

Huntingdonshire Community Infrastructure Levy - Preliminary Draft Charging Schedule

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
<p>Martin Page D H Barford &amp; Co</p>	<p><a href="#">CIL- PD135</a></p>		<p>I was on holiday when the forum meeting was held on the 5th September and therefore was unable to attend. However, there is a point that I understand emerged from the meeting where your clarification will be helpful.</p> <p>Currently the Council requires developers to meet the infrastructure contributions for social housing, such as education improvements and MTTs, in addition to providing serviced land. I appreciate the CIL arrangements do not apply to social housing, but I understand it was indicated at the meeting that the Council may seek social housing infrastructure contributions through Section 106 agreements. This would be outside of the CIL arrangements and the recent public consultation exercise, however it would have an impact on the level of CIL charge that is affordable and is not included within the assumptions made by Drivers Jonas Deloitte in paragraph 3.4 of their viability testing document.</p> <p>To illustrate the potential impact, a development of 20 units (each with a typical floor area of 92 sqm) comprising 12 market units would generate a CIL contribution of £11,400. However, if the Council intends to secure the same level of contributions for the social units through S106 agreements the infrastructure costs for the development would increase to £184,000. This would factor back to a cost of £167 per sqm on the market units and would be beyond the bearable cost identified by Drivers Jonas Deloitte.</p> <p>The CIL payments will represent a significant increase in development costs that will impact on sites coming forward. In the circumstances I consider the council must clarify its intention with regard to social housing infrastructure costs and if there are proposals this must be assessed with the levy and factored into the assessment prepared by Drivers Jonas Deloitte in the viability testing.</p> <p>It is acknowledged the CIL costs will effectively have to be borne by the landowner, but with the prolonged economic downturn there is increasing caution amongst developers and values have dropped further since 2010. We consider the CIL arrangements will only further frustrate the delivery of housing growth in the district, particularly when paragraphs 4.4 and 4.5 of the Drivers Jonas Deloitte viability report conclude the proposed CIL level of £100 per sqm is not viable on town centre sites where redevelopment values with the CIL levy will be unlikely to exceed current use values and this will be the same for brownfield employment sites. Clarification that you acknowledge this is the case will be helpful. Also given this statement I presume some of the SHLAA sites will need to be removed.</p>	<p>Noted.</p> <p>The guidance in the Preliminary Draft Charging Schedule and the Draft Developer Contributions clearly states when contributions will be required. A mixed development infrastructure needs is considered in its entirety now and will continue to be the case for large scale major sites once CIL has been adopted.</p>

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			<p>In light of the above I consider any intention to secure infrastructure contributions for social housing and the proposed CIL charges is inextricably linked, and the Council must clarify its intentions.</p> <p>I would be grateful to know what you think will happen.</p>	
Simon Pickstone Peterborough City Council	<a href="#">CIL-PD1</a>		Peterborough City Council would like to thank you for providing an opportunity to comment on this document. We do not have any fundamental issues with the proposals contained within this document at this stage. However, we would like to seek reassurance that Huntingdonshire District Council is satisfied that its limited number of sites (2 only) used to assess development viability for B-class development in the Drivers Jonas Deloitte Viability Testing Report (Sites E1 & E2) are suitably representative of all B-class development types across the District? This issue relates to your 'set consultation question' 6 (Appendix 1).	Noted. The viability assessments have been undertaken in accordance with the Regulations and guidance taking a strategic view. It is considered that the testing on the B class development is representative of viability across the District.
Janet Innes-Clarke Brampton Parish Council	<a href="#">CIL-PD14</a>		General: This could be difficult to decide if the project is 106 or CIL – potential conflict	Noted. The Infrastructure List clearly defines between S106 and CIL. The publication of the CIL Regulation 123 list following adoption will further support this.
Janet Innes-Clarke Brampton Parish Council	<a href="#">CIL-PD15</a>		The village with the disruption and inconvenience of the new development should still have a majority of the money	Noted The 'meaningful proportion' will be consulted on by government later this year. With regard to the potential redevelopment of RAF Brampton – this is defined as a 'large scale major' development area where developer contributions will be a combination of CIL and S106.
Rose Freeman The Theatres Trust	<a href="#">CIL-PD16</a>		We have no comment to make on the draft charging schedule but note that new cultural facilities will receive contributions for infrastructure requirements through Core Strategy Policy CS10 which is cited on page 4.	Noted.
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD32</a>		Further work is needed between Officers to address the point of how CIL monies will be split between the County, District and other service providers. A clear statement as to how the CIL monies will be split needs to be agreed prior to the CIL Charging Schedule consultation programmed for this autumn.	Noted. The District Council has worked closely with the County Council on this matter from the outset of the CIL Pilot project, and will continue to do so. The distribution of CIL revenues does not form part of the Charging Schedule. However, this is being worked on with partners, including CCC.
Janet Nuttall Natural England	<a href="#">CIL-PD37</a>		<p>Natural England is the Government agency that works to conserve and enhance biodiversity and landscapes, promote access to the natural environment, and contribute to the way natural resources are managed so that they can be enjoyed now and by future generations.</p> <p>The approach seems reasonable and in line with relevant legislation,</p>	Noted. HDC has been involved in the preparation of the Cambridgeshire Green Infrastructure Strategy  The ANGST standards are aspirational. Realistic levels must be considered in line with the three statutory tests.

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			<p>therefore Natural England does not wish to offer any further substantive comments in respect of the Community Infrastructure Levy rate.</p> <p>Natural England is pleased to see the inclusion of strategic green infrastructure and biodiversity enhancement / mitigation provision within the document.</p> <p>We offer the following comments in relation to Natural England's ANGST (Accessible Natural Green Space standards), in respect of development opportunities and in order to ameliorate issues of deprivation to access to open/green spaces, which can be as a result of cumulative development:</p> <p>Natural England believes that local authorities should consider the provision of natural areas as part of a balanced policy to ensure that local communities have access to an appropriate mix of green-spaces providing for a range of recreational needs, of at least 2 hectares of accessible natural green-space per 1,000 population. This can be broken down by the following system:</p> <p>Everyone should live within 300 metres of an area of accessible natural green-space of at least 2 hectares ;</p> <p>There should be at least one accessible 20 hectare site within 2 kilometres;</p> <p>There should be one accessible 100 hectares site within 5 kilometres;</p> <p>There should be one accessible 500 hectares site within 10 kilometres.</p> <p>In order to identify deficiencies and opportunities in relation to local green infrastructure provision, we would recommend that you consult Natural England's Cambridgeshire and Peterborough ANGSt Analysis 2011 and the revised Cambridgeshire Green Infrastructure Strategy 2011.</p> <p>Natural England notes that this is the preliminary draft charging schedule; we would be interested in being consulted on any further iterations.</p>	
Tim Slater, 3D Planning for Persimmon Homes (East Midlands) Ltd	<a href="#">CIL-PD51</a>		<p>Persimmon Homes (EM) accepts that the Government is committed to the implementation of CIL throughout the country and that the current consultation from HDC is a reaction to this.</p> <p>It remains a deep concern that the implementation of CIL in conjunction with the revised S106 regime is intended to secure a greater proportion of funding from new development and that in the current fragile</p>	<p>Noted. Regulations are clear that CIL balances economic viability with development implementation. It is a process that will provide a clear and fair approach to development throughout Huntingdonshire.</p> <p>The Government desire to implement CIL has been known</p>

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			<p>housing and development market this will inevitably have an adverse impact on the delivery of new development. The current consultations in relation to both CIL and the S106 / Developer Contributions DPD have to be considered together for a major house builder as it is the collective impact that will influence development decisions and strategy.</p> <p>It is Persimmons view that the additional costs contained within the consultation drafts for CIL and S106 are likely to deter land owners and developers from bringing new land and development forward. This implication is apparently at odds with the wider stated aim of Government to stimulate housing development in particular to provide an increased rate of delivery.</p> <p>CIL abandons the fundamental and established link between the impacts of the development proposed and the planning contributions sought, and this is considered deeply regrettable. It is clear that money collected through CIL can be spent on developments and projects that have no direct relationship to the project that provides the funding in geographic or practical terms.</p> <p>It is welcomed that affordable homes will be zero rated for CIL and this approach is considered sensible as these properties are largely delivered by developers through S106 process anyway.</p> <p>It is in principle welcomed that CIL will be chargeable on all new development, as previously the S106 process placed a disproportionate burden of S106 /development finance upon major developments, with minor developments not contributing.</p> <p>It is considered that the CIL rate set for new housing is excessive (at £100 per sqm) is too high and that this will in conjunction with the S106 that will be necessary of the majority of major housing sites, will raise viability issues and hamper the delivery of new housing which is contrary to the strategic aims of both the Government and HDC.</p> <p>Critically it is considered that neither the CIL document nor the Developer contributions document explain with certainty how the 2 systems will work in parallel. It is evident that this will not simplify the system of negotiation on S106 as on major site these will continue to be necessary but the viability issue will remain as a significant proportion of 'development value ' will have been taken through CIL.</p> <p>The lack of geographic control over where CIL will be spent has the potential for developers double paying for infrastructure as CIL is intended to fund this but cannot be guaranteed that the infrastructure needs for a client's site will be provided through CIL and as such this will be sought / secured through the S106 process. In principle this is</p>	<p>about since 2008 and clarified by the 2010 Regulations and, as such, there has already been considerable time for the potential impact of such a levy to be considered. The viability assessments have considered the current economic climate.</p> <p>The residential levy rate proposal has been based on viability assessment undertaken by independent professionals commissioned to assist by HDC and has taken into account S106 impacts and affordable housing. All assessments have taken into account payment as set out in the 2010 Regulations ensuring that the total levy is paid before the end of the first year. HDC has made it clear that following the Amendment Regulations 2011, a payments policy will be developed that will provide equal or further time to pay, which would have a positive impact on viability. For large scale major developments phasing provides a further viability benefit and through the negotiation process payment schedules will be agreed.</p> <p>The control of CIL expenditure is not part of the remit of the Preliminary Draft Charging Schedule. The development specific infrastructure for large scale major developments will continue to be met through S106 Agreements and so ensure infrastructure needs for a site will be met. CIL will still be required to be paid as well as S106 contributions on eligible development.</p>

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			<p>considered to be wrong, and in practice this will accentuate the concerns over viability and delivery.</p> <p>I trust that this sets out the key concerns in relation to the CIL document on behalf of Persimmon Homes EM. Fundamentally the increased costs contained within the CIL and the £100 per sqm rate will make it more difficult to deliver the housing and development sought by Government.</p>	
<p>Mark White Homes and Communities Agency</p>	<p><a href="#">CIL-PD56</a></p>		<p>This is the response from the Homes &amp; Communities Agency (HCA) to the above consultation. The HCA is a government agency; working with our local partners, we use our skills and investment in housing and regeneration to meet the needs of local communities; creating new affordable homes and thriving places. The statutory objects of the Agency as set out in the Housing and Regeneration Act 2008 are to:</p> <ul style="list-style-type: none"> <li>• improve the supply and quality of housing in England;</li> <li>• secure the regeneration or development of land and infrastructure in England;</li> <li>• support in other ways the creation, regeneration or development of communities in England or their continued well-being; and</li> <li>• contribute to the achievement of sustainable development and good design in England, with a view to meeting the needs of people living in England.</li> </ul> <p>The HCA has not been formally invited to comment on this document, but wishes to comment as follows:</p> <p>The HCA notes that the draft DPD states that Huntingdonshire District Council (HDC) have tested the viability of development in Huntingdonshire as part of the development of the Preliminary Draft Community Infrastructure Levy Charging Schedule. The HCA notes that this is based on the 2011 report produced for HDC by Drivers Jonas Deloitte.</p> <p>The HCA notes that this document states that:</p> <p>“Until Affordable Rent can be written into policy, or a work around is created, we have to assume that Residential Providers will deliver affordable housing in line with local policy”</p> <p>The document goes on to state that:</p> <p>“We have made the following generic assumptions with regard to all of our residential appraisals:</p>	<p>Noted. The Charging Schedule is not a DPD.</p> <p>The view was taken that, despite the fact that national planning policy may now allow for Affordable Rent, unless HDC policies were revised to allow it in lieu of, or in addition to, Social Rent, then development coming forward would still be required to meet local policy ie Social Rent.</p> <p>Affordable Rent is acknowledged in the Viability Report. HDC Policy is for affordable housing to be supplied at a 70/30 split. Following the publication of PPS3, HDC is in the process of reviewing policy in line with Affordable Rent. However, to ensure viability was correctly considered, AH levels at current policy was undertaken. If Affordable Rent had been used this could be seen to improve viability. This does not impact on the matter of adhering to PPS3 requirements and meets the necessary PPS 12 requirements.</p> <p>There may need to be further policy clarifications on this matter in line with emerging planning reforms (e.g. localism and the NPPF), but viability is not likely to be unduly affected.</p>

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			<p>40% Affordable Housing – split 70/30 social and intermediate rented;”</p> <p>The HCA is therefore concerned that this draft DPD does not give sufficient weight to national policy in the form of the Technical Changes to Annex B PPS3 – Affordable Housing Definition; this change is referred to in the Drivers Jonas Deloitte report but not the DPD itself.</p> <p>The HCA would point out that under the new policy, developers can legitimately offer Affordable Rent rather than Social Rent. Furthermore it will be the case that for a local authority to insist on Social Rent they will be offered a reduced number of affordable dwellings compared to that provided through Affordable Rent given the increase in value and improved viability of the scheme to the developer resulting from offering Affordable Rent dwellings as part of the development’s affordable housing provision.</p> <p>The HCA would also wish to point out that basing Community Infrastructure Levy Charging Policy on a study that does not give proper consideration to the new national policy will result in other problems in relation to the delivery of affordable housing through these contributions; local authorities should be aware that if new Social Rent units were to be owned and managed by housing associations, some may be reluctant to do so given that their business plans have been restructured to Affordable Rent debts and repayments. There may also be banking covenant issues for housing associations in taking on new Social Rent units.</p> <p>These delivery issues may have wider impacts on the delivery of infrastructure required to support these developments.</p> <p>The HCA is therefore concerned that this Draft DPD may fail to meet the test of soundness outlined in Planning Policy Statement 12 Local Spatial Planning (PPS12) in regard to the requirement for the document to be justified by a robust and credible evidence base and for it to be consistent with national policy, given that the evidence base for this policy does not fully take into account national policy or the impact this will have on viability locally.</p>	
Philip Raiswell Sport England	<a href="#">CIL-PD65</a>		<p>Thank you for consulting Sport England on the above consultation document. Sport England is the Government agency responsible for delivering the Government’s sporting objectives. Maximising the investment into sport and recreation through the land use planning system is one of our national and regional priorities. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields and a non statutory consultee on planning applications proposing major housing development.</p>	<p>Support welcomed.</p> <p>Under the proposals green space land will continue to be agreed through S106 but the capital cost of outdoor facilities will fall under CIL except for large scale major sites.</p>

