

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Roy Reeves Warboys Parish Council	DCspd2		Have observations	<p>Although the document (and the Draft Developer Contributions SPD) refer to the scale of the proposed CIL charge and the types of infrastructure for which it can be used, there is no indication as how decisions will be made on the spending of the receipts or to which public authority they will be allocated. The recently published Open Public Services White Paper envisages a transfer of responsibility for many local services to parish councils and it is therefore crucial that parish councils receive an equitable proportion of any CIL receipts for their respective areas. For example if a parish council has assumed responsibility for funding the library in its village, it would be wrong for any element of the CIL for library services to be paid exclusively to the County Council.</p> <p>There should be an clear and distinct opportunity for dialogue between infrastructure providers, including parish councils, for an equitable distribution of funding. Given the number of town and parish councils in Huntingdonshire, it would also be appropriate for CIL funding to finance a parish council liaison officer to deal with the distribution of receipts as opposed to a Sports and Physical Activity Development Officer and Community Development Officer which would be primarily district council orientated.</p>	<p>Noted The 'meaningful proportion' regarding CIL funding to the local PC / TC will be consulted on by government later this year.</p> <p>The governance arrangements regarding CIL monies falls outside the remit of the SPD and the charging schedule. This will be considered as part of the next stages of the CIL implementation in partnership.</p>
Mr Simon Pickstone Peterborough City Council	DCspd3		Have observations	Peterborough City Council would like to thank you for providing the opportunity to comment on this document and have no specific issues they wish to raise with this document in its current form.	Noted.
John Chase Buckden Parish Council	DCspd9		Have observations	Buckden Parish Council is concerned that there is no indication as how decisions will be made on the spending of the receipts or to which public authority they will be allocated. With a potential transfer of responsibility for many local services to parish councils it is therefore crucial that parish councils receive an equitable proportion of any CIL receipts for their respective areas. For example if a parish council has assumed responsibility for funding towards the library in its village, it would be wrong for any element of the CIL for library services to be paid exclusively to the County Council.	<p>Noted. The governance arrangements regarding CIL monies falls outside the remit of the SPD and the charging schedule. This will be considered as part of the next stages of the CIL implementation in partnership.</p>
Janet Innes-Clarke Brampton Parish Council	DCspd25		Have observations	This draft document is somewhat overwhelming for the lay person - Long, repetitive and difficult to understand. The finished document needs to be more user-friendly if non-professional people are to be consulted in detail over every development.	Noted. However, this is a technical document that needs to be used in negotiations so unfortunately it needs to be fit for that purpose.

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Sue Bull Anglian Water Services Ltd	DCspd42			<p>Thank you for the opportunity to comment on this draft document.</p> <p>As there is no provision for water or wastewater infrastructure within this document I have no comment to make.</p> <p>Contributions towards water and wastewater infrastructure are sought through the relevant sections of the Water Industry Act 1991.</p>	Noted.
Janet Nuttall Natural England	DCspd64			<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>Natural England welcomes the proposed requirement for developer contributions towards 'green space' provision, including informal open space and allotments. We would recommend that allotments and community gardens should also incorporate orchards.</p> <p>We note the proposal for residential development of the provision of only 0.23ha of informal (natural and semi-natural green space) per 1000 people. Under current guidance parks, gardens, allotments, amenity space, play areas would not be included as informal open space. 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> <ul style="list-style-type: none"> • Everyone should live within 300 metres of an area of accessible natural green-space of at least 2 hectares ; • There should be at least one accessible 20 hectare site within 2 kilometres; • There should be one accessible 100 hectares site within 5 kilometres; • There should be one accessible 500 hectares site within 10 kilometres. <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>Accepted in part.</p> <p>Support for green space requirements noted. Accept that allotments and community gardens could also incorporate orchards and this will be clarified in the document. Natural England aspirations regarding green space are noted. The policy must, however, be fair and in scale to the development and it is believed that this level and balance has been achieved.</p>

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				<p>It should be noted that provision of adequate green infrastructure of sufficient quality can play an important role in minimising the effects of increased access, associated with new development, on sites more sensitive to access.</p> <p>Natural England welcomes the proposed requirement for developer contributions towards footpaths, cycleways and bridleways, and the recognition of the importance of these for recreation, health, sustainable transport and creating sustainable and networked communities.</p> <p>We note that Section 106 Agreements and planning conditions will continue to be used for local infrastructure requirements on development sites, such as site specific local provision of open space and ecological mitigation.</p>	
<p>Tim Slater, 3D Planning for Persimmon Homes (East Midlands) Ltd</p>	<p>DCspd73</p>		<p>Object</p>	<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 in relation to CIL and the revisions to the Developer contributions (S106) process 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 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>It is considered that the S106 requirements in conjunction with the proposed CIL rate set for new housing is excessive (at £100 per sqm) will raise viability issues and hamper the delivery of new housing which is contrary to the strategic aims of both the Government and HDC. The retained requirement within the S106 to fund affordable housing and education from S106 means that the vast majority of existing costs are</p>	<p>Noted.</p> <p>The revised legislative S106 and CIL systems provide a fairer and more balanced approach to developer contributions that have been considered in the viability testing supporting the CIL.</p> <p>The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.</p> <p>Following adoption of CIL, 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 S106 Agreement and phasing and payment triggers negotiated providing a flexible approach.</p>

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				<p>retained within the system and the CIL is an additional burden. Table 11 shows an average £12k per dwelling on education with £10K+ for CIL, irrespective of other S106 costs; this is clearly a very significant cost on development (and a high percentage of the total cost of a house) that will do nothing to aid affordability.</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>It is apparent that the S106 process will be left to pick up the bits after CIL, but the lack of geographic control over where CIL will be spent has the potential for developers double paying for infrastructure. CIL is intended to fund infrastructure, however the important link between impact and mitigation is lost in CIL, therefore it 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 by the Council through the S106 process. In principle this is considered to be wrong, and in practice this will accentuate the concerns over viability and delivery. The assurance in para 3.6 of the doc does not provide sufficient comfort in this respect.</p> <p>It is noted that at para 4.10 and table 5, an 'average housing mix' is introduced. Currently HDC has no market housing mix policy adopted and an assurance is sought that this is not an attempt to introduce one without due process and consideration.</p> <p>It is considered that the administrative fees set out in 4.16 are excessive and unjustified.</p> <p>I trust that this sets out the key concerns in relation to the Developer contribution document on behalf of Persimmon Homes EM. Fundamentally the increased costs contained within the Developer Contributions DPD and CIL will make it more difficult to deliver the housing and development sought by Government.</p>	
Philip Raiswell Sport England	DCspd88		Have observations	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	Support noted for green space contributions and sports development officer.

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				<p>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>Sport England support the Council undertaking the Draft Developer Contributions Supplementary Planning Document in order to secure contributions for infrastructure that is or will be needed as a result of new development.</p> <ul style="list-style-type: none"> ▪ 5 Planning Obligation Requirements and Negotiated Requirements <p>Firstly, we support the Council's recognition that a Sports and Physical Activity Development Officer should be included in the list of required planning obligations.</p> <p>Furthermore, we also support the Council's recognition that Green Space (including outdoor sports facility provision within section 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9) should be included in the list of required planning obligations.</p> <p>However, Indoor Sports Facilities are identified within the list of Negotiated Requirements. We therefore object as indoor sports facility provision should also be included in the list of required planning obligations (and as part of the list of required contributions within section 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9). If only outdoor sports facility provision is included within the list of required planning obligations (and as part of the list of required contributions within section 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9) there may be a lack of contributions collected towards the provision of indoor sports facilities.</p> <ul style="list-style-type: none"> ▪ 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9 <p>Sport England support the Council's recognition that outdoor sports facility provision should be included in the list of required contributions.</p> <p>However, we would like to query why there are two references</p>	<p>Disagree. Due to the relatively high costs involved in the provision of indoor sports very few development schemes are likely to generate sufficient demand to warrant provision on-site and so will be negotiated. They do not fall within the Green Space obligation as the land required does not come from this need, unlike for outdoor sports.</p> <p>The two references to outdoor sports are made as one is concerning the land requirements and the other is on the capital implementation cost requirements.</p>

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				made to the need outdoor sports facility provision contributions (within bullet point 4 and 8)? Do these relate to different types of sports facilities i.e. playing fields and others?	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd91		Have observations	<p>We understand and agree to the principle for a CIL however it raises the question that a first and fundamental step is to ensure that there is good evidence based both on infrastructure needs and priorities and on the impact of charging regimes on the viability and deliverability of a site if they are to promote rather than prevent development. Our concerns raised on the CIL levy and the background evidence that it relies upon is also the starting point for commenting on the accompanying Developer Contributions SPD which is the focus of this response.</p> <p>We do not consider a good evidence base is available from which HDC can move forward its planning obligations strategy.</p>	Disagree. The evidence presented to support the SPD and the Preliminary Draft Charging Schedule is considered appropriately robust.
Joseph Whelan Cambridgeshire County Council	DCspd60		Object	<p>The Huntingdonshire Draft Developer Contributions Supplementary Planning Document (SPD) contains very little information on how transport contributions will be secured before the CIL is adopted. This is a critical point that needs to be rectified. Further discussions are needed between Officers to establish how best to present information on transport. Limited information on transport contributions in the SPD is unacceptable and would incorrectly suggest that developers would not be required to make such contributions. In addition, transport contributions will need to be sought from developments prior to the implementation of CIL. When CIL is in place, as revenue contributions are not covered by CIL, the SPD needs to state that transport revenue contributions will be sought (e.g. for Bus Services).</p>	<p>Noted.</p> <p>Transport contributions will be negotiated, as stated in the Draft SPD, taking into account the 3 statutory tests.</p>
Joseph Whelan Cambridgeshire County Council	DCspd61		Object	<p>Section 106 agreements have to date been the major tool to require travel plans to help mitigate the effect on road infrastructure of the new development. This SPD makes no mention of travel plans or the future procurement of these.</p>	<p>Noted.</p> <p>Travel plans will continue to be discussed and conditioned on appropriate developments as part of the negotiations regarding transport matters.</p>
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd136		Object	<p>The Council will be benefiting from the receipt of significant planning application fees and New Homes Bonus, which should also be factored into any calculations. The SPD makes no reference to these alternative sources of funding, particularly the New Homes Bonus which is intended to be an incentive to local authorities to ensure the benefits of growth are returned to local communities and to mitigate the impact from the increased population.</p>	<p>Noted.</p> <p>The New Homes Bonus is not likely to form part of infrastructure funding in Huntingdonshire. It is for the local council to decide how and where any money received will be subsequently spent.</p>

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd124		Have observations	The phasing of financial contributions / on-site provision is absolutely essential to viability and deliverability of major developments.	Noted. Development specific infrastructure being covered under S106 Agreement for large scale major developments will take a flexible, negotiated approach to the phasing and payment triggers.
Mark White Homes and Communities Agency	DCspd75		Have observations	<p>This is the response from the Homes & 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"> • improve the supply and quality of housing in England; • secure the regeneration or development of land and infrastructure in England; • support in other ways the creation, regeneration or development of communities in England or their continued well-being; and • contribute to the achievement of sustainable development and good design in England, with a view to meeting the needs of people living in England. <p>The HCA has not been formally invited to comment on this document, but wishes to comment as follows:</p> <p>Viability</p> <p>The HCA notes that the draft SPD 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>Comments welcomed.</p> <p>Affordable Rent is acknowledged in the CIL Viability Report. HDC Policy is for affordable housing to be supplied 70/30 split. Following the publication of PPS3, HDC is in the process of reviewing policy in line with Affordable Rent. 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 SPD 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 SPD itself; which goes on to say when discussing Affordable Housing: "The provision of affordable housing has been incorporated into the viability testing undertaken during the production of the Preliminary Draft Community Infrastructure Levy Charge and as such, viability is not likely to be a general consideration."</p> <p>The HCA would question whether this would be the case; as 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 Developer Contribution Policy without giving 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>The HCA would suggest that it will be quite possible that it may be in more than exceptional circumstances (as the draft SPD suggests) that developers may wish to reconsider the required contributions due to impact on the viability of the scheme. The HCA notes the process outlined in the draft SPD to deal with such disputes; the HCA is quite happy to assist local authorities through its enabling function in examining viabilities where these situations arise.</p> <p>The HCA notes that the SPD makes reference to a forthcoming Affordable Housing Advice Note that will seek to</p>	

