

Christchurch and East Dorset Community Infrastructure Levy
Revised Draft Charging Schedules for Christchurch and East Dorset
RESPONSE FORM

Your Details

Agent's Details

(please *only* complete if you are using an agent)

Title		Mr
Full Name		Jonathan Kamm
Job Title		Partner
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Question 1: Do you wish to be heard in support of your representations at the Public Examination of the Draft Charging Schedule?

Please note that the Inspector will decide if a public hearing session is required as part of the examination process. You may choose to request to appear at a public hearing to clarify your comments, but you must communicate this to the Council before the close of the consultation. If you do not wish to be heard at the examination, your written representations will carry the same weight as those made by respondents who appear and are heard in support of their representations.

No, I do not wish to participate at the oral examination:

Yes, I wish to participate at the oral examination:

Question 2: Which amendment reference number does your representation relate to?

RDCS 11 -12-13-14-15-16-17

Question 3: Please add your comments on this amendment. Please set out any relevant evidence to support your view.

Clemdell's objection to the variable and interchangeable rates that can apply to sites of less than 10 units/1000 sqm remains.

The Charging Authorities' reasoning for retaining this uncertainty is set out in the Officer Comments column of the "Responses to the Revised Preliminary Draft Charging Schedules Consultation" thusly:

"It is considered that the government's response to appeal the decision to quash the NPPG paragraphs in respect of affordable housing on developments of less than 10 is clear evidence of their intention to continue with such a policy approach as soon as possible, and in an unchanged format."

That should be set against the NPPG ID 25-020-20140612 that: *"A charging authority should take development costs into account when setting its levy rate or rates.... Development costs include costs arising from **existing** regulatory requirements,"* (my emphasis)

Thus anticipating a very particular change in policy is, per se, contrary to national policy. Further that change is isolated from the original policy which included tariff costs so that the Charging Authorities amendment would apply a higher rate on "small" developments even if tariffs remained on such sites. That underlines the purpose of NPPG ID 25-020-20140612 – the regulatory requirements may not be the same if the regulatory environment changes. For example "small" sites could be exempted from affordable housing but required to provide Starter Homes, the exemption may apply to sites of less than five, etc – in all cases the higher rate of CIL would be applied in addition to existing regulatory requirements.

All that is offered in the Officer Comments is: *"If the government do introduce an alternative threshold or other requirement in relation to affordable housing provision, the Councils will consider the need for a review at that time."* This provides only for uncertainty and is an inversion of national policy. The Charging Authorities should consider the need for a review when, and if, the affordable housing requirement changes – which may or may not be a return to an exemption for 10 units – and take account of all existing regulatory requirements at that time. Affordable Housing is just one of those requirements – it cannot be taken in isolation.

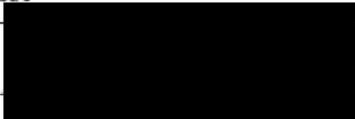
At a minimum there must be a policy obligation for a review when the national regulatory requirements change not simply a subjective consideration. RDCS17 is quite clear in setting out the indicators for a review and this does not include the government introducing *"an alternative threshold or other requirement in relation to affordable housing provision,"* or any trigger whereby "small" sites carrying a burden of regulatory requirements plus the higher rate of CIL are not coming forward. Further there is no indicator for a review where the national regulatory regime changes – for example through the current NPPF and CIL reviews – which changes the interaction of small site delivery and regulatory requirements such as CIL.

Please indicate if you wish to be notified of any of the following:

- That the Revised Draft Charging Schedules have been submitted to the examiner in accordance with Section 212 of the Planning Act 2008
- The publication of the recommendations of the examiner and the reasons for those recommendations
- The approval of the Charging Schedules by the charging authorities

Please sign and date:

Signature:

 Jonathan Kamm

Date:

08 01 2016

Please send completed forms by the end of **Friday 8th January 2016** to:
**Planning Policy, Christchurch Borough Council, Civic Offices, Bridge Street,
Christchurch, Dorset, BH23 1AZ**

Or, alternatively email them to planningpolicy@christchurchandeastdorset.gov.uk

Please note: Comments cannot be treated as confidential and therefore by responding, you are agreeing to your information being disclosed to third parties.

All comments made must be supported by your full name and address. Comments will be published on the Council's website along with your full name.

Data Protection (Please tick the relevant boxes)

I/we understand that Christchurch Borough Council / East Dorset District Council will use the information that I/we have provided for the purpose of the Community Infrastructure Levy. I/we consent to Christchurch Borough Council / East Dorset District Council disclosing my/our information to third parties for this purpose.

I understand that I/we have the right to ask for a copy of the information held about me/us and which is subject of Data Protection Act 1998 (for which Christchurch Borough Council / East Dorset District Council may make a charge) and to correct any inaccuracies in my/our information.

Data Protection Act 1998: Any information provided will be treated in strict confidence and will be held on and processed by computer.