
Report to Sandwell Metropolitan Borough Council

by Diana Fitzsimons MA MSc FRICS MRTPI

an Examiner appointed by the Council

Date: 16 December 2014

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT SANDWELL METROPOLITAN BOROUGH COUNCIL COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 24th July 2014

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Non-Technical Summary

This report concludes that, subject to four modifications, the Sandwell Metropolitan Borough Council draft Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the Schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

The modifications needed to meet the statutory requirements can be summarised as follows:

- Amendments to the table in the draft charging schedule to clarify the meaning of the retail and residential categories
- Increase in the scale of the map used to define the West Bromwich Strategic Centre and attached to the Schedule
- A redraft of the Regulation 123 List following consultation

The specified modifications recommended in this report do not materially alter the basis of the Council's overall approach or the appropriate balance achieved.

Introduction

1. This report contains my assessment of the Sandwell Metropolitan Borough Council's draft Community Infrastructure Levy (CIL) Charging Schedule (DCS) in terms of Section 212 of the Planning Act 2008 and the Community Infrastructure Regulations 2010 as amended 2011, 2012, 2013 and 2014. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national CIL guidance published by DCLG.
2. To comply with the relevant legislation the local Charging Authority (CA) has to submit what it considers to be a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district. The basis for the examination, which took place through written representations, is the submitted schedule of 24th July 2014 (Doc S4) which is effectively the same as the document published for public consultation on 17th April 2014.
3. The CA proposes a residential rate of £30 per sq m for developments of 1-14 units and £15 per sq m for developments of 15 or more units throughout the Borough. The proposed retail rate is £50 per sq m for development of 'retail units' (footnote stating Use Classes A1-5) in the West Bromwich Strategic Centre only and £60 per sq m for retail including supermarkets and retail warehouses (as defined in footnotes) of over 280 sq m net sales area Borough wide. A nil rate is proposed for all other uses.
4. Having reviewed all submitted documents including the Regulation 19 Statement (Doc S16 which has a Compliance Statement as an appendix) and the CA's responses to my queries, I am satisfied that the CA has complied with

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the Regulations.

Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

5. In February 2011 the Black Country Core Strategy (BCCS) was adopted and provides the spatial strategy for the districts of Dudley, Sandwell, Walsall and Wolverhampton. The Development Plan for the Borough also includes the Site Allocations and Delivery Development Plan Document (SAD DPD adopted 2012) and the West Bromwich, Smethwick and Tipton Action Area Plans (adopted in 2012, 2008 and 2008 respectively). There are a range of Supplementary Planning Documents (SPDs) including one on Planning Obligations (2009 updated 2011).
6. The BCCS, which is supported by a Core Strategy Delivery and Implementation Plan, sets out how land will be used in Sandwell up to 2026 including the requirements for residential and employment land and key areas for regeneration. It sets an overall net target for housing provision in Sandwell of 21,489 additional homes between 2006 and 2026, divided into three phases. Of this figure 13,166 are targeted to be delivered within Sandwell's identified regeneration corridors RC 8, 9, 12, 13 and 16. According to the 2012/3 Sandwell Development Plan Monitoring Report (SDPMR), taking account of net completions in Sandwell since the start of the plan period, the outstanding net housing requirement for Sandwell 2014 to 2026 is 16,376. The 2012/3 SDPMR indicates that there is sufficient land in Sandwell to meet housing growth as set out in the BCCS and there is good progress against target completions. The BCCS gives a minimum target for new affordable dwellings in Sandwell between 2006-26 of 3933 (ie 15% of gross completions) or 196 units per year.
7. The Sandwell SAD DPD was adopted in 2012 following an Examination. This guides future development in the Borough up to 2021 by providing land use allocations, designations and local policies particularly with regard to housing, employment, town centre uses, open spaces and the historic and green environment.
8. The Planning Obligations SPD states requirements for a variety of financial contributions to infrastructure – open space, education, transport, sports provision etc. In relation to affordable housing both this SPD and the BCCS's Policy HOU3 on affordable housing give flexibility on a site by site basis from the general requirement of 25% affordable housing per development over 15 houses, where the developer can prove unviability for a number of reasons which are specified in the SPD. The 2012/3 SDPMR confirms that since 2009 the Council has been using this flexible approach to planning obligations.
9. The draft Sandwell IDP 2013 (which was approved for consultation by the Cabinet of SMBC and will be re-presented to the Cabinet when finalised following this CIL Examination) is an overview of the key infrastructure required in Sandwell as a result of growth proposals in the BCCS. An extensive range of infrastructure providers was consulted and infrastructure modelling was carried out where necessary. Various sources of funding were identified

