

**North Dorset Community Infrastructure Levy**

**Preliminary Draft Charging Schedule Consultation**

**24 July - 18 September 2015**

**Summary of representations received and responses.**

<i>Consultee ID</i>	<i>Name of Respondent</i>	<i>Summary of Representations</i>	<i>Response/Recommended action</i>
		<i>All representations must be read in full</i>	
<b>CIL100</b>	Whitecliff Group Practice	Concerned that care home developments attract zero CIL levy. These are high users of health and social care services. CIL for care homes should reflect that the development of these will increase the demand on health and social care services.	Care homes make varied use of social and health services depending on the level of care offered, which may or may not include medical care. The funding of care home residential places is not a CIL matter and social and health services are not, in themselves, infrastructure, although the provision of GP surgeries may be seen as infrastructure.
<b>CIL101</b>	Gillingham Town Council	Supports PDCS schedule.	Noted. No action required.

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

<b>CIL102</b>	Highways England	No specific comments.	No action required.
<b>CIL103</b>	B Ridout	Supports proposals.	Noted. No action required.
<b>CIL104</b>	Sturminster Newton Town Council	Takes the view that the town centre map for Sturminster Newton is out of date and no longer conforms in all respects to that part of the town's central area to which the relevant charging policy should apply.	Noted. Town centre boundaries are incorporated into the Draft PDCS as appropriate for CIL purposes.
<b>CIL105</b>	Blandford+	<ul style="list-style-type: none"> <li>• Q1 - The report relies on the Local Plan for evidence which is not up to date.</li> <li>• Q2 - Insufficient information to answer this.</li> <li>• Q3 - The Draft Regulation 123 List is impossible to comment on as the degree of flexibility does not show how the Blandford+ are will receive the appropriate amount of CIL required to fund the infrastructure needed.</li> </ul>	<ul style="list-style-type: none"> <li>• The Local Plan evidence base has been accepted at Examination as appropriate and valid.</li> <li>• No action required.</li> <li>• The Draft Regulation 123 list has been prepared in accordance with CIL Regulations and shows the categories of infrastructure which CIL will support. It is not intended that the Draft List shows the precise allocation of CIL fund to particular infrastructure projects or towns.</li> </ul>
<b>CIL106</b>	Historic England	Welcomes reference in the Draft Regulation 123 List to public realm enhancements. Benefits include helping support the delivery of the Local Plan's objectives for the historic environment.	Noted. No action required.
<b>CIL107</b>	Chapman Lily Planning Ltd	<ul style="list-style-type: none"> <li>• Viability Study prepared before changes to rent formula announced in July 2015 Budget. This results in a fall in rents they can receive and therefore the transfer values being paid. This will have greatest effect in Gillingham where differential between build costs and transfer values is narrowest.</li> </ul>	<ul style="list-style-type: none"> <li>• PBA understand that, due to a number of recent Government announcements, there are some uncertainties regarding the affordable housing sector. However, PBA consider that predicting the future revenues</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<ul style="list-style-type: none"> <li>• Supports discretionary relief in all matters, especially payment in kind as this will follow PPG that points out the time, cost and efficiency savings that become available to developers and gives more certainty over cost and deliverability.</li> <li>• Draft Regulation 123 List needs to be clarified regarding provision of infrastructure (especially schools) at Gillingham.</li> </ul>	<p>likely to be received by RP's is not only complex but, importantly, contrary to planning guidance which stresses the importance that known, current costs and values are used. PBA intend to update the costs and value assumptions in order to form an update and shall re-consult with registered providers regarding the transfer values that they are likely to receive.</p> <ul style="list-style-type: none"> <li>• Noted. No action required.</li> <li>• The Regulation 123 List is be revised and will embrace clarifications.</li> </ul>
<p><b>CIL108</b></p>	<p>Dorset County Council</p>	<ul style="list-style-type: none"> <li>• Welcomes statement in para 2.17 of consultation document regarding partnership with other agencies, including DCC.</li> <li>• Concerned that underlying policies and economic circumstances of PBA report now out of date. Should be re-worked.</li> <li>• Proposed CIL rates seem to be low when compared to neighbouring authorities where similar land values. Strategic site should be excluded from CIL.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted. No action required.</li> <li>• PBA are to review the Local Plan, and changes in Government guidance, to ensure that all policies that have a bearing on viability are correctly adopted in the update report.</li> <li>• It is understood that comparing CIL across local authorities is not always appropriate as house and land prices are not the only determinants of viability. Rather, there are other variables such as affordable housing obligations, requirement for strategic infrastructure and risk of housing delivery</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<ul style="list-style-type: none"> <li>• Clear town centre boundary maps are needed.</li> <li>• Regulation 123 List should include mention of libraries under Community Facilities.</li> </ul>	<p>that all mean that CIL rates are not able to be easily aligned.</p> <ul style="list-style-type: none"> <li>• Noted. The clarity of mapping will be addressed.</li> <li>• The Regulation 123 List is to be revised.</li> </ul>
<b>CIL109</b>	Sport England	<ul style="list-style-type: none"> <li>• Concerned that the Local Plan and IDP are not informed by an up to date evidence base for sport and recreation in North Dorset as required by para 73 of the NPPF. NDDC should commission and complete a sport and recreation evidence base and devise a strategy for delivering of sport and recreational land and buildings as required by the NPPF.</li> <li>• It may be more effective for sport and recreation provision to be funded by way of S.106 obligations rather than CIL where no specific projects are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• The NPPF says that planning policies should be based on up to date assessments of the need for open space, sport and recreational facilities. However, it does not say 'must', it is advisory. At the Local Plan Hearings the Inspector did not question the Council's policies relating to open space, recreation and sport (Policy 15 -Green Infrastructure) and raised no concerns regarding the Infrastructure Development Plan. Local demand and needs are apparent to the local communities in the District and will guide the provision of facilities, notably within the Local Plan and Neighbourhood Development Plan framework. The Draft Blandford+ Neighbourhood Development Plan sets out the town's intentions in this direction, for example.</li> <li>• The Council is actively considering this in respect of the Strategic Site Allocation at Gillingham.</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