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				clarify the Council's approach. The HCA would welcome the opportunity to comment on draft versions of this note and is happy to offer any assistance that the HDC may require on this matter.	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd122		Have observations	<p>On behalf of our clients, Tesco Stores Ltd. and Santon Group Developments Ltd., we hereby make the following observations and comments on the draft Developer Contributions Supplementary Planning Document (SPD).</p> <p>Our main observation is that it is not clear within the draft document the extent to which Community Infrastructure Levy (CIL) is to be considered. This is complicated by the parallel consultation which is taking place upon the draft CIL Charging Schedule.</p> <p>The document is also heavily focussed on residential development. It would be helpful if the document could include advice regarding other types of development.</p>	<p>Noted.</p> <p>The Draft SPD clearly outlines the interaction between it and the Community Infrastructure Levy.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd133		Have observations	<p>In light of our comments above we consider that the draft SPD should be reviewed in order to provide further information regarding:</p> <ul style="list-style-type: none"> · clarification in order to avoid potential double counting between CIL and Section 106 contributions · the likely requirements for non-residential development · the administration charges be reviewed · we consider that the time limits for spending the contributions secured via planning obligations should be deleted in order to enable those to be discussed on a case-by-case basis. <p>We would therefore request that we are informed of the subsequent phases undertaken as part of this process and are afforded the opportunity to comment further (included possible future attendance at the Examination in Public).</p>	<p>Accepted in part.</p> <p>The SPD clearly states where infrastructure will be required through a S106 Agreement. The CIL Infrastructure Project List further clarifies this by identifying which infrastructure could be S106 funded and which could be CIL funded to ensure no double counting takes place.</p> <p>The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.</p> <p>The administration charges will be reviewed in light of comments received.</p> <p>Time limits will not be deleted.</p> <p>Request to be kept informed and option to attend the CIL Examination noted.</p>
Janet Innes-Clarke Brampton Parish	DCspd26	1.9	Have observations	1.9 It is likely to be beneficial that monies from developers can be used in the wider area but district-wide and local	Noted.

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Council				infrastructure projects MUST have some benefit for the communities near to that development. Perhaps 'near' should be defined.	
Helen Boothman	DCspd67	1.9		What say will Local communities, ie local people, have in the choice of what infrastrucue will get funded?	Noted. The CIL governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies.
Stephen Dartford Fenstanton Parish Council	DCspd11	1.10		Will funding raised from infrastructure providers be community specific i.e used for the community in which the development occurs or pooled and used anywhere District wide.	Noted. The CIL governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies, which could be within the community where development occurs, district-wide or outside of the district.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd119	1.11	Object	<p>The introduction of CIL is intended to give certainty up-front to developers. However, in this case, developers are also required through the SPD to maintain very significant levels of financial contributions through S106 in addition to the CIL as well as other, specific on-site infrastructure. Developers will be expected to incur significant financial burdens as set out above, in addition to other regulatory requirements such as the Code for Sustainable Homes and renewable energy requirements.</p> <p>The level of contributions should not be excessive and should be proportionate to the scale and nature of development proposed, taking account of on-site infrastructure and other delivery costs, many of which are exceptionally high and many of which will also comprise community benefits in themselves. This should therefore, be fully taken into account. The delivery of a sustainable urban extension will mean future residents will draw upon facilities provided within the new development, placing less pressure on existing facilities in St Neots. The level of s106contributions sought should reflect this.</p>	<p>Noted.</p> <p>S106 obligations are based on the needs of the new development and not existing communities.</p> <p>All obligations are required to meet the 3 statutory tests and the CIL work has included viability assessments that 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.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd123	1.11	Object	We do not consider that there is sufficient certainty between what would be included within CIL and what would be required through other agreements. This lack of clarity will not instil confidence for investors or businesses.	Disagree. The SPD clearly states where infrastructure will be required through a S106 Agreement. The CIL Infrastructure Project List further clarifies this by identifying which infrastructure could be S106 funded and which could be CIL funded to ensure no double counting takes place.
Stephen Dartford Fenstanton Parish Council	DCspd12	1.12		Definition of 'meaningful proportion'	The 'meaningful proportion' will be consulted on by government later this year.

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Janet Innes-Clarke Brampton Parish Council	DCspd27	1.12	Have observations	1.12 What is a 'meaningful proportion'? Needs to be clearer. How is it decided and by whom?	The 'meaningful proportion' will be consulted on by government later this year.
David Abbott Highways Agency	DCspd5	1.13		<p>The term "strategic road network" has a specific definition for the HA. The use of the term here is fully consistent with this definition but nonetheless could easily be misinterpreted by readers. It is therefore suggested that the term be used with initial capital ie "Strategic Road Network" and an entry added the glossary at the end of the document. Such an entry might read:</p> <p>"The Trunk Road and Motorway network, which, in England, is managed on behalf of the Secretary of State for Transport by the Highways Agency. Within Huntingdonshire this consists of the A1, A1(M), A14 and A428."</p>	<p>Noted.</p> <p>Document amended and glossary updated.</p>
David Abbott Highways Agency	DCspd6	1.13		Reference here to private sector funding of works on the SRN through section 278 agreements is potentially contradictory to reference in section 3.8 to building "a new strategic road" using pooled contributions. The 3.8 reference appears to be correct (though its scope needs to be expanded - see below) and the HA will be keen to ensure that funding mechanism remains in place, therefore the reference here needs to be amended to cover the process of funding SRN work through the pooled CIL contributions. For instance it is possible for the local highway authority to undertake works on the SRN under section 6 of the highways act.	<p>Noted.</p> <p>Document amended</p>
Janet Innes-Clarke Brampton Parish Council	DCspd28	1.13	Support	1.13 Good. The identified mitigation works must then be actually carried out. Ensuring delivery in a timely manner is very important..How could this be enforced in the case of it not happening?	<p>Noted.</p> <p>Enforcement of Section 278 agreements not within the remit of the SPD.</p>
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd76	1.13	Object	<p>The draft SPD acknowledges that agreements for the private sector funding of works on the strategic road network are made under Section 278 of the Highways Act 1990. Such agreements provide a financial mechanism for ensuring delivery of mitigation works identified and determined as necessary for planning permission to be granted. Whilst it is accepted that such Section 278 Agreements are not the responsibility of the Local Planning Authority, we do think it appropriate that some more helpful reference to such issues warrant some more informative text than rather simply saying that this is not covered under the Planning Act.</p> <p>The A14 has a critical role in accommodating existing and projected new growth within the Huntingdonshire area and the pivotal role of the Highways Agency in terms of securing financial contributions towards major infrastructure will no</p>	Noted.

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				doubt be a major issue in the coming months and years if Huntingdonshire is to fulfil its Core Strategy objectives. We consider that text on the position of the Highways Agency in relation to planning contributions already being sought by Huntingdonshire District Council on sites would be helpful in this context as well as further confirmation that any contributions or obligations required by the Highways Agency do not fall within the Section 106/CIL arrangements.	
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd82	1.13	Object	At paragraph 1.13 of the SPD the document acknowledges that agreements for the private sector funding of works on the strategic road network are made under the Highways Act 1990. Whilst we accept that such Section 278 Agreements are not the responsibility of the Local Planning Authority we do feel that this document would benefit from a more helpful reference to confirm that strategic matters of infrastructure such as trunk roads and main sewer networks are not addressed within the Planning Act. All of this is set within a context that the A14 plays a pivotal role for future new growth in the Huntingdon area and it is imperative for the document to acknowledge how contributions or obligations required by the Highways Agency will be affected by suggested new SPD (and CIL) arrangements.	Noted. It is not the purpose of the document to detail other legislation and agency responsibilities.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd125	2.6	Object	As noted within our representations to the draft CIL Charging Schedule we do not consider that these comply with the CIL regulations.	Disagree. The text here clearly states the needs associated with the CILRegulations.
Stephen Dartford Fenstanton Parish Council	DCspd13			The viability of this section of the document is somewhat undermined by the unstable nature of current Government policy	Noted. The Draft Developer Contributions SPD and the Preliminary Draft Charging Schedule have had viability assessments undertaken by professionals in the field taking into account current policy requirements and economic conditions.
Helen Boothman	DCspd68			This all seems premature and inconsistent. The local Investment Framework has been revised in light of change in circumstances like the economic situation and yet no revision has been undertaken of the Core strategy given equally important and significant changes eg Alconbury being an Enterprise Zone. The Core strategy needs to be reviewed to reflect all current and very significant changes.	The Draft Developer Contributions SPD is directly linked with the adopted Core Strategy
Sean McGrath, Indigo Planning Ltd for Sainsburys Supermarkets Ltd	DCspd90	2.13	Have observations	Whilst the SPD confirms that proposals for retail development would trigger the need for contributions to green space, public accessibility routes, police services and sports and physical activity, details regarding the calculation of these contributions have not been provided. We consider that further information	Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be

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				clarifying how these, and any other contributions that would relate to retail development are calculated, should be provided in the SPD.	individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd121	2.13	Object	Core Strategy Policy CS 10 states that standards and formulae for calculating contributions will be set out in separate SPD or DPD documents. Hence this SPD requires developers to comply with other future SPD/DPD requirements that are entirely unknown at this stage, which is unacceptable. As a result, the SPD and CIL combined pose a major threat to the viability and deliverability of major developments.	Disagree. The Core Strategy was adopted prior to publication of the SPD. The Draft Developer Contributions SPD is the documentation referred to in the Core Strategy. The CIL work has included viability assessments that 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 to ensure viability and deliverability.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd127	Table 1	Have observations	Table 2 (below paragraph 2.21) plots the anticipated changes in average household size between 2006 and 2026. The delivery of a major development site will take place over a lengthy period of time and which may, initially be submitted in outline form. It will be important that the calculation of contributions fully reflects the reductions in household size over this period from 2.40 to 2.16 to ensure the appropriate level of contributions.	Noted.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd161	2.18	Object	The Local Investment Framework 2009 (LIF) is a vital element of the evidence base behind the s106. The LIF was based around prevailing assumptions around the growth agenda as existed at the time of its publication, and the authors of the LIF were clear that the study should be updated as information on future levels of development build-out, related phasing assumptions and the availability of funding sources emerged (LIF page 152). While updating of the LIF has taken place, it would be more accurate if Paragraph 2.18 referred to the LIF detailing the 'assumed physical, social and green infrastructure needs arising'.	Noted. The LIF trajectory had an element of trajectory. The requirements were based on the needs of that.
Stephen Dartford Fenstanton Parish Council	DCspd14	2.20		Will Parish Councils be advised of these annual reviews?	The review process will be publicly communicated.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd162	2.20	Have observations	The commitment towards an annual review of the CIL Infrastructure Project Plan with stakeholders and partners is vital. With sites of a strategic scale and lengthy delivery period over numerous phases such as Alconbury it is vital that a	Noted.

