



Community Infrastructure Levy

Responses to the Revised Preliminary Draft Charging Schedules Consultation
(11th September to 9th October 2015)



Prepared by Christchurch Borough Council and
East Dorset District Council

November 2015

Community Infrastructure Levy

Responses to the Revised Preliminary Draft Charging Schedule Consultation (11th September to 9th October 2015)

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
779551	Mr B Pliskin, Clemdell Limited/Etchtree Limited	Mr Jonathan Kamm, Town Planning Consultant (359272)	RPD 1	CIL-RPD2	<p>The substantive change proposed in these Modifications is (as noted at RPD1) a response to the current uncertainty resulting from the High Court Challenge by Reading and West Berkshire Councils. The Government has now obtained leave to appeal that decision.</p> <p>Part of the High Court result was to delete the Vacant Buildings Credit and this should be referenced in the Modifications.</p> <p>In RPD1 it is stated that “the Councils need to undertake a Partial Review of the Charging Rates for residential development of less than 40 dwellings which do not provide an on-site SANG”. This is supported and there should be a commitment that this is carried out at the earliest opportunity.</p>	<p>Regarding the Vacant Buildings Credit, this has not been previously referred to in the Charging Schedules for Christchurch and East Dorset. It is a policy approach set through the national Planning Practice Guidance, and so does not need to be repeated at the local level.</p> <p>In addition to this, the Peter Brett viability work assessed the full Core Strategy affordable housing policy requirements. . Therefore the deletion of the Vacant Buildings Credit from national policy, or its possible future re-insertion does not affect the viability of the CIL charging schedules.</p> <p>It is agreed that the partial review process should be completed as soon as practicable to provide certainty to the Councils’ approach to CIL.</p>
779551	Mr B Pliskin, Clemdell Limited/Etchtree Limited	Mr Jonathan Kamm, Town Planning Consultant (359272)	RPD 3	CIL-RPD3	<p>RPD3 proposes an Examination in Public in March 2016. This is welcomed. In preparation there should be a rewording of RPD13 and RPD15 “if there is a legislative change or change in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level” imposing £150 psm, to make it clear that there will be a fine-grained review of the charging rates. That partial Review should take place before £150 psm, or any other and more appropriate rate, is proposed and respond to the actual detail of the government’s change in</p>	<p>This representation – relating to RPD3, 11, 13 and 15 states that a partial review of the £150 rate should only take place once the government have formally made the change in policy. This is to reflect the fact that a different rate may be appropriate if a new policy suggests a different threshold, etc.</p> <p>Whilst this concern is noted, it is considered</p>

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>policy. That will then be subject to the Examination in March, properly recognising the reserved position stated in RPD11.</p>	<p>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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, it is accepted that to provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p> <p>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.</p>
507536	South West HARP Planning Consortium	Mr Sean Lewis, Assistant Planner Tetlow King Planning (903658)	RPD 10	CIL- RPD12	<p>We represent the South West HARP Planning Consortium which includes all the leading Housing Association Registered Providers (HARPs) across the South West. Our clients' principal concern is to optimise the provision of affordable housing and to ensure the evolution and preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the region. As significant developers and investors in local people, HARPs are well placed to contribute to local plan objectives and act as long term partners in the community.</p> <p>Overarching Comments</p>	<p>The support of the intention to mitigate against any future introduction of revised affordable housing thresholds is noted.</p>

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>As outlined in the Revised Preliminary Draft Charging Schedule (PDCS), the High Court judgement in <i>West Berkshire DC & Reading BC v Department for Communities and Local Government</i> (Case No: CO/76/2015, 31st July 2015) has meant that Paragraphs 012-023 of the online Planning Practice Guidance have now been removed with immediate effect. The threshold was initially introduced by the Coalition Government to encourage smaller house builders build more homes and make a higher return. However, this was detrimental to the future delivery of affordable housing, and impacted upon Registered Providers ability to build more affordable homes. The timing of this High Court decision is unfortunate for Christchurch and East Dorset.</p> <p>We support the intention of the PDCS to mitigate against any introduction of a new affordable housing threshold by the Government through the use of an additional charge if, as set out in the PDCS, <i>“there is a legislative change or change in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level”</i> .</p>	
779551	Mr B Pliskin, Clemdell Limited/Etchtree Limited	Mr Jonathan Kamm, Town Planning Consultant (359272)	RPD 11	CIL-RPD4	<p>The Charging Authorities state (at RPD11) that they “wish to reserve their position on the CIL Charge for differential scales of residential development pending the outcome of possible national planning policy or guidance changes in respect of affordable housing provision on small scale developments.”. However this appears to be contradicted by RPD13 and RPD15 which, in identical terms, indicate that CIL will be applied irrespective of the detail of a change to national guidance. This could result in, for an example, a national policy limiting no affordable housing to schemes of less than 5 units – the Modifications could then apply for example £150 psm to schemes of 6 to 10 units which would also be subject to affordable housing. Prima facie, the Modifications could render a substantive sector of the proposed housing mix unviable at a stroke.</p> <p>RPD3 proposes an Examination in Public in March 2016. This is welcomed. In preparation there should be a rewording of RPD13</p>	<p>This representation – relating to RPD3, 11, 13 and 15 states that a partial review of the £150 rate should only take place once the government have formally made the change in policy. This is to reflect the fact that a different rate may be appropriate if a new policy suggests a different threshold, etc.</p> <p>Whilst this concern is noted, 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.</p> <p>Maintaining the £150 rate is therefore a</p>

