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South Lakeland District Council Community Infrastructure Levy Charging Schedule Examination

Matter 1: Residential Levy Rates

Issues and Questions

- 1.1 Are the levy rates for new residential development in the Draft Charging Schedule justified by the viability evidence, having regard to national guidance, local economic context and infrastructure needs as identified through the South Lakeland Core Strategy, Local Plan Land Allocations Development Plan Document (DPD) and the Infrastructure Delivery Plan?
- 1.2 Does the approach to threshold land value in the viability evidence together with the CIL rates proposed for residential development provide a 'competitive return' for landowners and developers as required by the National Planning Policy Framework?
- 1.3 Is there adequate justification in the viability evidence to support the differentiation in the Draft Charging Schedule rates as follows:
 - The £20/m² rate for Croftlands Strategic Housing Site, South Ulverston;
 - The £50/m² rate for sheltered/retirement housing;
 - The £0/m² rate for extra care housing;
 - The £0/m² rate for agricultural workers dwellings.
- 1.4 Will the proposed residential levy rate have any effect on the delivery of affordable housing in the Charging Area? Will the revision of the National Planning Practice Guidance on 28th November 2014 in relation to planning obligations for affordable housing have any effect on viability in the Charging Area or the levy rate for residential development?
- 1.5 How will the Charging Authority distinguish between sheltered/retirement housing and extra care housing in applying the residential levy rates?
- 1.6 Overall, do the residential rates strike an appropriate balance between helping to fund the new infrastructure identified in the Infrastructure Delivery Plan to support growth and the potential effect on the economic viability of new residential development across the charging area?

Matter 2: Retail Levy Rates

Issues and Questions

- 2.1 Are the levy rates for supermarket and retail warehouse development in the Draft Charging Schedule justified by the viability evidence having regard to national guidance, local economic context and infrastructure needs as identified through the South Lakeland Core Strategy, Local Plan Land Allocations DPD and the Infrastructure Delivery Plan?

- 2.2 Are the definitions of 'supermarket' and 'retail warehouse' in the Draft Charging Schedule sufficiently clear and justified by the viability evidence? How will the Charging Authority distinguish between the following uses/types of development in applying the retail levy rate and is this justified by the viability evidence:
- Convenience and comparison retailing;
 - Supermarkets and small convenience stores;
 - Retail warehousing and small comparison goods stores.
- 2.3 What role does retail development have in delivering the South Lakeland Core Strategy and Local Plan Land Allocations DPD? Overall, do the retail rates strike an appropriate balance between helping to fund the new infrastructure required and the potential effect on the economic viability of new retail development across the charging area?

Matter 3: General Issues

Issues and Questions

- 3.1 Is there adequate justification in the viability evidence to support the differentiation in the Draft Charging Schedule for the Kendal and Ulverston Canal Head regeneration areas?
- 3.2 Is the future approach to the use of section 106 planning obligations as set out in the Draft Regulation 123 List clear? Does the Draft Regulation 123 list make clear which items of infrastructure CIL will contribute towards and where section 106 obligations/section 278 agreements will continue to be used? Is there any duplication between the two?

Initial draft hearing timetable

Date	Morning session 9.30am Afternoon session 2pm
Day 1 10 February 2015	<ul style="list-style-type: none"> • Examiner's opening announcements • Opening statement of the charging authority • Matter 1 – Residential Levy Rates <p><i>Attendance – to be confirmed</i></p> <ul style="list-style-type: none"> • Matter 2 – Retail Levy Rates <p><i>Attendance – to be confirmed</i></p> <ul style="list-style-type: none"> • Matter 3 – General Issues <p><i>Attendance – to be confirmed</i></p>
Day 2 11 February 2015	<i>Reserved for further session if needed</i>