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				similar discipline of regular review is employed towards the payment, phasing and use of CIL and s106 contributions.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd160	3		<p>In the context of an application for a Very Large Scale Major Development which is being currently promoted, the timing for the approval of the two documents and the co-ordinated approach of the Council in negotiating the relevant contributions is essential. It is noted that 'Infrastructure needs identified as part of the CIL will not be duplicated in any s.106 Agreement' (Paragraph 3.3 Draft Developer Contributions SPD) and that 'the CIL charging schedule differentiates between these infrastructure projects [on Large Scale Major Developments] to ensure no double counting takes place between calculating the district wide CIL rate for funding infrastructure projects and determining Section 106 agreements for funding other development site specific infrastructure projects.' (Paragraph 3.14) but this should not prevent the conclusion of a s106 agreement if the CIL charging schedule is delayed or does not currently address the infrastructure requirements generated by the development. Both the CIL Charging Schedule and Developer Contributions SPD should identify the need for a bespoke flexible approach to be adopted with respect to Very Large Scale Major Development. This flexible approach should include early pre-application discussion of heads of terms, the nature of direct provision of social infrastructure and how this is to be taken account of, 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 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 soundly based.</p> <p>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. Guidance on the implementation of the twin tracked process would be helpful in order to resolve any interim issues. Furthermore, whilst there are a number of sections that deal specifically with Large Scale Major Developments (e.g. 3.14) it is noted that there are a number which do not. Depending on whether the Council adopt a flexible approach to implementing this policy, the absence of specific reference to Large Scale Major Developments on all issues may create future difficulties.</p>	<p>Noted.</p> <p>Developments over 200 residential units will continue to have S106 Agreements to cover development specific infrastructure and will be negotiated as appropriate. Detail on this is clearly noted throughout the SPD.</p>

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Ramune Mimiene Brampton Parish Council	DCspd153	3		Financial When are contributions made over to HDC? What happens if the developer goes bust in the interim? When are they made over to the parish? Are contributions to the parish uplifted for inflation? Will the parish have to demonstrate that contributions were spent on the identified services? What happens if council policy changes during the maintenance period (e.g. libraries)?	Noted. This appears to be in reference to CIL. Contributions are handed over to HDC as the Local Planning Authority. Any 'meaningful proportion' to go to the local parish will be determined as part of the government consultation on this matter. Any money spent will need to be shown to be spent on infrastructure. Future policy / provider changes would need to take such matters into account.
Stephen Dartford Fenstanton Parish Council	DCspd15	3.3		Consultation should be held with smaller satellite communities when District wide and local infrastructure projects are being determined	Noted.
Helen Boothman	DCspd69	3.3		What consultation was carried out with local communities in preparing the revised local investment framework? Local communities need to have their voice listened to about what they consider their needs to be, through parish and town councils.	Noted. The revised Infrastructure Project List is part of the Preliminary Draft Charging Schedule process and involved a range of infrastructure partners to cover infrastructure need. The governance arrangements regarding CIL monies falls outside the remit of this SPD. This will be considered further as part of the next stages of the CIL implementation in partnership.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd126	3.3	Object	As noted above we are not convinced that the documents provide sufficient clarity as to which contributions would fall under CIL and which would come under Planning Obligations. This could result in duplication of contributions.	Disagree. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd118	3.6	Have observations	Whilst there is acknowledgement within paragraph 3.6 of the draft that developers should not be double charged it seems to be many headings for contributions for large scale development is being charged twice. (See comments at D9, E6, F7, G7, I8)	Disagree. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd77	3.6	Object	Accepting that the District Council's Preliminary Draft Community Infrastructure Levy Charging Schedule is being consulted at the same time as the Draft SPD on Developer Contributions, it is worth referring to the text within paragraph 3.6 of the latter which states that the introduction of the Community Infrastructure Levy is meant to restrict the use of planning obligations in order that they meet three statutory tests. The overall assumption is that the emerging planning obligations system is one that is more streamlined and	Disagree. The SPD clarifies the need to meet new legal requirements. The SPD is the first document of its kind for HDC and aims to clarify requirements and provide a fairer and more transparent process for all.

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				transparent and yet in circumstances where a new residential development of 10 dwellings or more which would come forward, it would appear that there are potentially 11 topics which would be the subject of specific reference in any Section 106 Agreement. It would appear that the District Council has taken the opportunity to review its Obligations strategy and expand upon its adopted position to seek contributions from the developer to a wide range of other "service providers" which by definition is likely to make the Section 106 Agreement more onerous and potentially more complex, notwithstanding the very real concerns we have about non-compliance of some contributions being sought - we have made individual representations on those matters. We also note that the Council is also looking at potential contributions to "negotiated requirements" listed in paragraph 5.4 which are additional to the planning obligation particularly to major developments.	
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd83	3.6	Object	We acknowledge that the Preliminary Draft Community Infrastructure Levy Charging Schedule is the subject of consultation along with the draft SPD on Developer Contributions. Whilst we understand that the two consultations are running at slightly different timescales it is important to acknowledge that the original concepts of CIL were to restrict the use of planning obligations and that those that do apply meet the statutory tests. If it is accepted that the overall intention is to streamline the process and help to deliver the document then it appears unnecessary to be simply adding in further topics of planning obligations within any Section 106 Agreement. From our understanding of the document we note that there are some 11 topics which are the subject of specific reference and which could form part of any Section 106 Agreement dependent upon the development coming forward. Collectively, you will appreciate that AWG Landholdings Ltd is concerned about the viability of new development alongside the appropriateness of contributions being sought where the tests to seek such applications is flawed.	Disagree. The SPD clarifies the need to meet new legal requirements. The SPD is the first document of its kind for HDC and aims to clarify requirements and provide a fairer and more transparent process for all.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd128	3.7	Object	Again it is unclear why planning obligations would be used to secure community infrastructure. This again could lead to double counting.	Disagree. Following the adoption of CIL, the securing of community infrastructure through S106 will only apply to large scale major developments. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Paul Davies	DCspd1	3.8	Have observations	When a Developer makes a financial or in-kind contribution (whether CIL or S106) can you guarantee that this will be used	Noted. Payments made through S106 Agreements can only be for matters that are directly related to the

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				in its entirety on that specific development and not hived off for other purposes?	needs of that development. CIL contributions are not part of the SPD and use of money collected could be but does not have to be related to the development.
David Abbott Highways Agency	DCspd7	3.8		The potential conflict with 1.13 is referred to above. Reference is made here to funding a "new strategic road" using pooled contributions. While technically this is correct it implies that it excludes improvements to existing strategic roads. Such measures might include corridor-type improvements to facilitate a range of developments as opposed to site specific measures to facilitate a single development's first point of access onto the SRN. We would recommend therefore that the scope of this section be expanded accordingly.	Accept. Document to be amended to reflect Highways Agency comments.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd129	3.8	Object	There is reference here to pooled contributions which would appear to be contrary to the CIL regulations as noted in paragraph 2.6 of the document.	Disagree. Clear reference is made to the limitations of pooling under the CIL Regulations.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd158		Have observations	This SPD is sign posted within the Core Strategy and is intended to be considered alongside the Preliminary Draft Community Infrastructure Levy Charging Schedule 2011 or any successor document (Section 1.1). There is the anticipation that the CIL charging schedule will be adopted in Spring 2012; however there is no indication whether the two documents are intended to become policy simultaneously or whether one precedes the other. As such, the wording of particular Planning Obligation Requirements within the Draft Developer Contributions SPD seeks to cover two scenarios - one where CIL has been implemented and one where it has not. It is assumed that the two documents will come forward in parallel as this will be the most logical approach and will avoid confusion. However, confirmation of this approach would be helpful.	Noted. The SPD clarifies the need to meet new legal requirements. The SPD is the first document of its kind for HDC and aims to clarify requirements and provide a fairer and more transparent process for all. It notes the change in requirements for when CIL has been adopted but this will be at a later stage due to the consultation and Examination in Public that it is required to complete.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd163		Have observations	There is a need for greater clarity regarding the relationship between the two especially in the context of large and very large scale major developments. The current overlap that exists for example in open space provision, contributions to education has the potential to be confusing. Worked examples of typical developments would be helpful in showing how CIL and s106 would work in practice and what should happen in the interim until the CIL payment schedule is adopted.	Noted. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place. The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion.

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				<p>There is also a need to reflect the fact that alternative approaches might need to be taken in strategic very large scale major developments where direct developer provision may be the most efficient way of delivering social infrastructure such as strategic open space etc that may have a catchment and benefit extending to the broader community beyond the site boundary.</p> <p>The SPD needs to explicitly identify this possibility and indicate flexibility in taking this into account, whilst ensuring that no double counting occurs.</p>	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd159	3.14	Object	<p>The document seeks to differentiate between Large Scale Major Developments and other smaller developments (at a 200 residential unit threshold) in terms of the blend and mix between s.106 contributions and CIL payments. While we recognise the need for clarity in terms of how these small and medium size developments will come forward, the document does not seek to set any specific guidance for what might be described as Very Large Scale Development of over 1000 units. Very Large Scale Major Development, such as that being promoted at Alconbury, raise different issues in terms of the quantum and timing of supporting infrastructure, the delivery of infrastructure and the timing of contributions that differ from normal or large scale development proposals to which the approach set out in the CIL Charging Schedule and Draft Developer Contributions SPD apply.</p> <p>Developments of this scale create a range of impacts and opportunities which should be the subject of a bespoke early discussion between the developer, the Council and a range of other key stakeholders. This approach is reflected in the statement at paragraph 5.17 of the Viability Testing of CIL Charges that accompanies the consultation which states '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'.</p>	<p>Disagree.</p> <p>Note recognition of clarity brought by large scale major and smaller developments approach.</p> <p>The requirements of a development of 1000 units would be considered in the same flexible manner as proposed by the large scale major approach.</p>
Ramune Mimiene Brampton Parish Council	DCspd145	3.14	Have observations	Bands. Many charges vary above and below the 200 unit watershed. Is there a risk of developers arranging developments sizes to the detriment of the Authority?	Noted.
Ramune Mimiene Brampton Parish Council	DCspd147	3.15	Have observations	Alconbury Could be included in the list of major sites, (3.15).	<p>Noted.</p> <p>The Alconbury site referred to is not within the adopted Core Strategy directions of growth. Should it come forward it would be classified as a large scale major site for the purposes of CIL and developer contributions.</p>

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Phil Copsey, David Lock Associates for Urban and Civic	DCspd164	3.16	Support	We welcome the recognition that new large scale developments may come forward over and above those identified in paragraph 3.15.	Noted.
M. Newman, Clerk Stukeleys Parish Council	DCspd74	3.18	Support	It is noted that, unlike CIL, developer contributions will continue to be directly related to the proposed development, and will vary from site to site according to circumstances. The Parish Council supports the approach taken in this document and has no reason or evidence to suggest any changes to the formulae set out in it. We consider it essential that the Parish Council is involved in the drafting of S106 Agreements which will be based on this document.	Support welcomed. Partners engagement will continue in this process.
Ian Burns NHS Cambridgeshire	DCspd10	3.19	Support	It is important that the need for new or improved Health infrastructure and services is recognised as a result of new housing and that there is scope to apply S106 and CIL contributions for this purpose.	Noted.
Janet Innes-Clarke Brampton Parish Council	DCspd30	3.19	Object	3.19 Why are The Arts not included in developer contributions list? Physical activities seem to take precedence over intellectual pursuits eg facilities suitable for music, theatre, lectures which are just as important for community well-being.	Disagree. Facilities for the arts would be considered as part of multi-purpose community facilities, as appropriate.
Joseph Whelan Cambridgeshire County Council	DCspd45	3.19	Have observations	Please add 'Transport/Highways' and 'Archaeology' - The County Council has in the past secured archaeology contributions through S106.	These are noted as negotiated requirements and/or conditions.
Adam Ireland Environment Agency	DCspd65	3.19	Object	This is an ideal opportunity to incorporate Flood Risk Management Infrastructure (flood defences, Sustainable Drainage Systems {SuDS}, etc) within the range of community infrastructure projects that are able to benefit from Planning Contributions. 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. 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.	Accepted. Document will be amended to note flood risk management solutions as potential negotiated requirements.
Helen Boothman	DCspd70	3.19	Have	With an aging population in the county why is there no	Noted. Supported housing is covered by affordable

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			observations	obligations for accomodation for the elderly, be it care homes, wardened accommodation etc?	housing requirements.
Helen Boothman	DCspd71	3.21		And what about houghton and wyton projects to account for teh masive increase of popualtion within the parish?	Noted. The section noted refers to regeneration projects. The development referred to in the response will be considered through the usual process in order to comply with the legislative requirements.
Ramune Mimiene Brampton Parish Council	DCspd143	4	Have observations	Consultation: Are local councillors and/or parishes to be consulted on the size of contributions and their allocation to projects?	Noted. Partners engagement will continue in this process.
Ramune Mimiene Brampton Parish Council	DCspd144	4.8	Have observations	Population. Most of the costs associated with developments are specified in terms of new units of housing or population numbers. However for some areas (e.g. police, accident and emergency provision under health, footpaths and access) the inclusion of contributions based on commercial industrial new development would seem to be appropriate. How is this incorporated?	Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd165	Table 6	Object	We observe that Step 1 & 2 requires the submission of a draft Heads of Terms prior to the validation of the planning application by the Council. . This suggests that the local planning authority will vet the extent of heads of terms before declaring an application valid. This would be an extension of the current validation process - Guidance on information requirements and validation published by the Department for Communities and Local Government makes clear at paragraph 34 'In some circumstances the supporting information may be inadequate or its quality may be a concern. These are not grounds for invalidating applications,' While it is perfectly appropriate to expect draft heads of terms to be submitted, the validation process should not be used as a means of agreeing in principle heads of terms otherwise there is a risk that the Council could be exposed to a potential legal challenge. Furthermore, in the context of applications submitted prior to the CIL charging schedule being adopted this is a difficult requirement to comply with accurately.	Accepted in part. Text amended to clarify position.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd166	4.13	Have observations	We observe that Step 1 & 2 requires the submission of a draft Heads of Terms prior to the validation of the planning application by the Council. . This suggests that the local planning	Accepted in part. Text amended to clarify position.