<p><b>CIL110</b></p>	<p>Pimperne Parish Council</p>	<ul style="list-style-type: none"> <li>• Unable to answer Q1 without further information on reasoning behind draft charging schedule.</li>   <li>• Relief for low cost housing is supported in principle but much depends on the precise definition of 'low cost'.</li>   <li>• The anticipated shortfall in education funding is likely to have implications for North Dorset, particularly in Blandford and Shaftesbury where there will be a significant increase in demand to access already over-subscribed schools.</li> <li>• The variance in charges between the 3 residential areas is also likely to impact Blandford and Shaftesbury.</li> <li>• 18 villages are classed as 'high zone'- does this mean an increase in facilities is more likely or is it designed to safeguard against over-development in rural areas?</li> </ul>	<ul style="list-style-type: none"> <li>• The basis of the PDCS is the North Dorset Whole Plan Viability and CIL Study which was published in February 2015 and to which reference is made in the Consultation Document.</li> <li>Noted. Regulation 49A allows the Council to offer Discretionary Social Housing Relief for discounted open market housing – if the dwelling is sold at no more than 80% of its market value.</li> <li>• Noted. No action required.</li>   <li>• Noted. It is not clear from the response what impact is anticipated.</li> <li>• The three CIL zones are based on the viability findings set out in the North Dorset Whole Plan Viability and CIL Study. The higher order villages in the Local Plan (18 in total) fall within the higher CIL zone but that does not reflect any more or less likelihood of amenity provision in those settlements or relate to over-development. Amenity provision will depend on the amounts of CIL gathered and the distribution of those monies according of whatever protocols and arrangements the</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