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			<p>Sport England welcome the Council undertaking the Community Infrastructure Levy – Preliminary Draft Charging Schedule in order to secure contributions for infrastructure that is or will be needed as a result of new development.</p> <p>♣ 2 Policy Background – Supporting Documents - Policy CS 10 Contributions to Infrastructure Requirements</p> <p>Firstly, we support the Council’s recognition that open space and recreation (including leisure and sports facilities) should be included in the list of infrastructure that may require contributions.</p> <p>♣ Reviewing the Infrastructure Projects Suitable for CIL</p> <p>Under the heading ‘S106 Development Specific (Non-CIL funded) infrastructure’ development specific provision of formal green space land is identified. As only outdoor sports facilities are included within this we object to this as if only development covered by S106 Development Specific Infrastructure comes forward there may be a lack of contributions collected towards the provision of indoor sports facilities.</p> <p>We would therefore recommend that indoor sports facilities are covered by S106 Development Specific Infrastructure arrangements.</p>	
Alan Williams Houghton and Wyton Parish Council	<a href="#">CIL-PD67</a>		I may be wrong (!), but my reading is that HDC will collect CIL with no mechanism to transfer funds to other levels of government e.g. to the county council for schools and highways. Parish Councils should also receive a share; I suggest a fixed proportion and my suggested level would be 10%	Noted The mechanism through which Parish and Town Councils may benefit from development related CIL receipts is known as the ‘meaningful proportion’. This is currently under consultation from DCLG, and the consultation will close on 30 <sup>st</sup> December 2011.
Tom Gilbert- Woodridge English Heritage	<a href="#">CIL-PD68</a>		<p>Thank you for consulting English Heritage on the above document. We have not considered the document in detail, but note that the district council are looking to use CIL for strategic infrastructure rather than local infrastructure. We hope that developer contributions for the historic environment can still be obtained through Section 106 agreements. This could include improvements to open space and public realm, possibly linked to a Heritage Lottery Fund scheme and/or green infrastructure work, as well as archaeological investigations, access and interpretation schemes and the restoration of buildings and other heritage assets.</p> <p>In relation to CIL, it is possible that strategic infrastructure improvements within the district could include the historic environment, such as historic bridges or schools as well as historic landscapes and green spaces, and we hope that such assets can be preserved and enhanced wherever possible. Furthermore, ‘in kind’ payments,</p>	<p>Welcome comments.</p> <p>Public realm matters are covered with the Developer Contributions SPD along with archaeological investigations and a number of other related matters.</p> <p>Consideration of the historic environment is noted and always considered.</p>

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			including land transfers (Paragraph 52 of the CIL Overview, November 2010) could include the transfer of a listed building at risk into different ownership as a move towards safeguarding such buildings.	
Nairn Davidson Luminus Group	<a href="#">CIL-PD69</a>		<p>In principle we have no issue with the idea of CIL and it is helpful to see a transparent approach to District wide priorities. The key to making CIL work will be the overlap between s106 ( or lack of it ). Equally the methodology of how the viability of a site will be assessed if the developer cannot afford the contributions has yet to be fleshed out. It is vital that this is applied uniformly at a time when sites are struggling to make any profit. If this isn't recognised, supply will continue to dry up. With regard to the evidence base at 2.17 we are concerned at the deliverability of this and therefore infrastructure expected could take considerably longer than expected. We would query whether section 2.21 has taken account of changes to benefit levels and what this could mean to household sizes. Section 3.13 talks only about affordable housing being delivered via a s106 when in fact a number will be delivered from exception sites. We feel that the average assumption in section 4.11 is too high as most sites will be 1-3 beds. Under section 4 it is unclear when payment is due although it mentions demand notices to be issued on commencement. This will be extremely difficult for developers to fund and should be on first occupation. We believe section 4.13 requiring tenants to be party to an agreement is unworkable. We would question in section 4.15 why contributions should be linked to build cost inflation. The developer will only see an increase in value if sales inflation exceeds build inflation. Regarding section 4.16, developers are already paying for planning. 5% is unreasonable as it takes no more time to manage a large site to a small site, and any late payments are charged interest anyway. We would query in section 4.26 why 3 Dragons is not being used to test viability as it is in London. Regarding section 4.28, the comment that an application will need to wait is not sensible as interest costs alone will ensure that it becomes less viable, not more so, as low house price increases and high build cost increases become ever diminishing.</p>	<p>Welcome comments.</p> <p>Viability assessments have considered full policy needs with regards affordable housing and S106 requirements. CIL is mandatory, except where exemptions apply or in very rare cases exceptional circumstances are granted. Any viability issues raised by a developer will need to be considered on other contributions to the CIL. This would depend on the specifics of the site.</p> <p>Infrastructure costs are considerable but it has never been the government's intention for CIL to be <u>the</u> funder of infrastructure. Prioritisation will need to take place as part of the governance arrangements – this falls outside the remit of the Charging Schedule. The level of CIL has been based on sound viability assessments.</p> <p>Some of the comments in this representation relate to the Developer Contributions SPD consultation, and are considered in a separate document.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD70</a>		<p>We represent Connolly Homes Plc David Wilson Estates and the Masters, Chancellors and Scholars of the University of Cambridge. Our client's principle concerns are to deliver the majority part of St Neots East urban extension and to ensure the evolution and preparation of consistent policy documents.</p> <p>Our representations take into account both the CIL Regulations 2010 and the CIL Amendment Regulations 2011.</p> <p>We do not object, per se, to the concept of CIL however we do not consider the evidence presented to support the proposed charging schedule is sufficiently robust to ensure that the levy will not inhibit proper development and impact on scheme viability. The need for a</p>	<p>Support of CIL noted.</p> <p>The evidence presented to support the Preliminary Draft Charging Schedule is considered appropriately robust.</p>

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			robust evidence base is made clear in the Drivers Jonas Deloitte report 'Viability Testing of Community Infrastructure Levy Charges' of 2011 ("DJD Report") at paragraph 1.12.	
Colin Brown, Januarys for The Fairfield Partnership	<a href="#">CIL-PD43</a>		It is going to be crucial to ensure that there is no double counting in terms of CIL payments relative to any Section 106 payments. This is stated in various places in the document but it is important that S106 is not used to have a second "bite of the cherry" where substantial levies are being collected under CIL.	Noted. Infrastructure is clearly defined between S106 and CIL. The publication of the Regulation 123 list following adoption will further support this.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD88</a>		NEW HOMES BONUS  The approach does not acknowledge the importance of the New Homes Bonus which is intended to sit alongside the planning system to help deliver the vision and objective of the community and the spatial strategy for the area. The Bonus is intended to assist with issues such as service provision and infrastructure delivery. The publication of the Scheme Grant Determination 2011/2012 confirms that Huntingdonshire will receive £831,677. It is not clear to what extent this bonus has been factored into the Infrastructure funding and hence would affect requirements being put forward for the CIL. Newark and Sherwood has included this bonus towards its infrastructure deficit.	Noted. The New Homes Bonus is not likely to form part of infrastructure funding in Huntingdonshire. It is for the District Council to decide where and how any such bonus will be subsequently spent.

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Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL- PD110</a>		<p>In light of our comments above we do not consider that the Council's draft Charging Schedule is appropriate at this time. Further consideration needs to be given to the impact that the suggested levels of contribution would make upon schemes. We do not consider that the work undertaken to date is sufficient to enable the Council to accurately assess the impact upon the viability of commercial schemes.</p> <p>We would therefore request that we are informed of the subsequent phases undertaken as part of this process. In accordance with the guidance on responding to the Draft Charging Schedule, we wish to be notified when the draft schedule has been submitted to the examiner. In making these representations we also confirm that we would welcome an invitation to be heard by the examiner appointed to conduct the public examination of the draft charging schedule. It of course remains open to us to bring forward detailed evidence to the examination in public in due course.</p>	<p>Comments noted. The evidence presented to support the Preliminary Draft Charging Schedule is considered appropriately robust. The District Council is in no doubt that the the Draft Charging schedule is appropriate at this time.</p> <p>Request to be kept informed noted.</p> <p>Request to be heard by the examiner noted.</p>
Ramune Mimiene Brampton Parish Council	<a href="#">CIL- PD127</a>		<p>New Homes Bonus</p> <p>Will local communities be encouraged to supplement Cil and S106 payments with this bonus which is intended to "ensure the economic benefits of growth are more visible within the local area," ... "and in particular the neighbourhoods most affected by housing growth "</p>	<p>Noted. The New Homes Bonus is not likely to form part of infrastructure funding in Huntingdonshire. It is for the District Council to decide how and where any money received will be subsequently spent.</p>
Alexanders	<a href="#">CIL- PD131</a>		<p>The introduction of the CIL is welcomed.</p>	<p>Support noted.</p>
Stephen Dartford Fenstanton Parish Council	<a href="#">CIL-PD6</a>	1.4	<p>As this "will not fund 100% of the costs of the infrastructure requirements". What proportion will be funded and what other funding opportunities are available besides s106.</p>	<p>Noted. It has never been the government's intention for CIL to be the funder of infrastructure. Prioritisation will need to take place as part of the governance arrangements which fall outside the remit of the charging schedule. Other complementary funding sources will be required to deliver many elements of infrastructure.</p>

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Ramune Mimiene Brampton Parish Council	<a href="#">CIL- PD122</a>	1.5	1.5 CIL is charged on net additional floorspace(i.e. 2 floors = times 2) This avoids needle development. One consequence is presumably that houses built with large attics that subsequently have dormers installed but the extension would be below the chargeable limit. What is the position on garages and conservatories?	Noted. The impact of extensions is noted through the regulations and will not be required to pay if less than 100 sq m. Anything that is new floorspace will be considered for payment of CIL dependant on the regulations.
Colin Brown, Januays for The Fairfield Partnership	<a href="#">CIL-PD44</a>	1.8	This is an important acknowledgment that - for the most part - CIL is to be complementary to any S106 requirements, which may be more site specific, and not represent an additional charge.	Noted
Paul Hammett National Farmers Union	<a href="#">CIL-PD4</a>	1.9	<p>Farming is a major part of the local rural economy and a major land use. The potential application of a CIL to a farm business would be profound. The NFU requests that agricultural and horticultural development should be zero-rated. Typical on-farm development (a livestock shelter or a crop store for example) does not result in any uplift of land value – the principle on which CIL is based. We would be happy to provide further information in support of this argument as required.</p> <p>The Government increasingly recognises the strategic as well as economic importance of UK food and fuel production in the light of projected world shortages. For more information on this please refer to the recently published Foresight report into global food and farming futures</p> <p><a href="http://www.bis.gov.uk/foresight/our-work/projects/current-projects/global-food-and-farming-futures">http://www.bis.gov.uk/foresight/our-work/projects/current-projects/global-food-and-farming-futures</a></p> <p>To encourage local food production, we need a supportive planning framework. The CIL zero-rating of agricultural development would be an important complementary element of that support.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
R W Dalgliesh Milton (Peterborough) Estates Co	<a href="#">CIL-PD38</a>	1.9	We are supportive of representation made by the CLA and the NFU in respect of agricultural buildings and ask that you reconsider this aspect.	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD89</a>	1.9	<p>CHANGES TO CHARGING SCHEDULE</p> <p>We note the June 2011 HDC Cabinet agreement to consult on the draft Charging Schedule. That version differs to the charging rates now proposed and we question where the differences have been shown to justify an even higher rate that that upon which Cabinet agreement was sought and given. For example the £98 sq m rate for residential development projects has risen to £100 standard rate in the published draft for consultation. In a scheme comprising circa 3,500 homes (i.e. St Neots East) this could have an impact of an additional £700,000 payable to CIL using an average 1000sqft (93sqm) unit size. There is</p>	<p>Noted.</p> <p>Changes made following the Cabinet report where outlined at the Cabinet meeting and subsequently endorsed, as agreed, by the Portfolio holder. The changes were made following discussions through the government's front runners programme to be clear and simple whilst ensuring the regulations were met and charges were viable.</p>

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			no clear reason to justify the change (increase) in levy now proposed in the consultation DCS from that which was generated from the same evidence base and reported to the June 2011 Cabinet.	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL- PD101</a>	1.13	We are concerned that Section 106 agreements for our client's schemes will often include significant contributions to highway and other works. As set out later in our response, the level of CIL sought for larger retail developments would therefore bring into question the viability of such schemes.	Noted.  The viability assessments have evidenced the proposed levy rates.
Ramune Mimiene Brampton Parish Council	<a href="#">CIL- PD123</a>	1.13	1.13 I had understood that there was no new money, yet this para says all eligible developments must pay towards CIL as well as any site specific requirements. The question is therefore is the total amount of money payable potentially increased through CIL?	Noted. The legislative changes have been set up to provide a fair and more transparent process. Rather than collecting contributions from some developments, now all developments could potentially contribute. The total amount payable is linked to the impact of the proposed development and viability.
Colin Brown, Januarys for The Fairfield Partnership	<a href="#">CIL-PD45</a>	1.14	It is important that developers who are expected to make available serviced sites for schools on urban extension sites are not then expected to fund the construction of the school in question, and that any further contributions that might be negotiated are proportional to the size of the development proposed.	Noted. All S106 contributions will need to meet the three statutory tests.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL- PD102</a>	1.14	We do not consider that the documents provided by the Council provide sufficient certainty to prevent the possibility of double counting contributions. This should be given further consideration and be set out clearly.	Disagree. The Infrastructure Project List clearly identifies which infrastructure falls within which category to ensure no double counting takes place.
Ramune Mimiene Brampton Parish Council	<a href="#">CIL- PD124</a>	2.2	2. 2 "Administrative expenses can be funded from CIL." Do these come out of the £100 per square metre? What level of administrative expenses is envisaged?	Noted. The administrative expenses are drawn from the levy rate and are not a further charge.
Adam Ireland Environment Agency	<a href="#">CIL-PD40</a>	2.7	<p>Policy CS10</p> <p>This is an ideal opportunity to incorporate Flood Risk Management Infrastructure (flood defences, Sustainable Drainage Systems, etc) within the range of community infrastructure projects that are able to benefit from Planning Contributions. We are encouraged to see that it has been considered within the preliminary CIL Draft Charging Schedule.</p> <p>With reduced Central Government funding available for flood defences / asset management there will be greater emphasis on Local Authority having to provide a percentage of capital required for either the installation of new defences or increasing the Standard of Protection afforded to settlements by existing defences. The Flood and Coastal Resilience Partnership Funding, as described by Stephen Wheatley (Developer Contributions response - ID 558515 - Anglian Central</p>	<p>Comments welcomed.</p> <p>The Planning Act clearly identifies flood defences as items of infrastructure.</p> <p>Amendments will be made to show that flood defences will fall under CIL with the exception of local site related flood risk solutions provision which will continue under S106 or condition as appropriate.</p>