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				<p>authority will vet the extent of heads of terms before declaring an application valid. This would be an extension of the current validation process - Guidance on information requirements and validation published by the Department for Communities and Local Government makes clear at paragraph 34 'In some circumstances the supporting information may be inadequate or its quality may be a concern. These are not grounds for invalidating applications,' While it is perfectly appropriate to expect draft heads of terms to be submitted, the validation process should not be used as a means of agreeing in principle heads of terms otherwise there is a risk that the Council could be exposed to a potential legal challenge. Furthermore, in the context of applications submitted prior to the CIL charging schedule being adopted this is a difficult requirement to comply with accurately.</p>	
Joseph Whelan Cambridgeshire County Council	DCspd46	4.15	Support	The BCIS All-In Tender Price Index is published quarterly although it is proposed that an annual update is applied. It is suggested also that RPI isn't used if the All-In Tender Price Index is abolished.	Noted. The RPI is noted to tie in with index linking for CIL.
Joseph Whelan Cambridgeshire County Council	DCspd47	4.16	Have observations	The CIL Levy admin charge of 5% needs further discussion as to whether this is the right amount and further detail is needed on the scope of how the money will be spent.	Noted. The CIL levy administration charge at 5% is stated in the CIL Regulations 2010 and is not part of the SPD process.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd92	4.16	Object	<p>A S.106 management fee should not be charged by the Council. Such a payment is not in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 ("CIL Regs"), since it is a payment towards the Council performing its general statutory duty of ensuring compliance with planning controls. An appeal decision relating to land at 21-25 South Lambeth Road and 1 Langley Lane, London (reference APP/N5660/A/10/2129558) ("Appeal Decision") looked at s.106 contributions, including a contribution towards the monitoring of a Travel Plan in the light of regulation 122 of the Community Infrastructure Levy Regulations 2010 ("CIL Regulations"). Paragraph 30 of the appeal decision refers to such a payment to fund the Council's performance of its statutory duty as being unlawful in the light of Regulation 122.</p>	<p>Noted. The Council believes that it is within its statutory powers to impose the management fee. The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd134	4.16	Object	<p>The proposed s106 management costs of 5% of the total value of financial contributions, as set out at Paragraph 4.16 is completely disproportionate and without justification to meet the administration, monitoring and management costs identified at Paragraph 4.17. A 5% levy on major strategic development such as St Neots would be unreasonable and unacceptable. This excessive cost is in addition to further charges, including a fixed charge to manage non-monetary obligations of £359 per head of term, a separate on-off fee of</p>	<p>Noted. The Council believes that it is within its statutory powers to impose the management fee. The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>

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				£250 for a deed of variation, and additional legal costs on an hourly charge. The Council must properly explain its charges and establish a management cost that accurately reflects the cost of providing the service.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd167	4.16	Object	<p>The wording of this paragraph might be reviewed to make clear that those with an interest in a development site in terms of the legal meaning of 'interested' (paragraph B54 of Circular 05/05) must be party to a s106 agreement. Furthermore, the current wording provides the Council with no option to conclude a s.106 agreement over a large site which can accommodate the inclusion of land owners within it at a later date by use of restrictive obligations until such land owners have entered into the agreement.</p>	<p>Agree in terms of defining interested parties: "an interested person is someone who needs to be involved in directly complying with the provisions e.g. all those with a material interest in the land."</p> <p>In exceptional circumstances, Agreements may be entered into with parties who do not have an interest at the relevant time, but this does not need to be reflected in the policy document.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd130	4.16	Object	We do not consider that the administration charges are sufficiently justified.	<p>Noted.</p> <p>The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>
Ramune Mimiene Brampton Parish Council	DCspd149	4.16		Administration Charges. 4.16 "...non-monetary obligations of £350 per head of term." Could "Head of Term" be added to the glossary?	<p>Noted.</p> <p>Head of Term to be defined in the glossary "A definition of the proposed terms of a S106 Agreement"</p> <p>Wording of document to also be amended to make reference to non-monetary obligation fee of £350 per type of obligation.</p>
Phil Copsey, David Lock Associates for Urban and Civic	DCspd168	4.18	Have observations	<p>The administration fees quoted should be referred to as a guideline for negotiation as there may be circumstances with Large and especially Very Large Scale Major Developments that might lead to these charges being reduced or dispensed with. For example U&C is funding an Alconbury project officer to progress the consideration of the proposal, and this arrangement might endure to beyond the s106 where a direct payment in kind might be made to manage contributions. It is also considered that an administration charge of 5% on a large s106 could lead to unrealistically large administration charges being sought which might in turn impact on viability.</p>	<p>Noted.</p> <p>The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>

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Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd93	4.19	Object	There is no justification for late interest payments to be 4% above base rate. 2% above base rate would be a more reasonable provision.	Disagree. Payments should be made on time. The type of figure for late contractual payments is not exceptional.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd135	4.19	Object	No justification is provided how the 4% above National Westminster Bank Plc lending rate has been arrived at.	Disagree. Payments should be made on time. The type of figure for late contractual payments is not exceptional.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd169	4.20	Object	The triggers for planning obligations can in some cases precede the commencement of development on a site (such as a requirement for off-site works prior to commencement of development or even the payment of the Council's legal fees). This paragraph should be reworded to reflect this.	Accepted. Document to be reworded to insert 'normally' before triggered and add 'but may be earlier or later e.g. first occupation.'
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd94	4.21	Support	We welcome the acknowledgement that payments may be phased on significant major development.	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd95	4.22	Object	<p>In addition to our detailed comments to items listed in Section 5 of the SPD, we restate that the viability testing is fundamentally flawed. The underlying assumptions for the CIL approach and planning obligations strategy depend upon the landowner accepting a land value that would prevent development occurring. The land receipts need to be sufficiently high to seek planning permission for an alternative use over and above that generated by its current use. The examples quoted in the Drivers Jonas Deloitte ("DJD") report 'Huntingdonshire District Council Viability Testing of Community Infrastructure Levy Charges' that suggest a landowner with strategic development identified would trade at 4 times its agricultural land value is not generally acceptable or realistic and the longer term 'do nothing' strategy may be more cost-effective where the land is being actively farmed and let under agricultural tenancies. No account of this typical scenario is taken by DJD and we are not aware of any transactional evidence that would support such a generalisation.</p> <p>The methodology adopted by Newark and Sherwood regarding valuation is clearly defined as the Valuation Standards as published by the Royal Institution of Chartered Surveyors as:</p> <p>"The estimated amount for which a property should exchange from the date between a willing buyer and a willing seller"</p>	<p>Disagree. The viability assessments that have been undertaken regarding the Preliminary Draft Charging Schedule 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.</p> <p>The text at 5.14 in the viability report is explanatory as to rationale not actual figures, and comments here in the report are general in nature. Market research was carried out 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. These do reflect the approach within the RICS Valuation Standards and the assumptions made in respect of costs included are identified.</p>

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				<p>Additionally the approach taken by DJD and the Council appears not to consider or comply paragraph 39 of the NPPF, which states;</p> <p>"Ensuring viability and deliverability</p> <p>39. To enable a plan to be deliverable, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, local standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and on-site mitigation, provide acceptable returns to a willing land owner and willing developer to enable the development to be deliverable."</p> <p>The DJD approach in dictating an "Acceptable" land owner return is fundamentally flawed both as an approach to testing the viability of CIL's and also it has the potential to create a development "Black Hole" within Huntingdonshire as neither developer's or land owners will wish to trade at these levels of financial return.</p> <p>On the basis that the viability is based on unreliable evidence and testing, hence the 'exceptional circumstance' procedure for both CIL and S106 is likely to be the norm, we object to the procedure for considering alternative provision - in the event that the Council do not change any details contained in the SPD or preliminary charging schedule as a result of other representations made.</p> <p>In assessing s.106 obligations, the Council have accepted the Three Dragons Model as the recognised industry standard. The model assumes a level of profit on GVD of 20%, which is considered to be a reasonable profit margin and also includes a fair land value base. This model should be used on a site by site basis where viability needs to be considered in relation to both the contributions being requested and the amount of CIL payable, to ensure that viability is addressed in a fair and reasonable manner and that development is able to proceed.</p>	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd170	4.23	Object	The Viability Testing of CIL Charges undertaken by Drivers Jonas Deloitte assumes for residential development up to £15,000 s106 contributions per dwelling, 40% affordable housing and CIL payment of £100 per sq m (assuming an average size of 92 sq m this would	Disagree. The viability assessments that have been undertaken regarding the Preliminary Draft Charging Schedule have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst

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				<p>be £9,200) - a total contribution of up to £24,200 per dwelling plus affordable housing.</p> <p>While the CIL schedule excludes affordable housing, the s106 requirements do not appear to. If one accepts the assumption of s106 contributions of up to £15,000 per dwelling applies</p> <p>equally to affordable housing, the burden of these contributions also needs to be taken account of. Thus a theoretical scheme for 100 dwellings could generate the following contributions:</p> <p>60 market dwellings at £24,200 per dwelling = £1,452,000</p> <p>40 affordable dwellings at £15,000 per dwelling = £600,000</p> <p>Total = £2,052,000</p> <p>The notional s106 costs of the affordable dwellings would be borne by the market dwellings.</p> <p>This would give a theoretical contribution of £2,052,000 divided by 60 = £34,200 per dwelling. We assume the notional s106 contribution required for affordable housing is reflected in the assumptions underpinning the viability testing, but clarification is requested.</p> <p>The viability testing also notes that small previously developed sites are marginal in terms of viability for CIL (see page 21). While the SPD considers that site clearance costs should be included in the value of land acquired, the implications of previously developed land are clearly a consideration that should be reflected in the overall consideration of viability with respect to the phasing of works and contributions and payment of CIL. The provisions for reviewing viability should also make reference to reviewing the scale and phasing of contributions for sites with extensive up front costs.</p>	<p>taking into account a range of factors such as local conditions, S106 impacts and affordable housing. The contributions assumed are discussed in the viability report and included in the testing.</p> <p>The viability of Site 1 as tested is affected by a number of issues, as discussed in paragraph 4.4 of the viability report; it is not simply the fact that the site is previously developed land. Demolition costs have been included in the testing where appropriate and the proposed levy rate has been made at a level that recognises additional costs may affect individual sites in reality.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd96	4.28	Object	<p>Paragraph 4.28 states "Some development may simply need to wait until development values improve, land values can be renegotiated or alternative funding sources lined up." This is contrary to government advice on delivering development; delivery should be encouraged. We would refer you to the written ministerial statement: 'Planning for Growth (23 March 2011)' made by Greg Clark. This statement urges local planning authorities to "support enterprise and facilitate housing, economic and other forms of sustainable development". Further, local planning authorities are required to "be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggests that prior assessment of</p>	<p>Disagree. This should be read in context of the full statement rather than just an extract. The government policies are not to permit development at any cost. A positive approach to planning is taken but this has to be considered in terms of sustainability and the impacts of development.</p>