			Council puts in place.
<b>CIL111</b>	Tetlow King Planning	<ul style="list-style-type: none"> <li>• Concerned that no up to date SHMA and Council has not identified a full objectively assessed Housing Need.</li> <li>• Should undertake testing on actual sites as well as types to accord with government guidance.</li> <li>• No specific integration of sustainable drainage systems in CIL viability testing.</li> <li>• Must have discretionary relief for low cost market housing as will be a rising part of housing provision.</li> <li>• Should have discretionary relief for exceptional circumstances as will be situations where need to cross-subsides low cost housing by market housing on site but CIL charge may tip the balance against.</li> </ul>	<ul style="list-style-type: none"> <li>• The 2015 SHMA has been published. The Inspector's final report on the Local Plan makes it clear that he accepts the 2012 SHMA but early review of Local Plan is required to consider the 2015 SHMA.</li> <li>• DCLG CIL guidance allows for the testing of typologies. The other typologies, whilst not actual sites per se, are a sample representative of the developments likely to be brought forward as suggested by both NDDC and through the developer workshop. Those tested for North Dorset were chosen to be appropriate and representative of the district. The testing includes the one strategic site that North Dorset District Council has identified as key to the delivery of the local plan.</li> <li>• The viability testing takes account of all relevant development factors, including build costs which embrace the overall sustainability of new homes.</li> <li>• Noted.</li> <li>• Noted.</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<ul style="list-style-type: none"> <li>• Must review tariffs once set against set timetable, such as x years or % change in house prices.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted. The Council will be considering whether or not it wishes to adopt an instalments policy. The setting of CIL charges is based on viability. The CIL charging level can be reviewed as needed to reflect changes in viability. In a changing market, caution is required in setting overly prescriptive review time periods. Viability relates to a number of factors, not only house prices. Government guidance is to the effect that charges must remain appropriate over time. Charging schedules should take account of changes in market conditions and remain relevant to the funding gap for the infrastructure needed to support the development of the area. It is also suggested that Local Plan evidence reviews could look into reviews of charging schedules.</li> </ul>
<p><b>CIL112</b></p>	<p>Brimble, Lea and Partners</p>	<ul style="list-style-type: none"> <li>• PDCS does not fairly set out what CIL charges should be.</li> <li>• CIL should be calculated to take account of some of the possible contributions that might be considered necessary to enable a development to go ahead.</li> </ul>	<ul style="list-style-type: none"> <li>• PDCS consultation document sets out proposed charges clearly in Section 4. It notes that residential use includes retirement and extra care, clearly lists non-residential uses and clearly refers to all other forms of development.</li> <li>• The proposed CIL rates have been derived from a tested model based on a widely accepted methodology which allows for the various development costs.</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<ul style="list-style-type: none"> <li>• Use of term 'very large developments' in consultation document creates uncertainty and is inappropriate. Needs to be amended to accord with NPPF.</li> </ul>	<ul style="list-style-type: none"> <li>• The expression 'very large developments' is used in the context of the levels of provision of infrastructure, within the point that in some cases high level infrastructure (such as schools and strategic highway improvements) are required as well as access roads and open spaces. It is used in a descriptive and general manner and is not used in a definitional way. The consultation response is not clear on which part(s) of the NPPF are of concern here.</li> </ul>
<p><b>CIL113</b></p>	<p>Jonathan Kamm Consultancy</p>	<ul style="list-style-type: none"> <li>• Request that the viability assessment test a number of additional flatted developments. Lack of actual case study appraisals.</li> <li>• Queries methodology used in sourcing Sales values, particularly regarding higher values within Shaftesbury and Blandford compared to Gillingham and Sturminster Newton.</li> </ul>	<ul style="list-style-type: none"> <li>• During consultation, PBA were advised that there is a strong preference for developers to supply houses, as opposed to flats, within the district. This is confirmed in Table 3.2 where it can be seen that only 3% of the dwellings completed were as flats. However, PBA will reconsider the viability of flatted developments in the update report.</li> <li>• The methodology used is set out in section 5.3 of the Viability Report. Paragraph 5.3.8 explains that the report uses three sources to gain an understanding of values in the local area (Land Registry, sales values of new properties on the market, and research with developers/agents within the area). PBA have submitted heat maps that show the average sales prices from the Land registry data used, Appendix E has a sample of the properties</li> </ul>