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			<p>Regional Flood and Coastal Committee) is a means through which localised funding can be matched by National funds.</p> <p>In addition, the transfer of responsibility for SuDS to the Lead Local Flood Authority {LLFA} (Cambridgeshire County Council) may result in changes to the adoption process for any SUDS. The LLFA should be consulted in relation to this issue, particularly if they intend to incorporate charging for the adoption and/or maintenance of SuDS within new developments.</p>	
Sue Bull Anglian Water Services Ltd	<a href="#">CIL-PD18</a>	Policy CS 10	<p>Thank you for the opportunity to comment on this document.</p> <p>I note Policy CS10 Contributions to Infrastructure Requirements lists 'utilities infrastructure..'</p> <p>I would be keen to discuss this with you with regard to water and wastewater and explore the possibilities. To date developer contributions has been sought through the appropriate sections of the Water Industry Act 1991.</p>	Comments welcomed. Subsequent discussions held.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD79</a>	2.16	<p>Density</p> <p>We note that the Council has agreed an assumed development of 40 units per hectare for the residential appraisals (background paper 'Viability testing of CIL Charges', Drivers Jonas Deloitte) in assessing the viability of the Levy. However the SHLAA assumptions for ST Neots East is based on 45 units per hectare which we consider has informed the Residential Site 2 appraisal. This may well be too high in the current and future housing markets in this area. It creates an assumption on the extent of development that will contribute towards and share the cost of the critical infrastructure required to deliver the strategic site at St Neots East.</p>	<p>Noted</p> <p>Site densities for each site were assumed to be as per those in the SHLAA to be representative of a site of that type.</p> <p>For Residential Site 2 the notional density stated in the SHLAA for St Neots East is 45 dph, the developable area is 50% and the anticipated capacity is 4,140 dwellings.</p> <p>We have applied these assumptions in assessing the development capacity for Site 2.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD80</a>	2.16	<p>Land value</p> <p>It is fundamentally wrong to assume that landowners will be willing to bring forward development land with planning permission at the rate of £100,000 per hectare for strategic scale sites (as referred to at paragraph 5.14 of the DJD Report). Where has the assumption been derived from and what constitutes the definition of "a level that a reasonable landowner would transact"? The impact the latter would have upon viability assumptions when generated from this starting point is significant and this is an unrealistic premise. By any standards this is an extremely low level and we are of the view that a high proportion of landowners would not be prepared to release their land on this basis. There is no market evidence or robust transactional evidence to support the DJD assumptions that strategic sites command lower values and no allowance has been made for site specific abnormal costs on brownfield sites such as remediation, or</p>	<p>Noted.</p> <p>The viability assessments have been carried out by a highly experienced team. The Council believe the assumptions made in this process are robust.</p> <p>£100,000 per ha was not assumed in the calculations. The text at 5.14 is explanatory as to rationale not actual figures, and comments here in the report are general in nature.</p> <p>Abnormal costs for remediation, archaeology, cut and fill etc are normally determined on a site specific basis, whereas CIL testing is required to be representative across a district. No allowances have therefore been made for specific items other than as identified for demolition or infrastructure on Residential Site 2.</p>

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			<p>archaeology, cut and fill etc on all sites.</p> <p>DJD has stated at paragraph 3.8 that it has applied market comparable rates for land value yet at paragraph 2.13 it highlights the difficulty the firm had in obtaining market evidence. At paragraph 2.14 it estimates the level at which sites with some future hope value may have, again without hard evidence yet it concludes at paragraph 5.14 that landowners of strategic sites should accept a similar value. These statements are not based on a 'fair return' to landowners which raises concerns over future land availability and delivering the adopted Core Strategy.</p> <p>Relevant guidance, in respect of land value is provided by the good practice note from 1 July 2009 - 'Investment and Planning Obligations : Responding to the Downturn' set out in the Homes and Communities Agency's expectations for securing affordable housing from planning permissions and associated s106 obligations alongside HCA investment. This predated the CIL Regulations, but was intended to inform HCA regional staff engagement with Local Planning Authorities (LPAs) and other stakeholders. It stated:</p> <p>"39. Viability, in the current market, is impacted by both house prices and land values. Data on the former is widely available, but for land it is very hard to establish values in the current market as the number of transactions is so low and many sales are forced (i.e. there is not a willing buyer and seller). In the expectation of rising prices, developers will frequently choose to hold land rather than develop at current land values,. However, as developers reach their financial year ends, increasing numbers of write downs are being seen. At the same time developer behaviour will seek to mitigate land value loss through negotiation or renegotiation of planning obligation viability assumptions."</p> <p>Fundamentally we disagree with the DJD residual valuation approach, we believe using an assumed land value as a specific cost is flawed and setting this cost an artificially low level to conclude at paragraph 5.14 that 'higher charges still maintain viability' is flawed. Bidwells has relevant market evidence to demonstrate a fair land value which should be applied. We will request a meeting with HDC and its advisors to review these issues in light of our concerns.</p> <p>Specifically, 'Residential Site 2' is a strategic scale development scenario. There is no breakdown of the assumed site area and no residualised price per acre stated in contrast to the other residential sites. This detail should be included for continuity and comparison. We conclude it is based on the Council's major urban extension at St Neots East, being the only qualifying site within the Core Strategy of this nature. This development scenario will contribute towards a significant</p>	<p>Market research was carried our to reflect local market conditions in viability testing. Estimate base values for the different sites tested are as set out in Appendix 3 of the report, and are not at the levels discussed in the rationale in paragraph 2.14 or 5.14 of the viability report.</p> <p>The approach taken does not assume a fixed land cost in the residual appraisals; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.2 and Appendix 3 of the viability report.</p> <p>In the assessment of Site 2 DJD relied upon data set out in the SHLAA as well as the market data that was available to them at the time to ensure the development scenario reflects reality as much as possible. For Residential Site 2 the notional density stated in the SHLAA for St Neots East is 45 dph, the developable area is 50% and the anticipated capacity is 4,140 dwellings. We have applied these assumptions in assessing the development capacity for Site 2.</p>

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			proportion of the CS housing targets to 2026 and thus CIL revenue for HDC. The development appraisals must be robust and based on a clear and sound evidence base to ensure that housing delivery will not be affected.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD81</a>	2.16	<p>Developer Profit</p> <p>The study assumes a Developers Profit margin of up to 17.50 % on the GDV. Most developers and house builders will only undertake development where they can demonstrate a Profit on GDV of at least 20% at the outset and many banks and funders are insisting on 25% Profit on GDV in the current economic climate. We are concerned that the residual appraisal for a strategic scale development such as the example 'Residential Site 2' generates a Profit on GDV of 11.50%, and in our experience house builders will not accept a return at anything approaching this level given the capital outlay and timescales associated with a site of this size.</p>	<p>Noted.</p> <p>The appraisals assume a consistent level of developer's profit in accordance with our view of what is reasonable for the sites tested in the local market context.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD83</a>	2.16	<p>Affordable Housing</p> <p>A 40% affordable housing requirement has a significant impact on viability and therefore any assumptions in respect of affordable housing revenue, build cost, contribution to Section 106 costs etc have to be realistic and prudent. Although affordable housing has generally, in the last few years, generated value this has always been due to grant subsidy and the reality once servicing and infrastructure costs have been taken into account is affordable housing makes a loss and is subsidised by the private housing.</p> <p>At this precise moment in time and in the absence of affordable housing grant, affordable revenues are generally at best in the region of £100 per square foot. There will be no grant funding in the future but in some quarters there is an assumption that "Affordable Rent" will help generate more revenue from affordable and thus help cover the grant void. However there is no local policy on "Affordable Rent" and as yet no indication of likely revenue generated. Against this background we fail to see how DJD can justify an affordable housing revenue of £137 sq ft in the 'Residential Site 2' appraisal. The application of the DJD assumptions into the residential site appraisals highlights these errors. DJD acknowledge that these calculations generate higher values than Market sales (paragraph 3.24 of DJD report). Moreover if affordable housing revenue was reduced to circa £100 sq ft total revenue falls by approximately £46 million raising serious concerns over viability.</p> <p>The DJD Residential site appraisals 1-5 include affordable housing revenues for rented at 55-68% of OMV and intermediate housing at 99-100% OMV. This requires justification and endorsement from the HCA that these are figures are acceptable and will allow affordable housing</p>	<p>Noted.</p> <p>Viability assessments assumed no grant funding.</p> <p>The affordable values have been derived through the use of ProVal software (a specialist affordable housing residual appraisal model). In relation to Social Rent we have modelled target rents, less costs, received over a cashflow term. In relation to Shared Ownership we have modelled both the initial equity receipt, and the rent on the unbought equity, less costs over a cashflow term. We have calculated both the level of equity and the rent charged based on affordability criteria / target household incomes used by HDC. In our experience it is not unusual for affordable values to match or even (in theory) exceed private values, especially in areas where market values are less than £200/sqft, given that affordable value calculation is only partially linked to market value.</p>

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			to be brought forward . The recently examined Newark and Sherwood CIL development appraisals set these figures at 40% (rented) and 70% (intermediate) which is broadly consistent with industry based evidence.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD84</a>	2.16	<p>Private Sales Revenues</p> <p>The DJD appraisals use private sales revenue between £150-£200 sq ft for houses and £170-£220 sq ft for flats which is a broad spread across the District. As stated in the report, DJD had great difficulty in obtaining accurate net revenue evidence. In our recent experience there is generally a 10% difference between gross asking price and net revenue.</p> <p>Against this background we fail to see how DJD can justify an average private value of £206 sq ft for 'Residential Site 2' which is an example of a predominantly housing led scheme. Our evidence of private dwelling sales at Loves Farm, St Neots, a current housing led scheme under construction in the district, indicates an average net sale revenue of £187 per sq ft from October 2008 to August 2011 on a total of 103 completions as against an average gross asking price of £200 per sq ft. Using an average revenue of £187 per sq ft reduces the private revenue in 'Residential Site 2' by circa £47 million. The impact is self evident.</p>	<p>Noted</p> <p>The comparable market evidence in terms of sales values was gathered from a range of schemes as set out in Appendix 1 (Market Report) of the viability report. The private sales rates (revenue) used are based on achieved sales prices after incentives have been stripped out as set out in that report.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD85</a>	2.16	<p>Build Costs</p> <p>In the residential development appraisals DJD use basic build costs of between £64-£67 per sq ft plus a cost of 20% of construction to cover any specific site works. Our interpretation of this is an overall build cost of £77-£80 per sq ft which is simply not sufficient to build a dwelling to Code for Sustainable Homes Level 3. We would normally adopt a minimum of £95 per sq ft plus make an allowance for increased costs associated with future Code requirements up to £115 per sq ft overall. Even without allowing for future Code requirements on 'Residential Site 2' example there could well be additional build costs of circa £55 million to be allowed for.</p> <p>Additionally no separation has been made between affordable and open market units , as acknowledged by A.11 HDC which states "Design Standards shall be as dictated by the Homes and Communities Agecny regardless of whether Social Housing Grant has been secured". The design standards required by the HCA contribute additional costs to the developer, at present not acknowledgment has been made of this within the appraisal, and suggests that the assumptions used are not correct and that the appraisal has not been considered in sufficient detail.</p>	<p>Noted</p> <p>The viability testing was carried out on BCIS levels with a contingency of 3%, together with an allowance of 20% for site specific works.</p>
Stacey Rawlings,	<a href="#">CIL-PD86</a>	2.16	Construction and Sales Rates	Noted

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Bidwells for Connolly Homes D.Wilson Oxford Uni			<p>Paragraphs 3.43 and 3.44 of the DJD report relate to construction and sales rates both of which appear extremely optimistic. National statistics would probably indicate an average sales rate of in the region of 0.5 units per week. In the financial year to the end of June 2011 David Wilson Homes completed 28 private sales at Loves Farm, St Neots or 0.53 units per week. Assuming four developers on 'Residential Site 2' this would give a total of 8.5 units per month as against the DJD assumption of 15 units. Once again this flawed assumption has an overwhelming impact on timescales, cashflow and viability. The Loves Farm evidence illustrates that large consortium sites are difficult to market and there is a fine balance to be struck between maintaining sales revenues and thus margin as against sales rates.</p>	<p>Sales rates reported by agents in market research have been identified in the Market Report in Appendix 1 of the viability report.</p> <p>The sales rate for Residential Site 2 arises from conversations had with the sales agents of the Loves Farm development, in addition to others. It is based on five developers selling 3 units per month each.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD87</a>	2.16	<p>Other matters</p> <p>The detailed results of this analysis may impact upon the size of the funding gap that the proposed CIL levy is intended to help reduce. There is limited information in the publicly available reports that accompany this consultation to enable us to understand the funding streams for infrastructure provision and specifically those which may have an impact upon local site delivery i.e. A428 improvements, school provision. There is a risk of double counting if those items which are also required to meet demand arising from strategic scale development but which are also likely to address a current infrastructure deficit in an area and benefit a wider community are not delivered on time and by necessity are brought forward by a developer. This is highlighted by the DJD Report at paragraph 5.4 which states "the Levy should dovetail with, and not duplicate, other mechanisms by which contributions towards infrastructure are made by developers". We wish to understand the likelihood of these potential conflicts occurring and the impact this may have on the viability testing by DJD to prevent the s106/affordable housing package being significantly affected at the application stage. The inability of a developer to require the delivery of a specific item at a given time may put a constraint on delivery.</p> <p>It is also worth noting that in addition to costs relating to CIL and Section 106 obligations, the costs of residential development is likely to rise by virtue of the need to apply the application of increasing CSH and renewable energy requirements. These will add substantially to future construction costs. Has this likely change been factored into the viability appraisal of the Residential Site 2 – strategic scale appraisal? We consider it has not been accounted for and the proposed levy charges have not been properly tested.</p> <p>Additionally, following the Government Spending review, the availability of any grant funding in the provision of affordable housing is very</p>	<p>Noted.</p> <p>Viability testing has been carried out in accordance with CIL regulations as the basis for the preliminary draft charging schedule.</p> <p>The infrastructure list clearly identifies infrastructure requirements and whether it will fall under S106 or CIL.</p>