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				<p>needs are no longer up-to-date"; and "ensure that they do not impose unnecessary burdens on developments". This statement underlines that the fact that local authorities need to consider whether Section 106 obligations are making schemes unviable and ensure the development is able to proceed, the intention expressed at the end of paragraph 4.28 to make some development wait until values improve is contrary to this. Paragraph 4.28 is also in clear opposition to paragraph's 107 and 109 of the NPPF, which state</p> <p>107. The Government's key housing objective is to increase significantly the delivery of new homes. Everyone should have the opportunity to live in high quality, well designed homes, which they can afford, in a community where they want to live. This means:</p> <ul style="list-style-type: none"> • increasing the supply of housing • delivering a wide choice of high quality homes that people want and need • widening opportunities for home ownership; and • creating sustainable, inclusive and mixed communities, including through the regeneration and renewal of areas of poor housing. <p>109. To boost the supply of housing, local planning authorities should: use an evidence-base to ensure that their Local Plan meets the full requirements for market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.</p> <p>The development at St Neots East is one such "Key Site" which is critical to the delivery of 2,500 new homes within the core strategy period to 2026.</p> <p>The HCA paper, "Investment and planning obligations: Responding to the Downturn" places emphasis on the need for delivery of development to continue using approaches to ensure that development can remain viable. Paragraph 6 of this document states "Planning policies and practice for securing planning obligations need to accommodate both the current realities and the future dynamic of the land and property markets." One method endorsed by the HCA is to provide for reduced levels of affordable housing or contributions early on during the development. In a large scale development, being undertaken on a phased basis allowance could be made for a later uplift in land values, which would</p>	

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				similarly enable an uplift in contributions or provision of affordable housing.	
Joseph Whelan Cambridgeshire County Council	DCspd48	4.32	Have observations	A 5 year time limit is generally acceptable for smaller residential schemes for education and libraries. For the major developments of 200 units plus, the County Council would be seeking to have a 10 year clawback period. This is what has been negotiated on all of the Cambridge Southern Fringe applications for example. 10 years is what we seek on all transport contributions.	Accepted. Document to be amended to show 10 year time limit for transport obligations.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd97	4.32	Have observations	The time limit for spending financial contributions needs to be 5 years from payment, regardless of the size of the proposed development. In the case of large scale major developments, the contributions are likely to be made on a phased basis anyway, which would then enable them to be spent on a phased basis.	Disagree. Large scale developments permit phased payments for key obligations to assist viability for developer.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd171	4.32	Object	In response to the administration charges being sought, this SPD should include a commitment to providing feedback to landowners regarding the expenditure of contributions within the 5, 10 and 15 year time limits identified at paragraph 4.32.	Noted. An annual monitoring report will be produced that will be made available to the public. It is common practice for S106 Agreements to include a clause on the requirement for feedback on whether an obligation funded has been satisfied or not upon written request.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd131	4.32	Object	We consider that the suggested time limits should be deleted from the document. These should be agreed on a case-by-case basis.	Disagree. Appropriate time limits are necessary.
Ramune Mimiene Brampton Parish Council	DCspd148	4.32	Have observations	Time limits. 4.32 Sets out time limits of 5 years (10 years for major sites) in which financial contributions for infrastructure are to be spent. If the clock starts with the initial planning approval then this might prove unrealistic, especially if significant time is spent on partitioning the site, or if, for commercial reasons, on-site facilities build is delayed. Urban and Civic are contemplating a 25 year roll out.	Noted. The time limit is linked to receipt of financial contribution not signing of S106 Agreement.
Janet Innes-Clarke Brampton Parish Council	DCspd31	5	Have observations	It could be difficult at times to decide if a project should be 106 or CIL - potential conflict?	Disagree. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Ramune Mimiene Brampton Parish Council	DCspd151	5	Have observations	Affordability. What happens if adding up the bits the site is not viable, or if they accumulate to more than £100 per square metre. ?	Noted. The viability assessments that have been undertaken regarding the Preliminary Draft Charging Schedule have been undertaken by professionals in

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				How would the Authority deal with a change in standards/legislation after the initial purchase of the land where it was claimed that the new requirements made the site non viable?	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. Any viability issues would need to be raised with the LPA using the procedure noted in section 4.
David Abbott Highways Agency	DCspd8	5.1		The bullet points here refer to "Footpaths and Access" whereas the CIL Draft Charging Schedule refers in Para 2.29 to "Roads and other transport facilities". This is a clear inconsistency between the two documents, the former being noticeably more restrictive than the latter. 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. This will also affect section C later in the document.	Noted. The section noted is specifically for Footpaths and access within a site. Wider transport issues are noted under negotiated requirements.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd172	5.1	Object	The wording of paragraph 5.1 could more appropriately refer to policy guidance for negotiating rather than requiring planning obligations. Not all of the topics listed will be relevant to each proposal, and all s106 agreements are negotiated, a fact borne out by paragraph B3 of Circular 05/05 and reflected in the wording of following sections 'Types of Facilities / Services for which provision may be required'.	Disagree. The SPD clearly states where obligations would be required and at what trigger point.
Stephen Wheatley Anglian (Central) Regional Flood and Coastal Committee	DCspd43	5.4	Have observations	The opportunity should be taken to include developer contributions towards flood risk management, including surface water management. As the Local Planning Authority, Huntingdonshire District Council is best placed to obtain these contributions. Flood risk is expected to increase with climate change. New development can also often increase the risk of flooding which will impact upon the local area. Developer contributions would be important to help mitigate any increase in flood risk to the local community or they could be used towards part funding of partnership projects to reduce flood risk. In May 2011 the Government introduced a new approach to funding flood risk management, called Flood and Coastal Resilience Partnership Funding, which enables locally raised funding to attract additional national funding for projects. 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.	Accepted. Document will be amended to note flood risk management solutions as potential negotiated requirements.
Stephen Wheatley Anglian (Central)	DCspd44	5.4	Have observations	The opportunity should be taken to include developer contributions towards flood risk management, including	Accepted.

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Regional Flood and Coastal Committee				<p>surface water management. As the Local Planning Authority, Huntingdonshire District Council is best placed to obtain these contributions. Flood risk is expected to increase with climate change. New development can also often increase the risk of flooding which will impact upon the local area. Developer contributions would be important to help mitigate any increase in flood risk to the local community or they could be used towards part funding of partnership projects to reduce flood risk. In May 2011 the Government introduced a new approach to funding flood risk management, called Flood and Coastal Resilience Partnership Funding, which enables locally raised funding to attract additional national funding for projects. 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.</p>	<p>Document will be amended to note flood risk management solutions as potential negotiated requirements.</p>
Adam Ireland Environment Agency	DCspd66	5.4	Have observations	<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.</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 (ID 558515 - Anglian Central 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>	<p>Accepted.</p> <p>Document will be amended to note flood risk management solutions as potential negotiated requirements.</p>
Tom Gilbert-Wooldridge English Heritage	DCspd89	5.4	Have observations	<p>In addition to archaeology, planning obligations should be able to cover other historic environment issues where relevant. Funding towards the enhancement and restoration of historic buildings, structures and landscapes, as well as public realm improvements, should be sought where possible on a case by case basis. There are opportunities to link S106 contributions into area grant schemes such as Townscape Heritage Initiatives to generate further monies for townscape and public realm improvements. Contributions could also be used for</p>	<p>Noted. Historic environment issues will be captured within the negotiated requirements, taking into account the 3 statutory tests.</p> <p>Document will be amended to clarify.</p>

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				educational and interpretation purposes relating to the historic environment (e.g. signage and information panels). It would be helpful if the SPD could make reference to the historic environment as a whole.	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd120	5.4		We are seriously concerned that in addition to the list of 'planning obligation requirements' as listed at Paragraph 5.1, there is also a "non-exhaustive" list of 'negotiated requirements' included within the SPD at Paragraph 5.4, which opens up the potential for additional costs to a developer that are not set out within the SPD and which are impossible to predict, thereby removing any certainty for the developer upfront. If there is no certainty for the developer, how can they properly take into account the full costs of S106 and CIL from the outset? The non-exhaustive list is supported by no evidence or justification and must be removed from the SPD.	Noted. The negotiated requirements will be considered on a case-by-case basis taking into account the 3 statutory tests.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd132	5.6	Have observations	We would note that there is reference here to a number of strategies and plans. Some of those are dated and should be updated.	Noted.
Janet Innes-Clarke Brampton Parish Council	DCspd32	A:	Object	Affordable Housing: I see no reason that CIL should not apply. Any facilities provided would be beneficial to these residents as well as the whole community.	Noted. This comment relates to the Preliminary Draft Charging Schedule and not the SPD. Affordable housing is exempt under the CIL Regulations from paying levy.
Ramune Mimiene Brampton Parish Council	DCspd150	A:	Have observations	Affordable Housing. Is it stated anywhere that the limit of 15 applies to the overall site and not to an entirely coincidental multiplicity of sub-sites each of 14 units?	Noted. The adopted Core Strategy states that affordable housing obligations will apply to residential developments of 15 or more dwellings or sites of 0.5 hectares irrespective of the number of dwellings.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd173	A.3	Have observations	Paragraph A3 and following paragraphs for other contribution categories states that 'Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all housing and commercial developments....' To avoid any confusion we note that Policy CS10 does not make direct reference to commercial development and rather seeks contributions from 'development proposals'.	Accepted. Document amended to reflect wording of Policy CS10.
Stephen Dartford Fenstanton Parish Council	DCspd16	A.5		In the 'proposed reforms to social housing' have bungalows and supported accommodation for the elderly been considered	Noted. Supported housing is covered by affordable housing requirements.
Stacey Rawlings, Bidwells for Connolly Homes	DCspd98	A.11	Object	Paragraph A.11 requires affordable housing provision of 40%. This should not be a required figure, but a target figure. PPS 3 at paragraph 29 states "In Local Development Documents,	Accepted. Document amended to reflect Core Strategy wording to seek to secure 40% affordable housing.

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D.Wilson Oxford Uni				<p>Local Planning Authorities should set an overall (i.e. plan-wide) target for the amount of affordable housing to be provided." This has already been enshrined in the Council's adopted Core Strategy, policy CS4.</p> <p>Further, it is important that affordable housing provision is expressed as a target so that development is viable and continues to be able to come forward (see comments at paragraph 4 above); and that a confirmed need for affordable housing is met.</p> <p>Paragraph A.11 also sets out the size of clusters of affordable housing units which should be provided. The size of clusters should not be set within an SPD. The 15 unit cluster size is inefficient for strategic scale development and this is evidenced in the delivery of Loves Farm which included land parcels of up to 30-50 units across the individual phases.</p>	The document refers to what should, as an ideal, be provided ie 15 unit cluster size for affordable housing.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd137	A.11	Object	Bullet 1 of paragraph A.11 of the SPD requires amendment to ensure it is consistent with Core Strategy Policy CS4 'to achieve a target of 40% affordable housing.' There is no justification for the departure to 'wish to secure 40% affordable homes.'	Accepted. Document amended to reflect Core Strategy wording to seek to secure 40% affordable housing.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd99	A.13	Object	Paragraph A.13 refers to the fact that viability is not likely to be a general consideration. This does not follow current government guidance, such as that contained in the HCA document "Responding to the Downturn" and Greg Clark's speech.	Disagree. A positive approach to planning is taken but this has to be considered in terms of sustainability and the impacts of development.
Janet Innes-Clarke Brampton Parish Council	DCspd33	B:	Support	Green Space: Agree with most items	Support noted.
Joseph Whelan Cambridgeshire County Council	DCspd49	B:	Object	<p>The document does not make provision to secure planning obligations from developers for biodiversity in order to compensate for loss or damage created by a development and/or to mitigate the impact of development.</p> <p>Developer contributions are required for ecology and biodiversity. These may apply to any scale of development depending on the specific characteristics of a site and the potential direct and indirect impacts of the development on the site and its linked areas (e.g. water corridors, green corridors, foraging areas).</p> <p>Guidance on the form in which contributions will be required should be provided within this document e.g.</p> <ul style="list-style-type: none"> Restricting development so as not to harm existing protected 	<p>Accepted in part. Ecology and wildlife areas are incorporated within the policy standard for natural and semi natural green space and their importance is recognised within the Development management DPD.</p> <p>There will also be occasions when biodiversity compensatory measures and/or mitigation will need to be secured by condition or obligation and the document will be amended to clarify this.</p>