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment								
					and RPD15 “if there is a legislative change or change in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level” imposing £150 psm, to make it clear that there will be a fine-grained review of the charging rates. That Partial Review should take place before £150 psm, or any other and more appropriate rate, is proposed and respond to the actual detail of the government’s change in policy. That will then be subject to the Examination in March, properly recognising the reserved position stated in RPD11.	<p>logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, it is accepted that to provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p> <p>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.</p>								
931684	Mr Tim Hoskinson, Associate Director, Savills Ltd		RPD 12	CIL-RPD8	<p>Having reviewed the RPDCS, we note that the Councils are proposing to introduce the following CIL rates within their respective Charging Schedules:</p> <p>Table 1 – Christchurch Revised Residential CIL Rates</p> <table border="1"> <thead> <tr> <th>Development Type</th> <th>CIL Rate (£psm)</th> </tr> </thead> <tbody> <tr> <td>Residential development (other than New Neighbourhoods or sites providing on-site SANG)</td> <td>£70</td> </tr> <tr> <td>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</td> <td>£150</td> </tr> <tr> <td>Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space</td> <td>£0</td> </tr> </tbody> </table>	Development Type	CIL Rate (£psm)	Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70	Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150	Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space	£0	<p>This representation relates equally to proposed amendments RPD12, 13, 14 & 15 in the schedule. It raises concerns that the proposed approach of the differential rates for residential relating to affordable housing provision may not be lawful or within the spirit of the CIL regulations / guidance.</p> <p>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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, the Councils do consider that to</p>
Development Type	CIL Rate (£psm)													
Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70													
Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150													
Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space	£0													

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment		
					<p>(SANG) as mitigation for European sites:</p> <ul style="list-style-type: none"> • Roeshot Hill / Christchurch Urban Extension (CN1) – 950 dwellings • Land South of Burton Village (CN2) – 45 dwellings <table border="1"> <tr> <td>Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority</td> <td>£0</td> </tr> </table> <p>In Savills opinion, the proposed CIL rates appear to be an attempt by the Councils to effectively reserve their position in case there are future, hereto unknown, legislative changes. The revised residential CIL rates therefore revert back to the previously proposed flat residential rate of £70 psm for development on non-strategic sites, with a 'fall-back' rate of £150 psm that would only be applicable if there is a legislative change or national guidance on affordable housing requirements for small sites.</p> <p>We have a number of concerns with this proposed approach, notably whether it is lawful or within the spirit of the Regulations and applicable Statutory CIL Guidance, which are set out in greater detail below.</p> <p>Differential CIL Rates</p> <p>Under the CIL Regulations 2010 (as amended) and the supporting guidance outlined in the National Planning Policy Guidance (NPPG), Charging Authorities are able to introduce</p>	Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0	<p>provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p> <p>The representation also makes reference to the existing review mechanism available through the CIL regulations. Whilst this is appropriate if a wholly new rate is proposed which may also require fresh viability evidence, in this instance the Councils are proposing a rate which – accompanied by the return of a defined threshold – would only be used in a specific circumstance, and one that has already been tested through examination and found to be sound.</p> <p>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.</p>
Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0							