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			<p>unlikely in the current climate. All of these factors put further pressure on scheme viability.</p> <p>We are extremely concerned that the Council's justification for CIL rests solely on the DJD Report and residual appraisals. Our experience and evidence illustrates potential errors in fundamental inputs such as private and social residential revenues, build costs, sales rates, abnormal costs and profit margins. In isolation one of these factors could have a major impact on viability; in combination the impact undermines completely the DJD residual valuations.</p> <p>Our concerns regarding the evidence base underlining the proposed CIL charging schedule are compounded by the Council's intentions in respect of how it will be applied to new developments. Again, whilst we do not object to the imposition of CIL per-se, it is fundamentally important to ensure that it will not inhibit the delivery of the adopted Core Strategy requirements and specifically the residential led urban extensions.</p>	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL-PD109</a>	2.16	<p>DJD Viability Report Section 3 Paragraph 3.10</p> <p>The methodology which is presented does not include any consideration of Section 106 contributions arising from commercial developments; it focuses on residential developments where an allowance for Section 106 contributions is included. The model on page 11 of the report is therefore not relevant to commercial developments. This re-inforces our view that the inclusion of such a high rate of CIL for large retail proposals would potentially result in those schemes being unviable as there is no allowance for additional Section 106 costs.</p>	<p>Noted.</p> <p>The DJD report explains that the mode on page 11 is a starting point for assessments. Paragraph 3.50 provides further detail with regards commercial assessments.</p> <p>S106 contributions will be required in line with the Developers Contributions SPD or successor documents on a negotiated basis.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD71</a>	2.17	<p>We do not accept that the Table 1 Infrastructure costs can be directly applied to the growth levels expected within Huntingdonshire District to inform a Maximum CIL level. For example the multi area projects which include the A428 widening need to be apportioned to the relevant authority areas which will benefit from the infrastructure and the whole burden cannot be used to generate an indicative maximum level for Huntingdonshire at £21,657 and £235. The Multi area funding gap should be correctly apportioned to the wider growth targets and a suitable amount apportioned to HDC, rather than assume any funding gap is applied to one of the local authority areas for the purposes of CIL assessments. The table is misleading.</p> <p>HDC does not include any general principles for the apportionment of CIL monies. The recently examined Shropshire CIL included a Code of Practice which set out the general principles to include a ceiling of 10% of monies collected to meet the wider strategic infrastructure projects with the majority balance towards local projects. This information</p>	<p>Disagree.</p> <p>The infrastructure project list is to provide information on indicative projects that will be required to meet the needs of development. In the list supporting the Preliminary Draft Charging Schedule, some projects have been noted as multi-area as they could benefit more than one town. This is fully in line with the purpose of CIL.</p> <p>The multi area project funding has been reviewed to ensure all costs have been deducted where considered appropriate.</p> <p>There is no requirement to provide details on apportionment of CIL monies as part of the Charging Schedule process.</p>

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			should be provided by HDC.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD90</a>	2.17	<p>The appendix containing a list of eligible infrastructure items that CIL would deliver or contribute towards is helpful in principle but we express concern at the list for St Neots in the Local St Neots Projects Table.</p> <p>Our consulting engineers, PBA welcome the inclusion of the following St Neots schemes in the CIL DCS:</p> <p>1.</p> <p>£2 million for A428/Cambridge Road roundabout improvements led by CCC - timescale 2012-2013</p> <p>2.</p> <p>and the £2 million for A428/ Barford Road roundabout improvements led by CCC - timescale 2016.</p> <p>3.</p> <p>£1.198bn for A14 Ellington to Fen Ditton - led by HA, not programmed - funding issues.</p> <p>4.</p> <p>£4.58 million for Cambridge - St Neots Transport Corridor Bus Priority measures led by CCC - not programmed</p> <p>We seek evidence from HDC to confirm that projects 1&amp; 2 are to be delivered on time to meet the requirements of St Neots East. We are concerned that projects 3 &amp; 4 are not yet programmed and there is no certainty to their delivery or assessment of how either will impact on the future growth of St Neots.</p> <p>PBA's main concern is with the timing and uncertainty over the delivery of the following scheme:</p> <p>5.</p> <p>£380 million for A428 Caxton Common to A1 - led by HA and programmed from 2021 - Status funding secured.</p> <p>This scheme is probably the most critical item of infrastructure to enabling the delivery of St Neots East as it relates to the dualling of the A428 at the site. However, there is a timing issue as it is not expected until 2021. The impact of this on the delivery of St Neots East or other</p>	<p>Disagree.</p> <p>There is no double counting as it will only be large scale major sites, following the adoption of CIL, who will continue with a range of infrastructure being secured through S106 and these elements have been discounted from the cost to show the funding gap.</p> <p>The items 1 and 2 mentioned by the respondent will in fact be S106 / S278 type requirements. This will be amended to avoid confusion.</p> <p>Projects 3 and 5 are Highways Agency projects, and project 4 is a Cambridgeshire County Council project. Each project and its status is well known to the respondents who sit on a multi agency Delivery Board for St Neots East which includes the HA and CCC.</p> <p>Current uncertainties over funding and delivery do not mitigate against the inclusion of these important strategic projects in the infrastructure list.</p> <p>Equally, with regard to the other detailed comments on site related infrastructure, the respondents are aware of the requirements through their active involvement in the preparation of the approved St Neots East Urban Design Framework</p>

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			<p>developments in the town is not yet known and we seek clarity from Huntingdonshire Council on how it will consider planning applications in the intervening period.</p> <p>£1.1 million has already been secured through s106 for bus corridor but the Infrastructure Schedules do not specify whether that is the Cambridge -St Neots or the St Ives to Hunts scheme.</p> <p>However we note that the A428/Cambridge Road junction improvement is noted in the Local St Neots Table as a CIL responsibility. This conflicts with the summary table 'Total Infrastructure Costs' which states that the same payment is 'all developer funded'.</p> <p>PBA also question the cost estimates for the St Neots WwTW. The infrastructure schedule includes a cost estimate for St Neots WwTW upgrade (£500,000) and a New strategic sewer (£600,000) listed under CIL contributions. The Water Authority (Anglian Water Services) will be required to undertaken a certain amount upgrade works themselves and will secure a certain amount of funding (from OFWAT) – for future development it is to be expected they will seek to recover any necessary upgrade costs from the Developer, these costs should be clear and transparent. The initial estimate provided by AWS for part of St Neots East urban extension was over double the stated figure so we would welcome clarification as to the cost estimate included in the infrastructure schedule for this particular item.</p> <p>PBA also note that there are no sustainable travel items (e.g. bus) in the St Neots list – is this an omission?</p> <p>There is no renewable energy infrastructure provision in the list – often the provision of such infrastructure can become a revenue generator for the Charging Authority and should be considered as part of the plan. We note the accompanying Draft Developer Contributions SPD includes within its regeneration projects list potential contributions towards the St Neots LCDI Renewable Energy project. This is not sufficiently progressed to be included with the Draft SPD which in turn does not enable HDC to understand the impact on major sites within the town and viability testing.</p> <p>The same would also apply to St Neots Town Centre Regeneration projects which has not been sufficiently progressed by HDC to enable proper consideration of any impacts upon the viability testing of Residential Site 2.</p> <p>There are a number of areas highlighted on this project list where it appears that one development would end up paying twice for the same infrastructure, as there is a CIL payment, and also a site specific contribution required. This occurs in particular as follows:</p>	

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			<p>Allotments and community gardens: there is a site specific requirement for the provision of these at St Neots East (at a cost of £241,180) but also a requirement to pay CIL towards a provision of £19,040 for allotments and community gardens. The Developers of St Neots East will therefore have to contribute twice.</p> <p>Children and young people's play space: Site specific s.106 payment for St Neots East of £2,172,052 plus contribution to CIL (towards a provision of £171,473)</p> <p>Primary School: site specific requirements to construct one primary school (£19,800,000 to £24,200,000) at Wintringham Park plus contribution to CIL to provide primary education accommodation and pre-school places.</p> <p>Primary Care Centre: site specific provision is required for this through s.106 agreements, plus a CIL contribution towards the same services is also required.</p> <p>Police service capital provision: s.106 site specific provision is required for funding amounting to £103,102 is required, plus a CIL contribution towards a cost of £8,002 for police is required.</p> <p>The costs of provision of a 4.5 to 5.5 form entry new primary school of £19,800,000 to £24,200,000 seems excessive. The cost of a one form entry primary school elsewhere has been quoted as £4.05 million. This education requirement under the St Neots Projects list for a single large primary school is incorrect and does not comply with the ST Neots East UDF or CCC best practice which suggests that 2 smaller schools should be provided. This also conflicts with the guidance in the accompanying Developer Contributions SPD which sets out a maximum 3FE primary school size and 630 places. The table should be corrected and the costs updated to reflect any difference in provision.</p> <p>In general, the assumptions made for s106 costs arising from the St Neots East development are not sufficiently detailed in the report and we request a detailed breakdown of those charges to understand the basis from which they have been derived.</p>	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL-PD107</a>	2.17	We note that the Huntingdon West Link Road is included despite the Compulsory Purchase Order not yet being made on this land.	Noted.
Helen Boothman	<a href="#">CIL-PD41</a>	Table 1	And what happens when a major development is built within a village - I trust the village would benefit?	Noted. Government is due to consult on a 'meaningful proportion'

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				of CIL that will be available to the parish that accepts the development to use on appropriate infrastructure.
Colin Brown, Januays for The Fairfield Partnership	<a href="#">CIL-PD46</a>	Table 1	It will be important for the list of infrastructure requirements to be kept fully up to date, as circumstances change, new provision is made, and any new sources of funding are found. We question if A14 improvement should be included given funding uncertainty (project currently abandoned).	Noted. A14 costings have been shown but are discounted in determining the CIL funding gap.
Helen Boothman	<a href="#">CIL-PD42</a>	2.26	Great in theory but how would eh practice really be when we know that District and County appear to find it difficult to talk now evidenced by the lack of communication regarding schools and traffic in the ST Ives West?Houghton East debacle. This is before any S106 or CIL is involved!	Noted. CCC, along with other partners, have been working closely with HDC on this matter from the start and is involved in the frontrunners programme.
Rose Freeman The Theatres Trust	<a href="#">CIL-PD17</a>	2.27	Our interest is RAF Brampton under para.2.27 for large scale developments where we wish to be consulted on future development plans for the Brampton Park Theatre especially pre-application.	Noted. Future plans will be consulted on following the normal process.
David Abbott Highways Agency	<a href="#">CIL-PD5</a>	2.29	<p>The table refers to "Roads and other transport facilities" whereas the Draft Developer Contributions Supplementary Planning Document refers in Para 5.1 to "Footpaths and Access". This is a clear inconsistency between the two documents, the latter being noticeably more restrictive than the former.</p> <p>This inconsistency should be removed, preferably with the more flexible description of the two prevailing. Furthermore, both documents should be made clearer as to what types of transport measures would be appropriate for CIL funding. We would recommend that measures to reduce the reliance on solo driving should be given particular prominence in this respect.</p>	Noted.  The table will be amended to clarify that local site-related road/ transport provision will fall under S106 and/or condition, as is currently the case. The Draft Developer Contributions SPD shows that such matters will fall under conditions, negotiated matters and/or footpath and access obligation requirements.
Stephen Dartford Fenstanton Parish Council	<a href="#">CIL-PD8</a>	2.29	Social infrastructure ( community facilities) should include provision for burial grounds	Noted in Infrastructure list.
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD35</a>	2.29	<p>Core Strategy Policy CS10 outlines contributions to infrastructure required by new developments which includes strategic green infrastructure and biodiversity enhancement/mitigation. However, the table at paragraph 2.29 fails to include biodiversity under the CIL funded infrastructure column. Whilst recognising that there cannot be double counting with S106 contributions, biodiversity needs to be included for CIL contributions as well.</p> <p>The CIL schedule should also include the Green Infrastructure Strategy 2011 in the Policy Background section.</p>	Noted.

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			The above amendments should be made to recognise the importance of green infrastructure and biodiversity	
Colin Brown, Januays for The Fairfield Partnership	<a href="#">CIL-PD47</a>	2.29	We question if ramp metering on A14 slip roads ought to be considered as a CIL item, at a time when there is no available public funding for the overall A14 widening scheme.	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD72</a>	3.3	<p>The timing of the levy payment will be subject to an instalment policy which HDC is yet to publish. In order to comment on the assumptions made within the document and the impact on the viability of strategic scale development, this information should be consulted upon as part of the DCS.</p> <p>The minimum timing set out at paragraph 3.3 is onerous considering the size of some of the developments which could come forward, the timeframe within which they will come forward, and the size of some of the CIL payments required. With this in mind, the timing of the payments should be linked to house completions. Since regulation 70 of the CIL Regs has now been amended, it is not necessary, or relevant to refer to the previous instalment payments as set out previously within that section. We note that the DJD Report, at paragraph 3.9 refers to the issues for a significant scheme which could result in the entire charge being paid prior to the first unit being sold and that payment dates should be set to maximise viability, particularly for Large Scale Major sites.</p>	<p>Noted.</p> <p>The payment policy is not part of the Charging Schedule. The viability assessments have considered the original payment policy under the CIL Regulations 2010. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p>
Colin Brown, Januays for The Fairfield Partnership	<a href="#">CIL-PD48</a>	3.4	We support this phased approach.	Support noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD73</a>	3.4	We consider that to expect developers to incur additional capital expenditure at the start of a project would deter developers from investing in the district and place unnecessary burden on an already difficult property market. A key test in the appropriate level of CIL is that the proposed rate should not put at serious risk overall development in the area. We welcome the recognition that an outline permission granted for phased development will trigger the CIL levy by phase and not upon grant of the original outline permission. In drafting its instalment policy, we restate the Council should consider staged payments to be made within each phase and linked to house completions.	<p>Noted.</p> <p>The viability assessments undertaken to determine the CIL level have considered the original payment policy under the CIL Regulations 2010 that expected payment within a prescribed period within the first year. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p> <p>The Regulations are clear about outline consents and phasing, which needs to be agreed prior to any permission being granted.</p>
M. Newman, Clerk Stukeleys Parish Council	<a href="#">CIL-PD53</a>	3.8	The Parish Council further understands that the CIL document proposes that a "meaningful proportion" of the Levy would be assigned to the local community – and that in rural areas this would be the Parish Council. It is understood that Government guidance is awaited on the definition of what is meant by a meaningful proportion. We support the proposition that part of the CIL would be given to the local community, and would wish to work with the District Council in	<p>Support noted.</p> <p>The governance arrangements fall outside the remit of the Charging Schedule, however, HDC will continue to work in partnership with Town and Parish Councils through the emerging localism agenda Part of the District Council's emerging response to this opportunity is to develop a Neighbourhood Planning template for use across the</p>