		<ul style="list-style-type: none"> <li>• Questions the consideration of attaining sales values, and other costs, for flatted schemes.</li> <li>• Particular concern that the sales values per square metre does not directly match the “average flat price” set out for Blandford Forum in report.</li> <li>• Criticism of para 6.2.8 that PBA “have only considered the average prices of houses”. PBA do not provide the residual land values for the typologies.</li> <li>• Flatted developments should adopt a greater difference in NIA to GIA, suggesting a figure of 15%.</li> <li>• Queries regarding town centre boundaries.</li> </ul>	<p>currently on the market (at the time of the original report) and include the minutes of their developer workshop in Appendix C. Therefore ,sales values have been sourced in a correct and transparent manner.</p> <ul style="list-style-type: none"> <li>• PBA have agreed to test a number of flatted schemes in the district when updating the costs and sales values. PBA will ensure that the assumptions for these schemes are set out in a clear manner.</li> <li>• As explained above, the sales value per square metre for flats are from a variety of sources and therefore do not directly relate to the heatmap of Figure 5.4.</li> <li>• This quote is taken out of context and refers to the process involved in setting charging zones using a heatmap rather than the methodology of arriving at sales values; which is explained in a previous section.</li> <li>• PBA have set out their methodology within the report. PBA have provided the headroom, which is the residual value minus the benchmark land value, and expressed as a figure per CIL Liable floorspace. This approach is considered appropriate when determining a figure available for CIL, rather than the residual land value</li> <li>• Town centre boundaries are incorporated into</li> </ul>
--	--	--	---

