

# Community Infrastructure Levy Draft Charging Schedule Consultation Response Form

DCS24



MALDON DISTRICT  
COUNCIL

The Community Infrastructure Levy (CIL) is a mechanism that local authorities can use to raise funds from new development to provide infrastructure. The proposed rates that developers would be required to pay are outlined in the Maldon District Draft Charging Schedule. This is the second consultation on the Maldon District CIL Charging Schedule, as required under Regulation 16 of the CIL Regulations 2010 (as amended).

Comments should be made by completing this questionnaire and returning it to the Council  
**by email** to [policy@maldon.gov.uk](mailto:policy@maldon.gov.uk) or  
**by post** to Planning Policy, Maldon District Council, Princes Road, Maldon, Essex CM9 5DL.

**All responses must be received by 5pm Wednesday 23 July 2014 (late or anonymous responses may not be considered).**

**Please Note:** All information submitted during the Draft Charging Schedule consultation will be published on the Council's website and submitted to the Secretary of State for Examination-in-Public; by submitting representations on the Maldon District Draft Charging Schedule you confirm that you agree to this.

## Personal Details

Title MR First Name John Last Name Baines  
Organisation (where applicable) Linden Homes Eastern  
Job Title (where applicable) Senior Planning Manager  
Address Hodgson House, 50 Rainsford Road, Chelmsford, Essex  
Postcode CM1 2XB  
Email john.baines@lindenhomes.co.uk

## Client Details (if applicable)

Title \_\_\_\_\_ First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
Organisation (where applicable) \_\_\_\_\_  
Job Title (where applicable) \_\_\_\_\_

## Future Notification / Attendance at Examination-in-Public Hearings

Would you like to be added to the Community Infrastructure Levy **mailing list** to receive updates?

(delete as appropriate and ensure your details have been entered clearly above)

Yes / ~~No~~

Do you consider it necessary to **attend and give evidence at the Examination in Public?**

Please note that by selecting **no** you are clarifying that you wish to communicate through written representations only.

(delete as appropriate)

Yes / ~~No~~

## Your Views

Maldon District Council would like your views on the Draft Charging Schedule and in particular the following areas:

- The proposed rates set out in the Draft Charging Schedule (Annex A of the consultation document);
- The inclusion of the proposed Draft Discretionary Relief Policy (Annex B of the consultation document); and
- The inclusion of the proposed Draft Instalments Policy (Annex C of the consultation document).

Please provide your comments in the space below; which will expand to fit your comment. Any supplementary sheets or information are welcome, please label them suitably.

### Proposed Rates

Linden Homes Eastern (LHE) considers that the rate of CIL proposed across the South Maldon Garden Suburb Masterplan Area is not reflective of the evidence base that has been produced in support of the Draft Charging Schedule which is therefore considered to be unsound.

The setting of rates at £70 per sq.m could render sites within the Garden Suburb unviable and undeliverable which would in turn impact upon the delivery of this strategic housing allocation within the Plan Period.

With specific reference to submitted Maldon Local Development Plan site S2c Wycke Hill South, paragraph 2.9.3 of the Draft Charging Schedule Consultation (DCSC) document states that "*the CIL charging schedule must be informed by appropriate available evidence*". All of the studies produced by HDH Planning and Development on behalf of Maldon District Council (MDC) have made the assumption that site S2c is Agricultural; and have assigned an agricultural residual land valuation to the site in inform the viability calculations.

This assumption is incorrect.

The site actually comprises the following:

- Three Suns Nursery, comprising a bungalow and commercial nursery (now vacant);
- The Leas, comprising a two-storey house and paddock;
- The Rosary, comprising a two-storey house with commercial riding school.

The use and value of the property is not akin to agricultural land and the figures used by MDC to demonstrate the viability or otherwise of the various scenarios that have been tested are therefore unsound.

The DCSC at paragraph 2.13.4 states that meetings have been held with site promoters, main developers and landowners. LHE was not invited to meet and discuss the site at Wycke Hill South in the context of viability. Such a meeting would have ensured clarity on the existing use of the site. Notwithstanding this, MDC is fully aware of the nature of uses on the site as an agreed description is contained within the Statement of Common Ground submitted in respect of the forthcoming Section 78 Planning Appeal for the residential redevelopment of the site.

At paragraph 2.13.5, the DCSC document highlights a number of recommendations contained within the Local Plan and CIL Development Viability Study – May 2014 Update. It does however ignore the recommendation at paragraph 8.8 which states: "*We therefore recommend that if 40% affordable housing is preferred, the Council reduces the rate of CIL on the S2a Limebrook Way, S2c Wycke Hill South and S2b Wycke Hill North site at South Maldon to zero.*" The submitted Maldon Local Development Plan (including minor modifications) proposes 40% affordable housing for the South Maldon Garden Suburb – Policy H1.

The evidence therefore points to MDC proposing a CIL rate the even their own consultants would consider at best questionable in this area. In LHE's opinion, this is not a sound basis to ensure delivery of a critical element of housing supply over the Plan Period.

**Proposed Draft Discretionary Relief Policy** – No additional comments to make

**Proposed Draft Instalments Policy** – No additional comments to make