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			identifying appropriate projects which could thus be funded within our area. There will need to be discussions as to how this can be effectively progressed to ensure a transparent and accountable approach which is capable of being monitored.	district.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD74</a>	3.8	<p>The DCS includes a statement that a proportion of levy receipts will be retained locally for investment in infrastructure but 'the level of funding has yet to be decided'. We consider this too ambiguous. Paragraph 3.8 is not clear enough on what the CIL will be spent on. Whilst the Charge Setting and Charging Schedule Procedures guidance produced by the Department for Communities and Local Government, states at paragraph 15 that the role of the evidence supporting CIL is not to provide absolute upfront assurances as to how authorities intend to spend CIL, it does clarify that local infrastructure need has to be demonstrated to justify the CIL. This has not been done at paragraph 3.8: it is not sufficient to say that a proportion of CIL monies will go to local neighbourhoods without quantifying a figure which at present would be needed to provide necessary infrastructure in local neighbourhoods and providing evidence to support the same.</p> <p>The DCS should also include a target amount to give clarity to developers on what level of CIL will be available to deliver the infrastructure that is identified within the Infrastructure Project Lists.</p>	<p>Noted. A decision on the level is not required for the Charging Schedule and will be made following consultation from the Government on this matter. Any level set will not determine what is available for spending on the infrastructure projects as other funding sources. Local communities will similarly need to decide their priorities which could well mean that their contribution supports the funding of infrastructure projects identified.</p>
Ramune Mimiene Brampton Parish Council	<a href="#">CIL- PD125</a>	3.8	<p>3.7 "The Government intends to require charging authorities to allocate a "meaningful proportion" of levy receipts back to the neighbourhood in which the development takes place".</p> <p>What is your understanding of "meaningful proportion" and how do you define "neighbourhood"?</p>	<p>Noted. A decision on the level of the 'meaningful proportion' is not required for the Charging Schedule and will be made following consultation from the Government on this matter. The neighbourhood is to be agreed by the LPA. It is anticipated that where Parish and Town Councils exist then these will form the neighbourhood area.</p>
Ann Enticknap St Ives Town Council	<a href="#">CIL- PD133</a>	3.8	The view is that a proportion of the CIL should be given to Town and Parish Councils.	<p>Noted. A 'meaningful proportion' of the CIL is likely to be available to the Town and Parish Councils in which development occurs.</p>
M. Newman, Clerk Stukeleys Parish Council	<a href="#">CIL-PD54</a>	3.10	On the wider front, it is understood that the District Council will identify those infrastructure projects across the District to be funded through CIL by means of an annual business plan. We consider that this should be determined in consultation with local communities, within the spirit of Localism.	<p>Noted. The governance arrangements fall outside the remit of the Charging Schedule, however, HDC will continue to work in partnership and consult with local communities.</p>
Ann Enticknap St Ives Town Council	<a href="#">CIL- PD134</a>	3.10	The view is that the District and County Councils should consult with Town and Parish Councils when identifying priorities for their CIL funding.	<p>Noted. The governance arrangements fall outside the remit of the Charging Schedule, however, HDC will continue to work in partnership and consult with local communities.</p>

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD111</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect. The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> <li>• Density – 40 dwellings per hectare may be too high in the current market</li> <li>• Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding</li> <li>• Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs.</li> </ul> <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding</p>	<p>Disagree. The level of CIL has been based on sound viability assessments.</p> <p>As set out in the report, comparables were difficult to find and often deals are commercially sensitive. DJD spoke to local agents and house builders to provide them with a steer on residential development land values and the results are set out in the report. It is not clear which figures are being queried as too low; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.2 and Appendix 3 of the viability report.</p> <p>Density - 40 units per ha was not the standard assumption in the viability testing. The density of each site was derived from SHLAA figures for a site of that type as agreed with HDC planning officers to represent a range of low, medium and high density sites.</p> <p>Developer Profit - DJD appraisals assume a consistent level of developer's profit in accordance with DJDs view of what is reasonable for the sites tested in the local market context.</p> <p>Build Costs – these were based on BCIS figures with a 3% contingency and an allowance of 20% for site specific works.</p> <p>It has never been the government's intention for CIL to be the funder of infrastructure. Prioritisation will need to take place as part of the governance arrangements – this falls outside the remit of the Charging Schedule.</p> <p>The viability assessments undertaken to determine the CIL level have considered the original payment policy under the CIL Regulations 2010 that expected payment within a prescribed period within the first year. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p> <p>The Regulations are clear about outline consents and phasing, which needs to be agreed prior to any permission being granted.</p> <p>Noted wish to appear at Examination. .</p>

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			<p>for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD112</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> <li>• Density – 40 dwellings per hectare may be too high in the current market</li> <li>• Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding</li> <li>• Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs.</li> </ul>	As above

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			<p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD113</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner</p>	As above

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD114</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect. The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> <li>• Density – 40 dwellings per hectare may be too high in the current market</li> <li>• Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding</li> <li>• Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs.</li> </ul> <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in</p>	As above

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Sean McGrath, Indigo Planning Ltd for Sainsburys Supermarkets Ltd	<a href="#">CIL-PD82</a>	Appendix 1:	<p>The Preliminary Draft Charging Schedule confirms at Appendix 1 that a CIL rate of £50 per m<sup>2</sup> will be charged for retail developments that are less than 1,000m<sup>2</sup> (G.I.A) and that the CIL rate will increase to £140 per m<sup>2</sup> where 1,000m<sup>2</sup> (G.I.A) or more retail floorspace is proposed. No information is provided as to how these figures have been calculated. Unless, further information clarifying this is provided, it is not possible to specify whether the proposed CIL rates are acceptable. As such, we recommend that further information justifying this is provided by the Council.</p>	<p>Noted.</p> <p>The viability assessments clearly demonstrate the levels are viable.</p> <p>The lower rate proposed for the 1000 sq m size was derived from the viability testing undertaken on units smaller than 1,000 sq m. Additional testing has been undertaken which will be evidenced with the Draft Charging Schedule.</p>
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL-PD115</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect. The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p>	<p>Disagree.</p> <p>As set out in the report, comparables were difficult to find and often deals are commercially sensitive. DJD spoke to local agents and house builders to provide them with a steer on residential development land values and the results are set out. In the report. It is not clear which figures are being queried as too low; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.2 and Appendix 3 of the viability report.</p> <p>Density - 40 units per ha was not the standard assumption in the viability testing. The density of each site was derived from SHLAA figures for a site of that type as agreed with</p>

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			request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD116</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> <li>• Density – 40 dwellings per hectare may be too high in the current market</li> <li>• Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding</li> <li>• Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs.</li> </ul> <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The</p>	As above

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			<p>Council does not appear to have referred to other sources of funding for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD117</a>	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect. The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> <li>• Density – 40 dwellings per hectare may be too high in the current market</li> <li>• Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding</li> <li>• Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs.</li> </ul>	As above

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			<p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Ramune Mimiene Brampton Parish Council	<a href="#">CIL- PD126</a>	Appendix 1:	<p>Appendix 1</p> <p>1. Q 8. The discretion to encourage and discourage development by location should not be lightly thrown away. Reserve powers should be retained.</p>	CIL must be based on viability evidence and not policy.
Phil Copsey, David Lock Associates for Urban and Civic	<a href="#">CIL- PD128</a>	Appendix 1:	<p>The proposed standard charges are based on the Viability Testing of CIL Charges undertaken by Drivers Jonas Deloitte which reviews a range of development scenarios. The table at appendix 3 demonstrates that those development scenarios with elements of previously developed land (scenarios 1, 3 and 4) struggle to achieve</p>	<p>Support of CIL noted.</p> <p>Should any large scale major sites come forward, they will all be dealt with in the way outlined which will see development specific infrastructure being covered under</p>

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			<p>viability based on the standard charges set out and including s106 assumptions of £1,000 per unit.</p> <p>U&amp;C as the promoters of the transformational redevelopment of Alconbury Airfield support the implementation of CIL and the infrastructure enhancements that it will bring. U&amp;C are committed to providing comprehensive high quality new infrastructure to support its vision.</p> <p>However, the Alconbury site is unique in terms of its scale, the extent of previously developed land and the level of infrastructure provision that its redevelopment will provide, much of which will also benefit the wider District. While CIL is supported, U&amp;C promote a bespoke approach to CIL and s106 that recognises these unique circumstances. This will include the careful phasing and staging of payments taking account of the delivery of advance infrastructure, and the building in of regular review mechanisms to allow the CIL and s106 requirements to be monitored and managed appropriately.</p> <p>The question of whether the proposed charge is appropriate for the Alconbury site is therefore difficult to answer without some greater analysis of the extent of s106 requirement, the extent to which in kind contributions will be recognised, the extent to which infrastructure that serves a wider strategic role over and above serving the development will be recognised and the manner in which contributions will be phased.</p> <p>It is worth pointing out that of the viability scenarios tested, a development of the scale and character of Alconbury is not represented. However the statement at paragraph 5.17 of the viability assessment that 'if there is a conflict between Levy charges, required s106 and affordable housing in terms of viability then the authority has the opportunity to take a site specific approach . . . . to ensure that a deliverable and realistic package can be provided that best meets the need of the specific scheme' picks up on many of U&amp;C's concerns. The intention to offer discretionary relief at paragraph 1.6 is welcome, and provides a basis for the exceptional circumstances pertaining to Alconbury to be negotiated.</p> <p>Both the CIL Charging Schedule and Developer Contributions SPD should in our view identify the need for a bespoke flexible approach to</p>	<p>S106 Agreement and phasing and payment triggers negotiated providing a flexible approach.</p> <p>Exceptional circumstances should not be seen as a tool to be used simply as it will be very rare to permit such requests and complying to state aid will be problematic in most cases.</p> <p>The negotiation of the S106 Agreement permits the 'bespoke' approach outlined. CIL is mandatory.</p> <p>Should the Alconbury development area come forward, it will be considered as a large scale major development, as per the criteria set out in the CIL documentation.</p>

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			<p>be adopted with respect to Very Large Scale Major Development. This flexible approach should include early pre-application discussion of</p> <p>heads of terms, the nature of direct provision of social infrastructure and how this is to be taken account, relief from CIL if appropriate, or the off-setting of CIL within a s106 to avoid double counting, etc. This will allow the local planning authority to take an early strategic</p> <p>decision as to how to approach the issue of contributions and the extent to which CIL will be applied, and will ensure that the heads of terms submitted alongside the application will be</p> <p>soundly based. It will also avoid abortive work for both the local planning authority and applicant in preparing heads of terms and the associated costs and delays.</p>	
Phil Copsey, David Lock Associates for Urban and Civic	<a href="#">CIL-PD129</a>	Appendix 1:	The inter-relationship between the s106 SPD and Preliminary Draft Charging Schedule would benefit from greater clarity. Worked examples of contributions would be welcome as a means of demonstrating how it is envisaged that the two mechanisms work together for major development schemes, and how double counting and offsetting of CIL contributions against s106 is to be assessed.	Noted. The infrastructure list clearly demonstrates which projects relate to CIL and S106. CIL is mandatory.
Phil Copsey, David Lock Associates for Urban and Civic	<a href="#">CIL-PD130</a>	Appendix 1:	<p>As stated in our answer above, it is not possible to come to a definitive view on this point based on the current information. Much will depend on the flexibility offered, especially in the</p> <p>early stages of strategic development where much investment needs to take place to move development forwards. The specified phasing of the payment of CIL set down in the CIL Regs is in this regard unhelpful.</p> <p>The Huntingdonshire Infrastructure Project List might benefit from further commentary to augment the projects identified including the source of each cost and the assumptions behind them. It would also be helpful to list more fully other sources of finance that might be drawn upon to support infrastructure projects. While some sources are identified, these would be better placed alongside the costs for individual projects where they are related so that the outstanding requirement sought to be met by CIL can be clearly seen and understood.</p> <p>Other sources of funding could also include the role of the New Homes Bonus over coming years as well as the business rate growth retention from the Alconbury Enterprise Zone.</p> <p>Finally, the charging schedule should also be clearer in setting out the timescale for updating and refreshing the project list and viability</p>	<p>Noted. The Infrastructure Project list provides the necessary information to show the aggregate funding gap. It is recognised that showing other funding sources at this time is difficult and will continue to change with time.</p> <p>Where other funding sources are known, it has been stated if it is anticipated in Huntingdonshire that they will be used to fund infrastructure.</p> <p>The projects that could be funded via CIL will be clearly shown in the Regulation 123 list following the adoption of a Charging Schedule. CIL is not <u>the</u> funder of infrastructure. A business plan will be produced. This will be made clearer within the Charging Schedule.</p>

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			assessments and thus the charging schedule, and on the manner of reporting on CIL in line with Regulation 62 of the CIL Regs.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD75</a>	1.4	<p>We welcome the nil Levy rate for affordable housing, which would be in compliance with the 100% relief in both the 2010 Regulations and the CIL Amendment, 2011. This would help support the prioritisation of affordable housing contributions and delivery in Huntingdonshire in line with the Council's Core Strategy target of 40% affordable housing to be delivered on qualifying residential development sites. However we do not accept the evidence base of the DJD study which is relied upon to demonstrate the viability testing of major strategic sites and we consider this may still have a major impact upon the delivery of affordable housing. Please refer to our comments to 'residential site 2' appraisal.</p> <p>For clarity, the table on pg 15 should expressly state 'Affordable Housing (C3) - £0'.</p>	<p>Support welcomed. The table on pg 15 cannot reference affordable housing at £0 levy as a £0 levy on viability has not been set. The non payment of levy is an exemption as stated at paragraph 1.4.</p> <p>The residential levy rate proposal has been based on viability assessment undertaken by professionals in their field considering the economic viability of development across the district, whilst taking into account S106 impacts and affordable housing.</p> <p>It is not clear which part of the evidence base is being called into question here as the market report attached to the viability report sets out the basis for the work, but individual comment has been made to the various responses to appraisal inputs as appropriate.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD76</a>	1.5	<p>We support the Council's offer of discretionary relief if a levy would have an unacceptable impact on the economic viability of the development where s106 obligations require very high levels of additional contributions. The principle of discretionary relief where a planning obligation has been entered into for a sum greater than the chargeable CIL amount is supported. It is recognised that a viability assessment would be needed in such cases. However this offer is only meaningful if the charging rate has been set on a level that was accepted by the development industry to be affordable and viable at the outset. We disagree with the standard charging rate of £100/sqm for most development (subject to the identified exclusions set out in para 1.9 of the DCS) for reasons set out in this response.</p>	<p>Noted.</p> <p>The proposed levy rates have been set based on viability work and testing of a variety of sites to ensure that it is affordable in the majority of cases. Within the appraisals the availability of headroom over and above the proposed CIL levy rate has been considered. The proposed rate is supported by the testing carried out.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD77</a>	1.5	<p>Return of unexpended monies</p> <p>As there is no mechanism that enables CIL payments to be paid back to the developer to recover CIL money if wider infrastructure works have to be provided by a developer at a future date to release units – i.e. if St Neots WWTW upgrade not in place by the time it is needed to mitigate impacts of a specific phase of development at St Neots East or the Cambridge Road roundabout improvements are not in place/funded by CIL in time. The impact of this scenario should be properly recognised and discounted from any associated s106 contributions and be expressly stated in the document.</p>	<p>The spending of CIL monies does not form part of the Charging Schedule. CIL monies will not be paid back. They are not paid to deliver a given piece of infrastructure, as under a S106 Agreement, but are a levy. The Infrastructure Project List is not identifying projects that CIL will deliver but infrastructure projects required. CIL is not <u>the</u> funder of infrastructure.</p>
Stacey Rawlings,	<a href="#">CIL-PD78</a>	1.5	Payments in Kind	Noted.

