

**Gulley, Nicola**

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**From:** Charles de Winton [charles.dewinton@cla.org.uk]  
**Sent:** 09 July 2013 16:04  
**To:** Local Development Plan  
**Cc:** Ben Underwood; Karen Anthony  
**Subject:** FW: Community Infrastructure levy. (CIL)

Dear Sirs,

Please see my email to your Ms. Gulley on the 12<sup>th</sup> December last year.

I am in receipt of your June 2013 Draft Charging Schedule, I am dismayed to see that the points I raised in my previous email to you have not been addressed in any way.

I fail to see why at least no mention has been given to the specific TAN 6 policy, other than in para 6.2 that there is relief offered for affordable housing. TAN 6, in itself has an affordable element, I would at least like to have seen specific mention of this in your statement. I am clearly not convinced that by being silent on this subject, Officers will be aware of the affordable element and any such property will be subjected to the normal charge for residential development in the zone it is situated in.

I reiterate the issue over a blanket policy for charging for business use where a major retail outlet will be charged the same rate as a newly constructed farm shop!

From a conversation with Ms. Gulley she did mention the possibility of an exemptions policy to allow for possible anomalies to the norm, however I note on page 12, section 6, this is very limited. I appreciate RCT is not necessarily a rural Authority, but there are a number of rural enterprises in the Authority area which will be penalised by the proposed CIL rules. With diversification projects, the rural businesses may well be in a position to employ extra staff to service these needs in the future, however, with the blanket imposition of the CIL policy this may well jeopardise any future developments of this nature.

I would be very grateful for you to once again look into the points raised above, I very much hope you are able to take these points on board.

Yours faithfully,

CBP de Winton MRICS  
Chartered Surveyor –CLA Wales

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**From:** Charles de Winton  
**Sent:** 12 December 2012 10:33  
**To:** [nicola.gulley@rctcbc.gov.uk](mailto:nicola.gulley@rctcbc.gov.uk)  
**Subject:** Community Infrastructure levy. (CIL)

Dear Ms. Gulley,

Further to my recent telephone call to you, I would be very grateful if you could consider the following aspects which I feel are important to our members in regards to business development.

1. Residential property subjected to an Occupancy Condition. With the recent revision of TAN 6, where an affordable housing element has now been incorporated into the policy guidance, I note you stated the current draft policy does not recognise this and that CBC intends to charge CIL on property of this nature. Again by charging CIL the possibility of this type of property being constructed is going to be almost nil as the aim of the TAN 6 guidance is to house much needed rural enterprise workers with a view to an affordable element, this type of property **must not** be regarded as commercial residential property.
2. I would also like to draw your attention to a possible issue that has cropped up since I spoke to you, however I feel it should warrant my bringing to your attention. It is clear from your document that RCT's current proposal will not seek to charge CIL for change of use for say a conversion of a building from an Agricultural Use to a Business Use, however my concern is, if a say a member were to build new floor area for a new farm shop this would be subject to CIL. My concern being the CIL rate would be the same as you would charge in a retail park for a large business such as Tesco? Clearly this would deter the proposal going forward thus depriving much needed rural jobs and investment.
3. I would ask you to consider having an exception policy so where there are issues as demonstrated above which do not fit into a one size fits all type arrangement, the Authority has the option to be able to vary CIL rates on applications on their individual merits, so the CIL policy does not end up as a blunt instrument which will actively act against rural businesses.

I would be more than happy to discuss further with you.

Yours sincerely,

09/07/2013

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Rural Surveyor- CLA Wales

09/07/2013