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>differential CIL rates:</p> <p><i>“The regulations allow charging authorities to apply differential rates in a flexible way, to help ensure the viability of development is not put at risk. Differences in rates need to be justified by reference to the economic viability of development. Differential rates should not be used as a means to deliver policy objectives.</i></p> <p><i>Differential rates may be appropriate in relation to -</i></p> <ul style="list-style-type: none"> • <i>geographical zones within the charging authority’s boundary</i> • <i>types of development; and/or</i> • <i>scales of development .”2</i> <p>This clearly states that Charging Authorities are able to introduce differential CIL rates where they are based on one of the three basis above and they are supported by viability evidence. Based on this, we do not therefore believe that the Councils’ proposed CIL rates applicable for <i>“ Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level) ”</i> will meet the clear tests outlined in the CIL Regulations. Neither the Regulations or Guidance outlines an ability for a Charging Authority to set a CIL rate based on presumptions over future changes to law or policy.</p> <p>Current Policy Requirements</p> <p>In addition to the above, it should be noted that the NPPG requires Charging Authorities to take into account current policy requirements:</p> <p><i>“A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper</i></p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p><i>assessment of viability in an area.</i></p> <p><i>Development costs include costs arising from existing regulatory requirements, and any policies on planning obligations in the relevant Plan, such as policies on affordable housing and identified site-specific requirements for strategic sites.”</i></p> <p>This is in-line with the National Planning Policy Framework (NPPF), which refers to the “cumulative impacts”³ of standards and policies relating to the economic impact of these policies (such as affordable housing) and that these should not put the implementation of the plan at serious risk. Existing policy requirements should therefore be considered when assessing the impact of CIL on development viability.</p> <p>We therefore believe it is inappropriate to consider potential future changes to policy requirements (such as affordable housing) in setting CIL rates. Doing so would set a precedent of uncertainty, and introduce a potentially endless list of potential scenarios, which would undermine any form of objective analysis of a CIL Charging Schedule at Examination.</p> <p>Review Mechanism</p> <p>Under the CIL Regulations 2010 (as amended), a Charging Authority is able to undertake a review of the Charging Schedule in order to amend the implemented CIL rates⁴. We would therefore suggest that the Councils have suitable flexibility under the CIL Regulations to revise their CIL Rates accordingly in the event that national policy requirements change.</p> <p>Conclusion</p> <p>For the reasons set out above, we strongly object to the proposed amendments to the residential CIL rates in the Councils’ respective RPDCS. In particular, the fact that the proposed changes:</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>i) Do not meet the grounds for differential rates as set out in the NPPG;</p> <p>ii) Are not based on current policy requirements and attempt to fix the viability impact of unknown future changes to affordable housing policy; and</p> <p>iii) Unnecessary given the flexibility afforded Charging Authorities within the CIL Regulations to review their Charging Schedules.</p> <p>We therefore strongly urge the Councils to remove the proposed CIL rate linked to future changes in policy requirements, as we do not believe that they meet the tests outlined in the CIL Regulations or NPPG.</p>	
779551	Mr B Pliskin, Clemdell Limited/Etchtree Limited	Mr Jonathan Kamm, Town Planning Consultant (359272)	RPD 13	CIL-RPD6	<p>The Charging Authorities state (at RPD11) that they “wish to reserve their position on the CIL Charge for differential scales of residential development pending the outcome of possible national planning policy or guidance changes in respect of affordable housing provision on small scale developments.”. However this appears to be contradicted by RPD13 and RPD15 which, in identical terms, indicate that CIL will be applied irrespective of the detail of a change to national guidance. This could result in, for an example, a national policy limiting no affordable housing to schemes of less than 5 units – the Modifications could then apply for example £150 psm to schemes of 6 to 10 units which would also be subject to affordable housing. Prima facie, the Modifications could render a substantive sector of the proposed housing mix unviable at a stroke.</p> <p>RPD3 proposes an Examination in Public in March 2016. This is welcomed. In preparation there should be a rewording of RPD13 and RPD15 “if there is a legislative change or change in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level” imposing £150 psm, to make it clear that there will be a fine-grained review of the charging rates. That Partial Review should take place before</p>	<p>This representation – relating to RPD3, 11, 13 and 15 states that a partial review of the £150 rate should only take place once the government have formally made the change in policy. This is to reflect the fact that a different rate may be appropriate if a new policy suggests a different threshold, etc.</p> <p>Whilst this concern is noted, 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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, it is accepted that to provide</p>

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment								
					£150 psm, or any other and more appropriate rate, is proposed and respond to the actual detail of the government's change in policy. That will then be subject to the Examination in March, properly recognising the reserved position stated in RPD11.	<p>certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p> <p>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.</p>								
931684	Mr Tim Hoskinson, Associate Director, Savills Ltd		RPD 13	CIL-RPD9	<p>Having reviewed the RPDCS, we note that the Councils are proposing to introduce the following CIL rates within their respective Charging Schedules:</p> <p>Table 1 – Christchurch Revised Residential CIL Rates</p> <table border="1"> <thead> <tr> <th>Development Type</th> <th>CIL Rate (£psm)</th> </tr> </thead> <tbody> <tr> <td>Residential development (other than New Neighbourhoods or sites providing on-site SANG)</td> <td>£70</td> </tr> <tr> <td>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</td> <td>£150</td> </tr> <tr> <td>Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites: • Roeshot Hill / Christchurch</td> <td>£0</td> </tr> </tbody> </table>	Development Type	CIL Rate (£psm)	Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70	Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150	Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites: • Roeshot Hill / Christchurch	£0	<p>This representation relates equally to proposed amendments RPD12, 13, 14 & 15 in the schedule. It raises concerns that the proposed approach of the differential rates for residential relating to affordable housing provision may not be lawful or within the spirit of the CIL regulations / guidance.</p> <p>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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, the Councils do consider that to provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the</p>
Development Type	CIL Rate (£psm)													
Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70													
Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150													
Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites: • Roeshot Hill / Christchurch	£0													