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Bidwells for Connolly Homes D.Wilson Oxford Uni			The DCS does not provide an option to make a payment in kind rather than pay the CIL itself. However, DCLG guidance on CIL 'an overview' states at paragraph 54 that there may be circumstances where it may be more desirable to receive land instead of monies, for example where the most suitable land for infrastructure is within the ownership of the party liable for payment of the levy. The land used for the payment in kind should be valued by an independent valuer who will ascertain its 'open market value' which will determine how much liability the in-kind payment will set off. There are many instances throughout the Infrastructure Project List where land will be required to provide infrastructure, and the ability to provide in kind payments would assist viability and deliverability of developments and infrastructure.	The document will be clarified to explain potential for payment in kind for land, although this is a regulatory matter and not part of the Charging Schedule levy setting.
Simon Pickstone Peterborough City Council	<a href="#">CIL-PD2</a>	1.9	Peterborough City Council would like to thank you for providing an opportunity to comment on this document. We do not have any fundamental issues with the proposals contained within this document at this stage. However, we would like to seek reassurance that Huntingdonshire District Council is satisfied that its limited number of sites (2 only) used to assess development viability for B-class development in the Drivers Jonas Deloitte Viability Testing Report (Sites E1 & E2) are suitably representative of all B-class development types across the District? This issue relates to your 'set consultation question' 6 (Appendix 1).	Noted.  The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account S106 impacts and affordable housing.  Although ostensibly only two sites were considered, the type of development for Site 2 was flexible (B1/ B2/ B8). The viability testing considered the potential for different B-class uses on the same site to determine the most appropriate, and also ran the size implications as set out in the table in Appendix 3 of the viability report. In light of the market research carried out as evidenced in the viability report, and given the results of the appraisal testing, we are satisfied that the testing is suitably representative of the results for B-class development types for Huntingdonshire and that the CIL rate recommended is justified.
Kate Russell Central Association of Agricultural Valuers	<a href="#">CIL-PD7</a>	1.9	We are concerned to note that there is no reference to agricultural development in the charging schedule. While some will expect that agricultural buildings would fall within the definition "structures which people do not normally go into or do so only intermittently for the purpose of inspecting or maintaining fixed plant or machinery" and thereby be exempt from CIL, this is not expressly stated and there is a risk that it will be left open to interpretation.  As the charging schedule stands, "agricultural development", because it is not specifically listed, would fall within the standard charge category and this cannot have been intended by the Council. A charge of £100 per sq m would render practically all agricultural development	Noted.  Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.

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			<p>unviable.</p> <p>We propose that "agricultural development" is added to business, general industrial and storage and distribution at a zero charge to avoid any confusion over the matter. This is the approach already taken by other local authorities, including Newark and Sherwood District Council.</p>	
Stephen Dartford Fenstanton Parish Council	<a href="#">CIL-PD9</a>	1.9	<p>We do agree the proposed standard charge for most developments. More information is required i.e. type of development - housing?</p> <p>We do not agree with the proposed charge for health development. How does this charge relate to that of a large retail site?</p>	<p>Support noted regarding proposed standard charge.</p> <p>Note non-support of health charge. Charges are related to viability assessments.</p>
Ian Burns NHS Cambridgeshire	<a href="#">CIL-PD11</a>	1.9	<p>We object to a CIL charge on health developments. In most cases, new Health infrastructure will be built to replace existing infrastructure or to meet the local needs of new housing development. A charge of £140 per square metre seems inappropriate and could result in essential health infrastructure becoming unaffordable and therefore not being provided, which in turn could lead to an increase in health inequalities. For example a new 1000 sqm Primary Care Facility under this proposal would have to pay £140,000 to CIL. Although new Health buildings, for NHS services, may be funded from private capital this is recouped from the NHS so this charge would effectively be another charge on local public funding for the NHS.</p> <p>The proposal seems contradictory when Health is proposed as a potential recipient of CIL funds</p> <p>Logically, if it is felt this charge is appropriate to health as a public service, it should also be applied to Education, Libraries, police and all other public service uses.</p>	<p>The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.</p>
Michael Alexander, Alexanders for Alexanders	<a href="#">CIL-PD13</a>	1.9	<p>We agree with the comments made by the Central Association of Agricultural Valuers (CAAV). HDC covers an area of prime quality farmland and in order to meet the challenges of food production in the coming years needs the benefit of a supportive planning framework. Any liability to CIL on agricultural development will be a positive disincentive and will place farmers within HDC at a disadvantage when compared with other authorities where agricultural development will be zero charged.</p> <p>We believe that CIL should make reference to agricultural development in accordance with the comments made by the CAAV and that agricultural development within HDC should be zero rated.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Cassie Fountain,	<a href="#">CIL-PD19</a>	1.9	OBJECTION	Noted.

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Peacock & Smith Ltd for Wm Morrison Supermarkets Plc			<p>On behalf of our clients, Wm Morrison Supermarkets plc, we OBJECT to the proposed CIL rate charge for retail development identified in the Table following Paragraph 1.9.</p> <p>In particular, we OBJECT to the following matters:</p> <ul style="list-style-type: none"> <li>• The significantly lower CIL rate of £50 per sq.m for retail developments &lt; 1,000 sq.m will unreasonably favour smaller scale retail developments over larger and appears to support a decision by the charging authority (Council) to support smaller units which goes beyond viability considerations alone and conflicts with national guidance. It is therefore considered that separate rates for new retail development of different sizes is not reasonable or properly justified, and has the effect of conferring selective advantage within the retail development sector. It is suggested that the rates are amended to provide one, reduced flat rate for new retail development providing over 100 sq.m gross internal floor area.</li> <li>• The proposed CIL rate of £140 per sq.m for new retail developments of 1,000 sq.m or more is very high, and for a large foodstore (of around 7,400 sq.m GIA) will result in a CIL charge of £1.036m which is excessive. A levy of this level is likely to render future large-scale retail developments unviable, particularly when taking in to account other costs for local infrastructure works and other contributions required as part of typical s106 Agreements (such as highway works which can typically be very expensive to ensure large scale retail developments function well). This CIL level is also significantly higher than a figure recently approved in a similar document for Newark and Sherwood District Council, which adopted a figure of £125 per sq.m in Newark Growth Point and £100 per sq.m elsewhere in the District.</li> </ul> <p><b>SUGGESTED CHANGE TO THE CIL RATE FOR RETAIL DEVELOPMENT</b></p> <p>It is suggested that the Council should adopt one CIL rate for all retail development providing more than 100 sq.m additional (new) gross internal floorspace, and that the charging level should be amended and full justification for the new figure should be given to ensure that all relevant factors have been taken in to consideration.</p> <p>We reserve the right to comment further at later stages of preparation of this document.</p>	<p>The viability assessments clearly demonstrate the levels are viable.</p> <p>The market evidence did not give clear differential in values sufficient to support different rates for different areas. The lower rate proposed for the 1000 sq m size was derived from the viability testing undertaken on units smaller than 1,000 sq m. Additional testing has been undertaken which will be evidenced with the Draft Charging Schedule.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD21</a>	1.9	<p>It is proposed that a standard charge of £100 be set and this will apply to all residential development.</p> <p>The Huntingdonshire Local Investment Framework suggested that a</p>	<p>Support for standard charge noted.</p> <p>The governance arrangements will clarify the future review process.</p>

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			<p>residential development within the District could afford £217 per square metre back in 2009.</p> <p>The latest information, provided by Huntingdonshire District Council, suggests that just £98 per square metre is viable. This is a significant reduction which has been attributed to the changing economic climate. The County Council supports the rate for the standard charge on the condition that it is reviewed on an annual basis. If £217 was achievable in the past, then it could be achievable again in the near future. Reviewing the rates on an annual basis may also help to address the viability gap.</p>	
Andrew Barr, Robinson & Hall LLP for Robinson & Hall LLP	<a href="#">CIL-PD22</a>	1.9	<p>We are concerned that as there is no specific reference to agriculture in the charging schedule it is the intention of the Council to apply the levy to all agricultural development. We share the concerns of others that to apply a charge of £100/sq m to agricultural development would render projects unviable and we would ask the Council to address this anomaly. The majority of agricultural development involves replacement of obsolescent buildings or new buildings appropriate for the purposes of more efficient food production and does not result in significantly enhanced overall land value with minimal impact on infrastructure. To apply the standard charge therefore would place farmers in the HDC area at a particular disadvantage and we would therefore ask the Council to address this anomaly. It would appear that other authorities have taken the view that to apply the levy to agriculture is unreasonable and will be adding 'agricultural forestry and horticultural' development to those categories where a zero charge is applied. We would ask the Council to do likewise.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD23</a>	1.9	<p>It is acknowledged that the range of County infrastructure required from this type of development is lower than for residential development and therefore the rate is lower whilst supporting that larger retail development (over 1000 sq m) pay a higher rate due to the scale of development. The County Council supports these rates on the condition that they are reviewed on an annual basis.</p>	<p>Support for retail charges noted.</p> <p>The governance arrangements will clarify the future review process.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD24</a>	1.9	<p>It is acknowledged that the range of County infrastructure required from this type of development is lower than for residential development and therefore the rate is lower. The County Council supports this rate on the condition that it is reviewed on an annual basis.</p>	<p>Support for hotel charge noted.</p> <p>The governance arrangements will clarify the future review process.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD25</a>	1.9	<p>It is acknowledged that the range of County infrastructure required from this type of development is lower than for residential development and therefore the rate is lower. The County Council supports this rate on the condition that it is reviewed on an annual basis.</p>	<p>Support for nursing home charge noted.</p> <p>The governance arrangements will clarify the future review process.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD26</a>	1.9	<p>It is suggested that a standard charge for health should be reconsidered. It would be expected that private healthcare could afford the £140 per square metre rate, but to have the same rate for public</p>	<p>The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.</p>