through consultation with infrastructure providers. I note that infrastructure estimates are based on a figure of an outstanding housing requirement to 2026 of 17,088 which is above that referred to in the 2012/3 SDPMR. I am satisfied that the Council clearly separated out infrastructure needed to remedy existing deficiencies from that required to meet future development requirements and those consulted did the same.

10. In the IDP the areas of education, health, open space/recreation, libraries, local transport, public transport and utilities are all calculated to be facing a funding gap, even with 'committed' and 'projected' funding taken into account. The IDP (as amended after my questioning of the Council) identifies a total future need for infrastructure to meet growth in the Borough between 2012-2026 and costs this at £533 m. Even if estimated 'committed' funding and estimated 'projected' funding to meet future needs all materialise, this still leaves an estimated funding gap of some £158 m. Taking account of the likelihood that a limited number of larger developments will still be required to make S106 contributions to substantial on-site facilities such as education and open space (para 6.6 of IDP) under the new S106 regime post April 2015, it is clear that a substantial funding gap will still exist. Even if other more generic funding sources were later added in by the Council to meet the infrastructure funding gap (such as New Homes Bonus, Regional or EU funds), I am satisfied that there would still be a substantial funding gap requiring a CIL contribution.
11. I am satisfied that the CA has clarified how it intends to operate planning obligations post April 2015 in conjunction with CIL (Doc S6). The CA has estimated CIL receipts of approximately £6.9m from 2014-2026 (Doc S4), which are significantly less than the Borough's recent average S106 receipts of £1.1 m per annum (based on a total of £6.6m between 2006-12). Whilst CIL will only make a very modest contribution towards filling the likely funding gap, I consider that the figures demonstrate the need to levy CIL.
12. A point flagged by the Council's consultants in their Viability Assessment (VA) of March 2014 (Doc S8 para 7.29) is whether or not the receipts from CIL as proposed in the DCS will be worth collecting given the nature of the local market and the administration costs involved. This is not a matter for me to examine but a decision for the Council based on the most recent estimates of likely CIL receipts and administrative costs and the allowance that 5% of CIL receipts can be used for administrative expenses associated with CIL's introduction.
13. In accordance with the CIL Regulations (as amended) the CA has provided a Regulation 123 List setting out the infrastructure projects or types that the Council intends to be wholly or partly funded by CIL, taking account of the fact that in future the use of planning obligations for infrastructure will be restricted. Although the draft list is not subject to examination, I note that it is contained within the main body of the DCS and cross referenced to its Appendix 2 and also to the IDP. I recommend that in producing its final R 123 List (potentially as a separate document from the Charging Schedule) there is greater clarity for readers, without them having to cross reference to other documents. Developers need to know exactly the relationship between future CIL and future S106/278 obligations and where each will be applicable.
14. A number of Representors also had issues with the detailed content of the

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R123 List and the Council has decided to deal with these following the Examination and then amend the final R123 List according to the outcome of further research and discussions. The Regulations state that the final list should be based on the draft list that the charging authority prepares for the examination of their DCS. Thus I consider that the final R 123 List should be formally consulted upon if there are substantial variations from the current draft list.

