

Appendix 30:



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24 January 2023

By Email Only

Dear Sir/ Madam

MLPD Client Group Representations Consultation Draft ECC Community Infrastructure Levy (CIL) Charging Schedule

Introduction

On behalf of our client group), we submit representations to the ECC Draft Community Infrastructure Levy (CIL) Charging Schedule ("schedule"). We also refer to the emerging Draft Outline ECC Local Plan ("plan").

Our client group understands that the Community Infrastructure Levy (CIL) charge is currently paid to the City Council by some forms of new development when it receives planning permission, to ensure that the impact of new development is managed appropriately. Our client group acknowledges that the Council already operates CIL but the rates were set in 2013 and need to be reviewed.

Whilst there are elements of the schedule that our client supports, in this response we raise key issues herein.

Relationship with the Outline Draft ECC Local Plan

The Exeter Plan (to 2040) is currently at Draft Outline stage. The plan was consulted on between 26 September 2022 and 19 December 2022.

We made comments on it stating that its "vision" of providing homes on high performing employment land would neither be viable nor deliverable; we said that if its "vision" cannot be shown to be viable and deliverable, the plan, unfortunately, won't be found "sound". We stated that viability

experts will contend that housing development on high performing employment land in Exeter would be unviable and undeliverable even if such development made zero planning obligations contributions (including CIL).

In this context, it is considered that, with the plan at such an early stage, it would be premature to consult on and approve new CIL rates and charging zones for the City because the Council cannot possibly know if the CIL rate it sets would undermine the plan and its “vision”. i.e., the CIL rate should be based on viability evidence on the redevelopment of high performing employment land to housing led mixed use development.

Taken on, to adopt a new CIL charging schedule now with a plan, which depends on the viability and deliverability of residential led mixed use development on high performing brownfield employment land, would affect whether the plan could be found “sound” by an Inspector at an Examination in Public (EiP).

The EiP process will robustly assess the evidence behind the fundamental planning approaches within the plan, and critically also the viability and its vision.

CIL Rates

It is stated that proposed CIL rates have been determined based on the economic viability of new development and available background evidence. Our client group disputes this. Here we would restate that it would be bizarre for ECC to approve a schedule that is not based on the viability and deliverability of a plan which has been robustly tested at Examination in Public (EiP).

Our client group thanks you for the opportunity to comment and we look forward to further positive dialogue as the “schedule” progresses.

Thank you.

Yours faithfully,

James

James McMurdo MRTPI MRICS

Director

For and on behalf of McMurdo

Copies: Client Group