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			healthcare may appear unreasonable.	
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD27</a>	1.9	Business and general industrial units will often have a significant impact on the transport and highway network; however, in the interests of supporting economic growth in the District, the County Council supports this rate at present. As per the other rates, it should be reviewed on an annual basis.	Support for developments set with zero charge.  The governance arrangements will clarify the future review process.
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD28</a>	1.9	Costs to County Council provided services and infrastructure would generally be uniform across the District. For example the cost of providing a new school in Huntingdon would be the same as providing a new school in Upton. A uniform rate is therefore supported	Support of uniform rate across the district noted.
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD29</a>	1.9	The infrastructure definition is reasonable as it is not an exhaustive list. Further projects should be included for transport, rights of way network and waste management	Noted
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD30</a>	1.9	The County Council has in the past secured contributions in this way and so supports the principle.	Noted.
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD31</a>	1.9	<p>Whilst the rationale for encouraging growth is understood and supported it should be recognised that the CIL rate proposed will leave a funding gap that will need to be filled by other funding. However, in many cases, this alternative funding may not have been identified or be available, leaving the County Council exposed to a financial risk in fulfilling its statutory funding.</p> <p>As the economy improves, it is quite possible that residential development could afford a higher (up to £217 per square metre) rate again. Therefore, it is important that the CIL rate is reviewed annually to ensure the level of risk to the public purse is managed.</p> <p>The County Council agrees that the appropriate balance has been achieved at present, but this balance may not be appropriate in the future. We therefore stress the importance of continued annual reviews.</p>	Support of the appropriate balance being met noted.  The governance arrangements will clarify the future review process.
David H Woods Hinchingbrooke Health Care NHS Trust	<a href="#">CIL-PD36</a>	1.9	<p>As recipricants of the CIL we consider that to charge Health category is not appropriate.</p> <p>Why is Health charged at £140/sqm when we assume other non specified public sector categories such as education are charged at £100/sqm. Is this assumption correct and if not what is the rate?</p> <p>Why is Health same charge as retail?</p> <p>This level of charge would result in an extra £140,000 cost to our possible Critical Care Centre scheme.</p>	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
R W Dalgliesh Milton (Peterborough) Estates Co	<a href="#">CIL-PD39</a>	1.9	We are supportive of representations made by the CLA, CAAV and the NFU in respect of agricultural buildings and request that you reconsider this aspect.	Noted.  Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.
M. Newman, Clerk Stukeleys Parish Council	<a href="#">CIL-PD52</a>	1.9	It is noted that the Community Infrastructure Levy (CIL) will be a fixed amount payable by developers of most types of development other than that for employment uses. Thus in the case of employment development at Alconbury Airfield, whether within or outside the identified Enterprise Zone, no CIL will be payable. It is understandable that the greatest CIL contribution will come forward from residential development, but it is questioned as to why health provision (D1) is set at the same level as retail (A1)	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.
M. Newman, Clerk Stukeleys Parish Council	<a href="#">CIL-PD55</a>	1.9	We are, however, extremely concerned about the approach proposed by the Chancellor of the Exchequer in his Budget Statement that in future conversion of offices and other employment buildings would no longer require planning permission. It seems that this would open up a clear loop-hole in CIL, with offices etc. designed for easy conversion to apartments and thus avoiding payment of CIL. Given the scale of employment at Alconbury Airfield this is a matter which should be addressed.	Comment noted. Change of use legislation does not form part of the consideration of the Charging Schedule. The criteria relating to the employment development at Alconbury through the Enterprise Zone will be established through the emerging Local Development Order.
AWG Landholdings Limited	<a href="#">CIL-PD57</a>	1.9	<p>The introduction of CIL by Huntingdonshire District Council must reflect the most up-to-date infrastructure modelling in order to take into account all available funding sources into account whilst ensuring that there is a robust analysis of any levy on the viability of development across the District.</p> <p>The justification for this is reflected in the significant changes that were made to the rates following further work undertaken in the context of the Local Investment Framework 2009 – the Council has quite rightly accepted the need to review issues of viability in the light of changing economic circumstances and accordingly has made necessary changes to CIL rates to ensure that there are prospects for growth in the District.</p> <p>Setting unrealistic CIL rates will only threaten new investment projects and as such, the identification of a nil CIL rate for Business (B1), General Industrial, Storage &amp; Distribution (B2 and B8) and Community Uses (within D1 and D2) is supported.</p> <p>In general on behalf of AWG Landholdings Limited, we support the general rates that are being applied on the basis of our experiences elsewhere where higher rates would appear be suggested to be levied. The introduction of CIL is clearly a significant new approach for the development industry and the Charging Authorities and it is a truism to state that those initial authorities adopting CIL will be a test-bed for</p>	<p>Support of general rates noted.</p> <p>The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. It is not there to state which projects might receive CIL funding in order to implement. The Regulation 123 list will identify infrastructure that could receive CIL funding.</p> <p>In line with the guidance the infrastructure list does not need to be exhaustive but show a “selection of infrastructure projects or types...which are indicative of the infrastructure likely to be funded by CIL in that area.”</p> <p>The level of CIL has been based on sound viability assessments. The viability assessments undertaken to determine the CIL level have considered the original payment policy under the CIL Regulations 2010 that expected payment within a prescribed period within the first year. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p> <p>The Regulations are clear about outline consents and phasing, which needs to be agreed prior to any permission being granted.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>those intending to follow.</p> <p>With the Newark and Sherwood CIL being recently adopted, it provides a helpful template and guide as to what Huntingdonshire will face - the Inspector in the former report placed great weight upon the evidence to support the submitted schedule and the evidence which would show that the infrastructure that it intended to fund has a reasonable chance of being delivered. Huntingdonshire will certainly be no different.</p> <p>At the officer presentation on the 5th September 2011, the Council officers appeared to confirm that the improvements to the strategic road network and to the strategic sewerage network do not form part of CIL. Correspondence with the officer now suggests that the Preliminary Draft Charging Schedule is the first stage consultation with regards to setting appropriate levy rates and now includes reference to such infrastructure although the Draft Schedule is not the place for considering individual infrastructure items in detail. This begs the question as to how CIL levies have been identified at this stage and we would seek clarification from the Council on this issue.</p> <p>The officer has confirmed that this Draft stage does not preclude AW making submission through the Water Cycle study for inclusion of projects within the Regulation 123 list.</p> <p>It is the case that the standard changes listed within the Preliminary Draft Charging Schedule whilst appearing acceptable do not provide a clear picture as to the true costs of development and in particular to those major development schemes will have an impact on trunk roads or strategic sewage networks.</p> <p>We would also comment that the Council should take a flexible approach to securing CIL payments in situation where the guidance suggest they should be paid over at the point of commencement of development. In certain cases and certainly for major development this could critically affect the cash flows of the project. We support the planning views at the recent presentation that they will take a flexible approach and look at the payment of CIL through instalments. Clearly the detail of this will be dependant upon the scale and nature of the development scheme but is certainly the case that reducing the up front cost can only help the delivery of such major schemes.</p>	
AWG Landholdings Limited	<a href="#">CIL-PD58</a>	1.9	<p>The charging rate for retail development suggests a lower rate for smaller retail developments presumably on the basis that larger stores would be able to absorb a higher rate of CIL on average. The Inspector at the Newark and Sherwood Examination commented that proposing a division of 500 sq m between large and small retail developments was arbitrary and lacking in convincing evidential justification.</p>	<p>Noted. The Newark and Sherwood decision is directly related to the lack of clear viability justification for two rates in that case. It is considered that there is clear viability evidence in Huntingdonshire for such a proposal.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>Importantly at paragraph 21 of that report he remarked:</p> <p>“Without a very clear viability justification two different rates for retail development could be said to unreasonably favour smaller retailers over larger ones and/or constitute a policy decision by the charging authority to support smaller units that goes beyond viability considerations alone and conflicts with national policy accordingly. It would also be more complicated to implement given the existing exemptions for small proposals in the national CIL regulations and that all CIL rates are on a sliding scale according to size alone in any event. The Council has effectively acknowledged these points in responding to those seeking a differential rate to favour small housing.”</p> <p>The Inspector said that the difference rate was neither reasonable nor justified and amended the Council’s schedule.</p> <p>Having regard to the above it would appear only appropriate that the Council revert to a single rate for retail development.</p>	
AWG Landholdings Limited	<a href="#">CIL-PD59</a>	1.9	<p>Under the proposed CIL rate table in the Preliminary Draft Charging Schedule, it is noted that “Health (D1)” attracts a CIL rate of £140 per sq m. As a D1 use, one would anticipate that the kind of health uses that would come forward would be those with community benefit such as clinics, crèches and day centres. It is therefore surprising to see a separate entry for Community Uses (within D1 and D2) which has a nil CIL rate.</p> <p>There is clearly a tension here in terms of what the Council is seeking to charge for and certainly we would advocate that for D1 uses of community benefit then this should attract a nil CIL rate. We can only assume that the kind of development that “Health D1” is intending to cover is a development which would clearly be of a private commercial nature although we cannot understand why such a development would not constitute “community use”. The Council either need to delete the Health D1 CIL rate of £140 per sq m or provide clarity within the glossary and within the evidence to make it clear what form, scale and nature of development it is intending to catch under this definition.</p>	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.
AWG Landholdings Limited	<a href="#">CIL-PD60</a>	1.9	<p>AWG Landholdings Limited support the proposed zero charge for the above proposed uses classes.</p> <p>It is noted that the earlier work undertaken by the Council’s consultants in 2009 that a CIL rate of some £54 per sq m for business uses was being suggested in the context of the Local Investment Framework. It is quite clear that within only a matter of months the Council has had to acknowledge the volatility of economic conditions which has resulted in a significant recalculation of those rates. This simply confirms the need for the Council to constantly monitor the CIL rates and the Local</p>	<p>Support of zero levy noted.</p> <p>It will be for the LPA to decide when it is appropriate to review a Charging Schedule.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			Investment Framework and attendant viability. To this end we note that the Inspector at the Newark and Sherwood Examination strongly supported the need for the Council to undertake a full review at a 3 year period after adoption. We strongly recommend the Council take the same approach.	
St John's College Cambridge	<a href="#">CIL-PD61</a>	1.9	<p>The introduction of CIL by Huntingdonshire District Council must reflect the most up-to-date infrastructure modelling in order to take into account all available funding sources into account whilst ensuring that there is a robust analysis of any levy on the viability of development across the District.</p> <p>Thus the standard changes listed within the Preliminary Draft Charging Schedule whilst appearing acceptable do not provide a clear picture as to the true costs of development and in particular to those major development schemes will have an impact on trunk roads or strategic sewage networks.</p> <p>The justification for this is reflected in the significant changes that were made to the rates following further work undertaken in the context of the Local Investment Framework 2009 – the Council has quite rightly accepted the need to review issues of viability in the light of changing economic circumstances and accordingly has made necessary changes to CIL rates to ensure that there are prospects for growth in the District.</p> <p>Setting unrealistic CIL rates will only threaten new investment projects and as such, the identification of a nil CIL rate for Business (B1), General Industrial, Storage &amp; Distribution (B2 and B8) and Community Uses (within D1 and D2) is supported.</p> <p>In general on behalf of St Johns College, Cambridge we support the general rates that are being applied on the basis of our experiences elsewhere where higher rates would appear be suggested to be levied. The introduction of CIL is clearly a significant new approach for the development industry and the Charging Authorities and it is a truism to state that those initial authorities adopting CIL will guinea pigs for those intending to follow.</p> <p>With the Newark and Sherwood CIL being recently adopted, it provides a helpful template and guide as to what Huntingdonshire will face - the Inspector in the former report placed great weight upon the evidence to support the submitted schedule and the evidence which would show that the infrastructure that it intended to fund has a reasonable chance of being delivered. Huntingdonshire will certainly be no different.</p> <p>At the officer presentation on the 5th September 2011, the Council officers appeared to confirm that the improvements to the strategic</p>	<p>Support of rates noted.</p> <p>The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a "selection of infrastructure projects or types... which are indicative of the infrastructure likely to be funded by CIL in that area." The list does show certain projects that could be funded by CIL but due to the other statutory processes regarding strategic road networks and sewers, the cost has been reviewed and excluded from the aggregate funding gap to determine the levy.</p> <p>The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as S106 impacts and affordable housing. For strategic sites an infrastructure phase has been incorporated.</p>

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			<p>road network and to the strategic sewerage network would not form part of CIL. Recent correspondence from officers suggest that the Preliminary Draft Charging Schedule is a first stage consultation with regards to setting appropriate levy rates and states that it is not the place to consider individual infrastructure items in detail. This begs the question as to how the CIL rates have been derived and we would seek clarification from the Council on this issue.</p>	
St John's College Cambridge	<a href="#">CIL-PD62</a>	1.9	<p>The charging rate for retail development suggests a lower rate for smaller retail developments presumably on the basis that larger stores would be able to absorb a higher rate of CIL on average. The Inspector at the Newark and Sherwood Examination commented that proposing a division of 500 sq m between large and small retail development s was arbitrary and lacking in convincing evidential justification.</p> <p>Importantly at paragraph 21 of that report he remarked:</p> <p>“Without a very clear viability justification two different rates for retail development could be said to unreasonably favour smaller retailers over larger ones ad/or constitute a policy decision by the charging authority to support smaller units that goes beyond viability considerations alone and conflicts with national policy accordingly. It would also be more complicated to implement given the existing exemptions for small proposals in the national CIL regulations and that all CIL rates are on a sliding scale according to size alone in any event. The Council has effectively acknowledged these points in responding to those seeking a differential rate to favour small housing.”</p> <p>The Inspector said that the difference rate was neither reasonable nor justified and amended the Council's schedule.</p> <p>Having regard to the above it would appear only appropriate that the Council revert to a single rate for retail development.</p>	<p>Noted. The Newark and Sherwood decision is directly related to the lack of clear viability justification for two rates in that case. It is believed that there is clear viability evident in Huntingdonshire for such a proposal.</p>
St John's College Cambridge	<a href="#">CIL-PD63</a>	1.9	<p>Under the proposed CIL rate table in the Preliminary Draft Charging Schedule, it is noted that “Health (D1)” attracts a CIL rate of £140 per sq m. As a D1 use, one would anticipate that the kind of health uses that would come forward would be those with community benefit such as clinics, crèches and day centres. It is therefore surprising to see a separate entry for Community Uses (within D1 and D2) which has a nil CIL rate.</p> <p>There is clearly a tension here in terms of what the Council is seeking to charge for and certainly we would advocate that for D1 uses of community benefit then this should attract a nil CIL rate. We can only assume that the kind of development that “Health D1” is intending to cover is a development which would clearly be of a private commercial nature although we cannot understand why such a development would</p>	<p>The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.</p>

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			not constitute "community use". The Council either need to delete the Health D1 CIL rate of £140 per sq m or provide clarity within the glossary and within the evidence to make it clear what form, scale and nature of development it is intending to catch under this definition.	
St John's College Cambridge	<a href="#">CIL-PD64</a>	1.9	<p>St Johns College, Cambridge support the proposed zero charge for the above proposed uses classes.</p> <p>It is noted that the earlier work undertaken by the Council's consultants in 2009 that a CIL rate of some £54 per sq m for business uses was being suggested in the context of the Local Investment Framework. It is quite clear that within only a matter of months the Council have had to acknowledge the volatility of economic conditions which has resulted in a significant recalculation of those rates. This simply confirms the need for the Council to constantly monitor the CIL rates and the Local Investment Framework and attendant viability. To this end we note that the Inspector at the Newark and Sherwood Examination strongly supported the need for the Council to undertake a full review at a 3 year period after adoption. We strongly recommend the Council take the same approach.</p>	<p>Support for zero charges noted.</p> <p>It will be for the LPA to decide when it is appropriate to review a Charging Schedule.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD91</a>	1.9	<p>The infrastructure burden required to deliver major sites should be properly accounted for in the site specific viability testing. The £100 sqm rate broadly applied to the development appraisals in the DJD report does not demonstrate that such developments are viable as the inputs are wrong. Refer to sections 2 and 3 above for detailed comment. This should be reconsidered. We fundamentally disagree with the DJD report assumptions as set out in Section 3 of this representation.</p>	<p>The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as S106 impacts and affordable housing.</p> <p>A £55.5m allowance, based on £250,000 per net developable acre, was made for infrastructure items to deliver a strategic site, as identified in the viability testing for Residential Site 2.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD92</a>	1.9	<p>The DJD assumptions that inform the viability testing require further scrutiny.</p>	<p>Comment is noted.</p> <p>The viability assessments have been undertaken by professionals in their field. .</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD93</a>	1.9	<p>The DJD assumptions that inform the viability testing require further scrutiny.</p>	<p>Comment is noted.</p> <p>The viability assessments have been undertaken by professionals in their field. .</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson	<a href="#">CIL-PD94</a>	1.9	<p>The DJD assumptions that inform the viability testing require further scrutiny. The specific exclusion from the standard rate for nursing homes within Class C2 should be rolled out to the wider Class C2</p>	<p>Comment is noted.</p> <p>The viability assessments have been undertaken by</p>

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Oxford Uni			which qualifies for change of use without further planning permission.	professionals in their field. .
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD95</a>	1.9	The different charging rate for Health within Class D1 at £140 as oppose to the wider standard charge (£100) or the nil levy charge for the remainder of D1 is not clear. The Council will be familiar with the activities permissible under D1 without requiring a further planning permission. Some of those will not trigger CIL based on the nil levy rate applied to Community Uses. The whole of the D1 Use Class should be included within the nil levy for consistency and to prevent abuse. For example a major site which includes within its s106 liability a requirement to include early years child care will not be clear on whether HDC will view that as a business enterprise or a community use. This definition differs between local authority areas. The health uses within strategic development attract s106 obligations and to impose a further charge per sqm in addition is unacceptable.	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.  Whether the development is a private development or one that is required through a S106 Agreement is not the decision making point for whether CIL is payable. This is clearly detailed in the CIL Regulations
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD96</a>	1.9	Agree	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD97</a>	1.9	Whilst we generally accept the principle of a district-wide flat rate levy on development types we remain concerned that specific infrastructure that is identified to be delivered under CIL will impact upon the delivery of strategic sites and specifically St Neots East.	Acceptance in principle of district-wide flat rate levy noted.  The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a "selection of infrastructure projects or types... which are indicative of the infrastructure likely to be funded by CIL in that area." The list does show certain projects that could be funded by CIL but not what will receive funding.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD98</a>	1.9	The infrastructure definition at para 2.4 needs to show clear accountability of those items which are site specific s106 obligations for which a CIL levy is also applied (see below). Consideration of the DCS and the draft Developer Contributions SPD indicates double counting in its existing form.	The Infrastructure List clearly defines between S106 and CIL to ensure no double counting takes place. The publication of the Regulation 123 list following adoption will further support this.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL-PD99</a>	1.9	The s106 Development Specific Infrastructure is separated out and detailed comments are made to the accompanying draft Developer Contributions SPD. As referred above, the provision of s106 infrastructure needs to be transparent to ensure that no double counting occurs. This issue has been acknowledged by DJD in its report on Viability testing (Paragraph 5.4). In those examples stated in section 6 of this representation, we raise concern that the payment of CIL will lead to double counting unless an allowance is made for this	The Infrastructure List clearly defines between S106 and CIL. The publication of the Regulation 123 list following adoption will further support this.  CIL is mandatory, except where exemptions apply or in very rare cases exceptional circumstances are granted.