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment						
					<table border="1"> <tr> <td>Urban Extension (CN1) – 950 dwellings</td> <td></td> </tr> <tr> <td>• Land South of Burton Village (CN2) – 45 dwellings</td> <td></td> </tr> <tr> <td>Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority</td> <td>£0</td> </tr> </table> <p>In Savills opinion, the proposed CIL rates appear to be an attempt by the Councils to effectively reserve their position in case there are future, hereto unknown, legislative changes. The revised residential CIL rates therefore revert back to the previously proposed flat residential rate of £70 psm for development on non-strategic sites, with a 'fall-back' rate of £150 psm that would only be applicable if there is a legislative change or national guidance on affordable housing requirements for small sites.</p> <p>We have a number of concerns with this proposed approach, notably whether it is lawful or within the spirit of the Regulations and applicable Statutory CIL Guidance, which are set out in greater detail below.</p> <p>Differential CIL Rates</p> <p>Under the CIL Regulations 2010 (as amended) and the supporting guidance outlined in the National Planning Policy Guidance (NPPG), Charging Authorities are able to introduce differential CIL rates:</p> <p><i>“The regulations allow charging authorities to apply differential rates in a flexible way, to help ensure the viability of development is not put at risk. Differences in rates need to be justified by reference to the economic viability of development. Differential rates should not be used as a means to deliver policy objectives.</i></p>	Urban Extension (CN1) – 950 dwellings		• Land South of Burton Village (CN2) – 45 dwellings		Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0	<p>examination of the charging schedule earlier in 2015.</p> <p>The representation also makes reference to the existing review mechanism available through the CIL regulations. Whilst this is appropriate if a wholly new rate is proposed which may also require fresh viability evidence, in this instance the Councils are proposing a rate which – accompanied by the return of a defined threshold – would only be used in a specific circumstance, and one that has already been tested through examination and found to be sound.</p> <p>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.</p>
Urban Extension (CN1) – 950 dwellings												
• Land South of Burton Village (CN2) – 45 dwellings												
Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0											

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p><i>Differential rates may be appropriate in relation to -</i></p> <ul style="list-style-type: none"> • <i>geographical zones within the charging authority's boundary</i> • <i>types of development; and/or</i> • <i>scales of development .”2</i> <p>This clearly states that Charging Authorities are able to introduce differential CIL rates where they are based on one of the three basis above and they are supported by viability evidence. Based on this, we do not therefore believe that the Councils' proposed CIL rates applicable for “ <i>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</i> ” will meet the clear tests outlined in the CIL Regulations. Neither the Regulations or Guidance outlines an ability for a Charging Authority to set a CIL rate based on presumptions over future changes to law or policy.</p> <p>Current Policy Requirements</p> <p>In addition to the above, it should be noted that the NPPG requires Charging Authorities to take into account current policy requirements:</p> <p><i>“A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper assessment of viability in an area.</i></p> <p><i>Development costs include costs arising from existing regulatory requirements, and any policies on planning obligations in the relevant Plan, such as policies on affordable housing and identified site-specific requirements for strategic sites.”</i></p> <p>This is in-line with the National Planning Policy Framework</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>(NPPF), which refers to the “cumulative impacts”³ of standards and policies relating to the economic impact of these policies (such as affordable housing) and that these should not put the implementation of the plan at serious risk. Existing policy requirements should therefore be considered when assessing the impact of CIL on development viability.</p> <p>We therefore believe it is inappropriate to consider potential future changes to policy requirements (such as affordable housing) in setting CIL rates. Doing so would set a precedent of uncertainty, and introduce a potentially endless list of potential scenarios, which would undermine any form of objective analysis of a CIL Charging Schedule at Examination.</p> <p>Review Mechanism</p> <p>Under the CIL Regulations 2010 (as amended), a Charging Authority is able to undertake a review of the Charging Schedule in order to amend the implemented CIL rates⁴. We would therefore suggest that the Councils have suitable flexibility under the CIL Regulations to revise their CIL Rates accordingly in the event that national policy requirements change.</p> <p>Conclusion</p> <p>For the reasons set out above, we strongly object to the proposed amendments to the residential CIL rates in the Councils’ respective RPDCS. In particular, the fact that the proposed changes:</p> <ul style="list-style-type: none"> i) Do not meet the grounds for differential rates as set out in the NPPG; ii) Are not based on current policy requirements and attempt to fix the viability impact of unknown future changes to affordable housing policy; and 	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment												
					<p>iii) Unnecessary given the flexibility afforded Charging Authorities within the CIL Regulations to review their Charging Schedules.</p> <p>We therefore strongly urge the Councils to remove the proposed CIL rate linked to future changes in policy requirements, as we do not believe that they meet the tests outlined in the CIL Regulations or NPPG.</p>													
931684	Mr Tim Hoskinson, Associate Director, Savills Ltd		RPD 14	CIL-RPD10	<p>Having reviewed the RPDCS, we note that the Councils are proposing to introduce the following CIL rates within their respective Charging Schedules:</p> <p>Table 2 – East Dorset Revised Residential CIL Rates</p> <table border="1"> <thead> <tr> <th>Development Type</th> <th>CIL Rate (£psm)</th> </tr> </thead> <tbody> <tr> <td>Residential development (other than New Neighbourhoods or sites providing on-site SANG)</td> <td>£70</td> </tr> <tr> <td>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</td> <td>£150</td> </tr> <tr> <td>Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites:</td> <td>£0</td> </tr> <tr> <th>Development Type</th> <th>CIL Rate (£psm)</th> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table> <p>• Cuthbury Allotments and St Margaret's Hill (WMC5) - 220</p>	Development Type	CIL Rate (£psm)	Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70	Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150	Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites:	£0	Development Type	CIL Rate (£psm)			<p>This representation relates equally to proposed amendments RPD12, 13, 14 & 15 in the schedule. It raises concerns that the proposed approach of the differential rates for residential relating to affordable housing provision may not be lawful or within the spirit of the CIL regulations / guidance.</p> <p>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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, the Councils do consider that to provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p>
Development Type	CIL Rate (£psm)																	
Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70																	
Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150																	
Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites:	£0																	
Development Type	CIL Rate (£psm)																	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment		
					<p>dwelling</p> <ul style="list-style-type: none"> • Cranborne Road, North Wimborne (WMC6) - 600 dwellings • South of Leigh Road (WMC8) - 350 dwellings • Lockyers School and land North of Corfe Mullen (CM1) - 250 dwellings • Holmwood House New Neighbourhood (FWP3) - 150 dwellings • East of New Road, West Parley (FWP6) - 320 dwellings • West of New Road, West Parley (FWP7) - 150 dwellings • North Western Verwood New Neighbourhood (VTSW4) - 230 dwellings • North Eastern Verwood New Neighbourhood (VTSW5) - 65 • Stone Lane, Wimborne (WMC6) - 90 dwellings <table border="1" data-bbox="808 1091 1576 1219"> <tr> <td>Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority</td> <td>£0</td> </tr> </table> <p>In Savills opinion, the proposed CIL rates appear to be an attempt by the Councils to effectively reserve their position in case there are future, hereto unknown, legislative changes. The revised residential CIL rates therefore revert back to the</p>	Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0	<p>The representation also makes reference to the existing review mechanism available through the CIL regulations. Whilst this is appropriate if a wholly new rate is proposed which may also require fresh viability evidence, in this instance the Councils are proposing a rate which – accompanied by the return of a defined threshold – would only be used in a specific circumstance, and one that has already been tested through examination and found to be sound.</p> <p>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.</p>
Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0							