Economic viability evidence

15. In relation to the 2014 DCS the CA commissioned a CIL Viability Assessment (VA) dated March 2014, superseding one done in 2012. Additional residential testing was carried out by the CA and published in June 2014 in response to a representation and additional VAs relating to the proposed retail elements of the Oldbury Junction scheme were submitted in November 2014 in response to a representation.
16. The VAs take a residual valuation approach, estimating the Gross Development Value (GDV) of each development typology likely to come forward in the plan period and the development costs for that typology. The methodology derives a figure for residual land value (RLV) for each development typology and compares this with a figure for threshold land value (TLV) which is derived from market evidence. Where the RLV is higher than the TLV this is the amount from which there is potential to charge CIL. The TLV is calculated in the VAs as being 75% of market land values for each typology. According to the CA, this way of calculating TLVs is based on the conclusions of Examiners in the Mayor of London CIL Report January 2012 and the Greater Norwich Development Partnership CIL Report December 2012. This methodology was uncontested.
17. The property market across the Borough was analysed by the CA for a range of development typologies likely to come forward in the plan period in order to identify assumptions used in the VAs such as land values, sales values, rents, yields, supply and demand. Data was obtained from the Council's development monitoring, published information from the Estates Gazette, Property Link and Zoopla, actual S106 viability appraisals, Land Registry, agent and developer consultations and consultations with housing associations. These consultations were made available to those who requested it. I consider that the evidence base is extensive and meets the requirements of the legislation to use 'appropriate available evidence' in deriving CIL rates.
18. The market land values derived from the research do not take account of decontamination costs as these are factored into the calculations as a separate development cost of £75k per acre due to the brownfield nature of almost all potential development sites in the Borough. I am satisfied that this figure is reasonable given the contaminated nature of most land which will come forward in the plan period.
19. The VAs use standard assumptions on development costs such as planning and professional fees, external works, contingency, disposal costs, finance costs and developers' profit. Profit assumptions are 20% sales margin on GDV for private residential, 6% on transfer values for affordable housing and 20% profit on cost for commercial. Construction costs are derived from the Building

Cost Information Service (BCIS) and weighted to reflect the Sandwell market. Although no additions to cost were made for the Code for Sustainable Homes or BREEAM their impact on overall viability would be limited and this does not alter my conclusions below on the viability rates proposed. The site area required for each development typology is based upon development densities typical of each typology as set out in the BCCS or as recommended by the Council.

20. Residential GDV is calculated by analysing current sale values for the estimated mix and density of housing being assessed including allowances for affordable housing requirements. A heat map used in the main VA indicates only very small high value areas with variations in prices within them and with little potential for new development. For value and costs calculations in each residential VA, assumed housing densities, mix, tenure and unit size reflect plan policy and monitoring data on completions. S 106/S278 costs are allowed for at £1000 per unit. Affordable housing is allowed for in terms of its exemption from any CIL and the requirements of BCCS Policy HOU3 and the Planning Obligations SPD.
21. The CA takes a standard investment approach to valuing commercial property based on the estimated rental value for each typology, capitalised by the appropriate yield, taking into account the investment purchaser's costs. S106/S278 costs are assumed at between £25-£75 per sq metre for commercial development depending on typology.
22. The surplus shown on the calculated RLV less TLV for each development typology is divided by the amount of proposed floorspace in each typology to arrive at a maximum rate of CIL per sq m for each typology. A reduction of 70% on this maximum potentially chargeable is then applied to allow for potential changes in the market, build costs or unforeseen circumstances – so as not to make schemes unviable and deter planned development. This very significant headroom seems to me to be sensible in the Sandwell market and given that the sensitivity analysis carried out for each development typology indicate most development to be fairly sensitive to increased costs or reduced values.

Conclusion.

23. The draft Charging Schedule is supported by detailed evidence of community infrastructure needs. The methodology and evidence which has been used to inform the Charging Schedule is generally robust, proportionate and appropriate.

Is the charging rate informed by and consistent with the evidence?

CIL rates for residential development

24. The definition of 'residential' in the DCS excludes Residential Care Homes in Footnote 4 on the basis of their unviability as determined through data analysis and consultations. No separate VA was carried out. In response to a representation the CA has agreed to amend Footnote 4 to state that '*Residential development excludes Use Class C2 (Use Class C2 covers C2 residential institutions – residential care homes, hospitals, nursing homes,*

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boarding schools, residential colleges and training centres)' in order to provide clarity. I recommend that it should give a more complete description of Use Class C2. This definition will become new Footnote 5 on the Charging Schedule table. No representations were received seeking CIL exemption for sheltered housing or student housing. These typologies were not analysed and, in any event, are not critical to delivery of the BCCS.