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			layer within the accompanying SPD to acknowledge that there will need to be an offset within the s106 site specific requirement to account for the Levy payment.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	<a href="#">CIL- PD100</a>	1.9	<p>We refer to comments set out in section 2 and 3 of this report and summarise our position as follows:</p> <p>The appraisals in the viability study make a number of assumptions and generalisations which do not reflect the local and regional market.</p> <p>CIL rates have been set on the viability evidence available to the Council, which does not in our view provide a robust opinion. For example it is based on sale figures not achieved prices.</p> <p>Under 3 "Methodology" of the DJ Viability testing report, the residential appraisal assumes a standard 40 units per hectare. No other density options have been tested to understand the difference in impact.</p> <p>The DJD study investigates the potential for charging CIL by showing the likely impact on economic viability of residential and non-residential scenarios across the District. The approach taken in the DJD Study does not follow the well recognised methodology of residual land valuation to inform the appraisals. At paragraph 3.7, the firm has instead put in land at "a specific cost set at a level that a reasonable landowner would transact" at, i.e. a "base level".</p> <p>At 3.8 the "market comparable rates" applied are questionable as the preceding sections describe the difficulties the author had in obtaining comparable evidence. Bidwells has detailed knowledge of those sites which differs from the stated assumptions.</p> <p>The affordable housing rates are not justified and are equal to Open Market Values in some cases.</p> <p>The strategic scale development appraisal is flawed. We are more concerned that the 'residential site 2' example is based on St Neots East as it mirrors the SHLAA baseline for those potential development parcels. In this case it is based on (as yet) unknown infrastructure and site assembly costs and is too simplified. The sites included within St Neots East are defined in the adopted UDF for the urban extension and the potential capacity differs significantly from the SHLAA assumptions.</p> <p>We acknowledge that the example appraisals are based on both residential and non-residential scheme typologies (SHLAA hypothetical schemes) that are likely to come forward across Huntingdonshire District. However the "residential" Site 2 is clearly based on St Neots East SHLAA figures and is therefore main focus appraisal of this</p>	<p>The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as local conditions, S106 impacts and affordable housing. For strategic sites an infrastructure phase has been incorporated.</p> <p>The 40 units per ha assumption was only used in initial viability testing in a single hectare model. 40 units per ha was not the standard assumption in the viability testing. The density of each site was derived from SHLAA figures for a site of that type as agreed with HDC planning officers to represent a range of low, medium and high density sites.</p> <p>The single hectare model was used simply in initial viability testing. The traditional residual method was then used in viability testing of the individual sites to arrive at a residual land value; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.3 and Appendix 3 of the viability report.</p> <p>All evidence from market research is set out in the Market Report as Appendix 1 of the viability report. It is not clear which sites are being referred to in this comment as none are specifically referred to in 3.8.</p> <p>Note request for meeting.</p>

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			<p>representation.</p> <p>The results of the appraisals are not properly compared to reasonable existing or alternative use value benchmarks across the district as the information for these comparable sites is not robust. It must be recognised that small changes in assumptions can have a significant individual or cumulative effect on the residential land value generated and/or the value of CIL potential. If this is not set at a realistic rate from a robust evidence base, this will result in a reduction in affordable housing provision and other s106 benefits.</p>	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL-PD103</a>	1.9	we do not agree with the proposed standard charge for 'most development'. We consider that the schedule is unduly balanced towards gaining contributions from large scale retail development (see our comments below). The levy should be applied more flexibly such that the contributions are shared across all of the different types of development. The current approach would appear to compromise retail and health developments given the extent of the draft rate.	Noted.  The viability assessments have evidenced the proposed levy rates.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL-PD104</a>	1.9	<p>We consider that the retail development figures should be provided as one figure regardless of the scale of the proposal; currently the rate is preferable for smaller types of retail development. It is not therefore necessary to differentiate between the two scales of retail floorspace. We consider that a consolidated single figure would be more appropriate (albeit it would seem appropriate to require a more limited contribution from retail developments of say 100m2).</p> <p>Notwithstanding this the extent of difference between the two figures (£50 for up to 1,000m2:  £140 for over 1,000m2) is not considered to be appropriate.</p> <p>We also consider that alternative figures for different types of 'A' use class should be adopted.</p>	Noted.  The viability assessments clearly demonstrate the levels are viable. The lower rate proposed for the 1000 sq m size was derived from the viability testing undertaken on units smaller than 1,000 sq m. Additional testing has been undertaken which will be evidenced with the Draft Charging Schedule.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL-PD105</a>	1.9	<p>We do not agree that the use of zero charges for certain types of development is appropriate</p> <p>as those uses should make a contribution towards CIL.</p>	Noted.  The viability assessments have evidenced the proposed levy rates.
Tim Isaac CLA	<a href="#">CIL-PD10</a>	1.9	<p>We are concerned to note that there is no reference to "agricultural, horticultural and forestry development" in the charging schedule. By not being expressly stated, there is a risk that its inclusion or otherwise will be left open to interpretation.</p> <p>As the charging schedule stands, "agricultural, horticultural and forestry development", because it is not specifically listed, could fall within the standard charge category and this cannot have been intended by the</p>	Noted.  Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.

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			<p>Council. If it was intended, then we would fundamentally object. A charge of £100 per sq m would render practically all agricultural development unviable. There is no viability assessment to justify such a charge.</p> <p>Many buildings required by rural businesses are replacing obsolescent ones with no consequential impact on infrastructure at all. Any increase in the value of the property is directly related to the costs of the new building and there is little or no enhancement in the overall land value.</p> <p>We propose that "agricultural, horticultural and forestry development" is added to business, general industrial and storage and distribution at a zero charge to avoid any confusion over the matter. This is the approach already taken by other local authorities, including Newark and Sherwood District Council and therefore would be more consistent.</p>	
Andrew Middleditch, Henry H Bletsoe & Son for Henry H Bletsoe & Son	<a href="#">CIL-PD66</a>	1.9	<p>We support the views expressed by the CLA, CAAV and NFU, that new agricultural buildings should be the subject of a zero charge. New agricultural buildings are often erected to replace existing obsolete buildings and as such place no additional burden on strategic infrastructure. Any proposal to make a charge for new agricultural buildings would severely disadvantage farmers trying to respond to the ever changing demands of modern agricultural practice and would affect the viability of being able to erect new buildings needed to meet the high standards now imposed upon the agricultural industry. In this respect, agriculture should be treated no differently from any other business and therefore the same zero rate proposed for business uses should also be applied to agricultural buildings. We are also concerned that the Council may not have given full consideration to the impact of other forms of development which may fall outside of the standard use classes, and hence we would not support a standard levy without proper consideration being given to the type of development being proposed. We suggest that any levy to be placed on uses which may be regarded as sui generis should be subject to separate and independent negotiation.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Ann Enticknap St Ives Town Council	<a href="#">CIL-PD132</a>	1.9	The initial charges are accepted	Acceptance of charges noted.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL-PD106</a>	1.10	In our view the Council should commit to reviewing the CIL rate on an annual basis. This would enable inflation to be included within that review and a new set of figures being produced.	It will be for the LPA to decide when it is appropriate to review a Charging Schedule. Levy rates are index linked.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL-PD118</a>	1.12	It is not yet clear whether a single flat rate levy would be justified across the entire District and may present anomalies. The Preliminary Draft Charging Schedule and the evidence base do not appear to explain the justification for a single flat rate levy. In the absence of such information it is difficult to comment further on this other than to note	<p>Noted.</p> <p>The evidence base gathered from our market research indicated that there was a spread of values across the District but there were no clear lines of demarcation sufficient to justify clear boundaries in accordance with the</p>

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			that the CIL front runners for Newark and Sherwood and Shropshire both have varying levies across their areas.	Regulations for different CIL rates. The testing carried out was intended to cover different value levels and different types of sites so take account of the differences.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL-PD119</a>	2.2	It is not clear why this is a question as the definition is extracted from Section 216(2) of the Planning Act 2008, as amended by Regulation 63 of the Community Infrastructure Levy Regulations 2010 to omit 'affordable housing.' Perhaps this is more relevant to the Developer Contributions SPD to ensure site specific infrastructure requirements are clearly justified.	Noted. Reference is to table the question followed.
Ian Burns NHS Cambridgeshire	<a href="#">CIL-PD12</a>	2.4	See our comment on 1.9 (Appendix 1)	Noted.
Stephen Wheatley Anglian (Central) Regional Flood and Coastal Committee	<a href="#">CIL-PD20</a>	2.4	Flood defences should be specifically included in the table of infrastructure considered within Huntingdonshire, both for CIL funded infrastructure and S106 Development Specific infrastructure. Flood defences are included in the infrastructure listed under Section 216 of the Planning Act 2008, as confirmed in paragraph 2.2. Flood risk management is particularly important to this area. Huntingdonshire District Council should take the opportunity to raise funds locally towards reducing flood risk wherever possible. The new approach to funding flood defences, introduced by the Government in May 2011, is called Flood and Coastal Resilience Partnership Funding. This new approach means that locally raised funding can now attract additional national grant funding in partnership projects to reduce flood risk. For example, a project to reduce the current flood risk to over 500 homes in Godmanchester could receive £3m of national funding if this could be matched by locally raised contributions.	The Planning Act clearly identifies flood defences as items of infrastructure.  Amendments will be made to show that flood defences will fall under CIL with the exception of local site related flood risk solutions provision which will continue under S106 or condition as appropriate.  CIL is not the funder of infrastructure. The Governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL-PD120</a>	2.4	There is a risk of double counting arising here, for example, Section 216(2) of the Planning Act 2008 includes schools and other education facilities, whilst the table under paragraph 2.4 in Appendix 2 refers to s106 developer specific infrastructure to include 'large scale major development specific school provision.' It would be unreasonable, for example, to be required to pay CIL charges towards schools outside of the catchment are whilst through s106 making contributions towards on-site provision of schools to meet the particular needs of the new community. This requires careful scrutiny by the Council in applying to all of the infrastructure types identified.	The Infrastructure Project List clearly identifies which infrastructure falls within which category to ensure no double counting takes place. The publication of the Regulation 123 list following adoption will further support this.
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD33</a>	2.6	The A141 and junction improvement schemes need to be added to the IPL along with the cost for improvements to the rights of way network.  The IPL has some key transport projects missing which are significant in terms of aiding the delivery of and mitigating against the potential	The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a "selection of infrastructure projects or types.... which are indicative of the infrastructure likely to

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			<p>impact of growth. Proposed transport schemes that should be included are:</p> <p>Huntingdon</p> <p>The schemes for the improvements to the A141 and its junctions need to be fully included. The A141 currently experiences congestion and delays, particularly at peak times. This road and its junctions will need improvements to facilitate growth in Huntingdon. Without improvements, it is likely that any increase in vehicle trips will add further congestion and delays on the link.</p> <p>All areas</p> <p>The costs for improvements to the rights of way network should be added to the IPL.</p>	<p>be funded by CIL in that area.” The list does show certain projects that could be funded by CIL but not what will receive funding.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD34</a>	2.6	<p>Improvements to the existing Household Waste Recycling Centres at Alconbury, Bluntisham and Whittlesey need to be added to the IPL.</p> <p>The St Neots Household Waste Recycling Centre is captured within the IPL. The County Council is also in the process of preparing a RECAP Waste Management Design Guide which is due to go out for a second round of public consultation in September prior to adoption in late 2011/early 2012. This Design Guide refers to the need for improvements to the existing Alconbury, Bluntisham and Whittlesey Household Waste Recycling Centres (proportionate to the scale of housing growth in Huntingdonshire District and neighbouring authorities). These improvements will need to be listed, along with their costs within the IPL. County Council Officers will provide further information in relation to these costs.</p>	<p>The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a “selection of infrastructure projects or types... which are indicative of the infrastructure likely to be funded by CIL in that area.” The list does show certain projects that could be funded by CIL but not what will receive funding.</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD49</a>	2.6	<p>Flooding Infrastructure</p> <p>Surface Water Management Plans in Huntingdonshire are currently being prepared. They will identify areas vulnerable to surface water flooding, look at the causes, and then suggest solutions. The solutions are likely to lead to new surface water flooding infrastructure projects being planned in the future (but currently unknown at this stage). Such projects should be added to the CIL Regulation 123 infrastructure list once they are known, therefore allowing them to be eligible to benefit from CIL receipts.</p>	<p>The Planning Act clearly identifies flood defences as items of infrastructure.</p> <p>Amendments will be made to show that flood defences will fall under CIL with the exception of local site related flood risk solutions provision which will continue under S106 or condition as appropriate.</p> <p>CIL is not <u>the</u> funder of infrastructure. The Governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies</p>
Joseph Whelan Cambridgeshire County Council	<a href="#">CIL-PD50</a>	2.6	<p>The Godmanchester Flood Alleviation Scheme is an Environment Agency project that would benefit from receiving CIL funding. Consideration should be given to adding this project to the Infrastructure Project List and County Officers would welcome further discussion.</p>	<p>Noted.</p>

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	<a href="#">CIL- PD121</a>	3.1	No. The application of CIL, s106 contributions and on-site infrastructure and other delivery costs required for the development of this major site will in combination, have significant effects upon the successful delivery of this site and viability. The costs for on-site infrastructure (eg transport, recreation, etc) are exceptionally high and will comprise community benefits in themselves. The Council must have greater understanding of these considerations, as a whole and undertake further assessments itself on this matter, and not rely solely on the DJD report, that as demonstrated here, has a number of flaws.	The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as local conditions, S106 impacts and affordable housing. For strategic sites an infrastructure phase has been incorporated. This has helped to guide what the LPA considers to be the appropriate balance.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	<a href="#">CIL- PD108</a>		A definition should be included of gross internal area.	Noted.