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				habitats/species <ul style="list-style-type: none"> • Specific measures to meet the individual requirements of an identified species and / or habitat • On-site works required to enhance existing features, e.g. woodlands, hedgerows, ponds, grassland, bird nesting boxes, bat roosting boxes • Creation of new features within the site, e.g. wildlife planting, pond, nature reserve area • Financial contributions to enhance or create appropriate assets nearby e.g. accessibility improvements, interpretation facilities, nature reserve, stepping stone habitats • Programme of monitoring and / or management associated with the development site or a nearby related site 	
Helen Boothman	DCspd72	B:	Object	This is very badly written as enhancing biodiversity and development rarely go together, more thought required about separating biodiversity from recreational areas. Wildlife corridors are going to be so important moving forward enough natural undeveloped greenspace will need to be retained in the prime areas.	Accept in part. Wildlife areas are included within the policy standard for natural and semi green space. Text to be reviewed to reference wildlife conservation. There will also be occasions when biodiversity compensatory measures and/or mitigation will need to be secured by condition or obligation and the document will be amended to clarify this.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd174	B:	Have observations	This and following paragraphs for other contribution categories state that large scale major residential developments of 200 units or above will require s106 contributions in addition to CIL. There is no indication within the section on green space or subsequent sections where this threshold is applied or how the CIL contribution towards the first 200 units is discounted from the s106 contribution. This point could be addressed by the addition of a worked example. There is no reflection across this section on how management and other contributions are addressed where a developer is proposing to deliver these in kind in line with agreed triggers and to agreed specifications for implementation and management. As stated, in relation to Very Large Scale Major Developments this would benefit from a bespoke approach. Reference is made at paragraph B9 to appendix 2 which is not included within the document. The cascade for adoption of open land from Town and Parish Councils, to the District Council to a Trust is noted. This is a sequential approach whereas all possible means of management should be accorded equal priority to achieve the	Accept in part. The SPD shows that large scale major developments of 200 units or above will require S106 contributions in addition to CIL. The 200 unit is a threshold but applies across all units. There is no discount from paying S106 due to CIL contributions – the latter is a separate levy charge. On large scale major developments developers will be typically expected to deliver open space and associated facilities on-site and to agreed triggers. The capital play equipment facilities costs have been included to provide guidance to developers to assist with budgeting purposes. The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion. Document to be amended with regards reference to

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				<p>optimal position. It would assist if any background sources for costs identified in this section were cited, including the District Council's schedule of landscape maintenance rates referred to in paragraph B40. Likewise, it would also be helpful if the calculations, assumptions and data sources behind the off site contribution rates identified or the background source were cited.</p>	<p>appendix 2. Document to be amended to include information detailing the calculations used to identify levels of financial contributions. Document to be amended to include the council's schedule of landscape maintenance rates.</p>
<p>Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge</p>	<p>DCspd78</p>	<p>B.7</p>	<p>Object</p>	<p>The District Council states in paragraph B7 of its SPD that: <i>"Green space land contributions will apply to residential developments of 10 or more units and to commercial developments of over 1,000 sq.m or where the site area is 1 hectare or more."</i></p> <p>Our client St John's College, Cambridge are landowners adjacent to Ermine Business Park and their landholding is that area indicated for future expansion of employment to the north west of Huntingdon within the Council's Adopted Core Strategy. On the basis that the College was to bring forward a planning application for new employment development on this land as indicated within the Adopted Core Strategy, we are concerned about the reference to green space contributions in the light of commercial development being put forward. Section B on Green Space provides very little guidance indeed on what is being sought. It is largely written from a residential perspective where contributions would be triggered for 10 dwellings or more. Making the statement confirming that green space contributions will be required as a result of commercial development and then not to provide any clear guidance as to the extent or cost of such space is unhelpful. We respectfully suggest that this section be re-worded as it relates to commercial development whereby the amount of green space within any such development will be subject to a specific discussion as it relates to each individual site.</p>	<p>Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.</p>
<p>Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited</p>	<p>DCspd84</p>	<p>B.7</p>	<p>Object</p>	<p>The section on green space within the SPD states that: <i>"Green space land contributions will apply to residential developments of 10 or more units and to commercial developments of over 1,000 sqm or more area is 1 hectare or more."</i></p> <p>The extensive text within the SPD then goes to to provide information for contributions to open space on residential development and provides little or no guidance for the extent of green space that would be required as part of commercial development which would fall within the threshold as indicated as above.</p>	<p>Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.</p>

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				<p>Making a statement confirming that green space contributions will be required as a result of commercial development and then not to provide any clear guidance as to the extent at the cost of such space is unhelpful and we would seek further clarity from the Council on this aspect.</p> <p>We respectfully suggest that where the commercial development of 1,000 sqm is coming forward then the details of open space within that site should be the subject of specific discussion as it relates to every individual site.</p>	
Janet Innes-Clarke Brampton Parish Council	DCspd34	B.9	Have observations	In practice informal and formal space are often the the same area e.g marked out sports areas and open access. Care must be taken that these needs do not overlap in planning applications. If the space is too small in relation to the size of a community this situation causes conflict..	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd100	B.9	Object	The Development Management DPD will set the open space standards for developments. We refer to comments submitted at the relevant consultation stages (most recent being may 2010) which continue to apply. In this context, we continue to object to the exclusion of highway verges and shelter belts etc where these form an integral part of a development framework. For example the St Neots East UDF includes green vales alongside the spine road and water corridors which will significantly contribute to the character and quality of the informal open spaces.	Disagree. Highway verges, shelter belts and areas of open water do not form usable areas of public open space and will continue to be excluded from public open space provision.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd101	B.18	Have observations	Paragraph B.18 requires that where open space is to be delivered on-site it has to be offered first to the local Town and Parish Councils for adoption. However, this should be one option available to the developer, alongside offering to the District Council or establishing a management company to maintain the open space.	Noted. The opportunity regarding adoption is noted to go to Town and Parish Councils as the first action but not only one.
Janet Innes-Clarke Brampton Parish Council	DCspd35	B.20	Have observations	The fact a development is near to a Key Service Centre or town should not remove the obligation to provide local facilities. The existing facilities are likely to be fully used.	Disagree. The policy relates to existing provision and requirements to meet the 3 statutory tests.
Ramune Mimiene Brampton Parish Council	DCspd152	B.20	Have observations	Green Space. B20 " <i>In the .Key Service Centres (KSCs) where existing play provision is typically well distributed it is not deemed necessary for Local Areas of Play to be provided</i> ". Does this still apply to KSCs (Brampton) where existing play provision is woefully inadequate?	Noted. The policy relates to all Key Service Centres.
Janet Innes-Clarke Brampton Parish Council	DCspd36	B.21	Have observations	<p>B21 to B31. Requirments difficult to track. There seems to be room for confusion and/or manipulation.</p> <p>Responsibility for future maintenance needs to be decided at this stage.</p>	<p>Accepted in part Document amended to clarify.</p> <p>Maintenance costs are noted at para B.40 and B.41.</p>

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Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd102	B.22	Object	B22, the basis upon which a request is made for a wheeled sports facility is unclear. There should be space standards/contributions set where an identified shortfall is known within the district. Otherwise there is no policy guidance on the provision of such facilities to clearly identify which developments will be required to contribute to such a facility and at what cost and also the expected land take. Where there is an identified need within adopted policy then the SPD should include specific locational requirements within an appendix to ensure that all potential users contribute towards the provision of this type of facility.	Disagree. Mugas and wheeled sports facilities will be negotiated taking into account current capacity and the requirements of the 3 statutory tests. Document to be updated to clarify.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd103	B.31	Object	B.31, the fixed cost of ancillary items on a per project basis at £18,000 is unacceptable. Each facility will have differing requirements for seating/shelter/signage etc based upon site size per item and a carte blanche cost per facility is not justified. Also the opportunity for on-site provision in lieu of a financial contribution should be permissible within the SPD in order that developers of large scale projects can opt to influence the delivery of such items alongside the delivery of new housing rather than rely on a third party.	Accepted. The SPD will be amended to reflect that the figure of £18,000 per project will be a maximum amount and projects will be considered on a site by site basis. This figure has been included within the document to provide a guide price for developers to assist with their budgeting. On large scale major developments, developers will be typically expected to deliver such provision on site and the document will be amended to clarify requirements and potential for developer provision rather than financial contribution.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd138	B.31	Object	We are concerned with the high costs of 'ancillary terms including shelters, seating and signage and litter bins' at a cost of £18,000 per project. To state that the same cost would apply to every project is unrealistic, is arbitrary and therefore, unjustified. The SPD should instead refer to a maximum cost or on-site provision in lieu of a contribution.	Accepted. The SPD will be amended to reflect that the figure of £18,000 per project will be a maximum amount and projects will be considered on a site by site basis. This figure has been included within the document to provide a guide price for developers to assist with their budgeting. On large scale major developments, developers will be typically expected to deliver such provision on site and the document will be amended to clarify requirements and potential for developer provision rather than financial contribution.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd104	B.33	Have observations	B.33, the level of off-site contribution is not explained. We cannot comment on the appropriateness of the level stated and request that further clarity is provided.	Noted. Text amended.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd105	B.38	Have observations	B.38, the minimum threshold should be caveated with reference to cumulative development to ensure that individual schemes or development proposals are not artificially sized to avoid on-site provision.	Disagree. Any S106 obligations must comply with the 3 statutory tests and CIL Regulations with regards 'pooling' of contributions.
Janet Innes-Clarke Brampton Parish	DCspd37	C:	Support	C Footpaths and Access: Agree with most items	Support noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Council					
Janet Innes-Clarke Brampton Parish Council	DCspd38	C.4	Have observations	Refer to Rights of Way Improvement Plan (ROWIP). Important not to overlook 'improve and promote'.	Noted.
Janet Innes-Clarke Brampton Parish Council	DCspd39	C.7		Yes! Recent developments have done little or nothing to encourage people out of their cars. Links in and between the different areas of a settlement are perceived as a security risk. This myth needs to be dispelled. Well-used, well-lit links are not a danger.	Support noted.
Janet Innes-Clarke Brampton Parish Council	DCspd40	C.8		C8 Should apply at a figure considerably less than 200 units when appropriate.	Disagree. 200 unit figure in line with large scale major development approach.
Joseph Whelan Cambridgeshire County Council	DCspd50	C.8	Object	It is not agreed that footpath and/or access contributions will only be sought on residential developments of 200 units or above once CIL is in place. There might be site specific issues for smaller developments in relation to footpaths/access that may merit a contribution.	Disagree. 200 unit figure in line with large scale major development approach.
Joseph Whelan Cambridgeshire County Council	DCspd51	C.9	Have observations	Improvements to bridges and surface improvements should specifically be noted.	Noted. Such matters would fall within 'appropriate supporting infrastructure'.
Joseph Whelan Cambridgeshire County Council	DCspd52	D:	Have observations	Adult Social Care needs to be considered in this category. It is suggested that the heading of the section is changed to 'Health and Adult Social Care'. The vision for adult social care is 'to develop communities in which older people and adults affected by disability are truly engaged and exercise choice and control over their lives. Contributions for adult social care might be necessary for larger development proposals and would be negotiated on a case by case basis.	Disagree. Any such contribution would be negotiated and be required to meet the 3 statutory tests and CIL regulations regarding 'pooling'.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd175	D:	Have observations	Section D10 notes that account should be taken of other funding streams that exist to fund social infrastructure needs. The wording with regard to contributions towards current facilities should be carefully reviewed with regard to the Secretary of States policy tests as planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision.	Noted. Text will be clarified.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Stephen Dartford Fenstanton Parish Council	DCspd17	D.2		Community Services now cover Cambridgeshire, Luton and Fenland and Health Care in the Community is no longer locally centred into community settings. Large scale developments in St Neots, St Ives and Huntingdon will put pressure on the services at Hinchingbrooke Hospital. Are future plans are being considered for this facility to cover the increase in population?	Noted. Hospital services will fall under the Community Infrastructure Levy.
Ian Burns NHS Cambridgeshire	DCspd18	D.7	Support	It must be recognised that this list is not exhaustive. As the delivery of health services and management of long term conditions changes over time so the associated infrastructure requirements may also change and so any agreed infrastructure requirements need to be regularly reviewed up to delivery.	Noted. Para D.7 notes the range of service that <u>could</u> be included. Para D.8 clarifies this is open to change.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd107	D.7	Have observations	Further, it is not clear that all of the contributions required by paragraph D.7 are site specific contributions towards specified infrastructure. The contributions described at D.7 would appear to be for a general pool of contributions towards healthcare provision, rather than site specific contributions (in particular, for example a contribution towards Primary Care GP services, intermediate care, acute facilities and mental health services - the request for revenue contributions also falls within this category, but is further critiqued at paragraph 8.2 below). These contributions are expressed to continue to be applied to large scale major developments following the adoption of the Community Infrastructure Levy Charging Schedule ("Charging Schedule"). Regulation 123 provides that once a Charging Schedule has been adopted no more than 5 planning obligations can be entered into after 6 April 2010 which provide for funding or provision of a specific infrastructure project, or a general type of infrastructure. Therefore once the Charging Schedule has been adopted, the contributions towards general health services will not be able to be made through section 106 agreements.	Noted. Para D.7 notes the range of service that <u>could</u> require contribution. Any contributions requested will take account the 3 statutory tests and the CIL Regulations regarding pooling.
Ian Burns NHS Cambridgeshire	DCspd19	D.9	Support		Support noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd106	D.9	Object	Type and threshold for size of development for which contributions are appropriate (SPD paragraph D9) This provides that if a CIL Charging Schedule has been adopted by Huntingdonshire District Council, CIL will be payable by developments of 10 or more dwellings. However, in the case of residential developments of 200 units or more, s.106 contributions will also be payable. This suggests that	Disagree. The draft SPD stated that health facilities contributions, via a S106 agreement, would apply to any development of 10 or more dwellings unless a CIL Charging Schedule has been adopted at which time contributions will apply to large scale residential developments only. The Preliminary Draft Charging Schedule, which was

