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**From:** [REDACTED]  
**Sent:** 31 January 2024 14:51  
**To:** localplan@york.gov.uk  
**Subject:** Consultation on the revised CIL Draft Charging Schedule  
**Attachments:** CIL Reps - January 2024.pdf

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To whom it may concern,

Please find attached representation in relation to the Consultation on the revised CIL Draft Charging Schedule. To confirm, with these representations we wish to object to the proposed CIL rates for residential dwellings within the City of York.

Separate representations by Hemsley Group will be submitted with objections on other elements of the prepared CIL schedule, via our agents.

We can confirm acceptance of the privacy policy as set out in the Community Infrastructure Levy Consultation Privacy Notice.

We wish to reserve the right to make further representations at public examination.

If there is any further information required, please contact [REDACTED], contact details below.

Kind regards



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[helmsley.co.uk](https://www.helmsley.co.uk)

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31<sup>st</sup> January 2024

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**For the attention of Strategy Planning Policy Team**

By Email to [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

**CITY OF YORK COUNCIL CIL - PROPOSED MODIFICATIONS REPRESENTATIONS (December 2023)**

These representations are made on behalf of the Helmsley Group in response to the City of York Community Infrastructure Levy (CIL) Consultation.

Helmsley Group are a long-standing investor and developer in York, working across a variety of property sectors.


Helmsley's Group have specific concerns relating to the proposed CIL rates which are challenged in a separate consultation response via CBRE. These concerns are centred around the potential implications of CIL on the delivery of new development in the City.

We have a specific comment centred around conversion of redundant upper floors in the City Centre. It has been a longstanding ambition of York to see the City make better use of the spaces it has, notably conversion of upper floor retail space, which is generally redundant, into residential.

This ambition is explicitly set out in 'My City Centre Vision' which sets out an express aim to: ***'Encourage re-use of the underused upper floors of buildings through planning support and business rates approach'***.

The document also states:

***'Floors above commercial units are significantly underused, dominated by storage for retail units and empty space. Introducing different and mixed uses to the centre will allow more of this space to be actively used, but conversions of these buildings are complex.'***

The Helmsley Group are advocates of promoting residential development above retail with numerous projects delivered in the city, running through planning or in the pipeline. As the 'My City Centre Vision' document notes, conversion of these buildings in central York are  a myriad of reasons.

Some of the most notable being: planning challenges around bins/ bikes/ noise, City Centre access restrictions, flooding restraints, achieving sound attenuation and fire separation requirements between commercial and residential uses. These issues, which all impact on deliverability are further exacerbated when a significant proportion of buildings in York centre are listed and all within a conservation area.

Specific consideration should be given to the fact York has such a high percentage of listed properties, alongside the aforementioned considerations which all greatly challenge viability. The increased difficulty of conversion of these spaces is not adequately reflected in the appraisal work completed.

The Hemsley Group see upper floors for conversion as an important part of the housing supply for the City going forward, particularly at this time when York, along with many City Centre retail destinations are going through a period of significant change given the ongoing effect that online shopping has had on physical retail offerings and the decline in large format retail generally.

If upper floor residential conversions are to be encouraged to meet some of the undersupply of residential property in the City, we feel there should be an exclusion, or significant reduction in the CIL rates for conversion of buildings, as opposed to new build. We wish to reserve the right to present evidence at public examination to demonstrate the additional cost and difficulties of conversion of buildings in York.

The effect of introducing CIL, particularly at such high rates, will significantly impact these buildings being brought forward for conversion which would be a massive lost opportunity not only for the city centre in general, but specifically on heritage for the City when you have unused/ derelict spaces which are falling further and further into disrepair due to underuse. Specifically, when it comes to conversion of upper floor retail to residential, there needs to be encouragement to release upper floors from the commercial rentable investment value. It is easier for a landlord to simply demise a tenant a building in its entirety which generally leads to retail upper floors being left vacant and mothballed, falling into disrepair. An active exclusion of CIL for building conversions would promote re-use of buildings and unused spaces.

We believe there is a general consensus that bringing the upper floors within our City back into use is a positive thing that will promote and encourage the viability of the City centre. We feel placing a significant barrier in the way of Landlords and developers in the form of a CIL payment is a detrimental step backwards.

Thank you for taking the time to consider the contents of this representation.

Yours sincerely



Director