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>previously proposed flat residential rate of £70 psm for development on non-strategic sites, with a 'fall-back' rate of £150 psm that would only be applicable if there is a legislative change or national guidance on affordable housing requirements for small sites.</p> <p>We have a number of concerns with this proposed approach, notably whether it is lawful or within the spirit of the Regulations and applicable Statutory CIL Guidance, which are set out in greater detail below.</p> <p>Differential CIL Rates</p> <p>Under the CIL Regulations 2010 (as amended) and the supporting guidance outlined in the National Planning Policy Guidance (NPPG), Charging Authorities are able to introduce differential CIL rates:</p> <p><i>"The regulations allow charging authorities to apply differential rates in a flexible way, to help ensure the viability of development is not put at risk. Differences in rates need to be justified by reference to the economic viability of development. Differential rates should not be used as a means to deliver policy objectives.</i></p> <p><i>Differential rates may be appropriate in relation to -</i></p> <ul style="list-style-type: none"> • <i>geographical zones within the charging authority's boundary</i> • <i>types of development; and/or</i> • <i>scales of development ."</i>2 <p>This clearly states that Charging Authorities are able to introduce differential CIL rates where they are based on one of the three basis above and they are supported by viability evidence. Based on this, we do not therefore believe that the</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>Councils' proposed CIL rates applicable for “ <i>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</i> ” will meet the clear tests outlined in the CIL Regulations. Neither the Regulations or Guidance outlines an ability for a Charging Authority to set a CIL rate based on presumptions over future changes to law or policy.</p> <p>Current Policy Requirements</p> <p>In addition to the above, it should be noted that the NPPG requires Charging Authorities to take into account current policy requirements:</p> <p><i>A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper assessment of viability in an area.</i></p> <p><i>Development costs include costs arising from existing regulatory requirements, and any policies on planning obligations in the relevant Plan, such as policies on affordable housing and identified site-specific requirements for strategic sites.”</i></p> <p>This is in-line with the National Planning Policy Framework (NPPF), which refers to the “cumulative impacts”³ of standards and policies relating to the economic impact of these policies (such as affordable housing) and that these should not put the implementation of the plan at serious risk. Existing policy requirements should therefore be considered when assessing the impact of CIL on development viability.</p> <p>In Savills opinion, the proposed CIL rates appear to be an attempt by the Councils to effectively reserve their position in case there are future, hereto unknown, legislative changes. The</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>revised residential CIL rates therefore revert back to the previously proposed flat residential rate of £70 psm for development on non-strategic sites, with a 'fall-back' rate of £150 psm that would only be applicable if there is a legislative change or national guidance on affordable housing requirements for small sites.</p> <p>We have a number of concerns with this proposed approach, notably whether it is lawful or within the spirit of the Regulations and applicable Statutory CIL Guidance, which are set out in greater detail below.</p> <p>Differential CIL Rates</p> <p>Under the CIL Regulations 2010 (as amended) and the supporting guidance outlined in the National Planning Policy Guidance (NPPG), Charging Authorities are able to introduce differential CIL rates:</p> <p><i>"The regulations allow charging authorities to apply differential rates in a flexible way, to help ensure the viability of development is not put at risk. Differences in rates need to be justified by reference to the economic viability of development. Differential rates should not be used as a means to deliver policy objectives.</i></p> <p><i>Differential rates may be appropriate in relation to -</i></p> <ul style="list-style-type: none"> • <i>geographical zones within the charging authority's boundary</i> • <i>types of development; and/or</i> • <i>scales of development ."</i>2 <p>This clearly states that Charging Authorities are able to introduce differential CIL rates where they are based on one of the three basis above and they are supported by viability</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>evidence. Based on this, we do not therefore believe that the Councils' proposed CIL rates applicable for " <i>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</i> " will meet the clear tests outlined in the CIL Regulations. Neither the Regulations or Guidance outlines an ability for a Charging Authority to set a CIL rate based on presumptions over future changes to law or policy.</p> <p>Current Policy Requirements</p> <p>In addition to the above, it should be noted that the NPPG requires Charging Authorities to take into account current policy requirements:</p> <p><i>"A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper assessment of viability in an area.</i></p> <p><i>Development costs include costs arising from existing regulatory requirements, and any policies on planning obligations in the relevant Plan, such as policies on affordable housing and identified site-specific requirements for strategic sites."</i></p> <p>This is in-line with the National Planning Policy Framework (NPPF), which refers to the "cumulative impacts"³ of standards and policies relating to the economic impact of these policies (such as affordable housing) and that these should not put the implementation of the plan at serious risk. Existing policy requirements should therefore be considered when assessing the impact of CIL on development viability.</p> <p>We therefore believe it is inappropriate to consider potential future changes to policy requirements (such as affordable</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>housing) in setting CIL rates. Doing so would set a precedent of uncertainty, and introduce a potentially endless list of potential scenarios, which would undermine any form of objective analysis of a CIL Charging Schedule at Examination.</p> <p>Review Mechanism</p> <p>Under the CIL Regulations 2010 (as amended), a Charging Authority is able to undertake a review of the Charging Schedule in order to amend the implemented CIL rates⁴. We would therefore suggest that the Councils have suitable flexibility under the CIL Regulations to revise their CIL Rates accordingly in the event that national policy requirements change.</p> <p>Conclusion</p> <p>For the reasons set out above, we strongly object to the proposed amendments to the residential CIL rates in the Councils' respective RPDCS. In particular, the fact that the proposed changes:</p> <ul style="list-style-type: none"> i) Do not meet the grounds for differential rates as set out in the NPPG; ii) Are not based on current policy requirements and attempt to fix the viability impact of unknown future changes to affordable housing policy; and iii) Unnecessary given the flexibility afforded Charging Authorities within the CIL Regulations to review their Charging Schedules. <p>We therefore strongly urge the Councils to remove the proposed CIL rate linked to future changes in policy requirements, as we do not believe that they meet the tests outlined in the CIL Regulations or NPPG.</p>	
779551	Mr B Pliskin,	Mr	RPD 15	CIL-	The Charging Authorities state (at RPD11) that they "wish to	This representation – relating to RPD3, 11, 13