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				large scale development could end up paying the health contributions twice, which would be both inequitable, and have an effect on the viability of the development. This issue of double payment has also been raised in the Drivers Jonas Deloitte document 'Huntingdonshire District Council Viability Testing of Community Infrastructure Levy Charges' at 5.4 which states that "the Levy should dovetail with, and not duplicate, other mechanisms by which contributions towards infrastructure are made by developers."	consulted on at the same time as the draft SPD, included a CIL Infrastructure Project List that clearly identified which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Ian Burns NHS Cambridgeshire	DCspd20	D.10	Support	This flexibility is important as the impact and needs arising from each development need to be considered individually in the local context and different solutions will be required in different situations.	Support noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd108	D.10	Object	<p>Paragraph D.10 requires financial contributions to support the delivery of the infrastructure and running costs to the PCT or successor NHS body. Revenue costs of providing such infrastructure cannot be supported by section 106 agreements, as they do not meet the tests in Regulation 122 of the CIL Regs, since they are not necessary to make the development acceptable in planning terms. An appeal decision dated 19 March 2007 relating to former police station and magistrates court, East Arbour St and West Arbour St London E1 0PU (reference number APP/E5900/A/06/2025956 and 7) found that such a contribution was then contrary to the guidance in Circular 05/2005 requiring any contributions to be necessary to make the development acceptable in planning terms. This requirement is now enshrined in statute (CIL Reg 122).</p> <p>Paragraph D.10 requires in some cases free serviced land contributions and financial contributions towards the delivery of such infrastructure. However, there should also be an ability for developers to construct the facilities themselves in lieu of the payment of contributions. This is a usual provision and assists with the viability of the development, since developers may well be able to make cost savings. They will also be able to time the construction of the facility with the provision of dwellings within the development. This point is made at paragraph 5.15 of the Drivers Jonas Deloitte document: Huntingdonshire District Council: Viability Testing of Community Infrastructure Levy Charges.</p>	<p>Accepted in part Document to be amended to delete reference to revenue costs in this section.</p> <p>The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion.</p>
Ian Burns NHS Cambridgeshire	DCspd21	D.11	Support		Support noted.
Ian Burns	DCspd22	D.13	Have	Whilst the indicators detailed under D13, D14 and D15 are	Noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
NHS Cambridgeshire			observations	useful as a general guide, actual costs will depend on the actual requirements in each individual case.	Document to be amended to clarify figures are for general guidance and not specific.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd109	D.13	Have observations	These costs seem very high: e.g. 2 GP practice: £735,000. How are they justified?	Noted. The costs have been provided by the PCT as an indication. Contributions will be negotiated.
Ian Burns NHS Cambridgeshire	DCspd23	D.14	Have observations	See D13	Noted. Document to be amended to clarify figures are for general guidance and not specific.
Ian Burns NHS Cambridgeshire	DCspd24	D.15	Have observations	See D13	Noted. Document to be amended to clarify figures are for general guidance and not specific.
Ramune Mimiene Brampton Parish Council	DCspd157	D.15	Have observations	Health. Only reference to dentist is at D15 as part of a new Primary Care Centre. Health Visitor?	Noted.
Rose Freeman The Theatres Trust	DCspd41	E:	Have observations	<p>We note the chapter on Community Facilities but unlike the CIL document there is no mention of cultural facilities. Are your cultural facilities included within the umbrella term 'community facilities'? For clarity we suggest an entry in the Glossary along the lines of community facilities provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community but omitting any items that have their own section within the document.</p> <p>This document gives you the opportunity to recognise clearly the increasing value of culture to individuals as well as to the development of strong communities. It could help by allocating space for cultural facilities, by establishing a framework whereby developer contribution funds (S106) could be used to implement your cultural commitment, and by supporting collaborative working and the establishment of partnerships to achieve your plans.</p>	Noted. Community buildings need to be multi-purpose able to cover a range of requirements including cultural needs. Text reviewed to clarify.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd110	E.6		See comments at D9	Disagree. The draft SPD stated that community facilities contributions, via a S106 agreement, would apply to any development of 10 or more dwellings unless a CIL Charging Schedule has been adopted at which time contributions will apply to large scale residential developments only. The Preliminary Draft Charging Schedule, which was consulted on at the same time as the draft SPD, included a CIL Infrastructure Project List that clearly identified which infrastructure falls within CIL or S106

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					to ensure no double counting takes place.
Rt Revd Dr David Thomson Diocese of Ely	DCspd4	E.9	Have observations	Cambridgeshire Horizons' document "Facilities for Faith Communities in New Developments in the Cambridge Sub-Region" recommends a standard of 0.5 hectares free or equivalent for faith use per 3000 dwellings. Co-location with general community facilities may be possible, but should not be presumed as always appropriate.	Noted. Community buildings need to be multi-purpose able to cover a range of requirements including faith needs where appropriate. Text reviewed to clarify.
Ramune Mimiene Brampton Parish Council	DCspd155	F:	Have observations	Library Services. Brampton only has a mobile library. Can we get that provision on the base?	Noted. Library contributions will need to comply with the 3 statutory tests and comply with the CIL Regulations.
Joseph Whelan Cambridgeshire County Council	DCspd53	F.1	Have observations	The County Council should be referenced as the responsible authority for negotiating and securing these contributions as it's a County statutory responsibility.	Noted. The LPA is the responsible authority for negotiating S106 Agreements. Text will be updated at F.8 bullet one to state that the District Council, <u>with appropriate partners</u> , will negotiate
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd111	F.7	Have observations	See comments at D9. The standards applied to St Neots East are noted in the accompanying CIL DCS - St Neots Project Table as £800,000. Applying the £97/head contribution to the 3,500 homes identified in the corresponding UDF and the standard multiplier of 2.33 persons per unit would generate £791,035. Whilst this is a minor disparity based on the UDF, the quantum of development at St Neots East has not been fully tested and the impact on these assumptions made in the CIL DCS are currently unknown.	Disagree. The draft SPD stated that libraries and lifelong learning facilities contributions, via a S106 agreement, would apply to any development of 10 or more dwellings unless a CIL Charging Schedule has been adopted at which time contributions will apply to large scale residential developments only. The Preliminary Draft Charging Schedule, which was consulted on at the same time as the draft SPD, included a CIL Infrastructure Project List that clearly identified which infrastructure falls within CIL or S106 to ensure no double counting takes place. The specific project reference relates to the CIL Infrastructure Project List, which does not form part of the SPD. These costs are either known or expected costs.
Joseph Whelan Cambridgeshire County Council	DCspd54	F.8	Have observations	The County Council should be referenced as the responsible authority for negotiating and securing these contributions as it's a County statutory responsibility.	Noted. The LPA is the responsible authority for negotiating S106 Agreements. Text will be updated at F.8 bullet one to state that the District Council, <u>with appropriate partners</u> , will negotiate
Joseph Whelan Cambridgeshire County Council	DCspd59	G:	Have observations	General point - if there is a need for pre-school, primary and secondary contributions - the cost per house could be £12,581. This will be our approach to securing education	Noted as the comment of CCC as education authority.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				contributions in the interim period before CIL is adopted. This level of contribution may result in additional viability claims, and therefore applications will need to be looked at on a case by case basis.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd176	G:	Have observations	There appears to be a mismatch between the multiplier ranges identified at paragraph G11 and those within Table 7. A theoretical development of 100 3 bed dwellings with 40% affordable housing would generate 61 - 85 children using the rates at paragraph G11; using table 7 it would generate 70 children from the market housing and 180 children from the social rented - 250 children in total. It would be helpful if the background to the costs per place identified should also be published for review.	Noted. The information in the document is correct. The ranges at para G.11 are general multipliers and those at Table 7 are detailed multipliers. The calculations stated in the response are incorrect simply adding up figures for children per 100 dwellings whereas in the scenario stated 60 units would be market and 40 affordable.
Joseph Whelan Cambridgeshire County Council	DCspd55	G.2	Have observations	Please reference the County Council as the responsible authority for negotiating and securing these contributions as it is a County statutory responsibility	Noted. The LPA is the responsible authority for negotiating S106 Agreements. Para G.2 already makes reference to requirements of the Local Education Authority.
Joseph Whelan Cambridgeshire County Council	DCspd56	G.5	Have observations	Please remove reference to the Guide for Planning Officers and Developers as this document was not shared with Members and therefore has no formal endorsement.	Agreed. Para G.5 to be deleted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd112	G.6	Have observations	Education is expressed to be provided either by contribution, or by contribution plus the provision of land as an in-kind payment. However, there should also be an ability for developers to construct the schools themselves in lieu of the payment of contributions. This is a usual provision and assists with the viability of the development, since developers may well be able to make cost savings. They will also be able to time the construction of the school with the provision of dwellings within the development. This point is made at paragraph 5.15 of the Drivers Jonas Deloitte document: Huntingdonshire District Council: Viability Testing of Community Infrastructure Levy Charges.	Noted. The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd113	G.7	Have observations	Further duplicate payments by the developer could occur where they are providing school facilities on site and also paying CIL towards more general facilities within the area.	Noted. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd79	G.7	Object	At the planning officer presentation held at Pathfinder House on the 6 th September 2011, planning officers responded to questions about seeking contributions for education from affordable housing. The Planning Director made it very clear that no educational contributions would be sought from	Disagree. Community Infrastructure Levy payments are not chargeable on affordable housing. S106 education contributions are chargeable on market and affordable housing, with the latter having

