

By post and email

North Somerset Council
Planning Department
Town Hall
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Our Ref: 25514/A3/FW/jmm

23rd September 2016

Dear Sirs

COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

We write on behalf of Gallagher Estates to provide representations to the Community Infrastructure Levy (CIL) Draft Charging Schedule. Gallagher Estates own the majority of land at Pill Green. This could come forward in whole, or in part, depending on the scale of need.

We have specific concerns in relation to the proposed approach to the application of CIL at strategic sites in the draft CIL Charging Schedule. The document proposes that although some local authorities have introduced lower or zero rates for strategic scale housing developments, relying more heavily on S106-style planning obligations for those sites, North Somerset Council will not be taking this approach. The justification for this is that the majority of the Core Strategy strategic sites have planning consents in place (or are expected to do so before the CIL is implemented) or are in the proposed nil-rate zone. We consider this proposed approach to be flawed, for the following reasons:

1. The application of Section 106 obligations at strategic sites can be necessary to make the development acceptable in planning terms, and can often be a more appropriate approach than CIL at such sites. National planning guidance contained in NPPG is clear that the levy is intended to provide infrastructure to support the development of an area, rather than making individual planning applications acceptable in planning terms. As such, the Government considers there is still a legitimate role for development specific planning obligations to enable a local planning authority to be confident that the specific consequences of a particular development can be mitigated.
2. The North Somerset draft CIL Charging Schedule only considering strategic sites already in the planning process is not a sound approach. Firstly some of these sites only have a resolution to grant planning permission, not a formal permission, and therefore the Section 106 or CIL position is yet to be established. Secondly, the CIL Charging Schedule needs to set out a clear approach to future strategic sites and how CIL will be applied to these. Failing to establish a policy position to the application of CIL at strategic sites has the potential to cause significant site delivery issues. This is particularly important given that North Somerset has a housing shortfall and will be required to allocate additional sites through the forthcoming Site Allocations Plan and the regional Joint Spatial Plan.



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3. The national CIL regulations are due for review this year, and one of the key amendments to the regulations is likely to be the exclusion of CIL and the use of Section 106 obligations are strategic sites. As such, North Somerset's draft CIL Charging Schedule will be in conflict with this.

On the basis of the above, we consider that in order for North Somerset's CIL Charging Schedule to be sound, the suggested approach to strategic sites needs to be reconsidered. In its current form the proposed policy runs the risk of seriously impacting on the delivery of existing and forthcoming strategic sites in North Somerset, limiting the local authority's ability to deliver their Core Strategy objectives and deliver their housing target.

Yours faithfully



FAITH WRIGHT
Senior Planner