

Representor No. 4559

Accession No. 23

Representation No.

**Lucas, David**

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**From:** Charles de Winton [REDACTED]  
**Sent:** 26 March 2013 15:30  
**To:** Lucas, David  
**Subject:** CIL Charging.  
**Attachments:** RE: Community Infrastructure Levy- CIL; FW: CLA WIN - CIL removed from essential rural workers dwellings in West Dorset

Dear Mr. Lucas,

I am writing to you following our recent conversation following the publication of your March 2013, Draft Charging Schedule.

I note you have not addressed the comments I made in the Email I sent you on the 18<sup>th</sup> December 2012.

I have gone through the Viability Appraisal Report, I note there is no mention or evidence offered to support your statement that Houses subjected to an Agricultural Occupancy condition should not be treated with a nil charge. I am informed that if there is no evidence produced in your Viability Appraisal to support such charging then no charge should be levied.

I would also contend this to be the case in relation to rural retail outlets where again no specific mention in your Viability Appraisal is made to them.

I also attach an email for your information, I have received from my colleagues in the South West where they have successfully argued for a Nil charge to the Agricultural Occupancy Condition CIL charge, in the West Dorset Area.

I would welcome further discussions with you on these issues.

Yours sincerely,

CBP de Winton MRICS  
Chartered Surveyor- CLA Wales

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 **Country Land &  
Business Association**

07/05/2013

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**Lucas, David**


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**From:** Fenella Collins [fenella.collins@cla.org.uk]  
**Sent:** 26 March 2013 14:45  
**To:** Charles de Winton  
**Subject:** FW: CLA WIN - CIL removed from essential rural workers dwellings in West Dorset  
**Attachments:** CLA response to Weymouth CIL Consultation.pdf

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**From:** Charlotte Sealy  
**Sent:** 26 March 2013 11:48  
**To:** Fenella Collins  
**Cc:** John Mortimer; Paul Millard; Graham Clark; James Selby Bennett  
**Subject:** CLA WIN - CIL removed from essential rural workers dwellings in West Dorset

**CLA WIN - Proposed CIL removed from essential rural workers dwellings in West Dorset**

The CLA was one of 26 respondents to the 'Preliminary draft charging schedule' consultation.

<http://www.dorsetforyou.com/media.jsp?mediaid=173811&filetype=pdf>

Essential Rural Workers' Dwellings	C3	£46 sq.m.	As per market housing but discounted by 50%
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Our response stated that

*The CLA had noted that CIL charging schedule included a £46/sq.m charge for new housing where is it required to enable agricultural, forestry and certain other full-time workers to live at or in the immediate vicinity of their place of work. Our view is that the **CIL should not apply** to these dwellings, which will have been justified as a requirement for the specific business. Such properties are not sold for development gain and are usually restricted by some form of occupancy condition which has already had a negative impact on the value of the development.*

***The Council have failed to provide evidence to support this charge***

*In such cases, a charge would simply be an additional cost of construction and is likely to render many such projects unviable, and could lead to new farming entrants being priced off the land they wish to farm and the curtailment of new business start ups in rural areas.*

***As these properties are crucial to the operation of, in general, land-based businesses and sustainable rural communities, we ask that they be considered separately, based on a suitable viability assessment, or classified with affordable housing for CIL purposes and thus zero-rated for CIL purposes.***

Following the consultation the 'Draft charging schedule' has been amended and the Council have made the following Comments

***Essential rural workers dwellings***

*These are defined as housing for full-time rural workers in agriculture, horticulture or other rural businesses that require essential 24 hour supervision.*

***Officer response***

*Consideration should be given to zero rating this form of housing on viability grounds so that a CIL charge does not apply. Consent for this form of development is tied to a larger rural enterprise and this restricts their value and hence ability to absorb CIL.*

(NB the charging schedule only relates to residential property, all other development is set at zero, therefore there is no need for an exemption for agricultural buildings)

(see page 10) <http://www.dorsetforyou.com/media.jsp?mediaid=178034&filetype=pdf>

<b>Essential Rural Workers' Dwellings</b>	<b>C3</b>	<b>Nil</b>
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#### Next stages

As CIL cannot be adopted in advance of an adopted local plan, the timetable for its submission and examination is reliant on the progress of the new local plan for both councils. The next key stages and likely timescales are:

- Submission to Government: February / March 2013
- Consultation on any proposed changes: March / April 2013
- Public Examination: July 2013
- Adoption: by January 2014