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<ul style="list-style-type: none"> <li>• Instalments could be based on the policy adopted by Christchurch and East Dorset Councils.</li> <li>• Draft Regulation 123 List does not indicate of the amounts to be collected from Business Rates and Council Tax over the plan period and details of funding from other agencies.</li> </ul>	<p>the Draft PDCS as appropriate for CIL purposes.</p> <ul style="list-style-type: none"> <li>• Noted. The Council will be considering whether or not it wishes to adopt an instalments policy.</li> <li>• The Draft Regulation 123 list has been prepared in accordance with CIL Regulations and shows the categories of infrastructure which CIL will support. There is no requirement to include estimates of income from Council Tax, Business Rates or other sources.</li> </ul>
<p><b>CIL114</b></p>	<p>Savills</p>	<ul style="list-style-type: none"> <li>• Queries many of cost assumptions made by PBA in viability appraisal, notably S.106/S.278 allowances, infrastructure costs, affordable housing percentages, affordable housing revenue, benchmark land values and developer profit.</li> <li>• Own appraisal shows that proposed CIL rates marginal in respect of SSA and that 0% appropriate .</li> <li>• S.106 details required for examination but not included in this consultation. Required to ensure that viability assessment included realistic estimates of development costs.</li> <li>• Appropriate to make all relief available and suggests instalment scheme based on that used by Chichester District Council. Should be published at an early date to allow developers to properly allow for in cashflow projections. Payment in kind not credible for SSA development as vast majority of infrastructure should be provided</li> </ul>	<ul style="list-style-type: none"> <li>• Understanding that the exact figures had not yet been clarified at the time of the report, PBA were provided with information on the likely costs regarding opening up, S106/S278 and likely CIL costs which were factored into the assessments.</li> <li>• PBA's update report will re-examine the SSA in terms of CIL liability.</li> <li>• S.106 information is not required at this stage. it will be brought forward at the appropriate time.</li> <li>• The Council will be considering an instalments policy. The availability of reliefs may be considered at a future date.</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<p>via S.106.</p> <ul style="list-style-type: none"> <li>• Draft Regulation 123 List needs to clarify projects supported by CIL and those provided via S.106 payments. Gillingham SSA should be zero rated and infrastructure supported by S.106. Many examples of this approach on large strategic sites being successful.</li> <li>• Should be public commitment to review CIL within 2-3 years of implementation.</li> </ul>	<ul style="list-style-type: none"> <li>• The Draft Regulation 123 list has been prepared in accordance with CIL Regulations and shows the categories of infrastructure which CIL will support. It is not intended that the Draft List shows the precise allocation of CIL fund to particular infrastructure projects or towns. For clarity, the List sets out exclusions which will be funded by S.106 contributions or by other means.</li> <li>• The setting of CIL charges is based on viability. The CIL charging level can be reviewed as needed to reflect changes in viability. In a changing market, caution is required in setting overly prescriptive review time periods. Government guidance is to the effect that charges must remain appropriate over time. Charging schedules should take account of changes in market conditions and remain relevant to the funding gap for the infrastructure needed to support the development of the area. It is also suggested that Local Plan evidence reviews could look into reviews of charging schedules.</li> </ul>
<p><b>CIL115</b></p>	<p>PCL Planning</p>	<ul style="list-style-type: none"> <li>• Welcomes CIL progressing alongside Local Plan.</li> <li>• Needs more clarification of anticipated S.106 requirements - not included figure for S.106 costs (except for strategic site) - needs further clarification not just saying allowed sufficient headroom.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted. No action required.</li> <li>• PBA understand that costs and values, where known, should be clearly set out in the report but also that S.106 costs differ considerably</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<ul style="list-style-type: none"> <li>• Need more clarity on S.106 requirements in Reg 123 List.</li> <li>• Should refer to 'pooling' arrangements in Reg 123 List.</li> </ul>	<p>between sites, often dependent on size, and it is therefore difficult to provide a single figure for these. PBA have taken the approach that S.106 costs are addressed at the end of the process, by setting a CIL rate lower than the headroom. The Draft Regulation 123 list has been prepared in accordance with CIL Regulations and shows the categories of infrastructure which CIL will support. It is not intended that the Draft List shows the precise allocation of CIL fund to particular infrastructure projects or towns.</p> <ul style="list-style-type: none"> <li>• The Draft Regulation 123 List sets out types of infrastructure to be supported by CIL. For clarity, the List sets out exclusions which will be funded by S.106 contributions or by other means.</li> <li>• While there is certain connectivity in that S.106 and CIL both relate to the provision of infrastructure, it would not be appropriate to refer to 'pooling' arrangements in the List since they relate to S.106 agreements rather than CIL.</li> </ul>
<b>CIL116</b>	Shaftesbury Town Council	Supportive to the proposals for the CIL.	Noted. No action required.
<b>CIL117</b>	Gladman Developments	<ul style="list-style-type: none"> <li>• All income streams should be examined when assessing funding gap, including New Homes bonus and business rates. Funding gap</li> </ul>	<ul style="list-style-type: none"> <li>• The viability evidence submitted is to be updated by PBA, to ensure that the latest</li> </ul>

