

# **WORTHING BOROUGH COUNCIL COMMUNITY INFRASTRUCTURE LEVY SCHEDULE EXAMINATION**

## **Main Issues and Questions for the Examination**

### ***Main Issues for consideration by the Examiner***

- A *Is the charging schedule supported by background documents containing appropriate available infrastructure planning and economic viability evidence?*
- B *Are the charging rates informed by and consistent with the evidence?*
- C *Does the evidence demonstrate that the proposed charge rates would not put the overall development of the area at risk?*

### **Questions for the Examination**

#### **General**

1. Does the Draft Charging Schedule accord with amended Regulation 14(1) (2014 Regulations (SI 2014 No. 385)) in terms of "striking an appropriate balance"?
2. Noting that in an earlier appraisal a 60% figure was used, is the assumption that landowners should receive a 50% share in the uplift in the value of land appropriate?
3. Are the NCS Assessment's assumptions regarding ongoing s106 costs realistic? Is the first Draft Regulation 123 List consistent with the examples of site specific infrastructure which maybe the subject of an obligation listed on page 16 of the Developer Contributions Draft SPD (March 2014)?

#### **Residential**

4. Are the residential land values assumed in the NCS Assessment (as based on the Land Values Appraisal Study) realistic and representative of sites on which development is likely to occur in Worthing?
5. Does the NCS Assessment adequately appraise the residential development likely to come forward during the remainder of the Core Strategy Plan period, in particular brownfield residential development and residential redevelopment of land currently in residential use? During the remainder of the plan period what proportion (in broad terms) of residential development, yet to be granted permission, is anticipated to take place on (a) existing

- residential land (b) commercial/other brownfield uses (c) greenfield land?
6. Would the proposed CIL charge be likely to make residential redevelopment schemes on land currently in residential use unviable?
  7. Is a 20% developer's profit assumption realistic for apartment developments?
  8. Are there errors in the NCS Assessment appraisal of low rise apartments in high value areas as contended by Roffey Homes Ltd?
  9. Are the assumptions/calculations used in the NCS Assessment appraisal of sheltered/retirement housing realistic/correct? In particular:
    - (a) floorspace/build costs
    - (b) land costs
    - (c) average unit size
    - (d) empty property costs
    - (e) sales rates
    - (f) sales/marketing costs
 Is there evidence which indicates that the proposed residential CIL rate would make sheltered/retirement housing unviable?
  10. The NCS Assessment indicates that (accounting for the proposed £100 CIL rate) most residential development in low value areas would not be viable. In the light this would a zero rate for residential development in low value areas be appropriate?
  11. Would the proposed residential CIL rate threaten the ability to develop viably the sites and scale of residential development identified in the Local Plan? If you contend that it would what specific change to the schedule are you seeking and what appropriate available evidence is there to support it?

### **Retail**

12. Does the NCS Assessment appraisal adequately reflect the range of retail development likely to come forward in the Borough, including discount foodstores and retail warehousing?
13. Does the available evidence support differential CIL rates for smaller and larger retail development?
14. Should the schedule specifically exclude ancillary car parking in retail development?
15. Are the assumptions used in the NCS Assessment appraisal of supermarkets realistic? In particular:
  - (a) land values

- (b) construction costs (including allowances for demolitions, abnormalities and off-site highway works)
- (c) professional fees
- (d) developer's profit
- (e) ongoing s106 payments

Is there evidence which indicates that the proposed retail CIL rate would make supermarket development unviable?

16. Would the proposed retail CIL rate threaten the ability to develop viably the sites and scale of retail development identified in the Local Plan? If you contend that it would what specific change to the schedule are you seeking and what appropriate available evidence is there to support it?

Malcolm Rivett

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