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>affordable housing irrespective of their size.</p> <p>If this in indeed the case, then Section G: Education and Schools need to confirm that this is indeed the Council's position The current text suggests that all housing developments of 4 or more dwellings (paragraph G.7) will trigger the need for educational contributions.</p> <p>We would also confirm that the Council must accept that educational contributions should only be sought where no spare capacity exists - if school places are available the the developers clearly should not be asked to make surplus provision. Accordingly, paragraph the first sentence of paragraph G.7 should be amended to read <i>"New housing developments within the District will trigger the need for education and school provision unless surplus provision already exists....."</i></p>	<p>a greater impact on educational facilities than the former.</p> <p>It can be confirmed that contributions of any kind will only be sought where space capacity in the appropriate locality does not exist, in line with the 3 statutory tests. This is clearly stated at para 5.2.</p>
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd85	G.7	Object	<p>On the 6th September 2001, District Council Officers answered specific queries on the Development Contributions SPD Document and confirmed that education contributions would not be sought from affordable housing developments. If this is indeed the case then the text within paragraph G.7 of the document needs further clarification given that the existing text states that for all housing developments of four or more dwellings this will trigger the need for education contributions. Clearly this is inconsistent with the Officers assertions at the recent meeting.</p> <p>Furthermore, we would seek further clarity from the Council in respect of new developments that may come forward in situations where there is already surplus capacity. In our view it is inequitable to seek contributions where adequate capacity already exists and accordingly we suggest that the first sentence of paragraph G.7 should be amended to read: <i>"New housing developments within the District will trigger the need for education and school provision unless surplus provision already exists."</i></p>	<p>Disagree.</p> <p>Community Infrastructure Levy payments are not chargeable on affordable housing.</p> <p>S106 education contributions are chargeable on market and affordable housing, with the latter having a greater impact on educational facilities than the former.</p> <p>It can be confirmed that contributions of any kind will only be sought where space capacity in the appropriate locality does not exist, in line with the 3 statutory tests. This is clearly stated at para 5.2.</p>
Joseph Whelan Cambridgeshire County Council	DCspd58	G.8	Have observations	County Council needs to be added instead of District	<p>Noted.</p> <p>The LPA is the responsible authority for negotiating S106 Agreements.</p> <p>Para G.8 already makes reference to negotiation with appropriate partners.</p>
Joseph Whelan Cambridgeshire County Council	DCspd57	G.10	Have observations	Please remove reference to the Guide for Planning Officers and Developers as this document was not shared with Members and therefore has no formal endorsement.	<p>Agreed.</p> <p>Reference to the guide will be removed.</p>
Stacey Rawlings, Bidwells for Connolly Homes	DCspd114	Table 9	Object	The indicative costs for schools seem very high. £7.3million for a 2 form entry primary school. In other areas we have seen an estimate of £4.05 million for a 1 form entry primary school and	Noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
D.Wilson Oxford Uni				we would expect there to be economies of scale with such provision.	
Ramune Mimiene Brampton Parish Council	DCspd156	G.22	Have observations	Education. As "...contributions will not be sought from specialist older persons housing schemes or 1 bedroom dwellings" this raises the prospect of variation in the level of levy which could cause confusion. It also opens the Pandora's Box of "Me too" claims e.g. sport provision waiver for the specialist older persons housing scheme, etc. On the whole this wrinkle should be avoided.	Disagree. The exclusions from the contributions requirements are valid and ensure compliance with the 3 statutory tests.
Joseph Whelan Cambridgeshire County Council	DCspd62	H:	Have observations	Additional improvements at Alconbury, Bluntisham and Whittlesey Household Recycling Centres need to be added to the IPL so that waste management contributions can be secured through CIL. Prior to the adoption of CIL, the Draft SPD should make reference to the County's RECAP Waste Management Design Guide which will provide the basis on which S106 negotiations will be made. The County Council intends to undertake a second round of public consultation on the RECAP Waste Management Design Guide in September.	Noted. The Infrastructure Project List is part of the evidence supporting the emerging Charging Schedule and its purpose is simply to evidence an infrastructure funding gap. Reference to the RECAP guide already exists at para H.4.
Joseph Whelan Cambridgeshire County Council	DCspd63	H:	Have observations	Residential Wheelie Bins. Reference is made to developer contributions being sought for the provision of wheelie bins which is consistent with the content of Design Guide. However, there is no reference made to contributions for containers to enable greater recycling within homes and bring sites (which are described as mini recycling centres in para H5 of the Draft SPD).	Noted. The provision of wheeled bins to new build residential properties incurs a direct capital cost to the Council. The amounts levied to occupiers through the council tax system includes a proportion for the collection of refuse, but does not include provision for the capital outlay incurred to provide these receptacles.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd139	H:	Object	We question the proposal for s106 contributions towards residential wheelie bins and the Police. It would reasonably be expected that this cost is met by the Council Tax. There is no justification why these should present a further burden on developers.	Disagree in part. The contributions for wheelie bins are valid and the cost of such requirements need to be met. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd177	H:	Have observations	While provision of wheelie bins is clearly required, the possibility of achieving this by means other than a contribution to the waste authority should be noted.	Noted. Wheelie bins will need to be funded as outlined in the SPD in order to meet the requirements for the appropriate fleet collection.
Ramune Mimiene Brampton Parish Council	DCspd146	H.11	Have observations	Inflation. Section H, Residential Wheelie Bins includes reference to the cost being updated annually (H11). How are other costs inflated over time?	Noted

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd140	I:	Object	We question the proposal for s106 contributions towards residential wheelie bins and the Police. It would reasonably be expected that this cost is met by the Council Tax. There is no justification why these should present a further burden on developers. Similarly, it is understood that funding for the Police is met by Government grant and Council Tax and we question whether the imposition of contributions from developers is reasonable.	Disagree in part. The contributions for wheelie bins are valid and the cost of such requirements need to be met. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Ramune Mimiene Brampton Parish Council	DCspd154	I:	Have observations	Police. Why are the modest capital costs of additional police and police support not covered by increased precept income, which must cover capital costs for the remainder of the force?	Noted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd178	I:	Have observations	The background to the figures employed for contributions needs to be fully referenced so that the costs can be reviewed. The final sentence of paragraph I17 should be clear that this contribution as calculated would only apply to non-residential floorspace likely to involve a concentration of people outside of work.	Noted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd115	I.8	Object	Paragraph I.8 requires payments towards CIL, but also contributions to be applicable to large scale major developments. See coments at D9. Police requirements should not be dealt with through obligations but any payments should be secured by CIL.	Accepted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd80	I.8	Object	Paragraph I.8 within the SPD states: <i>"New housing developments within the district and commercial developments that are likely to involve the concentration of people outside of work often associated with alcohol, such as leisure, restaurant, take-away, pub and night club uses will trigger the need for police contributions."</i> It then goes on to state that: <i>"Police service contributions will apply to any residential development of 10 more dwellings and any commercial development of 1,000 m² or more floorspace..."</i> St John's College, Cambridge are landowners adjacent to Ermine Business Park in Huntingdon and have been promoting this area of land within the Council's Local Development Framework for commercial uses. The Adopted Core Strategy indicates that the College's landholding is appropriate for new employment development and on the basis of an application being prepared and submitted to the Council it is essential that the College is aware of contributions that may be sought as the focus of this development. Clearly in the context of Section I in the SPD as it relates to "police"	Accepted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>we would not be making contributions to the Police having regard to the anticipated nature of new development (i.e. as an extension to the existing business park). In such a context, we suggest that further clarity and consistency is introduced into the wording of I.8 to clarify the Council's position and accordingly suggest the following wording to be provided.</p> <p><i>"New housing developments within the District and commercial development that are likely to involve the concentration of people outside of work often in association with alcohol, such as leisure, restaurant, takeaway, pub and nightclub uses will trigger the need for Police contributions. In these circumstances, Police service contributions will apply to any residential developments of 10 or more dwellings and only relevant commercial development of 1,000 m² or more of floorspace..."</i></p>	
<p>Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited</p>	<p>DCspd86</p>	<p>I.8</p>	<p>Object</p>	<p>Paragraph I.8 within the SPD states: <i>"New housing developments within the District and commercial developments that are likely to involve a concentration of people outside of work often associated with alcohol, such as leisure, restaurant, takeaway, pub and nightclub uses will trigger the need for Police contributions"</i>. It goes on to state that: <i>"Police service contributions will apply to any residential development of 10 or more dwellings and any commercial development of 1,000 sqm or more of floorspace..."</i> AWG Landholdings Ltd are concerned that new commercial developments that may well be of an office nature should not be the subject of planning obligations which do not directly relate to the new development itself and are which not necessary in order to make it happen.</p>	<p>Accepted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.</p>
<p>Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni</p>	<p>DCspd116</p>	<p>J:</p>	<p>Object</p>	<p>This does not meet the test laid down by regulation 122 of the CIL Regs. It is covering the costs of a service which should already be supplied by the Council, and therefore cannot be shown to be necessary to make the development acceptable in planning terms, or directly related to the development.</p>	<p>Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.</p>
<p>Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge</p>	<p>DCspd81</p>	<p>J:</p>	<p>Object</p>	<p>This section within the SPD suggests that contributions from housing and commercial development will be sought towards the "provision of a Sports and Physical Activity Development Officer for community benefit". There is very little detail within Section J of the SPD as to what such an officer would be doing although the Council suggest in paragraph J.7 that these could include " <i>holiday programmes, after school clubs, sports club development, over 50's activities, exercise referral and healthy lifestyle activities</i> ". We fail to see how the Council apply such a contribution within the five tests of Circular 05/2005 and certainly cannot see how</p>	<p>Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>such a contribution is "necessary to make a proposal acceptable in planning terms". It is inappropriate for the Council to introduce such obligations in this manner on a simple assumption that "new housing and commercial development will trigger the need" (paragraph J.6). The list of functions for such an officer (J.7) suggests some form of teaching/education and we cannot support such a contribution. In the circumstances of St John's College promoting the land adjacent to Ermine Business Park for new employment, we cannot see how such a contribution will stand up to scrutiny in light of the five tests, three of which are now enshrined within statutory legislation.</p> <p>Finally we note that the wording in Section J is remarkably similar to the wording in Section K as it relates to the "Community Development Officer". There is clear duplication (particularly in respect of the community benefits set out in J.7 and K.7) which is totally inappropriate notwithstanding our serious concerns about non-compliance with legislation. Section J should be deleted.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd141	J:	Object	<p>There is no rationale for contributions to be made towards Sports and Physical Activity Development Officers and Community Development Officers. The level of contribution expected from developers is to pay each officer's substantial £40,000 annual salary for a 15 year period, which is unjustified and unreasonable. We wish to further review, in detail, the full range of proposed contributions and CIL and would wish to discuss this with you as a matter of urgency given the strategic importance of the delivery of St Neots to the LDF.</p>	Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd87	J:	Object	<p>It is understood that this section of the SPD is a new approach as far as the Distinct is concerned. However, there is very little detail indeed within Section J of the SPD as to what such an Officer would be doing although the Council suggested at paragraph J.7 that this could include: <i>"Holiday programmes, after school clubs, sports club development, over 50's activities, exercise referral and healthy lifestyle activities."</i></p> <p>We therefore fail to see how the Council apply such a contribution within the five tests of Circular 5/05 and certainly cannot see how a contribution is "necessary to make a proposal acceptable in planning terms". It is inappropriate for the Council to include such obligations in such a manner on a basic assumption that "new housing and commercial development will trigger the need" (paragraph J.6) in the circumstances and where AWG Landholdings Ltd are bringing forward sites for development, we cannot see how a contribution will stand up to scrutiny in light of the tests.</p>	Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				We note that the wording in Section J is remarkably similar to the wording in Section K as it relates to the "Community Development Officer". There is a clear duplication in both and on that basis we consider both sections J and K should be deleted from the SPD.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd179	J:	Have observations	It would be of assistance if the requirements for sports and physical activity development officers and community development officers were more fully explained, and how new provision as a result of new developments will augment existing levels of provision of such initiatives across the District. This section should also be updated to offer flexibility for equivalent roles to be funded and provided outwith the public sector, such as through making contributions to other sports development or community initiatives, and how any contributions in kind might be offset against any requirements. Very large scale developments could fund such measures directly themselves, hence the need for flexibility.	Noted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd117	K:	Object	See comments at J	Accepted. The community development officer contributions have been reviewed and will be deleted from the SPD.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd142	K:	Object	There is no rationale for contributions to be made towards Sports and Physical Activity Development Officers and Community Development Officers. The level of contribution expected from developers is to pay each officer's substantial £40,000 annual salary for a 15 year period, which is unjustified and unreasonable. We wish to further review, in detail, the full range of proposed contributions and CIL and would wish to discuss this with you as a matter of urgency given the strategic importance of the delivery of St Neots to the LDF.	Accepted. The community development officer contributions have been reviewed and will be deleted from the SPD.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd180	Appendix 1:	Have observations	It is unclear what is meant by watersports centre. Given the cost of £600k quoted this is not envisaged to include a swimming pool. It would be helpful if the background source for the costs outlined was cross referenced to allow the background data to be reviewed.	
Nairn Davidson Luminus Group	Response via CIL			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	Welcome comments. The evidence base is robust and in line with the adopted Core Strategy. Para 3.13 amended to reflect comment. The average house size is based on an average calculation across all sizes.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>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 quesry 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>The legal requirements stated in section 4 are standard. The fees noted have been reviewed in light of comments received and the document will be updated to reflect this</p>
Rose Freeman The Theatres Trust	Response via CIL			<p>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.</p>	<p>Noted. The document will be amended to clarify that new cultural facilities <u>may</u> receive contributions through a negotiated process, if these can be fully justified.</p>