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		<p>and evidence base should be up to date and clear. Must have full understanding of infrastructure costs.</p> <ul style="list-style-type: none"> <li>• Stress the importance of engaging with the local developers, and agents within the property industry, particularly from an early stage.</li>   <li>• Any relief needs to be factored into CIL viability calculations. Have to allow for CIL payments being in kind when looking at viability.</li>   <li>• Urges Council to adopt instalments policy to reduce impact of CIL on developers.</li> <li>• Would like to see the Council provide a mechanism for receiving payments in kind.</li> <li>• Must review tariffs once set.☒</li> </ul>	<p>costs and values are used.</p> <ul style="list-style-type: none"> <li>• PBA and NDDC have engaged considerably with the local development industry throughout this process. This included discussions with the local development industry when forming sales and cost values, and then presenting these assumptions at a workshop containing local agents and developers. The assessments have followed an iterative process where, following the developer workshop, PBA revised a number of the assumptions and widened the range of typologies to reflect the opinions presented by the development industry.</li> <li>• The proposed CIL rates have been derived from a tested model based on a widely accepted methodology which allows for the various development costs.</li> <li>• Noted. The Council will be considering the merits of an instalments policy . Noted. The Council may consider payments in kind at a future date.</li> <li>• Noted. The Council will be reviewing the CIL charges at appropriate intervals. The setting of CIL charges is based on viability. CIL charging level can be reviewed as needed to reflect changes in viability. In a changing</li> </ul>
--	--	---	--

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

			market, caution is required in setting overly prescriptive review time periods. Government guidance is to the effect that charges must remain appropriate over time. Charging schedules should take account of changes in market conditions and remain relevant to the funding gap for the infrastructure needed to support the development of the area. It is also suggested that Local Plan evidence reviews could look into reviews of charging schedules.
<b>CIL118</b>	Natural England	Draft Regulation 123 List does not include mitigation/avoidance measures for Poole Harbour and Dorset heathlands. These need to be included in the Draft Regulation 123 list with a clear commitment for giving priority to the necessary mitigation contributions from the CIL as is provided for in adjoining authorities.	The IDP will be amended when reviewed to include mitigation measures for Poole Harbour and included in the CIL Draft Regulation 123 List, in line with the Nitrogen Reduction in Poole Harbour SPD. The Dorset heathlands are referenced in the Regulation 123 List and mitigation measures for the Dorset heathlands will be dealt with by way of CIL and S.106 contributions from developers.
<b>CIL119</b>	Environment Agency	Supports reference in Draft Regulation 123 List to surface water and flood risk mitigation works and environmental improvement works and inclusion in document.	Noted. No action required.
<b>CIL120</b>	Theatres Trust	Supports setting of nil rate for 'all other uses' as includes sui generis (which includes theatres) which often struggle to cover costs but are essential social infrastructure for the health and cultural wellbeing of	Noted . No action required.

**Summary of responses to Preliminary Draft Charging Schedule consultation**

**APPENDIX A**

		the local community.	
<b>CIL121</b>	PCL Planning	<ul style="list-style-type: none"> <li>• Welcomes CIL progressing alongside Local Plan.</li> <li>• Needs more clarification of anticipated S.106 requirements - not included figure for S.106 costs (except for strategic site) - needs further clarification not just saying allowed sufficient headroom.</li>   <li>• Need more clarity on S.106 requirements in Reg 123 List.</li>   <li>• Should refer to 'pooling' arrangements in Reg 123 List.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted. No action required.</li> <li>• PBA understand that costs and values, where known, should be clearly set out in the report but also that S.106 costs differ considerably between sites, often dependent on size, and it is therefore difficult to provide a single figure for these. PBA have taken the approach that S.106 costs are addressed at the end of the process, by setting a CIL rate lower than the headroom. The Draft Regulation 123 list has been prepared in accordance with CIL Regulations and shows the categories of infrastructure which CIL will support. It is not intended that the Draft List shows the precise allocation of CIL fund to particular infrastructure projects or towns.</li> <li>• The Draft Regulation 123 List sets out types of infrastructure to be supported by CIL. For clarity, the List sets out exclusions which will be funded by S.106 contributions or by other means.</li> <li>• While there is certain connectivity in that S.106 and CIL both relate to the provision of infrastructure, it would not be appropriate to refer to 'pooling' arrangements in the List since they relate to S.106 agreements rather</li> </ul>

			than CIL.
--	--	--	-----------