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From: [REDACTED]
Sent: 25 January 2024 17:24
To: localplan@york.gov.uk
Cc: [REDACTED]
Subject: York Community Infrastructure Levy consultation response
Attachments: York Central CIL reps 2024 FINAL.pdf

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Dear Sir/Madam

Please find attached a representation to the 2024 CIL consultation, submitted on behalf of Homes England. I'd be grateful if you could confirm receipt by reply.

Kind regards

[REDACTED]

[REDACTED]

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Our Ref: 05C100422

Your Ref: N/A

23 January 2024

City of York Council
Online

Dear Sir/Madam

City of York Council Community Infrastructure Levy Draft Charging Schedule Consultation 2023

I am instructed by Homes England, a major landowner of the York Central site ("the landowners"), to submit representations to the York Community Infrastructure Levy Draft Charging Schedule Consultation 2024.

As you will be aware, York Central is a major strategic development for the City of York and is allocated within the draft Local Plan (ST5) and subject of Policy SS4. It is the largest regeneration project in the city and one of the largest in the country, delivering up to 2,500 new homes and a new commercial quarter creating around 6,500 jobs and growing York's economy by over £1billion annually.

York Central benefits from an outline planning permission (OPP) (ref: 18/01884/OUTM) and a number of reserved matters permissions, covering the new road, cycle and pedestrian infrastructure (ref: 20/00710/REMM) and the extension to the National Railway Museum (ref: 21/02793/REMM).

On this basis, we provide below our comments on the Draft Charging Schedule, as set out in the consultation material.

Draft Charging Schedule

The previous consultation version of the Schedule set out that strategic sites such as York Central will be required to pay a levy of £100psqm for residential dwellings, except those sites which are expressly stated as zero-rated. In the current consultation version, it is noted that the rate for strategic sites has been removed so, unless expressly identified as a zero-rated site, such sites are now subject to the standard rate of £200psqm. York Central (strategic site ST5) is currently not included as a zero-rated site and therefore would be subject to the £200psqm charge.

In addition, the development would also be liable for payments on sheltered / retirement accommodation (£100psqm).

CIL Viability Study

The Study, prepared by Porter Planning Economics (PPE), sets out the legislative basis for, and guidance relating to, the development of CIL charging schedules, noting that a "high-level"

assessment is required to show that *“the proposed rate or rates would not undermine the deliverability of the plan”*.

The Study recognises that it should *“sample an appropriate range of types of sites across its area”* and *“take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or Brownfield land”*.

Some strategic sites have been individually tested including sites ST4, ST7, ST8, ST9, ST14, ST15, ST16, ST21, ST33 and ST36. However, it notes that on sites already benefit from planning permission, testing has not been undertaken, as is the case with York Central.

We note that the updated Schedule has been informed by a revised viability study (*“City of York CIL Viability Study Addendum – November 2023”*). Despite our previous representations, York Central has not been individually tested and no further information or explanation in the has been given as to why sites with planning permissions should not be tested.

Comments

In light of the above, our previous comments provided remain. These are:

The York Central development is the largest and most significant strategic site in York, delivering a substantial number of new homes and delivering the majority of new economic development planned for York during the Local Plan period. Its ongoing viability is, therefore, a significant issue for both the emerging Local Plan and ensuring the benefits from wider development are realised.

Whilst it’s recognised that the development benefits from a comprehensive planning permission, setting clear parameters, conditions and obligations for its implementation, the development is likely to take 10 to 15 years to be delivered in full, during which time market factors and development needs may change. Its not anticipated that the extant planning permission will need to be reconsidered but such a possibility exists, both for amendments to the permission under Section 73 of the Town and Country Planning Act (1990) or by applying in full or outline for all or part of the site.

In light of the above, it is requested that York Central (ST5) is included within the zero-rated strategic sites unless a site-specific viability assessment is undertaken, which proves otherwise. The assessment should be reasonably straight forward, in light of the definition provided by the planning permission on the development form and assumptions, including on the planning obligations secured through the Section 106 legal agreement. Homes England would be happy to support this assessment and provide reasonable and proportionate information where required.

Thank you for providing the opportunity to make these comments and I would be grateful if these could be taken into consideration when progressing the Levy for York.

Yours faithfully



For and on behalf of Avison Young (UK) Limited

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