25. The CA has analysed the BCCS housing allocations within the identified Regeneration Corridors, outside these corridors and in the West Bromwich strategic centre, alongside the BCCS's density and mix requirements and compared this with the plan monitoring data on completions to derive residential typologies for testing in both low and high value areas of the Borough - namely schemes of 1-14 dwellings at 35 dph; 50 dwellings at 60 dph, 150 units at 35-60 dph and 350 dwellings at 35-60 dph. There were only very few high value areas identified in the Borough, based on 2013 new property sales and cross checked against the average selling price of second hand properties. To the initial VAs were later added separate VAs for 15, 25 and 35 units schemes, all at 35 dph but without low and high value area testing (Doc S9).
26. Based on recent completions and consultations, in schemes below 150 dwellings it is assumed no apartments will be included and there is an assumption of mostly two and three bed houses across all schemes tested. In my view the evidence supports the assumptions of mix of density, house types, unit size, and tenure mix used for all typologies tested.
27. The VAs show development of 14 and under dwellings to have the greatest surplus for the potential charge of CIL, in both high and low value areas, largely because no affordable housing is required by the BCCS at that scale of development. The analysis indicates a proposed CIL rate of £30 per sq m for low value areas, after applying a 70% discount on the total amount per sq m assessed as available for CIL. I consider this proposed rate to be supported by the evidence for such areas. Whilst the VA shows that schemes of 1-14 dwellings in high value areas are considerably more viable and able to pay a much higher CIL, these areas are few and small scale and there is little development planned there. Taking account of the warning against unnecessary complexity in the Guidance, I concur with the CA that a borough wide charge of £30 per sq m for developments of 0-14 units schemes is justified.
28. For sites of 15 or more units the VAs make an allowance of 25% affordable housing as required by BCCS Policy HOU 3 (of which 50% socially rented at a 50% discount to market values and 50% intermediate based on a 40% discount to market values, in line with the Planning Obligations SPD and consultations). I note that the figure of 25% affordable housing is higher than the total BCCS target for affordable housing completions each year (ie 15% of total completions) as there is flexibility the BCCS policy and in the SPD on a site by site basis. It is also higher than what has been achieved per annum in Sandwell since 2009 ie 21%. Thus using a figure of 25% gives further headroom for all development typologies of 15 units or over.
29. As the affordable housing requirement becomes operative at this quantum, the 15 unit scheme is analysed in the VAs to be the least viable of the schemes

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tested above 15 units (ie 15, 25, 35, 50, 150 and 350 units schemes). The sensitivity analysis also shows a 15 unit scheme to be sensitive to small decreases in value and small increases in costs. However, with a 70% discount applied to potentially chargeable CIL as discussed above, this gives a min figure of potentially chargeable CIL of above £15 per sq m for all the residential development typologies of 15 units and more across the Borough.

30. Whilst residential development of 15 or more units in the few small high value areas in the Borough would have been viable at a higher CIL charge for the typologies analysed in that way (ie 50, 150 and 350 units), there is little development planned in these few areas. Given this and the warning in the Guidance against unnecessary complexity, in my opinion a borough wide charge of £15 per sq m for such schemes is justified.
31. In the SAD DPD a total of 200 sites are allocated for residential use up to 2021, the majority on brownfield sites to meet the BCCS target of 95% completions on brownfield sites. The CA argues that not one of these sites, which range from 10 units to 650 units in size, is a site critical to delivery of the BCCS because the overall target is so large and the BCCS has already allowed for a discount of 10-15% for sites not coming forward. I can see the logic in this approach and am satisfied that there is no need to viability test any one particular site in Sandwell, even the largest one. There is no clear or firm evidence of a residential site considered critical to the delivery of the BCCS and which will become unviable or unable to contribute its affordable housing requirement because of the proposed £15 per sq m CIL rate for schemes of 15 or more units. I note that the CA confirms that it can reduce the 25% affordable housing requirement on specific sites depending on viability and that its proposed Discretionary Relief Policy may also assist with this matter. I also note the CA's commitment to an Instalments Policy which has not been factored into any of the VAs and would improve viability for larger site developments.

