

COMMUNITY INFRASTRUCTURE LEVY: PRELIMINARY DRAFT CHARGING SCHEDULE

COMMENTS BY THE KENSINGTON SOCIETY

The Society welcomes this document, however, despite its plain English it is not sufficiently clear as to:

- what the money can be spent on,
- how it will be held;
- whether it will be ring-fenced for specific projects and for the local community in which the development will take place; and
- who will decide what the money will be spent on.

Content

The first eight pages of the document have been written especially for this consultation – in effect a foreword - to enable people to understand the Community Infrastructure Levy (CIL), what it is, how it will be raised and what it can be spent on.

Can you clarify whether, following consultation, only Appendix 1 - the table - will be approved or will it include all the appendices? This information is essential so that all stakeholders, but particularly residents, can understand how this new system will work. Will this be incorporated in the Local Plan or will it be a free-standing document? The document needs to be self explanatory.

Comments on the Introduction

What can the money be used for?

The first sentence says that CIL is “a way of raising money for new community facilities”. Other references seem to expand this definition, for example:

Para 1.2: This refers to “new community resources and facilities” but also “to support existing facilities, such as parks and public transport”

Para 3.1: This refers to “schools, health facilities, transport or any other resource. The purpose is to help improve and expand these services.”

Para 5.1: This says “It can be spent on building or improving a wide range of facilities – from surgeries to swimming pools and from parks too pavements.”

Para 5.3: This says that CIL can be spent on “new or improved facilities” and “on a range of items, including the revenue support costs”.

This suggests the need for a single, clear statement of what the money can be used for – new facilities, improvements to existing facilities/services(?), contributions to capital costs and to revenue costs – as well as giving examples.

It also needs to be clear what will be covered by S106 agreements beyond this, such as site-specific contributions to public art, tree planting, new pavements around a site, reinstating Victorian lighting, pedestrian crossings, etc. However, para 2 of Appendix 1 suggests that “site-specific works” are covered by CIL payments. Is this correct?

This needs to be covered in a new Introduction to the Charging Schedule and covered in more detail in Appendix 3.

Overall, there is a need to review whether there is vital or even just useful information in the Introduction that needs to be covered in the final document itself.

Appendix 1: What are the proposed CIL rates for RBKC?

Para 2: This says that “certain B Class uses” may not be viable. What about large-scale offices in low PTAL locations and large retail developments in out-of-centre locations? The expansion of the Tesco on West Cromwell Road would have been a good candidate.

Para 4: This emphasises the viability issues in the current economic climate - a review date needs to be set or trigger points identified for a review of the charging schedule.

Para 5: The Society questions why, if differential charging rates are appropriate for residential CIL charges, there cannot be charging rates for selected non-residential uses in specific locations. This would help reinforce the policy of focusing these uses in town centres rather than developers seek “cheaper” sites that do not comply with the Development Plan – the London Plan and the Local Plan.

Preliminary Draft Charging Schedule

The Society considers that the areas chosen based on postal districts do not relate to property values. Indeed, Zone B and C seem to have been transposed – especially if adjustments were made to the boundaries, as suggested below.

A good example are the boundaries for W11, W8 and W14. These embrace very different areas with very different values. The values in W11 vary considerably – with those south of Holland Park Avenue being more like those in W8 and those

north of the Norland Conservation Area boundary having values closer to the CIL Zone F to the north – the value gradient from £100 to £500 is plainly unrelated to reality.

Similarly the inclusion of many of the streets in W14 between Holland Park and Holland Villas Road are very different to Holland Road and the area west to the Borough boundary.

W8 on the other hand – based on the evidence of schemes such as the housing associated with Holland Park School and De Vere Gardens – would be more likely to justify being in Zone B than Zone C.

The Society proposes:

- **modify/simplify postal code boundaries in line with main “barriers”** such as Holland Park Avenue and abrupt changes in values such as north of St James’ Gardens and west of Holland Villas Road
- **revise the charging bands to reflect real-world values in line with values in Appendix 3 and Crayson: Market Intelligence: Winter 2012-2013:**
 - **a modified W8 should be in Zone B**
 - **a modified W11 should be split into Zone C and Zone F**
 - **a modified W14 should be in Zone E**
- **make clear that the CIL schedule applies to extensions including basements.**

Non-residential charging zones

The Society proposes charging for major (over 1,000sqm) B1(a) offices and A1 retail uses in areas outside town centres and, especially, in employment zones.

Appendix 2: Where can I get further information?

The CIL Regulations have been amended to cover the proposal in para 175 of the NPPF –

“175. The Community Infrastructure Levy should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place.”

For non-parished areas, whilst the local authority will remain the accountable body, the “meaningful proportion of the funds raised” should remain “with the neighbourhoods where development takes place”. This must be done by

earmarking these funds – 15% where there is no neighbourhood plan but 25% where there is a neighbourhood plan – for the local community.

Appendix 3: Evidence Base

Description of different types of demands on CIL

Social Infrastructure:

Para 1.12: This lists various types of social infrastructure, such as education and health care, including new and extensions to existing schools and meeting “future health needs”. The Society is concerned that this should cover cases such as new GP surgeries needed to replace closures to help create a better distribution of accessible surgeries in town centres (eg in Notting Hill Gate).

Physical Infrastructure:

Para 1.15: Whilst really large items are rightly excluded, providing step-free access to stations should be secured through S106 agreements for developments involving stations (eg South Kensington) but also through CIL payments from nearby developments (eg close to Latimer Road and Ladbroke Grove).

Green Infrastructure

Para 1.17: On-site flood mitigation measures can be achieved through S106 agreements, whereas off-site measures could be dealt with by CIL. Examples of appropriate projects should be itemised.

Mayor of London’s CIL

Para 1.21: This should include Crossrail 2 in due course.