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
	Clemdell Limited/Etchtree Limited	Jonathan Kamm, Town Planning Consultant (359272)		RPD7	<p>reserve their position on the CIL Charge for differential scales of residential development pending the outcome of possible national planning policy or guidance changes in respect of affordable housing provision on small scale developments.”. However this appears to be contradicted by RPD13 and RPD15 which, in identical terms, indicate that CIL will be applied irrespective of the detail of a change to national guidance. This could result in, for an example, a national policy limiting no affordable housing to schemes of less than 5 units – the Modifications could then apply for example £150 psm to schemes of 6 to 10 units which would also be subject to affordable housing. Prima facie, the Modifications could render a substantive sector of the proposed housing mix unviable at a stroke.</p> <p>RPD3 proposes an Examination in Public in March 2016. This is welcomed. In preparation there should be a rewording of RPD13 and RPD15 “if there is a legislative change or change in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level” imposing £150 psm, to make it clear that there will be a fine-grained review of the charging rates. That Partial Review should take place before £150 psm, or any other and more appropriate rate, is proposed and respond to the actual detail of the government’s change in policy. That will then be subject to the Examination in March, properly recognising the reserved position stated in RPD11.</p>	<p>and 15 states that a partial review of the £150 rate should only take place once the government have formally made the change in policy. This is to reflect the fact that a different rate may be appropriate if a new policy suggests a different threshold, etc.</p> <p>Whilst this concern is noted, 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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, it is accepted that to provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p> <p>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.</p>
931684	Mr Tim Hoskinson, Associate Director, Savills Ltd		RPD 15	CIL-RPD11	Having reviewed the RPDCS, we note that the Councils are proposing to introduce the following CIL rates within their respective Charging Schedules:	This representation relates equally to proposed amendments RPD12, 13, 14 & 15 in the schedule. It raises concerns that the proposed approach of the differential rates for residential relating to affordable housing