Commercial rate

32. I am not convinced that the definition of retail is sufficiently clear even having read the Council's proposed changes set out in Doc C1. The term 'retail' in 'retail units' is somewhat misleading as Classes A1-A5 of the Use Classes Order, as amended, include financial and professional services, cafes, pubs and hot food bars. As there are PD rights to change from A2-4 to A1, I am satisfied that it is sensible to charge the same rate. However, it would avoid misunderstanding if these other Class A uses were set out in the footnotes too. Footnote 1 should read - Retail Units are all those within Uses Classes A1-5 as summarised below except for supermarkets/superstores and retail warehouses as defined below. Footnotes 2&3 are acceptable. A new footnote 4 should summarise Use Classes A1-A5. In the table in Appendix 1 of the DCS in the second development typology - this should be changed to read 'supermarkets/superstores and retail warehouses over 280 sq m net sales area, Borough wide'.
33. In relation to the proposed retail CIL rates a VA has been carried out for a hypothetical 'retail unit' of 280 sq m in a local/district centre in the Borough and separately for the same unit located in the BCCS Strategic Centre of West

Bromwich. Other VAs were done for a hypothetical retail warehouse of 1500 sq m and for hypothetical supermarkets/superstores of 280 sq m, 1500 sq m and 5000 sq m. These are not location specific within the Borough.

34. The results of the VA and sensitivity analysis indicate that development of a 'retail unit' of 280 sq m outside the West Bromwich Strategic Centre is unviable, with a negative residual land value. Using evidence that West Bromwich achieves higher rents and keener yields than the local/district centres, the VA shows a retail unit of 280 sq m in West Bromwich to be viable. I am satisfied that the viability evidence supports the differential charge proposed by the CA for this type of unit.
35. Retail warehouses and supermarkets/superstores of 1500 and 5000 sq m throughout the Borough are viable though all of the tested scenarios are sensitive to increased costs and lower rents especially at the smaller scale of supermarket. I accept the CA's decision to exclude supermarkets below 280 sq m from any CIL, as the tested 280 sq m supermarket was just marginally viable and very sensitive to any change in costs or values.
36. Concern was raised over the VAs' use of a rental assumption of £20 psf in the 5000 sq m supermarket/superstore VA and £18 psf in the 1500 sq m supermarket VA. I note that although the sensitivity analysis for both supermarket/superstore sizes shows that a 5% drop in values would still produce a surplus of residual land value over threshold land value, with another 5% drop in values a surplus would no longer exist. The Representor suggests a rental of £17 psf in both cases but there was no substantive evidence submitted to support this figure. I note the CA's response on the 1500 sq m retail representation contained in Appendix 2 of the Reg 19 statement (Doc S16) includes their intention to implement a policy of discretionary relief '*which will assist in this matter*'. I regard this as a commitment.
37. The Representor accepts the VA's assumed rental of £15 psf in the 1500 sq m retail warehouse VA but not the build costs nor the S106/278 assumption. Again no substantive evidence has been submitted to support alternative figures. Whilst the sensitivity analysis shows that a 5% increase in construction costs would produce a deficit of residual value over threshold land value, in my view it is reasonable for the Council to use the Sandwell adjusted BCIS cost figures as its source of information for the Borough, in the absence of robust alternative evidence.
38. In conclusion, I take the view that commercial rates in the DCS are acceptable given the CA's evidence on the sources of data used and consultations undertaken by its consultants for the variables included in these VAs, the lack of alternative substantive evidence and the 70% discount that has been applied on the indicated available surplus for CIL. Very significantly the CA has chosen to apply the CIL levy to Net Sales Area for supermarkets and retail warehouses over 280 sq m, although Gross Internal Area was used for the Viability Assessments. This was not referred to by the parties but I note that it substantially dilutes the impact of the proposed CIL levy on scheme viability.
39. In relation to the Oldbury Junction scheme I note that Oldbury is shown as a 'town centre' within Regeneration Corridor 12 in the BCCS but not one of the

Strategic Centres. The Council's uncontested evidence is that the only Sandwell Key Critical commercial site identified in the BCCS is now completed. While BCCS Policy CEN 4 includes encouragement of new convenience development in town centres, development at the Oldbury Junction is referenced only in the justification text and is not identified as critical to delivery of the plan. Reference is also made to the proposed retail/leisure scheme at Oldbury Junction in the SADDPD document (S12) but it is not described as strategic.

