

CIL

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WYG Planning & Environment

part of the WYG group



Ref: V001509-1
20 August 2012

Forward Planning
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton
EX16 6PP

Dear Sir/Madam

**SAINSBURYS SUPERMARKETS LTD
MID DEVON COMMUNITY INFRASTRUCTURE LEVY
DRAFT CHARGING SCHEDULE, JULY 2012**

We wish to make the following representations on behalf of our client, Sainsbury's Supermarkets Ltd, in connection with the above.

We acknowledge that the differential rates for different scales of retail development (£250/sqm for 500 sqm or above and £0 for other retail) set out in the Preliminary Draft Charging Schedule (PDCS) are no longer being pursued by the Council. Reference is made to further work on viability carried out by the Council after consultation on the PDCS and it has been reported in the planning press that the outcome of the examination into the Poole Borough Council charging schedule, where a proposed differential charge for different scales of retail development was deleted, was an influencing factor.

However, the table in the July Draft Charging Schedule, whilst proposing a nil charge for all retail development, nevertheless continues to treat large scale retail development and "all other retail" separately. This implies that the charging authority has the power or discretion to differentiate the charge for retail development based on the size of development, which it does not. The CIL Regulations only permit differentiation based on location of development or different intended uses of development. The table should therefore be amended to place all retail in the same use. The distinction is also purposeless, and potentially confusing. It begs questions of why other "sub-uses" have not similarly been segregated. A charging schedule should be clear and using a single "retail" proposed use differentiation would be a far better approach.

We trust that these comments are of assistance and would be grateful to be kept informed of progress with the charging schedule.

Yours faithfully

Lee Jones
Principal Planner

