

**THE EXAMINATION OF THE LONDON BOROUGH OF HARINGEY
PARTIAL REVIEW OF THE COMMUNITY INFRASTRUCTURE LEVY
DRAFT CHARGING SCHEDULE, AS MODIFIED**

**EXAMINER'S QUESTIONS
EQ1**

I have a small number of queries, arising from my examination to date of the Council's submitted documents and the representations that have been made. I would find it helpful to have responses to the following matters.

Affordable Housing

- i) Mention is made of Policy SP2 that sets the requirement for affordable housing in new development. Since it is inappropriate for me to seek out documents that have not been formally put before me, please supply a copy of this policy and its reasoned justification.
- ii) Strutt & Parker, on behalf of CBRE Global Investors, refer to a requirement for 50% affordable housing in accordance with the draft London Plan. I believe that this Plan is now adopted. Please supply me with a copy of the policy and supporting text where this requirement is set out, and explain how this policy will impact on the borough's policy.
- iii) The council's response to this representation in HCIL2 'Statement of Representations' says that BNPPRE has now run the appraisals allowing for 50% affordable housing. I do not appear to have been provided with a copy of these appraisals. Please supply a copy with any additional comment that you may wish to make.
- iv) Also with reference to the council's response to that representation, it is stated that "BNPPRE has undertaken further analysis ... and identified that the proposed £50 per m² charge as a whole equates to between 1.25% and 0.7% of affordable housing costs, with an average of 0.91%." If this further analysis is in the documentation supplied to me, please indicate where; if not please supply it.
- v) Collective Planning's representation on behalf of Starlow Holdings Ltd has as its main strand the effect of CIL on affordable housing, and cites six schemes that have received planning permission with below-policy levels of affordable housing, taking into account viability assessments. The most recent of these permissions, judging by the date of the application, is in fact on the site immediately to the south of the representor's site: a copy of the committee report is attached to the representation. It is clear that the date of this committee meeting was some time before 4 November 2019 (2 years ago). Highlighted is the fact that on site affordable housing was agreed at 19%. However, I note from the committee report that there was a £230,000 off-site contribution. Is it possible to indicate what this contribution would amount to in terms of habitable rooms provided? Does the council have any additional comment on this part of the representation?

CIL/S106 obligations

- vi) Quod, on behalf of Tottenham Hotspur Football Club, in respect of the Tottenham Area Action Plan, refers to evidence presented at the 'Goods Yard Inquiry' stating "*Evidence presented at the Goods Yard Inquiry demonstrated a significant lack of clarity and it (is) not evident that the CIL Charging schedule nor the supporting viability work has addressed this.*" Obviously, I do not have any knowledge of this inquiry or the evidence given. I invite the council to comment on this element in the representation, in relation to social and community infrastructure and its delivery through CIL or s106, and the extent of flexibility, if any. You do not appear to have responded to this in your document HCIL2 'Statement of Representations', unless it is picked up in the statement "*The parameters of these allocations including development quantum and site-specific infrastructure requirements will be reviewed as part of the New Local Plan with viability assessment carried out to ensure that the revised allocations are deliverable.*" In relation to the New Local Plan, I assume that this is some way off being adopted – please indicate a timescale, and elaborate if you wish.

Use Classes Order

- vii) The Draft Charging Schedule of November 2019 and the Modified version of September 2021 make reference to Use Classes A1 to A5. However, as the council will know, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 made substantial changes to the Use Classes. Class A1 (shops), Class A2 (financial and professional services) and Class A3 (restaurants and cafes) were absorbed into new Class E (along with other uses). This Order came into force on 1 September 2020. I assume that it is an oversight that the references to the three old Use Classes has been retained. It seems to me that it would be appropriate to simply delete these references. Please comment.

Terrence Kemmann-Lane
Examiner
11 November 2021