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment										
					<p>Table 2 – East Dorset Revised Residential CIL Rates</p> <table border="1"> <thead> <tr> <th>Development Type</th> <th>CIL Rate (£psm)</th> </tr> </thead> <tbody> <tr> <td>Residential development (other than New Neighbourhoods or sites providing on-site SANG)</td> <td>£70</td> </tr> <tr> <td>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</td> <td>£150</td> </tr> <tr> <td>Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites:</td> <td>£0</td> </tr> <tr> <th>Development Type</th> <th>CIL Rate (£psm)</th> </tr> </tbody> </table> <ul style="list-style-type: none"> • Cuthbury Allotments and St Margaret's Hill (WMC5) - 220 dwellings • Cranborne Road, North Wimborne (WMC6) - 600 dwellings • South of Leigh Road (WMC8) - 350 dwellings • Lockyers School and land North of Corfe Mullen (CM1) - 250 	Development Type	CIL Rate (£psm)	Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70	Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150	Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites:	£0	Development Type	CIL Rate (£psm)	<p>provision may not be lawful or within the spirit of the CIL regulations / guidance.</p> <p>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.</p> <p>Maintaining the £150 rate is therefore a logical approach to address the anticipated change in policy approach without delay, which will enable the delivery of key infrastructure to support the Local Plan. However, the Councils do consider that to provide certainty to developers there needs to be a defined threshold, so it is proposed by the Councils to re-introduce the threshold of 10 units – a rate and threshold based on robust evidence and found sound in the examination of the charging schedule earlier in 2015.</p> <p>The representation also makes reference to the existing review mechanism available through the CIL regulations. Whilst this is appropriate if a wholly new rate is proposed which may also require fresh viability evidence, in this instance the Councils are proposing a rate which – accompanied by the return of a defined threshold – would only be used in a specific circumstance, and one that has already been tested through examination and found to be sound.</p> <p>If the government do introduce an alternative</p>
Development Type	CIL Rate (£psm)															
Residential development (other than New Neighbourhoods or sites providing on-site SANG)	£70															
Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)	£150															
Residential on the following New Neighbourhood sites (allocated in the Core Strategy) which provide their own Suitable Natural Alternative Green Space (SANG) as mitigation for European sites:	£0															
Development Type	CIL Rate (£psm)															

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment		
					<p>dwelling</p> <ul style="list-style-type: none"> • Holmwood House New Neighbourhood (FWP3) - 150 dwellings • East of New Road, West Parley (FWP6) - 320 dwellings • West of New Road, West Parley (FWP7) - 150 dwellings • North Western Verwood New Neighbourhood (VTSW4) - 230 dwellings • North Eastern Verwood New Neighbourhood (VTSW5) - 65 • Stone Lane, Wimborne (WMC6) - 90 dwellings <table border="1" data-bbox="808 847 1579 975"> <tr> <td data-bbox="808 847 1211 975">Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority</td> <td data-bbox="1216 847 1579 975">£0</td> </tr> </table>	Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0	<p>threshold or other requirement in relation to affordable housing provision, the Councils will consider the need for a review at that time.</p>
Residential on sites of 40 or more dwellings where on-site SANG is required by the Local Planning Authority	£0							
					<p>In Savills opinion, the proposed CIL rates appear to be an attempt by the Councils to effectively reserve their position in case there are future, hereto unknown, legislative changes. The revised residential CIL rates therefore revert back to the previously proposed flat residential rate of £70 psm for development on non-strategic sites, with a 'fall-back' rate of £150 psm that would only be applicable if there is a legislative change or national guidance on affordable housing requirements for small sites.</p>			