40. In response to the representation that the proposed CIL rate would make the Oldbury Junction scheme unviable, the Council submitted 'sense test' VAs of the retail warehouse and supermarket/superstore elements of the scheme using the only data on unit sizes that it was aware of (ie 11,152 sq m and 7,435 sq m respectively). These VAs indicate that both the retail warehouse and the supermarket/superstore elements would be able to support a CIL of £60 per sq m using the same rental, build cost and S106/278 assumptions as in the main VA. Whilst the Representor disputes the supermarket/superstore rents and retail warehouse costs used in these latest VAs, there was no substantive alternative evidence submitted to me and no alternative VA was submitted. As noted above, the CA propose to levy the CIL on Net Sales Area not Gross Internal Area (which was the basis of the VAs) and thus the impact of the proposed CIL on viability will be substantially diluted. I have not been convinced that the Oldbury Junction Scheme's retail elements, as assessed by the Council and with considerable S106/278 payments included, would be substantially at risk following the imposition of the proposed CIL rate. In any event, the scheme's development is not critical to delivery of the overall plan for the Borough.
41. I have reviewed the VAs undertaken by the CA for a 100 bed hotel, B8 warehouses of 5000 sq m and 2000 sq m GIA, a B2 industrial unit of 400 sq m GIA and B1 offices at 400 and 2000 sq m GIA and consider that the CA's conclusion to propose a nil charge for each is based on satisfactory evidence that such developments would be unviable in Sandwell.
42. The production of an instalments policy prior to the introduction of CIL is referred to in the DCS at page 3. I consider this to be an important aspect of CIL and regard this as a commitment by the CA. It will clearly make large scheme development (such as Oldbury Junction) more viable as payments will not have to be all made at commencement.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

43. The CA's decision to set a matrix of rates for residential and commercial development depending on size (and in one instance, location) is based on reasonable assumptions about development values and likely costs. The evidence suggests that residential and commercial development will remain viable across most of the Borough if the charge is applied. Only if development sales values fall below the predicted spectrum might some development in the Borough be at risk.

Conclusion

44. In setting the CIL charging rate the CA has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in Sandwell. The CA has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area. Whilst the Black Country Core Strategy is relatively up to date, the Council's intention to amend the R 123 List and draft Exemptions and Instalments policies following this examination and the consultants' advice to the Council that charging any CIL may not be worthwhile given administrative costs involved, leads me to conclude that a review of the Charging Schedule should be undertaken before three years' time. I note that Doc S25 Report to Cabinet 23 July 2014 paragraph 6.7 states that there will be an annual review.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Core Strategy and Infrastructure Delivery Plan and is supported by an adequate financial appraisal.

45. I conclude that subject to the modifications set out in Appendix A the Sandwell Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

Diana Fitzsimons

Examiner

This report is accompanied by

Appendix A

Schedule A

Modification(s) that the examiner specifies so that the Charging Schedule may be approved.

Examiner Modification Number	Rate/Figure/Column	Modification
EM1	Row 2	The development typology in Row 2 should read ' <i>Supermarkets/superstores and retail warehouses over 280 sq m Borough wide</i> '
EM2	Footnotes	<p>Footnote 1 should read '<i>Retail units include all those uses within Use Classes A1-5 as summarised below in Footnote 4 except for supermarkets/superstores and retail warehouses as defined below in Footnotes 2 and 3</i>'.</p> <p>Footnote 2 and 3 should remain the same</p> <p>A new Footnote 4 should summarise Use Classes A1-A5 ie <i>A1 shops, A2 Financial and Professional Services, A3 restaurants and cafes, A4 drinking establishments and A5 hot food takeaways.</i></p> <p>A new Footnote 5 should read '<i>Residential development excludes Use Class C2 Residential Institutions – which is use for the provision of residential accommodation and care to people in need of care, hospital, nursing home, residential school, college or training centre.</i>'</p>
EM3		A larger scale readable OS map showing the exact boundaries of the West Bromwich Strategic Centre must be attached to the schedule.
EM4	R123 List	Redraft the R 123 List as a separate document which is clear and doesn't need cross referenced to the IDP. The new R 123 List should be consulted on if there are substantial variations for the current draft list.