Greater Norwich Development Partnership
PO Box 3466
Norwich
NR7 7NX

By email only
cil@gndp.org.uk

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Our Ref. PSD/05060003

Indigo Planning Limited
Swan Court
Worple Road
London
SW19 4JS
T 020 8605 9400
F 020 8605 9401
info@indigoplanning.com
indigoplanning.com

Dear Sir / Madam

GREATER NORWICH DEVELOPMENT PARTNERSHIP – PRELIMINARY DRAFT CIL CHARGING SCHEDULES FOR BROADLAND, NORWICH AND SOUTH NORFOLK CONSULTATION

We write on behalf of our client, Sainsbury's Supermarkets Ltd, in respect of the draft CIL Charging Schedules for Broadland, Norwich and South Norfolk that are currently being consulted on. As you maybe aware, we have already submitted representations, on 14 November 2011, to the preliminary draft charging schedules which were issued for public consultation in November 2011. We enclose these representations for your reference.

We firstly wish to highlight that Sainsbury's are a key national business with the ability to deliver economic investment and job creation around the country, even in the current economic climate. Sainsbury's are always keen to explore future opportunities to enhance their retail offer and as part of this, they are keen to work with local authorities to bring forward opportunities for investment.

With this in mind, we are concerned that the proposed CIL Charging Schedules will provide an unnecessary barrier to the delivery of this investment. In particular, and from review of the current schedules, we are concerned that no material amendments have been made to the document to overcome our fundamental objection that the proposed levy of £135 per m² on convenience stores over 2,000m² is unreasonable and unjustified.

We would reiterate the view expressed in our letter of 14 November 2011 that the figure of £135 per m² has not been robustly assessed, particularly in terms of the potential impacts on the economic viability of development. The general premise that convenience retail development is more viable and, therefore, can bear a more significant contribution is an unreasonable basis on which to propose a CIL rate, especially without having provided a solid evidence base to support it.

Section 14 of the CIL Regulations requires that the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area must be considered. The proposed levy of £135 per m² will have significant adverse impacts on the viability of potential schemes, particularly as substantial contributions will also be required through existing Section 106 Agreement. The imposition of an additional unnecessarily high levy rate on convenience retail development will ultimately only result in developers and operators being less disposed to develop within the Norfolk area and being attracted to other authorities where the levy is lower. As such, the proposed levy will only serve to critically undermine any other benefits that may be available to entice development and restrict the potential for the Norfolk authorities to attract investment opportunities.

In addition, the principle of such a significant levy fundamentally conflicts with the overall aspiration of the Government for local authorities to promote sustainable economic development. We would re-iterate that one of the key messages from 'Planning for Growth' is that LPA's should "ensure that they do not impose unnecessary burdens on development". Despite this, the proposed levy rate will only be harmful to investment and job creation, thereby, negating the clear thrust of national policy.

We firmly believe that the proposed levy on convenience floorspace of £135 will adversely impact upon the ability of the authorities within Norfolk to attract investment. In addition, the need for the levy rate is not substantiated by a credible evidence base. The only conclusion that can be made from the above, and our previous representations, is that the levy is in conflict with current national policy. Therefore, the levy as proposed is not reasonable or sound and the document simply cannot be progressed to Examination in its current format.

We trust that these representations will be taken into consideration and please contact my colleague Peter Dowling or myself if you have any queries.

Yours sincerely

[redacted]

Sean McGrath

Enc: Representations submitted 14 November 2011
cc: Mr A Pepler, Sainsbury's Supermarkets Ltd.