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>We have a number of concerns with this proposed approach, notably whether it is lawful or within the spirit of the Regulations and applicable Statutory CIL Guidance, which are set out in greater detail below.</p> <p>Differential CIL Rates</p> <p>Under the CIL Regulations 2010 (as amended) and the supporting guidance outlined in the National Planning Policy Guidance (NPPG), Charging Authorities are able to introduce differential CIL rates:</p> <p><i>“The regulations allow charging authorities to apply differential rates in a flexible way, to help ensure the viability of development is not put at risk. Differences in rates need to be justified by reference to the economic viability of development. Differential rates should not be used as a means to deliver policy objectives.</i></p> <p><i>Differential rates may be appropriate in relation to -</i></p> <ul style="list-style-type: none"> • <i>geographical zones within the charging authority’s boundary</i> • <i>types of development; and/or</i> • <i>scales of development .”2</i> <p>This clearly states that Charging Authorities are able to introduce differential CIL rates where they are based on one of the three basis above and they are supported by viability evidence. Based on this, we do not therefore believe that the Councils’ proposed CIL rates applicable for “ <i>Residential (only applicable if there is a legislative change or changed in national guidance requiring no affordable housing provision relating to small-scale schemes set at a national level)</i> ” will meet the clear tests outlined in the CIL Regulations. Neither the Regulations or Guidance outlines an ability for a Charging Authority to set a CIL rate based on</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>presumptions over future changes to law or policy.</p> <p>Current Policy Requirements</p> <p>In addition to the above, it should be noted that the NPPG requires Charging Authorities to take into account current policy requirements:</p> <p><i>“A charging authority should take development costs into account when setting its levy rate or rates, particularly those likely to be incurred on strategic sites or brownfield land. A realistic understanding of costs is essential to the proper assessment of viability in an area.</i></p> <p><i>Development costs include costs arising from existing regulatory requirements, and any policies on planning obligations in the relevant Plan, such as policies on affordable housing and identified site-specific requirements for strategic sites.”</i></p> <p>This is in-line with the National Planning Policy Framework (NPPF), which refers to the “cumulative impacts”³ of standards and policies relating to the economic impact of these policies (such as affordable housing) and that these should not put the implementation of the plan at serious risk. Existing policy requirements should therefore be considered when assessing the impact of CIL on development viability</p> <p>We therefore believe it is inappropriate to consider potential future changes to policy requirements (such as affordable housing) in setting CIL rates. Doing so would set a precedent of uncertainty, and introduce a potentially endless list of potential scenarios, which would undermine any form of objective analysis of a CIL Charging Schedule at Examination.</p> <p>Review Mechanism</p> <p>Under the CIL Regulations 2010 (as amended), a Charging</p>	

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>Authority is able to undertake a review of the Charging Schedule in order to amend the implemented CIL rates⁴. We would therefore suggest that the Councils have suitable flexibility under the CIL Regulations to revise their CIL Rates accordingly in the event that national policy requirements change.</p> <p>Conclusion</p> <p>For the reasons set out above, we strongly object to the proposed amendments to the residential CIL rates in the Councils' respective RPDCS. In particular, the fact that the proposed changes:</p> <p>i) Do not meet the grounds for differential rates as set out in the NPPG;</p> <p>ii) Are not based on current policy requirements and attempt to fix the viability impact of unknown future changes to affordable housing policy; and</p> <p>iii) Unnecessary given the flexibility afforded Charging Authorities within the CIL Regulations to review their Charging Schedules.</p> <p>We therefore strongly urge the Councils to remove the proposed CIL rate linked to future changes in policy requirements, as we do not believe that they meet the tests outlined in the CIL Regulations or NPPG.</p>	
507536	South West HARP Planning Consortium	Mr Sean Lewis, Assistant Planner Tetlow King Planning (903658)	RPD 16	CIL-RPD13	<p>Paragraph 6.2 of the PDCS highlights a number of indicators that inform the requirement for a review of the Community Infrastructure Levy (CIL). The first criterion is unclear; it implies that a CIL review will be undertaken if housing delivery falls below 20% of expected delivery figures, which is a very low level of housing delivery. We expect that this is not how the Councils intend this to be applied in practice; therefore we propose a</p>	<p>These comments fall outside of the scope of this partial review of the Charging Schedule. However it is accepted they represent factual clarifications, so it is proposed to amend the wording as follows:</p> <p><i>The Councils will use the following indicators</i></p>

Person ID	Organisation Details	Agent Details	Number	ID	Comments on this modification number	Officer Comment
					<p>change in the wording, as below:</p> <p><i>“Housing delivery <u>falls by</u> 20% of expected figures at the end of any 3 year rolling programme...”</i></p> <p>We also recommend the third requirement incorporates a caveat of how far property prices (and maybe buildings costs) should change in order to initiate a review of the Levy, as house prices fluctuate monthly. This may be most suitable through an appropriately calculated percentage increase and decrease in prices and costs.</p>	<p>to inform the requirement for a review:</p> <ol style="list-style-type: none"> 1. Housing delivery falls below by 20% of expected figures at the end of any 3 year rolling programme or rises more than the 20% above. 2. Infrastructure funding gap falls below the projected level of funding that would be generated by new development from CIL. 3. Average property price changes (including upturn in the market), <u>that lead to a significant impact on development viability</u> 4. Changes in delivery times of major schemes to be funded in part by CIL.